



Dr John Roseth
Chairperson
Sydney East Joint Regional Planning Panel
GPO Box 39
SYDNEY NSW 2001

14/06988

Dear Mr Roseth

Planning proposal to amend Sutherland Shire Local Environmental Plan 2006

I am writing in response to the Panel's recommendation dated 26 November 2013 for a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) in respect of the planning proposal to rezone the land at 152 Old Illawarra Road, Barden Ridge.

As delegate of the Minister for Planning, I have now determined the planning proposal should proceed subject to the conditions in the attached Gateway determination.

I have also agreed the planning proposal's inconsistency with s117 Direction 1.1 Business and Industrial Zones and 3.4 Integrating Land Use and Transport are of minor significance. No further approvals are required in relation to these Directions.

The amending Local Environmental Plan (LEP) is to be finalised within 9 months of the week following the date of the Gateway determination. The Panel should aim to commence the exhibition of the planning proposal as soon as possible. The Panel's request for the Department to draft and finalise the LEP should be made six (6) weeks prior to the projected publication date.

The State Government is committed to reducing the time taken to complete LEPs by tailoring the steps in the process to the complexity of the proposal, and by providing clear and publicly available justification for each plan at an early stage. In order to meet these commitments, the Minister may take action under section 54(2)(d) of the EP&A Act if the time frames outlined in this determination are not met.

Should you have any queries in regard to this matter, please contact Deewa Baral of the Metropolitan Delivery (CBD) Branch of the Department of Planning and Environment on 02 8575 4127.

Yours sincerely

Richard Pearson
Deputy Secretary
Growth Planning and Delivery



Gateway Determination

Planning proposal (Department Ref: PP_2014_SUTHE_001_00): to rezone the land at 152 Old Illawarra Road, Barden Ridge to zone 9 – Local Centre to facilitate a neighbourhood shopping centre.

I, the Deputy Secretary, Growth Planning and Delivery, at the Department of Planning and Environment as delegate of the Minister for Planning, have determined under section 56(2) of the *Environmental Planning and Assessment Act 1979 (EP&A Act)* that an amendment to the Sutherland Local Environmental Plan (LEP) 2006 to rezone the land at 152 Old Illawarra Road, Barden Ridge to zone 9 – Local Centre should proceed subject to the following conditions:

1. Community consultation is required under sections 56(2)(c) and 57 of the *EP&A Act* as follows:
 - (a) the planning proposal must be made publicly available for a minimum of **28 days**; and
 - (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of *A Guide to Preparing LEPs (Department of Planning and Environment website)*.
2. Prior to undertaking exhibition, the proponent is to submit a draft site specific Development Control Plan to the satisfaction of the Relevant Planning Authority to be exhibited along with the planning proposal.
3. Consultation is required with Sutherland Shire Council, Transport for NSW and NSW Rural Fire Service under section 56(2)(d) of the *EP&A Act*. These agencies are to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.
4. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the *EP&A Act*. This does not discharge the Panel from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).
5. The timeframe for completing the LEP is to be **9 months** from the week following the date of the Gateway determination.

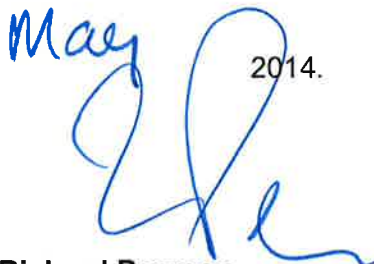
Dated

30

day of

May

2014.


Richard Pearson
Deputy Secretary
Growth Planning and Delivery

Delegate of the Minister for Planning