

Gateway Determination

Planning proposal (Department Ref: PP-2024-2150): to amend *Sutherland Shire Local Environmental Plan 2015* to reclassify land at 62 Prince Street, Cronulla (Part of Lot 1 DP 1264560) from 'community' land to 'operational' land.

I, the Director, Local Planning at the Department of Planning, Housing and Infrastructure, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the *Sutherland Shire Local Environmental Plan 2015* to reclassify land at 62 Prince Street, Cronulla (Part of Lot 1 DP 1264560) from 'community' land to 'operational' land should proceed subject to the following:

The Council as planning proposal authority is authorised to exercise the functions of the local plan-making authority under section 3.36(2) of the Act subject to the following:

- (a) the planning proposal authority has satisfied all the conditions of the gateway determination;
- (b) the planning proposal is consistent with applicable directions of the Minister under section 9.1 of the Act or the Secretary has agreed that any inconsistencies are justified; and
- (c) there are no outstanding written objections from public authorities.

The LEP should be completed on or before **11 December 2025**.

Gateway Conditions

1. Prior to exhibition, the planning proposal is to be updated to:
 - a. Address Ministerial Direction 5.2 Reserving Land for Public Purposes. As confirmed by Council, detail that the subject site is a public reserve and Council does not propose to alter the public reserve status.
 - b. Address the matters identified in LEP practice note 'PN16-001 Classification and reclassification of public land through a local environmental plan' including:
 - i. provide a copy of the titles for all lots to be reclassified;
 - ii. specify the land is a 'public reserve' (defined under the Local Government Act 1993);
 - iii. provide a summary of council's interests in the land including how the land was first acquired and the nature of any trusts or dedications;
 - iv. provide a Land Reclassification Map.
2. Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the Act as follows:
 - (a) the planning proposal is categorised as complex as described in the *Local Environmental Plan Making Guideline* and must be made publicly available for a minimum of 30 working days; and

- (b) the planning proposal 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 *Local Environmental Plan Making Guideline*.
- 3. The planning proposal authority must comply with the requirements for public exhibition of planning proposals identified in LEP practice note 'PN16-001 Classification and reclassification of public land through a local environmental plan'.
- 4. A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing.
- 5. A public hearing is required to be held in accordance with Section 29 of the Local Government Act 1993 and the Practice Note PN 16-001.
- 6. Council is authorised to exercise the functions of the local plan-making authority.
- 7. The LEP should be completed by 11 December 2025 in accordance with Table 2 of the LEP Plan Making Guideline 2023.

Dated 1 November 2024



Rukshan De Silva
A/ Director Local Planning (Central, West
and South)
Department of Planning, Housing and
Infrastructure

Delegate of the Minister for Planning and
Public Spaces