

Department of Planning, Housing and Infrastructure

Our ref: PP-2025-1429/IRF25/2281

Ms Clare Phelan
Chief Executive Officer
Sutherland Shire Council
Locked Bag 17
Sutherland NSW 1499

Attention: Beth Morris, Planning and Strategy Manager
Via email: bmorris@ssc.nsw.gov.au

24 October 2025

Subject: **PP-2025-1429 Waterways**

Dear Beth,

Thank you for meeting with officers from the Department of Planning, Housing and infrastructure (the Department) on 2 October 2025 to discuss PP-2025-1429 Waterways planning proposal. The purpose of this letter is to advise Council of the issues identified with the proposal and options to proceed.

The Department is unable to support the planning proposal in its current form due to significant issues raised by State agencies during pre-Gateway consultation. The Department has not undertaken a detailed assessment of the proposal at this stage because the issues raised by State agencies, and outlined in this letter, are likely to impact the scope and intended outcomes of the proposal.

Pre-gateway consultation

The Department referred the proposal to the following teams:

- Conservation Programs, Heritage and Regulation and National Parks and Wildlife Services branches, Department of Climate Change, Energy, the Environment and Water
- Department of Primary Industries and Regional Development Fisheries
- Crown Lands
- Transport for NSW.

A copy of the referrals is enclosed.

The outcomes of the consultation identified issues related to scope of waterways to be rezoned and strategic merit.

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Scope of waterways to be rezoned

- Environmentally sensitive areas such as Cabbage Tree Point Intertidal Protected Area, Deeban Spit, and native seagrass (*Posidonia australis*) require exclusion or further impact assessment due to potential for adverse environmental impacts.
- W2 Recreational Waterways adjacent to C1 National Parks and Nature Reserves and C2 Environmental Conservation Lands should be further considered due to potential conflict between zone objectives.
- The seaward extent of the W2 Recreational Waterways zone should be reduced for navigational safety.
- Clarification of land ownership adjacent to waterways to be rezoned.
- Consideration of changes to scope should consider relevant policies outlined in the referrals attached.

Strategic merit

- The proposal is to include an assessment against relevant Ministerial Directions 3.10 (Water Catchments) and 4.2 (Coastal Management).
- The proposal is to demonstrate further justification to address the partial inconsistency with the Greater Sydney Region Plan and South District Plan.

Any amendments to the proposed W2 Recreational Waterways zone should avoid fragmented zoning, odd zone transitions and awkward alignment of zoning to the cadastre.

Options to proceed

Whilst parts of the planning proposal have merit to proceed, there are parts that require further information or removal from the planning proposal.

To proceed, Council can either:

- Option 1 - provide additional information to support the proposal in its current form or with variations. Should Council proceed with this option, independent specialist advice may be of assistance.
- Option 2 - re-submit the proposal excluding particular areas.

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We remain committed to working with Council to progress the proposal. Please do not hesitate to contact Renee Coull 9995 6632 or Tharani Yoganathan 9274 6447, Managers Local Planning and Council Support should you require further clarification or assistance.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Tina Chappell".

Tina Chappell

**Director, Local Planning Central West and South
Local Planning and Council Support**