

Gateway Determination

Planning proposal (Department Ref: PP-2025-245): Review C3 Environmental Management and C4 Environmental Living in Sutherland Shire

I, the Director, Local Planning and Council Support 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 review conservation zoned land controls and to rezone conservation land to R2 Low Density Residential 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 30 January 2026.

Gateway Conditions

1. The planning proposal and supporting documents are to be updated to delete the proposed rezoning of Kareela Precinct 6 as there is insufficient information to demonstrate that the proposal will protect bushland, habitat corridors and links between bushland in accordance with the requirements of Section 9.1 Direction 3.7 Public bushland and manage coastal impacts in accordance with the requirements of Direction 4.2 Coastal Management
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 standard as described in the *Local Environmental Plan Making Guideline* (Department of Planning and Environment, August 2023) and must be made publicly available for a minimum of 20 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* (Department of Planning and Environment, August 2023).
3. Consultation is required with the following public authorities and government agencies under section 3.34(2)(d) of the Act and/or to comply with the requirements of applicable directions of the Minister under section 9 of the Act:

- Department of Planning, Housing and Infrastructure - Resilience and Sustainability
- Department of Climate Change, Energy, the Environment and Water- Conservation, Preservation and Heritage Regulation (DCCEEW CPHR)

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material via the NSW Planning Portal and given at least 30 working 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 3.34(2)(e) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

Dated 10 June 2025



Tina Chappell

Director , Local Planning and Council Support

Department of Planning, Housing and Infrastructure

Delegate of the Minister for Planning and Public Spaces