

Gateway Determination

Planning proposal (Department Ref: PP-2025-261): Additional permitted use – specialised retail premises at 117-131 Taren Point Road, Taren Point

I, the Director, Central, West and South 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 introduce new clause in Schedule 1 which enables an additional permitted uses of specialised retail premises on Lots 1 & 2 in DP 526394 and Lot 6 in DP 226993, at 117-131 Taren Point Road, Taren Point, 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. Direction 4.2 Coastal Management remains unresolved and requires further justification; and
- (c) there are no outstanding written objections from public authorities.

The LEP should be completed on or before 28 July 2026.

Gateway Conditions

The following conditions are recommended to be included on the Gateway determination:

1. Prior to exhibition, the planning proposal is to be amended to the requirements below and forwarded to the Minister under s 3.34(6) of the Act:
 - Update the planning proposal to clarify Planning Priority S10 Retain and manage industrial and urban services land and Planning Priority S18: Adapting to the impacts of urban and natural hazards and climate change is inconsistent but justified
 - Update the planning proposal to address Directions 1.1 Implementation of Regional Plan, 1.4, Site Specific provisions, 3.1 Conservation Zones and 4.2 Coastal Management
 - Include a new notation under the additional permitted use map under Section 5.4 – Part 4: Mapping of the planning proposal
 - Update the planning proposal to address watercourses and terrestrial biodiversity.
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 Department of Climate Change, Energy, the Environment and Water (DCCEEW) under section 3.34(2)(d) of the Act. DCCEEW is to be provided with a copy of the planning proposal and any relevant supporting material 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 30 September 2025



Tina Chappell
Director
Local Planning and Council Support
Department of Planning, Housing and
Infrastructure

Delegate of the Minister for Planning and
Public Spaces