

Mr Stephen Dunshea
Acting General Manager
Shoalhaven City Council
PO Box 42
NOWRA NSW 2541

Attention: Thomas Trezise, Strategic Planner

Dear Mr Dunshea

Planning proposal PP_2019_SHOAL_002_00 to amend Shoalhaven Local Environmental Plan 2014

I am writing in response to Council's request for a Gateway determination under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) and additional information received on 23 May 2019 in respect of the planning proposal to allow dwelling house as an additional permitted use on particular land in the South Nowra Industrial Expansion area.

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

I have also agreed, as delegate of the Secretary, the planning proposal's inconsistencies with section 9.1 Directions 1.1 Business and Industrial Zones and 5.10 Implementation of Regional Plans are minor and justified in accordance with the terms of the Directions. No further approval is required in relation to these Directions.

Council may still need to obtain the agreement of the Secretary to comply with the requirements of section 9.1 Direction 4.4 Planning for Bushfire Protection. Council should ensure this occurs prior to the plan being made.


It is noted that Council has requested to be authorised as the local plan-making authority. I have considered the nature of Council's planning proposal and have conditioned the Gateway for Council to be authorised as the local plan-making authority.

The amending local environmental plan (LEP) is to be finalised within 12 months of the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request to draft and finalise the LEP should be made directly to Parliamentary Counsel's Office six weeks prior to the projected publication date. A copy of the request should be forwarded to the Department of Planning and Environment.

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 3.32(2)(d) of the Act if the time frames outlined in this determination are not met.

Should you have any enquiries about this matter, I have arranged for Ms Lisa Kennedy to assist you. Ms Kennedy can be contacted on 4247 1827.

Yours sincerely



19/6/19

Ben Eveleigh
Director Regions, Southern
Planning Services

Encl: Gateway determination
Authorised plan-making reporting template