



Contact: Lisa Kennedy
Phone: (02) 4224 9450
Fax: (02) 4224 9470
Email: Lisa.Kennedy@planning.nsw.gov.au
Postal: PO Box 5475, Wollongong NSW 2520

Our ref: PP_2010_KIAMA_002_00 (10/09168)
Your ref: 09144

Mr Michael A Forsyth
General Manager
Kiama Municipal Council
PO Box 75
KIAMA NSW 2533

Dear Mr Forsyth,

Re: Planning Proposal in relation to development within Jamberoo Action Park

I am writing in response to your Council's letter dated 4 August 2010 requesting a Gateway Determination under section 56 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") in respect of the planning proposal to amend the Kiama Local Environmental Plan 1996 to permit additional land uses on Lot 1 DP 1070506 and Lot 3 DP 258919, Jamberoo Road, Curramore).

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

As outlined in the planning proposal, the additional land uses are to be allowed on the subject land by amending Schedule 4 of the Kiama Local Environmental Plan 1996. However, Council is to ensure that the appropriate zoning of the land is considered as part of the Kiama Comprehensive LEP.

The Department has agreed that the planning proposal's inconsistencies with S117 Directions 1.2 Rural Zones and 1.5 Rural Lands are of minor significance. No further approval is required in relation to these Directions.

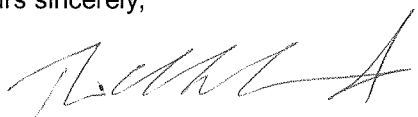
It would be appreciated if Council would provide the Department with a copy (including digital data) of any maps associated with the planning proposal including the amendment of the relevant map sheet in its Principal LEP.

The amending Local Environmental Plan (LEP) is to be finalised within 6 months of the week following the date of the Gateway Determination. Council should aim to commence the exhibition of the Planning Proposal within four (4) weeks from the week following this determination. Council's request for the Department to draft and finalise the LEP should be made six (6) weeks prior to the projected publication date.

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 s54(2)(d) of the EP&A Act if the time frames outlined in this determination are not met.

Should you have any queries in regard to this matter, please contact Lisa Kennedy of the Regional Office of the Department on 02 4224 9450.

Yours sincerely,



Tom Gellibrand
Deputy Director General
Plan Making & Urban Renewal

24/9/10

Gateway Determination

Planning Proposal (Department Ref: PP_2010_KIAMA_002_00): to permit additional land uses on Lot 1 DP 1070506 and Lot 3 DP 258919, Jamberoo Road, Curramore.

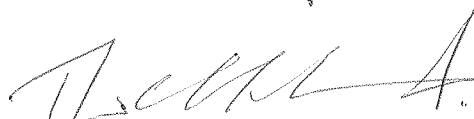
I, the Deputy Director General, Plan Making & Urban Renewal as delegate of the Minister for Planning, have determined under section 56(2) of the EP&A Act that an amendment to the Kiama Local Environmental Plan 1996 to permit additional land uses on Lot 1 DP 1070506 and Lot 3 DP 258919, Jamberoo Road, Curramore should proceed subject to the following conditions:

1. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:
 - (a) the planning proposal must be made publicly available for **28 days**; and
 - (b) the relevant planning 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 section 4.5 of *A Guide to Preparing LEPs (Department of Planning 2009)*.
2. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:
 - Department of Environment, Climate Change and Water
 - Department of Primary Industry (Agriculture)
 - Road and Traffic Authority
 - Tourism NSW

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material. Each public authority is to be given at least 21 days to comment on the proposal, or to indicate that they will require additional time to comment on the proposal. Public authorities may request additional information or additional matters to be addressed in the planning proposal.

3. No public hearing is required to be held into the matter under section 56(2)(e) of the EP&A Act. This does not have any bearing on the need to conduct a public hearing under the provisions of any other legislation.
4. The timeframe for completing the LEP is to be **6 months** from the week following the date of the Gateway determination.

Dated 24th day of September 2010.



Tom Gellibrand
Deputy Director General
Plan Making & Urban Renewal
Delegate of the Minister for Planning