

Gateway Determination

Planning Proposal (Department Ref: PP_2017_WOLLG_004_00): to permit medical centres, community health services facilities and registered clubs with development consent on certain land at Beaton Park.

I, Fatima Abbas, the Director Regions, Southern, at the Department of Planning and Environment as delegate of the Minister for Planning, have determined under section 56(2) of the *Environmental Planning and Assessment Act, 1979* that an amendment to the Wollongong Local Environmental Plan (LEP) 2009 as described above should proceed subject to the following conditions:

1. Community consultation is required under sections 56(2)(c) and 57 of the Act as follows:
 - (a) the planning proposal must be made publicly available for a minimum of **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 5.5.2 of *A guide to preparing local environmental plans* (Department of Planning and Environment 2016).
2. Consultation is required with the following public authorities and / organisations under section 56(2)(d) of the Act and/or to comply with the requirements of relevant Section 117 Directions:

- NSW Rural Fire Service

Each public authority/organisation is to be provided with a copy of the Planning Proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.

3. A public hearing is not required to be held into the matter by any person or body under section 56(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).



Planning & Environment

4. The timeframe for completing the LEP is to be **nine months** from the date of the Gateway determination.

Dated 7th day of September 2017

Fatima Abbas
Director Regions, Southern
Planning Services
Department of Planning and
Environment

Delegate of the Minister for Planning

WRITTEN AUTHORISATION TO EXERCISE DELEGATION

Wollongong City Council is authorised to exercise the functions of the Minister for Planning under section 59 of the *Environmental Planning and Assessment Act 1979* that are delegated to it by instrument of delegation dated 14 October 2012, in relation to the following planning proposal:

Number	Name
PP_2017_WOLLG_004_00	Planning proposal to permit medical centres, community health services facilities, and registered club with consent on certain land at Beaton Park.

In exercising the Minister's functions under Section 59 of the Act, the Council must comply with the Department's "*A guide to preparing local environmental plans 2016*" and "*A guide to preparing planning proposals 2016*".

Dated 7 September 2017



Ms Fatima Abbas
Director Regions, Southern
Planning Services
Department of Planning and Environment

Delegate of the Secretary
of the Department of Planning and Environment

Mr David Farmer
General Manager
Wollongong City Council
Locked Bag 8821
WOLLONGONG DC NSW 2500

Dear Mr Farmer

**Planning Proposal to amend Wollongong Local Environmental Plan 2009 –
Beaton Park – Schedule 1 (PP_2017_WOLLG_004_00)**

I am writing in response to Council's request for a Gateway determination under Section 56 of the *Environmental Planning and Assessment Act 1979* received on 18 August 2017 in respect of the Planning Proposal to permit medical centres, community health services facilities and registered clubs with consent on certain land within the Beaton Park Precinct to reflect the current uses on the site.

As delegate of the Minister for Planning, I have now determined the Planning Proposal should proceed subject to the conditions in the attached Gateway determination.

I have agreed, as delegate of the Secretary, that any inconsistency with Section 117 Direction 4.3 Flood Prone Land is of minor significance and justified in accordance with the terms of the Direction. In relation to Direction 4.4 Planning for Bushfire Protection, Council is required to consult with the NSW Rural Fire Service to ensure consistency with this Direction. No further approval is required in relation to these – or any other - Directions.

I note that Part 2 – Explanation of Provisions provides a draft of the proposed clauses that will be added to Schedule 1 of the Wollongong Local Environmental Plan 2009. Proposed Clause 25 refers to 'community health services facilities' at both 25(2) and 25(3). One of these references should be removed prior to exhibition of the proposal to avoid confusion.

Plan making powers were delegated to Councils by the Minister in October 2012. It is noted that Council, as the owner of the subject land, has not asked to be issued with delegation for this planning proposal. However, I have considered the minor nature of the proposal and have decided to issue an authorisation for Council to exercise delegation to make this plan. If issues arise during the consultation period, Council may choose not to exercise its delegation.

The amending Local Environmental Plan (LEP) is to be finalised within nine 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 54(2)(d) of the Act if the time frames outlined in this determination are not met.

Should you have any further enquiries about this matter, I have arranged for Ms Louise Myler to assist you. Louise may be contacted on 4224 9463.

Yours sincerely



Fatima Abbas 7.9.17
Director Regions, Southern
Planning Services

Encl: Gateway Determination
Written Authorisation to Exercise Delegation
Delegated Plan Making Reporting Template