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Our ref: PP_2011_WOLLG_005_00 (11/08054-1)
Your ref: Z11/99738

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

Dear Mr Farmer,

Re: Planning Proposal to amend Schedule 1 to include clay target range and club house (being a Recreation facility (outdoor)) as an additional permitted use on land at 1 DP 618764 Bong Bong Road, Huntley

I am writing in response to your Council's letter dated 9 May 2011 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 Wollongong Local Environmental Plan 2009 to amend Schedule 1 to include clay target range and club house (being a Recreation facility (outdoor)) as an additional permitted use on land at 1 DP 618764 Bong Bong Road, Huntley.

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

The Department does not favour the use of Schedule 1 in this instance. The preferred approach is to rezone the land to RE2 Private Recreation, which includes recreation facilities (Outdoor) as a permissible use in the zone. The planning proposal is therefore to be amended and is to proceed as a site rezoning prior to exhibition.

Council is to reassess the proposal's consistency against relevant S117 Directions given the revised approach of the planning proposal to achieve the desired outcome, as outlined above. Council is to include this assessment and amend the planning proposal accordingly prior to the commencement of public exhibition.

In relation to S117 Direction 4.4 Planning for Bushfire Protection, Council is to consult and obtain written advice from the Commissioner of the NSW Rural Fire Service, to the effect that the NSW Rural Fire Service does not object to the progression of the proposal. Subject to Council satisfying this requirement, the Director General's delegate has agreed that the planning proposal's inconsistencies with S117 Direction 4.4 Planning for Bushfire Protection are of a minor significance.

The amending Local Environmental Plan (LEP) is to be finalised within 9 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 Louise Wells of the Regional Office of the Department on 02 4224 9450.

Yours sincerely,



Tom Gellibrand
Deputy Director General
Plan Making & Urban Renewal

Gateway Determination

Planning Proposal (Department Ref: PP_2011_WOLLG_005_00): to amend Schedule 1 to include clay target range and club house (being a Recreation facility (outdoor)) as an additional permitted use on land at 1 DP 618764 Bong Bong Road, Huntley

I, the Deputy Director General, Plan Making & Urban Renewal as delegate of the Minister for Planning and Infrastructure, have determined under section 56(2) of the EP&A Act that an amendment to the Wollongong Local Environmental Plan 2009 to amend Schedule 1 to include clay target range and club house (being a Recreation facility (outdoor)) as an additional permitted use on land at 1 DP 618764 Bong Bong Road, Huntley should proceed subject to the following conditions:

1. An amendment to Schedule 1 to facilitate the desired outcome is not supported. Council is to rezone the land to R2 Private Recreation under Wollongong Local Environmental Plan 2009 and proceed with the planning proposal as a site rezoning.
2. Council is to reassess the consistency of the proposal against relevant S117 Directions given the revised approach required by Condition 1. This assessment is to be made available during the public exhibition period and provided to the Department prior to the instrument being drafted.
3. 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)*.
4. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:
 - Office of Environment and Heritage
 - NSW Police Services
 - NSW Rural Fire Service
 - Roads and Traffic Authority

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.

5. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A 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).



6. The timeframe for completing the LEP is to be **9 months** from the week following the date of the Gateway determination.

Dated 9th day of June 2011.

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