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Our ref: PP_2012_WOLLG_006_00 (12/09965)
Your ref: ESP-100.02.005

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

Dear Mr Farmer,

Planning Proposal to amend the Wollongong LEP (West Dapto) 2010

I am writing in response to your Council's letter dated 5 June 2012 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 LEP (West Dapto) 2010 by rezoning certain land at Wongawilli to B1 Neighbourhood Centre, R2 Low Density Residential and RE1 Public Recreation and amending floor space ratio and minimum lot size controls for the land.

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

I have also agreed that the planning proposal's inconsistencies with S117 Directions 1.1 Business and Industrial Zones, 6.2 Reserving Land for Public Purposes and 3.1 Residential Zones are of minor significance. No further approval is required in relation to these Directions.

It is noted that Council has recently received a Gateway Determination for planning proposal PP_2012_WOLLG_005_00, which will incorporate the Wollongong LEP (West Dapto) 2010 into the Wollongong LEP 2009, repealing the West Dapto LEP when notified. It is also noted that the subject planning proposal seeks to amend the West Dapto LEP. Council should consider revising the planning proposal to say that it will amend either the West Dapto LEP or the consolidated Wollongong LEP 2009, to ensure that the subject planning proposal can proceed irrespective of the timing of PP_2012_WOLLG_005_00. Council should amend the planning proposal, if necessary and provide a copy to the Department's Regional Office.

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 Graham Towers of the Regional Office of the Department on 02 4224 9450.

Yours sincerely,



Sam Haddad
Director-General

18/7/2012.

Gateway Determination

Planning Proposal (Department Ref: PP_2012_WOLLG_006_00): to amend the Wollongong LEP (West Dapto) 2010 by rezoning certain land at Wongawilli to B1 Neighbourhood Centre, R2 Low Density Residential and RE1 Public Recreation and amending floor space ratio and minimum lot size controls for the land.

I, the Director General, Department of Planning and Infrastructure 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 LEP (West Dapto) 2010 to rezone certain land at Wongawilli to B1 Neighbourhood Centre, R2 Low Density Residential and RE1 Public Recreation and amend the floor space ratio and minimum lot size controls for the land should proceed subject to the following conditions:

1. Council is to ensure that the planning proposal and accompanying maps accurately explain how the Wollongong LEP (West Dapto) 2010 is to be amended. It is noted that the subject parcels of land are not clearly identified on the maps and that an existing zoning map is not included. Council needs to amend the planning proposal to ensure that the rezoning of each parcel of land, including land description, is clearly explained for the purposes of community consultation.
2. 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)*.
3. No consultation is required with public authorities under section 56(2)(d) of the EP&A Act.
4. 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).
5. The timeframe for completing the LEP is to be **9 months** from the week following the date of the Gateway determination.

Dated

18th

day of

July

2012.



Sam Haddad
Director-General

Delegate of the Minister for Planning and
Infrastructure