



Planning & Environment

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Mr Russ Pigg
General Manager
Shoalhaven City Council
PO Box 42
NOWRA NSW 2541

Our ref: PP_2015_SHOAL_007_00 (15/12560)
Your ref: 50767E (D15/211676)

Attention: Gordon Clark

Dear Mr Pigg

Planning proposal to amend Shoalhaven Local Environmental Plan 2014

I am writing in response to your Council's letter dated 17 August 2015 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 extinguish Council's interests in land at Shoalhaven Heads, Coolangatta, St Georges Basin and part of land at Vincentia and to reclassify the remainder of the Vincentia land from "operational" to "community".

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.

In relation to S117 Direction 6.2 Reserving Land for Public Purposes, I have agreed to the alteration of the existing reservation of land for public purposes on the basis that it will correct an administrative error that occurred during the finalisation of the Shoalhaven LEP 2014. No further approval is required in relation to this Direction.

The amending Local Environmental Plan (LEP) is to be finalised within 12 months of the week following the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request for the Department of Planning and Environment to draft and finalise the LEP should be made 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 section 54(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 Mr George Curtis of the Department's Southern Region office can assist you. Mr Curtis can be contacted on (02) 4224 9465.

Yours sincerely

Brett Whitworth
**General Manager, Southern Region
Planning Services**

Encl: Gateway Determination

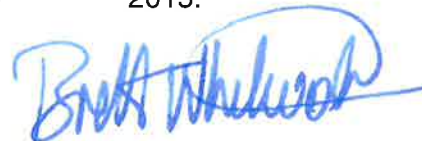
Gateway Determination

Planning proposal (Department Ref: PP_2015_SHOAL_007_00): to extinguish Council's interests in land at Shoalhaven Heads, Coolangatta, St Georges Basin and part of land at Vincentia and to reclassify the remainder of the Vincentia land from "operational" to "community" land.

I, Brett Whitworth, General Manager, Southern Region at the Department of Planning and Environment as delegate of the Minister for Planning, have determined under section 56(2) of the EP&A Act that an amendment to the Shoalhaven Local Environmental Plan (LEP) 2014 to extinguish Council's interests in land at Shoalhaven Heads, Coolangatta, St Georges Basin and part of land at Vincentia and to reclassify the remainder of the Vincentia land from "operational" to "community" land 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 is classified as low impact as described in *A Guide to Preparing LEPs* (Department of Planning and Environment 2013) and must be made publicly available for a minimum of **14 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 LEPs* (Department of Planning and Environment 2013).
2. No consultation is required with public authorities under section 56(2)(d) of the EP&A Act.
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 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).
4. The timeframe for completing the LEP is to be **12 months** from the week following the date of the Gateway determination.

Dated 3rd day of September 2015.



Brett Whitworth
General Manager
Southern Region
Planning Services
Department of Planning and Environment

Delegate of the Minister for Planning