



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

Contact: Louise Wells
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Email: louise.wells@planning.nsw.gov.au

Our ref: 13/19381-1

Dear Mr Farmer

Planning Proposal PP_2013_WOLLG_003_00 – Alteration of Gateway Determination

I refer to Council's letter of 20 October 2014 in relation to revisions to the above planning proposal to:

- delete the component which permitted outdoor dining areas upon footpaths;
- delete the component which permitted food and drink premises in the SP2 Infrastructure zone;
- delete the component dealing with the display of goods on footpaths; and
- amend the component permitting outdoor dining on community and crown land to include a reference to operational land.

I have determined as the delegate of the Minister, in accordance with section 56(7) of the Environmental Planning and Assessment Act, 1979, to alter the Gateway determination dated 5 December 2013 for PP_2013_WOLLG_003_00 (as altered). The Alteration of the Gateway determination and amended Written Authorisation to Exercise Delegation are enclosed.

I note Council's undertaking to re-exhibit the proposal. Council is requested to carry out community consultation for the revised proposal in accordance with condition 1 of the original Gateway Determination.

If you have any questions in relation to this matter, I have arranged for Louise Wells to assist you. Louise can be contacted on (02) 4224 9463.

Yours sincerely

10 November 2014

Brett Whitworth
**General Manager
Southern Region**

Encl:
Alteration to Gateway Determination
Written Authorisation to Exercise Delegation

Alteration of Gateway Determination

Planning proposal (Department Ref: PP_2013_WOLLG_003_00)

I, General Manager, Southern Region at the Department of Planning and Environment, as delegate of the Minister for Planning, have determined under section 56(7) of the *Environmental Planning and Assessment Act 1979* (EP&A Act) to alter the Gateway determination dated 5 December 2013 (as since altered) for the proposed amendment to the Wollongong Local Environmental Plan 2009 as follows:

A. Change the title of the planning proposal as follows:

Delete: *"to amend Schedule 2 and land use table for SP2 Infrastructure zone of the Wollongong Local Environmental Plan 2009."*

and replace with: "to amend Schedule 2 of the Wollongong Local Environmental Plan 2009."

B. Change the description of the planning proposal as follows:

Delete: "to permit outdoor dining on footpaths, community land and Crown land and the display of goods on footpaths as Exempt development and to permit 'food and drink premises' with consent within the SP2 Infrastructure zone"

and replace with: "to permit outdoor dining areas (associated with lawfully approved 'food and drink premises') on operational and community land, and Crown land as Exempt development"

Dated 10th day of November 2014.



Brett Whitworth
General Manager
Southern Region
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_2013_WOLLG_003_00	Planning proposal to permit outdoor dining (associated with lawfully approved 'food and drink premises') on operational land, community land, and Crown land as Exempt development.

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

Dated 10 November 2014



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