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

Our Ref: 13/20396
Your Ref: 47841E (D14/253840)

Attention Mr Michael Park

Dear Mr Pigg

**Gateway Determination Extension for Shoalhaven Planning Proposal
PP_SHOAL_2014_002_00 Heritage Estates and Elouera and Fairview Estates**

I refer to Planning Proposal (PP_2014_SHOAL_002_00) which rezones land in the Heritage Estates and adjoining Elouera and Fairview Estates from RU2 Rural Landscapes to E2 Environmental Conservation in the Shoalhaven Local Environmental Plan 2014.

I am aware that the above proposal has been exhibited and adopted by Council. I note that as a result of the outstanding Federal Court case on Heritage Estates, Council has split the proposal into two separate Local Environmental Plan amendments.

I would like to congratulate Council on having the Elouera and Fairview Estates Local Environmental Plan Amendment (Shoalhaven Local Environmental Plan 2014 Amendment No. 3) notified on 24 October 2014. This amendment reflects the high biodiversity values of the land and will remove any uncertainty about the future uses and zoning of the land.

I understand that the Heritage Estates Local Environmental Plan Amendment is ready to be submitted to the Parliamentary Counsel's Office, once the Federal Court judgement is made in mid November 2014.

The Gateway determination for the planning proposal, issued on 11 February 2014, identified a 9 month timeframe for completion of the Local Environmental Plan, expiring on 11 October 2014.

I have determined, as the delegate of the Minister, in accordance with section 56(7) of the Environmental Planning and Assessment Act, 1979, to amend the Gateway determination to extend the time for the completion of the Local Environmental Plan by a further 6 months. The Local Environmental Plan is now due to be finalised by 11 April 2015. Please see the attached Alteration of Gateway determination.

I have also agreed to Council's continued use of its authorisation to exercise delegation to make the Heritage Estates Local Environmental Plan Amendment.

If you have any questions in relation to this matter, please contact Lisa Kennedy, Planning Officer of the Department of Planning and Environment's Southern Regional office on 4224 9457.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Brett Whitworth', with a long horizontal flourish extending to the right.

Brett Whitworth
General Manager
Southern Region
Planning Services

27 October 2014

Alteration of Gateway Determination

Planning Proposal (Department Ref: PP_2014_SHOAL_002_00): *to rezone land in the Heritage Estates and adjoining Elouera and Fairview Estates from RU2 Rural Landscapes to E2 Environmental Conservation.*

I, the General Manager, Southern Region, as delegate for the Minister for Planning, have determined, under section 56(7) of the Environmental Planning and Assessment Act 1979, to alter the Gateway determination dated 11 February 2014 for the proposed amendment to the Shoalhaven Local Environmental Plan 2014 as follows:

Delete

"4. The timeframe for completing the Local Environmental Plan is to be **9 months** from the week following the date of the Gateway determination";

And replace with

"4. The timeframe for completing the Local Environmental Plan is to be **15 months** from the week following the date of the Gateway determination."

Dated 27 day of October 2014



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

Delegate of the Minister for Planning