



Mr Stephen Dunshea
General Manager
Shoalhaven City Council
PO Box 42
NOWRA NSW 2541

Attention: Mr Gordon Clark

Dear Mr Dunshea

Planning proposal PP_2016_SHOAL_002_03 – Alteration of Gateway Determination

I refer to your letter in relation to revisions to planning proposal PP_2016_SHOAL_002_03, which seeks to enable residential development and environmental protection on Lots 21 to 24 DP 714096, Warrah Road, Bangalee.

I have determined as the delegate of the Minister, in accordance with section 3.34(7) of the *Environmental Planning and Assessment Act 1979*, to alter the Gateway determination dated 12 July 2016 for PP_2016_SHOAL_002_00 (since altered). The Alteration of Gateway determination is enclosed.

I am unable to support the proposed encroachment of residential zoning on land subject to the remediation order issued under the *Biodiversity Conservation Act 2016* to allow for the provision of a future public road.

The landowner will need to revise the alignment of the future road to be outside the remediation area, or apply separately to the Department of Planning, Industry and Environment's Compliance and Regulation Team to request an amendment to the remediation order boundary to allow for the proposed road.

Notwithstanding, I note that roads are permitted with consent in the E2 Environmental Conservation zone under the Shoalhaven LEP 2014. As such, subject to successfully obtaining an amendment of the remediation order, the provision of the proposed road is permitted with consent under the proposed E2 Environmental Conservation zoning for this land.

If you have any questions in relation to this matter, I have arranged for Mr George Curtis, Senior Planner, to assist you. Mr Curtis can be contacted on 4247 1824.

Yours sincerely

Ben Eveleigh
Director Regions, Southern
Planning and Assessment

Encl: Alteration of Gateway Determination