



Planning & Infrastructure

Gateway Determination

Planning proposal (Department Ref: PP_2013_SHELL_004_00): to permit office premises at 23 George Street, Warilla.

I, the Regional Director, Southern Region at the 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 Shellharbour Local Environmental Plan (LEP) 2013 to make office premises permissible with consent at 23 George Street, Warilla 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 must be made publicly available for a minimum of **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 5.5.2 of *A Guide to Preparing LEPs* (Department of Planning & Infrastructure 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 **6 months** from the week following the date of the Gateway determination.

Dated 2nd day of August 2013.

Brett Whitworth
Regional Director
Southern Region
Planning Operations and Regional
Delivery
Department of Planning and Infrastructure
Delegate of the Minister for Planning and
Infrastructure



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Our ref: PP_2013_SHELL_004_00 (13/12229)

Mr Michael Willis
General Manager
Shellharbour City Council
Locked Bag 155
SHELLHARBOUR CITY CENTRE NSW 2529

Dear Mr Willis,

Planning proposal to amend Shellharbour Local Environmental Plan 2013

I am writing in response to your Council's letter dated 18 July 2013 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 make office premises permissible with consent at 23 George Street Warilla.

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

I have also agreed the planning proposal's inconsistency with S117 Direction 5.1 Implementation of Regional Strategies is of minor significance. No further approval is required in relation to this, or any other, Direction while the planning proposal remains in its current form.

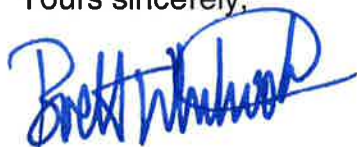
I note that Council has not yet accepted plan making delegation. Council is strongly encouraged to formally accept plan making delegations and nominate the officers or employees of Council who will be granted the proposed delegation as soon as possible, and advise the Department that delegations have been accepted. Accepting plan making delegations will enable locally significant proposals to be delegated back to Council.

The amending Local Environmental Plan (LEP) is to be finalised within 6 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 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, please contact Ms Louise Wells of the regional office of the department on 02 4224 9463.

Yours sincerely,



Brett Whitworth
Regional Director
Southern Region
Planning Operations and Regional Delivery