



Office of the Director General

Mr David Farmer
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Our ref: PP_2012_WOLLG_011_00 (12/20064)
Your ref: Z12\214950

Dear Mr Farmer,

Planning proposal to amend Wollongong Local Environmental Plan 2009

I am writing in response to your Council's letter dated 29 November 2012 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 amend the Wollongong Local Environmental Plan (LEP) 2009 to rezone land at Rothery Road and Pioneer Road, Bellambi and Acacia Street, Windang from R2 Low Density Residential to B1 Neighbourhood Centre and B2 Local Centre and amend the floor space ratio on the subject land.

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

I have also agreed that the planning proposal's inconsistencies with S117 Directions 3.1 Residential Zones and 3.4 Flood Prone Land are of minor significance. No further approval is required in relation to these Directions.

The amending LEP is to be finalised within 9 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 six (6) weeks prior to the projected publication date.

The NSW 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 s54(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 Graham Towers of the regional office of the department on 02 4224 9467.

Yours sincerely,


Sam Haddad
Director General
10/11/2012

Gateway Determination

Planning proposal (Department Ref: PP_2012_WOLLG_011_00): to rezone land at Bellambi and Windang for business purposes and amend the floor space ratio provisions for the land.

I, the Director General, 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 Wollongong Local Environmental Plan (LEP) 2009 to rezone land at 19 Acacia Street, Windang from R2 Low Density Residential to B2 Local Centre and rezone land at 203-207 Rothery Street and 53 Pioneer Road, Bellambi from R2 Low Density Residential to B1 Neighbourhood Centre and amend the floor space ratio to 0.75:1 for the subject land should proceed subject to the following conditions:

1. Prior to commencing public exhibition, Council is to amend the planning proposal to include current and proposed land zoning and floor space ratio maps which clearly identify the subject site.
2. 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 **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 and Infrastructure 2012)*.
3. No consultation is required with public authorities under section 56(2)(d) of the EP&A Act.
4. 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).
5. The timeframe for completing the LEP is to be **9 months** from the week following the date of the Gateway determination.

Dated

10th

day of

January

2013



Sam Haddad
Director General
Delegate of the Minister for Planning and
Infrastructure