



Planning

COPY

Office of the Deputy Director General

Mr Russ Pigg
General Manager
Shoalhaven City Council
PO Box 42
Nowra NSW 2541

Contact: Lisa Kennedy
Phone: (02) 4224 9457

Our ref: PP_2010_SHOAL_001_00
(W02/00066)
10/12858

Dear Mr Pigg

**Re: Conversion of Draft Shoalhaven LEP 1986 LP No. 338 Ross Avenue,
Narrawallee to a Planning Proposal**

I refer to Shoalhaven Council's letter to the Department, dated 23rd June 2010, requesting a Gateway Determination under section 56 of the Environmental Planning and Assessment Act 1979 ('EP&A Act') for the above draft LEP that had previously been exhibited by Council.

I have determined (as the delegate of the Director-General) under clause 12(2) of the Environmental Planning and Assessment Regulation 2000 that the former LEP plan-making provisions cease to apply to the draft LEP. The current provisions of Part 3 of the EP&A Act now apply.

Furthermore I have, as the delegate for the Minister for Planning, determined under clause 122 (2) of Schedule 6 of the Act to dispense with the conditions precedent prior to section 59(1) of the Act for the making of this draft LEP. The draft LEP may be submitted to the Director-General subject to the Council satisfying the following requirements that it

- consider any submissions made concerning the draft LEP when it was publicly exhibited under the former provisions, prepare a report on the public exhibition, and submit the report to the Department, and
- provide the Department with sufficient details about the intended planning controls to enable Parliamentary Counsel to draft a local environmental plan.

Council is encouraged to finalise the LEP within 6 months of the week following the date of this letter. 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 Lisa Kennedy of the Southern Region Office on 02 4224 9457.

Yours sincerely



30/6/10

Tom Gellibrand
Deputy Director General
Plan Making & Urban Renewal
(as delegate of the Minister and the Director-General)