



Hon Tony Kelly MLC  
Minister for Planning  
Minister for Infrastructure  
Minister for Lands  
Deputy Leader of the Government in the Legislative Council  
Leader of the House in the Legislative Council

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Mr Sam Haddad  
Director General, Department of Planning  
GPO Box 39  
SYDNEY NSW 2000

Dear Mr Haddad

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I am writing in response to your request for 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 Shoalhaven Local Environmental Plan 1985 to rezone part of Lot 7300 DP 1132679, Scenic Drive Nowra to enable the development of health services facilities on land adjacent to the Shoalhaven District Memorial Hospital.

As Minister Assisting the Minister for Planning, I have now determined the planning proposal should proceed subject to the conditions in the attached Gateway Determination.

The material to be placed on public exhibition should provide adequate justification for the loss of public open space associated with this proposal. It should be demonstrated the loss of open space will not detrimentally impact on the community's access to open space and recreation opportunities in the general area. As the Relevant Planning Authority (RPA), the Department is also to consult with the Department's Heritage Branch to ensure the matter of Nowra Park's potential heritage significance is resolved prior to exhibition. Any advice provided by the Heritage Branch should also be made available during the public exhibition.

The amending Local Environmental Plan (LEP) is to be finalised within **9 months** of the week following the date of the Gateway Determination. The Department should aim to commence the exhibition of the Planning Proposal within four (4) weeks from the week following this determination. The Department's request to draft and finalise the LEP should be made six (6) weeks prior to the projected publication date.

Yours sincerely

Barbara Perry  
Minister Assisting the Minister for Planning

24 FEB 2011

## Gateway Determination

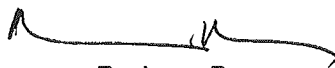
**Planning Proposal (Department Ref: PP\_2011\_SHOAL\_001):** to rezone part of Lot 7300 DP 1132679, Scenic Drive Nowra to enable the development of health services facilities on land adjacent to the Shoalhaven District Memorial Hospital.

I, the Minister Assisting the Minister for Planning, have determined under section 56(2) of the EP&A Act that an amendment to the Shoalhaven Local Environmental Plan 1985 to rezone part of Lot 7300 DP 1132679, Scenic Drive Nowra to enable the development of health services facilities on land adjacent to the Shoalhaven District Memorial Hospital 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 **28 days**;
  - (b) the Department of Planning as 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 4.5 of *A Guide to Preparing LEPs (Department of Planning 2009)*; and
  - (c) the planning proposal must not be exhibited until a letter from the Land and Property Management Authority has been provided agreeing to the change of zoning for the land.
2. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:
  - Land and Property Management Authority
  - NSW Health
  - Department of Environment, Climate Change and Water
  - NSW Road and Traffic Authority
  - Shoalhaven City Council
  - Shoalhaven Water
  - NSW Department of Planning – Heritage Branch

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material. Each public authority is to be given at least 21 days to comment on the proposal, or to indicate that they will require additional time to comment on the proposal. Public authorities may request additional information or additional matters to be addressed in the planning proposal.
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 the Department of Planning as the relevant planning authority from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission).
4. The timeframe for completing the LEP is to be **9 months** from the week following the date of the Gateway Determination.

Dated 24<sup>th</sup> day of February 2011.



Barbara Perry  
Minister Assisting the Minister for Planning