



Office of the Director General

Mr Michael Willis
General Manager
Shellharbour City Council
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Our ref: PP_2012_SHELL_001_00 (12/13754)
Your ref:

Dear Mr Willis,

Planning proposal to amend Shellharbour Local Environmental Plan (LEP) 2013 or Shellharbour LEP 2000 and Shellharbour Rural LEP 2004

I am writing in response to your Council's 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 remove Part 28 - Calderwood Site from Schedule 3 - State Significant Sites of State Environmental Planning Policy (Major Development) 2005 and zone the subject land at Calderwood for rural, environmental and infrastructure purposes, apply a minimum lot size of 40ha, a maximum building height of 9m, apply various environmental overlays and add new heritage items.

As delegate of the Minister for Planning and Infrastructure, I have now determined that the planning proposal should not proceed. I have similarly decided that planning proposal PP_2012_WOLLG_007_00 submitted by Wollongong City Council for Calderwood should also not proceed.

The department acknowledges that planning for Calderwood presents a challenge for Shellharbour City Council in relation to resources, coordination of infrastructure, developer contributions and managing multiple release areas. However, Council's proposed rezoning of the Calderwood development area is not supported by the department because it reduces housing supply and employment land in the Illawarra region.

It is important for the department to work closely with Council to assist in integrating the planning for Calderwood into Council's planning regimes. In early 2012 I wrote to Shellharbour City Council proposing a project control group (PCG) including both Shellharbour and Wollongong City Councils to ensure a consistent approach to future development applications in the area, as well as to assist with the coordination of infrastructure delivery programs. My decision regarding the planning proposals for Calderwood highlights the need to establish this PCG.

I have asked Brett Whitworth, Regional Director for the Southern Region to contact both Shellharbour and Wollongong City Councils to arrange a time to discuss the proposal to establish a PCG. Should you have any queries in regards to this matter, please contact Brett Whitworth on 02 4224 9450.

Yours sincerely,


Sam Haddad
Director General

13/9/2013 .

Encl:
Gateway Determination

Gateway Determination

Planning proposal (Department Ref: PP_2012_SHELL_001_00): to zone land at Calderwood for rural, environmental and infrastructure purposes.

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 the Shellharbour Local Environmental Plan (LEP) 2009 or Shellharbour LEP 2000 and Shellharbour Rural LEP 2004 to zone the subject land at Calderwood for rural, environmental and infrastructure purposes, apply a minimum lot size of 40ha, a maximum building height of 9m, apply various environmental overlays and add new heritage items and to remove Part 28 - Calderwood Site from Schedule 3 - State Significant Sites of State Environmental Planning Policy (Major Development) 2005 should not proceed for the following reasons:

1. The planning proposal is inconsistent with S117 Direction 3.1 Residential Zones because the proposal reduces the permissible residential density, impacts on housing affordability and reduces geographic choice for housing in the Illawarra region. The planning proposal is also inconsistent with S117 Direction 1.1 Business and Industrial Zones because it removes land zoned for commercial, industrial and employment uses.
2. The planning proposal is inconsistent with the Illawarra Regional Strategy because it removes housing supply and reduces employment lands within the Illawarra region.
3. The planning proposal is inconsistent with State Environmental Planning Policy (Major Development) 2005 (the SEPP) because the proposal removes the supply of residential zoned land under the SEPP and rezones the land for rural and environmental purposes, which is inconsistent with the intension of the provisions of the SEPP. Under the SEPP, Calderwood is predominantly zoned for residential and commercial uses.

Dated

13th

day of

September

2013..



Sam Haddad
Director General
Department of Planning & Infrastructure

Delegate of the Minister for Planning &
Infrastructure