



Planning & Environment

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Our Ref: PP_2016_KIAMA_003 (16/08992)
Your Ref: SC1752

Mr Michael Forsyth
General Manager
Kiama Municipal Council
PO Box 75
Kiama NSW 2533

—
Attention: Mr Edward Paterson

Dear Mr Forsyth

Planning proposal to amend Kiama Local Environmental Plan, 2011

I am writing in response to Council's request for a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to allow subdivision of allotments with multiple zones and minimum lot sizes and to enable residential development on 26 Drualla Road (Lot 100 DP 1157883) and 2A Downes Place (Lot 101 DP 1157883), Jamberoo.

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

In issuing this Gateway determination, I have found that the planning proposal is consistent with s117 Directions 2.3 Heritage Conservation, 3.1 Residential Zones, 3.4 Integrating Land Use and Transport and 5.10 Implementation of Regional Plans. No further approval is required in relation to these or other Directions, while the proposal remains in its current form.

I have agreed the planning proposal's inconsistency with section 117 Directions 1.2 Rural Zones, 1.5 Rural Lands and 4.4 Flood Prone Lands are of minor significance. No further approval is required in relation to these Directions.

Plan making powers were delegated to councils by the Minister in October 2012. It is noted that Council has requested to be issued with delegation for this planning proposal. I have considered the nature of Council's planning proposal and have decided to issue an authorisation for Council to exercise delegation to make this plan.

The amending Local Environmental Plan (LEP) is to be finalised within 12 months of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request to draft and finalise the LEP should be made directly to Parliamentary Counsel's Office six weeks prior to the projected

publication date. A copy of the request should be forwarded to the Department of Planning and Environment for administrative purposes.

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 *Environmental Planning and Assessment Act 1979* if the time frames outlined in this determination are not met.

Should you have any queries in regard to this matter, I have arranged for Lisa Kennedy of the Department's Southern Regional office to assist you. Lisa can be contacted on (02) 4224 9463.

Yours sincerely

A handwritten signature in dark ink, appearing to read 'Linda Davis', followed by the date '9/9/16' written vertically.

Linda Davis
Acting Director Regions, Southern
Planning Services

Encl:
Gateway Determination
Written Authorisation to Exercise Delegation
Delegated Plan Making Reporting Template