



IRF17/668

PP_2017_SHELL_001_00

Mr Carey McIntyre
General Manager
Shellharbour City Council
Locked Bag 155
Shellharbour City Centre NSW 2529

Dear Mr McIntyre

**Planning Proposal (PP_SHELL_2017_001) to amend Shellharbour City
Council Local Environmental Plan 2013 – Shellharbour Surf Club**

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) on 6 November 2017, with additional information provided on 1 December in respect of the Planning Proposal to reclassify Lot 1 DP 211127 and part of Lot 5 DP 218551 from Community to Operational land and to include Function Centres as an additional permitted use under in Schedule 1 of the Shellharbour LEP 2013.

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.

I have also agreed, as delegate of the Secretary, the Planning Proposal is consistent with Section 117 Directions, 2.2 Coastal Protection, 4.1 Acid Sulphate Soils, 5.10 Implementation of Regional Plans and 6.3 Site Specific Provisions. No further approval is required in relation to these Directions.

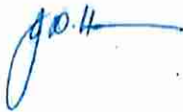
I note that Council has not requested delegation to finalise the planning proposal. As the proposal is minor in nature and the Governor's approval is not required I have decided to issue delegations to Council in this matter. A Written Authorisation to Exercise Delegation is enclosed.

The amending Local Environmental Plan (LEP) is to be finalised within 12 months of the date 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 6 weeks prior to the projected publication date. A copy of the request should be forwarded to the Department of Planning and Environment.

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 Act if the time frames outlined in this determination are not met.

Should you have any further enquiries about this matter, I have arranged for Ms Ann Martin to assist you. Ms Martin can be contacted on (02) 4224 9466.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'J. Horn', with a horizontal line extending to the right.

22/12/2017

Jeffrey Horn
Acting Director Regions, Southern
Planning Services

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



Attachment 5 – Delegated plan making reporting template

Reporting template for delegated LEP amendments

Notes:

- Planning proposal number will be provided by the Department of Planning and Environment following receipt of the planning proposal
- The Department of Planning and Environment will fill in the details of Tables 1 and 3
- RPA is to fill in details for Table 2
- If the planning proposal is exhibited more than once, the RPA should add additional rows to **Table 2** to include this information
- The RPA must notify the relevant contact officer in the regional office in writing of the dates as they occur to ensure the publicly accessible LEP Tracking System is kept up to date
- A copy of this completed report must be provided to the Department of Planning and Environment with the RPA's request to have the LEP notified

Table 1 – To be completed by Department of Planning and Environment

Stage	Date/Details
Planning Proposal Number	PP_2017_SHELL_001_00
Date Sent to DP&E under s56	1 December 2017
Date considered at LEP Review Panel (if applicable)	N/A
Gateway determination date	

Table 2 – To be completed by the RPA

Stage	Date/Details	Notified Reg Off
Dates draft LEP exhibited		
Date of public hearing (if held)		
Date sent to PCO seeking Opinion		
Date Opinion received		
Date Council Resolved to Adopt LEP		
Have changes been made to the draft LEP after obtaining final PC opinion?	YES NO	
Date LEP made by GM (or other) under delegation		
Date sent to DPE requesting notification		

Table 3 – To be completed by Department of Planning and Environment

Stage	Date/Details
Notification Date and details	

Additional relevant information:



Planning & Environment

WRITTEN AUTHORISATION TO EXERCISE DELEGATION

Shellharbour City Council is authorised to exercise the functions of the Minister for Planning under section 59 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) that are delegated to it by instrument of delegation dated 14 October 2012, in relation to the following planning proposal:

Number	Name
PP_2017_SHELL_001_00	Planning Proposal to amend Shellharbour LEP 2013 to reclassify Lot 1 DP 211127 and part of Lot 5 DP 218551 from Community to Operational land and to include Function Centres as an additional permitted use in Schedule 1 of the Shellharbour LEP 2013.

In exercising the Minister's functions under Section 59 of the EP&A Act, the Council must comply with the Department's "*A guide to preparing local environmental plans 2016*" and "*A guide to preparing planning proposals 2016*".

Dated 22nd day of December 2017

Jeffrey Horn
Acting Director Regions, Southern
Planning Services
Department of Planning and Environment

**Delegate of the Secretary
of the Department of Planning and Environment**