



Gateway Determination

Planning proposal (Department Ref: PP_2014_SHELL_005_00): to zone land at Ulan Place Albion Park and Jamberoo Road Albion Park a mix of R2 Low Density Residential and E3 Environmental Management.

I, the Executive Director, Regions, at the Department of Planning and Environment, as delegate of the Minister for Planning, have determined under section 56(2) of the Environmental Planning and Assessment Act (EP&A Act) that an amendment to the Shellharbour Local Environmental Plan (LEP) 2013 to introduce zones and controls for Lot 4300 DP 1058963 Ulan Place and Lot 4250 DP 1057886 Jamberoo Road Albion Park should proceed subject to the following conditions:

1. Community consultation is required under sections 56(2)(c) and 57 of the EP&A Act as follows:
 - (a) the planning proposal must be made publicly available for a minimum of **28 days**; and
 - (b) 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 5.5.2 of *A guide to preparing LEPs (Department of Planning and Environment 2013)*.
2. Consultation is required with Shellharbour City Council, the Office of Environment and Heritage, and NSW Rural Fire Service under section 56(2)(d) of the EP&A Act. These agencies are to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal. The consultation with the Rural Fire Service prior to exhibition of the proposal will satisfy the requirements of s117 Direction 4.4 Planning for Bushfire Protection.
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 relevant planning authority from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).
4. The timeframe for completing the LEP is to be **12 months** from the date of the Gateway determination.

Dated 20 day of November 2014.


Andrew Jackson
Executive Director, Regions
Planning Services
Department of Planning and Environment

Delegate of the Minister for Planning



The Hon. Pam Allan
Chair
Southern Joint Regional Planning Panel
GPO Box 39
SYDNEY NSW 2001

Our ref: 14/15658
Your ref: 2014STH022

Dear Ms Allan

**Planning proposal to amend Shellharbour Local Environmental Plan 2013 –
2014STH022**

I am writing in response to the Panel's recommendation dated 24 October 2014 that a planning proposal to zone land at Ulan Place Albion Park and Jamberoo Road Albion Park be submitted for a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

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

I am satisfied that the planning proposal is consistent with s117 Directions 1.5 Rural Lands, 3.1 Residential Zones, and 4.3 Flood Prone Land. I am satisfied that the planning proposal will be consistent with s117 Direction 4.4 Planning for Bushfire Protection, once consultation has occurred with the Rural Fire Service. I consider that any inconsistency with s117 Directions 1.2 Rural Zones and 5.1 Implementation of Regional Strategies is of minor significance or is justified by a study. The proposal is considered to be consistent with all other relevant Directions or that any inconsistencies are of minor significance. No further approvals are required in relation to these Directions.

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

If you have any questions in relation to this matter please contact Ms Louise Wells of the Department of Planning and Environment's Southern Region. Louise may be contacted on (02) 4224 9463.

Yours sincerely


Andrew Jackson 20/11/14
Executive Director, Regions
Planning Services