



Planning & Environment

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

Attention: Mr Mark Lyndon,
Manager Strategic Planning

Dear Mr Forsyth

Planning Proposal (PP_2017_KIAMA_002_00) to amend Kiama Local Environmental Plan 2011

I am writing in response to Council's letter dated 23 February 2017 and additional information received on 28 March 2017 requesting a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* in respect of the planning proposal to allow a community facility as an additional permitted use on part of Lot 102 DP775450 (105 Shoalhaven Street, Kiama).

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 consider that the planning proposal is consistent with s.117 Directions 1.1 Business and Industrial Zones, 2.2 Coastal Protection, 2.3 Heritage Conservation, 5.10 Implementation of Regional Plans and 6.3 Site Specific Provisions. No further approval is required in relation to these or other Directions, while the proposal remains in its current form. Please note that the Gateway determination requires the planning proposal to be updated to reflect the applicable s.117 Directions prior to exhibition. The Department would be happy to discuss this matter.

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.

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 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 4224 9457.

Yours sincerely

 11/4/17
Karen Armstrong
Director Regions, Southern
Planning Services
Department of Planning and Environment

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