



Gateway Determination

Planning proposal (Department Ref: PP_2017_KIAMA_002_00): to allow a community facility as an additional permitted use on part of Lot 102 DP775450 (105 Shoalhaven Street, Kiama).

I, Karen Armstrong, Director Regions, Southern 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 1979* (the Act) that an amendment to the Kiama Local Environmental Plan (LEP) 2011 as described above should proceed subject to the following conditions:

1. Prior to community consultation, the planning proposal is to be updated to identify the applicable s117 Directions.
2. Prior to community consultation, Council is to prepare a draft Additional Permitted Use map sheet for inclusion in the exhibited planning proposal. The final map will be prepared in accordance with the Department's 'Standard Technical Requirements for Spatial Datasets and Maps 2015.'
3. Community consultation is required under Sections 56(2)(c) and 57 of the 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 local environmental plans (Department of Planning and Environment 2016).
4. Consultation is required with the NSW Environment Protection Authority prior to exhibition, in accordance with the Act. The Authority is 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. Any agency advice received and council's proposed response to this advice should be placed on public exhibition with the planning proposal.
5. A public hearing is not required to be held into the matter by any person or body under Section 56(2)(e) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example if reclassifying land).

6. The timeframe for completing the LEP is to be 12 months from the date of the Gateway determination.

Dated 11TH day of APRIL 2017


Karen Armstrong
Director Regions, Southern
Planning Services
Department of Planning and
Environment
Delegate of the Minister for Planning