



Mr Stephen Dunshea  
CEO  
Shoalhaven City Council  
PO Box 42  
NOWRA NSW 2541

Dear Stephen

**Planning proposal [PP\_2020\_SHOAL\_005\_00] to amend Shoalhaven Local Environmental Plan 2014**

I am writing in response to Council's request for a Gateway determination under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) and additional information received in respect of the planning proposal to amend the Shoalhaven LEP 2014 to allow remove a heritage item for Lot 30 DP792994, E435 Princes Highway Yatte Yattah, listed in Schedule 5 and shown on the heritage map, which has been destroyed by bushfire.

As delegate of the Minister for Planning and Public Spaces, I have now determined that the planning proposal should proceed subject to the conditions in the enclosed Gateway determination. You will note that I have agreed that community consultation and consultation with agencies is not required in accordance with Council's request.

I have also agreed, as delegate of the Secretary, the planning proposal's inconsistency with section 9.1 Direction 4.4 Planning for Bushfire Protection is of minor significance and justified because of the nature of the proposal.

It is noted that Council has requested to be authorised as the local plan-making authority. I have considered the nature of Council's planning proposal and have conditioned the Gateway for Council to be authorised as the local plan-making authority.

The amending local environmental plan (LEP) is to be finalised within 6 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 six weeks prior to the projected publication date. A copy of the request should be forwarded to the Department of Planning, Industry 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 3.32(2)(d) of the Act if the time frames outlined in this determination are not met.

Should you have any enquiries about this matter, I have arranged for Ms Lisa Kennedy to assist you. Ms Kennedy can be contacted on 4247 1827.

Yours sincerely

A handwritten signature in dark ink, appearing to read 'Sarah Lees', with a stylized, cursive script.

3 June 2020

**Sarah Lees**  
**Director Southern Region**  
**Local and Regional Planning**

Encl: Gateway determination  
Authorised plan-making reporting template