

Gateway Determination

Planning proposal (Department Ref: PP-2021-3289): to enable the facilities at Willinga Park, Lot 21 DP 1217069 and Lot 33 DP 1259627 at 132 and 123 Forster Drive, Bawley Point to be used for the purpose of a “function centre”, thereby enabling it to host a variety of functions.

I, the Director, Southern Region at the Department of Planning, Industry and Environment, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Shoalhaven Local Environmental Plan (LEP) 2014 as described above should proceed subject to the following conditions:

1. The planning proposal is to be updated prior to public exhibition to:
 - Provide an assessment of the proposal against the current Illawarra Shoalhaven Regional Plan (dated May 2021) and Shoalhaven Local Strategic Planning Statement and to remove reference to the superseded South Coast Regional Strategy.
 - Exclude land zoned E2 Environmental Conservation from the proposed Schedule 1 Additional Permitted Use clause and Local Clause Map.
 - Include an estimate of potential number of jobs that could be generated because of the planning proposal.
 - Update the Project Timeline (Part 6).
2. Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:
 - (a) the planning proposal must be made publicly available for a minimum of **28 days**; and
 - (b) the planning proposal 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 6.5.2 of *A guide to preparing local environmental plans* (Department of Planning and Environment, 2018).
3. Consultation is required with the following public authorities/organisations under section 3.34(2)(d) of the Act and/or to comply with the requirements of relevant section 9.1 Directions:
 - Rural Fire Service
 - Transport for NSW
 - NSW Police

Each public authority/organisation 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.

4. A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).
5. The planning proposal authority is authorised as the local plan-making authority to exercise the functions under section 3.36(2) of the Act subject to the following:
 - (a) the planning proposal authority has satisfied all the conditions of the Gateway determination;
 - (b) the planning proposal is consistent with section 9.1 Directions or the Secretary has agreed that any inconsistencies are justified; and
 - (c) there are no outstanding written objections from public authorities.
6. The time frame for completing the LEP is to be **12 months** following the date of the Gateway determination expiring on 10 December 2022.

Dated 10th day of December 2021.



Sarah Lees
Director, Southern Region
Local and Regional Planning
Department of Planning, Industry and
Environment

Delegate of the Minister for Planning
and Public Spaces