



Mr Stephen Dunshea  
CEO  
Shoalhaven City Council

By Email: [council@shoalhaven.nsw.gov.au](mailto:council@shoalhaven.nsw.gov.au)

Attention: Molly Porter, City Futures

Dear Stephen

**Planning proposal PP-2021-3289 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) in respect of the planning proposal 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.

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.

I have also agreed, as delegate of the Secretary, the planning proposal's inconsistency with section 9.1 Direction 6.3 Site-Specific Provisions is justified in accordance with the terms of the Direction. No further approval is required in relation to this Direction.

Council may still need to obtain the agreement of the Secretary to comply with the requirements of relevant section 9.1 Direction 4.4 Planning for Bushfire Protection. Council should ensure this occurs prior to the plan being made.

I have considered the local planning significance 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 12 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. It is recommended that Council discuss drafting of the exempt development provisions at an early stage of the planning proposal process. 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 Mr George Curtis to assist you. Mr Curtis can be contacted on 42471824.

Yours sincerely

A handwritten signature in dark ink, appearing to read 'Sarah Lees', with a stylized flourish at the end.

10 December 2021

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

Encl: Gateway determination  
Authorised plan-making reporting template