



## Gateway Determination

***Planning proposal (Department Ref: PP-2021-3536): to facilitate residential development on part of 48 Campbell Street, Gerringong.***

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 Kiama Local Environmental Plan (LEP) 2011 to facilitate residential development on part of 48 Campbell Street, Gerringong should proceed subject to the following conditions:

1. The planning proposal is to be updated following the preparation of technical studies and prior to agency consultation and public exhibition to:
  - include technical studies for Aboriginal Cultural Heritage Assessment, Flood Assessment, a Stage 1 Land Contamination Assessment and Flora and Fauna Assessment;
  - confirm the explanation of provisions and mapping to identify all proposed changes reflecting the outcomes of the studies; and
  - provide further advice and details on the consistency with section 9.1 Directions; in relation to the provision of infrastructure; and an updated project timeline.

The revised proposal is to be submitted to the Department for review and approval prior to agency and community consultation.

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.
  - DPIE (Biodiversity Conservation Division)
  - Natural Resources Access Regulator
  - Heritage NSW
  - Illawarra Local Aboriginal Land Council

- Sydney Water
- Endeavour Energy

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.
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 24 June 2022.

Dated 24<sup>th</sup> day of June 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**