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Mr Michael Willis
General Manager
Shellharbour City Council
Locked Bag 155
SHELLHARBOUR CITY CENTRE NSW 2529

Our ref: PP_2015_SHELL_001_00 (15/10106)
Your ref: Z15/2497

Attention: Michael Tuffy

Dear Mr Willis

Planning proposal to amend Shellharbour Local Environmental Plan 2013

I am writing in response to Council's letter dated 24 June 2015 requesting a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to correct zone and development control anomalies on lots at Bonville Parkway, Fairway Drive and Rangoon Avenue, Shell Cove; and to remove Mineral Resource Transition Area mapping from land at Rangoon Avenue, Shell Cove.

As delegate of the Minister for Planning, I have now determined the planning proposal should proceed subject to the conditions in the attached Gateway determination.

I have agreed that any inconsistencies with relevant s117 Directions are minor or justified and no further approval is required in relation to these Directions.

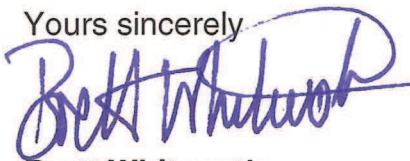
Plan making powers were delegated to councils by the Minister in October 2012. It is noted that Council has requested to be issued with delegation for this planning proposal. I have considered the nature of Council's planning proposal and have decided to issue an authorisation for Council to exercise delegation to make this plan.

The amending Local Environmental Plan is to be finalised within 6 months of the date of the Gateway determination. Council's request to draft and finalise the Local Environmental Plan should be made directly to Parliamentary Counsel's Office 6 weeks prior to the projected publication date. A copy of the request should be forwarded to the Department of Planning and Environment for administrative purposes.

The State Government is committed to reducing the time taken to complete Local Environmental Plans 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 54(2)(d) of the Act if the time frames outlined in this determination are not met.

Should you have any queries in regard to this matter, I have arranged for Ms Louise Myler of the Department's regional office to assist you. Louise can be contacted on (02) 4224 9463.

Yours sincerely



6 July 2015

Brett Whitworth
General Manager
Southern Region
Planning Services

Encl:

Gateway Determination

Written Authorisation to Exercise Delegation

Attachment 5 – Delegated Plan Making Reporting Template

Gateway Determination

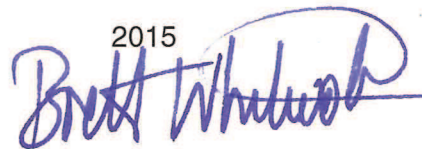
Planning proposal (Department Ref: PP_2015_SHELL_001_00): to rezone land and apply relevant development controls to land at Bonville Parkway, Fairway Drive and Rangoon Avenue, Shell Cove to ensure that zone and development control boundaries align with the registered residential subdivision layout. The proposal will also remove Mineral Resource Transition Area mapping from land at Rangoon Avenue, Shell Cove.

I, the General Manager, Southern Region 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 Shellharbour Local Environmental Plan 2013 as described above should proceed subject to the following conditions:

1. No community consultation is required under sections 56(2)(c) and 57 of the Act.
2. No consultation is required with public authorities under section 56(2)(d) of the Act
3. 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, in response to a submission or if reclassifying land).
4. The timeframe for completing the Local Environmental Plan is to be **6 months** from the date of the Gateway determination.

Dated 6th day of July

2015



**Brett Whitworth, General Manager
Southern Region
Planning Services
Department of Planning and Environment**

Delegate of the Minister for Planning



Planning & Environment

WRITTEN AUTHORISATION TO EXERCISE DELEGATION

Shellharbour City Council is authorised to exercise the functions of the Minister for Planning under section 59 of the *Environmental Planning and Assessment Act 1979* (the Act) that are delegated to it by instrument of delegation dated 14 October 2012, in relation to the following planning proposal:

Number	Name
PP_2015_SHELL_001_00	Planning proposal to rezone land and apply relevant development controls to land at Bonville Parkway, Fairway Drive and Rangoon Avenue, Shell Cove to ensure that zone and development control boundaries align with the registered residential subdivision layout. The proposal will also remove Mineral Resource Transition Area mapping from land at Rangoon Avenue, Shell Cove.

In exercising the Minister's functions under section 59, the Council must comply with the Department of Planning and Environment's "A guide to preparing local environmental plans" and "A guide to preparing planning proposals".

Dated 6 July 2015

Brett Whitworth
General Manager
Southern Region
Planning Services
Department of Planning and Environment