

21 December 2020

Sarah Lees
Director Regions – Southern
Department of Planning, Industry & Environment
PO Box 5475
WOLLONGONG NSW 2520

Dear Sir/Madam

**Requesting Amended Gateway Determination for a Planning Proposal –
PP_2018_KIAMA_002_03 - Lot 3 DP 1018217 Dido Street KIAMA**

Council is requesting an amendment to the Gateway Determination received on 23 July 2018 to no longer proceed with Planning Proposal PP_2018_KIAMA_002_03 at Lot 3 DP 1018217 Dido Street, Kiama.

As part of the determination, Council were required to consult with the NSW Rural Fire Service to confirm compliance with Section 9.1 Ministerial Direction 4.4. – Planning for Bushfire Protection.

In May 2020 the RFS confirmed that the existing PP and associated concept subdivision layout is inconsistent with Section 9.1 Ministerial Direction 4.4. – Planning for Bushfire Protection as the concept subdivision layout relies upon performance based alternate solutions to comply with Planning for Bushfire Protection (PBP) 2019.

The applicant has been provided multiple opportunities to provide a compliant concept subdivision layout and has not done so. The prescribed timeframe to complete the PP is 23 January 2021 (i.e. 30 months from date of Gateway). In its current format the PP cannot be reported to Council for final endorsement as it is inconsistent with Section 9.1 Ministerial Direction 4.4 – Planning for Bushfire protection.

At its Ordinary meeting on 15 December 2020, the following recommendation was endorsed:

20/3870C

Committee recommendation that Council request an amended Gateway determination from the NSW Department of Planning, Industry and Environment to no longer proceed with PP_2018_KIAMA_002_03 which seeks to rezone Lot 3 DP 1018217 Dido Street, Kiama.

Supporting Information

The following information is provided to NSW DPIE:

1. Correspondence received from NSW RFS dated 1 May 2020;
2. Copies of the Council report and resolution endorsing the cancellation of the Planning Proposal.

Yours faithfully

A handwritten signature in black ink, appearing to read 'JR', with a large loop at the start and a trailing flourish.

James Rousell

Development Assessment Officer/Strategic Planner