

Gateway Determination

Planning proposal (Department Ref: PP_2019_KIAMA_004_00): to amend planning controls to enable residential development and environmental protection on rural land situated west of the Princes Highway between Saddleback Mountain Road and south of Weir Street, South Kiama (Lot 1 DP 707300, Lot 5 DP 740252, Part Lot 101 DP 1077617, Part Lot 102 DP 1077617, Lot 8 DP258605 and part of unnamed road reserve).

I, the Executive Director, Local and Regional Planning 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 as described above should proceed subject to the following conditions:

1. The planning proposal is to be revised prior to public exhibition to include the following:
 - a) revised technical studies covering all parts of the subject site;
 - b) a review of the master plan to:
 - cover the entire site;
 - identify the key principles for development of the site;
 - more fully address constraints, visual impacts, environmental outcomes, heritage outcomes and landscape outcomes;
 - c) identify zonings, densities and heights that reflect the outcomes of the studies and master plan;
 - d) terrestrial biodiversity mapping; and
 - e) details on consistency with section 9.1 Directions, community and agency consultation and a project time frame.

The revised proposal is to be submitted to the Southern Region of the Department for consideration prior to public 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:

- NSW Rural Fire Service;
- Division of Biodiversity & Conservation – DPIE;
- Roads and Maritime Services;
- Sydney Water;
- Endeavour Energy;
- Natural Resources Access Regulator; and
- Illawarra Local Aboriginal Land Council.

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 time frame for completing the LEP is to be **18 months** following the date of the Gateway determination.

Dated 4th day of December 2019.



Monica Gibson
Executive Director, Local and
Regional Planning
Planning and Assessment
Department of Planning, Industry and
Environment

Delegate of the Minister for Planning
and Public Spaces