



Mr David Farmer
General Manager
Wollongong City Council
Locked Bag 8821
WOLLONGONG DC NSW 2500

Dear Mr Farmer

**Planning Proposal to amend Wollongong Local Environmental Plan 2009 –
West's Leagues Club Unanderra (PP_2017_WOLLG_002_00)**

I am writing in response to Council's request for a Gateway determination under Section 56 of the *Environmental Planning and Assessment Act 1979* (the Act) received 18 July 2017 in respect of the Planning Proposal to increase maximum building height and floor space ratio controls for land bounded by Central Avenue, Blackman Parade, Maynes Parade and Hargraves Street, Unanderra.

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 also agreed, as delegate of the Secretary, the Planning Proposal's inconsistency with Section 117 Direction 4.3 Flood Prone Land is of minor significance and justified in accordance with the terms of the Direction. In relation to Section 117 Direction 6.2 Reserving Land for Public Purposes, I have agreed to the reduction of land for public purposes on the basis that the road reserves and laneways are no longer required by Council and their removal will not affect traffic flow in the area. No further approval is required in relation to these Direction/s.

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 (LEP) is to be finalised within 9 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 6 weeks prior to the

projected publication date. A copy of the request should be forwarded to the Department of Planning 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 54(2)(d) of the Act if the time frames outlined in this determination are not met.

Should you have any further enquiries about this matter, I have arranged for Ms Louise Myler to assist you. Louise may be contacted on 4224 9463.

Yours sincerely



Fatima Abbas
Director Regions, Southern
Planning Services

8.8.17

Encl: Gateway Determination
Written Authorisation to Exercise Delegation
Delegated Plan Making Reporting Template

Gateway Determination

Planning Proposal (Department Ref: PP_2017_WOLLG_002_00): to increase maximum height and floor space ratio controls for land bounded by Central Avenue, Blackman Parade, Maynes Parade and Hargraves Street, Unanderra

I, the Director Regions, Southern, 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 Wollongong Local Environmental Plan (LEP) 2009 as described above should proceed subject to the following conditions:

1. Maps clearly identifying the proposed changes to floor space ratio and heights will be prepared and exhibited with the proposal.
2. Community consultation is required under sections 56(2)(c) and 57 of the Act as follows:
 - (a) the planning proposal must be made publicly available for a minimum of **21 days** and
 - (b) the relevant planning 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 5.5.2 of *A guide to preparing local environmental plans* (Department of Planning and Environment 2016).
3. Consultation is required with the following public authorities and / organisations under section 56(2)(d) of the Act and/or to comply with the requirements of relevant Section 117 Directions:
 - NSW Office of Environment and Heritage
 - NSW Roads and Maritime Services

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 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).



Planning & Environment

5. The timeframe for completing the LEP is to be **9 months** following the date of the Gateway determination.

Dated 8th day of August 2017.

Fatima Abbas
Director Regions, Southern
Planning Services
Department of Planning and
Environment

Delegate of the Minister for Planning



WRITTEN AUTHORISATION TO EXERCISE DELEGATION

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

Number	Name
PP_2017_WOLLG_002_00	Planning proposal to increase maximum building height and floor space ratio controls for land bounded by Central Avenue, Blackman Parade, Maynes Parade and Hargraves Street, Unanderra

In exercising the Minister's functions under Section 59 of the EP&A Act, the Council must comply with the Department's "*A guide to preparing local environmental plans 2016*" and "*A guide to preparing planning proposals 2016*".

Dated 8 August 2017

Ms Fatima Abbas
Director Regions, Southern
Planning Services
Department of Planning and Environment

Delegate of the Secretary
of the Department of Planning and Environment