

Gateway Determination

Planning proposal (Department Ref: PP_2013_KIAMA_002_00): to rezone land along Jamberoo Road, Kiama for low density residential purposes.

I, the General Manager, Southern Region at the Department of Planning and Infrastructure as delegate of the Minister for Planning and Infrastructure, have determined under section 56(2) of the EP&A Act that an amendment to the Kiama Local Environmental Plan (LEP) 2011 to rezone land on Lots 1&2 DP797732 and Lots 1,2,3&4 Sec67 DP758563 Jamberoo Road, Kiama to R2 Low Density Residential and amend the minimum lot size to 300sqm and 450sqm, maximum building height to 8.5m and maximum floor space ratio to 0.45:1 on land proposed to be zoned for residential should proceed subject to the following conditions:

1. Additional information regarding flora and fauna on the lands currently zoned E2 Environmental Conservation is to be placed on public exhibition with the planning proposal. Once the information has been obtained and consultation with public authorities has been undertaken, Council is to update its consideration of S117 Direction 2.1 Environmental Protection Zones to reflect the outcomes of the work and consultation undertaken.
2. Prior to undertaking public exhibition, Council is to update the planning proposal to include existing and proposed land zoning, lot size, height of buildings and floor space ratio maps, which are at an appropriate scale, clearly identify the subject land and are consistent with the Department's 'Standard technical requirements for LEP maps'.
3. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") and/or to comply with the requirements of relevant Section 117 Directions as follows:
 - (a) the planning proposal must be made publicly available for a minimum of **28 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 LEPs* (Department of Planning & Infrastructure 2013).
4. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act and/or to comply with the requirements of relevant s117 Directions:
 - Office of Environment and Heritage;
 - NSW Department of Primary Industries - Agriculture

- NSW Rural Fire Service (S117 Direction 4.4 Planning for Bushfire Protection)
- Sydney Water; and
- Endeavour Energy.

Each public authority 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.

5. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A 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).
6. The timeframe for completing the LEP is to be **12 months** from the week following the date of the Gateway determination.

Dated 20th day of December 2013.



Brett Whitworth
General Manager
Southern Region
Growth Planning and Delivery
Department of Planning & Infrastructure

**Delegate of the Minister for Planning
and Infrastructure**