



Planning



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Department Generated Correspondence (Y)

Contact: Graham Towers
Phone: (02) 4224 9467
Fax: (02) 4224 9470
Email: Graham.Towers@planning.nsw.gov.au
Postal: PO Box 5475, Wollongong NSW 2520

Our ref: PP_2010_WOLLG_009_00 (10/15222)
Your ref: jbr.CtrMorAus.07.10

Mr David Farmer
General Manager
Wollongong City Council
Locked Bag 8821
SOUTH COAST MAIL CENTRE NSW 2541

Dear Mr Farmer,

Re: Planning Proposal to allow subdivision and the erection of dwellings on the Cater Street and Morrison Avenue sites and to rezone the Austinmer Bowling Club site

I am writing in response to your Council's letter dated 14 July 2010 requesting a Gateway Determination under section 56 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") in respect of the planning proposal to amend the Wollongong City Local Environmental Plan 2009 to allow subdivision and the erection of dwellings on the Cater Street and Morrison Avenue sites and to rezone the Austinmer Bowling Club site from Private Recreation RE2 zone to Low Density Residential R2 zone and to amend the lot size (to 450 sqm) and floor space ratio (to 0.5:1) applicable to the site.

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

The Gateway Determination requires that the planning proposal be made publicly available for a period of 28 days. Under section 57(2) of the Act, I am satisfied that the planning proposal, when amended as required by the Gateway Determination, is in a form that can be made available for community consultation.

The amending Local Environmental Plan (LEP) is to be finalised within 12 months of the week following the date of the Gateway Determination. Council should aim to commence the exhibition of the Planning Proposal within four (4) weeks from the week following this determination. Council's request for the Department to draft and finalise the LEP should be made six (6) weeks prior to the projected publication date.

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 s54(2)(d) of the EP&A Act if the time frames outlined in this determination are not met.

Should you have any queries in regard to this matter, please contact Graham Towers of the Regional Office of the Department on 02 4224 9467.

Yours sincerely,

Tom Gellibrand
Deputy Director General
Plan Making & Urban Renewal

Gateway Determination

Planning Proposal (Department Ref: PP_2010_WOLLG_009_00): to allow subdivision and the erection of dwellings on the Cater Street and Morrison Avenue sites and to rezone the Austinmer Bowling Club site from Private Recreation RE2 zone to Low Density Residential R2 zone and to amend the lot size (to 450 sqm) and floor space ratio (to 0.5:1) applicable to the site.

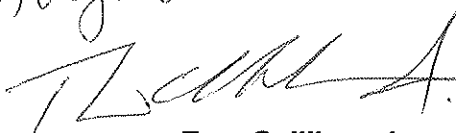
I, the Deputy Director General, Plan Making & Urban Renewal as delegate of the Minister for Planning, have determined under section 56(2) of the EP&A Act that an amendment to the Wollongong Local Environmental Plan 2009 to allow subdivision and the erection of dwellings on the Cater Street and Morrison Avenue sites and to rezone the Austinmer Bowling Club site from Private Recreation RE2 zone to Low Density Residential R2 zone and to amend the lot size (to 450 sqm) and floor space ratio (to 0.5:1) applicable to the site should proceed subject to the following conditions:

1. The following studies being carried out and their finding made available during the exhibition of the planning proposal. The studies should be tailored to the scale and nature of the proposal and should provide a sufficient level of detail to justify the rezoning and satisfy the relevant S117 Directions:
 - a) An assessment of the likely impacts of the development of the Cater Street and Morrison Avenue sites on the ecological values of the sites. The assessment is to include potential impacts on existing vegetation, fauna and riparian lands and the opportunities to rehabilitate degraded areas.
 - b) Bushfire hazard studies and geotechnical/slip hazard studies for the Cater Street and Morrison Avenue sites.
 - c) Flood study in relation to the Morrison Avenue site demonstrating whether on-site effluent disposal is acceptable.
2. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:
 - (a) the planning proposal is classified as low impact as described in *A Guide to Preparing LEPs (Department of Planning 2009)* and must be made publicly available for **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 4.5 of *A Guide to Preparing LEPs (Department of Planning 2009)*.
3. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:
 - Department of Environment , Climate Change and Water
 - NSW Rural Fire Service

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material. Each public authority is to be given at least 21 days to comment on the proposal, or to indicate that they will require additional time to comment on the proposal. Public authorities may request additional information or additional matters to be addressed in the planning proposal.

4. No public hearing is required to be held into the matter under section 56(2)(e) of the EP&A Act. This does not have any bearing on the need to conduct a public hearing under the provisions of any other legislation.
5. The timeframe for completing the LEP is to be **12 months** from the week following the date of the Gateway determination.

Dated *19th* day of *August* 2010.



Tom Gellibrand
Deputy Director General
Plan Making & Urban Renewal
Delegate of the Minister for Planning