

Mr Greg Doyle  
General Manager  
Wollongong City Council

By Email: [council@wollongong.nsw.gov.au](mailto:council@wollongong.nsw.gov.au)

Attention: David Green, Manager Strategic Planning

Dear Mr Doyle

**Planning proposal PP-2021-7281 to amend Wollongong Local Environmental Plan 2009**

I am writing in response to the planning proposal you have forwarded to the Minister under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to enable urban development on Stage 3 (Cleveland Road) of the West Dapto Urban Release Area.

As delegate of the Minister for Planning, I have determined that the planning proposal should proceed subject to the conditions in the enclosed gateway determination.

I have also agreed, as delegate of the Secretary, the inconsistency of the planning proposal with applicable directions of the Minister under section 9.1 of the EP&A Act, namely 1.2 Rural Zones and 4.2 Mine Subsidence and Unstable Land, is justified in accordance with the terms of the Direction.

In relation to Direction 6.2 Reserving Land for Public Purposes, I have agreed to the creation of land for public purposes on the basis they will support the future urban area by providing public open space, recreation opportunities, protection of cultural heritage and provide connectivity.

No further approval is required in relation to the Directions.

Council may still need to obtain the agreement of the Secretary to comply with the requirements of relevant applicable directions of the Minister under section 9.1 of the EP&A Act, namely 2.1 Environment Protection Zones, 2.3 Heritage Conservation and 4.4 Planning for Bushfire Protection. Council should ensure this occurs prior to the LEP being made.

In relation to the proposed new employment areas, Council will need to transition proposed application of B1 and B6 zones to an equivalent employment zone, consistent with the Department's Employment Zone Reforms, prior to the plan being finalised. Council is encouraged to consult with the Department's Employment Zone Reform Team on this matter.

Considering the nature of the planning proposal which is consistent with the strategic framework, I have determined that Council may exercise local plan-making authority functions in relation to the planning proposal.

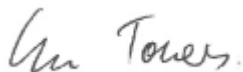
The proposed local environmental plan (LEP) is to be finalised within 12 months of the Gateway determination or on or before 20 January 2023. Council should aim to commence the exhibition of the planning proposal as soon as possible. Should Council seek to make a proposed LEP, the request to draft the LEP should be made directly to Parliamentary Counsel's Office well in advance of the date the LEP is projected to be made. A copy of the request should be forwarded to the Department's Southern Region office by email [wollongong@planning.nsw.gov.au](mailto:wollongong@planning.nsw.gov.au).

The NSW Government has committed to reduce the time taken to complete LEPs. To meet these commitments, the Minister may appoint an alternate planning proposal authority if Council does not meet the timeframes outlined in the gateway determination.

The Department's categorisation of planning proposals in the Local Environmental Plan Making Guideline (Department of Planning, Industry and Environment, 2021) is supported by category specific timeframes for satisfaction of conditions and authority and Government agency referrals, consultation, and responses. Compliance with milestones will be monitored by the Department to ensure planning proposals are progressing as required.

Should you have any enquiries about this matter, I have arranged for Ms Louise Myler to assist you. Ms Myler can be contacted on 4247 1822.

Yours sincerely



20/1/22

**Graham Towers**  
**Acting Director, Southern Region**  
**Local and Regional Planning**

Encl: Gateway determination