

PP-2021-7425 (IRF22/124)

Mr Greg Doyle
General Manager
Wollongong City Council

By Email: council@wollongong.nsw.gov.au

Attention: David Green, Manager Strategic Planning

Dear Mr Doyle

Planning proposal PP-2021-7425 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 rezone BlueScope holdings at Kembla Grange to facilitate residential and industrial development while protecting environmental values.

As delegate of the Minister for Planning and Homes, 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 Ministerial direction 2.1 Environmental Protection Zones is justified in accordance with the terms of the Direction. No further approval is required in relation to the Direction.

Council will still need to obtain the agreement of the Secretary to comply with the requirements of directions 2.3 Heritage Conservation; 2.6 Remediation of Contaminated Land; 4.1 Flood Prone Land; and 4.4 Planning for Bushfire Protection. Council should ensure this occurs prior to the LEP being made.

I note that Council has asked for additional studies/advice on issues including archaeological/heritage; flooding; and contamination to be completed prior to exhibition of the proposal. If the proposal changes significantly as a result of the outcomes of these studies, please send a copy of the revised proposal to the Department prior to exhibition.

In relation to the proposed industrial areas, Council will need to transition the IN2 and IN3 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 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 on or before 4 February 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 of Planning and Environment.

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 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. Louise can be contacted on 4247 1822.

Yours sincerely



4/2/2022

George Curtis
Acting Director, Southern Region
Local and Regional Planning

Encl: Gateway determination