



Mr Carey McIntyre
General Manager
Shellharbour City Council
Locked Bag 155
SHELLHARBOUR CITY CENTRE NSW 2529

Dear Mr McIntyre

Planning proposal PP_2019_SHELL_001 to amend Shellharbour Local Environmental Plan 2013 and Shellharbour Rural Local Environmental Plan 2004

I am writing in response to Council's request for a Gateway determination under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to amend the LEP maps so that zones and controls align with the updated cadastre for certain lands at Tullimbar and Albion Park.

As delegate of the Minister for Planning, I have now 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 planning proposal's inconsistencies with section 9.1 Directions 2.1 Environmental Protection Zones and 4.3 Flood Prone Land are justified in accordance with the terms of the Direction. No further approval is required in relation to these Directions. Consultation with the NSW Rural Fire Service is required in order to comply with section 9.1 Direction 4.4 Planning for Bushfire Protection.

I have also considered and agreed to Council's request to be authorised as the local plan-making authority.

The amending local environmental plan (LEP) is to be finalised within six months of the date of the Gateway determination. Council's request to draft and finalise the LEP should be made directly to Parliamentary Counsel's Office six 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 3.32(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 can be contacted on 4247 1822.

Yours sincerely

A handwritten signature in black ink, appearing to read 'L. Myler', is positioned above the date. The signature is fluid and cursive.

15/02/2019

Luke Musgrave
Director Regions, Southern
Planning Services

Encl: Gateway determination