



Planning



qB140061

10/05726

Department Generated Correspondence (Y)

Contact: Graham Towers
Phone: (02) 4224 9450
Fax: (02) 4224 9470
Email: Graham.Towers@planning.nsw.gov.au
Postal: PO Box 5475, Wollongong NSW 2520

Our ref: PP_2010_WOLLG_001_00 (10/04106)
Your ref: E09/8825

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

Dear Mr Farmer,

Re: Planning Proposal to rezone part of the Woonona Bulli RSL Club site

I am writing in response to your Council's letter dated 4 February 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 Local Environmental Plan 2009 to rezone land at Woonona from SP3 Tourist zone to R3 Medium Density Residential zone. A Floor Space Ratio of 0.75:1; minimum lot size of 450 square metres; and a maximum height of 11 metres are proposed for the subject land.

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.

In order to maximise the potential redevelopment options for this site, it is suggested that Council consider whether a maximum height of 13 metres is appropriate for the subject land. This is the maximum height applying to nearby land to the north. The Gateway Determination has been conditioned to give Council flexibility in this area.

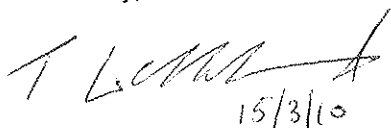
The Gateway Determination requires that the planning proposal be made publicly available for a period of 28 days. Under section 57(2) of the Act, I am satisfied that the planning proposal, when amended as required by the Gateway Determination, is in a form that can be made available for community consultation.

The amending Local Environmental Plan (LEP) is to be finalised within 6 months of the week following the date of the Gateway Determination.

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 9450.

Yours sincerely,



15/3/10

Tom Gellibrand
Deputy Director General
Plan Making & Urban Renewal

Gateway Determination

Planning Proposal (Department Ref: PP_2010_WOLLG_001_00): to rezone part of the Woonona Bulli RSL Club site from SP3 Tourist zone to R3 Medium Density Residential zone and to apply a Floor Space Ratio of 0.75:1 and a minimum lot size of 450 square metres to the affected land.

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 rezone land at Woonona (Lot 2 DP 830398 455 Princes Highway, Lot 2 DP 572839 15 Nicholson Road, and Lot 1 DP 524220 7 Nicholson Road) from SP3 Tourist zone to R3 Medium Density Residential zone, and to apply a Floor Space Ratio of 0.75:1 and a minimum lot size of 450 square metres to the affected land should proceed subject to the following conditions:

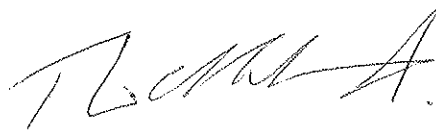
1. The height control for the subject land being reviewed to allow appropriate development up to a maximum height of 13 metres.
2. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:
 - (a) the planning proposal 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. The following information is to be provided in support of the planning proposal, and form part of the documentation placed on public exhibition:
 - (a) A flood assessment as of the site, with particular regard to the proposed land uses.
 - (b) Justification as to why the SP3 Tourist zone is no longer appropriate for the site and the impact on the supply of land in the LGA for tourism.
4. 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
 - Roads and Traffic Authority

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.

5. No public hearing is 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.

6. The timeframe for completing the LEP is to be **6 months** from the week following the date of the Gateway determination.

Dated *15th* day of *March* 2010.



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