

Ms Lauren Turner
Coordinator - Local Planning Team
Shoalhaven City Council
PO Box 42
NOWRA NSW 2541

Attention: Molly Porter

Dear Ms Turner

Planning proposal [PP_2018_SHOAL_006_00] to amend Shoalhaven Local Environmental Plan 2014

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) and additional information received on 24 August 2018 in respect of the planning proposal to amend the Shoalhaven LEP 2014 to ensure that future development in the Nowra CBD fringe area considers, and is designed to respond appropriately to, the recognised heritage character of the area.

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 inconsistency with section 9.1 Direction 3.1 Residential Zones is justified in accordance with the terms of the Direction. No further approval is required in relation to this Direction.

Council may still need to obtain the agreement of the Department of Planning and Environment's Secretary to comply with the requirements of relevant section 9.1 Directions 4.4 Planning For Bushfire Protection. Council should ensure this occurs prior to finalising the planning proposal.

It is noted that Council has requested to be authorised as the local plan-making authority. I have considered the nature of Council's planning proposal and have conditioned the Gateway for Council to be authorised as the local plan-making authority.

The amending Local Environmental Plan (LEP) is to be finalised within 12 months of the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request to draft and finalise the LEP should be made directly to Parliamentary Counsel's Office 6

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 Mr George Curtis to assist you. Mr Curtis can be contacted on 4224 9465.

Yours sincerely



11 September 2018

Sarah Lees
Director Regions, Southern
Planning Services

Encl: Gateway determination
Authorised plan-making reporting template