

Mr Russ Pigg
General Manager
Shoalhaven City Council
PO Box 42
NOWRA NSW 2541

Attn: Jenna Tague

Dear Russ

Planning proposal [PP_2018_SHOAL_009_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) in respect of the planning proposal to rezone SP3 (Tourist) zoned land at seven (7) locations across the Shoalhaven LGA and amend respective lot size and building height standards, to introduce a new local clause to provide criteria for the consideration of dwelling houses in the SP3 zone, and to remove an existing objective of the SP3 zone.

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, that any inconsistencies with section 9.1 Directions 4.1 Acid Sulphate Soils 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.

In order to be consistent with Direction 4.4 Planning for Bushfire Protection, Council is required to consult with, and consider the comments of the NSW Rural Fire Service prior to community consultation.

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 9 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 Nathan Foster to assist you. Mr Foster can be contacted on 4224 9459.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Sarah Lees', is positioned above the typed name and title.

21 September 2018

Sarah Lees
Director Regions, Southern

Encl: Gateway determination
Authorised plan-making reporting template