

Wollongong Regional Office
NSW Department of Planning and Environment

Email: wollongong@planning.nsw.gov.au

To Whom It May Concern,

**Sealark Road Planning Proposal – Culburra
Request for a Gateway Determination**

At its meeting of 5 March 2019, Council's Development and Environment Committee resolved (under delegation) that Council:

1. *Support the proponent initiated Planning Proposal request to rezone Lot 5 DP 1225356, Sealark Road, Callala Bay to a mix of residential, recreation and environmental protection zones on the basis that it is considered to be 'minor' in nature and significance in accordance with Council's Planning Proposal (rezoning) Guidelines given the scale of the development that could result.*
2. *Submit the Planning Proposal to the NSW Department of Planning & Environment requesting the initial Gateway determination, noting that additional and updated studies will be undertaken post Gateway to support the Planning Proposal*
3. *Dependent on the outcome of the Gateway determination receive a further report on the Planning Proposal*
4. *Advise the proponents and submitters of this decision.*

Accordingly, Council now seeks a Gateway determination to enable the attached planning proposal to proceed. Council notes that this will require inconsistencies with the Section 9.1 Directions listed below. The concurrence of the Minister's (or their delegate) is sought on the basis that this planning proposal is minor.

- 2.1 Environmental Protection Zones
- 5.10 Implementation of Regional Plans

The attached planning proposal document was submitted to Council on behalf of the land owner and does not provide adequate commentary to inform the conditions of a favourable Gateway determination. This commentary is instead provided below.

Specialist Studies

It is recommended that the following specialist studies be required by the Gateway determination:

- Biodiversity Assessment
- Flood Study
- Integrated Water Quality Management Study – to demonstrate Neutral or Beneficial Impact on water quality
- Aboriginal Cultural Heritage Assessment
- Traffic Study
- Infrastructure Delivery Plan
- Geotechnical Study (including Acid Sulfate Soils)
- Stage 1 Preliminary Contaminated Site Assessment
- Bushfire Hazard Risk Assessment

Community Consultation

It is recommended that the Gateway determination require that the planning proposal be publicly exhibited for no less than 28 days. It is further recommended that no public hearing be required for this planning proposal.

Consultation Requirements

It is recommended that the Gateway determination require Council to consult with the following:

- NSW Rural Fire Service (prior to public exhibition in accordance with Section 9.1 Direction 4.4 Planning for Bushfire Protection)
- NSW Roads and Maritime Services
- NSW Office of Environment and Heritage
- Department of Primary Industries (under Section 9.1 Direction 1.4 Oyster Agriculture)
- Shoalhaven Water

Timeline

The following timeline is provided for this planning proposal. Please note that 13 months have been allocated for specialist studies because of the need to survey orchids in multiple flowering seasons across the year.

Task	Anticipated Timeframe
Commencement date (date of Gateway determination)	May 2019
Completion of Gateway determination requirements	June 2020
Public exhibition	August 2020
Consideration of submissions	October 2020
Post exhibition consideration of PP	December 2020
Finalisation and notification of Plan	March 2021

Delegation

Delegation is sought for Council to be the plan maker for this minor PP. The Department's form is attached in this regard.

If you need further information about this matter, please contact me on (02) 4429 3522. Please quote Council's reference 59974E (D19/81863).

Yours faithfully



Grant Rokobauer
Strategic Planner - Special Projects Team
14 March 2019