

Your ref: 59974E (D19/81863)
Our ref: PP_2019_SHOAL_001_00 (IRF19/1942 (EF19/12500))

Mr Russ Pigg
General Manager
Shoalhaven City Council
Email: council@shoalhaven.nsw.gov.au

Attention: Grant Rokobauer- Strategic Planner, Special Projects Team

Dear Mr Pigg

Planning proposal PP_2019_SHOAL_001_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 land at Lot 5 DP 1225356 Sealark Road, Callala Bay to a mix of residential, recreation and environmental protection zones.

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. You will note that several additional studies (as identified by Council) will need to be completed and the proposal revised prior to public consultation on the proposal.

Council may need to obtain the agreement of the Secretary to comply with the requirements of relevant section 9.1 Directions 1.4 Oyster Aquaculture, 2.1 Environmental Protection Zones, 2.2 Coastal Management, 2.3 Heritage Conservation, 4.3 Flood Prone Land, 4.4 Planning for Bushfire Protection, 5.10 Implementation of Regional Plans and 6.2 Reserving land for Public Purposes. Council should ensure this occurs prior to public 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 24 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 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 enquiries about this matter, I have arranged for Mr George Curtis, Senior Planner to assist you. Mr Curtis can be contacted on 4247 1824.

Yours sincerely

 2/05/19

Ben Eveleigh
Director Regions, Southern
Planning Services

Encl: Gateway determination
Authorised plan-making reporting template