



Department of Planning and Environment

Mr Stephen Dunshea
CEO
Shoalhaven City Council

Our ref: IRF22/3699

Via email: council@shoalhaven.nsw.gov.au

Dear Mr Dunshea

**Planning proposal PP-2022-2631 to amend Shoalhaven Local Environmental Plan 2014
17 Croobyar Road, Milton – Childcare centre as additional permitted use.**

I am writing in response to the planning proposal you have forwarded to the Minister under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act), which seeks to amend Schedule 1 of the Shoalhaven Local Environmental Plan 2014 (LEP) to support the continued operation of a childcare centre at 17 Croobyar Road, Milton.

As delegate of the Minister for Planning, I have 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 the proposal is generally consistent with applicable directions of the Minister under section 9.1 of the Act and that the proposal's consistency with Direction 4.3 Planning for Bushfire Protection will be determined following consultation with the NSW Rural Fire Service (RFS).

Considering the nature of the planning proposal I have determined that Shoalhaven City Council (Council) may exercise local plan-making authority functions in relation to the planning proposal. I have also agreed that public consultation is not necessary in the circumstances as the childcare centre has been operating on the site for many years.

The proposed LEP is to be finalised on or before 28 April 2023. As this is a minor amendment, Council is to request Parliamentary Counsel's Office commence drafting as soon as practicable. A copy of the request should be forwarded to the Department of Planning and Environment.

The NSW Government has committed to reduce the time taken to complete LEPs. To meet these commitments, the Minister may appoint an alternate planning proposal authority if Council does not meet the timeframes outlined in the gateway determination.

Should you have any enquiries about this matter, I have arranged for Louise Myler, Specialist Planning Officer, to assist you. Louise can be contacted on 4247 1822.

Yours sincerely



28/10/2022

**Daniel Thompson
Director, Southern Region
Local and Regional Planning**

Encl: Gateway determination