

Mr Greg Doyle  
General Manager  
Wollongong City Council  
Locked Bag 8821  
Wollongong DC NSW 2500

Our ref: PP-2023-1981/IRF23/2513

Attention: Mr David Green, Land Use Planning Manager

Dear Mr Doyle

**Planning proposal PP-2023-1981 to amend Wollongong Local Environmental Plan 2009**

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) in respect of the planning proposal seeking road and rail corridor rezoning and land reservation acquisition map amendments for multiple lots within the Wollongong LGA.

As delegate of the Minister for Planning and Public Spaces, 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, the inconsistencies of the planning proposal with applicable directions of the Minister under section 9.1 of the Act namely Direction 3.1 - Conservation Zones, 4.1 Flooding, 4.5 Acid Sulphate Soils and 7.1 Employment Zones are justified in accordance with the terms of the Directions.

In relation to Direction 5.2 Reserving Land for Public Purposes, I have approved the proposed creation, alteration and/or reduction of existing zonings or reservations of land for public purposes.

No further approval is required in relation to the Directions.

Council may still need to obtain the agreement of the Secretary to comply with the requirements of Direction 4.3 Planning for Bushfire Protection. Council should ensure this occurs prior to the LEP being made.

Considering the nature of the planning proposal I have determined that Council may exercise local plan-making authority functions in relation to the planning proposal.

The proposed local environmental plan (LEP) is to be finalised within nine months of the date of the gateway determination or on or before 2 July 2024.

Parliamentary Counsel's Office is not responsible for the drafting of map-only amendments to LEPs. Requests for legal drafting for map-only amendments must instead be sent to [mapinstrument.drafting@dpie.nsw.gov.au](mailto:mapinstrument.drafting@dpie.nsw.gov.au). The relevant Department of Planning and Environment team contact should be copied into the request. The request must include the drafting instruction template, planning proposal and gateway determination.

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.

The Department's categorisation of planning proposals in the *Local Environmental Plan Making Guideline* (Department of Planning and Environment, August 2023) is supported by category specific timeframes for satisfaction of conditions and authority and Government agency referrals, consultation, and responses. Compliance with milestones will be monitored by the Department to ensure planning proposals are progressing as required.

Should you have any enquiries about this matter, I have arranged for Nikita Lange from the Department's Southern Region office to assist you. Ms Lange can be contacted on 02 9995 6318.

Yours sincerely



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

Encl: Gateway determination