

Gateway Determination

Planning proposal (Department Ref: PP-2025-794): West Dapto Minor Amendments

I, the Manager at the Department of Planning, Housing and Infrastructure, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Wollongong Local Environmental Plan 2009 to make minor adjustments within the West Dapto Urban Release Area should proceed subject to the following

The Council as planning proposal authority is authorised to exercise the functions of the local plan-making authority under section 3.36(2) of the Act subject to the following:

- (a) the planning proposal authority has satisfied all the conditions of the gateway determination;
- (b) the planning proposal is consistent with applicable directions of the Minister under section 9.1 of the Act or the Secretary has agreed that any inconsistencies are justified; and
- (c) there are no outstanding written objections from public authorities.

The LEP should be completed on or before 21 August 2026.

Gateway Conditions

1. Prior to public exhibition the planning proposal should be updated as follows:
 - a. Section B: Q6 & Q7. Currently, both Q6 and Q7 discuss Ministerial directions. The proposal should be updated so that the discussion Q6 addresses State Environmental Planning Policies and Q7 addresses consistency with Ministerial Directions.
 - b. More detailed/user friendly mapping on proposed changes and zone boundary adjustments should be included to clearly identify exactly what changes are proposed.
2. Consultation with the NSW Rural Fire Service is required prior to community consultation consistent with Ministerial Direction 4.3 Planning for Bushfire Protection.
3. Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the Act as follows:
 - (a) the planning proposal is categorised as standard as described in the *Local Environmental Plan Making Guideline* (Department of Planning and Environment, August 2023) and must be made publicly available for a minimum of 20 working days; and
 - (b) the planning proposal authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in *Local Environmental Plan Making Guideline* (Department of Planning and Environment, August 2023).

4. Consultation is required with the following public authorities and government agencies under section 3.34(2)(d) of the Act and/or to comply with the requirements of applicable directions of the Minister under section 9 of the Act:
 - DCCEEW Biodiversity, Conservation and Sciences Division (biodiversity and flooding)
 - Transport for NSW
5. A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

Dated 14 November 2025



Graham Towers
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Local Planning and Council Support
Department of Planning, Housing and
Infrastructure

Delegate of the Minister for Planning and
Public Spaces