

Mr Andrew Constance  
General Manager  
Shoalhaven City Council  
PO Box 42  
NOWRA NSW 2541

Our ref: IRF26/1475

By Email: [council@shoalhaven.nsw.gov.au](mailto:council@shoalhaven.nsw.gov.au)

Attention: Fallon Kassis

Dear Mr Constance

**Planning proposal (PP-2026-1248) to amend Shoalhaven Local Environmental Plan 2014**

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) and additional information received on 01 June 2026 in respect of the planning proposal to undertake a number of written instrument and mapping amendments.

As delegate of the Minister for Planning and Homes, 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 inconsistency of the planning proposal with applicable directions of the Minister under section 9.1 of the EP&A Act 3.1 Conservation Zones, 4.1 Flooding, 4.4 Remediation of Contaminated Land, 4.5 Acid Sulfate Soils, 5.1 Integrating Land Use and Transport, 9.1 Rural Zones, and 9.2 Rural Lands is justified in accordance with the terms of the Direction.

Council may still need to obtain the agreement of the Secretary to comply with the requirements of relevant applicable directions of the Minister under section 9.1 of the EP&A Act 7.1 Employment Zones. 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 on or before 9 July 2027. Council should aim to commence the exhibition of the planning proposal as soon as possible. Should Council seek to make a proposed LEP, the request to draft the LEP should be made directly to Parliamentary Counsel's Office well in advance of the date the LEP is projected to be made. A copy of the request should be forwarded to the Department of Planning and Environment.

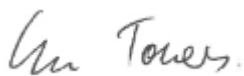
From 1 July referrals for planning proposals are transitioning from some State agencies to the Development Coordination Authority (DCA). Councils will refer planning proposals to DCA through the Planning Portal where relevant. It is expected that by October most State agencies would have transitioned. If you have questions around this process, please contact [dca.enquiries@dphi.nsw.gov.au](mailto:dca.enquiries@dphi.nsw.gov.au).

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, 2021) 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 Kate Kennedy to assist you. Ms Kennedy can be contacted on (02) 4927 3265.

Yours sincerely

 10/7/26

**Graham Towers**  
**Manager, Southern, Western and Macarthur Region**  
**Local Planning and Council Support**

Encl: Gateway determination