



Department of Planning and Environment

Our ref: PP-2022-4144/IRF22/4187

Ms Jane Stroud
Chief Executive Officer
Kiama Municipal Council
PO Box 74
KIAMA NSW 2533

Attention: Edward Paterson, Manager Strategic Planning
Suzi Stojcevska, Strategic Planner

Dear Ms Stroud

Planning proposal – PP-2022-4144 – to amend Kiama Local Environmental Plan 2011

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) to amend the *Kiama Local Environmental Plan 2011* by amending development controls for land in the Kiama Town Centre.

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. This includes to amend the planning proposal to reflect the proposed reduction in the maximum building height for part of the Akuna Street strategic site.

Similarly, Council may wish to also clarify in the planning proposal that the land at 72 Manning Street, Kiama, is not community land and the proposed changes are to correct a mapping error.

I have also agreed, as delegate of the Secretary, the planning proposal is consistent with relevant Section 9.1 Directions and/or any inconsistencies are justified.

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 21 September 2023. 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.

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.



Department of Planning and Environment

Should you have any enquiries about this matter, I have arranged for Mr Andrew Hartcher, Senior Planner, to assist you. Mr Hartcher can be contacted on 4247 1823.

Yours sincerely

A handwritten signature in black ink, appearing to be "TS" or similar initials.

Thomas Soccio
A/Director, Southern Region
Local and Regional Planning

Encl: Gateway determination