

Dr Catherine Dale
General Manager
Eurobodalla Shire Council
PO Box 99
MORUYA NSW 2537

Dear Dr Dale

Planning proposal PP_2018_EURO_002 to amend Eurobodalla Local Environmental Plan 2012

I am writing in response to Council's request for a Gateway determination under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to rezone land at 55 Tallawang Avenue, Malua Bay from E2 Environmental Conservation to R2 Low Density Residential. The proposal intends to correct a mapping error that occurred during the drafting of Eurobodalla LEP 2012 which inadvertently applied an environmental zone to a small parcel of residential land.

As delegate of the Minister for Planning, I have now 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 planning proposal's inconsistency with section 9.1 Direction 2.1 Environmental Protection Zones is justified in accordance with the terms of the Direction. No further approval is required in relation to this Direction. Consultation with the NSW Rural Fire Service is required in order to comply with section 9.1 Direction 4.4 Planning for Bushfire Protection.

I have also considered and agreed to Council's request to be authorised as the local plan-making authority.

The amending local environmental plan (LEP) is to be finalised within six months of the date of the Gateway determination. Council's request to draft and finalise the LEP should be made directly to Parliamentary Counsel's Office six weeks prior to the projected publication date. A copy of the request should be forwarded to the Department of Planning and Environment.

The state government is committed to reducing the time taken to complete LEPs by tailoring the steps in the process to the complexity of the proposal, and by providing clear and publicly available justification for each plan at an early stage. In order to meet these commitments, the Minister may take action under section 3.32(2)(d) of the Act if the time frames outlined in this determination are not met.

Should you have any further enquiries about this matter, I have arranged for Ms Rebeca Garland to assist you. Rebeca can be contacted on 4224 9461.

Yours sincerely

A handwritten signature in black ink, appearing to read 'L. Musgrave', is positioned above the printed name and title.

19/11/2018

Luke Musgrave
Acting Director Regions, Southern
Planning Services

Encl: Gateway determination
Authorised plan-making reporting template