Gateway Determination

***Planning proposal (Department Ref: PP_2018_EURO_002)**: to rezone land at 55 Tallawang Avenue Malua Bay from E2 Environmental Conservation to R2 Low Density Residential to correct a mapping error that occurred when the Eurobodalla LEP 2012 was notified. The proposal will also amend lot size and building height controls.*

I, the Acting Director Regions, Southern at the Department of Planning and Environment, as delegate of the Minister for Planning, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Eurobodalla Local Environmental Plan (LEP) 2012 as described above should proceed subject to the following conditions:

1. Public exhibition is not required under section 3.34(2)(c) and schedule 1 clause 4 of the Act.

2. Consultation is required with Rural Fire Service is required to satisfy section 9.1 Direction 4.4 Planning for Bushfire Protection.

3. 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).

4. The planning proposal authority is authorised as the local plan-making authority to exercise the functions 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 section 9.1 Directions or the Secretary has agreed that any inconsistencies are justified; and
    c. there are no outstanding written objections from public authorities.

5. The time frame for completing the LEP is to be **6 months** following the date of the Gateway determination.

Dated 19th day of November 2018.

Luke Musgrave

Acting Director Regions, Southern Planning Services
Department of Planning and Environment
Delegate of the Minister for Planning