



Our ref: IRF18/1612

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

Attn: Mr Stephen Halicki

Dear Dr Dale

Planning proposal PP_2018_EUROB_001_00 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 amend the lot size applying to Lot 3, DP701983, 3 Brown Close, Moruya Heads from 2ha to 1500m².

As delegate of the Minister for Planning, I have now determined 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 Directions 2.1 Environment Protection Zones is of minor significance. No further approval is required in relation to this Direction.

Council may still need to obtain the agreement of the Department's Secretary to comply with the requirements of relevant section 9.1 Direction 4.4 Planning for Bushfire Protection. Council should ensure this occurs prior to community consultation.

It is noted that Council has requested to be authorised as the local plan-making authority. I have considered the nature of Council's planning proposal and have conditioned the Gateway for Council to be authorised as the local plan-making authority.

The amending Local Environmental Plan (LEP) is to be finalised within 12 months of the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request to draft and finalise the LEP should be made directly to Parliamentary Counsel's Office 6 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 Mr Nathan Foster to assist you. Mr Foster can be contacted on 4224 9459.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'J.H.', with a horizontal line extending to the right.

18.04.2018

Jeffrey Horn
Acting Director Regions, Southern
Planning Services

Encl: Gateway Determination
Local plan-making authority reporting template