NSW GOVERNMENT | **Planning & Environment**

Gateway Determination

Planning Proposal (Department Ref: PP_2017_SHELL_ 001_00): to amend Shellharbour LEP 2013 to reclassify Lot 1 DP 211127 and part of Lot 5 DP 218551 from Community to Operational land and to include Function Centres as an additional permitted use in Schedule 1 of the Shellharbour LEP 2013.

I, the Acting Director Regions, Southern at the Department of Planning and Environment as delegate of the Minister for Planning, have determined under section 56(2) of the *Environmental Planning and Assessment Act, 1979* (the Act) that an amendment to the Shellharbour Local Environmental Plan (LEP) 2013 as described above should proceed subject to the following conditions:

1. The planning proposal shall be amended to include a detailed explanation of provisions prior to exhibition.

2. Community consultation is required under sections 56(2)(c) and 57 of the Act as follows:

    (a) the planning proposal must be made publicly available for a minimum of **28 days**; and
    (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in Section 5.5.2 of *A guide to preparing local environmental plans* (Department of Planning and Environment 2016).

No consultation is required with public authorities under section 56(2)(d) of the Act

3. A public hearing is not required to be held into the matter by any person or body under section 56(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 timeframe for completing the LEP is to be **12 months** following the date of
    the Gateway determination.

Dated 22nd   day of December   2017.

Jeffrey Horn
Acting Director Regions, Southern
Planning Services
Department of Planning and
Environment

Delegate of the Minister for Planning