

Gateway Determination

Planning proposal (Department Ref: PP-2021-3271): to amend the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 by removing the Shoalhaven map sheets from Schedule 5 of the SEPP and to amend the Shoalhaven Local Environmental Plan 2014 by updating the Coastal Risk Planning maps in the LEP.

I, the Director, Southern Region at the Department of Planning, Industry and Environment, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Shoalhaven Local Environmental Plan (LEP) 2014 as described above should proceed subject to the following conditions:

1. Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:
 - (a) the planning proposal must be made publicly available for a minimum of **28 days**; and
 - (b) the planning proposal 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 6.5.2 of *A guide to preparing local environmental plans* (Department of Planning and Environment, 2018).
2. Consultation is required with the following public authorities/organisations under section 3.34(2)(d) of the Act and/or to comply with the requirements of relevant section 9.1 Directions:
 - Department of Planning, Industry and Environment - Energy, Environment and Science Division - Estuaries, Coast and Floodplain Team
 - NSW Rural Fire Service

Each public authority/organisation is to be provided with a copy of the planning proposal and any relevant supporting material and given at least 21 days to comment on the proposal.

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 time frame for completing the LEP is to be **12 months** following the date of the Gateway determination expiring on 26 May 2022.

Dated 26th day of May 2021.

A handwritten signature in dark ink, appearing to read 'Sarah Lees', is positioned above the printed name and title.

Sarah Lees
Director, Southern Region
Local and Regional Planning
Department of Planning, Industry and
Environment

Delegate of the Minister for Planning
and Public Spaces