

Gateway Determination

Planning proposal (Department Ref: PP_2018_SHOAL_008_00): to amend the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 by removing the Shoalhaven map sheets from schedule 5 and to amend the Shoalhaven LEP 2014 by removing the Coastal Risk Planning (CRP) Map from the LEP and amending Clause 7.4 Coastal Risk planning to apply to all land at risk of coastal hazards.

I, the 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 Shoalhaven Local Environmental Plan (LEP) 2014 as described above should proceed subject to the following conditions:

1. The exhibited maps must clearly identify the areas to which the current Shoalhaven LEP 2014 Coastal Risk Planning Maps apply and also the proposed coastal hazard maps.
2. The explanation of the provisions in the planning proposal are to be updated to refer to the Coastal Management Act 2016.
3. 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 5.5.2 of *A guide to preparing local environmental plans* (Department of Planning and Environment 2016).
4. Consultation is required with the Office of Environment and Heritage (OEH) under section 3.34(2)(d) of the Act. OEH 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.
5. 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).

6. The time frame for completing the LEP is to be **12 months** following the date of the Gateway determination.

Dated 24th day of October 2018.



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