

Gateway Determination

Planning Proposal (Department Ref: PP_2017_EUROB_004_00): to amend the Eurobodalla Local Environmental Plan 2012 (LEP) to introduce flood mapping, amend clause 6.5 (Flood planning), and amend other planning controls applying to some flood affected lands in the Shire.

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 Eurobodalla Local Environmental Plan 2012 to introduce flood mapping, amend clause 6.5 (Flood planning), and amend zoning and minimum lot sizes relating to flood affected lands should proceed subject to the following conditions:

1. Prior to community consultation the proposal shall be updated to address the South East and Tablelands Regional Plan.
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).
3. Consultation is required with the Office of Environment and Heritage (OEH) – Biodiversity and Flooding divisions under section 56(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.
4. 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).



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5. The timeframe for completing the LEP is to be **12 months** following the date of the Gateway determination.

Dated 27th day of NOVEMBER 2017.

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

Delegate of the Minister for Planning