

Gateway Determination

Planning proposal (Department Ref: PP_2019_SHELL_001): to amend LEP maps to reflect the updated cadastre for land at Tullimbar and Albion Park

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 Shellharbour Local Environmental Plan 2013 and Shellharbour Rural Local Environmental Plan 2004 maps so they align with the cadastre should proceed subject to the following conditions:

1. Public exhibition is not required under section 3.34(2)(c) and schedule 1 clause 4 of the Act.
2. Consultation is required with Rural Fire Service to satisfy section 9.1 Direction 4.4 Planning for Bushfire Protection.
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 planning proposal authority is authorised as the local plan-making authority to exercise the functions under section 3.36(2) of the Act subject to the following:
 - (a) the planning proposal authority has satisfied all the conditions of the Gateway determination;
 - (b) the planning proposal is consistent with section 9.1 Directions or the Secretary has agreed that any inconsistencies are justified; and
 - (c) there are no outstanding written objections from public authorities.
5. The time frame for completing the LEP is to be **6 months** following the date of the Gateway determination.

Dated 15th day of February 2019.



Luke Musgrave
Director Regions, Southern

**Planning Services
Department of Planning and
Environment**

Delegate of the Minister for Planning