

Gateway Determination

Planning proposal (Department Ref: PP-2022-1589) Lots 21-24 DP714096 + part unmade road reserve, Warrah Road Bangalee – Deferred land in the Crams Road Investigation Area

I, Daniel Thompson the Director, Southern Region, at the Department of Planning and Environment, as delegate of the Minister for Planning and Homes, 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 2014 to facilitate residential development and environmental protection of lands of the land described above should proceed subject to the following conditions:

1. Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the Act as follows:
 - (a) the planning proposal is categorised as standard as described in the *Local Environmental Plan Making Guidelines* (Department of Planning and Environment, 2021) and must be made publicly available for a minimum of 28 days;
 - (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 *Local Environmental Plan Making Guidelines* (Department of Planning and Environment, 2021).
2. No consultation is required with public authorities or government agencies under section 3.34(2)(d) of the EP&A Act as this has already occurred.
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 EP&A 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 Council as planning proposal authority planning proposal authority is authorised to exercise the functions of the local plan-making authority under section 3.36(2) of the EP&A 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 applicable directions of the Minister under section 9.1 of the EP&A Act or the Secretary has agreed that any inconsistencies are justified; and
 - (c) there are no outstanding written objections from public authorities.

5. The LEP should be completed on or before 13 February 2023.

Dated 11th day of May 2022.



Daniel Thompson
Director, Southern Region
Local and Regional Planning
Department of Planning and
Environment

Delegate of the Minister for Planning
and Homes