

Gateway Determination

Planning proposal (Department Ref: PP-2022-3684): to reclassify 11 sites from community land to operational land and amend planning controls

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 Eurobodalla Local Environmental Plan 2012 to reclassify 11 sites from community land to operational land and amend planning controls should proceed subject to the following conditions:

1. The planning proposal is to be amended prior to community consultation to provide a response to Section 9.1 Direction 4.4 Remediation of Contaminated Land.
2. 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 20 working 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 *Local Environmental Plan Making Guidelines* (Department of Planning and Environment, 2021).
3. Consultation is required with the following public authorities and government agencies under section 3.34(2)(d) of the Act and/or to comply with the requirements of applicable directions of the Minister under section 9 of the EP&A Act:
 - DPE Biodiversity and Conservation
 - NSW Rural Fire Service

Consultation is also required with the following organisations:

- Telstra

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material via the NSW Planning Portal and given at least 30 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 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).
5. The LEP should be completed on or before 12th December 2023.

Dated 12th day of December 2022.



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

Delegate of the Minister for Planning