



Ms Leanne Barnes
General Manager
Bega Valley Shire Council
PO Box 492
BEGA NSW 2550

Attention: Mr Rob Quick

Dear Ms Barnes

Planning proposal PP_2018_BEGAV_001_00 to amend Bega Valley Local Environmental Plan 2013

I am writing in response to Council's request for a Gateway determination under section 3.34 (1) of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to amend the Bega Valley Local Environmental Plan 2013 (BVLEP 2013) to introduce an existing holdings map and amend clause 4.2A to preserve the permissibility of erecting a dwelling house on land identified as an existing holding beyond the expiry of a sunset clause.

As delegate of the Minister for Planning, I have now determined the planning proposal should proceed subject to the conditions in the enclosed Gateway determination.

It is noted that Council has requested to be authorised as the local plan-making authority. I have considered the nature of Council's planning proposal and have conditioned the Gateway for Council to be authorised as the local plan-making authority.

The amending local environmental plan (LEP) is to be finalised within 12 months of the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request to draft and finalise the LEP should be made directly to Parliamentary Counsel's Office six weeks prior to the projected publication date. A copy of the request should be forwarded to the Department of Planning and Environment.

It is noted that clause 4.2A(4) of the BVLEP 2013 expires on 2 August 2018. To manage the risk to landowners, it is important that Council work to finalise the proposed amendments to ensure the plan is notified prior to this date. The Department is happy to work with Council to ensure this can be achieved.

The state government is committed to reducing the time taken to complete LEPs by tailoring the steps in the process to the complexity of the proposal, and by providing clear and publicly available justification for each plan at an early stage. In order to meet these commitments, the Minister may take action under section 3.32(2)(d) of the Act if the time frames outlined in this determination are not met.

Should you have any further enquiries about this matter, I have arranged for Mr Will Mayes to assist you. Mr Mayes can be contacted on 8275 1050.

Yours sincerely

 16 April 2018
Stephen Murray
Executive Director, Regions
Planning Services

Encl: Gateway determination
Local plan-making authority reporting template