



Mr Michael Coulter  
General Manager  
Nambucca Valley Council  
PO Box 177  
MACKSVILLE NSW 2447

Via email: [grant.nelson@nambucca.nsw.gov.au](mailto:grant.nelson@nambucca.nsw.gov.au)  
[council@nambucca.nsw.gov.au](mailto:council@nambucca.nsw.gov.au)

Dear Mr Coulter

**Planning proposal PP-2021-2032 to amend Nambucca Local Environmental Plan 2010**

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 rezone part of the Nambucca State Forest and amend associated development standards to facilitate expansion of waste management facility.

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

I have also agreed, as delegate of the Secretary, the planning proposal's inconsistencies with section 9.1 Directions 1.2 Mining, Petroleum Production Extractive Industries and 5.10 Implementation of Regional Plans are justified in accordance with the terms of the Directions. In relation to section 9.1 Direction 6.2 Reserving Land for Public Purposes, I have agreed to the alteration for public purposes on the understanding that the land will be owned by Council and will facilitate expansion of the existing waste management facility. No further approval is required in relation to this Direction.

Council may still need to obtain the agreement of the Secretary to comply with the requirements of relevant section 9.1 Directions 1.5 Rural Lands, 2.1 Environment Protection Zones, 2.3 Heritage Conservation and 4.4 Planning for Bushfire Protection. Council should ensure this occurs prior to the plan being made / finalised.

The amending local environmental plan (LEP) is to be finalised within 18 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 for the Department of Planning, Industry and Environment to draft and finalise the LEP should be made eight weeks prior to the projected publication date.

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 enquiries about this matter, I have arranged for Ms Jenny Johnson to assist you. Ms Johnson can be contacted on 6643 6414.

Yours sincerely

A handwritten signature in black ink, appearing to read 'J. Gray', is positioned above the printed name and title.

05/03/2021

**Jeremy Gray**  
**Director, Northern Region**  
**Local and Regional Planning**

Encl: Gateway determination