

Gateway Determination

Planning proposal (Department Ref: PP-2021-3184): to reclassify Community Land to Operational Land at Valla Beach and Nambucca Heads

I, the Director, Northern Region, at the Department of Planning, Industry and Environment, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Nambucca Local Environmental Plan (LEP) 2010 to reclassify Community Land to Operational Land at Valla Beach and Nambucca Heads should proceed subject to the following conditions:

1. Prior to community consultation, the planning proposal is to be updated to:
 - (a) Include a draft map showing the exact area to be reclassified of Lot 8 DP 821952; and
 - (b) Update the planning proposal project timeline to reflect a 9 month timeframe.
2. Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:
 - (a) the planning proposal 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 section 6.5.2 of *A guide to preparing local environmental plans* (Department of Planning and Environment, 2018); and
 - (c) a copy of Practice Note PN16-001 Classification and reclassification of public land through a local environment plan is to be included in the public exhibition.
3. Consultation is required with the NSW Rural Fire Service under section 3.34(2)(d) of the Act. The NSW Rural Fire Service is to be provided with a copy of the planning proposal and any relevant supporting material and given at least 21 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 Act. Council must however arrange a public hearing in respect of the planning proposal to reclassify community land as operational land in accordance with the requirements of the *Local Government Act 1993*.

5. The time frame for completing the LEP is to be **nine months** following the date of the Gateway determination.

Dated 22 day of July 2021.

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

Jeremy Gray
Director, Northern Region
Local and Regional Planning
Department of Planning, Industry and
Environment

Delegate of the Minister for Planning
and Public Spaces