



Mr Anthony McMahon  
Acting General Manager  
Bega Valley Shire Council  
PO Box 492  
BEGA NSW 2550

Dear Mr McMahon

**Planning proposal PP-2021-4929 to amend Bega Valley Local Environmental Plan 2013 – 3900 Princes Highway, Greigs Flat**

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) and additional information received on 7 October 2021 in respect of the planning proposal to rezone land at 3900 Princes Highway Greigs Flat to E4 Environmental Living Zone and E2 Environmental Conservation Zones.

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.

Please note that Council is required to consult with the NSW Rural Fire Service and with Transport for NSW prior to community consultation in response to traffic issues raised by this agency during pre-lodgement consultations concerning access/egress to and from the Princes Highway and bushfire risk.

I have also agreed, as delegate of the Secretary, the planning proposal's inconsistency with section 9.1 Direction 1.2 Rural Zones is justified in accordance with the terms of the Direction. 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 section 9.1 Directions 2.3 Heritage Conservation (Aboriginal cultural heritage) and Direction 4.4 Planning for Bushfire Protection. Council should ensure this occurs prior the plan being made.

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.

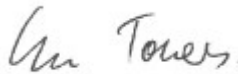
The amending local environmental plan (LEP) is to be finalised within 12 months of the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request to draft

and finalise the map only LEP should be made directly to the Department of Planning, Industry and Environment's legal drafting mailbox (mapinstrument.drafting@dpie.nsw.gov.au) six weeks prior to the projected publication date. A copy of the request should be forwarded to the Department's Southern Region team.

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 Mr Graham Judge to assist you. Mr Judge can be contacted on 6229 7906.

Yours sincerely



15/10/21

**Graham Towers**  
**Acting Director, Southern Region**  
**Local and Regional Planning**

Encl: Gateway determination  
Authorised plan-making reporting template