

Gateway Determination

Planning proposal (Department Ref: PP-2021-6786): to permit a range of residential development in the B2 Local Centre Zone

I, the Director, Southern 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 Bega Valley Local Environmental Plan (LEP) 2013 to permit a range of residential development in the B2 Local Centre Zone should proceed subject to the following conditions:

1. 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**; 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 section 6.5.2 of *A guide to preparing local environmental plans* (Department of Planning and Environment, 2018).
2. Consultation is required with the following public authorities under section 3.34(2)(d) of the Act. They are 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:
 - NSW Rural Fire Service
 - DPIE Biodiversity and Conservation
3. 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. 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).
4. The planning proposal authority is authorised as the local plan-making authority to exercise the functions under section 3.36(2) of the Act subject to the following:
 - (a) the planning proposal authority has satisfied all the conditions of the Gateway determination;
 - (b) the planning proposal is consistent with section 9.1 Directions or the Secretary has agreed that any inconsistencies are justified; and
 - (c) there are no outstanding written objections from public authorities.

5. The time frame for completing the LEP is to be **12 months** following the date of the Gateway determination expiring on 26 November 2022.

Dated 26th day of November 2021.

A handwritten signature in dark ink, appearing to read 'Sarah Lees', is positioned above the printed name.

**Sarah Lees, Director Southern Region
Department of Planning, Industry and
Environment**

**Delegate of the Minister for Planning
and Public Spaces**