

## Gateway Determination

**Planning proposal (Department Ref: PP\_2018\_BEGAV\_003\_00):** to change the boundaries of the E2 Environmental Conservation Zone, E3 Environmental Management Zone, B4 Mixed Use Zone and RU5 Village Zone associated with four (4) sites located at Cuttagee, Broadwater, Eden, and Cobargo and to apply an E2 Environmental Conservation Zone and E3 Environmental Management Zone to a 'deferred matter' located at Millingandi.

I, the Director Regions, Southern at the Department of Planning and Environment, as delegate of the Minister for Planning, 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 change the boundaries of the E2 Environmental Conservation Zone, E3 Environmental Management Zone, B4 Mixed Use Zone and RU5 Village Zone associated with four (4) sites located at Cuttagee, Broadwater, Eden, and Cobargo and to apply an E2 Environmental Conservation Zone and E3 Environmental Management Zone to a 'deferred matter' located at Millingandi, should proceed subject to the following conditions:

1. Community consultation 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 5.5.2 of *A guide to preparing local environmental plans* (Department of Planning and Environment 2016).
2. Consultation is required with the following public authorities under section 3.34(2)(d) of the Act and/or to comply with the requirements of relevant section 9.1 Directions:
  - Department of Primary Industries (Fisheries)
  - Office of Environment and Heritage
  - NSW Rural Fire Service

Each public authority 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.



## Planning & Environment

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.
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.

Dated 7<sup>th</sup> day of May 2018.

  
**Sarah Lees**  
Director Regions, Southern  
Planning Services  
Department of Planning and  
Environment

**Delegate of the Minister for Planning**