

Gateway Determination

Planning proposal (Department Ref: PP-2025-1733): To facilitate the use of a complying development pathway for certain minor development ancillary to existing dwellings within the C4 (Environmental Living) zone.

I, the Director, Southern Western & Macarthur Region at the Department of Planning, Housing and Infrastructure, 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 Queanbeyan Palerang Regional Local Environmental Plan 2022 to facilitate the use of a complying development pathway for certain minor development ancillary to existing dwellings within the C4 (Environmental Living) zone should proceed subject to the following:

The LEP should be completed on or before 1 December 2026.

Gateway Conditions

1. Prior to exhibition, the planning proposal is to be revised to:
 - (a) Include only the level of 'minor development' that is ancillary to an existing approved dwelling consistent with the Bega provision in Schedule 3 Complying development Codes – variations 3A.5(3) (4)
 - (b) Update the mapping to more clearly show the areas subject of the planning proposal, and the biodiversity and bushfire constraints that apply to these areas
2. Prior to public exhibition, the updated planning proposal is to be forwarded to the Minister under s 3.34(6) of the Act for review and approval.
3. Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the Act as follows:
 - (a) the planning proposal is categorised as complex as described in the *Local Environmental Plan Making Guideline* (Department of Planning and Environment, August 2023) and must be made publicly available for a minimum of 20 working 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 *Local Environmental Plan Making Guideline* (Department of Planning and Environment, August 2023).
4. Consultation is required with the following public authorities and government agencies under section 3.34(2)(d) of the Act and/or to comply with the requirements of applicable directions of the Minister under section 9 of the Act:
 - DCCEEW
 - NSW RFS
 - Sydney Water

- Ngambri Local Aboriginal Land Council
- Batemans Bay Local Aboriginal Land Council
- Ulladulla Local Aboriginal Land Council
- Mogo Local Aboriginal Land Council

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material via the NSW Planning Portal and given at least 30 working days to comment on the proposal.

5. 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).

Dated 28 November 2025



Chantelle Chow
Director, Southern, Western and
Macarthur Region
Local Planning and Council Support
Department of Planning, Housing and
Infrastructure

Delegate of the Minister for Planning and
Public Spaces