

Gateway Determination

Planning proposal (Department Ref: PP-2025-525): Amend Clause 5.9 Natural Disasters

I, the Acting Director Southern, Western and 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 Bega Valley Local Environmental Plan 2013 clause 5.9 Natural Disasters should proceed subject to the following

The Council as planning proposal authority is authorised to exercise the functions of the local plan-making authority 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 applicable directions of the Minister under section 9.1 of the Act or the Secretary has agreed that any inconsistencies are justified; and
- (c) there are no outstanding written objections from public authorities.

The LEP should be completed on or before 7 October 2025.

Gateway Conditions

- 1. Public exhibition is not required under section 3.34(2)(c) and clause 4 of Schedule 1 to the Act.
- 2. Consultation is required with the NSW Rural Fire Service under section 3.34(2)(d) of the Act and/or to comply with the requirements of applicable directions of the Minister under section 9.1 of the Act. A copy of the planning proposal and any relevant supporting material is to be given to the agency via the NSW Planning Portal and at least 28 days to comment on the proposal.
- 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).

Dated 10 April 2025



Chantelle Chow
A/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