



## Department of Planning, Housing and Infrastructure

Our ref: IRF25/709

Mr Anthony McMahon  
Chief Executive Officer  
Bega Valley Shire Council  
PO Box 492  
BEGA NSW 2550

Dear Mr McMahon

### **Planning proposal (PP-2025-525) to amend Bega Valley Local Environmental Plan 2013**

I am writing in response to the planning proposal you have forwarded to the Minister under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) and additional information received on 20 March 2025 in respect of the planning proposal to amend clause 5.9 Natural Disasters.

As delegate of the Minister for Planning and Public Spaces, I have determined that the planning proposal should proceed subject to the conditions in the enclosed gateway determination.

I have also noted, as delegate of the Secretary, that the planning proposal will be consistent with section 9.1 of the Act, Direction 4.3 Planning for Bushfire Protection, when Council undertakes consultation with the NSW Rural Fire Service.

Considering the nature of the planning proposal I have determined that Council may exercise local plan-making authority functions in relation to the planning proposal.

The proposed local environmental plan (LEP) is to be finalised on or before 7 October 2025. As this is a minor amendment, Council is to request Parliamentary Counsel's Office commence drafting as soon as practicable. A copy of the request should be forwarded to the Department of Planning, Housing and Infrastructure.

The NSW Government has committed to reduce the time taken to complete LEPs. To meet these commitments, the Minister may appoint an alternate planning proposal authority if Council does not meet the timeframes outlined in the gateway determination.

The Department's categorisation of planning proposals in the *Local Environmental Plan Making Guideline* (Department of Planning, Housing and Infrastructure, August 2023) is supported by category specific timeframes for satisfaction of conditions and authority and Government agency referrals, consultation, and responses. Compliance with milestones will be monitored by the Department to ensure planning proposals are progressing as required.

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

A handwritten signature in purple ink, appearing to read 'Chantelle', followed by a long horizontal flourish.

10/4/2025

**Chantelle Chow**  
**Director Southern, Western and Macarthur Region**  
**Local Planning and Council Support**

Encl: Gateway determination