



Department of Planning, Housing and Infrastructure

Mr Bede Spannagle
General Manager
Nambucca Valley Council
PO Box 177
NAMBUCCA HEADS NSW 2447

Our ref: PP-2025-56 (IRF25/168)

Via email: Daniel.Walsh@nambucca.nsw.gov.au
council@nambucca.nsw.gov.au

Dear Mr Spannagle

Planning proposal PP-2025-56 to amend Nambucca Local Environmental Plan 2010

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) in respect of the planning proposal to rezone part of the Valla Urban Growth Area and amend associated development controls.

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.

Council may still need to obtain the agreement of the Secretary to comply with the requirements of relevant applicable directions of the Minister under section 9.1 of the Act, being Directions 1.1 Implementation of Regional Plans, 4.1 Flooding, 4.3 Planning for Bushfire Protection, 5.1 Integrating Land Use, 6.1 Residential Lands and Transport and 7.1 Employment Zones. Council should ensure this occurs prior to the LEP being made.

I have determined not to authorise Council to be the local plan-making authority to enable an objective and independent review of the proposal to be undertaken at the finalisation stage as Council is both the proponent and the landowner.

The amending local environmental plan (LEP) is to be finalised within 10 months of the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request for the Department of Planning, Housing and Infrastructure to draft and finalise the LEP should be made eight weeks in advance of the date the LEP is projected to be made.

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 Ms Jenny Johnson to assist you. Ms Johnson can be contacted on 6643 6414.

Yours sincerely



3/3/25

Craig Diss
Director, Hunter and Northern Region
Local Planning and Council Support

Encl: Gateway determination