



Ms Liz Jeremy
General Manager
Bellingen Shire Council
PO Box 117
BELLINGEN NSW 2454

Dear Ms Jeremy *Liz*

Request for Gateway determination review – referral to Independent Planning Commission

I am writing to advise that Council's application for a review of the Gateway determination to amend the planning controls applying to all land within the Bellingen Shire zoned RU1, RU2, RU4 and E4 has been forwarded to the Independent Planning Commission for consideration.

The Commission has been requested to review the planning proposal and prepare advice concerning the merits of the review request. The Commission will make a recommendation to the Minister's delegate confirming whether, in the Commission's opinion, the planning proposal should proceed past Gateway.

Should you have any enquiries about this matter, I have arranged for Mr Jeffrey Horn to assist you. Mr Horn can be contacted on 9274 6370.

Yours sincerely

A handwritten signature in blue ink that reads 'Marcus Ray'.

Marcus Ray
Deputy Secretary
Planning Services

15/08/2018



Professor Mary O'Kane AC
Chair
Independent Planning Commission
Level 3, 201 Elizabeth Street
SYDNEY NSW 2000

Dear Professor O'Kane

Mary

Request for Gateway review – PP_2017_BELLI_001_00

I am writing to advise that the Department of Planning and Environment has received a request for a review of the Gateway determination for the above planning proposal. The proposal seeks to amend the planning controls applying to all land within the Bellingen Shire zoned RU1, RU2, RU4 and E4.

Bellingen Shire Council is seeking a review of the Minister's delegate's decision to not issue a Gateway determination. This decision was made because the planning proposal does not adequately demonstrate the need or justification for the proposed provisions or its inconsistencies with section 9.1 Direction 1.5 Rural Lands, State Environmental Planning Policy (Rural Lands) 2008 and the North Coast Regional Plan 2036, as it will not protect the agricultural production value of rural land.

The Commission is requested to review the decision to not issue a Gateway determination and prepare advice concerning the merits of the request. The advice should include a clear and concise recommendation confirming whether, in the Commission's opinion, the above decision should be retained.

The advice and recommendation should be provided within 28 days of the date of this letter and sent to Mr Jeffrey Horn of the Department's Regions Coordination branch at jeffrey.horn@planning.nsw.gov.au.

I enclose the Gateway determination, Council's request and a Gateway review justification report to assist the Commission in its review of the planning proposal.

The Department's *A guide to preparing local environmental plans* provides advice on procedures for the various stages of the independent review process. The guide is available on the Department's website at planning.nsw.gov.au/Plans-for-your-area/Local-Planning-and-Zoning/Resources.

Should you have any questions in relation to this matter, please contact Mr Horn on 9274 6370.

Yours sincerely



Marcus Ray
Deputy Secretary
Planning Services

15/08/2018

Encl: Gateway review justification report
Gateway determination
Council review request