



IRF18/3502

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](mailto: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](http://planning.nsw.gov.au/Plans-for-your-area/Local-Planning-and-Zoning/Resources).

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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