



IRF19/5623

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

Dear Professor O'Kane

**Request for Gateway review for 112 and 134 School Lane, Southgate –  
PP\_2019\_CLARE\_001\_00**

I am writing to advise that the Department of Planning, Industry and Environment has received a request for a review of the Gateway determination for the above planning proposal. The proposal seeks to reduce the minimum lot size of the subject land from 40ha to 6ha within the RU1 Primary Production zone to permit the subdivision of land and the erection of two additional dwellings.

The proponent, A Fletcher and Associates, is seeking a review of the Minister's delegate's decision to issue a Gateway determination for the proposal not to proceed. This decision was made because the planning proposal was considered to:

- lack strategic merit;
- be inconsistent with the *North Coast Regional Plan 2036*, State Environmental Planning Policy (Primary Production and Rural Development) 2019, section 9.1 Directions 1.5 Rural Lands and 5.10 Implementation of Regional Plans, Clarence Valley Council's local strategy, the objectives of the RU1 Primary Production zone and the nature of existing surrounding development; and
- potentially set an undesirable precedent for similar development in the area and other rural areas in the local government area.

The commission is requested to review the decision 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 Department's decision should stand.

The advice and recommendation should be provided within 28 days of receipt of this letter and sent to Ms Carlie Boyd in the Department's Northern Region office at [carlie.boyd@planning.nsw.gov.au](mailto:carlie.boyd@planning.nsw.gov.au).

I enclose the planning proposal, Gateway determination, Gateway determination report, the proponent's request and justification submission and a justification assessment 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).

Should you have any questions in relation to this matter, please contact Ms Boyd on 6643 6404.

Yours sincerely



**Tim Hurst**  
**Deputy Secretary, Local Government, Planning and Policy**  
**Planning and Assessment**

22/10/19

Encl: Planning proposal  
Gateway determination report  
Gateway review justification assessment report  
Gateway determination  
Proponent review request and justification submission