



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

Dear Ms Jeremy

Gateway determination review – planning proposal PP_2017_BELLI_001_00

I am writing in relation to the Gateway review for the above planning proposal seeking to require development consent for horticulture in the RU1 Primary Production, RU2 Rural Landscape, RU4 Primary Production Small Lots and E4 Environmental Living zones, while also listing all forms of horticulture as exempt development, except blueberry farms that are unable to meet set criteria under the Bellingen Local Environmental Plan (LEP) 2010.

I have considered the reasons for the Gateway determination issued by the Minister's delegate on 8 March 2018, Council's submission outlining why the Gateway determination should be altered and the advice of the NSW Independent Planning Commission (IPC). I have enclosed a copy of the IPC's advice for your reference.

The IPC does not consider that the planning proposal provides adequate justification or merit to amend the Bellingen LEP 2010 to regulate one form of horticulture production when that horticulture production is unlikely to be the sole contributor to the environmental impacts raised in the proposal.

I have determined as delegate of the Minister that the Gateway determination issued on 8 March 2018 should not be altered and that planning proposal PP_2017_BELLI_001_00 should not proceed for the reasons outlined in the IPC's advice. Please note there is no opportunity to appeal this decision.

Should you have any enquiries about this matter, I have arranged for Mr Jeremy Gray, Director Regions, Northern, at the Department of Planning and Environment to assist you. Mr Gray can be contacted on 6641 6602.

Yours sincerely

Marcus Ray
Deputy Secretary
Planning Services

Encl: Independent Planning Commission's advice for Gateway determination review

22/10/2018