



Department of Planning and Environment

Our ref: IRF22/3712

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

Via email: council@bellingen.nsw.gov.au
dbennett@bellingen.nsw.gov.au

Dear Ms Jeremy

Planning proposal PP-2022-2442 to amend Bellingen Local Environmental Plan 1010

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) and additional information received on 27 October 2022 in respect of the planning proposal to facilitate additional large lot residential development at South Arm Road, Urunga.

As delegate of the Minister for Planning, I have determined that the planning proposal should proceed subject to the conditions in the enclosed gateway determination.

I have also agreed, as delegate of the Secretary, the inconsistency of the planning proposal with applicable directions of the Minister under section 9.1 of the EP&A Act, being 1.2 Implementation of Regional Plans, 3.2 Heritage Conservation, 4.1 Flooding, 4.5 Acid Sulfate Soils, 9.1 Rural Zones and 9.2 Rural Lands is justified in accordance with the terms of the Direction. No further approval is required in relation to these Directions.

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 EP&A Act, including 4.3 Planning for Bushfire Protection and 9.3 Oyster Aquaculture.

I have determined not to authorise Council to be the local plan-making authority due to the number of issues requiring further assessment and consultation with State agencies and other organisations.

The amending local environmental plan (LEP) is to be finalised within 12 months 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 and Environment 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 and Environment, 2021) 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 Carlie Boyd to assist you. Ms Boyd can be contacted on 6643 6404.

Yours sincerely

A handwritten signature in black ink, appearing to read 'J. Gray', is positioned above the printed name.

14/11/2022

Jeremy Gray
Regional Director
Northern Region

Encl: Gateway determination