

Gateway Determination

Planning proposal (Department Ref: PP-2022-3725): Amend Zoning and Minimum Lot Size to enable large lot residential development and environmental conservation at Lot 148 DP 755557 South Arm Road, Urunga

I, the Director, Northern Region, at the Department of Planning and Environment, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Bellingen Local Environmental Plan 2010 to enable large lot residential development and environmental conservation at Lot 148 DP 755557 South Arm Road, Urunga should proceed subject to the following conditions:

The LEP should be completed within nine (9) months of the Gateway determination.

Gateway Conditions

1. Prior to exhibition and consultation, the planning proposal is to be amended as follows and forwarded to the Minister under s 3.34(6) of the Act:
 - Clarify the proposed zoning and minimum lot size amendments to be consistent with Councils resolution regarding the extension of the C3 Conservation Management Zone and the application of a 200 hectare minimum lot size to the residue lot throughout the document;
 - Correct the proposed zoning map to reflect the current RU1 zone within and adjoining the site;
 - Remove reference to the site's street address; and
 - Update the assessment of the proposal against the North Coast Regional Plan 2041, NSW Coastal Design Guidelines 2023 and updated s9.1 Direction 4.2 Coastal Management.
2. Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the Act as follows:
 - (a) the planning proposal is categorised as standard, as described in the *Local Environmental Plan Making Guideline* (Department of Planning and Environment, August 2023) and must be made publicly available for a minimum of 20 working days; and
 - (b) the planning proposal authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in *Local Environmental Plan Making Guideline* (Department of Planning and Environment, August 2023).

3. Consultation is required with the following public authorities and government agencies under section 3.34(2)(d) of the Act and/or to comply with the requirements of applicable directions of the Minister under section 9 of the Act:

- NSW Rural Fire Service
- NSW State Emergency Service
- DPE Biodiversity & Conservation Division
- DPI Agriculture
- DPI Fisheries
- Crown Lands
- Coffs Harbour & District Local Aboriginal Lands Council

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material via the NSW Planning Portal and given at least 30 working days to comment on the proposal. At least 40 days must be given to Department of Primary Industries (Fisheries) to comment on the proposal.

4. A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

Dated 28 November 2023



Renee Trezise
A/Director, Northern Region
Local and Regional Planning
Department of Planning and Environment

Delegate of the Minister for Planning and
Public Spaces