

Our ref: PP-2025-182/(IRF26/165)

Mr Mark Griffioen
General Manager
Bellingen Shire Council
PO Box 117
BELLINGEN NSW 2454

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

Dear Mr Griffioen

Planning Proposal PP-2026-182 to amend Bellingen Local Environmental Plan 2010

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) in respect of the planning proposal for housekeeping amendments to the Bellingen Local Environmental Plan 2010.

As delegate of the Minister for Planning and Public Spaces, 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 Act, Directions 1.1 Implementation of Regional Plans, 3.1 Conservation Zones, 3.2 Heritage Conservation, 4.1 Flooding, 4.2 Coastal Management, 4.5 Acid Sulfate Soils, 8.1 Mining, Petroleum Production and Extractive Industries and 9.2 Rural Lands are 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 Section 9.1 Directions, 4.3 Planning for Bushfire Protection, 5.4 Shooting Ranges and 9.3 Oyster Aquaculture. Council should ensure this occurs prior to the LEP being made.

I have determined not to authorise Council to be the local plan-making authority while the Select Committee into Rural Housing and Second Dwellings Reform is considering matters relevant to this proposal.

The amending local environmental plan (LEP) is to be finalised within nine months of the date 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, Housing and Infrastructure 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, Housing and Infrastructure, August 2023) 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 Georgia Weallans, Planning Officer to assist you. Ms Weallans can be contacted on 5778 1413.

Yours sincerely



26/3/26

Craig Diss
Director, Hunter and Northern Region
Local Planning and Council Support

Encl: Gateway determination