

Gateway Determination

Planning proposal (Department Ref: PP-2026-182): Bellingen LEP 2010 Housekeeping Amendments

I, the Director, Hunter and Northern Region at the Department of Planning, Housing and Infrastructure, 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 housekeeping amendments to the Bellingen Local Environmental Plan 2010 should proceed subject to the following conditions:

The LEP should be completed within nine months from the date of the Gateway determination.

Gateway Conditions

1. Prior to agency and community consultation, the planning proposal is to be updated to:
 - (a) remove Outcome 5 to amend Clause 4.2A with respect to changes to the definition of existing holding;
 - (b) update Outcome 7 to clarify that it seeks only to permit 'bed and breakfast accommodation' and 'farm stay accommodation' with consent in Zone RU1 Primary Production;
 - (c) remove Outcome 10 to schedule a dwelling house on land at Lot 2 DP 316474, 15 North Street, Raleigh as an additional permitted use;
 - (d) remove the draft wording of all proposed clauses and replace with a plain English explanation of the intended changes;
 - (e) list the land uses to be explicitly prohibited under the 'residential accommodation' parent definition for each zone for Outcome 2;
 - (f) amend the title of Outcome 2 to "Make 'residential accommodation' a permissible land use in RU1, RU2, RU4, C3 & C4 Zones to facilitate the installation of manufactured homes";
 - (g) amend the zone reference on Page 13 to 'RU1 Primary Production'; and
 - (h) include the Growth Management Strategy Discussion Paper (June 2025) as an Appendix to the planning proposal rather than a link to the Council meeting.
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 (or any other part 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 Department of Primary Industries and Regional Development – Agriculture
 - NSW Department of Primary Industries and Regional Development – Fisheries
 - Bowraville Local Aboriginal Land Council
 - Coffs Harbour Local Aboriginal Land Council
 - Dorrigo Plateau Local Aboriginal Land Council
 - Nambucca Local Aboriginal Land Council
 - NSW Department of Climate Change, Energy, the Environment and Water - Biodiversity and Flooding
 - Crown Lands
 - NSW Police
 - NSW Resources

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.

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 26 March 2026



Craig Diss
Director, Hunter and Northern Region
Local Planning and Council Support
Department of Planning, Housing and
Infrastructure

Delegate of the Minister for Planning and
Public Spaces