



## Gateway Determination

***Planning proposal (Department Ref: PP\_2019\_GLENI\_001\_00): to undertake general housekeeping amendments to the Glen Innes Severn LEP 2012.***

I, the Director Regions, Northern at the Department of Planning, Industry 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 Glen Innes Severn Local Environmental Plan (LEP) 2012 to undertake general housekeeping amendments to the Glen Innes Severn LEP 2012 should proceed subject to the following conditions:

1. The planning proposal is to be amended prior to public exhibition to:
  - (a) remove the proposed change to the RE1 Public Recreation zone land use table;
  - (b) include an amendment to Schedule 1 Additional Permitted Uses of Glen Innes Severn LEP 2012 and associated map to permit caravan parks and camping grounds with consent at the Glen Innes Showground;
  - (c) incorporate additional justification regarding the proposal to permit dual occupancies (detached) with consent in the RU1 Primary Production zone;
  - (d) update the discussion on SEPP (Rural Lands) 2008 to SEPP (Primary Production and Rural Development) 2019;
  - (e) update the discussion to address the amendments to section 9.1 Direction 1.5 Rural Lands associated with SEPP (Primary Production and Rural Development) 2019;
  - (f) move the proposed clause 4.2AA relating to detached dual occupancies to an appendix and retaining only a plain English explanation in the body of the planning proposal; and
  - (g) update the timeline to reflect a 12 month timeframe.
  
2. Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:
  - (a) the planning proposal is classified as low impact as described in *A guide to preparing local environmental plans* (Department of Planning and Environment 2016) and must be made publicly available for a minimum of **14 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 section 6.5.2 of *A guide to preparing local environmental plans* (Department of Planning and Environment 2016).

3. Consultation is required with the following public authorities/organisations under section 3.34(2)(d) of the Act and/or to comply with the requirements of relevant section 9.1 Directions:

- NSW Rural Fire Service
- Department of Planning, Industry and Environmental (Environment, Energy & Science)

Each public authority/organisation is to be provided with a copy of the planning proposal and any relevant supporting material and given at least 21 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).

5. The planning proposal authority is authorised as the local plan-making authority to exercise the functions under section 3.36(2) of the Act subject to the following:

- (a) the planning proposal authority has satisfied all the conditions of the Gateway determination;
- (b) the planning proposal is consistent with section 9.1 Directions or the Secretary has agreed that any inconsistencies are justified; and
- (c) there are no outstanding written objections from public authorities.

6. The time frame for completing the LEP is to be **12 months** following the date of the Gateway determination.

Dated 7 day of August 2019.



**Jeremy Gray**  
**Director Regions, Northern**  
**Planning Services**  
**Department of Planning, Industry and**  
**Environment**

**Delegate of the Minister for Planning**  
**and Public Spaces**