

## Gateway Determination

***Planning proposal (Department Ref: PP-2021-3868): to rezone certain land at the corner of Glen Innes Road and Chester Street, Inverell, from R1 General Residential to B1 Neighbourhood Business, amend associated lot size controls and identify 'specialised retail premises' as an additional permitted use with consent.***

I, the Director, Northern Region 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 Inverell Local Environmental Plan (LEP) 2012 to rezone certain land at the corner of Glen Innes Road and Chester Street, Inverell, from R1 General Residential to B1 Neighbourhood Business, amend associated lot size controls and identify 'specialised retail premises' as an additional permitted use with consent should proceed subject to the following conditions:

1. Prior to agency and community consultation, the planning proposal is to be updated to:
  - (a) clarify the need for the Additional Permitted Use;
  - (b) remove all reference to the service station use as a 'specialised retail premises'; and
  - (c) include a preliminary site investigation for potential contamination confirming the suitability of the site for the proposal or any necessary remediation actions.
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 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, 2018).
3. Consultation is required with Heritage NSW under section 3.34(2)(d) of the Act. Heritage NSW 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 **9 months** following the date of the Gateway determination.

Dated 16 day of August 2021.



**Jeremy Gray**  
**Director, Northern Region**  
**Local and Regional Planning**  
**Department of Planning, Industry and**  
**Environment**

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