



Mr Craig Bennett  
The General Manager  
Glen Innes Severn Council  
PO Box 61  
GLEN INNES NSW 2370

Attention: Kathleen Taminiau

Via email: [council@gisc.nsw.gov.au](mailto:council@gisc.nsw.gov.au)  
[ktaminiau@gisc.nsw.gov.au](mailto:ktaminiau@gisc.nsw.gov.au)

Dear Mr Bennett

**Planning proposal PP-2021-5562 to amend Glen Innes Severn Local Environmental Plan 2012**

I am writing in response to Council's request for a Gateway determination under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to make housekeeping amendments.

As delegate of the Minister for Planning and Public Spaces, I have now 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 planning proposal's inconsistencies with section 9.1 Directions 1.3 Mining, Petroleum Production and Extractive Industries; 1.5 Rural Lands; 3.2 Caravan Parks and Manufactured Home Estates; 5.10 Implementation of Regional Plans and 6.2 Reserving Land for Public Purposes are justified in accordance with the terms of the Direction. In relation to section 9.1 Direction 6.2 Reserving Land for Public Purposes, I have agreed to the reduction of land for public purposes on the basis that the part of Lot 515 DP753282 being rezoned is currently the Glen Innes Water Treatment Plant and does not have public access nor is it currently utilised as a public open space. 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 relevant section 9.1 Direction 4.4 Planning for Bushfire Protection. Council should ensure this occurs prior to the plan being made.

It is noted that Council has requested to be authorised as the local plan-making authority. I have considered the nature of Council's planning proposal and have conditioned the Gateway for Council to be authorised as the local plan-making authority.

The amending local environmental plan (LEP) is to be finalised within six 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 to draft and finalise the LEP should be made directly to Parliamentary Counsel's Office six weeks prior to the projected publication date. A copy of the request should be forwarded to the Department of Planning, Industry and Environment.

The state government is committed to reducing the time taken to complete LEPs by tailoring the steps in the process to the complexity of the proposal, and by providing clear and publicly available justification for each plan at an early stage. In order to meet these commitments, the Minister may take action under section 3.32(2)(d) of the Act if the time frames outlined in this determination are not met.

If you have any questions in relation to this matter, I have arranged for Ms Helen Willis to assist you. Ms Willis can be contacted on 5778 1489.

Yours sincerely

A handwritten signature in black ink, appearing to read 'J. Gray', with a stylized flourish at the end.

13/10/2021

**Jeremy Gray**  
**Director, Northern Region**  
**Local and Regional Planning**

Encl: Gateway determination