



Mr Paul Bennett
The General Manager
Tamworth Regional Council
PO Box 555
TAMWORTH NSW 2340

13/04250

Attention: Genevieve Harrison

Dear Mr Bennett

Planning Proposal 2013_TAMWO_002_00

I refer to my letter to you dated 20 March 2013. It has been brought to my attention that the Revised Gateway Determination was addressed from the Acting Deputy Director General (in the first paragraph) in error. I now enclose a corrected Revised Gateway Determination which replaces the version dated 20 March 2013.

I apologise for any inconvenience.

Yours sincerely

Neil McGaffin
Executive Director
Rural and Regional Planning

28.3.13

Revised Gateway Determination

Planning proposal (Department Ref: PP_2013_TAMWO_002_00): to make various amendments to the Tamworth Regional Local Environmental Plan 2010.

I, the Executive Director, Rural and Regional Planning, Department of Planning and Infrastructure as delegate of the Minister for Planning and Infrastructure, have determined under section 56(7) of the EP&A Act that an amendment to the Tamworth Regional Local Environmental Plan (LEP) 2010 to rezone certain land at West Tamworth to R1 General Residential and B1 Neighbourhood Centre, amend the minimum lot size for certain land and reclassify land from 'community land' to 'operational land' should proceed subject to the following conditions:

1. Council has identified that additional information regarding flora and fauna, flood prone land and archaeological analysis is being prepared to support the planning proposal. Council is to place this additional information on public exhibition with the planning proposal. The Coledale Revitalisation Strategy and Coledale Master Plan should also be placed on public exhibition with the planning proposal.
2. Council is to demonstrate that the planning proposal satisfies the requirements of State Environmental Planning Policy No 55 (SEPP 55) – Remediation of Land. Council is to prepare an initial site contamination investigation report to demonstrate that the site is suitable for rezoning to the proposed zone. This report is to be included as part of the public exhibition material.
3. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:
 - (a) the planning proposal must be made publicly available for **28 days**; and
 - (b) the relevant planning 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 5.5.2 of *A Guide to Preparing LEPs (Department of Planning & Infrastructure 2012)*.
4. No consultation is required with public authorities under section 56(2)(d) of the EP&A Act.
5. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A 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).
6. The timeframe for completing the LEP is to be **12 months** from the week following the date of the Gateway determination.

Dated 28th day of March 2013.



Neil McGaffin
Executive Director
Rural and Regional Strategy
Department of Planning and Infrastructure
Delegate of the Minister for Planning and Infrastructure