

## Gateway Determination

**Planning proposal (Department Ref: PP\_2018\_TAMWO\_005\_00):** to prohibit caravan parks in the RE2 Private Recreation zone, rezone Lot 2 DP 864981, Greg Norman Drive, Hillvue, from SP3 Tourist to RE2 Private Recreation and Lot 1 & 2 DP 1055796, Kennedy Street, Manilla, from RE2 Private Recreation to RE1 Public Recreation.

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 Tamworth Regional Local Environmental Plan (LEP) (2010) to prohibit caravan parks from the RE2 Private Recreation zone, rezone Lot 2 DP 864981, Greg Norman Drive, Hillvue, from SP3 Tourist to RE2 Private Recreation and Lot 1 & 2 DP 1055796, Kennedy Street, Manilla, from RE2 Private Recreation to RE1 Public Recreation should proceed subject to the following conditions:

1. Prior to agency and community consultation the planning proposal is to be amended to address the following matters:
  - the outcome of the Land and Environment Court hearing regarding Lot 2 DP 864981, Greg Norman Drive, Hillvue, and the consequences and effect of the proposal on that land;
  - the proposal timeline is to reflect the Gateway determination date;
  - Part 2 – Explanation of provisions is to identify the proposed amendments to the RE2 Private Recreation zone land use table;
  - whether any other caravan parks are located in the RE2 zone under Tamworth Regional LEP 2010; and
  - maps showing the location of all RE2 Private Recreation zoned land across the LGA.
2. Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:
  - (a) the planning must be made publicly available for a minimum of **28 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 5.5.2 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 Environment (Crown Lands)

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
  - (c) Secretary has agreed that any inconsistencies are justified; and here 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 11 day of December 2019.



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

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