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DEPARTMENT OF PLANNING AND INFRASTRUCTURE

Plan Making and Urban Renewal

REQUEST TO NOT TO PROCEED WITH THE PLANNING PROPOSAL FOR PP 2011 TAMWO 003 00 – REZONE LAND FROM RE1 PUBLIC RECREATION TO B5 BUSINESS DEVELOPMENT

PURPOSE

- To recommend the Minister's delegate alter the Gateway Determination in accordance with the s56(7) of the Environmental Planning & Assessment Act, 1979, to enable the Planning Proposal to not proceed.

RECOMMENDATION

It is RECOMMENDED that the Minister's delegate:

- alter** the original Gateway Determination under s56(7) of the Act to enable the Planning Proposal to not proceed; and
- signs** the letter to the Tamworth Regional Council (**Tag A**).

CURRENT POSITION

- Tamworth Regional Council has written to the Department of Planning and Infrastructure requesting that the Planning Proposal not proceed (**Tag B**) for the following reasons:
 - constraints associated with access to the site; and
 - constraints associate with impact of flooding on the site and subsequent impacts on neighbouring properties.
- On 16 August 2011, the Deputy Director General issued the Gateway Determination for this Planning Proposal (**Tag C**) to rezone the land from RE1 Public Recreation to B5 Business Development to facilitate the development of bulky good premises.
- The request to not proceed with the Planning Proposal is supported as investigations have identified that the land is not suited for rezoning due to constraints relating to access and flooding.

BACKGROUND

- Council's Planning Proposal identified the site as potentially being subject to flooding.
- The Gateway Determination required further analysis of flooding of the site.
- Community concern over this rezoning was mixed due to the perceived disadvantage it would impose upon the Riding for the Disabled Association who utilise the existing facilities and would potentially have to relocate.

Contact Officer: Jon Stone
Regional Planning Officer
Phone: 67019688

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24 December 2012
Regional Director, Northern Region

Handwritten signature 8/1/2013
A/Executive Director, Planning Operations

Handwritten signature
Director General
17/1/2013.



Planning & Infrastructure

Office of the Director General

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

Our ref: 11/12834
Your ref: NB/GH SF5279

Dear Mr Bennett

**Request to not proceed with the Planning Proposal for PP_2011_TAMWO_003_00
Rezoning of land from RE1 Public Recreation to B5 Business Development to allow
bulky goods development on part of the North Tamworth Sporting Fields**

I am writing in response to your letter dated 19 December 2012 requesting that the Planning Proposal for the Rezoning of land from RE1 Public Recreation to B5 Business Development not proceed.

As a delegate of the Minister for Planning and Infrastructure, I have decided under s56(7) of the Environmental Planning and Assessment Act, 1979, to alter the Gateway Determination with respect to this Planning Proposal - PP_2011_TAMWO_003_00.

I have now determined that this Planning Proposal should not proceed in accordance with the original Gateway Determination. In making this decision, I have considered Council's request and justification.

If you have any questions in relation to this matter please contact Steve Murray, Regional Director of the Department of Planning and Infrastructure's Northern Region on (02) 6641 6602.

Yours sincerely

Sam Haddad
Director General

17/1/2013.