

Gateway Determination

Planning Proposal (Department Ref: PP_2018_TAMWO_001_00): to reclassify part of Hyman Park, South Tamworth from Community land to Operational land and discharge the public reserve status of the land

I, the Director Regions, Northern, at the Department of Planning and Environment as delegate of the Minister for Planning, have determined under section 56(2) of the *Environmental Planning and Assessment Act, 1979* (the Act) that an amendment to the Tamworth Regional Local Environmental Plan (LEP) 2010 to reclassify part of Hyman Park, South Tamworth from Community land to Operational land and discharge the public reserve status of the land should proceed subject to the following conditions:

1. Prior to community consultation Council is to conduct a review of the recommendations relating to Hyman Park in the Tamworth Recreation and Open Space Plan 2008 and confirm that the proposed reclassification will not have a significant adverse impact on the current and expected future supply of public recreation land in South Tamworth, and the provision of district scale recreation parks in the Tamworth district.
2. The planning proposal be amended where necessary to ensure that all matters listed in Attachment 1 of *Practice Note PN 16-001 Classification and reclassification of public land through a local environmental plan* are included in the planning proposal.
3. Prior to community consultation the planning proposal is to be resubmitted to the Department for approval of the form of the planning proposal pursuant to section 57(2) of the Act.
4. Community consultation is required under sections 56(2)(c) and 57 of the Act as follows:
 - (a) the planning proposal must be made publicly available for a minimum of **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 local environmental plans* (Department of Planning and Environment 2016); and
 - (c) a copy of practice note PN 16-001 *Classification and reclassification of public land through a local environmental plan* is to be included in the public exhibition material.
5. No consultation is required with public authorities/organisation under section 56(2)(d) of the Act
6. A public hearing is not required to be held into the matter by any person or body under section 56(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).

7. The timeframe for completing the LEP is to be **9 months** following the date of the Gateway determination.

Dated 2 day of February 2018.



Jeremy Gray
Director Regions, Northern
Planning Services
Department of Planning and Environment

Delegate of the Minister for Planning