



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

Via email: trc@tamworth.nsw.gov.au

Attention: Andrew Spicer

Dear Mr Bennett

Planning proposal PP-2021-4286 to amend Tamworth Regional Local Environmental Plan 2010

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 amend zoning, minimum lot size, floor space ratio, dwelling density and restricted lot yield development controls applicable to the Arcadia Estate, Tamworth.

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 inconsistency with section 9.1 Direction 3.2 Caravan Parks and Manufactured Home Estates is justified in accordance with the terms of the Direction. No further approval is required in relation to this Direction.

Council may still need to obtain the agreement of the Secretary to comply with the requirements of relevant section 9.1 Directions 1.1 Business and Industrial Zones, 2.3 Heritage Conservation, 3.4 Integrating Land Use and Transport, 4.3 Flooding, 5.10 Implementation of Regional Plans and 6.3 Site Specific Provisions. Council should ensure this occurs prior to the plan being made.

I have considered Council's request to be the local plan-making authority and have determined not to condition the Gateway for Council to be the local plan-making authority due to the number of currently unresolved inconsistencies with section 9.1 Directions and the New England North West Regional Plan 2036.

The amending local environmental plan (LEP) is to be finalised within nine 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 for the

Department of Planning, Industry and Environment to draft and finalise the LEP should be made eight weeks prior to the projected publication date.

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.

Should you have any enquiries about this matter, I have arranged for Ms Ella Wilkinson to assist you. Ms Wilkinson can be contacted on 9995 5665.

Yours sincerely

A handwritten signature in black ink, appearing to read 'J. Gray', is positioned above the date.

5/8/2021

Jeremy Gray
Director, Northern Region
Local and Regional Planning

Encl: Gateway determination