

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

Attention: Ms Genevieve Harrison

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

Dear Mr Bennett

Planning proposal PP-2021-7149 to amend Tamworth Local Environmental Plan 2010

I am writing in response to the planning proposal you have forwarded to the Minister under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to amend the zoning and associated development controls and introduce dwelling density and restricted lot yield development controls for part of Stratheden, corner of Manilla Road and Browns Lane, Tamworth.

As delegate of the Minister for Planning and Public Spaces, I have 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 inconsistencies with section 9.1 Directions 1.2 Rural Zones, 1.5 Rural Lands, 3.2 Caravan Parks and Manufactured Home Estates and 6.3 Site Specific Provisions are justified in accordance with the terms of the Directions. 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 1.3 Mining, Petroleum Production and Extractive Industries, 2.1 Environmental Zones, 2.3 Heritage Conservation, 2.6 Remediation of Contaminated Land, 3.4 Integrating Land Use and Transport and 5.10 Implementation of Regional Plans. Council should ensure this occurs prior to the LEP being made.

Considering the nature of the planning proposal I have determined that Council may exercise local plan-making authority functions in relation to the planning proposal.

The amending local environmental plan (LEP) is to be finalised on or before 24 September 2022. Council should aim to commence the exhibition of the planning proposal as soon as possible. Should Council seek to make a proposed LEP, the request to draft the LEP should be made directly to Parliamentary Counsel's Office well in advance of the date the LEP is projected to be made. A copy of the request should be forwarded to the Department of Planning and Environment.

The NSW Government has committed to reduce the time taken to complete LEPs. To meet these commitments, the Minister may appoint an alternate planning proposal authority if Council does not meet the timeframes outlined in the gateway determination.

The Department's categorisation of planning proposals in the Local Environmental Plan Making Guideline (Department of Planning, Industry and Environment, 2021) is supported by category specific timeframes for satisfaction of conditions and authority and Government agency referrals, consultation, and responses. Compliance with milestones will be monitored by the Department to ensure planning proposals are progressing as required.

Benchmark targets for the key stages related to the making of a standard LEP include:

- Post-Gateway: 50 working days following the date that the gateway determination is received by Council to satisfy any Gateway conditions, undertake technical studies and consult with authorities and government agencies if required prior to exhibition;
- Public Exhibition and Assessment: 95 working days from exhibition to assessment and endorsement of the planning proposal by Council on whether to proceed, and includes exhibition and consultation with authorities and government agencies; and
- Finalisation: 55 working days to finalise the LEP, GIS mapping, legal drafting and LEP being made if the proposal is supported.

If you have any questions in relation to this matter, I have arranged for Ms Helen Willis to assist you. Ms Willis can be contacted on 5778 1489.

Yours sincerely



24/21/21

Craig Diss
Acting Director, Northern Region
Local and Regional Planning

Encl: Gateway determination