

Gateway Determination

Planning proposal (Department Ref: PP-2025-2261): Establish special entertainment precincts in Tamworth

I, the Director, Hunter and Northern Region at the Department of Planning, Housing and Infrastructure, 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 2010 to establish special entertainment precincts in Tamworth should proceed subject to the following Gateway conditions.

The Council as planning proposal authority is authorised to exercise the functions of the local plan-making authority 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 applicable directions of the Minister under section 9.1 of the Act or the Secretary has agreed that any inconsistencies are justified; and
- (c) there are no outstanding written objections from public authorities.

The LEP should be completed within 9 months of the date of this Gateway Determination.

Gateway Conditions

1. Prior to agency and community consultation the planning proposal is to be updated to:
 - (a) amend the draft clause included in the explanation of provisions to refer to the SEPs being established under section 202C of the *Local Government Act 1993*;
 - (b) include a statement that Council has undertaken the relevant mandatory steps in the NSW Special Entertainment Precinct Guidelines (November 2024) in accordance with section 203(2) of the *Local Government Act 1993* and provide a summary of the key activities undertaken in response to each of the steps;
 - (c) include additional information explaining how the precinct boundaries were identified and why they are appropriate; and
 - (d) update the boundary of the Tamworth Sport and Entertainment Precinct Special Entertainment Precinct map so that it is consistent with the map included in the special entertainment precinct management plan.
2. The special entertainment precinct management plan and the draft development control plan are to be included in the exhibition package for the planning proposal.

3. Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the Act as follows:
- (a) the planning proposal is categorised as standard as described in the *Local Environmental Plan Making Guideline* (Department of Planning and Environment, August 2023) and must be made publicly available for a minimum of 20 working 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 *Local Environmental Plan Making Guideline* (Department of Planning and Environment, August 2023).
4. Consultation is required with the following public authorities and government agencies under section 3.34(2)(d) of the Act (or any other part of the Act) and/or to comply with the requirements of applicable directions of the Minister under section 9 of the Act:
- Liquor and Gaming NSW
 - NSW Environmental Protection Authority
 - Office of 24-Hour Economy Commissioner
 - Transport for NSW
 - NSW Police
 - Hunter New England Local Health District
 - Office of Local Government
 - NSW Rural Fire Service
- Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material via the NSW Planning Portal and given at least 30 working days to comment on the proposal.
5. 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).

Dated 12 December 2025



Craig Diss
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Local Planning & Council Support
Department of Planning, Housing and
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Delegate of the Minister for Planning and
Public Spaces