



Mr David Evans  
General Manager  
Maitland City Council  
PO Box 220  
Maitland NSW 2320

Our ref: PP\_2017\_MAITL\_001\_00 (17/01656)  
Your ref: RZ16002 (1266453)

Att: Ian Shillington

Dear Mr Evans,

**Planning proposal to amend Maitland Local Environmental Plan 2011**

I am writing in response to your Council's letter dated 16 December 2016 requesting a Gateway determination under section 56 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") and additional information received on 19 January 2017 in respect of the planning proposal to prohibit places of public worship from the R5 Large Lot Residential zone.

As delegate of the Minister for Planning, I have now determined the planning proposal should proceed subject to the conditions in the attached Gateway determination.

The amending Local Environmental Plan (LEP) is to be finalised within 6 months of the week following 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 and Environment to draft and finalise the LEP should be made 6 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 54(2)(d) of the EP&A Act if the time frames outlined in this determination are not met.

Should you have any queries in regard to this matter, I have arranged for Ben Holmes from the Hunter office to assist you. Mr Holmes can be contacted on (02) 4904 2709.

Yours sincerely,

31/1/2017

**Monica Gibson**  
**Director Regions, Hunter and Central Coast**  
**Planning Services**



## Gateway Determination

**Planning proposal (Department Ref: PP\_2017\_MAITL\_001\_00): to prohibit places of public worship in the R5 Large Lot Residential zone.**

I, the Director Regions, Hunter and Central Coast at the Department of Planning and Environment as delegate of the Minister for Planning, have determined under section 56(2) of the EP&A Act that an amendment to the Maitland Local Environmental Plan (LEP) to prohibit places of public worship in the R5 Large Lot Residential zone should proceed subject to the following conditions:

1. Prior to exhibition Council is to amend the planning proposal to refer to:
  - (a) section 117 Direction 5.10 Implementation of Regional Plans and include Council's consistency assessment against the requirements of this direction; and
  - (b) section 117 Direction 5.1 Implementation of Regional Strategies and include Council's consistency assessment against the Lower Hunter Regional Strategy.
2. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A 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 & Environment 2016)*.
3. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A 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).
4. The timeframe for completing the LEP is to be **6 months** from the week following the date of the Gateway determination.

Dated 31<sup>st</sup> day of January 2017.

**Monica Gibson**  
**Director Regions, Hunter and Central Coast**  
**Planning Services**  
**Department of Planning and Environment**

**Delegate of the Minister for Planning**