



Our Ref: 17/094444
Your Ref: RZ10009

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

Att: Mark Roser

Dear Mr Evans,

**Planning Proposal PP_2017_MAITL_004_00 to amend Council Local
Environmental Plan 2011 – Rezoning of Lot 90 DP 785244 Anambah Road**

I am writing in response to Council's request for a Gateway determination under Section 56 of the *Environmental Planning and Assessment Act 1979* (the Act) and additional information received on 6 July 2017 in respect of the Planning Proposal to rezone Lot 90 DP 785244 Anambah Road, Anambah from RU2 Rural Landscape to part R1 Residential and part E4 Environmental Living.

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.

I have also agreed, as delegate of the Secretary, the Planning Proposal's inconsistency with Section 117 Directions 1.2 Rural Zones, 1.5 Rural Lands and 4.3 Flood Prone Land are justified in accordance with the terms of the Direction. No further approval is required in relation to these Directions.

Council may still need to obtain the Department's approval to comply with the requirements of other relevant Section 117 Directions. Council should ensure this occurs prior to the Plan being made.

The amending Local Environmental Plan (LEP) is to be finalised within 12 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 and Environment to draft and finalise the LEP should be made 8 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 Act if the time frames outlined in this determination are not met.

Should you have any further enquiries about this matter, I have arranged for Ms Jocelyn McGarity to assist you. Ms McGarity can be contacted on (02) 4904 2702.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Monica Gibson', written in a cursive style.

17/8/2017

Monica Gibson

**Director Regions, Hunter
Planning Services**

Encl: Gateway Determination