

Gateway Determination

Planning Proposal (Department Ref: PP_2017_MAITL_004_00): to rezone land at Anambah Road, Anambah, from RU2 Rural Landscape to part R1 Residential and part E4 Environmental Living (approximately 25 dwellings)

I, the Director Regions, Hunter, at the Department of Planning and Environment as delegate of the Minister for Planning, have determined under Section 56(2) of the *Environmental Planning and Assessment Act, 1979* (the Act) that an amendment to the Maitland Local Environmental Plan (LEP) 2011 to rezone land at Anambah Road, Anambah, from RU2 Rural Landscape to part R1 Residential and E4 Environmental Living should proceed subject to the following conditions:

1. The Planning Proposal should be amended prior to exhibition to reflect the changes to the minimum lot size from 6ha to 7ha for the proposed E4 Environmental Living zoned portion of the site.
2. The Proposal and relevant s117 Directions should also be updated to reflect the additional information provided to the Department in regards to the proposed land use zones.
3. Consideration of s117 Direction 5.1 Implementation of Regional Strategies should be removed from the Proposal and replaced with consideration of Direction 5.10 Implementation of Regional Plans.
4. Community consultation is required under Sections 56(2)(c) and 57 of the Act as follows:
 - (a) the Planning Proposal is classified as low impact as described in *A guide to preparing local environmental plans* (Department of Planning and Environment 2016) and must be made publicly available for a minimum of **14 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 and Environment 2016).
5. Consultation is required with the relevant Local Aboriginal Land Council under Section 56(2)(d) of the Act. The Local Aboriginal Land Council is to be provided with a copy of the Planning Proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.
6. A public hearing is not required to be held into the matter by any person or body under Section 56(2)(e) of the Act. This does not discharge Council from any



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obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

7. The timeframe for completing the LEP is to be **12 months** following the date of the Gateway determination.

Dated 17th day of August 2017.

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

Delegate of the Minister for Planning