

# **Planning Services**

# **Gateway Determination Report**

LGA	Maitland
RPA	Maitland City Council
NAME	Mount Vincent Road, East Maitland
NUMBER	PP_2017_MAITL_003_00
LEP TO BE AMENDED	Maitland LEP 2011
ADDRESS	Mount Vincent Road & Wilton Drive, East Maitland
DESCRIPTION	Part of Lot 141 DP1225076
RECEIVED	23 June 2017
FILE NO.	17/05674
QA NUMBER	qA414618
POLITICAL DONATIONS	There are no donations or gifts to disclose and a political
	donation disclosure is not required
LOBBYIST CODE OF	There have been no meetings or communications with
CONDUCT	registered lobbyists with respect to this proposal

#### INTRODUCTION

### **Description of Planning Proposal**

Council's planning proposal seeks to rezone part (16ha portion) of Lot 141 DP 1225076 (once parent Lot 42 DP 846326) near Mount Vincent Road and Wilton Drive, East Maitland for general residential purposes. Specifically, Council's proposal seeks to:

- rezone part of Lot 141 DP 1225076 from RU2 Rural Landscape to R1 General Residential;
- amend the minimum lot size from 40ha to 450sqm; and
- identify the land as an Urban Release Area on the relevant map in Council's LEP.

The proposal is accompanied by studies, assessing traffic impacts, heritage, ecology, site contamination and mine subsidence risk. Council's proposal excludes a portion of Lot 141 along the south-western boundary which is mapped as a Flood Planning Area under Council's LEP.

The Department is recommending that Council's proposal proceeds, with further investigation to determine zoning, minimum lot size and other controls to respond to the characteristics of the site and the impact from adjoining land uses, including Council's Waste Disposal Management Facility. The proposal is justified herein.

#### **Site Description**

Under Maitland LEP 2011, Lot 141 is currently zoned RU2 Rural Landscape, with a 40ha minimum lot size applying to the land. The site is located east of Mount Vincent Road and south of Wilton Drive in East Maitland. Council's planning proposal identifies the site as being parent Lot 42 DP 846326. However, this site is now described as Lot 141 DP1225076 (per NSW Six Maps). Lot 141 appears to exclude the south-western balance of Lot 42, classed as Biophysical Strategic Agricultural Land.

# **Background**

Council's planning proposal for the site was first received by the Department for Gateway determination in April 2017. However, further information was sought from Council for assessment purposes. This information was received on 23 June 2017 and the planning proposal was subsequently considered adequate.

# **Critical Analysis**

An analysis of residential land supply in the immediate locality (East Maitland) reveals approximately 18.7ha of vacant zoned land, equating to approximately 14 years' supply of available residential land. There is no immediate demand for housing in this locality, with a variety of available supply for seniors housing, detached housing and a range of large and small lot subdivisions.

Development in this locality has historically been constrained by the operation of the Mount Vincent Waste Disposal Management Facility (WDMF), restricting urban development progression along Mount Vincent Road. The site's proximity to the facility means that the land is constrained by development buffers vital to mitigating the impact of land use conflicts (air quality, noise, traffic movements). In addition, there is also uncertainty surrounding the operational lifespan of the facility. Council's proposal does not adequately justify the arbitrary zone boundary proposed or provide evidence to support the adequacy of the proposed development buffer.

The eastern portion of the site contains native vegetation classed as two Ecologically Endangered Communities (EEC) which host threatened species. Council's proposal does not adequately resolve the direct biodiversity impacts, including the loss of 7.4ha EEC or consider conservation opportunities to protect the biodiversity values of the site. Further, it is not clear how Council intends to demonstrate that arrangements will be in place to ensure that the resulting biodiversity impacts will be adequately offset or mitigated. The proposal references biobanking and a future vegetation management plan (VMP) but not when or how this will be secured.

The western portion of the site is mostly cleared grassland with scattered trees. This portion is directly south of existing urban residential development (800sqm allotments) and southwest of an environmental living area (15,000sqm allotments). The western part of the site appears to be a logical extension of East Maitland's urban landscape. This is confirmed in a recent Site Compatibility Certificate (SCC) issued on 25 November 2016 for the land enabling Seniors Housing development. The SCC considered in detail the site constraints and certified that the western portion of the site was suitable for urban development, pending further investigations into biodiversity impacts, visual impacts and flooding. Several other considerations apply to development of this part of the site, including the resolution of mine subsidence risk, indigenous cultural heritage, bushfire threat and site contamination.

These unresolved issues for the site are considered resolvable through the Gateway and development application processes.

In summary, Council's proposal triggers the following concern:

- the significant biodiversity impacts of the proposal (loss of 7.4ha of EEC);
- justification for the impacts given residential land supply in the immediate locality;
- lost conservation opportunities to protect biodiversity values of the eastern portion;
- uncertainty surrounding the WDMF site and its operational lifespan; and

• inadequate justification for the arbitrary zone boundary applied, and the need for evidence to support development buffers between the WDMF to mitigate landuse conflicts with development.

# **Summary of Recommendation**

It is recommended that the planning proposal proceed subject to conditions to investigate and address the following with revised zoning, minimum lot size and other development controls:

- Avoid impacts on native vegetation;
- No residential development on flood prone land;
- Density of residential development to consider mine subsidence risk, mitigation of visual impacts and existing lot sizes in the surrounding locality;
- Avoid impacts to or from the Waste Disposal Management Facility

# The proposal should proceed because:

- it can be considered a logical southern expansion of the existing East Maitland urban settlement;
- part of the site has been assessed (SCC 25 November 2016) as suitable for urban development;
- the site is near existing infrastructure, including the Greenhills Commercial Precinct, bus network and services; and
- further investigation is needed to respond to the uncertainty regarding the future of the waste management facility and reduce potential for land use conflicts.

#### **PROPOSAL**

### **Objectives or Intended Outcomes**

Council's objectives are adequate. However, Council's proposal does not satisfactorily meet the third objective 'to protect and manage areas with environmental constraints'. The Department is recommending further investigation with the objective of reducing the biodiversity impacts of the proposal.

# **Explanation of Provisions**

The proposal will amend Maitland LEP by:

- rezoning the western portion of Lot 141 DP1225076 from RU2 Rural Landscape to R1 General Residential, and other zoning to be determined by further investigations;
- apply associated minimum lot size, to be determined by further investigations; and
- identify the land as an Urban Release Area on the relevant LEP map.

A revised proposal is to be submitted after further investigations to explain the zoning and lot size.

#### Mapping

Given the changes required to the proposal, the mapping will require updating prior to public exhibition.

#### **NEED FOR THE PLANNING PROPOSAL**

A planning proposal was lodged with Council by the land owner in response to Council's Maitland Urban Settlement Strategy (2012) which identifies the site as East Maitland Investigation Area (Mount Vincent Road) for residential development opportunities. Council

commissioned an Independent Planning Assessment of the proposal. Council's proposal is informed by conclusions and recommendations made by the Independent Planning Report.

The proposal is accompanied by the following studies:

- Traffic Study (February 2015);
- Preliminary Contamination Assessment (December 2012);
- Mine Subsidence (September 2015);
- Heritage (November 2012); and
- Flora and Fauna (August 2015).

The Department notes that Council's adopted 2012 Maitland Urban Settlement Strategy (MUSS) identifies the land as an 'Investigation Area' for the consideration of future residential development within 5-10 years.

The proposal will be subject to further investigations and may be further augmented by the outcomes of agency consultation and additional investigations into visual impacts, bushfire threat, mine subsidence risk, site contamination and the amenity of future residential development.

### STRATEGIC ASSESSMENT

# **Hunter Regional Plan 2016-2036**

The Hunter Regional Plan 2036 states that an additional 70,000 dwellings will be needed in the region by 2036. The Plan does not specifically identify the site, nor does it identify the need for additional residential land in this location. However, East Maitland is identified as a strategic centre for the Lower Hunter. The population for Maitland is expected to increase by 26,650 people from 2016 until 2036. To meet the demand, an (implied) additional 12,550 dwellings are required. The housing priority for Maitland is to investigate growth and renewal corridors along main roads in existing urban areas, and the housing needs be balanced against values and the natural constraints of the land. The proposal will result in development that aligns with the objectives of the plan.

### Council's 'Maitland Urban Settlement Strategy' (MUSS)

The MUSS is Council's local settlement strategy which guides future land use and development in the local government area. The MUSS (2008 Edition) was adopted by Council on 24 March 2009 and was conditionally endorsed by the former Director General of the Department of Planning on 1 September 2009. At the time, it was considered generally consistent with the Department's Lower Hunter Regional Strategy. The MUSS 2008 Edition did not identify the site for future development opportunities.

Council has since made amendments to the MUSS, which have not been endorsed by the Department. Once such change involved the inclusion of the site into the MUSS 2012 Edition. The inclusion of this land lacked strategic basis, instead the land was included because of a land owner's submission to Council's review of the strategy. The MUSS (2012 Edition) was subsequently adopted by Council on 22 October 2013 and amended March 2014. The strategy now identifies the site as an East Maitland Investigation Area (Mount Vincent Road). The site subject to the proposal is identified as Category 1 Residential, earmarking the land for investigation into residential development opportunities within 5-10 years. The strategy also acknowledges that the site is heavily constrained.

The proposal will meet its objectives for development in the right locations to meet population growth, given its location in proximity to existing infrastructure and access to services.

# **Council's Community Strategic Plan**

Council has stated that the proposal is consistent with its local Community Strategic Plan. Council will need to assess consistency with the local strategic plan given the changes required to the proposal.

# **Section 117(2) Ministerial Directions**

The proposal is consistent with relevant s117 Directions, except as identified below:

# 1.2 Rural Zones

The proposal is inconsistent with this direction because it proposes to rezone rural land for residential purposes. Given the size of the land subject to the revised proposal, and its limited agricultural productivity, the Secretary may accept the loss of the land for agricultural purposes as minor.

# 1.5 Rural Lands

The proposal is inconsistent with this direction as it proposes to rezone rural land for urban purposes and has not demonstrated consistency with SEPP Rural Lands 2008, and it is inconsistent with Rural Subdivision Principles of the state policy. Notwithstanding, given the size of the land and its limited agricultural productivity, the Secretary may accept the loss of the land for agricultural purposes as considered minor.

# 2.1 Environment Protection Zones

Consistency with this direction is yet to be determined. The objective of this direction is to protect and conserve environmentally sensitive areas, and this has not been demonstrated in the current proposal in relation to the existing native vegetation on the eastern portion of the site. Further investigations are required to determine the biodiversity impact and if an environmental zone is needed on part of the site to achieve the objective of this direction.

# 2.3 Heritage Conservation

Consistency with this direction is yet to be determined. The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance. The site does not contain any identified items of European heritage significance, however sensitive landforms and other indigenous cultural heritage sites are in proximity to the site. Consultation with local aboriginal stakeholders and referral to the Office of Environment and Heritage is required to determine consistency with this direction.

### 3.1 Residential Zones

The revised proposal is consistent with this direction as it will provide for housing diversity and additional dwellings for future housing needs. The proposal is also located near existing infrastructure, in proximity to services and excludes flood prone land.

#### 3.4 Integrating Land Use and Transport

Consultation required with Roads and Maritime Services is required to determine consistency with this direction.

#### 4.1 Acid Sulfate Soils

The proposal indicates that the site contains class 5 Acid Sulfate Soils (the lowest category) because works will be within 500 metres of adjacent Class 2 land. Council advise that

future development will be in accordance with clause 7.1 of Council's LEP and require a Acid Sulfate and Salinity Management Plan at the development application stage. It is recommended that the Secretary accept the inconsistency as being minor.

# 4.2 Mine Subsidence and Unstable Land

The site is in a proclaimed mine subsidence district. Consistency with this direction is yet to be determined through consultation with the Subsidence Advisory NSW (formerly Mine Subsidence Board).

#### 4.3 Flood Prone Land

The proposal does not apply to the south-western balance of Lot 141 which is identified as being flood affected by the 1% AEP flood event. The proposal indicates that only areas above the 1% AEP flood level will be considered for urban purposes and the site has flood free access. Council will need to further consider this direction due to the revisions made to the proposal.

# 4.4 Planning for Bushfire Protection

The proposal affects bushfire prone land. Consistency with this direction is yet to be determined for the revised proposal, pending the completion of a bushfire threat assessment and consultation with NSW Rural Fire Services.

# 5.10 Implementation of Regional Plans

Council has not addressed this planning direction in the proposal. The site is not specifically identified in the Hunter Regional Plan. However, the recommended revisions to the proposal result in development that align with the objectives of the plan.

# **State Environmental Planning Policies**

# SEPP (Rural Lands) 2008

The planning proposal is inconsistent with the aims of the state policy as it does not facilitate the orderly and economic use of rural lands, instead it proposes to rezone rural land for urban residential purposes. Further, the proposal is inconsistent with the rural subdivision principles as it results in fragmentation of a portion of the rural land. The proposal's inconsistency with this policy is yet to be adequately justified by Council. Notwithstanding, given the size of the land and its limited agricultural productivity, the loss of the site for agricultural purposes can be considered minor.

# SEPP 55 (Remediation of Lands)

Consistency with this policy is yet to be determined. The planning proposal is supported by a Preliminary Contamination Assessment. Given the limited testing undertaken, identified contaminants and revised proposal, further investigations prior to development of the site for urban purpose are required. Council has identified that it is likely that a phase 2 contamination report and subsequent remediation action plan may be required. It is recommended that the Gateway apply a condition requiring Council to ensure the requirements of SEPP 55 are met and to confirm the site is suitable for residential purposes.

#### SEPP 44 (Koala Habitat Protection)

The accompanying ecology report completed an assessment of the site under SEPP 44 – 'Koala Habitat Protection' which revealed that the site would not constitute potential koala habitat. Accordingly, no further provisions of this policy apply to the site.

### SITE SPECIFIC ASSESSMENT

# Housing

The proposal will provide additional housing opportunities near existing urban land, infrastructure and services to support the growing population. The proposal has been reduced which would not adversely affect housing supply given the substantial residential land available in the immediate locality.

### **Traffic and Transport**

The proposal is accompanied by a Traffic Assessment undertaken by Intersect Traffic Pty Ltd in February 2015. The study concludes that the road network has sufficient capacity to accommodate additional traffic generated by the proposal. The revised proposal will result in reduced traffic and transport implications and the traffic study will be required to be updated to reflect the revised proposal.

#### **Environmental**

## Land use conflicts

Maitland City Council owns and operates the Mount Vincent Waste Disposal Management Facility (WDMF) which is in proximity to the site and the operation of the facility has historically restricted development on this site. Two recent development proposals for the WDMF site have been approved, including a proposal for a community recycling facility and a modification of approval (section 96) aligning consent conditions and activities with Environmental Protection Licence conditions. In addition, an Environmental Impact Statement (EIS) has been prepared for a Waste Transfer Facility that is planned for an unused part of the site. The EIS to expand the use of the site is still under consideration, is yet to be exhibited or determined. Further, it is understood that developments for the site have been put on hold and timing is not yet known.

Given all the above, there is uncertainty surrounding the land use and operational lifespan of the WDMF site. Further work is required to determine the separation distance which will mitigate impacts to future residential development (odour, noise, air quality). It is recommended that the Gateway require further consideration of land use impacts on the amenity of future residential development prior to finalising the residential zone boundary. Referral of the proposal to the Environmental Protection Authority is also recommended.

### **Biodiversity Impacts**

A Statement of Effect on Flora and Fauna (ecology report) was commissioned by the land owner and undertaken by Wildthing Environmental Consultants in August 2015. Inconsistencies are evident between the ecology report, the Independent Planning Report and Council's planning proposal which all present different biodiversity impacts.

Council's proposal states that there will be a loss of 7.4ha of Lower Hunter Spotted Gum (EEC), removal of 26 hollow hearing trees, loss of 0.8 Hunter Lowlands Redgum (EEC) and loss of potential habitat for 24 threatened species. The ecology report explains the significance of the removal of hollow bearing trees and the clearing of vegetation and dead wood as a 'key threatening process' under the Threatened Species Conservation Act. The ecology report makes recommendations for several mitigation measures to minimise the impact of the development.

Council's proposal does not adequately consider how biodiversity impacts of the proposal will be managed, nor does it adequately resolve offset or lost conservation opportunities for the eastern part of the site or the balance of Lot 141. These considerations are fundamental in order to justify future development over heavily vegetated parts of the allotment. The importance of this consideration is confirmed in the ecology report which states that under Biobanking Assessment Methodology, the site would be classed as having high biodiversity

conservation values, which cannot be offset by the retirement of biodiversity credits unless the Office of Environment and Heritage determines that strict avoidance of the area is unnecessary in the circumstances.

Given the availability of residential zoned land in the locality, it is unlikely that the social and economic benefits of additional housing would justify the significant biodiversity impacts. Consultation with the Office of Environment and Heritage should be undertaken in relation to biodiversity impacts and zoning. The ecological report will require updating.

#### Mine Subsidence

The site is located within the East Maitland Mine Subsidence District and a Mine Subsidence Report by Douglas Partners in September 2015 confirms that the land has been subject to historic underground mining. The report also identifies that the extent of these are unknown and that uncharted workings are likely to be present in the north-west and north-east of the lot. The report suggests that mine subsidence issues can be effectively managed; however further investigations are required to establish remedial measures (i.e. grout injection) to support future development. The report advises that such investigations may occur at the development application stage.

The Mine Subsidence Report will need to be updated for the proposal, and geotechnical investigations should be completed to the satisfaction of the relevant planning authority and Subsidence Advisory NSW (formerly Mine Subsidence Board).

# **Site Contamination**

A Preliminary Contamination Assessment was undertaken by Cardio Geotech Solutions Pty Ltd in December 2012. The report identifies potential areas for concern associated with stock piling or fill on site, stored items around the rural shed, possible asbestos and possible contamination due to rural practices on the land. The report concludes that following remediation, that the site would be suitable for residential development. This should be updated for the revised proposal. A Phase 2 contamination report would be required to determine extent of contamination and remediation methods. Further site contamination investigations and remediation measures would need to be completed to the satisfaction of Council as the local consent authority.

#### Heritage

A Heritage study completed by Insite Heritage Pty Ltd in November 2012 did not identify any items of European heritage significance. The heritage study did not identify any objects or relics of indigenous cultural heritage significance on site, however one sensitive land form was identified adjacent to the wetland. Given the environmental context, the area was considered to have high potential for containing subsurface indigenous archaeological deposits. Consultation with local indigenous stakeholders the Office of Environment and Heritage is recommended.

# Water Catchment

The site appears to drain to the south-west, into Wallis Creek catchment. Storm water from the development may affect the water quality of the catchment. This should be considered through the development design application stage.

### Flooding

The south-western balance of Lot 141 is mapped as a Flood Planning Area under Council's LEP. This land has been excluded from both Council's and the Department's recommended proposal. Only areas above the 1% AEP flood planning event will be considered for urban purposes. Access to the site may be achieved from higher ground to the north of the site

(Lot 8). Land to the west and south-west of the proposal is identified as high hazard flood storage area, however these floodwaters do not appear to isolate the site.

# **Agricultural Land**

The site contains both class 5 and class 3 agricultural land. Class 3 land is suitable for pasture improvement and generally used for cattle grazing and Class 5 land has little or no capacity for agriculture and is not suited to cattle grazing. The revised proposal seeks to rezone a 8-10 hectares of land and given its size and its limited agricultural productivity, the loss of the land for agricultural purposes can be considered minor.

### Resource Land

The revised proposal adjoins land to the east (the balance of lot 141) which contains coal resource and was historically underground mined from 1920 to early 1960s. The site is a recognised historic mining area, but is not mapped as a coal resource area on the Department of Industry (Resource and Energy) minerals website. The revised proposal is not considered to have adverse impact to mineral resources.

# **Bushfire Risk**

The site is mapped as bushfire prone land. A bushfire threat assessment would be required to determine appropriate development footprint, subsequent APZs and extent of vegetation removal required and development design requirements. Referral of the proposal to the NSW Rural Fire Service is recommended.

#### **Economic**

The proposal is likely to provide economic benefit to the community stimulating construction jobs.

#### Infrastructure

The site is in close proximity to existing infrastructure and services. Consultation as part of the Gateway will be required with infrastructure agencies, including Ausgrid and Hunter Water. In addition, the proposal includes identification of the land as an Urban Release Area, triggering satisfactory arrangements for state or regional infrastructure.

## **CONSULTATION**

# Community

The planning proposal proposes a community consultation period of 28 days. The proposed consultation period is supported.

### Agencies

It is recommended that the following agencies be consulted:

- NSW Rural Fire Service
- Subsidence Advisory NSW
- Office of Environment and Heritage
- Environmental Protection Authority
- Mindaribba Local Aboriginal Land Council
- Wonnarua Nation Aboriginal Corporation
- Hunter Water
- Ausgrid

### **TIMEFRAME**

It is considered that a 12-month timeframe for completion is suitable.

### **DELEGATION**

Council has not requested plan making delegations. Notwithstanding, delegation should not be issued because Council has not requested delegation, the change made to Council's proposal and Council owns and operates the Mount Vincent WDMF, which directly impacts development outcomes on the site.

#### CONCLUSION

The planning proposal should proceed, subject to the further investigations as outlined in this report and in the conditions of the Gateway determination.

### **RECOMMENDATION**

It is recommended that the delegate of the Secretary:

- agree that any inconsistency with section 117 Directions 1.2 Rural Zones, 1.5 Rural Lands and 4.1 Acid Sulfate Soils is justified in accordance with the terms of the Directions; and
- 2. **note** that consistency with section 117 Directions 2.1 Environmental Protection Zones, 2.3 Heritage Conservation, 3.4 Integrating Land Use and Transport, 4.2 Mine Subsidence and Unstable Land, 4.3 Flood Prone Land and 4.4 Planning For Bushfire Protection are yet to be established given the revisions made to the proposal, or remain unresolved pending further investigation and justification.

It is recommended that the delegate of the Minister for Planning, determine that the planning proposal should proceed subject to the conditions of the Gateway determination.

1. Prior to undertaking community consultation, the Planning Proposal is to be revised to seek to apply a zone/s and associated development standards to achieve a balance of residential yield and biodiversity conservation, responsive to the features of the site and impacts associated with the Waste Disposal Management Facility, for all of Lot 141.

The Planning Proposal is to confirm what attributes have been used as criteria for applying the proposed zone/s and associated development standards. This should be determined in consultation with the Department of Planning and Environment and should address the following matters:

- Avoid impacts on native vegetation;
- No residential development on flood prone land;
- Density of residential development to consider mine subsidence risk, mitigation of visual impacts and existing lot sizes in the surrounding locality;
- Avoid impacts to or from the Waste Disposal Management Facility

The following studies need to be updated to support the Planning Proposal:

- Visual impact assessment
- Bushfire threat assessment
- Traffic and access study
- Biodiversity impact study

- Aboriginal cultural heritage and archaeological impact study
- Geotechnical (mine subsidence and contamination) study

The project timeline, draft LEP maps and the property description should also be updated.

The amended Planning Proposal and any supporting maps and studies are to be referred to the Department for endorsement prior to the commencement of community consultation.

- 2. Council is to update the planning proposal to demonstrate consistency with section 117 Directions and State Environmental Planning Policy (SEPP) after additional investigation have been completed and/or following agency consultation:
  - 1.3 Mining, Petroleum and Extractive Industries
  - 2.1 Environmental Protection Zones
  - 2.3 Heritage Conservation
  - 3.1 Residential zones
  - 3.4 Integrating Land Use and Transport
  - 4.2 Mine Subsidence and Unstable Land
  - 4.3 Flood Prone Land
  - 4.4 Planning for Bushfire Protection
  - 5.10 Implementation of Regional Plans
  - State Environmental Planning Policy (SEPP) 55 Remediation of Land
- 3. Council is to forward the amended planning proposal to the Department for review prior to community consultation being undertaken.
- 4. Community consultation is required under sections 56(2)(c) and 57 of the Act as follows:
  - (a) the Planning Proposal must be made publicly available for a minimum of **28** davs: 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 following public authorities under section 56(2)(d) of the Act and/or to comply with the requirements of relevant S117 Directions:
  - NSW Rural Fire Service
  - Subsidence Advisory NSW (formerly Mine Subsidence Board)
  - Office of Environment and Heritage
  - Environmental Protection Authority
  - Mindaribba Local Aboriginal Land Council
  - Wonnarua Nation Aboriginal Corporation
  - Hunter Water
  - Ausgrid

Each public authority 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 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** from the week following the date of the Gateway determination.
- 8. The final LEP maps shall be prepared in accordance with the requirements of the Department's "Standard Technical Requirements for Spatial Datasets and Maps" Vers: 1.0 November 2015.

1/9/2017

**Monica Gibson** 

**Director Regions, Hunter Region** 

**Planning Services**