



Planning



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Department Generated Correspondence (Y)

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Our ref: PP_2010_MAITL_008_00 (10/14910)
Your ref: 103/132 (750978)

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

Dear Mr Evans,

Re: Planning Proposal to rezone approximately 350 hectares of land at Thornton North from zone 1(b) Secondary Rural to zone 2(a) Residential and 7(c) Environment Protection General

I am writing in response to the Council's letter dated 8 July 2010 requesting a Gateway Determination under section 56 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") in respect of the planning proposal to amend the Maitland Local Environmental Plan 1993 to rezone approximately 350 hectares of land at Thornton North from zone 1(b) Secondary Rural to 2(a) Residential and 7(c) Environment Protection General.

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

Approval has been granted for this site to be included as an urban release area and, therefore, a 'satisfactory arrangement' clause in relation to state infrastructure is required to be added to the planning proposal.

The Gateway Determination requires that the planning proposal be made publicly available for a period of 28 days. Under section 57(2) of the Act, I am satisfied that the planning proposal, when amended as required by the Gateway Determination, is in a form that can be made available for community consultation.

The amending Local Environmental Plan (LEP) is to be finalised within 12 months of the week following the date of the Gateway Determination. Council should aim to commence the exhibition of the Planning Proposal within four (4) weeks from the week following this determination. Council's request for the Department to draft and finalise the LEP should be made six (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 s54(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, please contact Katrine O'Flaherty of the Regional Office of the Department on 02 4904 2718.

Yours sincerely,

Tom Gellibrand 20/8/10
Deputy Director General
Plan Making & Urban Renewal

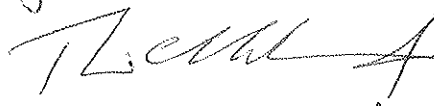
Gateway Determination

Planning Proposal (Department Ref: PP_2010_MAITL_008_00): to To rezone approximately 350 hectares of land at Thornton North from zone 1(b) Secondary Rural to 2(a) Residential and 7(c) Environment Protection General, under Maitland Local Environmental Plan 1993.

I, the Deputy Director General, Plan Making & Urban Renewal 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 1993 to rezone approximately 350 hectares of land at Thornton North (Lot 181 and 182 DP 792071, Lot 191 DP 827070, Lot 10 DP 1126415, PART Lot 4 DP 1145348, Lot 30 and 31 DP 778111, Lot 100 DP 847510, Lot 662 DP 733736, Lot 20 and 21 DP 832786, Lot 1 DP 1032753, PART Lot 1 and Part Lot 2 DP 797020, Lot 1 DP 1144068, Lot 20 DP 1076841, Lot 18 DP 999725, Lot 1 DP 198776, Lot 31 and 33 DP 794448, PART Lot 32 DP 794448, Lot 32 DP 778111, PART Lot 33 DP 529007, PART Lot 1 DP 716824, Lot 1 DP 1020710, Lot 122 DP 1108020, PART Lot 112 DP 734271, PART Lot 300 DP 593864, PART Lot 43 DP 1009594, PART Lot 44 DP 1117263) from zone 1(b) Secondary Rural to 2(a) Residential and 7(c) Environment Protection General should proceed subject to the following conditions:

1. The inclusion in the planning proposal of a satisfactory arrangements clause in relation to state infrastructure.
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 is classified as low impact as described in *A Guide to Preparing LEPs (Department of Planning 2009)* and must be made publicly available for **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 4.5 of *A Guide to Preparing LEPs (Department of Planning 2009)*.
3. No consultation is required with public authorities under section 56(2)(d) of the EP&A Act.
4. No public hearing is required to be held into the matter under section 56(2)(e) of the EP&A Act. This does not have any bearing on the need to conduct a public hearing under the provisions of any other legislation.
5. The timeframe for completing the LEP is to be **12 months** from the week following the date of the Gateway determination.

Dated 20th day of August 2010.



Tom Gellibrand
Deputy Director General
Plan Making & Urban Renewal
Delegate of the Minister for Planning