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Our ref: PP_2010_MAITL_002_00 (10/13066)
Your ref: 103/124 (745033)

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

Dear Mr Evans,

Re: Planning Proposal to correct an error in the principal instrument under Section 73A

I am writing in response to your Council's letter dated 3 June 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 correct an error in the principal instrument (an incorrect cross-reference) by amending the land use tables under Section 73A.

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.

The Determination requires that the matter be dealt with under section 73A of the EP&A Act and therefore public exhibition and agency consultation is not required in this instance.

The Department in consultation with Council and the Parliamentary Counsel will now make the necessary arrangements to finalise this LEP. As 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 this should be completed within 3 months.

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 2700.

Yours sincerely,



9/7/10
Tom Gellibrand
Deputy Director General
Plan Making & Urban Renewal

Gateway Determination

Planning Proposal (Department Ref: PP_2010_MAITL_002_00): to correct an error in the principal instrument (an incorrect cross-reference) by amending the land use tables under Section 73A.

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 correct an error in the principal instrument (an incorrect cross-reference) by amending the land use tables by replacing "housing for aged or disabled persons" with "seniors housing" under Section 73A should proceed subject to the following conditions:

1. This is a minor matter that can be dealt with under Section 73A of the EP&A Act.
2. No community consultation under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act")
3. No consultation is required with State or Commonwealth 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.
5. The timeframe for completing the LEP is to be **3 months** from the week following the date of the Gateway determination.

Dated 9th day of July 2010.



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