



Contact: Katrine O'Flaherty
Phone: (02) 4904 2700
Fax: (02) 4904 2701
Email: Katrine.O'Flaherty@planning.nsw.gov.au
Postal: PO Box 1226, Newcastle NSW 2300

Our ref: PP_2010_MAITL_017_00 (10/20066)
Your ref: RZ 06-008

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

Dear Mr Evans,

Re: Planning Proposal to rezone portions of the Louth Park Investigation Area

I am writing in response to your Council's letter dated 15 September 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 portions of the Louth Park Investigation Area from 1(b) Secondary Rural to 1(d) Rural Residential and 1(c) Rural Small Holdings to facilitate the development of up to 300 dwellings.

As delegate of the Minister for Planning, I have now determined that the planning proposal should not proceed for the reasons outlined in the attached Gateway Determination.

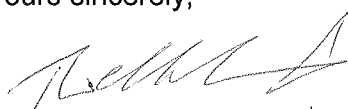
In light of the advanced preparation and exhibition of Maitland LEP 2011, it is considered inappropriate to progress the subject planning proposal as it is unlikely that the plan can be finalised prior to the publication of Council's draft comprehensive LEP. Council is encouraged to undertake further strategic planning assessment in order to justify the proposed zoning given the lack of consistency with the endorsed strategic planning framework established by the Maitland Urban Settlement Strategy 2008 and the Lower Hunter Regional Strategy.

In doing so, Council should consider the following when preparing a planning proposal as a potential early amendment to the final comprehensive LEP 2011:

- provide additional consideration of higher density residential development and zone boundary location;
- indicate the zoning and lot size that will apply under draft Maitland LEP 2011, and in doing so provide a draft minimum lot size map for the site; and
- provide clear justification for the selected lot sizes and zone boundaries.

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,


12/12/10

Tom Gellibrand
Deputy Director General
Plan Making & Urban Renewal

Gateway Determination

Planning Proposal (Department Ref: PP_2010_MAITL_017_00): to rezone portions of the Louth Park Investigation Area from 1(b) Secondary Rural to 1(d) Rural Residential and 1(c) Rural Small Holdings to facilitate the development of up to 300 dwellings.

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 portions of the Louth Park Investigation Area from 1(b) Secondary Rural to 1(d) Rural Residential and 1(c) Rural Small Holdings to facilitate the development of up to 300 dwellings should not proceed for the following reasons:

1. In light of the advanced preparation and exhibition of Maitland's comprehensive LEP, it is considered unlikely that this planning proposal will be finalised in advance of the draft Maitland LEP 2011.
2. Insufficient supporting strategic information has been provided by Council to justify the variation of the proposal from the Maitland Urban Settlement Strategy 2008 and the Lower Hunter Regional Strategy, including an investigation into the potential for higher residential yield from the site and the adequate justification of zone boundaries and minimum lot size designations.

Dated 12th day of December 2010.



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