



## Gateway Determination

**Planning proposal:** to rezone land from RU1 Primary Production to R5 Large Lot Residential to facilitate the subdivision of the site into three residential lots.

I, the Director, Central Coast and Hunter Region at the Department of Planning, Industry and Environment, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* that an amendment to the *Maitland Local Environmental Plan 2011* to rezone land from RU1 Primary Production to R5 Large Lot Residential to facilitate the subdivision of the site into three residential lots should proceed subject to the following conditions:

1. Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:
  - (a) the planning proposal must be made publicly available for a minimum of **14 days**; and
  - (b) the planning proposal 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 6.5.2 of *A guide to preparing local environmental plans* (Department of Planning and Environment, 2018); and
  - (c) public exhibition is to commence by **November 2021**.
2. Consultation is required with the Mindaribba Local Aboriginal Land Council under section 3.34(2)(d) of the Act. The Local Aboriginal Land Council is to be provided with a copy of the planning proposal and any supporting material and given at least 21 days to comment on the planning proposal.
3. A public hearing is not required to be held into the matter by any person or body under section 3.34(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).
4. The planning proposal authority is authorised as the local plan-making authority to exercise the functions under section 3.36(2) of the Act subject to the following:
  - (a) the planning proposal authority has satisfied all the conditions of the Gateway determination;
  - (b) the planning proposal is consistent with section 9.1 Ministerial directions or the Secretary has agreed that any inconsistencies are justified; and
  - (c) there are no outstanding written objections from public authorities.

5. The time frame for completing the LEP is to be **12 months** following the date of the Gateway determination.

Dated 12<sup>th</sup> day of July 2021.



**Dan Simpkins**  
**Director, Central Coast and Hunter Region**  
**Planning and Assessment**  
**Department of Planning, Industry and**  
**Environment**

**Delegate of the Minister for Planning and**  
**Public Spaces**