



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

Dear Mr Evans

**Planning proposal to amend *Maitland Local Environmental Plan 2011***

I am writing in response to Council's request for a Gateway determination under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to rezone land at Brickworks Road, Thornton to B5 Business Development and E3 Environmental Management and to remove certain land as an 'identified resource' from the Mineral Resource Area Map.

Council needs to include the proposed zone boundaries and minimum lot size maps in the planning proposal. I understand establishing biodiversity corridors and application of the proposed E3 Environmental Management zone boundary will be pursued in consultation to Biodiversity Conservation Division and informed by a biodiversity values assessment report.

The proposed intersection with Raymond Terrace Road and Harvest Boulevard appears to rely on access across adjoining land to the west, which is not subject to the planning proposal. The planning proposal should confirm agreement has been reached between landowners for the constructability of this intersection.

I note the planning proposal states further soil sampling is required and a remedial action plan and validation report is required prior to finalisation of the planning proposal. Council should confirm whether provisions in the local environmental plan are or not proposed in order to satisfy itself the land will be remediated before the land is used for the proposed purposes.

Confirmation in the planning proposal is also required if the proposed additional permitted use of 'food and drink premises' is part of the explanation of provisions or not.

The above matters were not appropriately addressed in the planning proposal submitted to the Department of Planning, Industry and Environment. As delegate of the Minister for Planning and Public Spaces, I have now determined that the planning proposal should be resubmitted when matters outlined in the enclosed Gateway determination have been addressed.

If the planning proposals are not resubmitted and considered adequate before the timeframe specified in the enclosed Gateway determination, a decision will be made if to not proceed with the planning proposal under section 3.32(2)(d) of the Act.

Should you have any enquiries about this matter, I have arranged for Mr Mark Parker, Principal Planning Officer, Central Coast and Hunter Region to assist you. Mr Parker can be contacted on 9995 5286.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Dan Simpkins', with a long horizontal line extending to the right.

16/07/2021

**Dan Simpkins**  
**Director, Central Coast and Hunter Region**  
**Planning and Assessment**

Encl: Gateway Determination