

Gateway Determination

Planning proposal (Department Ref: PP_2019_MAITL_002_00): to rezone part of lot at corner of Station Lane and Christopher Road and amend associated floor space ratio, height of buildings and minimum lot size controls to facilitate Lochinvar Town Centre.

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* (the Act) that an amendment to the *Maitland Local Environmental Plan 2011* to rezone part of lot at corner of Station Lane and Christopher Road and amend associated floor space ratio, height of buildings and minimum lot size controls to facilitate Lochinvar Town Centre should proceed subject to the following conditions:

1. Council is to update the planning proposal with the following information prior to public exhibition:
 - (a) Reference as B2 Local Centre under the *Maitland Local Environmental Plan 2011*, rather than B2 Town Centre; and
 - (b) Include maps of the site's current controls for floor space ratio, height of buildings and minimum lot size. Although there is no maximum floor space ratio or maximum height of buildings control applicable to the site currently, this should be made clear in the planning proposal by including relevant maps.
2. Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:
 - (c) the planning proposal must be made publicly available for a minimum of **28 days**; and
 - (d) 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).
3. No consultation is required with public authorities/organisation under section 3.34(2)(d) of the Act
4. 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).

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

Dated 25th day of August 2020.

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

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