

Housekeeping LEP 2012

Proposal Title : **Housekeeping LEP 2012**

Proposal Summary : **This planning proposal (PP) is a housekeeping LEP amendment, generally correcting errors, misdescriptions and mapping anomalies that have been identified since the Maitland LEP 2011 was made.**

In total there are 16 items that would be addressed by this PP.

PP Number : **PP_2013_MAITL_003_00** Dop File No : **13/10111**

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

S.117 directions :

Additional Information : **It is recommended the PP proceed subject to the following conditions:**

- ensure references in the Explanation of Provisions to heritage item numbers align with the heritage item numbers listed in Schedule 5 of the LEP;
- having noted Council's advice that the Council-owned land identified in item 12 is operational land not community land, update the Explanation of Provisions for item 12 accordingly;
- for item 16 in the Explanation of Provisions, list the lot and DP affected by this change and ensure the correct lot and DP is mapped;
- include relevant maps with the exhibition material which show the relevant current mapped planning control and the proposed new mapped planning control. Affected sites should be clearly identified;
- 6 month completion timeframe; and
- 14 day community consultation period.

It is recommended that the DG agree that the PP's inconsistency with s117 direction 6.2 Reserving Land for Public Purposes is of minor significance.

It is recommended that the Gateway delegate plan-making functions to Council for this PP because it is for mapping alterations and matters of local significance.

Supporting Reasons : **Supporting reasons are discussed in the Explanation of Provisions and Assessment sections of this report.**

Panel Recommendation

Recommendation Date : **04-Jul-2013**

Gateway Recommendation : **Passed with Conditions**

Panel Recommendation : **The planning proposal should proceed subject to the following conditions:**

1. Prior to undertaking public exhibition, Council is to update the planning proposal to:
 - correct the reference to heritage item numbers for St Peter's Church group at Bank Street, East Maitland, being heritage item I21; the George and Dragon Hotel at Melbourne Street, East Maitland, being heritage item I68; and St Helena Cottage at St Helena Close, Lochinvar, being heritage item I103. Council is to ensure the proposal references correct heritage item numbers, consistent with Schedule 5 – Environmental Heritage under Maitland LEP 2011;
 - correctly advise that land identified in item 12 at John Arthur Avenue, Thornton is classified as 'operational' land, rather than 'community' land;
 - identify the land (via a list of the Lot and DP numbers) affected by the proposed changes to building height in item 16; and

- include location maps and where applicable, existing and proposed land zoning, lot size and height of buildings maps and other applicable maps, which are at an appropriate scale and clearly identify the subject sites.

2. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:

(a) the planning proposal is classified as low impact as described in A Guide to Preparing LEPs (Department of Planning & Infrastructure 2013) and must be made publicly available for a minimum of 14 days; and

(b) the relevant planning 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 5.5.2 of A Guide to Preparing LEPs (Department of Planning & Infrastructure 2013).

3. No consultation is required with public authorities under section 56(2)(d) of the EPA Act.

4. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A 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 timeframe for completing the LEP is to be 6 months from the week following the date of the Gateway determination.

Signature:



Printed Name:



Date:

