

MAITLAND CITY COUNCIL



PNC001587

Our Ref. RZ13004 (960525)

Your Ref.

Phone Enquiries: 4934 9729

12 July 2013

NSW Department of Planning & Infrastructure
Hunter Regional Office
PO Box 1226
NEWCASTLE NSW 2300
Attn: Mr Ben Holmes



Dear Ben

RE: Section 55 Report: Request for Gateway Determination – Amendments to Clause 4.2A to Include References to Dual Occupancy

At its meeting 9 July 2013, Council resolved:

THAT

- 1. Pursuant to Section 55 of the Environmental Planning and Assessment Act 1979, the draft Local Environmental Plan for the subject amendments to Clause 4.2A of the Maitland Local Environmental Plan 2011 be submitted to the Department of Planning & Infrastructure for a Gateway Determination.**
- 2. A further report be presented to Council following the public exhibition period, to demonstrate compliance with the Gateway Determination and to provide details of any submissions received throughout that process.**
- 3. A letter be sent to the Department of Planning & Infrastructure requesting that Council be notified when any other NSW Council applies for a variation of their LEP and when the Department or that particular Council identifies that the change is the result of an anomaly in the standard LEP template. This request is to apply for past and future applications.**

The purpose of Council's recent resolution dated 9 July 2013 was to forward the proposal to the Department of Planning & Infrastructure for a Gateway determination, in accordance with Section 55 of the EP&A Act, 1979.

Council has prepared a planning proposal supporting this amendment, addressing all relevant criteria as outlined in the Department's guidelines. The following information is included:

- One (1) copy of the planning proposal, which includes the Section 55 Council report and minutes from 9 July 2013 as an attachment.

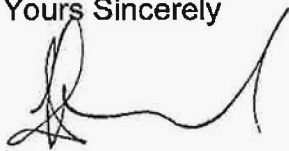
Please note that Council will also forward electronic copies of this information to the Department.

Council formally requests that this proposal to amend Clause 4.2A of the Maitland LEP 2011 proceed to a Gateway determination.

In accordance with point 3 of Council's resolution, which was inserted as a motion at the Council meeting, can the Department please confirm in writing whether it has a process for informing Councils of structural anomalies contained within the Standard Instrument LEP? Furthermore, as the resolution requests, is it possible for the Department to notify Councils of structural anomalies in the Standard Instrument, particularly those relevant to model provisions and model clauses?

If you have any questions, or require further information to assist in your assessment of this planning proposal, please contact Josh Ford, Strategic Town Planner on 49349729.

Yours Sincerely

A handwritten signature in black ink, appearing to be 'J. Ford', written over a horizontal line.

JOSH FORD
STRATEGIC TOWN PLANNER