

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

17/03739

Dear Mr Evans

Maitland Local Environmental Plan 2011 Amendment No. 21 – Housekeeping

I refer to Council's submission under the *Environmental Planning and Assessment Act 1979* (the Act), requesting the Minister make Maitland Local Environmental Plan 2011 Amendment No. 21 (the Plan).

I, the Deputy Secretary, Planning Services as the delegate of the Minister for Planning, have made the Plan under section 59(2) of the Act, and under section 34(5) it will take effect when published on the NSW Legislation website.

In making the plan I have excluded Item 25 of the Planning Proposal from the plan under section 59(2) of the Act, which relates to permitting shop top housing with development consent in the B3 Commercial Core zone. This change was made in response to concerns raised by the Office of Environment and Heritage (OEH) and the issues associated with flood isolation and evacuation as detailed in the Council's Floodplain Risk Management Plan (FRMP).

The Department supports the concerns that OEH has raised, but also recognises that Central Maitland is an important strategic centre where revitalisation through measures such as increased residential population should be supported. For this proposal, Council has not demonstrated that shop top housing would adequately address flood risks. This is because Council's FRMP indicates that the best means to manage flood risks is for a high level evacuation route to be provided.

I understand that the funding of a costing study for the replacement of the Long Bridge is the first step in commencing the process of providing a high level evacuation route. I have therefore asked the Office of Environment and Heritage to consider funding this work. Council is encouraged to submit a grant application at the next available opportunity. A copy of my letter to OEH is attached.

Should you have any questions regarding this matter, I have arranged for Mr Ben Holmes of the Department's Hunter office to assist you. Mr Holmes can be contacted on (02) 4904 2709.

Yours sincerely



Marcus Ray
Deputy Secretary
Planning Services

22/08/2017

Encl: DPE letter to OEH – High level evacuation route, Central Maitland