

Maitland LEP 2011 Amendment - Rutherford Enterprise Corridor

Proposal Title : **Maitland LEP 2011 Amendment - Rutherford Enterprise Corridor**

Proposal Summary : **To rezone 3.28 hectares of land fronting the New England Highway at Rutherford from R1 General Residential to B6 Enterprise Corridor, to facilitate business related activities.**

PP Number : **PP_2012_MAITL_006_00** Dop File No : **12/11276**

Planning Team Recommendation

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

S.117 directions : **1.1 Business and Industrial Zones
3.1 Residential Zones
3.4 Integrating Land Use and Transport
4.1 Acid Sulfate Soils
5.1 Implementation of Regional Strategies
6.1 Approval and Referral Requirements**

Additional Information : **It is recommended that:**

The Director General as delegate of the Minister for Planning and Infrastructure determine under section 56(2) of the EP&A Act that an amendment to the Maitland Local Environmental Plan 2011 be undertaken to rezone Part Lot 611 DP867202 and Part lot 603 DP874384 fronting the New England Highway Rutherford, to facilitate the extension of the existing enterprise corridor and development for business activities, subject to the following conditions;

1. That the Executive Director, as delegate of the Director General determine that the proposal's inconsistency with s117 direction's 1.1, 3.1 and 4.1 are justified as of minor significance.
2. The following studies will need to be completed as part of the Planning Proposal:
* a traffic study that provides sufficient information to determine the appropriate means of access to the site.
3. 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 must be made publicly available for 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 4.5 of A Guide to Preparing LEPs (Department of Planning 2009).
4. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:
• NSW Transport Roads and Maritime Services
The public authority is to be provided with a copy of the planning proposal and any relevant supporting material. The public authority is to be given at least 21 days to comment on the proposal, or to indicate that they will require additional time to comment on the proposal. Public authorities may request additional information or additional matters to be addressed in the planning proposal.
5. 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).

6. The timeframe for completing the LEP is to be 12 months from the week following the date of the Gateway determination.

Supporting Reasons :

The proposal is for an extension of the existing enterprise corridor taking into consideration the surrounding land uses. The proposal is consistent with Council's Activity Centres Strategy and the intent of the LHRs and will contribute to employment and economic development opportunities within Maitland.

Panel Recommendation

Recommendation Date : 19-Jul-2012

Gateway Recommendation : Passed with Conditions

Panel

The Planning Proposal should proceed subject to the following conditions:

Recommendation :

1. 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 2009) and must be made publicly available for 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 4.5 of A Guide to Preparing LEPs (Department of Planning 2009).

2. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:

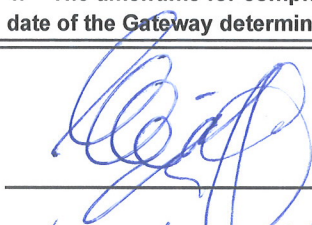
- NSW for Transport
- Roads and Maritime Services

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material. Each public authority is to be given at least 21 days to comment on the proposal, or to indicate that they will require additional time to comment on the proposal. Public authorities may request additional information or additional matters to be addressed in the planning proposal.

3. 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).

4. The timeframe for completing the LEP is to be 12 months from the week following the date of the Gateway determination.

Signature:



Printed Name:

Neil McGaffin

Date:

27.6.12