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Our ref: PP_2011_MAITL_004_00 (11/21023)
Your ref: RZ10004 (844270)

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

Dear David,

Re: Planning Proposal to rezone land at Glenwood Business Park from RU2 Rural Landscape to B5 Business Development and B6 Enterprise Corridor, and amend the minimum lot size requirements.

I am writing in response to your Council's letter dated 22 November 2011 requesting a Gateway Determination under section 56 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") in respect of the planning proposal to amend the Maitland Local Environmental Plan to rezone land at Glenwood Business Park from RU2 Rural Landscape to B5 Business Development and B6 Enterprise Corridor, and amend minimum lot size requirements.

As delegate of the Minister for Planning and Infrastructure, I have now determined that the planning proposal should proceed subject to the conditions in the attached Gateway Determination.

The Director General's delegate has also agreed that the planning proposal's inconsistencies with S117 Directions 1.2 Rural Zones and 1.5 Rural Lands are of minor significance. No further approval is required in relation to these Directions.

Council is to consult with the commissioner of the NSW Rural Fire Service prior to undertaking community consultation and take into account any comments made as per the requirements of S117 Direction 4.4 Planning for Bushfire Protection.

Council is to prepare an acid sulphate soils study in accordance with the requirements of S117 Direction 4.1 Acid Sulphate Soils. The study is to be placed on exhibition with the planning proposal.

Council is to prepare a flood and drainage study of the subject site and undertake consultation with the Office of Environment and Heritage as per the requirements of S117 Direction 4.3 Flood Prone Land.

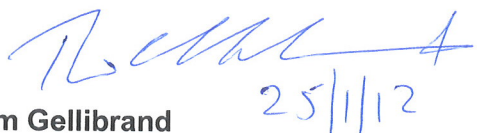
The amending Local Environmental Plan (LEP) is to be finalised within 6 months of the week following the date of the Gateway Determination. Council should aim to commence the exhibition of the Planning Proposal upon completion of the studies required by the Gateway determination from the week following this determination. Council's request for the Department to draft and finalise the LEP should be made six (6) weeks prior to the projected publication date.

The State Government is committed to reducing the time taken to complete LEPs by tailoring the steps in the process to the complexity of the proposal, and by providing clear and publicly available justification for each plan at an early stage. In order to meet these commitments, the

Minister may take action under s54(2)(d) of the EP&A Act if the time frames outlined in this determination are not met.

Should you have any queries in regard to this matter, please contact Dylan Meade of the Regional Office of the Department on 02 4904 2700.

Yours sincerely,



Tom Gellibrand
Deputy Director General
Plan Making & Urban Renewal

Gateway Determination

Planning Proposal (Department Ref: PP_2011_MAITL_004_00): to rezone land at Glenwood Business Park from RU2 Rural Landscape to B5 Business Development and B6 Enterprise Corridor, and amend the minimum lot size requirements.

I, the Deputy Director General, Plan Making & Urban Renewal as delegate of the Minister for Planning and Infrastructure, have determined under section 56(2) of the EP&A Act that an amendment to the Maitland Local Environmental Plan 2011 to rezone land at Glenwood Business Park from RU2 Rural Landscape to B5 Business Development and B6 Enterprise Corridor, and amend minimum lot size requirements should proceed subject to the following conditions:

1. In relation to S117 Direction 4.3 Flood Prone Land, Council is to prepare a flood and drainage study of the subject site and undertake consultation with the Office of Environment and Heritage.
2. In relation to S117 Direction 4.1 Acid Sulphate Soils, Council is to prepare an acid sulphate soils study. The study is to be placed on exhibition with the planning proposal.
3. In relation to S117 Direction 4.4 Planning for Bushfire Protection, Council is to consult with the commissioner of the NSW Rural Fire Service prior to undertaking community consultation and take into account any comments made.
4. Council is to ensure that maps that propose to amend the LEP are prepared in accordance with the Department's Standard Technical Requirements for LEP maps. In addition Council is to include a proposed zoning map that displays the proposed zones for the subject land for the purposes of public exhibition.
5. 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; 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)*.
6. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:
 - Mindaribba Aboriginal Land Council
 - Catchment Management Authority – Hunter/Central Rivers
 - Office of Environment and Heritage
 - Department of Primary Industries (Agriculture)
 - NSW Rural Fire Service
 - 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.

7. 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).
8. The timeframe for completing the LEP is to be **6 months** from the week following the date of the Gateway determination.

Dated 25th day of January 2012.



**Tom Gellibrand
Deputy Director General
Plan Making & Urban Renewal
Delegate of the Minister for Planning and
Infrastructure**