

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

Dear Mr Evans

Planning proposal PP-2022-1187 to amend Maitland Local Environmental Plan 2011

I am writing in response to the planning proposal you have forwarded to the Minister under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) and in respect of the planning proposal to rezone land at Brickworks Road, Thornton to B5 Business Development and C3 Environmental Management and remove certain land from the Mineral Resources Area Map.

As delegate of the Minister for Planning and Homes, I have determined that the planning proposal should proceed subject to the conditions in the enclosed Gateway determination.

I have also agreed, as delegate of the Secretary, any inconsistencies of the planning proposal with applicable directions of the Minister under section 9.1 of the EP&A Act 1.1 Implementation of Regional Plans; 1.4 Site Specific Provisions; 3.2 Heritage Conservation; 4.4 Remediation of Contaminated Land; 4.5 Acid Sulfate Soils; 4.6 Mine Subsidence and Unstable Lands; 8.1 Mining, Petroleum Production and Extractive Industries; 9.1 Rural Zones; and 9.2 Rural Lands are justified in accordance with the terms of the directions.

No further approval is required in relation to these directions.

Council may still need to obtain the agreement of the Secretary to comply with the requirements of relevant applicable directions of the Minister under section 9.1 of the EP&A Act 3.1 Conservation Zones; 4.3 Planning for Bushfire Protection and 5.1 Integrated Land Use and Transport. Council should ensure this occurs prior to the LEP being made.

Considering the nature of the planning proposal I have determined that Council may exercise local plan-making authority functions in relation to the planning proposal.

The proposed local environmental plan (LEP) is to be finalised on or before 30 April 2023. Council should aim to commence the exhibition of the planning proposal as soon as possible. Should Council seek to make a proposed LEP, the request to draft the LEP should be made directly to Parliamentary Counsel's Office well in advance of the date the LEP is projected to be made. A copy of the request should be forwarded to the Department of Planning and Environment.

The NSW Government has committed to reduce the time taken to complete LEPs. To meet these commitments, the Minister may appoint an alternate planning proposal authority if Council does not meet the timeframes outlined in the Gateway determination.

The Department's categorisation of planning proposals in the *Local Environmental Plan Making Guideline* (Department of Planning and Environment, 2021) is supported by category specific timeframes for satisfaction of conditions and authority and Government agency referrals, consultation, and responses. Compliance with milestones will be monitored by the Department to ensure planning proposals are progressing as required.

Should you have any enquiries about this matter, I have arranged for Mr Mark Parker to assist you. Mr Parker can be contacted on 9995 5286.

Yours sincerely

A handwritten signature in dark ink, reading 'W Oxley'. The 'W' is stylized with a large loop, and 'Oxley' is written in a cursive script.

29/04/2022

William Oxley

**Acting Director, Central Coast and Hunter Region
Local and Regional Planning**

Encl: Gateway determination