

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

Our ref: IRF23/902

Dear Mr Evans

Planning proposal PP-2022-2183 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 additional information received on 8 December 2022 in respect of the planning proposal to rezone land from RU1 Primary Production and RU2 Rural Landscape to part RU1 Primary Production, R1 General Residential, C2 Environmental Conservation and E3 Environmental Management, amend minimum lot sizes and apply the Urban Release Area map to Kezia Road, Oakhampton (Aberglasslyn Urban Release Area Stage 4).

As delegate of the Minister for Planning and Public Spaces, 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, the inconsistency of the planning proposal with applicable directions of the Minister under section 9.1 of the Act 9.1 Rural Zones is justified in accordance with the terms of the Direction.

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 Act 4.1 Flooding, 4.3 Planning for Bushfire and 5.1 Integrating Land Use and Transport. Council should ensure this occurs prior to the LEP being made.

Given the nature of the planning proposal, I have determined not to authorise Council to be the local plan-making authority.

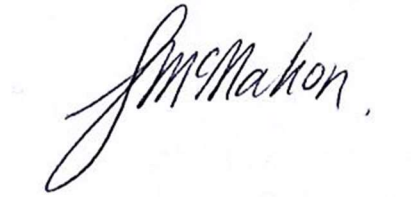
The proposed local environmental plan (LEP) is to be finalised within 12 months from the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request for the Department of Planning and Environment to draft and finalise the LEP should be made eight weeks in advance of the date the LEP is projected to be made.

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, 2022) 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 Trent Wink to assist you. Mr Wink can be contacted on 4904 2716.

Yours sincerely

A handwritten signature in black ink, reading "LMcMahon", with a large, stylized initial "L" and "M".

Louise McMahon
Director, Agile Planning
Delivery, Coordination, Digital and Insights

Encl: Gateway determination