

Our ref: PP-2023-2286 (IRF24/509)

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

Via email: info@maitland.nsw.gov.au

Dear Mr Evans,

Planning proposal PP-2023-2286 to amend Maitland LEP 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) in respect of the planning proposal to reclassify council owned land from Community to Operational at part of Allan and Don Lawrence Reserve, Thomas Coke Drive, Thornton.

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 4.5 Acid Sulfate Soils and 5.2 Reserving Land for Public Purposes, is justified in accordance with the terms of the Direction. In relation to Direction 5.2 Reserving Land for Public Purposes, I have agreed to the reduction of land for public purposes on the basis as the land is already utilised as an accessway and the proposal is consistent with the existing and likely future use of the land. No further approval is required in relation to the Directions.

Council will 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 4.3 Planning for Bushfire Protection. Council should ensure this occurs prior to the LEP being made.

I have determined not to authorise Council to be the local plan-making authority due to the planning proposal applying to Council-owned land.

The amending local environmental plan (LEP) is to be finalised on or before 6 months 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, Housing and Infrastructure to draft and finalise the LEP should be made eight weeks in advance of the date the LEP is projected to be made.

Should you have any enquiries about this matter, I have arranged for Georgia Weallans to assist you. Ms Weallans can be contacted on 5778 1413.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'J. Gray', is positioned above the date.

26/04/2024

Jeremy Gray
Director, Hunter and Northern
Planning and Land Use Strategy

Encl: Gateway determination