

Our Ref: 6340/TH-01-001/2023

McCloy Project Management Pty Ltd - ACN 613 410 450

6 October 2023

Maitland City Council
285-287 High Street,
Maitland NSW 2320

By Email

Attention: Adam Kennedy

Dear Adam

Re: Planning Proposal PP-2021-2820 to amend Maitland Local Environmental Plan 2011
107 Haussman Drive Thornton

We refer to Council email correspondence dated 12th September 2023 containing the previous Gateway Determination (PP-2021-2820) and supporting Adequacy Assessment letter from the NSW Department of Planning and Environment (DP&E) dated 7th September 2023 requesting some additional information on top of the previously requested and addressed additional information.

The requested additional information from within the Gateway Determination is addressed below.

PP-2021-2820 - Gateway Determination

Condition 1(a)

Noted as satisfactorily addressed for Gateway.

Condition 1(b)

As requested in the previous response from DP&E; McCloy Project Management engaged in discussions with Subsidence Advisory NSW who have provided correspondence in relation to the necessary mitigation requirements.

As Council are aware, there is an approved Development Application (DA17/2593) for a 153 Serviced Self-Contained Dwellings and Associated Community Facilities on the subject site.

As part of that DA assessment, the attached report by GHD was provided with the DA; *Proposed Residential Development – Thornton North Mine Subsidence Constraints*. The report outlines the constraints and the processes/scope for remediation. Council were comfortable to issue approval for the development (physical structures on the site), by providing the condition of consent outlined below.

MINE WORKINGS

20. Prior to the issue of a **Construction Certificate** for Stage 2, the extent of mine workings including depth of cover are to be determined by a detailed *Site Investigation Report* for the purposes of establishing the appropriate treatment of abandoned mine workings, to permit the staged surface residential development for the purposes of this consent including the internal road network and associated utility installations.

The Site Investigation is to include conclusions and recommendations on civil design and building construction standards to ensure that the development will be designed to remain safe, serviceable and repairable in the event of mine subsidence.

The recommendations arising from this *Site Investigation Report* form part of the development consent and are to be incorporated into any relevant construction stage.

We request that Council please seek confirmation that the previous work undertaken by GHD is sufficient to address the request by DP&E for a remediation proposal. It is noted that the development currently approved by Council is far more intense than the proposed residential zoning being sought by this application, which would then be subject of further development applications for subdivision, then subsequent housing; allowing conditions such as that above to be imposed.

Condition 1(c)

Noted as satisfactorily addressed for Gateway.

Hunter Regional Plan 2041

It is understood that Council are addressing this matter. From the applicant's perspective; although our current layout is greater than 8 dwellings per/ha; we are somewhat constrained as Council have endorsed the proposed minimum lot size of 450m².

Section 9.1 Ministerial direction

Noted as satisfactorily addressed for Gateway.

Consistency of the planning proposal across documentation

We are working on having all relevant documentation updated to reflect the current proposed zoning plan.

Upon confirmation that the supplied information is sufficient to address Condition 1(b) relating to mine subsidence, we will ensure all updated documents for consistency are provided prior to the 30th of October as specified within the letter.

I trust that the responses above are sufficient for DP&E to progress the formal Gateway Determination.

Yours sincerely,

SAM ROWE

Project Director

A handwritten signature in black ink, appearing to read 'Sam Rowe'.