

Department of Planning, Housing and Infrastructure

Ref: IRF24/71  
Your Ref: RZ21002

Mr Jeff Smith  
General Manager  
Maitland City Council  
PO Box 220  
MAITLAND NSW 2320

Via Email: [info@maitland.nsw.gov.au](mailto:info@maitland.nsw.gov.au)

07 May 2024

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**Subject: Planning Proposal PP-2023-2323 to amend Maitland Local Environmental Plan 2011**

Dear Mr Smith,

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 the rezone 107 Haussman Drive, Thornton for residential and conservation purposes and to amend the minimum lot size.

As delegate of the Minister for Planning and Public Spaces, I have determined the planning proposal should proceed subject to the conditions in the enclosed gateway determination.

I have 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, Directions 1.1 Implementation of Regional Plans, 3.1 Conservation Zones, 3.2 Heritage Conservation, 4.5 Acid Sulfate Soils, 9.1 Rural Zones and 9.2 Rural Lands is justified in accordance with the terms of the directions. No further approval is required in relation to the 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 Act: 4.3 Planning for Bushfire Protection, 4.4 Remediation of Contaminated Land and 4.6 Mine Subsidence and Unstable Land.

The proposed local environmental plan (LEP) is to be finalised on or before 12 months of the Gateway determination. 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, Housing and Infrastructure.

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, 2023) 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 Ms Sandra Bush at the Department to assist you. Ms Bush can be contacted on 02 5778 1409.

Yours sincerely,

A handwritten signature in black ink, appearing to read "J. Gray".

07/05/24

Jeremy Gray  
Director Hunter and Northern Region  
Local Planning and Council Support