

Gateway Determination

Planning proposal (Department Ref: PP-2023-2323): *Rezone Lot 2 DP 1145348, 107 Haussman Drive, Thornton, for residential and conservation purposes and amend the minimum lot size.*

I, the Director at the Department of Planning, Housing and Infrastructure, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Maitland Local Environmental Plan 2011 to rezone land at Lot 2 DP 1145348, 107 Haussman Drive, Thornton for residential and conservation purposes and amend the minimum lot size should proceed subject to the following Gateway conditions.

The Council as planning proposal authority is authorised to exercise the functions of the local plan-making authority under section 3.36(2) of the EP&A Act subject to the following:

- (a) the planning proposal authority has satisfied all the conditions of the gateway determination;
- (b) the planning proposal is consistent with applicable directions of the Minister under section 9.1 of the EP&A Act or the Secretary has agreed that any inconsistencies are justified; and
- (c) there are no outstanding written objections from public authorities.

The LEP should be completed on or before 12 months of the Gateway determination date.

Gateway Conditions

1. Prior to agency and community consultation, the proposal is to be amended to ensure a consistent development footprint between the planning proposal and all the supporting studies.
2. Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the Act as follows:
 - (a) the planning proposal is categorised as standard as described in the *Local Environmental Plan Making Guidelines* (Department of Planning and Environment, 2021) and must be made publicly available for a minimum of 20 days; and
 - (b) the planning proposal authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in *Local Environmental Plan Making Guidelines* (Department of Planning and Environment, 2021).

3. Consultation is required with the following public authorities and government agencies under section 3.34(2)(d) of the Act and/or to comply with the requirements of applicable directions of the Minister under section 9 of the EP&A Act:

- Biodiversity Conservation and Science Group (BCS) – Biodiversity
- Transport for NSW (TfNSW)
- NSW Rural Fire Service (RFS)
- Subsidence Advisory NSW (SA NSW)
- Hunter Water Corporation (HWC)
- Mindaribba Local Aboriginal Land Council (LALC)
- NSW Heritage
- Environment Protection Authority

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material via the NSW Planning Portal and given at least 30 days to comment on the proposal.

4. A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

Dated 07 day of May 2024.



07/05/24

Jeremy Gray
Director, Hunter and Northern Region
Local Planning and Council Support
Department of Planning, Housing and
Infrastructure

Delegate of the Minister for Planning and
Public Spaces