

Mr Jeff Smith
General Manager
Maitland City Council
PO Box 220
MAITLAND NSW 2320
Via email: info@maitland.nsw.gov.au

Ref: IRF24/69
Your Ref: RZ230

Attention: Mark Roser

Subject: Planning Proposal PP-2023-2554 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 which seeks to include an additional permitted use for an educational establishment with consent at 24 Hunter Street, Horseshoe Bend.

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 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 3.2 Heritage Conservation and 4.5 Acid Sulfate Soils is justified in accordance with the terms of the Direction. 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: 4.1 Flooding and 4.2 Coastal Management.

Considering the nature of the planning proposal I have determined that Council may exercise local plan-making authority functions in relation to the planning proposal. The proposed local environmental plan (LEP) is to be finalised on or before 6 months of the date 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 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 Clay Logan to assist you. Clay can be contacted on 02 6650 7158.

Yours sincerely



5/4/2024

Jeremy Gray

Director, Northern Region Local and
Regional Planning