
10.3 REQUEST FOR GATEWAY DETERMINATION - RECLASSIFICATION OF LAND AT EAST MAITLAND AND THORNTON

FILE NO:	RZ1/2022
ATTACHMENTS:	<ol style="list-style-type: none">1. Draft Planning Proposal (under separate cover)2. Classification & Reclassification of Council Owned Land
RESPONSIBLE OFFICER:	Matthew Prendergast - Group Manager Planning & Environment Andrew Neil - Manager Strategic Planning Adam Ovenden - Coordinator City Planning
AUTHOR:	Gary Hamer - Senior Strategic Planner
APPLICANT:	Maitland City Council
OWNER:	Maitland City Council
PROPOSAL:	Request for Gateway Determination - Reclassification of Land at East Maitland and Thornton
LOCATION:	Lot 21 of DP 541629 High Street, East Maitland (Council owned carpark) Lot 848 DP 703278 John Arthur Avenue, Thornton, Part Lot 1538 of DP 832922 Thomas Coke Drive, Thornton and Part Lot 8884 of DP 786883 Government Road, Thornton
ZONE:	From Community to Operational

EXECUTIVE SUMMARY

Council has received two development applications that require the reclassification of land by way of an amendment to the Maitland Local Environmental Plan 2011 (MLEP 2011) in order to enable legal and practical access to each of the relevant sites. Council has prepared a draft Planning Proposal seeking to enable the reclassification of two sites through the LEP process.

Two items are to be considered, the first is land known as Lot 21 of DP 541629 (Council owned carpark) whilst the second site known as Lot 848 DP 703278, Part Lot 1538 of 832922 and Part Lot 8884 of 786883 forms part of an access handle connecting Thomas Coke Drive to A & D Lawrence Fields, Thornton.

The procedures under the Environmental Planning & Assessment Act (EP&A Act) will apply to the making of the LEP. In addition, a public hearing under Section 57 of the EP&A Act must be held under s.29 of the Local Government Act.

The Planning Proposal to reclassify two items from community to operational by way of an amendment to the LEP is provided as Attachment 2 to this report for Council's consideration.

OFFICER'S RECOMMENDATION**THAT**

1. Pursuant to Section 3.34(1) of the *Environmental Planning and Assessment Act 1979*, Council prepare and submit the planning proposal, to the Department of Planning, Industry and Environment seeking a Gateway determination to reclassify Lot 21 of DP 541629, Lot 848 DP 703278, Part Lot 1538 DP832922 and Part Lot 8884 DP 786883 from community to operational land.
2. Following issue of a Gateway determination, Council undertake consultation with the community and relevant government agencies in accordance with Section 3.34 and Schedule 1 of the *Environmental Planning and Assessment Act 1979* and the conditions of the Gateway determination.
3. Pursuant to section 29 of the *Local Government Act 1993*, Council will undertake a public hearing as part of the community consultation process.
4. A further report be presented to Council following the public exhibition period, to demonstrate compliance with the Gateway determination and provide details of any submissions received and outcomes of the public hearing throughout that process.

COUNCIL RESOLUTION**THAT**

1. Pursuant to Section 3.34(1) of the *Environmental Planning and Assessment Act 1979*, Council prepare and submit the planning proposal, to the Department of Planning, Industry and Environment seeking a Gateway determination to reclassify Lot 21 of DP 541629, Lot 848 DP 703278, Part Lot 1538 DP832922 and Part Lot 8884 DP 786883 from community to operational land.
2. Following issue of a Gateway determination, Council undertake consultation with the community and relevant government agencies in accordance with Section 3.34 and Schedule 1 of the *Environmental Planning and Assessment Act 1979* and the conditions of the Gateway determination.
3. Pursuant to section 29 of the *Local Government Act 1993*, Council will undertake a public hearing as part of the community consultation process.
4. A further report be presented to Council following the public exhibition period, to demonstrate compliance with the Gateway determination and provide details of any submissions received and outcomes of the public hearing throughout that process.

Moved Cr M Griffin, Seconded Cr S Halliday

CARRIED

For:

Cr R Aitchison
Cr L Baker
Cr K Ferguson
Cr S Fisher
Cr P Garnham
Cr M Griffin
Cr B Hackney
Cr S Halliday
Cr B Mitchell
Mayor P Penfold
Cr K Ranadive
Cr B Whiting
Cr M Yarrington

Against:

