

Mr Jeremy Bath  
Chief Executive Officer  
City of Newcastle  
PO Box 489  
NEWCASTLE NSW 2300

Our ref: PP-2022-395

Attn: Alex Tobin

Dear Mr Bath,

**Planning proposal PP-2022-395 – Alteration of Gateway Determination**

I refer to your correspondence seeking an extension of time and requesting resolution of outstanding section 9.1 Ministerial directions to allow Council to complete the above planning proposal for Lingard Private Hospital.

As delegate of the Minister for Planning and Homes, I have determined in accordance with section 3.34(7) of the *Environmental Planning and Assessment Act 1979* to alter the Gateway determination dated 17 March 2022 (since altered on 31 October 2022).

In relation to Council's request to resolve outstanding section 9.1 Ministerial directions: 3.2 Heritage Conservation, 4.6 Mine Subsidence and Unstable Land, and 5.1 Integrating Land Use and Transport the Department is now satisfied the directions are now resolved, or the inconsistencies are justified in accordance with the terms of the directions.

Consistency with section 9.1 Ministerial direction 4.1 Flood Prone Land is still outstanding. As a result of the proposed height uplift and removal of floor-space controls, the Department is obtaining independent advice on the risk to property and life and consistency with this direction.

Due to this outstanding matter and in accordance with the Gateway determination, Council is not able to exercise local plan making delegation to make the planning proposal.

If you have any questions in relation to this matter, I have arranged for Mr Thomas Holmes, Principle Planning Officer, Central Coast and Hunter to assist you. Mr Holmes can be contacted on 9860 1583.

Yours sincerely



15/2/2023  
**Dan Simpkins**  
Director, Central Coast and Hunter  
Local and Regional Planning

Encl: Alteration of Gateway Determination