

Mr Frank Cordingley
Interim CEO
Newcastle City Council
PO Box 489
NEWCASTLE NSW 2300

Our ref: PP_2016_NEWCA_003_00 (16/03744)
Your ref:

Att: Samantha Cross

Dear Mr Cordingley,

Planning proposal to amend Newcastle Local Environmental Plan 2012

I refer to your Council's letter dated 29 February 2016 requesting a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) in respect of the planning proposal to rezone from R2 Low Density Residential to B2 Local Centre and change controls on land at 131 to 133 Croudace Road, Elmore Vale.

As delegate of the Minister for Planning, I have now determined the planning proposal should proceed subject to the conditions in the attached Gateway determination.

Council may still need to obtain the agreement of the Secretary to comply with the requirements of relevant S117 Directions. Council should ensure this occurs prior to the plan being made.

Council is encouraged to progress work on a long-term plan for the Elmore Vale Local Centre such that the community and state agencies can be informed about impacts and guided on the provision of associated facilities and services.

The amending Local Environmental Plan (LEP) is to be finalised within 9 months of the week following the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request for the Department of Planning and Environment to draft and finalise the LEP should be made 6 weeks prior to the projected publication date.

The State Government is committed to reducing the time taken to complete LEPs by tailoring the steps in the process to the complexity of the proposal, and by providing clear and publicly available justification for each plan at an early stage. In order to meet these commitments, the Minister may take action under section 54(2)(d) of the EP&A Act if the time frames outlined in this determination are not met.

Should you have any queries in regard to this matter, I have arranged for Ken Phelan from the Hunter office to assist you. Mr Phelan can be contacted on (02) 4904 2705.

Yours sincerely,



22/3/2016

Monica Gibson
Director Regions, Hunter and Central Coast
Planning Services

Gateway Determination

Planning proposal (Department Ref: PP_2016_NEWCA_003_00): to rezone and change controls on land at 131 to 133 Croudace Road, Elmore Vale from R2 Low Density Residential to B2 Local Centre.

I, the Director Regions, Hunter and Central Coast at Department of Planning and Environment as delegate of the Minister for Planning, have determined under section 56(2) of the EP&A Act that an amendment to the Newcastle Local Environmental Plan (LEP) 2012 to rezone and change controls on land at 131 to 133 Croudace Road, Elmore Vale from R2 Low Density Residential to B2 Local Centre should proceed subject to the following conditions:

1. Community consultation is required under sections 56(2)(c) and 57 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) as follows:
 - (a) the planning proposal must be made publicly available for a minimum of **14 days**; and
 - (b) the relevant planning 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 section 5.5.2 of *A Guide to Preparing LEPs (Department of Planning & Environment 2013)*.
2. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act and/or to comply with the requirements of relevant S117 Directions:
 - Mines Subsidence Board
 - Roads and Maritime Services

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.
3. A public hearing is not required to be held into the matter by any person or body under section 56(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).
4. The timeframe for completing the LEP is to be **9 months** from the week following the date of the Gateway determination.

Dated 22 day of March 2016.



22/3/2016
Monica Gibson
Director Regions, Hunter and Central
Coast
Planning Services

Delegate of the Minister for Planning