

Gateway Determination

Planning Proposal (Department Ref: PP_2017_NEWCA_004_00): to amend Schedule 5 – Environmental Heritage as a consequence of an item of heritage significance being listed on the State Heritage Register

I, the Director Regions, Hunter, at the Department of Planning and Environment as delegate of the Minister for Planning, have determined under section 56(2) of the *Environmental Planning and Assessment Act, 1979* (the Act) that an amendment to the Newcastle Local Environmental Plan (LEP) (2012) to amend Schedule 5 – Environmental Heritage as a consequence of an item of heritage significance being listed on the State Heritage Register should proceed subject to the following conditions:

1. The Planning Proposal shall be updated to:
 - a. Clarify the details of the amendment to Schedule 5 of the LEP, in particular the separation of the previous Heritage item (I126) into multiple items with respective local or state significance.
 - b. Include relevant correspondence from the Office of Environment and Heritage
2. Community consultation is required under sections 56(2)(c) and 57 of the Act as follows:
 - (a) the planning proposal is classified as low impact as described in *A guide to preparing local environmental plans* (Department of Planning and Environment 2016) and 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 local environmental plans* (Department of Planning and Environment 2016).
3. No consultation is required with public authorities/organisation under section 56(2)(d) of the Act
4. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the 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).



The timeframe for completing the LEP is to be **6 months** following the date of the Gateway determination.

Dated 22nd day of January 2018.

**Monica Gibson
Director Regions, Hunter
Planning Services
Department of Planning and
Environment**

Delegate of the Minister for Planning