

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

Dear Mr Bath

Planning Proposal [PP_2017_NEWCA_004_00] to amend Council Local Environmental Plan 2012

I am writing in response to Council's request for a Gateway determination under Section 73A of the *Environmental Planning and Assessment Act 1979* (the Act) 1979 in respect of the Planning Proposal to amend Schedule 5 – Environmental Heritage as a consequence of an item of heritage significance being listed on the State Heritage Register.

As delegate of the Minister for Planning, I have now determined the Planning Proposal should proceed under Section 56 of the Act subject to the conditions in the attached Gateway determination as the proposal does not meet the criteria of Section 73A.

I have considered Council's request that it not be given delegation and have determined not to issue an authorisation.

The amending Local Environmental Plan (LEP) is to be finalised within 6 months of 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 8 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 Act if the time frames outlined in this determination are not met.

Should you have any further enquiries about this matter, I have arranged for Mr James Shelton to assist you. Mr Shelton can be contacted on 02 4904 2713.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Monica Gibson', with a stylized, cursive script.

22/1/2018

Monica Gibson

**Director Regions, Hunter
Planning Services**

Encl: Gateway Determination