

Mr Jeremy Bath  
CEO  
Newcastle City Council  
PO Box 489  
NEWCASTLE NSW 2300

Dear Mr Bath

**Planning Proposal [PP\_2018\_NEWCA\_001\_00] to amend Newcastle Local Environmental Plan 2012**

I am writing in response to Council's request for a Gateway determination under Section 3.22 of the *Environmental Planning and Assessment Act 1979* (the Act) received on 6 March 2018 in respect of the Planning Proposal to amend Schedule 3 Complying Development to omit tree removal as complying development from the Newcastle LEP 2012.

As delegate of the Minister for Planning, I have now determined the Planning Proposal should proceed under clause 3.22 of the Act, subject to the conditions in the attached Gateway determination.

I have considered Council's position of not accepting plan making delegations and have determined not to issue an authorisation.

The amending Local Environmental Plan (LEP) is to be finalised within 3 months of the date of the Gateway determination. 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.

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



12/3/2018  
**Monica Gibson**  
**Director Regions, Hunter**  
**Planning Services**

Encl: Gateway Determination