

## Gateway Determination

***Planning proposal (Department Ref: PP\_2018\_NEWCA\_015\_00): to make variations to the existing Heritage Conservation Areas of Cooks Hill, Hamilton South Garden Suburb and The Hill.***

I, the Director Regions, Hunter at the Department of Planning and Environment, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Newcastle Local Environmental Plan (LEP) 2012 to make variations to the existing Heritage Conservation Areas of Cooks Hill, Hamilton South Garden Suburb and The Hill should proceed subject to the following conditions:

1. The planning proposal is to be updated to:
  - (a) detail consistency with section 9.1 direction 5.10 Implementation of Regional Plans and the Greater Newcastle Metropolitan Plan (specifically Strategy 16) following further analysis regarding housing provision in renewal corridors; and
  - (b) omit Lot 1 DP 1227964, Lot 100 DP 1128420, Lot 141 DP 814111 and Lot 1 DP 797430 from the proposed extension to the Hamilton South Garden Suburb HCA.
2. Council is to include both the existing and proposed heritage Development Control Plan provisions as part of the planning proposal exhibition package.
3. Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:
  - (a) the planning must be made publicly available for a minimum of **28 days**; and
  - (b) the planning proposal 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).
4. No consultation is required with public authorities/organisation under section 3.34(2)(d) of the Act
5. A public hearing is not required to be held into the matter by any person or body under section 3.34(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).



6. Council is not authorised to be the local plan-making authority to make this plan.
7. The time frame for completing the LEP is to be **9 months** following the date of the Gateway determination.

Dated 6<sup>th</sup> day of May 2019.

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

**Delegate of the Minister for Planning**  
**and Public Spaces**