

Alteration of Gateway Determination

Planning Proposal (PP_2016_NEWCA_001_00) to reclassify, rezone and apply development standards at 162A Newcastle Road, Wallsend and at 4 Mayo Street, Jesmond

I, Director Regions, Hunter and Central Coast at the Department of Planning and Environment as delegate of the Minister for Planning, have determined under section 56(7) of the *Environmental Planning and Assessment Act 1979* to alter the Gateway determination dated 1 March 2016, as since altered on 29 July 2016, for the proposed amendment to the *Newcastle Local Environmental Plan 2012* as follows:

1. Change paragraph 2:

from:

"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 reclassify, rezone and apply development standards at 162A Newcastle Road, Wallsend and at 4 Mayo Street, Jesmond should proceed subject to the following conditions:"

to:

"I, the Director Regions, Hunter and Central Coast 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* that:

- an amendment to the *Newcastle Local Environmental Plan 2012* to reclassify and rezone land at 4 Mayo Street, Jesmond, should not proceed; and
- an amendment to the *Newcastle Local Environmental Plan 2012* to reclassify and rezone land at 162A Newcastle Road, Wallsend proceed subject to the following conditions:"

2. Delete:

"conditions 2 to 8"

Replace with the following conditions 1 to 7:

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 is classified as low impact as described in *A Guide to Preparing LEPs (Department of Planning & Environment 2013)* 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)*.

A council must arrange a public hearing under section 57 of the EP&A Act in respect of a Planning Proposal under Part 3 of that Act to reclassify community land as operational land.

2. A statement is to be co-exhibited outlining the process for identifying the site for disposal.
3. 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:
 - NSW Roads and Maritime Services (Transport)

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.

4. Council obtain the relevant information and confirm that they are satisfied that the subject site is suitable for development under the provisions of State Environmental Planning Policy No 55.
5. Consistency or otherwise of the proposal with Section 117 Direction 6.2 – Reserving Land for Public Purposes be determined after public exhibition. In this regard the owners and occupiers of nearby properties are to be advised by Council of the exhibition details.
6. 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).
7. The timeframe for completing the LEP is by 8 July 2017.

Dated 25th day of May 2017



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

Delegate of the Minister for Planning