

Mr Frank Cordingley
Interim CEO
Newcastle City Council
PO Box 489
NEWCASTLE NSW 2300

Our ref: PP_2016_NEWCA_005_00 (16/08834)

Att: Samantha Cross

Dear Mr Cordingley,

Planning proposal to amend Newcastle Local Environmental Plan 2012

I am writing in response to your Council's letter dated 27 June 2016 requesting a Gateway determination under section 73A of the *Environmental Planning and Assessment Act 1979* ("EP&A Act") in respect of the planning proposal to correct the property description for Heritage Item I670 in Part 1 of Schedule 5 to the Newcastle LEP 2012, Waratah Technology High School.

As delegate of the Minister for Planning, I have now determined that the planning proposal should proceed.

The Minister delegated plan making powers to councils in October 2012. It is noted that Council has now accepted this delegation. I have considered the nature of Council's planning proposal and have decided to issue an authorisation for Council to exercise delegation to make this plan.

The amending Local Environmental Plan (LEP) is to be finalised within 3 months of the week following the date of the Gateway determination. As it has been determined this is a minor amendment, Council is to request Parliamentary Counsel's Office commence drafting the instrument as soon as possible. A copy of the request should be forwarded to the Department for administrative purposes.

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 EP&A Act if the time frames outlined in this determination are not met.

Attached for your assistance is a simplified guide to the plan making process and reporting requirements to ensure that the LEP Tracking System is kept updated.



Planning & Environment

Should you have any queries in regard to this matter, I have arranged for Ken Phelan from the Hunter office to assist you. Mr Phelan can be contacted on (02) 4904 2705.

Yours sincerely,

29/0/2016

Katrine O'Flaherty
A/Director Regions,
Hunter and Central Coast
Planning Services

Gateway Determination

Planning proposal (Department Ref: PP_2016_NEWCA_005_00): to correct the property description of a heritage item at Waratah Technology High School.

I, the Acting 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 correct the property description of a heritage item at Waratah Technology High School should proceed subject to the following conditions:

1. No community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act")
2. No consultation is required with public authorities under section 56(2)(d) of the EP&A Act.
3. 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).
4. The timeframe for completing the LEP is to be **3 months** from the week following the date of the Gateway determination.

Dated this 29th day of July 2016.



Katrine O'Flaherty
Acting Director Regions
Hunter and Central Coast
Planning Services

Delegate of the Minister for Planning

WRITTEN AUTHORISATION TO EXERCISE DELEGATION

Newcastle City Council is authorised to exercise the functions of the Minister for Planning under section 59 of the *Environmental Planning and Assessment Act 1979* that are delegated to it by instrument of delegation dated 14 October 2012, in relation to the following planning proposal:

Number	Name
PP_2016_NEWCA_005_00	Planning proposal to correct the property description of a heritage item at Waratah Technology High School should proceed subject to the following conditions

In exercising the Minister's functions under section 59, the Council must comply with the Department's "A guideline for the preparation of local environmental plans" and "A guide to preparing planning proposals".

Dated 29th July 2016



Katrine O'Flaherty
A/Director Regions,
Hunter and Central Coast
Planning Services
Department of Planning and Environment