

Planning and Regulatory.PChrystal/JGaynor
Reference: 4899336
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7 July 2016



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Ms Monica Gibson
Director Regions, Hunter and Central Coast
NSW Department of Planning and Environment
PO Box 1226
NEWCASTLE NSW 2300

Dear Ms Gibson

**DISCONTINUATION OF PLANNING PROPOSAL PP_2013_NEWCA_001_00
505 MINMI ROAD, FLETCHER**

Newcastle City Council considered a Notice of Motion at its Ordinary Council Meeting on 28 June 2016 where it resolved:

- 1 That Council note Council's resolution of 8 December 2015 in relation to Item-128 CCL 08/12/15 - 505 Minmi Road Fletcher - Adoption of Amendment to Newcastle Local Environmental Plan 2012 to:
 - a) not proceed with the Planning Proposal for 505 Minmi Rd, Fletcher, and
 - b) request the Minister for Planning and Environment to allow Council to discontinue the proposed amendments.
- 2 That Council also note recent correspondence from the Department of Planning and Environment verifying that Council has the legal authority to accept or reject the proposed amendment without the need for any further reference to the Minister.
- 3 That for the purpose of removing any possible legal doubt, Council hereby acknowledge:
 - a) the instrument of delegation to Councils by the NSW Minister for Planning on 14 October 2012 in relation to the Minister's plan making powers under s.56(a) and 59 of the Environmental Planning and Assessment Act,
 - b) the written authorisation (dated 22 February 2013) of the Director General of the NSW Department of Planning and Infrastructure confirming Council's delegated authority in relation to the planning proposal for 505 Minmi Rd, and
 - c) Council's acceptance of the delegated authority to determine this planning proposal.



- 4 That Council confirm that, in accordance with the intention of Part 1 of its 8 December 2015 resolution, Council formally rejects the proposed amendment, and seeks no further decision by the Minister on this matter unless this is legally necessary.
- 5 That the above decisions be urgently conveyed to the Department of Planning and Environment.

Should you require any further information regarding this matter, please contact Ms Patricia McCarthy, Team Coordinator Urban Planning on 4974 2879.

Yours faithfully

A handwritten signature in black ink, appearing to be 'Peter Chrystal', written over a faint circular stamp or watermark.

Peter Chrystal
DIRECTOR PLANNING AND REGULATORY