



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

Dear Mr Bath

**Planning proposal PP\_2018\_NEWCA\_007\_00 to amend Newcastle Local Environmental Plan 2012**

I am writing in response to Council's request for a Gateway determination under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to facilitate the implementation of the strategies and actions outlined within the Wickham Master Plan (WMP) November 2017.

As delegate of the Minister for Planning, I have now determined that the planning proposal should proceed subject to the conditions in the enclosed Gateway determination.

I have also agreed, as delegate of the Secretary, the planning proposal's inconsistencies with section 9.1 Directions 1.1 Business and Industrial Zones and 4.3 Flood Prone Land are justified in accordance with the terms of the Direction. No further approval is required in relation to these Directions. In relation to section 9.1 Direction 6.2 Reserving Land for Public Purposes, I have agreed to the reservation of land for public purposes, excepting the land owned by Transport for NSW. Further approval is required in relation to this Direction following consultation with this agency.

Council may still need to obtain the agreement of the Department of Planning and Environment's Secretary to comply with the requirements of relevant section 9.1 Directions 2.3 Heritage Conservation and 4.2 Mine Subsidence and Unstable Land. Council should ensure this occurs prior to community consultation / the plan being made.

I note Council's previous request that it not be the local plan-making authority and have conditioned the Gateway accordingly.

The amending Local Environmental Plan (LEP) is to be finalised within 12 months of the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. 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.

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 3.32(2)(d) of the Act if the time frames outlined in this determination are not met.  
due course.

Should you have any further enquiries about this matter, I have arranged for Mr Ben Holmes to assist you. Mr Holmes can be contacted on 4904 2709.

Yours sincerely



31/08/2018

**Damien Pfeiffer**  
**Director Regions, Western**  
**Planning Services**

Encl: Gateway determination