



Mr Kenneth Gouldthorp
General Manager
Newcastle City Council
PO Box 489
NEWCASTLE NSW 2300

Our ref: PP_2015_NEWCA_001_00 (15/01238)
Your ref:

Att: Rob O'Brien

Dear Mr Gouldthorp

**Planning proposal to amend Newcastle Local Environmental Plan 2012-
Merewether Golf Course Spot Rezoning**

I refer to your Council's 23 December letter requesting a Gateway determination under section 56 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") for the planning proposal to rezone land on the golf course Ella Street frontage from RE 2 Private Recreation to R2 Low Density Residential.

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

Council may still need to obtain the agreement of the Secretary to comply with the requirements of relevant S117 Directions. Council should ensure this occurs prior to the plan being made.

Council is encouraged to ensure that any further rezoning of Merewether Golf Club land be based on a strategic approach to its redevelopment.

The amending Local Environmental Plan (LEP) is to be finalised within 9 months of the week following 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 6 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 54(2)(d) of the EP&A Act if the time frames outlined in this determination are not met.

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,

13 January 2015

David Rowland
General Manager
Hunter and Central Coast Region

Gateway Determination

Planning proposal (Department Ref: PP_2015_NEWCA_001_00): to rezone 2056m2 of land on the Ella Street frontage of Merewether golf course from RE 2 Private Recreation to R2 Low Density Residential.

I, the General Manager, Hunter and Central Coast Region 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 rezone 2056m2 of land on the Ella Street frontage of Merewether golf course from RE 2 Private Recreation to R2 Low Density Residential should proceed subject to the following conditions:

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 LEPs (Department of Planning & Environment 2013)*.
2. Consultation is required with the Mines Subsidence Board under section 56(2)(d) of the EP&A Act. The Mines Subsidence Board 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.
3. Council amend the proposal prior to exhibition to demonstrate consistency or justify any inconsistency with State Environmental Planning Policy 36 Manufactured Home Estates and Section 117 Direction 3.2 Caravan Parks and Manufactured Home Estates.
4. 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).
5. The timeframe for completing the LEP is to be **9 months** from the week following the date of the Gateway determination.

Dated 13th day of January 2015.



**David Rowland
General Manager
Hunter and Central Coast Region**

Delegate of the Minister for Planning