



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

Our ref: PP\_2015\_NEWCA\_002 (15/05578)  
Your ref:

Att: Mr Rob O'Brien

Dear Mr Gouldthorp

**Planning proposal to amend Newcastle Local Environmental Plan 2012**

I am writing in response to your Council's letter dated 28 April 2015, requesting a Gateway determination under section 56 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") in respect of the planning proposal to insert a clause into Newcastle LEP 2012, Schedule 1- Additional Permitted Uses, to enable development for a health services facility on land at 174-182 Christo Road, Waratah and 114-116 Griffiths Road, Lambton; and to amend the height of buildings map to include a maximum permissible height of 10 metres over part of the land.

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

I have also agreed the planning proposal's inconsistency with S117 Directions 6.3 Site Specific Provisions is of minor significance.

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 Susan Blake from the Hunter office to assist you. She can be contacted on (02) 49042700.

Yours sincerely,

29 April 2015  
**David Rowland**  
**General Manager**  
**Hunter and Central Coast Region**  
**Planning Services**

## Gateway Determination

**Planning proposal (Department Ref: PP\_2015\_NEWCA\_002\_00): to insert a clause to facilitate permissibility of the Newcastle Eye Hospital.**

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) 2015 to enable development for health services facility on land at 74-182 Christo Road, Waratah and 114-116 Griffiths Road, Lambton; and to amend the height of buildings map to include a maximum permissible height of 10 metres over part of the land 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 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. No consultation is required with public authority 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 **9 months** from the week following the date of the Gateway determination.

Dated 29<sup>th</sup> day of April 2015.



**David Rowland  
General Manager  
Hunter and Central Coast Region  
Planning Services  
Department of Planning and Environment**

**Delegate of the Minister for Planning**