



Mr Jeremy Bath
Chief Executive Officer
City of Newcastle
PO Box 489
NEWCASTLE NSW 2300

Dear Mr Bath

Planning proposal 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* and additional information received on 9 September 2020 in respect of the planning proposal to amend the development standards for floor space ratio and height of buildings at 41 and 47 Throsby Street, Wickham.

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

Consultation will need to be undertaken with Subsidence Advisory NSW. In accordance with clause 4(c) of section 9.1 Ministerial direction 4.2 Mine Subsidence and Unstable Land, Council is to include a copy of any information received from Subsidence Advisory NSW to the Department of Planning, Industry and Environment prior to undertaking community consultation.

As delegate of the Secretary, I have also agreed the planning proposal's inconsistencies with section 9.1 Ministerial directions: 1.1 Business and Industrial Zones; 2.2 Coastal Management; 2.6 Remediation of Contaminated Lands; 3.1 Residential Zones; 3.4 Integrating Land Use and Transport; 4.1 Acid Sulfate Soils; 4.3 Flood Prone Land; and 5.10 Implementation of Regional Plans are justified in accordance with the terms of the directions.

No further approval is required in relation to these directions if the planning proposal remains unaltered.

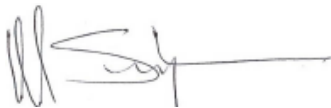
The planning proposal will facilitate the construction of a laneway between Throsby Street and Furlong Lane which is proposed in the Wickham Master Plan. I understand this will seek to be implemented via a voluntary planning agreement that will be exhibited concurrently with the planning proposal. Council should ensure any matters in finalising this agreement do not delay the progress of the planning proposal.

The amending local environmental plan (LEP) is to be finalised within 12 months of the date of the Gateway determination. Council's request for the Department of Planning, Industry and Environment to draft and finalise the LEP should be made eight weeks prior to the projected publication date.

The NSW 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.

Should you have any enquiries about this matter, I have arranged for Mr Mark Parker, Principal Planning Officer, Central Coast and Hunter Region to assist you. Mr Parker can be contacted on 9995 5286.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Dan Simpkins', with a long horizontal line extending to the right.

01/01/2021

Dan Simpkins
Director, Central Coast and Hunter Region
Planning and Assessment

Encl: Gateway determination