

Gateway Determination

Planning Proposal (Department Ref: PP_2017_NEWCA_002_00): to rezone land at 58 and 60 Harriet Street and 115 Christo Road, Waratah from R2 Low Density Residential to R3 Medium Density Residential and amend the associated development standards for building height and floor space ratio.

I, the Director Regions, Hunter, at the Department of Planning and Environment as delegate of the Minister for Planning, have determined under Section 56(2) of the *Environmental Planning and Assessment Act, 1979* (EP&A Act) that an amendment to the Newcastle Local Environmental Plan (LEP) 2012 to rezone land at 58 and 60 Harriet Street and 115 Christo Road, Waratah from R2 Low Density Residential to R3 Medium Density Residential should proceed subject to the following conditions:

1. Prior to exhibition Council is to amend the planning proposal to refer to:
 - a) section 117 Direction 5.10 Implementation of Regional Plans and remove reference to Section 117 Direction 5.1 Implementation of Regional Strategies.
 - b) A minor inconsistency with Section 117 Direction 4.1 Acid Sulphate Soils.
2. Community consultation is required under Sections 56(2)(c) and 57 of the EP&A Act as follows:
 - (a) the planning proposal is classified as low impact as described in *A guide to preparing local environmental plans* (Department of Planning and Environment 2016) 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 local environmental plans* (Department of Planning and Environment 2016).
3. Consultation is not required with public authorities and / organisations under Section 56(2)(d) of the EP&A Act and/or to comply with the requirements of relevant Section 117 Directions.
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 or if reclassifying land).
5. The timeframe for completing the LEP is to be **9 months** following the date of the Gateway determination.



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6. The final LEP maps shall be prepared in accordance with the requirements of the Department's *Standard Technical Requirements for Spatial Datasets and Maps* Vers: 1.0 November 2015.

Dated 18th day of July 2017.

Monica Gibson
Director, Hunter Region
Planning Services
Department of Planning and
Environment

Delegate of the Minister for Planning