

## **Gateway Determination**

***Planning proposal (Department Ref: PP\_2018\_NEWCA\_010\_00): amend Newcastle Local Environmental Plan 2012 to create a new heritage conservation area in Hamilton***

I, the Director Regions, Western at the Department of Planning and Environment, as delegate of the Minister for Planning, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Newcastle Local Environmental Plan (LEP) 2012 to create a new heritage conservation area at Hamilton should proceed subject to the following conditions:

1. The planning proposal is to be amended prior to public exhibition to include an assessment against provisions in the (draft) Greater Newcastle Metropolitan Plan 2036 and to replace references to SEPP 71 and the draft SEPP (Coastal Management) 2016 with the SEPP (Coastal Management) 2018.
2. Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:
  - (a) the planning must be made publicly available for a minimum of **28 days**; and
  - (b) the planning proposal 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. No consultation is required with public authorities/organisation under section 3.34(2)(d) of the Act
4. A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the 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).



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5. Council is not authorised to be the local plan-making authority to make this plan.
6. The time frame for completing the LEP is to be **9 months** following the date of the Gateway determination.

Dated 27 day of August 2018.

A handwritten signature in black ink, appearing to be 'D. Pfeiffer'.

**27/08/2018**

**Damien Pfeiffer  
Director Regions, Western  
Planning Services  
Department of Planning and  
Environment**

**Delegate of the Minister for Planning**