



Date received:

Reference No.

LODGEMENT

Instructions to users

This form is to be completed if you wish to request an independent review related to plan-making under Part 3 of the Environmental Planning and Assessment Act 1979. This form relates to Gateway determination review requests.

A Gateway determination review can be sought following a Gateway determination where a determination is made that:

- a) the planning proposal should not proceed;
b) the planning proposal should be resubmitted to the Gateway; or
c) imposes requirements (other than consultation requirements) or makes variations to the proposal that the proponent or council thinks should be reconsidered.

Note: With reference to point 'c' above, a request to review a Gateway determination can only be made prior to the commencement of community consultation on the planning proposal.

Note: Gateway reviews can only be sought if the original Gateway determination was made by a delegate of the Minister or the Greater Sydney Commission.

Before lodging a request for review, it is recommended that you consult the Planning Circular 'Independent reviews of plan-making decisions' and 'A guide to preparing local environmental plans', which can be found on the department's website www.planning.nsw.gov.au. The guide gives a step-by-step explanation of the review procedure and necessary requirements.

To ensure that your request for review is accepted, you must:

- complete all relevant parts of this form
submit all relevant information required by this form
provide one hard copy of this form and required documentation
provide the form and documentation in electronic format (e.g. CD-ROM)

Note: The department may request further information if your request for review is incomplete or inadequate.

A fee is not charged for a Gateway determination review.

All requests must be lodged with the department's relevant Regional Office. Please refer to www.planning.nsw.gov.au for contact details.

PART A - APPLICANT AND SITE DETAILS

A1 - Applicant Details

Principal contact

- Mr Ms Mrs Dr Other

First name

Family name

Form fields for first name (Stephen) and family name (Barr)

Name of company (N/A if an individual)

Form field for company name (Kingston Minmi Pty Ltd C/- Barr Planning)

Form fields for street address, postal address, unit/street no, street name, suburb/town, state, and postcode.

State	Postcode	Daytime telephone	Fax
NSW	2294	[REDACTED]	
Email		Mobile	
[REDACTED]		[REDACTED]	

A2 – Site Details

Identify the land that is to be the subject of the planning proposal and for which you seek a review

Unit/street no.	Street name	
505	Minmi Road	
Suburb/town	State	Postcode
Fletcher	NSW	2287

NAME OF THE SITE

REAL PROPERTY DESCRIPTION

The real property description is found on a map of the land or on the title documents for the land. If you are unsure of the real property description, you should contact the Department of Finance and Services, Land and Property Information. Please ensure that you place a forward slash (/) to distinguish between the lot, section DP and strata numbers. If the proposal applies to more than one piece of land, please use a comma (,) to distinguish between each real property description.

PROVIDE DETAILS OF ALL AFFECTED LANDOWNERS WHERE THEY ARE NOT THE DIRECT APPLICANT

HAVE ALL OWNERS OF LAND TO WHICH THIS PLANNING PROPOSAL APPLIES BEEN NOTIFIED?

- Yes
- No
- Some have but not all
- N/A (Applicant is owner)

Note: If some land owners, but not all, have been notified, list below those notified:

CURRENT ZONING OF THE LAND AT THE SITE

CURRENT LAND USE AT THE SITE

PART B – REASON FOR REVIEW AND THE PLANNING PROPOSAL

B1 – Reason for Gateway Review

WAS THE ORIGINAL GATEWAY DETERMINATION MADE BY A DELEGATE OF THE MINISTER OR GREATER SYDNEY COMMISSION

- Yes
 - No
- Note:** Requests for the review of Gateway determination will only be considered if the original Gateway determination was made by a delegate of the Minister or Greater Sydney Commission.

Indicate below the reason for seeking a review of the Gateway determination. A review can only proceed if one of these three circumstances has occurred.

- A determination has been made that the planning proposal should not proceed**

In the case of the above, will this request for review be submitted no more than 42 days from the date of the original notification of the Gateway determination?

- Yes
- No

A determination has been made that the planning proposal should be resubmitted to the Gateway

In the case of the above, will this request for review be submitted no more than 42 days from the date of the original notification of the Gateway determination?

- Yes
- No

A determination has been made that has imposed requirements (other than consultation requirements) or makes variations to the proposal

In the case of the above, have you indicated your intent to submit a request for review no more than 14 days from the date of the original notification of the Gateway determination?

- Yes
- No

Will this request for review itself be submitted no more than 42 days after this date from the date of the original notification of the Gateway determination?

- Yes
- No

B2 – The Planning Proposal

DEPARTMENT'S REFERENCE NUMBER:

PP2021-2262

NAME OF THE LOCAL GOVERNMENT AREA

Newcastle City Council

DESCRIPTION OF PROPOSAL

Rezoning from C4 Environmental Living to R2 Low Density Residential and C2 Environmental Conservation for up to 150 lots

LOCAL ENVIRONMENTAL PLAN (LEP) TO BE AMENDED BY THE PLANNING PROPOSED

Newcastle LEP 2012

IS THE LEP TO BE AMENDED (ABOVE) A STANDARD INSTRUMENT LEP?

- Yes
- No

INFORMATION REQUIREMENTS

Requests should be accompanied by:

- an application form
- a copy of the planning proposal as submitted to the Gateway
- a copy of all additional information and documentation provided at the Gateway
- justification for why an alteration of the Gateway determination is warranted (if applicable), including, where relevant, responses to issues raised by the original Gateway decision maker
- if relevant, disclosure of reportable political donations under section 147 of the Act.

Please refer to '*A guide to preparing local environmental plans*' for the necessary information requirements.

List below all the documents, maps, plans, studies, information and any other supporting information that comprises your proposed instrument and request for pre-gateway review.

INFORMATION PROVIDED

See below

Supporting Documentation:

- Atch A - Application form
- Atch B - Gateway Determination Date 10 January 2023
- Atch C - CN Ordinary Council Meeting and Meeting Minutes dated 12 December 2023
- Atch D - Alteration to Gateway Determination dated 22 March 2024
- Atch E - Letter to City of Newcastle to advise Determination of Alteration Request dated 22 March 2024
- Atch F - Alteration to Gateway Determination dated 28 July 2024
- Atch G - Justification to Gateway Alteration (July 2024)
- Atch H - EPA Submission
- Atch I - Planning Proposal and supporting information publicly exhibited (2024)
- Atch J - Justification for why an alteration of the Gateway determination is warranted, including, where relevant, responses to issues raised by the original Gateway decision maker
- Atch K - Interim Contamination Advice Letter
- Atch L - Disclosure of reportable political donations
- Atch M - Legal Advice – McCullough Robertson Lawyers 21 July 2021