

Gateway Determination

Planning Proposal (Department Ref: PP_2017_CESSN_004_00): to update Schedule 5 and associated Heritage Maps of the Cessnock LEP 2011

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* (the Act) that an amendment to the Cessnock Local Environmental Plan (LEP) 2011 to update Schedule 5 and associated Heritage Maps should proceed subject to the following conditions:

1. Prior to exhibition, the Planning Proposal should be updated to:
 - (a) remove the assessment against S 117 Direction 5.1 Implementation of Regional Strategies and include an assessment against Direction 5.10 Implementation of Regional Plans. The Proposal needs to demonstrate consistency with Direction 5.10;
 - (b) update Part 4 of the Proposal to identify that LEP maps HER006B and HER006CA will require amendment as part of the Proposal;
 - (c) include the mapping change to existing LEP item 216 Great Northern Railway Network (formerly proposed in PP_2017_CESSN_003_00) and review its heritage significance; and
 - (d) include the Cessnock City Council Heritage Study Review 2017 as part of the exhibition material.

2. Community consultation is required under Sections 56(2)(c) and 57 of the Act as follows:
 - (a) the Planning Proposal must be made publicly available for a minimum of **28 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 Proposal as identified in Section 5.5.2 of *A guide to preparing local environmental plans* (Department of Planning and Environment 2016).

3. Consultation is required with the following public authorities and / organisations
 - Office of Environment and Heritage (Heritage branch)
 - Railcorp

Each public authority/organisation is to be provided with a copy of the Planning Proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.



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 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.

Dated 8th day of November 2017

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

Delegate of the Minister for Planning