



Mr Stephen Glen
General Manager
Cessnock City Council
PO Box 152
CESSNOCK NSW 2325

Our ref: PP_2014_CESSN_001_00 (14/03886)
Your ref: EE9/2014

Attention: Bo Moshage

Dear Mr Glen,

Cessnock LEP 2011- PP_2014_CESSN_001_00: Housekeeping Amendment

I refer to Council's request for a Gateway determination under section 56 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") in respect of the planning proposal to amend Cessnock LEP 2011- PP_2014_CESSN_001_00.

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

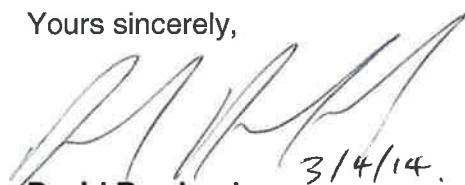
The Minister delegated his plan making powers to councils in October 2012. It is noted that Council accepted this delegation. I have considered the nature of Council's planning proposal and have decided to issue an authorisation for Council to exercise delegation to make this plan.

The amending Local Environmental Plan (LEP) is to be finalised within 9 months. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request to draft and finalise the LEP should be made 6 weeks prior to the projected publication date.

The State 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 54(2)(d) of the EP&A Act if the time frames outlined in this determination are not met.

Should you have any queries about this matter, please contact Ken Phelan of the agency's Newcastle office on 4904 2705.

Yours sincerely,



3/4/14.

David Rowland
General Manager
Hunter & Central Coast Region



Gateway Determination

Cessnock LEP 2011- PP_2014_CESSN_001_00: Housekeeping Amendment

I, General Manager, Hunter & Central Coast Region at the Planning and Infrastructure agency as delegate of the Minister for Planning and Infrastructure, have determined under section 56(2) of the EP&A Act that an amendment to the Cessnock Local Environmental Plan (LEP) 2011 should proceed subject to the following conditions:

1. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:
 - (a) the planning proposal 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 LEPs (Department of Planning & Infrastructure 2013)*.
2. Council update the PP prior to exhibition to ensure consistency between the proposed RU2 zone dual-occupancy provisions and the wording of the agreed clause.
3. Council update the PP prior to exhibition to demonstrate how the proposed amendments relate to the statements of heritage significance, as set out in the Cessnock Heritage Study, for Heritage items I22 (478 Wollombi Road, Bellbird) and I51 (4 Cooper Street, Cessnock) within Part 1 of Schedule 5.
4. Council seek input from the local historical or heritage society on such a name change in relation to cultural heritage considerations.
5. The Heritage schedule and mapping are to be formatted to comply with Standard Instrument LEP technical requirements.
6. The timeframe for completing the LEP is to be **9 months**.

Dated 3rd day of April 2014.

David Rowland
General Manager
Hunter & Central Coast Region



WRITTEN AUTHORISATION TO EXERCISE DELEGATION

Cessnock City Council is authorised to exercise the functions of the Minister for Planning and Infrastructure under section 59 of the *Environmental Planning and Assessment Act 1979* that are delegated to it by instrument of delegation dated 14 October 2012, in relation to the following planning proposal:

Number	Name
PP_2014_CESSN_001_00	Planning proposal of housekeeping amendments to Cessnock LEP 2011

In exercising the Minister's functions under section 59, the Council must comply with the agency's "*A guideline for the preparation of local environmental plans*" and "*A guide to preparing planning proposals*".

Dated 3rd April 2014

David Rowland
General Manager
Hunter & Central Coast Region