

Gateway Determination

Planning Proposal (Department Ref: PP_2017_CESSN_002_00): to amend the Cessnock LEP to rezone subject lands within the Cessnock Commercial Precinct.

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 amend the Cessnock LEP to rezone subject lands within the Cessnock Commercial Precinct to allow and encourage medium density mixed use development, promote urban growth, and to introduce a town square should proceed subject to the following conditions:

1. Prior to community consultation, Council is to update the Planning Proposal and resubmit to the Department seeking sign off on the following Section 117 Directions prior to public exhibition:
 - 4.2 Mine subsidence and unstable land
 - 4.3 Flood Prone Land
 - 6.2 Reserving Land for Public Purposes
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 proposals as identified in Section 5.5.2 of *A guide to preparing local environmental plans* (Department of Planning and Environment 2016).
3. Prior to community consultation, consultation is required with the following public authorities and / organisations under section 56(2)(d) of the Act and/or to comply with the requirements of relevant Section 117 Directions:
 - Mine Subsidence Board (117 Direction 4.2 Mine Subsidence and Unstable Land)
 - Office of Environment and Heritage (117 Direction 4.3 Flood Prone Land)
 - Roads and Maritime Services (117 Direction 6.2 Reserving Land for Public Purposes)

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 **18 months** following the date of the Gateway determination.

Dated 25th day of September 2017.



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

Delegate of the Minister for Planning