

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

Dear Mr Glen

Planning Proposal PP_2017_CESSN_002_00 to amend Council Local Environmental Plan 2011

I am writing in response to Council's request for a Gateway determination under Section 56 of the *Environmental Planning and Assessment Act 1979* (the Act) and additional information received in respect of the Planning Proposal to rezone subject lands within the Cessnock Commercial Precinct to encourage medium density mixed use development and promote urban growth, including a town square.

As delegate of the Minister for Planning, I have now determined the Planning Proposal should proceed subject to the conditions in the attached Gateway determination.

I have also agreed, as delegate of the Secretary, the Planning Proposal's inconsistency with Section 117 Directions 1.1 Business and Industrial Zones and 3.3 Home Occupations are justified in accordance with the terms of the Directions.

Please note that the Gateway determination outlines the consultation requirements to resolve outstanding Section 117 Directions 4.2 Mine Subsidence and Unstable Land, 4.3 Flood Prone Land and 6.2 Reserving Land for Public Purposes.

Plan making powers were delegated to Councils by the Minister in October 2012. It is noted that Council has requested to be issued with delegation for this planning proposal. 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 18 months of the date of the Gateway determination. 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 directly to Parliamentary Counsel's Office 6 weeks prior to the projected publication date. A copy of the request should be forwarded to the Department of Planning and Environment.

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 Act if the time frames outlined in this determination are not met.

Should you have any further enquiries about this matter, I have arranged for Mr James Shelton to assist you. Mr Shelton can be contacted on (02) 4904 2713.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Monica Gibson', with a stylized, flowing script.

25/9/2017

Monica Gibson

**Director Regions, Hunter
Planning Services**

Encl: Gateway Determination
Written Authorisation to Exercise Delegation
Delegated Plan Making Reporting Template