

Amendment to Cessnock LEP 2011 - 12m building height 'Cessnock Civic' Vincent St

Proposal Title : **Amendment to Cessnock LEP 2011 - 12m building height 'Cessnock Civic' Vincent St**

Proposal Summary : **The Planning Proposal aims to place a 12 metre maximum building height control on land zoned B7 Business Park at 'Cessnock Civic' site in Vincent Street, Cessnock.**

PP Number : **PP_2011_CESSN_006_00** Dop File No : **11/18030**

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

S.117 directions : **1.1 Business and Industrial Zones
6.3 Site Specific Provisions**

Additional Information : **The Planning Proposal should proceed subject to the following conditions:**

- 1. References to Cessnock Local Environmental Plan 1989 should be removed from the Planning Proposal prior to public exhibition, to limit confusion as this Planning Proposal will be an amendment to Cessnock LEP 2011.**
- 2. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning & Assessment Act 1979 (EP&A Act) as follows:**
 - (a) the planning proposal is classified as low impact as described in a Guide to Preparing LEPs (Department of Planning 2009) and must be publicly available for 14 days; and**
 - (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications and materials that must be made publicly available along with planning proposals as identified in section 4.5 of A Guide to Preparing LEPs (Department of Planning 2009).**
- 3. No consultation is required with public authorities under section 56(2)(d) of the EP&A Act.**
- 4. The time frame for completing the LEP is 6 months from the week following the date of the Gateway Determination.**
- 5. The DG (or delegate) agrees to the inconsistencies with section 117 Direction 1.1 Business and Industrial Zones and 6.3 Site Specific Provisions, as the inconsistencies are of minor significance.**

Supporting Reasons : **This LEP amendment aims to resolve concerns raised in submissions received from a prior PP that rezoned the Cessnock Civic area - PP_2010_CESSN_003_00.**

This PP is an amendment to Cessnock LEP 2011, therefore reference to the present LEP is to be removed.

Panel Recommendation

Recommendation Date : **03-Nov-2011** Gateway Recommendation : **Passed with Conditions**

Panel Recommendation : **The Planning Proposal 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 is classified as low impact as described in A Guide to Preparing**

Amendment to Cessnock LEP 2011 - 12m building height 'Cessnock Civic' Vincent St

LEPs (Department of Planning 2009) and must be made publicly available for 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 4.5 of A Guide to Preparing LEPs (Department of Planning 2009).

2. No consultation is required with public authorities under section 56(2)(d) of the EP&A Act.

3. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A 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).

4. The timeframe for completing the LEP is to be 6 months from the week following the date of the Gateway determination.

Signature: _____

Printed Name: _____

Date: _____