



Ms Lotta Jackson
General Manager
Cessnock City Council
PO Box 152
CESSNOCK NSW 2325

Dear Ms Jackson,

Planning proposal [PP_2021_3922] to amend Cessnock Local Environmental Plan 2011

I am writing in response to Council's request for a Gateway determination under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to purpose of various administrative and other amendments.

As delegate of the Minister for Planning and Public Spaces, I have determined the planning proposal should proceed subject to the conditions in the enclosed Gateway determination.

I have also agreed, as delegate of the Secretary, the planning proposal's inconsistency with section 9.1 Ministerial direction 4.3 Flood Prone Land is of minor significance in accordance with the terms of the direction.

Council may still need to obtain the agreement of the Secretary to comply with the requirements of relevant section 9.1 Ministerial direction 4.4 Planning for Bushfire Protection.

I have considered the nature of Council's planning proposal and have conditioned the Gateway for Council to be authorised as the local plan-making authority.


The amending local environmental plan (LEP) is to be finalised within 12 months of the date of the Gateway determination. Council should commence the exhibition of the planning proposal by 1 December 2021.

Council's request to draft and finalise the LEP should be made directly to Parliamentary Counsel's Office six weeks prior to the projected publication date. A copy of the request should be forwarded to the Department of Planning, Industry and Environment.

The NSW 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 3.32(2)(d) of the Act if the time frames outlined in this determination are not met.

Should you have any enquiries about this matter, I have arranged for Mr Robin Ward, Senior Planning Officer, Central Coast and Hunter Region to assist you. Mr Ward can be contacted on 6448 8502.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Dan Simpkins', with a long horizontal line extending to the right.

08/09/2021

Dan Simpkins
Director, Central Coast and Hunter Region
Planning and Assessment

Encl: Gateway determination