



Department of Planning and Environment

Our ref: PP-2021-4391/(IRF21/5081)

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

Attn: Keren Brown

Dear Ms Jackson

Planning proposal PP-2021-4391 to amend *Cessnock Local Environmental Plan 2011*

I am writing in response to the planning proposal you have forwarded to the Minister for Planning and Homes under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to include Wills Hill Road, Lovedale as an item of local heritage significance in Schedule 5 of *Cessnock Local Environmental Plan 2011*.

As delegate of the Minister for Planning and Homes, 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 is consistent with section 9.1 Ministerial directions. No further approval is required in relation to the directions.

I note at the time the planning proposal was prepared in September 2021, three development applications were being considered by Council for properties fronting Wills Hill Road.

The planning proposal states it may reduce the future commercial development of the area surrounding Wills Hill Road and that any future commercial development would likely be considered traffic generating development, as such would likely require an upgrade of Wills Hill Road to a level capable of servicing the development safely and effectively.

As the planning proposal is seeking to make Wills Hill Road an item of local heritage significance and Council is the consent authority for development applications, ultimately it is a matter for Council to determine the extent and value of heritage significance balanced with the economic and tourism value of future developments.

The proposed local environmental plan (LEP) is to be finalised on or before 8 December 2022.

Council should commence the exhibition of the planning proposal within two months of the Gateway determination.

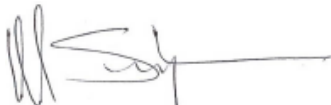
Should Council seek to make a proposed LEP, the request to draft the LEP should be made directly to Parliamentary Counsel's Office well in advance of the date the LEP is projected to be made. A copy of the request should be forwarded to the Department of Planning and Environment.

The NSW Government has committed to reduce the time taken to complete LEPs. To meet these commitments, the Minister may appoint an alternate planning proposal authority if Council does not meet the timeframes outlined in the gateway determination.

The Department's categorisation of planning proposals in the *Local Environmental Plan Making Guideline* (Department of Planning and Environment, 2021) is supported by category specific timeframes for satisfaction of conditions and authority and Government agency referrals, consultation, and responses. Compliance with milestones will be monitored by the Department to ensure planning proposals are progressing as required.

Should you have any enquiries about this matter, I have arranged for Chris Ferry, Planning Officer, Central Coast and Hunter Region at the Department to assist you. Ms Ferry can be contacted on 02 4927 3203.

Yours sincerely



02/03/2022

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

Encl: Gateway determination