

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

Our ref: PP_2015_CESSN_001_00

Attention: Iain Rush

Dear Mr Glen,

Planning Proposal PP_2015_CESSN_001_00 – Alteration of Gateway Determination

I refer to your request of 4 February 2016 to amend the gateway determination for the revised Planning Proposal PP_2015_CESSN_001_00 to introduce an Additional Permitted Use (APU) to permit the expansion of the existing Technology Centre, Explosives Research and Production Facility.

I have determined as the delegate of the Minister, in accordance with section 56(7) of the Environmental Planning and Assessment Act, 1979, to alter the Gateway determination dated 16 February 2015 for PP_2015_CESSN_001_00 (as altered). The Alteration of the Gateway Determination and amended written authorisation to Exercise Delegation are enclosed.

The Gateway determination has been altered to introduce an APU over part of the site instead of rezoning the equivalent area SP1 Special Activities. The intention is to permit the expansion of the existing Technology Centre, Explosives Research and Production Facility, however the precise wording of the final amendment will be resolved by Parliamentary Counsel.

The Gateway Determination has also been altered to extend the timeframe to complete the proposal. It is now due for completion by 23 May 2017.

If you have any questions in relation to this matter, I have arranged for Mr Trent Wink to assist you. Mr Wink can be contacted on (02) 49042716.

Yours sincerely



17/3/2016
Monica Gibson
Director Regions, Hunter and Central Coast
Planning Services

Encl:
Alteration to Gateway Determination
Written Authorisation to Exercise Delegation

Alteration of Gateway Determination

Planning proposal (Department Ref: PP_2015_CESSN_001_00)

I, Director Regions, Hunter and Central Coast at the Department of Planning and Environment as delegate of the Minister for Planning, have determined under section 56(7) of the *Environmental Planning and Assessment Act 1979* ("EP&A Act") to alter the Gateway determination dated 16 February 2015 (as since altered) for the proposed amendment to the Cessnock Local Environmental Plan 2011 as follows:

1. Change the description of the Planning Proposal

from to rezone land at Richmond Vale to permit a heavy industry storage establishment and to facilitate environmental conservation outcomes on the site

to introduce an Additional Permitted Use (APU) over part of the site to permit the expansion of the existing Technology Centre, Explosives Research and Production Facility.

2. Delete:

"Condition No.1"

3. Delete:

"Condition No.2"

and replace with:

a new condition No.2 " The Voluntary Planning Agreement needs to be prepared in liaison with NSW Office of Environment and Heritage. The environmental offsets should be determined using the biobanking methodology and the environmental credits retired under the Threatened Species Conservation Act 1995 as development occurs within the site. The Voluntary Planning Agreement needs to be signed by Council and the proponents before Council requests the making of the plan or uses the Minister's plan making delegations."

4. Delete: Condition No.6 The timeframe for completing the LEP is to be 12 months from the week following the date of the Gateway determination."

and replace with: The timeframe for completing the LEP is by 23 May 2017"

Dated 17th day of March 2016.



Monica Gibson
Director Regions, Hunter and Central Coast
Planning Services
Department of Planning and Environment
Delegate of the Minister for Planning

WRITTEN AUTHORISATION TO EXERCISE DELEGATION

Cessnock City Council is authorised to exercise the functions of the Minister for Planning under section 59 of the *Environmental Planning and Assessment Act 1979* that are delegated to it by instrument of delegation dated 14 October 2012, in relation to the following planning proposal:

Number	Name
PP_2015_CESSN_001_00	Revised planning proposal to introduce an Additional Permitted Use (APU) over part of the site to permit the expansion of the existing Technology Centre, Explosives Research and Production Facility.

In exercising the Minister's functions under section 59, the Council must comply with the Department's "*A guideline for the preparation of local environmental plans*" and "*A guide to preparing planning proposals*".

Dated 17 March 2016



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