

## Gateway Determination

**Planning Proposal (Department Ref: PP\_2017\_CESSN\_001\_00): to undertake various administrative amendments**

I, the Monica Gibson, Director Regions, Hunter, at the Department of Planning and Environment as delegate of the Minister for Planning, have determined under section 56(2) of the *Environmental Planning and Assessment Act, 1979* (the Act) that an amendment to the Cessnock Local Environmental Plan (LEP) 2011 to introduce various administrative amendments should proceed subject to the following conditions:

1. Prior to community consultation Council is to:
  - consider whether the zone and lot size provision applying to the RU5 Village/ R5 Large Lot Residential split zoned land remains appropriate and if not, update the proposal to introduce new planning controls and remove the proposed RU5/ R5 change to clause 4.1B;
  - update the proposed change to clause 4.1B to include the RU2 Rural Landscape zone;
  - detail Council's consideration of how land use conflicts would be unlikely to result from permitting "General industries" in the IN2 Light Industry zone in the proposal;
  - seek the Secretary's approval to altering the zone of land reserved for a public purpose for the proposed E1 zoned land as required by s117 Direction 6.2;
  - remove the real estate direction signage provision from the proposal; and
  - forward the amended planning proposal to the Department for review.
2. Community consultation is required under sections 56(2)(c) and 57 of the Act as follows:
  - (a) the Planning Proposal must be made publicly available for a minimum of 28 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 5.5.2 of A Guide to preparing local environmental plans (Department of Planning and Environment 2016).
3. Consultation is required with the following public authorities under section 56(2)(d) of the Act and/or to comply with the requirements of relevant S117 Directions:
  - Office of Environment and Heritage

The public authority is to be provided with a copy of the Planning Proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.

4. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the 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).
5. The timeframe for completing the LEP is to be **9 months** following the date of the Gateway determination.

Dated 11<sup>th</sup> day of September 2017.



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

**Delegate of the Minister for Planning**