

Mr Ken Liddell  
General Manager  
Cessnock City Council  
PO Box 152  
Cessnock NSW 2325

Our ref: 545032

Dear Mr Liddell

**Planning proposal PP-2022-1461 to amend *Cessnock Local Environmental Plan 2011***

I am writing in response to the planning proposal Council forwarded to the Minister under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) and additional information received on 09 June 2022 in respect of the planning proposal to comprehensively review the Special Uses zones land use tables and rezone selected land to reflect current land uses.

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 inconsistency of the planning proposal with applicable directions of the Minister under section 9.1 of the Act agree that any inconsistencies with section 9.1 Directions 3.1 Conservation Zones, 3.2 Heritage Conservation, 5.1 Integrating Land Use and Transport, 6.1 Residential Zones, 7.1 Business and Industrial Zones, 9.1 Rural Zones and 9.2 Rural Lands are justified in accordance with the terms of the directions. No further approval is required in relation to the above directions.

Consistency with section 9.1 Ministerial directions: 4.1 Flooding, 4.3 Planning for Bushfire Protection, still needs to be demonstrated.

I have determined not to authorise Council to be the local plan-making authority as the planning proposal applies to Council-owned land.

I note there are proposed provisions for the two integrated tourist developments in two other planning proposals, being PP-2022-1138 'Lovedale Integrated Tourist Development' and PP-2022-1461 'Cessnock Vineyards District'. These provisions need to be consolidated into a single planning proposal to provide clarity to the community regarding the intended outcomes for the sites and Vineyards District more broadly.

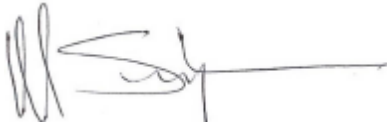
The amending local environmental plan (LEP) is to be finalised on or before 1 February 2024. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request for the Department of Planning and Environment to draft and finalise the LEP should be made eight weeks in advance of the date the LEP is projected to be made.

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, 2022) 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 to assist you. Ms Ferry can be contacted on 4927 3203.

Yours sincerely

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

22/12/22

**Dan Simpkins**  
**Director, Central Coast and Hunter**  
**Planning and Land Use Strategy**

Encl: Gateway determination