

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

Our ref: IRF24/406

Via email: [council@cessnock.nsw.gov.au](mailto:council@cessnock.nsw.gov.au)  
[Alex.Worthing@cessnock.nsw.gov.au](mailto:Alex.Worthing@cessnock.nsw.gov.au)

Dear Mr Liddell

**Planning proposal (PP-2025-137) to amend Cessnock Local Environmental Plan 2011**

I am writing in response to the planning proposal you have forwarded to the Minister under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) that seeks to expand the additional permitted use area in which residential flat buildings can occur with consent at 'The Vintage', Wine Country Drive & McDonalds Drive, Pokolbin.

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

Council may still need to obtain the agreement of the Secretary to comply with the requirements of relevant applicable directions of the Minister under section 9.1 of the Act Direction 4.3 Planning for Bushfire Protection, Council should ensure this occurs prior to the LEP being made.

Considering the nature of the planning proposal I have determined that Council may exercise local plan-making authority functions in relation to the planning proposal.

The proposed local environmental plan (LEP) is to be finalised within nine months from the date of the Gateway Determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. 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, Housing and Infrastructure.

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, Housing and Infrastructure, August 2023) 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 Ms Melissa Thomson to assist you. Ms Thomson may be contacted on 5778 1486.

Yours sincerely

A handwritten signature in black ink, appearing to be 'Craig Diss', with a small dot above the 'i'.

10/3/25

**Craig Diss**  
**Director, Hunter and Northern Region**  
**Local Planning and Council Support**

Encl: Gateway determination