



Memo to: Councillor Hill

Copy to: Mayor Watton and all Councillors, General Manager, Directors, Senior Leadership Group and Communications & Engagement Team

From: Warren Murphy, Acting Director Planning and Environment

Subject: 20/2026/1568/1 - Query of Development Approval 8/2017/531/1

Date: 23 January 2026

Reference: CRM 1568/2026

Councillor Hill

I refer to your email dated 22 January 2026 regarding your query on development application 8/2017/531/1:

"I am looking to get some additional information about a development application 8/2017/531/1. Recently on 21/08/2025 a S138 and subdivision certificate were issued in relation to this application and in recent weeks works have begun on this lot adjoining Main Road 195 in Heddon Greta. When looking back to the original DA from 2017 on the DA Tracker, there are no documents or information to show the scope of the development or the planned layout of lots/subdivision plan etc.

Is council able to provide those documents for reference? I have already received a number of queries about this development as a reasonable section of trees have been cleared and the lot is very visible and has the attention of the public. I have so far been unable to provide any information to residents outside of the facts present on the DA tracker, and there is some angst from a small group of residents about further development similar to a past withdrawn application for 88 lots behind this existing development.

I also note that historically, Heddon Greta has suffered from what would appear to be purposefully fragmented applications and approvals, causing overall planning and service delivery to be addressed only in part - during each individual application. I would hope that moving forward we are able to look holistically at the village and identify projects that may have the scope to be 'slowly' expanded as has happened in the past and address the impact as a whole. From memory, the recently adopted corridor structure plan from last term of council did not include reference to this development or urban release in this area, even though the application approval has stood since 2019."

Development application 8/2017/531/1 was approved over Lot 37 DP1262926 known as 109 Main Road Heddton Greta. The development is for an eight-lot residential Subdivision approved on 29 March 2019 with a minor modification 8/2017/531/2 approved on 9 September 2019.

The development was assessed in accordance with Council's LEP and DCP chapter F1-Heddton Greta Urban Release Area.

Notification of this development occurred between 27 September 2017 and 12 October 2017 in accordance with Council's community participation plan. Notification of adjoining land owners occurred during this time via a letter containing the development details.

A requirement of the development consent required the applicant to apply for a Subdivision Works Certificate (SWC) and Section 138 Roads Act approval to carry out works relating to road upgrades and stormwater infrastructure, including reshaping the basin to the north. As such, a SWC and subsequent Section 138 was approved to carry out the work.

A Prestart Meeting occurred between Council Development Engineering Unit and the contractor on 28 Nov 2025 with an expected start date of works proposed on 6 January 2026.

Required documentation submitted by the contractor informs of a letterbox drop being carried out on 3 January 2026 to adjoining properties indicating preliminary clearing works within the development footprint.

Approved plans can be viewed by arrangement or via a GIPA request, which can be accessed via this link <https://www.cessnock.nsw.gov.au/Council/Governance-and-transparency/How-to-access-information>

It is also noted that no other approvals have been issued for the remaining part of the lot however, remains part of the URA and subject to the relevant planning controls.

Please note a copy of this memo will be uploaded to the Council website.