



Vincent Street
CESSNOCK

7 July 2025

ORDINARY MEETING OF COUNCIL

WEDNESDAY, 16 JULY 2025

ENCLOSURES

PAGE NO.

PLANNING AND ENVIRONMENT

PE20/2025 **DA 8/2023/753/1 for a staged Development comprising the Demolition of an Existing Dwelling, Swimming Pool and Shed and the Construction of Tourist and Visitor Accommodation, a Function Room, Swimming Pool, Studio/Workshop for Guest Activities, Managers Residence Ancillary Parking and Landscaping**

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TOURIST ACCOMODATION
437 TALGA ROAD, LOVEDALE
LOT 280, DP 830846

PHASE
DEVELOPMENT APPLICATION

DRAWING SCHEDULE

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AREA SCHEDULE

BERGAMO	
LOWER LEVEL	262m2
UPPER LEVEL	138m2
TOTAL	399m2
SORBETTO	
LOWER LEVEL	111m2
UPPER LEVEL	127m2
TOTAL	238m2
COMO	
LOWER LEVEL	115m2
UPPER LEVEL	60m2
TOTAL	175m2
PASSAGIO (BREEZEWAY)	
LOWER LEVEL	115m2
UPPER LEVEL	60m2
TOTAL	175m2
FUNCTION/GARAGE BUILDING	
LOWER LEVEL	281m2 (INCL. GARAGE)
UPPER LEVEL	135m2
TOTAL	416m2
GLASSHOUSE	
LOWER LEVEL	35m2
UPPER LEVEL	32m2
TOTAL	67m2
POOL AMENITIES	
LOWER LEVEL	35m2
UPPER LEVEL	32m2
TOTAL	67m2



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e. lachlan@craggspace.com.au
m. 0403 535 010
w. craggspace.com.au

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11	8/6/23	DEVELOPMENT APPLICATION
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16	9/5/25	AMENDED DEVELOPMENT APPLICATION



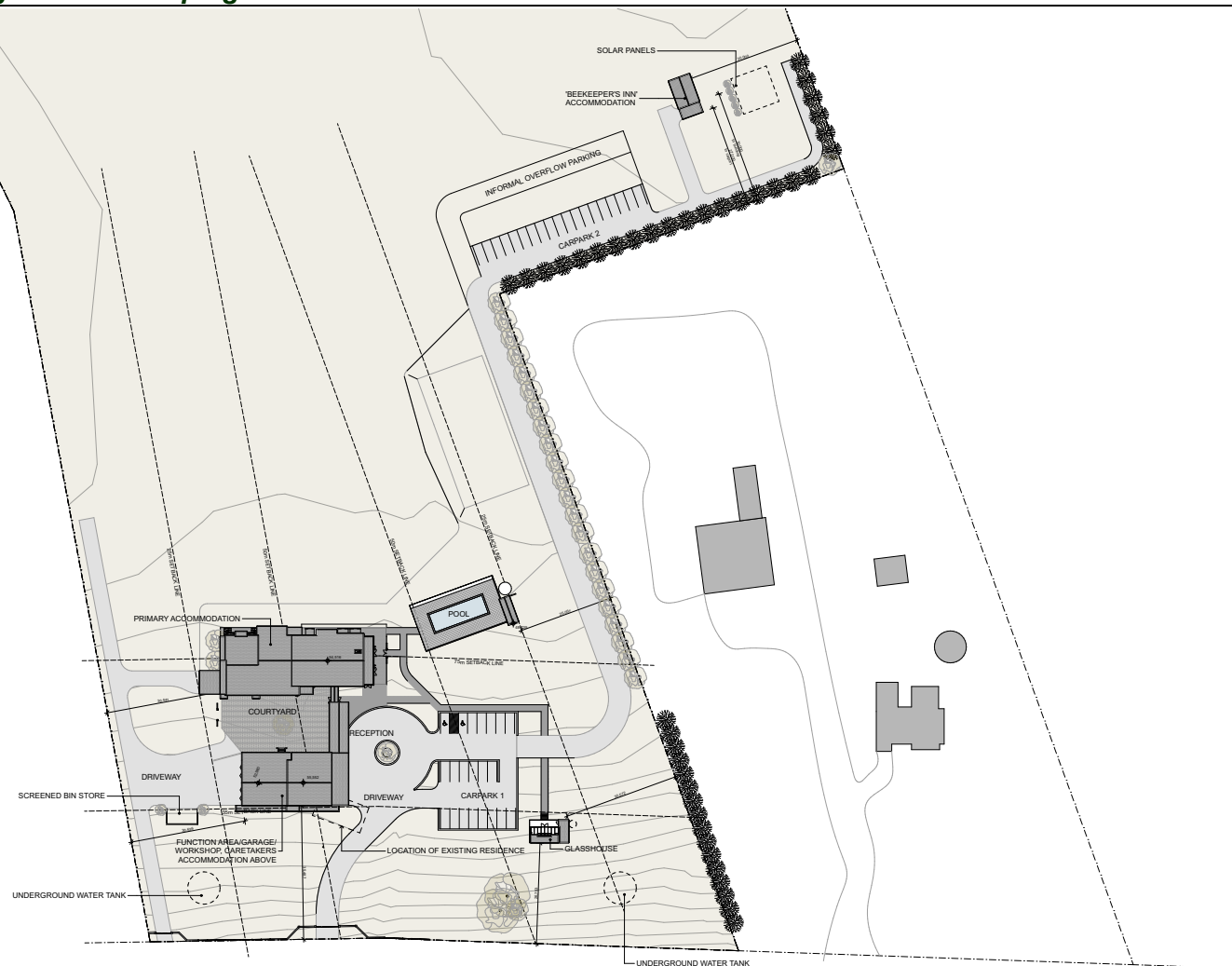
PROJECT ADDRESS
437 TALGA ROAD, LOVEDALE

DRAWING

TITLE/LOCATION PLAN

NOT FOR CONSTRUCTION

SCALE 60A1	DRAWINGS A01
DATE 9/5/25	1 / 17
REVISION 16	PROJECT 429



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e. lachlan@craggspace.com.au
m. 0403 535 010
w. craggspace.com.au
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PROJECT ADDRESS
437 TALGA ROAD, LOVEDALE
DRAWING
SITE PLAN



PROJECT ADDRESS
437 TALGA ROAD, LOVEDALE
DRAWING
SITE PLAN

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SCALE 1:500/BA1	DRAWING A02
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e. lachlan@craggspace.com.au
m. 0403 535 010
w. craggspace.com.au
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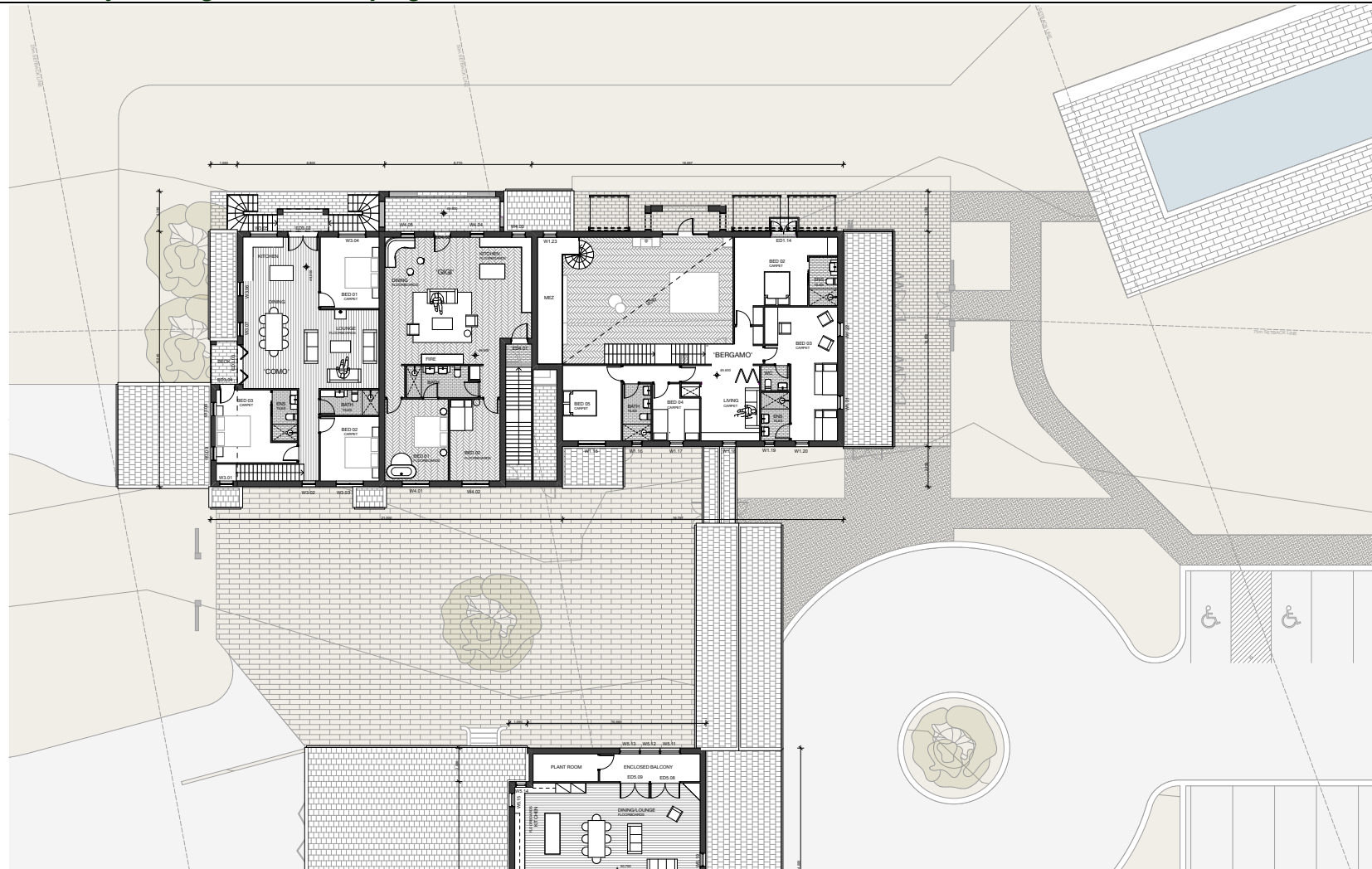
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20/11/24
9/5/25

Transmittal Set Name
AMENDED DEVELOPMENT APPLICATION
AMENDED DEVELOPMENT APPLICATION
AMENDED DEVELOPMENT APPLICATION

PROJECT ADDRESS
437 TALGA ROAD, LOVEDALE
DRAWING
PRIMARY ACCOMMODATION
COVER SHEET

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SCALE 1:200/BA1	DRAWING A03.1
DATE 9/5/25	3/17
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e. lachlan@craggspace.com.au
m. 0403 535 010
w. craggspace.com.au
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AMENDED DEVELOPMENT APPLICATION
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AMENDED DEVELOPMENT APPLICATION



PROJECT ADDRESS
437 TALGA ROAD, LOVEDALE
DRAWING
**PRIMARY ACCOMMODATION
UPPER FLOOR PLAN**

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SCALE 1:100/BA1	DRAWING A03.3
DATE 9/5/25	5/17
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Enclosure 1



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e. lachlan@craggspace.com.au
m. 0403 535 010
w. craggspace.com.au
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AMENDED DEVELOPMENT APPLICATION

PROJECT ADDRESS
437 TALGA ROAD, LOVEDALE
DRAWING
PRIMARY ACCOMMODATION
ELEVATIONS

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SCALE 1:100/BA1	DRAWING A03.4
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e. lachlan@craggspace.com.au
m. 0403 535 010
w. craggspace.com.au
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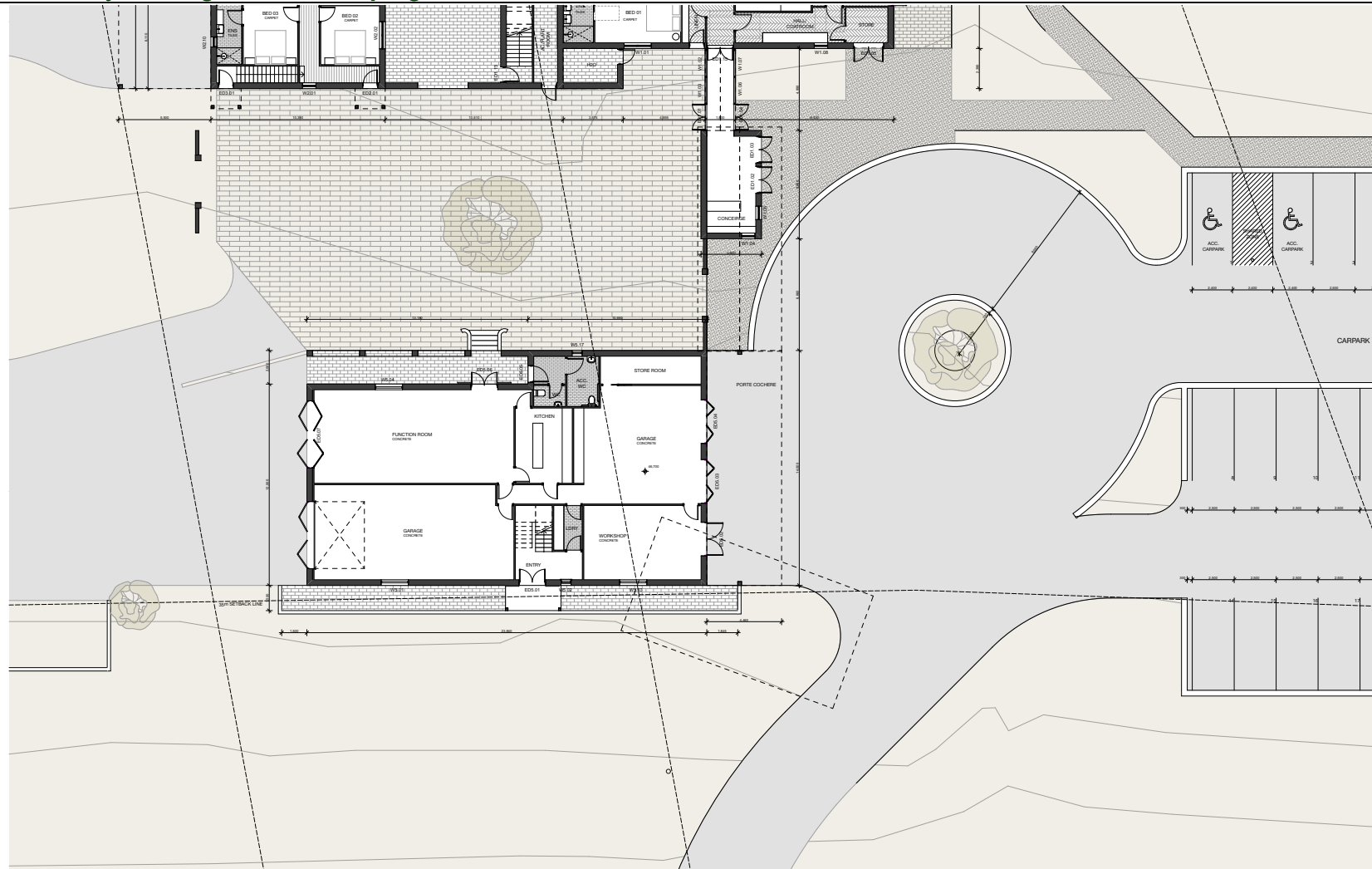
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PROJECT ADDRESS
437 TALGA ROAD, LOVEDALE
DRAWING
FUNCTION AREA COVER
SHEET

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SCALE 1:200/A1	DRAWING A04.1
DATE 9/5/25	7/17
REVISION 16	PROJECT 429

Report PE20/2025 - DA 8/2023/753/1 for a staged Development comprising the Demolition of an Existing Dwelling, Swimming Pool and Shed and the Construction of Tourist and Visitor Accommodation, a Function Room, Swimming Pool, Studio/Workshop for Guest Activities, Managers Residence Ancillary Parking and Landscaping

Enclosure 1



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e. lachlan@craggspace.com.au
m. 0403 535 010
w. craggspace.com.au
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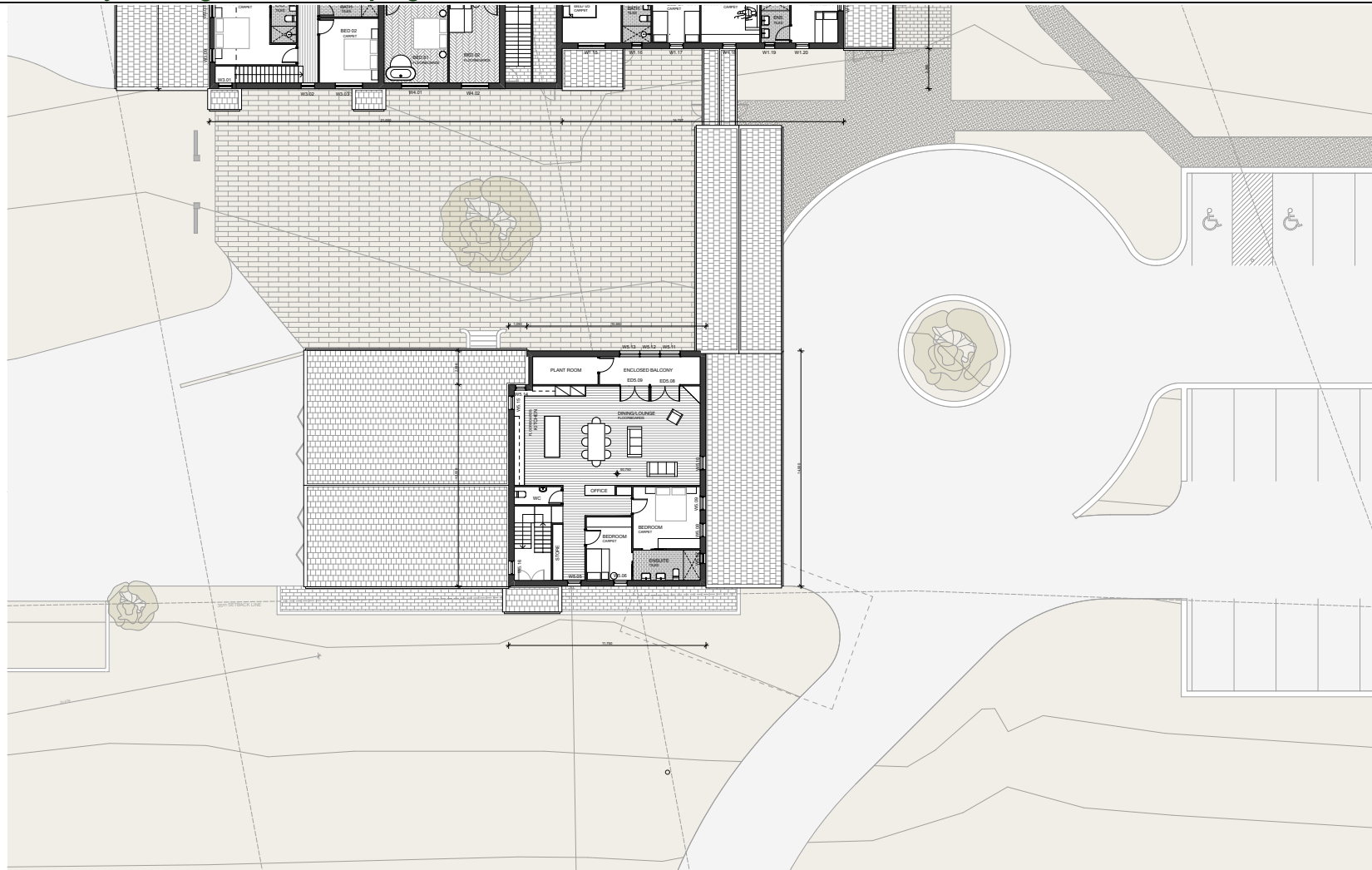


PROJECT ADDRESS
437 TALGA ROAD, LOVEDALE
DRAWING
FUNCTION AREA LOWER FLOOR

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SCALE 1:100/BA1	DRAWING A04.2
DATE 9/5/25	8/17
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e. lachlan@craggspace.com.au
m. 0403 535 010
w. craggspace.com.au
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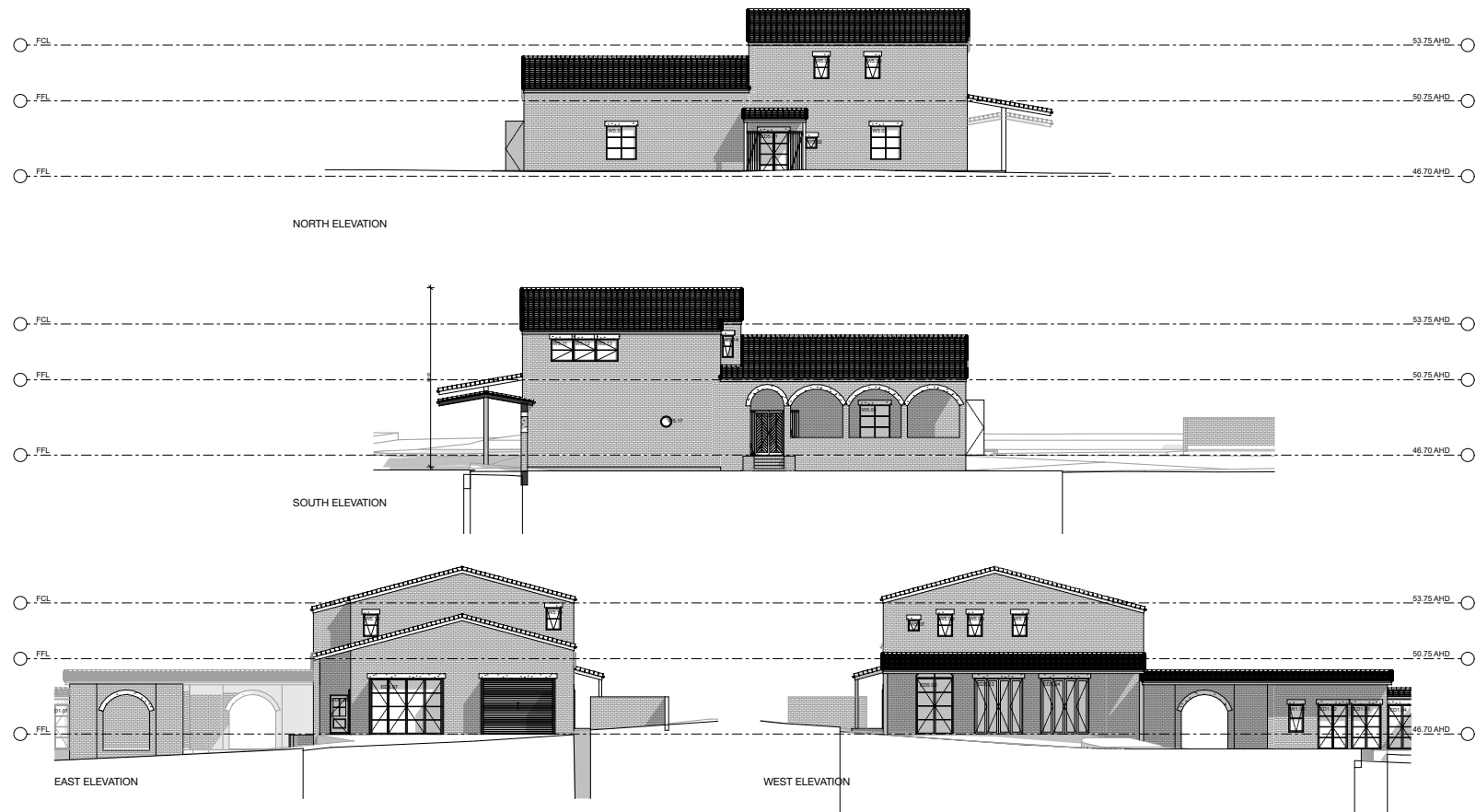


PROJECT ADDRESS
437 TALGA ROAD, LOVEDALE
DRAWING
**FUNCTION AREA UPPER
FLOOR**

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SCALE 1:100/BA1	DRAWING A04.3
DATE 9/5/25	9/17
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Enclosure 1



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e. lachlan@craggspace.com.au
m. 0403 535 010
w. craggspace.com.au
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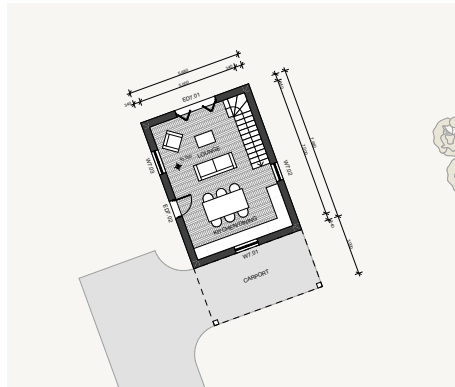
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**FUNCTION AREA
ELEVATIONS**

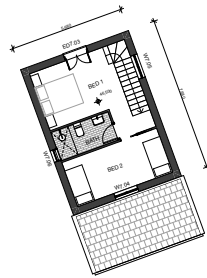
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DATE 9/5/25	PROJECT 429
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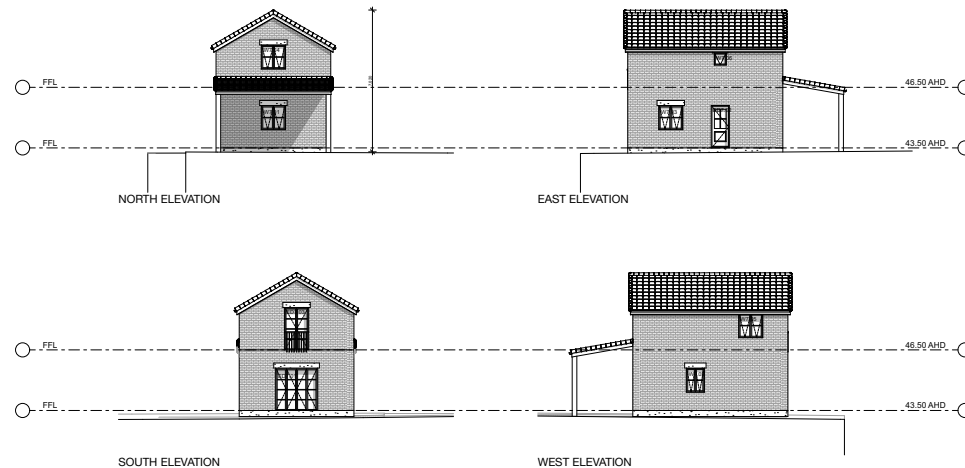
Enclosure 1



GROUND FLOOR PLAN



UPPER FLOOR PLAN



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e. ian@craggspace.com.au
m. 0403 535 010
w. craggspace.com.au

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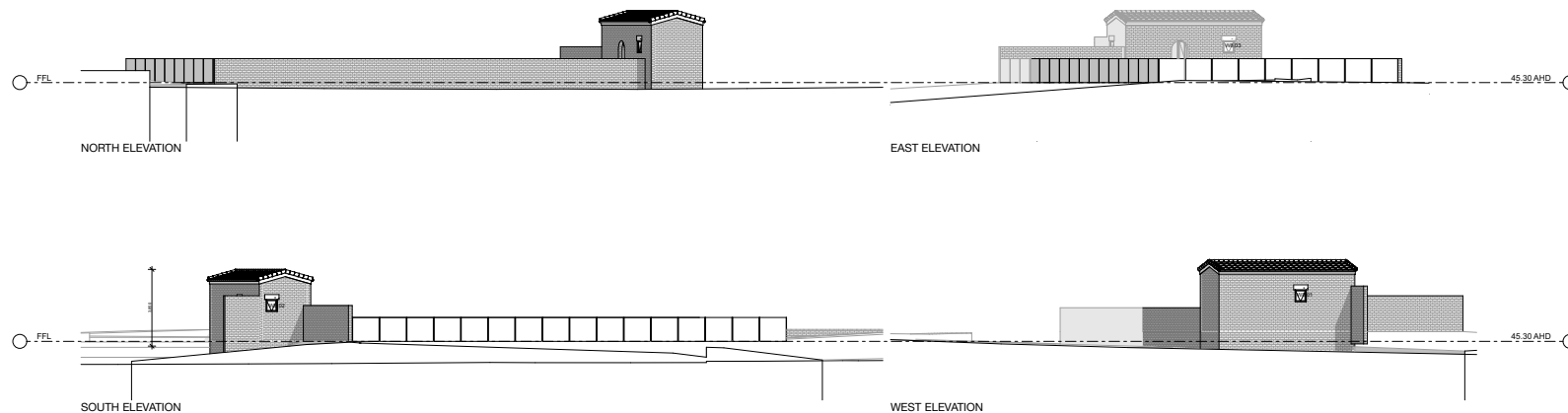
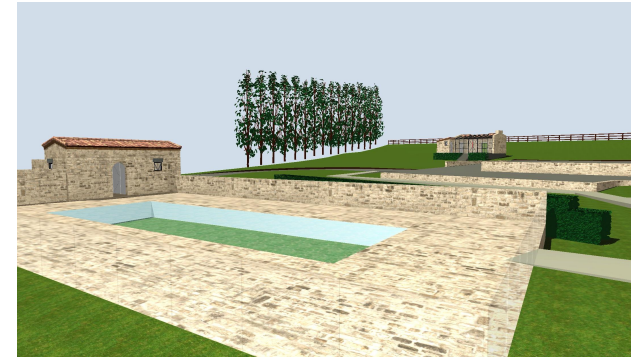
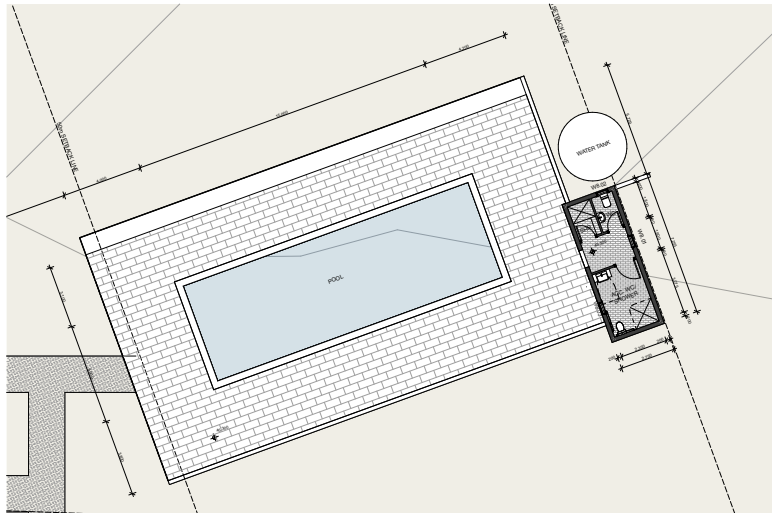


PROJECT ADDRESS
437 TALGA ROAD, LOVEDALE
DRAWING
BEEKEEPERS INN PLANS
AND ELEVATIONS

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SCALE 1:100/BA1	DRAWING A05.1 11/17
DATE 9/5/25	PROJECT 429
REVISION 16	

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Enclosure 1



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e. ian@craggspace.com.au
m. 0403 535 010
w. craggspace.com.au
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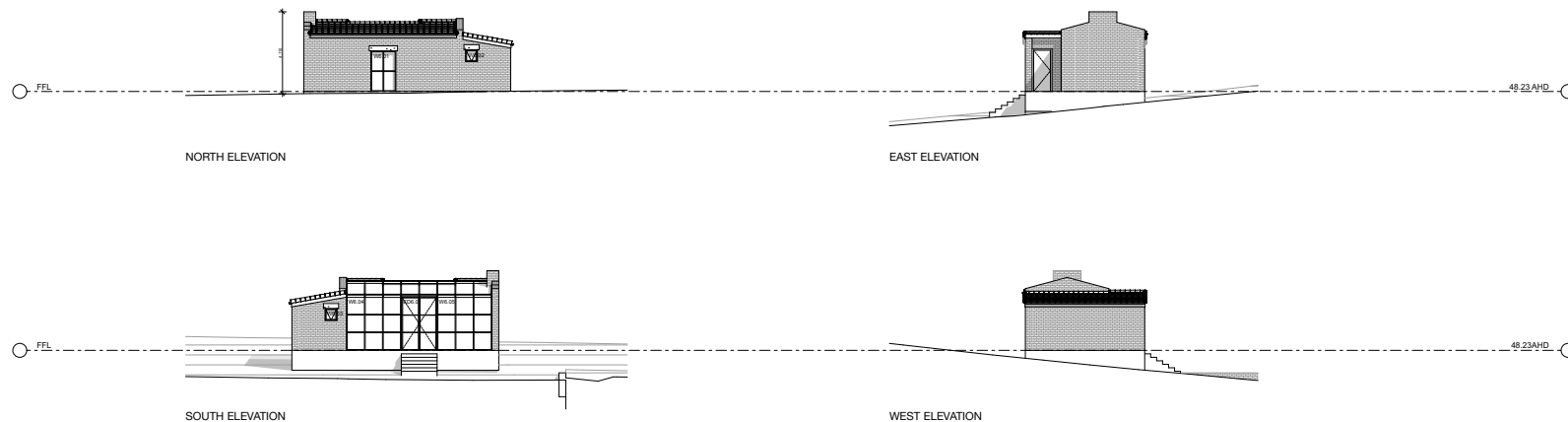
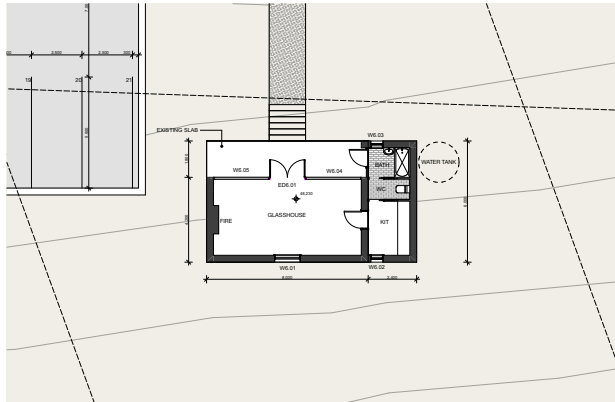
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AMENDED DEVELOPMENT APPLICATION



PROJECT ADDRESS
437 TALGA ROAD, LOVEDALE
DRAWING
POOL AMENITIES PLAN AND ELEVATIONS

NOT FOR CONSTRUCTION	
SCALE 1:100, 1:250@A1	DRAWING A06.1 12/17
DATE 9/5/25	PROJECT 429
REVISION 16	



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SCALE 1:100@A1 DATE 9/5/25 REVISION 16	DRAWING A07.1 13 / 17 PROJECT 429

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Enclosure 1

TRANSMITTAL SCHEDULE NO.	BS1-01	BS1-02	BS1-03	BS1-04	BS1-05	BS1-06	BS1-07	BS1-08	BS1-09	BS1-10	BS1-11	BS1-12	BS1-13	BS1-14	BS1-15	BS1-16	BS1-17	BS1-18	BS1-19
LEVEL	LOWER FLOOR	LOWER FLOOR	LOWER FLOOR	LOWER FLOOR	LOWER FLOOR	LOWER FLOOR	LOWER FLOOR	LOWER FLOOR	LOWER FLOOR	LOWER FLOOR	LOWER FLOOR	LOWER FLOOR	LOWER FLOOR	LOWER FLOOR	LOWER FLOOR	LOWER FLOOR	LOWER FLOOR	LOWER FLOOR	LOWER FLOOR
GLAZING	GLAZING	GLAZING	GLAZING	GLAZING	GLAZING	GLAZING	GLAZING	GLAZING	GLAZING	GLAZING	GLAZING	GLAZING	GLAZING	GLAZING	GLAZING	GLAZING	GLAZING	GLAZING	GLAZING
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LEVEL	LOWER FLOOR	LOWER FLOOR	LOWER FLOOR	LOWER FLOOR	LOWER FLOOR	LOWER FLOOR	LOWER FLOOR	LOWER FLOOR	LOWER FLOOR	LOWER FLOOR	LOWER FLOOR	LOWER FLOOR	LOWER FLOOR	LOWER FLOOR	LOWER FLOOR	LOWER FLOOR	LOWER FLOOR	LOWER FLOOR	LOWER FLOOR
GLAZING	GLAZING	GLAZING	GLAZING	GLAZING	GLAZING	GLAZING	GLAZING	GLAZING	GLAZING	GLAZING	GLAZING	GLAZING	GLAZING	GLAZING	GLAZING	GLAZING	GLAZING	GLAZING	GLAZING
BS1-34	BS1-35	BS1-36	BS1-37	BS1-38	BS1-39	BS1-40	BS1-41	BS1-42	BS1-43	BS1-44	BS1-45	BS1-46	BS1-47	BS1-48	BS1-49	BS1-50	BS1-51	BS1-52	BS1-53
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CRAGGSPACE
ARCHITECTURE

e. lachlan@craggspacspace.com.au
m. 0403 535 010
w. craggspacspace.com.au

NEW REGISTERED ARCHITECT NO. 5414

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Issue No. Transmittal Set Date
11 8/6/23
12 25/7/23
13 22/8/23
14 15/4/24
15 20/11/24
16 9/5/25

Transmittal Set Name
DEVELOPMENT APPLICATION
DEVELOPMENT APPLICATION
DEVELOPMENT APPLICATION
AMENDED DEVELOPMENT APPLICATION
AMENDED DEVELOPMENT APPLICATION
AMENDED DEVELOPMENT APPLICATION

PROJECT ADDRESS
437 TALGA ROAD, LOVEDALE
DRAWING

GLAZING SCHEDULE 1

NOT FOR CONSTRUCTION	
SCALE 1:150A1	DRAWING A08.1
DATE 9/5/25	14/1/25
REVISION 16	PROJECT 429

Report PE20/2025 - DA 8/2023/753/1 for a staged Development comprising the Demolition of an Existing Dwelling, Swimming Pool and Shed and the Construction of Tourist and Visitor Accommodation, a Function Room, Swimming Pool, Studio/Workshop for Guest Activities, Managers Residence Ancillary Parking and Landscaping

Enclosure 1

ELEVATION																		
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ARCHITECTURE

e. iachan@craggspace.com.au
m. 0403 535 010
w. craggspace.com.au
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Issue No.	Transmittal Set Date	Transmittal Set Name
11	8/6/23	DEVELOPMENT APPLICATION
12	25/7/23	DEVELOPMENT APPLICATION
13	22/8/23	DEVELOPMENT APPLICATION
14	15/4/24	AMENDED DEVELOPMENT APPLICATION
15	20/11/24	AMENDED DEVELOPMENT APPLICATION
16	9/5/25	AMENDED DEVELOPMENT APPLICATION

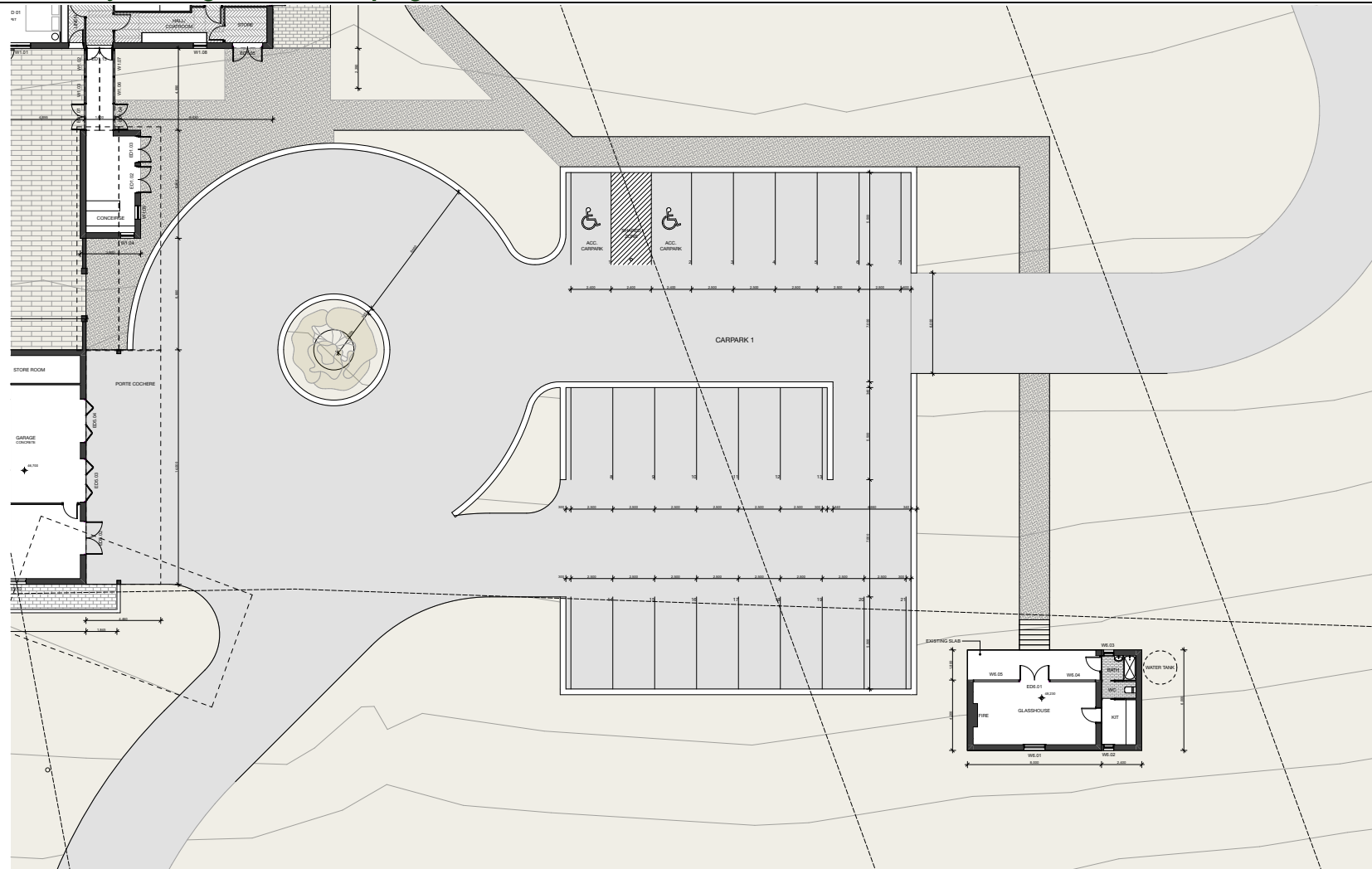


PROJECT ADDRESS
437 TALGA ROAD, LOVEDALE
DRAWING
GLAZING SCHEDULE 2

NOT FOR CONSTRUCTION	
SCALE 1:150A1 DATE 9/5/25 REVISION 16	DRAWING A08.2 15 / 17 PROJECT 429

Report PE20/2025 - DA 8/2023/753/1 for a staged Development comprising the Demolition of an Existing Dwelling, Swimming Pool and Shed and the Construction of Tourist and Visitor Accommodation, a Function Room, Swimming Pool, Studio/Workshop for Guest Activities, Managers Residence Ancillary Parking and Landscaping

Enclosure 1



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e. iachan@craggspace.com.au
m. 0403 535 010
w. craggspace.com.au
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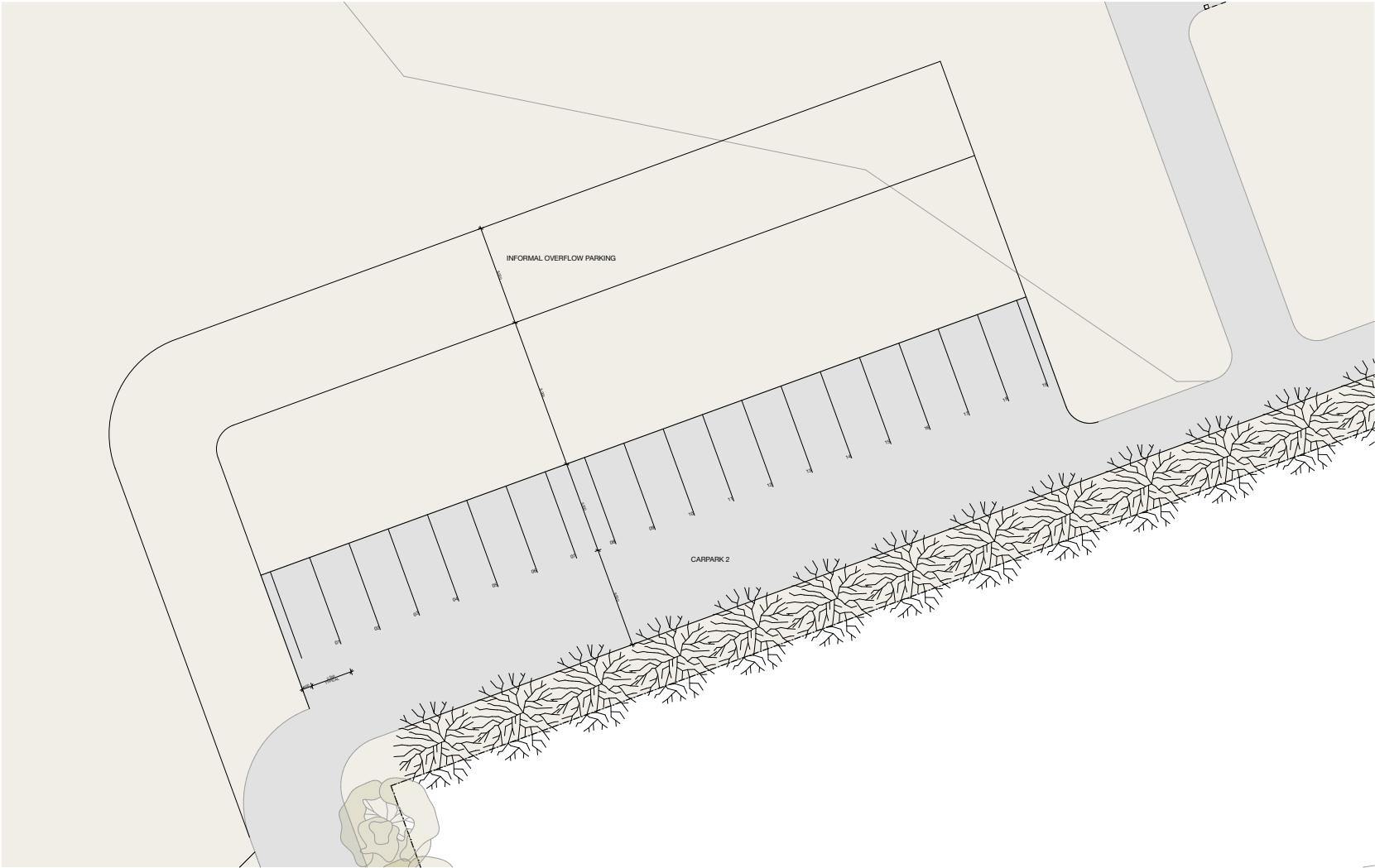
Issue No. Transmittal Set Date
04 12/8/22
13 22/8/23
14 15/4/24
15 20/11/24
16 30/5/25

Transmittal Set Name
CLIENT REVIEW
DEVELOPMENT APPLICATION
AMENDED DEVELOPMENT APPLICATION
AMENDED DEVELOPMENT APPLICATION
AMENDED DEVELOPMENT APPLICATION



PROJECT ADDRESS
437 TALGA ROAD, LOVEDALE
DRAWING
CARPARK 1 PLAN

NOT FOR CONSTRUCTION	
SCALE 1:100BA1	DRAWING A09.1 16/17
DATE 9/5/25	PROJECT 429
REVISION 16	



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e. lachlan@craggspace.com.au
m. 0403 535 010
w. craggspace.com.au
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Issue No. 04
04 12/8/22
16 9/5/25
Transmittal Set Name
CLIENT REVIEW
AMENDED DEVELOPMENT APPLICATION



PROJECT ADDRESS
437 TALGA ROAD, LOVEDALE
DRAWING
CARPARK 2 PLAN

NOT FOR CONSTRUCTION	
SCALE 1:100/BA1	DRAWING A09.2
DATE 9/5/25	17 / 17
REVISION 16	PROJECT 429

Reasons for approval

The determination decision was reached for the following reasons:

- The proposed development, subject to the recommended conditions, is consistent with the objectives of the *Cessnock Local Environmental Plan 2011 (CLEP 2011)*.
- The proposed development is, subject to the recommended conditions, consistent with the objectives of the Cessnock Development Control Plan 2010 (DCP 2010) and variations to prescribed standards within this Plan have been adequately addressed.
- The proposed development is considered to be of an appropriate scale and form for the site.
- The proposed development, subject to the recommended conditions, will not result in unacceptable adverse impacts upon the natural or built environments.
- Any issues raised in submission/s have been taken into account in the assessment report and where appropriate, conditions of consent have been imposed on the determination. Council has given due consideration to community views when making the decision to determine the application.

CONDITIONS THAT APPLY TO ALL STAGES OF THE DEVELOPMENT

GENERAL CONDITIONS

Condition		
<p>1. Approved Plans and Documents</p> <p>Development must be carried out strictly in accordance with DA No. 8/2023/753/1 and the following plans and supplementary documentation, except where amended by the conditions of this consent.</p>		
Plan Reference	Drawn By	Dated
Title/Location Plan Project No.: 429 Drawing No: A01 Issue: 16	CRAGGSPACE Architecture	9 May 2025
Site Plan Project No.: 429 Drawing No: A02 Issue: 16 F	CRAGGSPACE Architecture	9 May 2025
Primary Accommodation Cover Sheet Project No.: 429 Drawing No: A03.1 Issue: 16	CRAGGSPACE Architecture	9 May 2025
Primary Accommodation Lower Floor Plan Project No.: 429 Drawing No: A03.2 Issue: 16	CRAGGSPACE Architecture	9 May 2025
Primary Accommodation Upper Floor Plan Project No.: 429 Drawing No: A03.3 Issue: 16	CRAGGSPACE Architecture	9 May 2025
Primary Accommodation Elevations Project No.: 429 Drawing No: A03.4 Issue: 16	CRAGGSPACE Architecture	9 May 2025
Function Area Cover Sheet Project No.: 429 Drawing No: A04.1 Issue: 16	CRAGGSPACE Architecture	9 May 2025
Function Area Lower Floor Project No.: 429 Drawing No: A04.2 Issue: 16	CRAGGSPACE Architecture	9 May 2025
Function Area Upper Floor Project No.: 429 Drawing No: A04.3 Issue: 16	CRAGGSPACE Architecture	9 May 2025

Function Area Elevations Project No.: 429 Drawing No: A04.4 Issue: 16	CRAGGSPACE Architecture	9 May 2025
Beekeepers Inn Plans and Elevations Project No.: 429 Drawing No: A05.1 Issue: 16	CRAGGSPACE Architecture	9 May 2025
Pool Amenities Plans and Elevations Project No.: 429 Drawing No: A06.1 Issue: 16	CRAGGSPACE Architecture	9 May 2025
Glasshouse Plans and Elevations Project No.: 429 Drawing No: A07.1 Issue: 16	CRAGGSPACE Architecture	9 May 2025
Glazing Schedule 1 Project No.: 429 Drawing No: A08.1 Issue: 16	CRAGGSPACE Architecture	9 May 2025
Glazing Schedule 2 Project No.: 429 Drawing No: A08.2 Issue: 16	CRAGGSPACE Architecture	9 May 2025
Carpark Plan 1 Project No.: 429 Drawing No: A09.1 Issue: 16	CRAGGSPACE Architecture	9 May 2025
Carpark Plan 2 Project No.: 429 Drawing No: A09.2 Issue: 16	CRAGGSPACE Architecture	9 May 2025

Document Title	Prepared By	Dated
Noise Impact Assessment Report Report No: 24-2941-R1	Reverb Acoustics	June 2024

In the event of any inconsistency between the approved plans and supplementary documentation, the plans will prevail.

2. Staging of the Development

The development is to be constructed in Three (3) stages as follows:

- Stage 1
 - Construction of a two (2) storey accommodation building containing two (2) bedrooms and one (1) bathroom, attached carport, turning area and gravel driveway identified as the “Beekeepers Inn” on the architectural plans.
 - Solar panels associated with the “Beekeepers Inn” tourist accommodation.
 - On-site waste water management system.
 - Landscaping.

- Stage 2
 - Demolition of the existing dwelling, swimming pool, shed and vegetation removal.
 - Construction of a two (2) storey building containing:
 - Ground floor function room with commercial kitchen and amenities, accommodating a maximum of 110 guests.
 - Ground floor private garage for the site owners and store room.
 - Ground floor laundry.
 - First floor manager's residence containing two (2) bedrooms and a bathroom.
 - Construction of single storey communal guest activities building identified as the "Glasshouse" on the architectural plans.
 - Construction of driveways providing access to the garages, carports, reception and open car parking.
 - Installation of 1 x 150,000 litre underground rainwater tanks as well as several above ground rainwater tanks in various locations.
 - Installation of drainage and on-site waste water management system.
 - Entry gate and front fencing.
 - Landscaping.
- Stage 3
 - Construction of a two (2) storey building containing four (4) accommodation units as follows:
 - 'Sorbetto' - containing three (3) bedrooms, two (2) bathrooms, and open plan kitchen, living and dining area.
 - 'Como' - containing three (3) bedrooms, two (2) bathrooms, and open plan kitchen, living and dining area.
 - 'Gigi' - containing 2 bedrooms, 1 bathrooms, and open plan kitchen, living and dining area.
 - 'Bergamo' – ground floor containing a commercial kitchen and pantry, dining room, living room, storage, and accessible bedroom and ensuite. The first floor will contain four (4) bedrooms, three (3) bathrooms, living room, and storage.
 - Shared laundry, storage, accessible WC, WC, plant rooms, reception/concierge desk, and communal area on ground floor.
 - Swimming pool and associated pool amenities.
 - Landscaping.

3. General Terms of Approval

All General Terms of Approval issued by NSW Rural Fire Service dated 19 September 2024 shall be complied with prior, during and at the completion of the development, as required.

A copy of the General Terms of Approval is attached to this determination notice.

4. CC, PC & Notice Required

In accordance with the provisions of Section 6.6 & 6.7 of the *EP&A Act 1979*, construction works approved by this consent must not commence until:

- a) A CC has been issued by a Certifier (being Council or a registered certifier); and
- b) A PC has been appointed by the person having benefit of the development consent; and
- c) If Council is not the PC, notify Council no later than two (2) days before building work commences as to who is the appointed PC; and
- d) At least two (2) days before commencement of building work, the person having benefit of the development consent is to notify Council as to the intention to commence building work.

**BUILDING WORK
BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE**

Condition

5. Accessibility Management Plan

An Accessibility Management Plan must be prepared for the proposed buildings demonstrating compliance with BCA Part D3 "Access for People with a Disability" and the BCA adopted version of AS1428. The report and any relevant plans and specifications are to be submitted with the application for a CC and approved by the Certifier as complying with the BCA and AS's prior to the issue of a CC.

6. Long Service Levy

In accordance with Section 34 of the *Building and Construction Industry Long Service Payments Act 1986*, the applicant must pay a long service levy at the prescribed rate to either the Long Service Payments Corporation or Council for any work costing \$250,000 or more. The Long Service Levy is payable prior to the issue of a CC.

7. Section 68 Approval

Application shall be made to Council under Section 68 of the *Local Government Act 1993* to Install, Construct or Alter an Onsite System of Sewage Management.

The application shall be accompanied by the required documentation, as specified under Clause 26 of the *Local Government (General) Regulation 2021*. The design of the onsite sewage management system shall be in accordance with the Environmental Health Protection Guidelines and AS/NZS 1547-2012 (The application form and further information is available on Council's website www.cessnock.nsw.gov.au).

The Section 68 application shall be considered and approved by Council prior to the release of a CC for the development.

8. Exterior Lighting Generally

Before the issue of a CC, an exterior lighting plan is to be submitted to Council for approval. The design and position of all exterior/outdoor lighting will be required to minimise any detrimental impacts upon the amenity of other premises, adjacent dwellings and the road reserve in accordance with the relevant provisions of:

- a) AS 4282:1997 *Control of the obtrusive effects of outdoor lighting*.

9. Retaining Wall

Where a retaining wall is in excess of 600mm in height and/or within 900mm of a property boundary, separate detailed drawings are to be submitted in conjunction with the CC, specifying wall heights, heights of retaining walls, proposed mounding and stabilisation treatment, and landscaping for the elevations of the building.

The plans submitted in association with the CC application are to demonstrate compliance with this requirement. The plans are to be approved by the Certifier as satisfying this requirement before the issue of a CC.

10. Private Water Supply – Safe Supply

Prior to issue of a CC, if the proposed development cannot be connected to a potable water supply, then the applicant must demonstrate to the Certifier that the drinking water supplied to the premises will consistently meet the *Australian Drinking Water Guidelines 2011* and any subsequent amendments to the Guidelines.

11. Private Water Supply – Drinking Water Management System

An appropriate drinking water management system, in compliance with NSW Health requirements and the *Public Health Act 2010* and *Regulation 2012* is to be provided.

BEFORE BUILDING WORK COMMENCES

Condition

12. Erection of Signs

Prior to the commencement of building works, subdivision work or demolition work, a sign must be erected in a prominent position on the site on which the work is being carried out. The sign must state:

- a) the name, address and telephone number of the principal certifier for the work;
- b) the name of the principal contractor, if any, for the building work and a telephone number on which the principal contractor may be contacted outside of working hours; and
- c) state that unauthorised entry to the work site is prohibited.

The sign must be maintained while the work is being carried out, but must be removed when the work has been completed.

13. Nominated Location of Waste

The location and facilities for the collection, storage and disposal of waste generated within the premises shall be submitted to the PC, prior to the commencement of works.

14. Toilet Facilities

Toilet facilities are to be provided prior to works commencing, at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.

Each toilet provided must be a sewage management facility approved by the NSW Department of Health and/or Council, and operate in an environmentally responsible manner, free of nuisance or offence, and be appropriately serviced.

15. Relocation of Services

The person having the benefit of the Development Consent shall be responsible for all costs incurred in the necessary relocation of any services affected by the required construction works. In the event that existing services are required to be relocated the proprietor shall make application to obtain any necessary approval from the relevant service authority prior to commencement of any works.

DURING BUILDING WORK

Condition	
16. Construction Hours	Excavation and building work must be restricted to the hours of 7.00am and 5.00pm on Monday to Saturday inclusive. Work is not to be carried out on Sundays and public holidays.
17. Construction Noise	Noise arising from the works must be controlled in accordance with the requirements of the <i>Protection of the Environment Operations Act 1997</i> and guidelines contained in the New South Wales Environmental Protection Authority Document <i>Noise Guide for Local Government</i> .
18. New Information/Unexpected Finds Protocol	<p>In the event that construction works cause the generation of odours or uncovering of previously unidentified contaminants, works must immediately cease and Council must be notified in writing within 48 hours. An appropriately qualified environmental consultant is to be appointed to undertake an assessment of the potential contaminant and works required to make the site safe from potential human health and environmental harm.</p> <p>If the Duty to Report contamination to the NSW Environment Protection Authority under Section 60 of the <i>Contaminated Land Management Act 1997</i> is triggered, Council must be notified within 2 working days of the notification to the NSW Environment Protection Authority.</p>

8/2023/753/1 Conditions of Consent

19. Waste Management

Rubbish generated from the development is to be suitably contained on site at all times. No rubbish shall be stockpiled in a manner which facilitates the rubbish to be blown off the site.

20. Soil Classification

Excavation Upper Fill / Soil – Classification Requirements

Fill soils removed from the property must first be classified as per the *EPA NSW Waste Classification Guidelines - Part 1: Classifying Waste (Nov 2014)* prior to disposal.

Imported Soil - VENM

Any imported fill shall be sampled prior to importation and shall conform to VENM (virgin excavated natural material) as per *EPA NSW Waste Classification Guidelines - Part 1: Classifying Waste (Nov 2014)*.

- **VENM with Documentation:** Backfill material shall be (virgin) excavated natural material (VENM) sourced from a reputable soil / landscaping supplier or excavation contractor. This shall be accompanied by suitable documentation verifying the material is VENM. The documentation shall be provided by a suitably qualified Environmental or Engineering Consultant.
- **VENM without Documentation:** Backfill material without suitable VENM documentation shall be validated using a frequency of one (1) sample for every twenty-five cubic metres (25m³). Each discrete sample analysed shall consist of a composite of these 5 sub-samples collected and mixed in a stainless-steel tray. Each sample shall be analysed for the full suite of analytes listed in the *EPA NSW Waste Classification Guidelines - Part 1: Classifying Waste (Nov 2014)*.

BEFORE ISSUE OF AN OCCUPATION CERTIFICATE

Condition

21. Inspection for On-site Sewage Management

Prior to the use of the building for the purposes approved by this consent, and prior to the issue of an *OC*, a satisfactory final inspection report from the Council must be received by the *PC*, verifying the associated on-site wastewater management system has been supplied and installed in accordance with the approval under Section 68 of the *Local Government Act 1993*.

ONGOING USE

Condition

22. Maintenance of Landscaping

Landscaping shall be maintained in accordance with the approved plan in a healthy state, and in perpetuity, by the existing or future owners and occupiers of the development.

If any of the vegetation comprising the landscaping dies or is removed, it is to be replaced with vegetation of the same species and similar maturity as the vegetation which has died or was removed.

CONDITIONS ASSOCIATED WITH STAGE 1 OF THE DEVELOPMENT

BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE

Condition	
23. Cessnock Section 7.12 Levy Development Contributions Plan	
A total monetary contribution of \$2,500.00 is to be paid to Council, pursuant to Section 7.12 of the <i>EP&A Act 1979</i> , such contribution is to be paid before the issue of any CC.	
a) This condition is imposed in accordance with the provisions of <i>Cessnock Section 7.12 Levy Contributions Plan 2017 (as amended)</i> . A copy of the document is available on Council's website at www.cessnock.nsw.gov.au or may be inspected at Council's Customer Services Section, Administration Building, Vincent Street Cessnock.	
b) The amount of contribution payable under this condition has been calculated at the date of consent. In accordance with the provisions of the Contributions Plan, this amount shall be indexed at time of actual payment in accordance with the Consumer Price Index. Indexation of contributions for payment occurs quarterly.	
Any party intending to act on this consent should contact Council prior to the date of payment to determine the indexed amount payable.	
NOTE: PRIOR TO PAYMENT OF ANY CONTRIBUTIONS, PLEASE CONTACT COUNCIL'S STRATEGIC PLANNING ASSISTANT ON 02 4993 4293 TO OBTAIN AN UP-TO-DATE AMOUNT PAYABLE FIGURE. AT THAT TIME, WE WILL ADVISE HOW YOUR CONTRIBUTIONS CAN BE PAID.	
24. Amended Landscape Plan	
Prior to issue of a CC, an amended landscape plan is to be submitted to, and approved by Council. The landscape plan is to be prepared reflecting the approved staging of the development. Stage 1 landscaping is to include all boundary screen plantings along the boundaries of the adjoining property to the west.	
The planting species schedule is to be amended to incorporate endemic species (for the majority of the development) in accordance with Appendix 2 of Council's Development Control Plan 2010 (Chapter E3 – Vineyards District).	
25. Parking – Minimum Requirement	
On-site car parking shall be provided for a minimum of two (2) vehicles to service the proposed "Beekeepers Inn" tourist accommodation.	
The plans submitted in association with the CC application are to demonstrate compliance with this requirement.	

26. Car Parking – Commercial/Industrial

The design of the vehicular access and off-street parking facilities must comply with, but not be limited to *AS 2890.1-2004 Parking Facilities – Off-Street Car Parking*, *AS 2890.2-2002 Parking Facilities – Off-Street commercial vehicles facilities*, and *AS 2890.3-1993 Parking Facilities – Bicycle parking facilities*. Details demonstrating compliance with these Standards are to be included on the plans submitted in association with a CC application.

A design certificate satisfying these requirements is to be issued by a suitably qualified professional engineer and submitted to the Certifier before the issue of a CC

27. Access Roads

The registered proprietors shall provide details of an all-weather access road from the main entry to the site, extending along the western boundary of the site through to the proposed “Beekeepers Inn” tourist accommodation. This access road will need to be constructed to 4m wide, 100mm thick pavement with 1m wide clear verges either side. All works are to be in accordance with Council’s ‘Engineering Guidelines for Design and Construction’ and NSW Rural Fire Service *Planning for Bushfire Protection 2019* to serve the proposed development.

The plans submitted in association with the CC application are to demonstrate compliance with this requirement. The plans are to be approved by the Certifier as satisfying this requirement prior to the issue of a CC.

28. Stormwater – Detailed Design Requirements

A detailed drainage design shall be prepared for the disposal of roof and surface water associated with the “Beekeepers Inn” in accordance with Council’s ‘Engineering Guidelines for Design and Construction’ (available at Council’s offices). Such layout shall include existing and proposed surface levels, sub-catchments and conduit sizing appropriate for the development.

The plans submitted in association with the CC application are to demonstrate compliance with this requirement. The plans are to be approved by the Certifier as satisfying this requirement before the issue of a CC.

29. Section 68 Approval

Application shall be made to Council under Section 68 of the *Local Government Act 1993* to Install, Construct or Alter an Onsite System of Sewage Management for the proposed “Beekeepers Inn”.

The application shall be accompanied by the required documentation, as specified under Section 26 of the *Local Government (General) Regulation 2021*. The design of the onsite sewage management system shall be in accordance with the Environmental Health Protection Guidelines and *AS/NZS 1547-2012* (The application form and further information is available on Council’s website www.cessnock.nsw.gov.au).

The Section 68 application shall be considered and approved by Council before the release of a CC for the development.

30. Plan of Management

An amended Plan of Management is to be prepared and submitted to Council for approval prior to the issue of a CC. The Plan of Management is to include (but not limited to) the following:

- The recommendations of the submitted Noise Impact Assessment Report No. 24-2941-R1, dated June 2024.
- A complaints handling register including the procedures involved in responding to complaints and appropriate action undertaken.

BEFORE BUILDING WORK COMMENCES

Condition

31. Public Liability Insurance

Any person or contractor undertaking works on public property must take out Public Risk insurance with a minimum cover of twenty (20) million dollars in relation to the occupation of, and approved works within, public property. The Policy is to note, and provide protection for Cessnock City Council as an interested party, and a copy of the Policy must be submitted to Council prior to commencement of the works. The Policy must be valid for the entire period that the works are being undertaken on public property. The insurance shall also note the location and the risk.

32. S138 Roads Act Approvals

Under Section 138 of the *Roads Act 1993*, should any work on the verge, footpath, or public road reserve be required, a S138 Roads Act Approval will need to be obtained from Council. In this regard, the applicant is to make a formal application to Council. The S138 application is to be submitted to, and approved by, Council before works commence.

33. Erosion and Sediment Controls

The control of erosion, and the prevention of silt discharge into drainage systems and waterways, will be necessary in accordance with Council's 'Engineering Guidelines for Design and Construction', and Landcom's Soils and Construction Manual - April 2004. Erosion control measures are to be implemented prior to the commencement of any earthworks, and shall be maintained until satisfactory completion and restoration of site earthworks, including revegetation of all exposed areas.

BEFORE ISSUE OF AN OCCUPATION CERTIFICATE

Condition

34. Completion of Car Park

Prior to the issue of an OC, the PC must ensure that the two (2) off-street parking spaces associated with the "Beekeepers Inn" have been constructed in accordance with the development consent and AS 1428.1 and AS 2890.6.

35. Roads – Bitumen Crossing

The registered proprietors shall construct and maintain a bitumen sealed access crossing from the edge of the road formation in Talga Road to the property boundary (for the main access entry to the property), in accordance with Council's 'Engineering Guidelines for Design and Construction' and AS 2890.1. A S138 Roads Act Approval is required from Council before any construction commences within the road reserve. The access crossing is required to be constructed before the issue of an OC for the building.

Construction of the crossing will require inspections to be undertaken by Council. The applicant shall pay Council engineering site supervision fees in accordance with Council's current Fees & Charges, prior to the inspections being undertaken.

The initial fee will facilitate approval of the application and one (1) construction inspection (steel and formwork inspection).

A final inspection will be required upon completion of the driveway and restoration of all disturbed footway areas. (A separate fee will be required to be paid when the final inspection is booked.) Should further inspections become necessary as a result of unsatisfactory or defective works, additional inspection fees will be charged in accordance with Council's current Fees & Charges.

The applicant is to advise Council at least 48 hours prior to inspection of works within the footpath and/or road reserve.

36. Road – Access Completion

Construction of the vehicular access crossing and internal access road are to be completed prior to issue of an OC.

37. Drainage Works

All drainage works required to be undertaken in accordance with this stage of the development are to be completed prior to issue of an OC for the development. Roof water from the building and any rainwater tank overflow shall be piped clear of all buildings - without creating any nuisance on the property, to the onsite sewage management system, or to adjoining properties.

38. Completion of Landscaping

All landscaping associated with Stage 1 of the development is to be completed in accordance with the approved landscape plan.

CONDITIONS ASSOCIATED WITH STAGE 2 OF THE DEVELOPMENT

GENERAL CONDITIONS

Condition
<p>39. Swimming Pools</p> <p>The approved swimming pool must comply with the <i>Swimming Pools Act 1992</i> and relevant standards. Pool filters, pumps and related plant must only operate in accordance with the <i>Protection of the Environment Operations Act 1997</i>.</p>

**DEMOLITION WORK
BEFORE DEMOLITION WORK COMMENCES**

Condition
<p>40. Demolition Proposed</p> <p>Consent is granted for the demolition of the selected structures on the property, subject to strict compliance with the following conditions before demolition works commencing:</p> <ul style="list-style-type: none">a) Written notice is to be given to the Council before demolition. Such written notice is to include the date when demolition will commence and details of the name, address, business hours, contact telephone number, and licence number of the demolisher.a) Before demolition, the applicant must erect a sign at the front of the property with the demolisher's name, licence number, contact phone number and site address.b) Before demolition, the applicant must erect a 2.4m high temporary fence, hoarding between the work site and any public property (footpaths, roads, reserves, etc). Access to the site must be restricted to authorised persons only, and the site must be secured against unauthorised entry when work is not in progress, or the site is otherwise unoccupied.c) Before demolition, a Work Plan must be prepared in accordance with the relevant provisions of <i>AS 2601:2001 Demolition of structures</i> by a person with suitable expertise and experience. The Work Plan must identify hazardous materials including asbestos and surfaces coated with lead paint, method of demolition, the precautions to be employed to minimise any dust nuisance, and the disposal methods for hazardous materials.

DURING DEMOLITION WORK

Condition
<p>41. Demolition Works</p> <p>Consent is granted for the demolition of the selected structures on the property, subject to strict compliance with the following conditions during demolition works:</p>

- a) Demolition is to be carried out in accordance with the relevant provisions of AS 2601:2001: *Demolition of structures*.
- b) The hours of demolition work are limited to between 7.00am and 5.00pm on Monday to Saturday. No demolition work is to be carried out on Sundays and public holidays.
- c) Hazardous or intractable wastes arising from the demolition process must be removed and disposed of in accordance with the requirements of the SafeWork NSW and the NSW EPA.
- d) Demolition procedures must maximise the reuse and recycling of demolished materials in order to reduce the environmental impacts of waste disposal.
- e) During demolition, public property (footpaths, roads, reserves, etc) must be clear at all times and must not be obstructed by any demolished material or vehicles. The footpaths and roads must be swept (not hosed) clean of any material, including clay, soil and sand. On the spot fines may be levied by Council against the demolisher and/or owner for failure to comply with this condition. No materials shall be stockpiled on footpaths or road carriageways.
- f) All vehicles leaving the site with demolition materials must have their loads covered, and vehicles must not track soil and other materials onto public property (footpaths, roads, reserves, etc) and the footpaths must be suitably protected against damage when plant and vehicles access the site.
- g) The burning of any demolished material on site is not permitted, and offenders will be prosecuted.
- h) Care must be taken during demolition to ensure that existing services on the site (ie, sewer, electricity, gas, phone) are not damaged. Any damage caused to existing services must be repaired by the relevant authority at the applicant's expense.
- i) Suitable erosion and sediment control measures in accordance with the Soil and Water Management Plan must be erected before the commencement of demolition works, and must be maintained at all times.
- j) If the building contains asbestos, an asbestos survey prepared by a qualified occupational hygienist is to be undertaken. If asbestos is present then:
 - i) A SafeWork licensed contractor must undertake removal of all asbestos.
 - ii) During the asbestos removal, a sign "DANGER ASBESTOS REMOVAL IN PROGRESS" is to be erected in a visible position on the site to the satisfaction of Council, and AS 2601:2001: *Demolition of structures*.
 - iii) Waste disposal receipts must be provided to Council as proof of correct disposal of asbestos laden waste.
 - iv) All removal of asbestos must comply with the requirements of the SafeWork NSW and the NSW EPA.

ON COMPLETION OF DEMOLITION WORK

Condition
<p>42. Disposal of Hazardous Waste</p> <p>Should asbestos containing material be discovered during the demolition of the structures, the applicant shall provide the Certifier with an asbestos clearance certificate prepared by a licensed asbestos assessor identifying that all visible asbestos has been removed from the site, in accordance with the requirements of the EPA and SafeWork NSW.</p>

BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE

Condition
<p>43. Cessnock Section 7.12 Levy Development Contributions Plan</p> <p>A total monetary contribution of \$15,000.00 is to be paid to Council, pursuant to Section 7.12 of the <i>EP&A Act 1979</i>, such contribution is to be paid before the issue of any CC.</p> <p>a) This condition is imposed in accordance with the provisions of <i>Cessnock Section 7.12 Levy Contributions Plan 2017 (as amended)</i>. A copy of the document is available on Council's website at www.cessnock.nsw.gov.au or may be inspected at Council's Customer Services Section, Administration Building, Vincent Street Cessnock.</p> <p>b) The amount of contribution payable under this condition has been calculated at the date of consent. In accordance with the provisions of the Contributions Plan, this amount shall be indexed at time of actual payment in accordance with the Consumer Price Index. Indexation of contributions for payment occurs quarterly.</p> <p>Any party intending to act on this consent should contact Council prior to the date of payment to determine the indexed amount payable.</p> <p>NOTE: PRIOR TO PAYMENT OF ANY CONTRIBUTIONS, PLEASE CONTACT COUNCIL'S STRATEGIC PLANNING ASSISTANT ON 02 4993 4293 TO OBTAIN AN UP-TO-DATE AMOUNT PAYABLE FIGURE. AT THAT TIME, WE WILL ADVISE HOW YOUR CONTRIBUTIONS CAN BE PAID.</p> <p>44. Disabled Car Parking Spaces</p> <p>A total of two (2) car parking spaces for use by persons with a disability must be provided as part of the total car parking requirements.</p> <p>Plans demonstrating compliance with this requirement and the following Australian Standards are to be submitted to, and approved by, the Certifier before the issue of a CC.</p> <ul style="list-style-type: none"> * <i>AS/NZS 2890.1:2004 Parking Facilities – Off street car parking</i> * <i>AS/NZS 1428.1:2009 Design for access and mobility – General requirements for access – New building work</i> * <i>AS/NZS 1428.4.1:2009 Design for access and mobility – Means to assist the orientation of people with vision impairment – Tactile ground surface indicators.</i>

45. Parking – Minimum Requirement

On-site car parking shall be provided in accordance with the approved architectural plans for a minimum of 43 vehicles (this includes one (1) garage space for the managers' residence).

The plans submitted in association with the CC application are to demonstrate compliance with this requirement. The plans are to be approved by the Certifier as satisfying this requirement prior to the issue of a CC.

46. Car Parking – Commercial/Industrial

The design of the vehicular access and off-street parking facilities must comply with, but not be limited to *AS 2890.1-2004 Parking Facilities – Off-Street Car Parking*, *AS 2890.2-2002 Parking Facilities – Off-Street commercial vehicles facilities*, and *AS 2890.3-1993 Parking Facilities – Bicycle parking facilities*. Details demonstrating compliance with these Standards are to be included on the plans submitted in association with a CC application.

A design certificate satisfying these requirements is to be issued by a suitably qualified professional engineer and submitted to the Certifier before the issue of a CC.

47. Access Roads

The registered proprietors shall provide details of internal all-weather access roads from the property boundary to the proposed development site in accordance with the approved plans. The internal access roads will need to be constructed to 4m wide, 100mm thick pavement with 1m wide clear verges either side. All works are to be in accordance with Council's 'Engineering Guidelines for Design and Construction' and NSW Rural Fire Service *Planning for Bushfire Protection 2019* to serve the proposed development.

The plans submitted in association with the CC application are to demonstrate compliance with this requirement. The plans are to be approved by the Certifier as satisfying this requirement prior to the issue of a CC.

48. Stormwater – Detailed Design Requirements

A detailed drainage design shall be prepared for the disposal of roof and surface water from the site, including any natural runoff currently entering the property, and connection to the existing drainage system in accordance with Council's 'Engineering Guidelines for Design and Construction' (available at Council's offices). Such layout shall include existing and proposed surface levels, sub-catchments and conduit sizing appropriate for the development.

The plans submitted in association with the CC application are to demonstrate compliance with this requirement. The plans are to be approved by the Certifier as satisfying this requirement before the issue of a CC.

49. Amended Plans Required

The plans submitted in association of the CC application must incorporate the following amendments:

- a) Size and location of the pool wastewater disposal area.

The plans must be submitted to and approved by the Certifier as satisfying these required amendments prior to the issue of the CC.

50. Food Premises

The construction and operation of the food premises shall comply with all applicable legislation, regulation and standards including:

- a) *Food Act 2003*
- b) *Food Regulation 2015*
- c) *Food Standards Australia and New Zealand – Food Standards Code 2003*
- d) AS 4674-2004 for Design, Construction and Fit out of Food Premises
- e) AS 1668.2-2002 – The use of ventilation and air conditioning in buildings
- f) *BCA*.

Details submitted in association with the CC application are to demonstrate compliance with this requirement, and shall include the following:

- a) a separate floor and sectional plan detailing:
 - i) the kitchen/cafe area floor, wall, and ceiling surface finishes
 - ii) location of the required handwash basin/s and cleaning sinks/s
 - iii) location of dry and cold storage areas,
 - iv) fit-out details for the kitchen and servery, including proposed refrigeration and cooking equipment
 - v) designated cupboard or locker for the storage of staff clothing and personal belongings
 - vi) location of the bar area.

The details are to be approved by the Certifier as satisfying this requirement prior to the issue of a CC.

51. Plan of Management

An amended Plan of Management is to be prepared and submitted to Council for approval prior to the issue of a CC. The Plan of Management is to include (but not limited to) the following:

- The recommendations of the submitted Noise Impact Assessment Report No. 24-2941-R1, dated June 2024.
- A complaints handling register including the procedures involved in responding to complaints and appropriate action undertaken.

52. Plan of Management Licensed Premises

A Plan of Management is to be provided to the Certifier prior to the issue of a CC. The Plan of Management is to cover (but is not limited to) the following issues:

Security Management

The plan must specify security patrol, surveillance, and other security and response methods, and security management of the public and private domain within and surrounding the site.

Patron Management

Patrons must be prevented from removing glass, opened cans, bottles or alcohol from the premises.

Signs must be placed in clearly visible positions within the premises, requesting patrons upon leaving to do so quickly and quietly, having regard to the amenity of the area.

A sign detailing the maximum number of persons permitted in the premises, in letters not less than 25mm, must be displayed at the main front entrance of the premises.

The management/licensee is responsible for the control of noise and litter generated by patrons of the premises, and must ensure that patrons leave the vicinity of the premises in an orderly manner to the satisfaction of Council. If so directed by Council, the management/licensee is to employ private security staff to ensure that this condition is complied with.

Waste Collection

The collection and management of waste and recycling.

53. Licensed Premises

Prior to the issue of a CC, evidence shall be submitted to the Certifier that the relevant licence from the NSW Department of Industry – Liquor and Gaming has been obtained.

54. Smoke Free Premises

The construction and fit out of the premises shall comply with the *Smoke-Free Environment Act 2000* and *Smoke-Free Environment Regulation 2016*. Details demonstrating compliance with this condition are to be provided to the Certifier prior to the issue of a CC.

55. Plant and Equipment – Acoustic Certification

Prior to issue of a CC, all plant and equipment to be used on the site is required to be certified by a qualified acoustical consultant and suitable acoustic treatments specified to ensure noise emission criteria in the submitted *Noise Impact Assessment – Wedding Venue, Function Centre, & Tourist Accommodation, prepared by Reverb Acoustics, report number 24-2941-R1, dated June 2024*, are achieved. The certified plant and equipment and specified acoustic treatments are to be submitted to the Certifier prior to issue of the CC.

BEFORE BUILDING WORK COMMENCES

Condition	
56. Public Liability Insurance	Any person or contractor undertaking works on public property must take out Public Risk insurance with a minimum cover of twenty (20) million dollars in relation to the occupation of, and approved works within, public property. The Policy is to note, and provide protection for Cessnock City Council as an interested party, and a copy of the Policy must be submitted to Council before the commencement of the works. The Policy must be valid for the entire period that the works are being undertaken on public property. The insurance shall also note the location and the risk.

57. Erosion and Sediment Controls

The control of erosion, and the prevention of silt discharge into drainage systems and waterways, will be necessary in accordance with Council's 'Engineering Guidelines for Design and Construction', and Landcom's Soils and Construction Manual - April 2004. Erosion control measures are to be implemented prior to the commencement of any earthworks, and shall be maintained until satisfactory completion and restoration of site earthworks, including revegetation of all exposed areas.

58. S138 Roads Act Approvals

Under Section 138 of the *Roads Act 1993*, should any work on the verge, footpath, or public road reserve be required, a S138 Roads Act Approval will need to be obtained from Council. In this regard, the applicant is to make a formal application to Council. The S138 application is to be submitted to, and approved by, Council before works commence.

59. Decommission Existing Septic Tank

Prior to commencement of demolition works, the existing onsite wastewater management system associated with the existing dwelling must be decommissioned in accordance with NSW Health Advisory Note 3 Destruction, Removal or Reuse of Septic Tanks, and AWTS dated January 2017. This Advisory note is available from the NSW Health website: www.health.nsw.gov.au

Following decommissioning of the system the following must be provided to Council:

- a) Receipt from the approved contractor for removal of the effluent and sludge; and
- b) A statement/letter from a plumber stating that the works were conducted in accordance with NSW Health Advisory Note 3 Destruction, Removal or Reuse of Septic Tanks, and AWTS dated January 2017

DURING BUILDING WORK

Condition

60. Swimming Pool

The swimming pool and safety fences and gates shall be installed in accordance with the approved plans, specifications, the Swimming Pools Act 1992 (as amended) and the BCA.

The swimming pool shall at all times be surrounded by a child resistant barrier:

- a) that separates the swimming pool from any residential buildings and tourist accommodation situated on the premises, and from any place (whether public or private) adjoining the premises; and
- b) that is designed, constructed, installed and maintained in accordance with the standards prescribed by the *Swimming Pools Regulation 2018* and *AS 1926.1 "Safety barriers for swimming pools"*.

Waste water from the pool shall be disposed of, so as not to create a nuisance to surrounding properties, or to pollute the environment.

Swimming pool surrounds and/or paving shall be constructed so as to ensure water from the pool overflow or surge does not discharge onto neighbouring property.

61. Warning Notice

At the commencement of construction of the swimming pool, the occupier of the premises in or on which the swimming pool (not including spa pool) is being constructed must ensure that a sign is erected and maintained that:-

- a) bears a notice containing the words *"This swimming pool is not to be occupied or used"* having a minimum front size of 50mm; and
- b) is located in a prominent position in the immediate vicinity of that swimming pool; and
- c) continues to be erected and maintained until a relevant OC or a certificate of compliance has been issued for that swimming pool.

BEFORE ISSUE OF AN OCCUPATION CERTIFICATE

Condition

62. Roads – Bitumen Crossing

The registered proprietors shall construct and maintain a bitumen sealed access crossing (being the access crossing closest to the eastern boundary of the site) from the edge of the road formation in Talga Road to the property boundary, in accordance with Council's 'Engineering Guidelines for Design and Construction' and AS 2890.1. A S138 Roads Act Approval is required from Council before any construction commences within the road reserve. The access crossing is required to be constructed before the issue of an OC for the whole of the building. Where a Partial OC is issued the crossing shall be completed within six (6) months from the date of the Partial Occupation Certificate (OC).

Construction of the crossing will require inspections to be undertaken by Council. The applicant shall pay Council engineering site supervision fees in accordance with Council's current Fees & Charges, prior to the inspections being undertaken.

The initial fee will facilitate approval of the application and one (1) construction inspection (steel and formwork inspection).

A final inspection will be required upon completion of the driveway and restoration of all disturbed footway areas. (A separate fee will be required to be paid when the final inspection is booked.) Should further inspections become necessary as a result of unsatisfactory or defective works, additional inspection fees will be charged in accordance with Council's current Fees & Charges.

The applicant is to advise Council at least 48 hours prior to inspection of works within the footpath and/or road reserve.

63. Completion of Car Park

Prior to the issue of an *OC*, the *PC* must ensure that the vehicle access and off street parking facilities have been constructed in accordance with the development consent and relevant *AS* and the following have been implemented within the property, where applicable:

- a) The car park has been completed, line marked and all signage relating to car parking erected
- c) Sign(s) have been erected that clearly indicate to the drivers of vehicles, both on and off the property, which driveway they are to use to enter or leave the subject land
- d) Sign(s) have been erected that clearly indicate to the drivers of vehicles, both on and off the property, the location and means of access to the car parking area(s)

Certification by a qualified practising Civil Engineer that the vehicular access and off street parking facilities have been constructed in accordance with the above and relevant *AS*'s must be provided to the *PC* prior to the issue of an *OC*.

64. Access Roads Completion

Construction of all access roads, driveways, car parking areas and loading bays, including the provision of appropriate line marking and any other traffic management devices, are to be completed prior to issue of an *OC*.

65. Drainage Works

All drainage works required to be undertaken in accordance with this stage of the development are to be completed prior to issue of an *OC* for the development. Roof water from the building and any rainwater tank overflow shall be piped clear of all buildings - without creating any nuisance on the property, to the onsite sewage management system, or to adjoining properties.

66. Inspection for On-site Sewage Management

Prior to the use of the premises for the purposes approved by this consent, and prior to the issue of an *OC*, a satisfactory final inspection report from the Council must be received by the *PC*, verifying the associated on-site wastewater management system has been supplied and installed in accordance with the approval under Section 68 of the *Local Government Act 1993*.

67. Acoustic Report – Compliance with Recommendations

Prior to the issue of an *OC*, a certificate, prepared by an accredited acoustic consultant must be provided certifying that

The certified plant and equipment and specified acoustic treatments were installed and implemented.

With the exception of recommendation 4.1.16, all physical acoustic treatments recommended in *Noise Impact Assessment – Wedding Venue, Function Centre, & Tourist Accommodation, prepared by Reverb Acoustics, report number 24-2941-R1, dated June 2024*, whether expressly stated within the report as compulsory or not, have been implemented and complied with, including specifically those outlined in recommendations 4.1.4, 4.1.5 & 4.1.6 (Acoustic Barriers).

68. Food Premises – Inspection

Before the issue of an *OC*, an inspection of the completed premises is to be conducted by the *PC* certifying that the food premises has been constructed in accordance with the approved plans.

69. Food Premises

A *Food Business Notification Form* is to be submitted to Council for the function room. The business will be placed upon *Council's Regulatory Inspection Register* and will be subject to routine inspections.

70. Waste Disposal

Before the issue of an *OC* and/or commencement of the use, whichever is earlier, the registered proprietors must ensure that there is a contract with a licensed commercial waste contractor for the removal of all waste and a copy of the contract provided to Council.

71. Completion of Landscaping

All landscaping associated with Stage 2 of the development is to be completed in accordance with the approved landscape plan.

OCCUPATION AND ONGOING USE

Condition	
72. Plan of Management	The Operational Plan of Management is to be a working document and is to be complied with during the operation of the facility and is to be kept on-site and provided to Council Officers for review upon request.
73. Hours of Operation	<ul style="list-style-type: none"> The function room is permitted to operate between the hours of 8.00am and 11.30pm, seven (7) days per week. Outdoor wedding ceremonies and functions are permitted within the internal courtyard area only between the hours of 8.00am and 6.00pm. Waste collection, loading and deliveries for the purpose approved are to occur only between the hours 7.00am and 6.00pm.
74. Maximum Number of Patrons – Functions	The maximum number of patrons permitted to attend functions at the premises is restricted to 110 at any one time.

75. Music and PA system

The playing of music (including amplified, acoustic, instrumental and background incidental) and use of the PA system is only permitted strictly in accordance with the recommendations contained in the submitted *Noise Impact Assessment – Wedding Venue, Function Centre, & Tourist Accommodation, prepared by Reverb Acoustics, report number 24-2941-R1, dated June 2024*.

76. Noise Complaints

Where a noise complaint is received by Council from a place of different occupancy and Council is satisfied that an independent review is warranted the person acting on the Consent must, in accordance with a written request of an Authorised Officer of Council:

- a) Engage a suitably qualified acoustic engineer to assess compliance with the relevant noise criteria and recommended (if necessary) appropriate actions to protect amenity and to ensure compliance with their development consent; and
- b) Submit a report to Council for review detailing the results of the assessment and any recommendations within 14 days of the assessments completion; and
- c) Upon receipt of confirmation from Council in writing, implement the recommendations of the report along with any modifications made by Council.

The costs associated with the appointment of the acoustic engineer and the report along with any associated works shall be borne by the person acting on the consent.

77. Implementation of Noise Assessment Report Recommendations

All recommendations, treatments, controls, procedures, plans and precautions outlined and detailed within noise assessment report for the premises (*Noise Impact Assessment – Wedding Venue, Function Centre, & Tourist Accommodation, prepared by Reverb Acoustics, report number 24-2941-R1, dated June 2024*) must be implemented and maintained at all times.

CONDITIONS ASSOCIATED WITH STAGE 3 OF THE DEVELOPMENT

BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE

Condition
<p>Cessnock Section 7.12 Levy Development Contributions Plan</p> <p>A total monetary contribution of \$31,674.53 is to be paid to Council, pursuant to Section 7.12 of the <i>EP&A Act 1979</i>, such contribution is to be paid before the issue of any CC.</p> <p>a) This condition is imposed in accordance with the provisions of <i>Cessnock Section 7.12 Levy Contributions Plan 2017 (as amended)</i>. A copy of the document is available on Council's website at www.cessnock.nsw.gov.au or may be inspected at Councils' Customer Services Section, Administration Building, Vincent Street Cessnock.</p> <p>b) The amount of contribution payable under this condition has been calculated at the date of consent. In accordance with the provisions of the Contributions Plan, this amount shall be indexed at time of actual payment in accordance with the Consumer Price Index. Indexation of contributions for payment occurs quarterly.</p> <p>Any party intending to act on this consent should contact Council prior to the date of payment to determine the indexed amount payable.</p> <p>NOTE: PRIOR TO PAYMENT OF ANY CONTRIBUTIONS, PLEASE CONTACT COUNCIL'S STRATEGIC PLANNING ASSISTANT ON 02 4993 4293 TO OBTAIN AN UP-TO-DATE AMOUNT PAYABLE FIGURE. AT THAT TIME, WE WILL ADVISE HOW YOUR CONTRIBUTIONS CAN BE PAID.</p>

DURING BUILDING WORK

Condition
<p>78. Swimming Pool</p> <p>The approved swimming pool must comply with the <i>Swimming Pools Act 1992</i> and relevant standards. Pool filters, pumps and related plant must only operate in accordance with the <i>Protection of the Environment Operations Act 1997</i>.</p> <p>79. Swimming Pool Warning Notices</p> <p>At the commencement of construction of the swimming pool, the occupier of the premises in or on which the swimming pool (not including spa pool) is being constructed must ensure that a sign is erected and maintained that:-</p> <p>a) bears a notice containing the words <i>"This swimming pool is not to be occupied or used"</i> having a minimum font size of 50mm; and</p> <p>b) is located in a prominent position in the immediate vicinity of that swimming pool; and</p> <p>c) continues to be erected and maintained until a relevant OC or a certificate of compliance has been issued for that swimming pool.</p>

BEFORE ISSUE OF AN OCCUPATION CERTIFICATE

Condition	
80. Swimming Pool	<p>The swimming pool shall not be filled with water until such time as the safety fencing and gates have been completed in accordance with the approved plans and specifications.</p> <p>Note: It is the applicant's responsibility to ensure that all excavations and incomplete pools have appropriate safety fencing, or are otherwise protected.</p>
81. Use of Swimming Pool	<p>The swimming pool shall not be used for commercial or professional purposes without separate approval from Council.</p> <p>Access gates are to be self-closing and self-latching, and shall open outwards from the pool area. The occupier of any premises in or on which a swimming pool is situated must ensure that gates providing access to the swimming pool are kept securely closed at all times when they are not in actual use.</p> <p>Pool plant (i.e. filter) shall be sited and operated so as not to cause a noise nuisance to adjoining neighbours. Provisions of the <i>Protection of the Environment Operations Act</i> include restrictions relating to noise levels.</p> <p>The occupier of the property in or on which a swimming pool is situated must ensure that there is at all times a sign complying with the requirements of clause 10 of the <i>Swimming Pools Regulation 2018</i>, prominently displayed and permanently fixed in the vicinity of the swimming pool.</p>
82. Swimming Pool Registration	<p>Before issue of an <i>OC</i>, the swimming pool is to be registered on the NSW Swimming Pool Register "Register your NSW Pool Now — NSW Swimming Pool Register". A <i>Swimming Pool Notification Form</i> is to be submitted to Council for the swimming pool and spa/s. They will be subject to routine inspections as per Council's <i>Swimming Pool Program</i>.</p>
83. General Regulated Premises	<p>A <i>Swimming Pool Notification Form</i> is to be submitted to Council for the swimming pool and spa/s. They will be subject to routine inspections as per Council's <i>Swimming Pool Program</i>.</p>
84. Completion of Landscaping	<p>All landscaping associated with Stage 3 of the development is to be competed in accordance with the approved landscape plan.</p>

OCCUPATION AND ONGOING USE

Condition	
85. Pool Backwash	
Swimming pool backwash water must not be discharged to the on-site sewage management system.	

ADVISORY

Notes	
A. BEFORE YOU DIG AUSTRALIA	
Before any excavation work starts, contractors and others should look up the “Before You Dig Australia” service to access plans/information for underground pipes and cables. www.byda.com.au	
B. Disability Inclusion Act	
This application has been assessed in accordance with the <i>Environmental Planning and Assessment Act 1979</i> . No guarantee is given that the proposal complies with the <i>Disability Inclusion Act 2014</i> . The applicant/owner is responsible for ensuring compliance with this, and other, anti-discrimination legislation. The <i>Disability Inclusion Act 2014</i> covers disabilities not catered for in the minimum standards called up in the Building Code of Australia which references <i>AS 1428.1 - Design for Access and Mobility</i> . <i>AS 1428 Parts 2, 3 & 4</i> provide the most comprehensive technical guidance under the <i>Disability Inclusion Act 2014</i> currently available in Australia.	
C. Other Approval and Permits	
The applicant shall apply to Council for all necessary permits including crane permits, road opening permits, hoarding or scaffolding permits, footpath occupation permits, and/or any other approvals under <i>Section 68 (Approvals)</i> of the <i>Local Government Act 1993</i> or <i>Section 138 of the Roads Act 1993</i> .	
D. Responsibility for Other Consents/Agreements	
The applicant is solely responsible for ensuring that all additional consents and agreements are obtained from other authorities, as relevant.	
E. Site Contamination Issues During Construction	
Should any new information come to light during demolition or construction works which has the potential to alter previous conclusions about site contamination, Council must be immediately notified by the applicant, and works must cease. Works must not recommence on site until approval is granted by Council.	

F. Impact of Below Ground (Sub-surface) Works – Non-Aboriginal Relics

If any archaeological relics are uncovered during the course of the work, all works shall cease immediately in that area, and Heritage NSW shall be contacted. Depending on the possible significance of the relics, an archaeological assessment and an excavation permit under the *NSW Heritage Act 1977*, may be required before further works can continue in that area.

G. Aboriginal Heritage

As required by the *National Parks and Wildlife Act 1974* and the *Heritage Act 1977*, in the event that Aboriginal cultural heritage or historical cultural fabric or deposits are encountered/discovered where they are not expected, works must cease immediately and Council and the Heritage NSW must be notified of the discovery.

In the event that archaeological resources are encountered, further archaeological work may be required before works can re-commence, including the statutory requirement under the *Heritage Act 1977* to obtain the necessary approvals/permits from Heritage NSW.

Note: The *National Parks and Wildlife Act 1974* and the *Heritage Act 1977* impose substantial penalty infringements and/or imprisonment for the unauthorised destruction of archaeological resources, regardless of whether or not such archaeological resources are known to exist on the site.

ASSESSMENT REPORT

DETAILS OF THE PROPOSED DEVELOPMENT

Development Application No. 8/2023/753/1 seeks approval for a staged development comprising demolition and construction of two (2) tourist and visitor accommodation buildings, a function room, swimming pool, studio/workshop, managers residence, ancillary parking and landscaping.

Specifically, the development comprises the following:

- Stage 1
 - Construction of a two (2) storey accommodation building containing two (2) bedrooms and one (1) bathroom, attached carport, turning area and gravel driveway identified as the 'Beekeepers Inn' on the architectural plans.
 - Solar panels associated with the 'Beekeepers Inn' tourist accommodation.
 - On-site waste water management system.
 - Landscaping.
- Stage 2
 - Demolition of the existing dwelling, swimming pool, shed and vegetation removal.
 - Construction of a two (2) storey building containing:
 - Ground floor function room with commercial kitchen and amenities, accommodating a maximum of 110 guests.
 - Ground floor private garage for the site owners and store room.
 - Ground floor laundry.
 - First floor manager's residence containing two (2) bedrooms and a bathroom.
 - Construction of single storey communal guest activities building identified as the "Glasshouse" on the architectural plans.
 - Construction of driveways providing access to the garages, carports, reception and open car parking.
 - Installation of 1 x 150,000 litre underground rainwater tanks as well as several above ground rainwater tanks in various locations.
 - Installation of drainage and on-site waste water management system.
 - Entry gate and front fencing.
 - Landscaping.
- Stage 3
 - Construction of a two (2) storey building containing four (4) accommodation units as follows:
 - 'Sorbetto' - containing three (3) bedrooms, two (2) bathrooms, and open plan kitchen, living and dining area.
 - 'Como' - containing three (3) bedrooms, two (2) bathrooms, and open plan kitchen, living and dining area.

- 'Gigi' - containing two (2) bedrooms, one (1) bathroom, and open plan kitchen, living and dining area.
- 'Bergamo' – ground floor containing a commercial kitchen and pantry, dining room, living room, storage, and accessible bedroom and ensuite. The first floor will contain four (4) bedrooms, three (3) bathrooms, living room, and storage.
- Shared laundry, storage, accessible WC, WC, plant rooms, reception/concierge desk, and communal area on ground floor.
- Swimming pool and associated pool amenities.
- Landscaping.



Figure 1 – The proposed development viewed from Talga Road

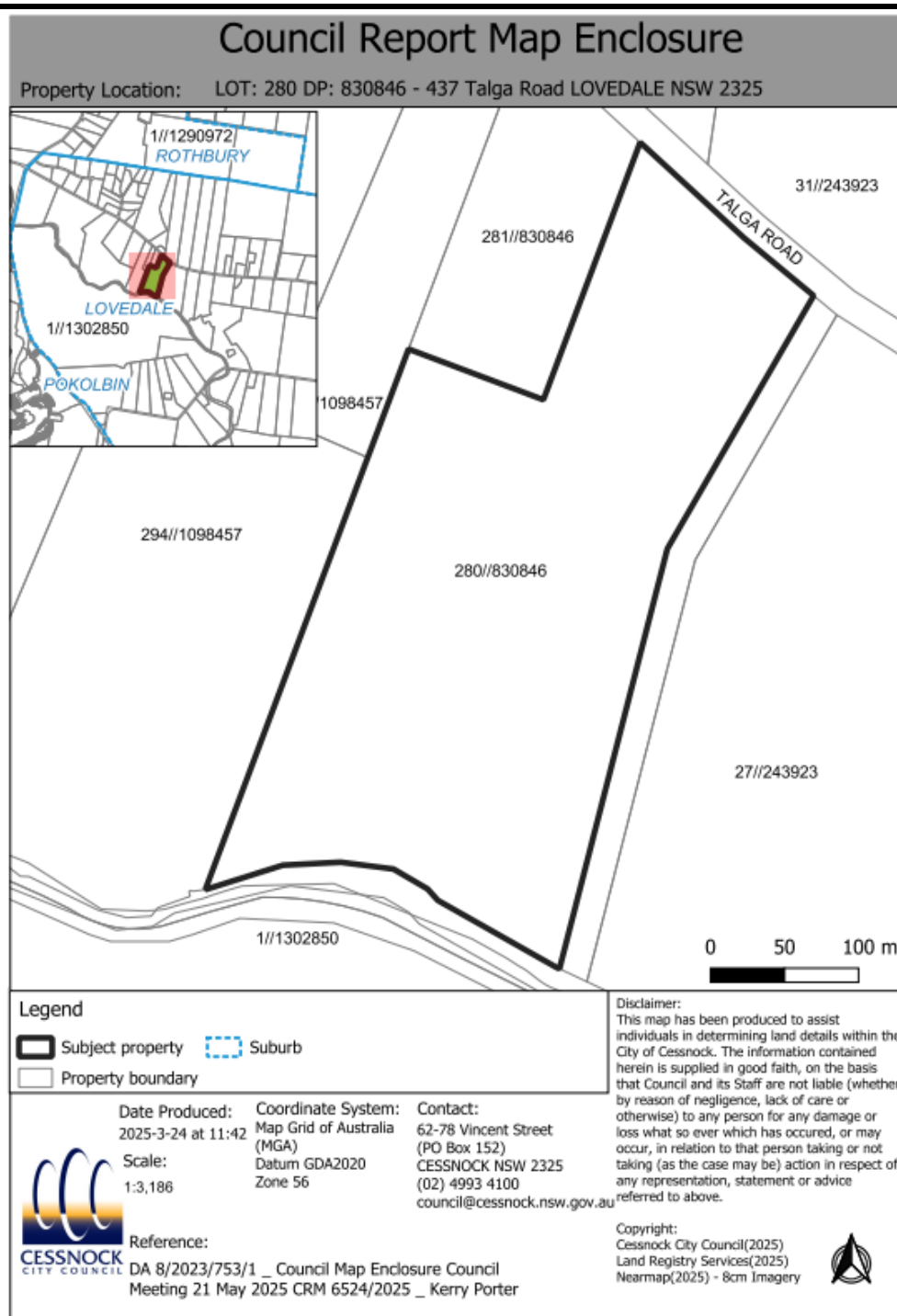


Figure 2 – Southern elevation of the main building

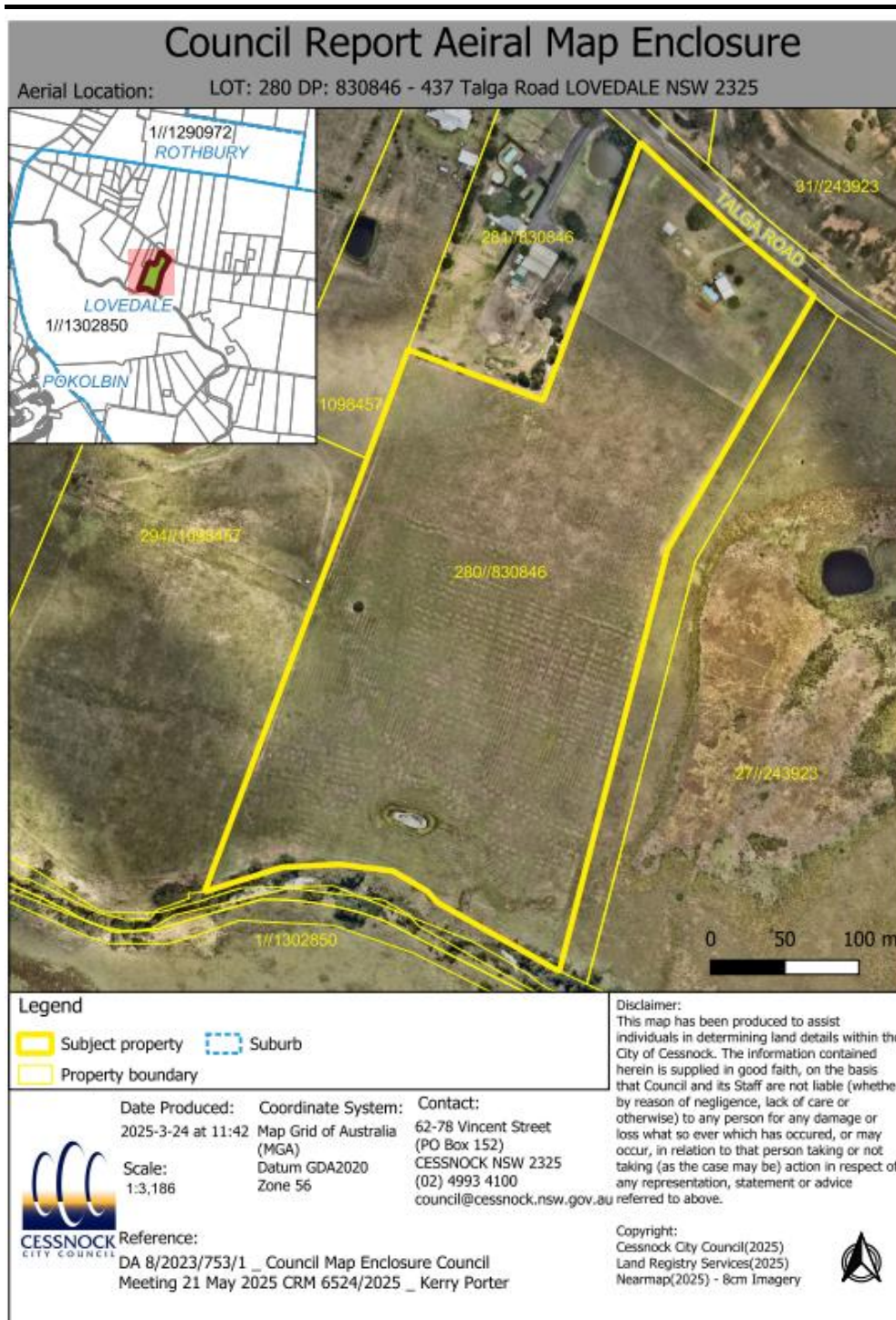


Figure 3 – Western elevation of the main building

LOCATION MAP



AERIAL



SITE DESCRIPTION AND LOCALITY

The subject site is commonly known as 437 Talga Road, Lovedale, and is legally described as Lot 280 in Deposited Plan 830846.

Located on the southern side of Talga Road, the site has a road frontage of 156 metres, an approximately depth of 500 metres and a total area of 11.14 hectares. Black Creek runs along the southern boundary at the rear of the property.

Vegetation has been previously cleared across the site, with scattered trees surrounding the existing structure located within the front portion of the property. Existing development on the site includes a two (2) storey dwelling, inground pool and associated outbuildings.

Surrounding properties can be categorised as larger rural holdings used for rural/residential purposes, tourist accommodation and agricultural pursuits including stock grazing and viticulture.

The below photograph depicts the site:



Figure 4 – Subject site as viewed from Talga Road looking south



Figure 5 – Subject land looking south west from Talga Road



Figure 6 – Talga Road along frontage of subject site

HISTORY

The history of the subject Development Application is summarised in the following table:

Date	Action
29 September 2023	Development Application lodged.
4 December 2023	Preliminary assessment of the application is undertaken. Concerns raised with the Applicant in relation to non-compliance with the provisions of the Cessnock Development Control Plan (DCP) 2010 and potential impacts on the surrounding area.
11 December 2023	Meeting held between Council officers and the Applicant to discuss the design of the development.
15 January 2024	The application is placed on public exhibition with seven (7) submissions received objecting to the proposal.
26 February 2024	Meeting held between Council officers and the Applicant to further discuss design of the development and public objection.
1 March 2024	Following a review of amended plans discussed during the meeting held on 26 February, the Applicant was advised that the concept amended plans are not supported given the significance of the variations proposed to the boundary setbacks required under the Cessnock DCP 2010.
22 April 2024	Amended plans lodged following Council's advice of 1 March. Internal referrals actioned and referral undertaken to NSW Rural Fire Service (RFS).
6 May 2024	Referral response received from Development Engineering.
9 May 2024	The application (including amended plans) is placed on public exhibition with eight (8) submissions received objecting to the proposal.
28 May 2024	Environmental Health referral received requesting additional information on wastewater disposal.
3 June 2024	The Applicant is requested to provide additional information to address onsite wastewater disposal.
4 June 2024	An amended wastewater management plan is lodged by the Applicant.
28 June 2024	Acoustic report is lodged by the Applicant.
7 August 2024	The application is placed on public exhibition following receipt of amended reports with nine (9) submissions received objecting to the proposal.
11 September 2024	Environmental Health referral received.
19 September 2024	NSW RFS issue General Terms of Approval.

6 November 2024	Meeting held between Council officers and the Applicant to discuss the design of the development and the location of the tennis court.
21 November 2024	Amended plans lodged by the Applicant removing the tennis court from the proposal.
7 May 2025	Applicant advised that since the Application was lodged, Council had adopted new carparking rates under the Cessnock Development Control Plan 2010 which were required to be addressed.
9 May 2025	Amended plans lodged by the Applicant identifying additional on-site parking.
26 May 2025	Application amended to include three (3) phases.
28 May 2025	Planning assessment finalised and Council report prepared.

ASSESSMENT

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

Section 1.7 Application of Part 7 of Biodiversity Conservation Act 2016 and Part 7A of Fisheries Management Act 1994

Section 1.7 of the *Environmental Planning and Assessment Act 1979* (EP&A Act), prescribes as follows:

‘This Act has effect subject to the provisions of Part 7 of the Biodiversity Conservation Act 2016 (BC Act) and Part 7A of the Fisheries Management Act 1994 that relate to the operation of this Act in connection with the terrestrial and aquatic environment’.

Biodiversity Conservation Act 2016

The proposed development includes the removal of three (3) trees.

The proposed clearing is not within a biodiversity values mapped area nor does the vegetation removal exceed the clearing threshold and as such does not trigger the requirement for a Biodiversity Development Assessment Report (BDAR). Accordingly, Section 1.7 of the *EP&A Act 1979* does not apply.

The proposed development is not considered to be a threatening process.

Section 4.15 Evaluation

In determining a Development Application, the consent authority is to take into consideration the following matters prescribed within s4.15 of the *Environmental Planning and Assessment Act 1979*, as are of relevance to the development the subject of the development application:

4.15(1)(a)(i) The provisions of any environmental planning instrument

The environmental planning instruments that relate to the proposed development are:

1. *State Environmental Planning Policy (Resilience & Hazards) 2021 Chapter 4: Remediation of Land*
2. *Cessnock Local Environmental Plan (CLEP) 2011*

An assessment of the proposed development under the environmental planning instruments is provided below:

**1. State Environmental Planning Policy (Resilience & Hazards) 2021
Chapter 4: Remediation of Land**

State Environmental Planning Policy (Resilience & Hazards) 2021 – Chapter 4: Remediation of Land, provides planning guidelines for remediation of contaminated land. Section 4.6(1) of the SEPP is relevant to the assessment of this DA.

Section 4.6(1) requires that consent not be granted until Council has considered whether the land is contaminated. If the land is contaminated, the Council needs to be satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which development is proposed to be carried out.

The site has historically been used for agricultural (stock grazing) and residential purposes. There is no historical evidence of the site having been previously used for a purpose which would result in the land being contaminated; as such, no further investigation is warranted.

The proposal is therefore acceptable in terms of the requirements under this SEPP.

2. Cessnock Local Environmental Plan 2011

2.1 Permissibility

The subject land is zoned RU4 Primary Production Small Lots under the provisions of the CLEP 2011, shown below:



Figure 7 – Zoning CLEP 2011

**Report PE20/2025 - DA 8/2023/753/1 for a staged Development
comprising the Demolition of an Existing Dwelling, Swimming Pool
and Shed and the Construction of Tourist and Visitor
Accommodation, a Function Room, Swimming Pool,
Studio/Workshop for Guest Activities, Managers Residence
Ancillary Parking and Landscaping**

Enclosure 3

The proposed development is categorised as 'tourist and visitor accommodation' and 'function centre' under the CLEP 2011, which is defined as follows:

- **tourist and visitor accommodation** means a building or place that provides temporary or short-term accommodation on a commercial basis, and includes any of the following -
 - (a) backpackers' accommodation,
 - (b) bed and breakfast accommodation,
 - (c) farm stay accommodation,
 - (d) hotel or motel accommodation,
 - (e) serviced apartments,

but does not include—

 - (f) camping grounds, or
 - (g) caravan parks, or
 - (h) eco-tourist facilities.
- **function centre** means a building or place used for the holding of events, functions, conferences and the like, and includes convention centres, exhibition centres and reception centres, but does not include an entertainment facility.

Development for the purposes of tourist and visitor accommodation and a function centre is a permitted land use in the RU4 Primary Production Small Lots Zone, with consent.

Whilst not a defined land use under the CLEP 2011, a 'manager's residence' is considered to be ancillary to the dominant use of the land being tourist and visitor accommodation and a function centre. Taking into account the size and scale of the proposed managers residence, it is considered to be subordinate to the permitted uses and would not be on site, but for, the tourist and visitor accommodation and a function centre. As such, the proposed manager's residence is considered to be ancillary and is permitted with consent.

4.2 Objectives

The objectives of the RU4 Primary Production Small Lots Zone, and a response to each, are identified in the following table:

Objective	Comment
<i>'To enable sustainable primary industry and other compatible land uses.'</i>	<p>While the development does not propose primary industry as part of the application, the proposed building footprint the subject of the application is restricted to a small section of the site leaving future opportunities for primary industry pursuits.</p> <p>Nonetheless, tourist and visitor accommodation has been recognised as a land use compatible with primary industry. Furthermore, as detailed within this assessment, it is considered that the proposal will not affect primary industry within the area through either its construction or operation.</p> <p>It is therefore considered that the application satisfies this objective.</p>
<i>'To encourage and promote diversity and employment opportunities in relation to primary industry enterprises, particularly those that require smaller lots or that are more intensive in nature.'</i>	<p>As noted above, the application does not propose primary industry but rather tourist accommodation and a function centre. Nonetheless, the development will generate employment.</p> <p>It is therefore considered that the application satisfies this objective.</p>
<i>'To minimise conflict between land uses within this zone and land uses within adjoining zones.'</i>	<p>Chapters C4, D4 and E3 of the Cessnock DCP, provide requirements for buffers and setbacks to reduce the potential for land use conflict. As discussed in detail further in this report, the application has been assessed against the provisions of the DCP and it has been determined that land use conflicts are sufficiently mitigated through the design of the development and operational elements such as hours of operation and onsite management. Suitable conditions of consent have also been included in the draft notice of determination to ensure the amenity of the surrounding area is maintained.</p> <p>It is therefore considered that the application satisfies this objective.</p>
<i>'To maintain prime viticulture land and enhance the economic and ecological sustainability of the vineyards district.'</i>	<p>The proposed development occupies a relatively small portion of the site leaving future opportunities for the undertaking of viticultural pursuits elsewhere on the land. The location of the development will not restrict the use of adjoining land for viticulture (noting that there are currently no established viticulture activities on adjoining land).</p> <p>As such, the proposal is not considered to adversely impact upon the availability of prime viticulture land and the proposal therefore satisfies this objective.</p>
<i>'To encourage appropriate tourist development (including tourist-related retail) that is consistent with the rural and viticultural character of the vineyards district.'</i>	<p>The application seeks consent for tourist and visitor accommodation and a function centre. These uses are considered to be appropriate tourist related developments, thereby satisfying this objective.</p> <p>This assessment demonstrates the proposed development is appropriate on this site having regard to the established character of the area.</p> <p>It is therefore considered that the application satisfies this objective.</p>

'To enable the continued rural use of land that is complementary to the viticultural character of the land.'

As highlighted above, the proposal will not significantly reduce the availability of prime agricultural land, nor will it adversely impact the use of remaining land for the purposes of viticulture into the future.

It is therefore considered that the application satisfies this objective.

4.3 Relevant Clauses

The Development Application was assessed against the following relevant clauses of the CLEP 2011:

- Clause 5.21 and 5.22 – Flood Planning and Special Flood Considerations

Clauses 5.21 and 5.22 apply to flood affected land and the development of flood affected land for sensitive land uses. Sensitive and hazardous development is defined within Clause 5.22; which identifies tourist accommodation within this category. The objectives of these clauses are to ensure the development of flood affected land minimises flood risk to life and property and to allow development that is compatible with the flood function and behavior on the land.

The subject lot is affected by the 1% AEP flood extent. It is noted that Black Creek runs along the southern boundary of the property at the rear of the site. According to Council's flood mapping, the footprint of the proposed development is located outside of the 1% AEP flood extent and flood planning area (see Figures 8 and 9 below). Further, flood free access is achieved along Talga Road. As such, the development will not be impacted by flooding and Clause 5.21 and 5.22 of the CLEP 2011 are considered satisfied.



Figure 8 – 1% AEP flood extent



Figure 9 – Flood planning area

- Clause 7.2 – Earthworks

Clause 7.2 seeks to ensure that any earthworks do not result in any adverse impact on the environment, neighbouring properties or heritage items. The proposal incorporates earthworks associated with the building footprint and the internal access road.

The extent of earthworks has been reviewed and is not considered to be extensive, nor has the potential to result in any significant impact on adjoining properties subject to the imposition of suitable conditions of consent. Accordingly, the proposal satisfies the provisions of this clause.

- Clause 7.6 – Tourist and Visitor Accommodation in Certain Rural and Environmental Zones

Under this clause, consent must not be granted for development relating to tourist and visitor accommodation on RU4 zoned land unless the property has a minimum area of 10ha. At 11.14ha, the site satisfies this requirement.

4.15(1)(a)(ii) The provisions of any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved).

There are no proposed instrument relevant to the subject site or proposed development.

4.15(1)(a)(iii) The provisions of any development control plan

Cessnock Development Control Plan (CDCP) 2010

Report PE20/2025 - DA 8/2023/753/1 for a staged Development comprising the Demolition of an Existing Dwelling, Swimming Pool and Shed and the Construction of Tourist and Visitor Accommodation, a Function Room, Swimming Pool, Studio/Workshop for Guest Activities, Managers Residence Ancillary Parking and Landscaping

Enclosure 3

The following is an assessment of the proposal's compliance with the relevant chapters contained in the CDCP 2010.

Chapter C1: Parking and Access

The proposed development has been assessed under the provisions of Chapter C1 of Council's DCP 2010 (Parking and Access) and the following table details the number of parking spaces required on the site to service the development, and the number of spaces proposed:

Proposed Development	Parking Rates	Details	Total Parking Required
Hotel/Motel	1 space per bedroom	15 bedrooms proposed	15 spaces
Employees	1 space per 2 employees	4 employees	2 spaces
Manager's Residence (Dwelling)	2 spaces per dwelling	2 bedrooms	2 spaces
Function Centre	1 space per 3 seats	110 guests	37 spaces (-11 spaces for cross usage)
Total Required			45 spaces
Total Provided			45 spaces

As it is likely that visitors staying in the accommodation will attend functions whilst on-site, allowance has been given for the cross usage between the two (2) uses. It is assumed that 75% of the guest staying in the accommodation will also attend a function. Therefore, a credit of 11 spaces has been applied to the function centre rate, reducing the parking requirement from 37 spaces to 26 spaces. A total of 45 spaces has been provided, including two (2) disabled spaces in accordance with the requirements of the DCP.

Chapter C3: Contaminated Lands

The contaminated lands guidelines chapter of the CDCP reflect the requirements of *State Environmental Planning Policy (Resilience and Hazards) 2021*. As previously discussed, there is no evidence of any historical contaminating land uses occurring on the site.

Chapter C4: Land Use Conflict and Buffer Zones

The proposed development has been assessed under the provisions of Chapter C4 of the DCP. The aims and objectives of this chapter of the DCP are to provide adequate buffer distances for development in proximity to existing more sensitive land uses to reduce conflict in terms of amenity impacts. The following table details compliance with the required buffer distance to the closest sensitive receivers:

Provision	Buffer Distance Required	Provided	Complies
4.3.11 Tourist Facilities	Minimum separation distance required from Category A	A separation distance of 115 metres has been provided from the closest component of the development (being the "glasshouse" building to be used for group activities) to the nearest sensitive receiver located to the north west of the site. It is noted that the	Yes

	uses (residential premises) 100 metres	main building containing the tourist accommodation and function centre is located 150 metres from this residence. It is noted that the dwelling located adjoining the site to the west is operating as tourist accommodation (which is not classified as a Category A use "residential premises" under the provisions of this chapter of the DCP. As such the 100 metre buffer distance does not apply.	
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As detailed in the above table, adequate separation distances have been provided to the nearest residential dwelling in accordance with the DCP.

Chapter C5: Waste Management and Minimisation

Chapter C5 of the CDCP requires a waste management plan that addresses waste management during demolition, construction and for the ongoing operation of the development.

The application has been accompanied by a waste management plan for both the construction phase and on-going operation, with a commercial waste contractor to be engaged to collect all waste from the property.

The submitted waste management plan has been assessed as being satisfactory and a condition of consent has been imposed requiring compliance with the recommendations during all phases of the development.

Chapter C6 – Access and Mobility

The proposed development has been assessed under the provisions of Chapter C6 of Council's DCP 2010 (Access and Mobility). The following table details the development's compliance with the required design provisions:

Provision	Requirements	Provided	Complies
6.3 Design Requirements	<p>For Class 1a and 1b tourist & visitor accommodation developments of between for 3-10 buildings, one (1) is required to be accessible.</p> <p>The Design Elements include: 1: Parking, access routes and entrances to buildings: provide accessible parking or set-down areas, continuous accessible paths of travel to and from the building or facility. 2: Interior circulation and facilities: provide unimpeded circulation throughout the building or facility, and ease of use of, facilities and amenities within the building or facility.</p>	The development has been designed to accommodate universal accessibility to the function area, swimming pool, reception, and one of the ground floor accommodation units titled 'Bergamo' on the development plans.	Yes

Report PE20/2025 - DA 8/2023/753/1 for a staged Development comprising the Demolition of an Existing Dwelling, Swimming Pool and Shed and the Construction of Tourist and Visitor Accommodation, a Function Room, Swimming Pool, Studio/Workshop for Guest Activities, Managers Residence Ancillary Parking and Landscaping

Enclosure 3

As detailed in the above table, the development has been designed to comply with Council's DCP provisions for access and mobility.

Chapter D4: Purpose Built Rural Tourist Accommodation

The proposed development has been assessed under the provisions of Chapter D4 of the DCP. The following table details compliance with the requirements of this chapter:

Provision	Requirements	Provided	Complies
4.5.1 Impact on Adjoining & Nearby Properties	Tourist accommodation on rural properties shall not bring with it any potential to prejudice the operational aspects of working farms or other rural activities on adjoining or nearby properties.	The site is essentially surrounded by rural land. Following a site inspection, there appears to be no established working farms or rural activities on adjoining properties. The property adjoining the site to the west contains an approved dwelling which is currently operating as tourist accommodation. Land to the east contains a dwelling house. Black Creek forms the southern boundary of the property. Land further to the south is vacant rural land. Properties to the north of Talga Road are used for residential and tourist accommodation purposes.	Yes
4.5.2 Site Location	Performance Objective – to ensure that the chosen site is suitable for rural tourist accommodation purposes.	Matters to be considered under this section, such as biodiversity, bushfire, flooding, accessibility and essential services have been addressed elsewhere in this report, and the development is considered to be consistent with the performance objectives of this section. The site is considered suitable for tourist accommodation purposes.	Yes
4.5.3 Water Supply	Demonstrate an adequate water supply is available to the development.	Water and reticulated sewer are not available to the site and the development will be reliant on roof collection and tank storage for water supply. The application is considered to be satisfactory subject to the imposition of suitable conditions of consent to manage the supply of potable water.	Yes
4.5.4 Effluent Management	Demonstrate satisfactory effluent management on site.	An on-site wastewater report has been lodged with the Application and was found to be acceptable. The site is capable of supporting a suitably sized system.	Yes
4.5.5 Land Management & Flooding	The application is to address hazards such as landslip, major erosion as a result of building works, land clearing and provisions around building within flood prone land.	The site is essentially clear of vegetation, with the exception of four (4) trees located at the front of the site of which one (1) is proposed to be retained. While the subject site is identified as flood prone, the development footprint is located well above the flood level.	Yes

		<p>Suitable conditions of consent have been imposed requiring the submission of a soil and water management plan to ensure appropriate mitigation against erosion impacts.</p> <p>In consideration of the above, the application is consistent with the provisions of this section and there are no hazards restricting the development from proceeding.</p>	
4.5.6 Bushfire	The development is to ensure adequate measures to mitigate bushfire impacts.	A bushfire assessment report has been lodged with the application and the NSW Rural Fire Service have assessed the report as being adequate. General Terms of Approval have been issued by the NSW Rural Fire Service and will be conditioned accordingly.	Yes
4.5.7 Flora & Fauna Ecosystem	The development application is to address flora and fauna impacts.	The proposed development will not result in any significant impact on vegetation on the site. One (1) tree is proposed to be retained, with additional landscape/screen planting to be undertaken as part of the development.	Yes
4.5.8 Cultural Heritage	The application is to address cultural heritage impacts.	<p>An AHIMS search has been carried out by the Applicant to ascertain the location of Aboriginal sites within close proximity. This search confirmed that no sites are located within the boundaries of the site, or within close proximity.</p> <p>As such, a Due Diligence Report or Aboriginal Cultural Heritage Assessment (ACHA) is not required.</p>	Yes
4.5.9 Scenic Character	Demonstrate development is suitable within a rural setting without adversely affecting the visual and scenic character of the area.	<p>The development footprint occupies approximately 12% of the site, leaving a large area of the property in its current "rural" state.</p> <p>The main building is located 35.487 metres from the front boundary and sits approximately 3 metres below the level of Talga Road.</p> <p>The buildings architectural style is reflective of "Italian countryside villas" with natural earth toned stonework and tiled terracotta roofs. It is considered that the development will contribute to the existing character of the rural landscape, and provide interest through its unique design and finishes.</p> <p>The visual impact of the development is considered acceptable and does not detract nor adversely impact on the existing rural scenic qualities of the locality.</p>	Yes

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4.5.10 Access & Parking	Parking and access to be provided and constructed to Council's standards	The development has been provided with suitable parking and internal access roads (noting that Chapter C1 of the DCP - Parking and Access has previously been addressed in this report).	Yes
4.5.11 Social & Economic Effect	Demonstrate positive social and economic factors associated with rural tourist accommodation.	It is considered there will be positive social and economic impacts resulting from the development in providing local employment opportunities at both the building and operational phases. The development will provide additional tourist accommodation within the locality attracting visitors to the area, thereby resulting in increased spending benefiting local businesses.	Yes
4.5.12 Waste Management	Provide details of waste management resultant from the development.	A satisfactory waste management plan has been lodged with the application. This has been under Chapter C5 Waste Management and Minimisation of the DCP.	Yes
4.5.13 Density and Scale of Development	This section seeks to ensure that the scale of development does not unreasonably affect the rural character of the locality. Density provisions permit 1 tourist accommodation unit per hectare and a maximum of 6 tourist accommodation buildings on land exceeding 10 hectares but not exceeding 20 hectares.	The subject land is 11.14 hectares in area and in accordance with the provisions of this plan, a maximum of 11 tourist accommodation units are permitted to be contained within a maximum of 6 buildings. The application proposes a total of 9 units containing 15 bedrooms, consistent with the density provisions of the DCP. The tourist accommodation units are contained within 2 buildings, below the maximum permitted number of 6 buildings. While there are a total of 4 separate buildings on the site, one of these buildings contains the managers residence and function room, and the other smaller building (glasshouse) is for guest group activities.	Yes
4.6 Wellbeing of Occupants	Demonstrate compliance with BCA, fire safety, amenities, food handling and the like.	It is considered that matters in relation to building structure details, construction specification and fire safety standards will be dealt with under the Building Code of Australia (BCA) and relevant Australian Standards during the Construction Certificate stage. Furthermore, prescribed conditions identifying compliance with the BCA have been imposed. Council's has assessed the Application against the required food safety standards and is satisfied with the proposal subject to the imposition of suitable conditions of consent.	Yes

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		Overall, it is considered that the application is consistent with the requirements of this section.	
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As detailed in the above table, the development complies with the provisions of Chapter D4 of the DCP.

Chapter E3 – Vineyards District

The proposed development has been assessed under the provisions of Chapter E3 of the DCP. The following table details compliance with the relevant provisions contained within this chapter:

Provision	Requirements	Provided	Complies
3.2.1 Consideration of Surrounding Land Uses in relation to land use conflicts	This section aims to reduce the potential for land use conflict between properties through enforcing buffer distances.	Separation distances have been previously addressed under Chapter C4 Land Use Conflict and Buffer zones.	Yes
3.2.2 Soils Analysis	This section seeks to ensure that land that is suitable for viticultural purposes is not alienated from this purpose by built development.	The development footprint occupies approximately 12% of the total site area leaving the remainder of the site available for viticultural opportunities.	Yes
3.2.3 Building and Siting Design	Development is to be appropriately sited and designed and if located within a visually significant area have due regard to the surrounding landscape features.	<p>The subject land is not identified on the visually significant map.</p> <p>The development footprint occupies approximately 12% of the site, leaving the remainder in a rural state.</p> <p>The buildings architectural style is reflective of "Italian countryside villas" with natural earth toned stonework and tiled terracotta roofs. It is considered that the development will contribute to the existing character of the rural landscape, and provide interest through its unique design and finishes.</p> <p>The visual impact of the development is considered acceptable and does not detract nor adversely impact on the existing rural scenic qualities of the locality.</p>	Yes
3.2.4 Development Densities	Density provisions permit 1 tourist accommodation unit per hectare and a maximum of 6 tourist accommodation buildings on land	The requirements under this section mirror those under Chapter D4 of the DCP and have previously been discussed in this report, with compliance being achieved.	Yes

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	exceeding 10 hectares but not exceeding 20 hectares.		
3.2.5 Front and Side Setbacks	<p>Required front setback - 75 metres.</p> <p>Required side and rear boundary setbacks:</p> <ul style="list-style-type: none"> 50 metres, or 100 metre setback from commercial vineyards on adjoining properties. 	<p>Proposed front setback</p> <ul style="list-style-type: none"> 35.487 metres to the main building (53% variation). 26.753 metres to the small "glasshouse" building (65% variation). <p>Proposed side boundary setbacks:</p> <ul style="list-style-type: none"> Eastern boundary – 25 metres (50% variation). Western boundary – 25 metres (50% variation). Northern boundary to the adjoining property to the west (beekeepers inn building) – 27 metres (46% variation). <p>It is noted that there are no commercial vineyards within 100 metres of the development on adjoining properties.</p>	No see detailed discussion below
3.2.7 Ground Spraying and Aerial Spraying Considerations	New public place developments to be located a minimum of 100 metres from vineyards on adjoining properties	There are no commercial vineyards within 100 metres of the development on adjoining land.	Yes
3.2.8 Noise Generation Impacts	Reduce the potential for conflict between noise generating development and noise sensitive development with human habitation components.	<p>The subject site is located in a predominately rural area. Development on adjoining land consists of residential premises and tourist accommodation.</p> <p>The application has been accompanied by a noise assessment report. Noise generation and impacts are addressed within this report.</p>	Yes
3.2.10 Development in the Vicinity of Cessnock Airport	To ensure that development occurring in the vicinity of Cessnock Airport neither impacts on the operations of the airport nor is adversely impacted by the operations of the airport.	The subject site is not located within the vicinity of the Cessnock Airport.	Yes
3.2.11 Singleton Military Area	This section relates to the hatched area in Figure 3 of the DCP and seeks to ensure that consideration is	The subject site is located outside of the hatched area in Figure 3 of the DCP.	Yes

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	given to the potential impacts of activities from the Singleton Military area.		
3.3 Native Vegetation (Revegetation) and Flora/Fauna Impacts	To encourage native vegetation protection and revegetation of disturbed areas.	The site is essentially cleared, except for four (4) trees located at the front of the site. One (1) of these trees is to be retained and a detailed landscaping plan has been lodged with the Application prepared by a Landscape Architect identifying sufficient landscaping of the site. While the landscaping plan identifies both endemic and non-endemic species, a condition has been included in the notice of determination requiring an amended species schedule on the landscape plan to include endemic species in accordance with Appendix 2 of the DCP.	Yes
3.3.5 Aboriginal Archaeology	Recognise and conserve Aboriginal archaeology in the area.	An AHIMS search has been carried out by the Applicant to ascertain the location of Aboriginal sites within close proximity to the site. This search confirmed that no sites are located within the boundaries of the site, or within close proximity. As such, a Due Diligence Report or Aboriginal Cultural Heritage Assessment (ACHA) is not required.	Yes
3.3.7 Water Management	Ensure water is appropriately managed in an environmentally sensitive manner and is not detrimental to downstream users or adjoining properties.	Water supply has been under Chapter D4 of the DCP.	Yes
3.3.8 Disposal of Waste	Ensure that wastewater is disposed of in an environmentally acceptable manner.	Wastewater will be treated and dispersed on site. A suitable wastewater report has been submitted demonstrating the sites suitability to accommodate an appropriate system.	Yes
3.3.9 Servicing	The development is to be appropriately serviced with water, electricity and telecommunications	Water supply has previously been discussed and will rely on roof collection and tank storage. Electricity and telecommunications are available to the site.	Yes
3.3.10 Outdoor Lighting	Minimise the impact of lighting on the night sky within the vineyards district.	Low level lighting is proposed throughout the development to provide a safe and secure environment whilst ensuring minimal light pollution.	Yes

		A condition has been included in the draft notice of determination requiring an exterior lighting location plan to provide design details on the type and style of lighting to ensure minimal impact upon the amenity of the area and to comply with the relevant Australian Standard for the control of the obtrusive effects of outdoor lighting AS 4282:1997.	
3.3.11 Fencing	This section seeks to ensure that barbed wire fencing is not used and fencing is consistent with the rural character of the area.	<p>No barbed wire fencing is proposed.</p> <p>Rural style post and rail fencing is proposed along the frontage of the site to a height of 1.7 metres.</p> <p>There will be a small section of masonry/stone fencing at the two (2) gateway entries to establish a gateway feature to the development, reflecting the materials/finishes of the proposed buildings.</p> <p>The fencing proposed is considered suitable and compliant.</p>	Yes

Consideration of Variations

3.2.5 Front and side setbacks

- Front setback

The underlying objective of the front setback requirement under Section 3.2.5 is as follows:

“To promote a visually appealing landscape consistent with the rural and viticultural character of the Vineyards District, recognising the particular qualities of a site and its surrounds.”

While the DCP prescribes a setback of 75 metres, the DCP also enables Council to vary this standard providing the underlying objective of the standard can still be satisfied, and the variation justified.

The following variation to the front setback are proposed:

Proposed Development	Proposed Setback	% Variation
Main Building (to be used as a manager's residence)	35.487 metres	53% variation
“Glasshouse” guest activities building	26.753 metres	65% variation

In justifying the variation, the Applicant has noted that the existing dwelling and shed on the site have established reduced setbacks. The main building and glass house will be positioned in the same locations as the existing dwelling and shed.

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Further, it is noted that there are several properties within the vicinity of the site with reduced front setbacks including:

Property Address	Front Setback
453 Talga Road (adjoining to the west)	56 metres
444 Talga Road (to the north east)	30 metres
467 Talga Road (to the west)	17 metres
339 Talga Road (to the east)	37 metres
379 Talga Road (to the east)	20 metres

The chosen site for the main building has recognised the slope of the land and views to the south towards Black Creek and the Wattagan mountains. The land falls away from the street (to the south) and the main building will sit approximately 3 metres below the level of Talga Road which will soften the visual impact of the development when viewed from the road.

The design and siting of the development is considered to be appealing and appropriate within the rural setting. The completed development (including landscaping in accordance with the submitted landscape plan) will contribute to the existing rural landscape character of the locality and improve the current appeal of the site.

Having regard for the above, it is considered that the proposed front setback satisfies the underlying objective of the prescriptive standard and the variation is considered adequately justified.

- **Side Setbacks**

The underlying objectives of the side and rear boundary setback requirements under Section 3.2.5 are as follows:

- *To promote a visually appealing landscape consistent with the rural and viticultural character of the Vineyards District, recognising the particular qualities of a site and its surrounds, and*
- *To minimise the impact on the viticultural potential of adjoining land.*

The required side and rear setback required under the DCP is 50 metres. The following table details the proposed setbacks, the variation as a percentage to the standard and justification for the variation:

Boundary	Proposed Setback	Variation %	Justification
Eastern boundary	25 metres	50%	<p>The property immediately adjoining the land to the east is vacant and is a narrow strip of land privately owned which appears to resemble an old road reserve). The narrow width of this property restricts its development for the purpose of any structures or vines.</p> <p>As such, this land essentially provides an additional 20 metre buffer between the development and the land further to the east (407 Talga Road). There are no vines established at 407 Talga Road and the dwelling on this property is located approximately 350 metres from the proposed development.</p> <p>Having regard for the current use of land to the east, it is considered that the proposed setback will not compromise any potential future viticultural pursuits at 407 Talga Road, nor result in any significant amenity</p>

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			impacts on the existing dwelling. As such, the reduced setback is considered justified and satisfies the underlying objective of the prescriptive standard.
Western boundary	<p>60 metres to the main building</p> <p>25 metres to the swimming pool</p> <p>30.5 metres to the guest activities building "glasshouse"</p> <p>30 metres to the free standing tourist accommodation building "beekeepers inn"</p>	<p>Complies</p> <p>50%</p> <p>39%</p> <p>40%</p>	<p>While the swimming pool and small guest activity building (glasshouse) are non-compliant with the required 50 metre setback requirement, the main building footprint is compliant.</p> <p>It is noted that there are no vines on the property to the west and the dwelling located on this property is used for tourist accommodation, being a compatible land use to that proposed. This building is located approximately 90 metres from the proposed pool. Landscape screening is proposed along the western boundary in addition to established vegetation on the adjoining property to further mitigating any amenity impacts.</p> <p>In relation to the guest activities building (glasshouse), this structure is also located approximately 90 metres from the adjoining dwelling (tourist accommodation) and is also screened by established mature within the adjoining property.</p> <p>The freestanding tourist accommodation building (that is located in isolation of the main development further to the rear of the site) is located 30 metres from the side boundary of the adjoining property at 457 Talga Road. Again, there are no established vines on this site and the dwelling on this property is located approximately 160 metres away from the proposed "beekeepers inn" tourist accommodation building.</p> <p>Having regard for the site specific circumstances, it is considered that the western boundary setbacks are appropriate and satisfy the underlying objectives of the prescriptive standard.</p>
Northern boundary setback to the adjoining property to the west	27 metres to the single free standing tourist accommodation building "beekeepers inn".	46%	<p>While this freestanding tourist accommodation building "beekeepers inn" is setback only 27 metres from the southern boundary of the adjoining property at 453 Talga Road, as previously discussed, there are no vines on this property and the dwelling located on the land is being used for tourist accommodation (a compatible land use) and is located approximately 160 metres away. Further, there are several outbuildings that are situated on this property which visually screen the proposed "beekeepers inn" from the dwelling identified as currently being use for tourist accommodation.</p> <p>Having regard for the site specific circumstances, it is considered that the reduced setback to this boundary is appropriate and satisfies the underlying objectives of the prescriptive standard.</p>

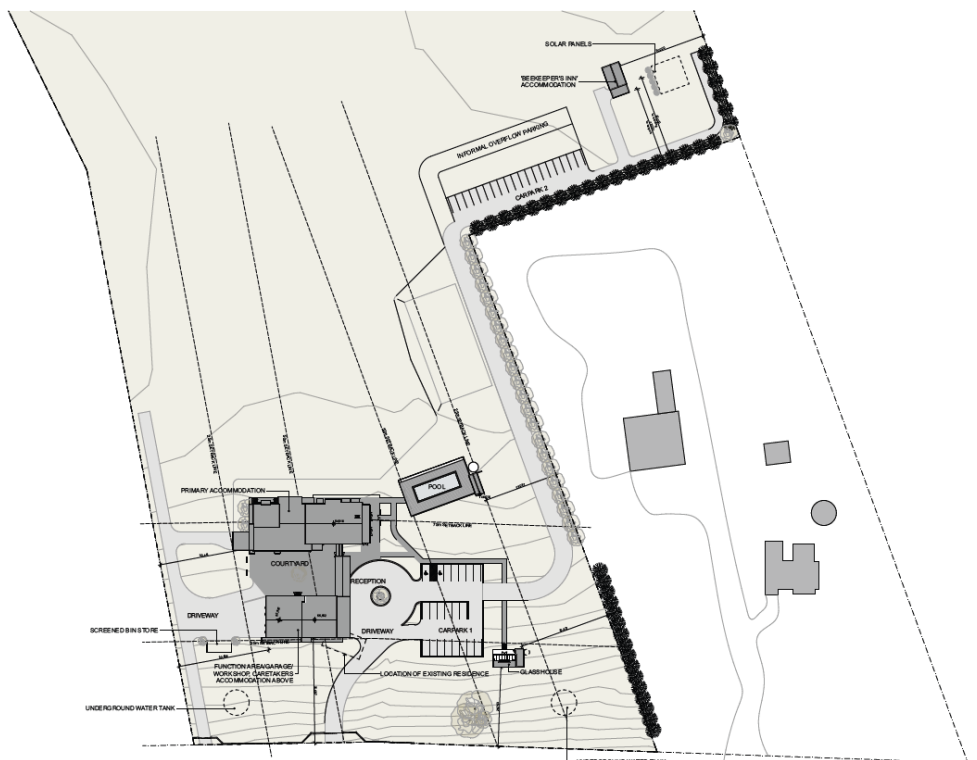


Figure 9 – Proposed setbacks

4.15(1)(a)(iia) The provisions of any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4

No such agreement has been proposed in conjunction with this application.

4.15(1)(a)(iv) The provisions of the regulations

There are no matters prescribed by the regulations that apply to this development.

4.15(1)(b) The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts on the locality

General natural and environmental impacts, as well as the social and economic impacts, have been addressed throughout this report and specifically with Section 4.15(1)(a). Additional impacts associated with the development are addressed below:

Noise Impacts

A Noise Impact Assessment (NIA) Report has been submitted in support of the application and has been assessed as being satisfactory.

The figure below (Figure 6) identifies the location of the nearest six (6) residential receivers to the proposed development (noting that receiver R1 is used as tourist accommodation).



Figure 6 – Noise receiver locations

The main noise impacts likely to be generated by the development will come from the operation of the function centre. In this regard, the following operating hours are proposed, and recommended within the submitted NIA to ensure the prescribed noise criteria are met in accordance with the relevant standards:

- Function room – 8am to 11.30pm
- Amplified music (indoors) – 8am to 10pm
- Background (incidental) music – 8am to 11.30pm
- Outdoor wedding ceremonies within the courtyard – 8am to 6pm

All amplified entertainment will be restricted to the indoor function centre, with no amplified entertainment outdoors within the courtyard.

All outdoor wedding ceremonies will be restricted to the central courtyard located between the primary accommodation building and function room to between 8am-6pm. Entertainment in the courtyard during wedding ceremonies will be restricted to cappella, acoustic performers, soloists and recorded music. All speakers (including the PA system for wedding ceremonies only) will be directed to the south or south west away from the nearest residential receivers.

Other restrictions outlined in the NIA associated with operational aspects of the development are detailed as follows:

- Swimming pool use – 7am to 9pm
- Guest activities in the glasshouse – 8am to 6pm
- Deliveries – no deliveries outside 7am to 6pm
- Installation of acoustic barriers around plant equipment

The Applicant has prepared a draft Plan of Management which details methods of controlling noise in the event of complaints, which will be dealt with by the on-site manager. A complaints register will be developed to ensure complaints are acted upon promptly and staff will be trained accordingly. An amended Plan of Management will be required (prior to the issue of any construction certificate for the development) to incorporate the recommendations and noise control measures contained in the NIA.

Subject to the operational aspects of the proposal complying with the recommendations of the NIA, it is considered that the development will have an acceptable impact on the amenity of the neighbourhood.

Traffic Impacts

The application has been supported by a Traffic Impact Assessment (TIA) and has been assessed as satisfactory.

Traffic generated by the development has been determined in accordance with the "RTA Guide for Traffic Generating Development".

In total, the proposed development (when fully occupied and the function centre in use) will generate up to 66.4 vehicle trips per day.

Talga Road is owned and maintained by Council and has an approximate 7metre wide road pavement within a 20m wide road reserve. The road is considered to be in good condition and will not require any upgrade works as a result of the proposed development. Adequate site distance exists along Talga Road at the two (2) entry/exit access points proposed for the development and safe access to and from the site can be achieved.

It can be assumed that most of the vehicles generated from the proposed development will access the site along Talga Road from the east via the Camp Road/Lovedale Road intersection. It is noted that Talga Road does not connect to Wine Country Drive to the west.

The current road treatment at the Camp Road/Lovedale Road intersection is of an adequate standard to accommodate the additional traffic generated by the development and will not require any further upgrade works.

In summary, Council is satisfied that the existing road network is capable of adequately and safely accommodating the additional traffic generated by the development without adversely impacting on existing traffic conditions.

Social Impact

Potential social impacts associated with the development, impacting or influencing the well-being of residents in the locality, are primarily associated with the following aspects of the proposal:

- The siting of the development spatially in proximity to neighbours;
- Noise impacts, particularly associated with the function centre, vehicles and plant equipment;
- Traffic impacts associated with increased traffic movements and safety;
- Visual and scenic impacts; and
- Land-use conflict.

The Development Application was notified on three (3) separate occasions to neighbouring property owners and the issues raised by the public are detailed and addressed further in this report.

Following each notification period, the Applicant was notified of the concerns raised with the design of the development amended on several occasions to respond to these concerns. The main building footprint has been consolidated and moved away from boundaries to reduce amenity impacts. In addition, the tennis court originally proposed as part of the development has been removed from the application. Additional parking has also been provided on the site.

Issues associated with visual impacts, noise and traffic generation and land-use conflicts have been addressed previously in this report through the lodgement of specialist reports and assessed in accordance with the DCP.

Council's Community Planner has assessed the proposal as having an acceptable social impact on the local community. While it would have been Council's preference for the Applicant to have undertaken community consultation prior to lodgement of the application, the community consultation undertaken by Council during the assessment of the proposal has been extensive and has adequately captured the views and concerns of the community.

Having regard for the above, subject to the recommended conditions of consent contained within the draft notice of determination, it is considered that the social impacts of the development will be acceptable.

4.15(1)(c) *The suitability of the site for the development*

As demonstrated by the above assessment, the proposed development is not expected to result in any significant impacts on the natural and built environment, or detrimental social or economic impacts in the locality, subject to the imposition of suitable conditions of consent.

4.15(1)(d) *Any submissions made in accordance with this Act or the regulations*

The development application and accompanying information was placed on public exhibition on three (3) separate occasions between the following dates:

- 15 January 2024 to 30 January 2024 – Seven (7) submissions received from seven (7) households.
- 9 May 2024 to 23 May 2024 - Eight (8) submissions received from eight (8) households.
- 7 August 2024 to 21 August 2024 - Nine (9) submissions received from nine (9) households.

The application was notified on three (3) separate occasions due to amendments made to the design of the development and additional information provided by the Applicant over the course of the assessment. As a result of the notification process, all submissions received were in objection to the proposal.

The issues raised in the submissions along with Council's comments/responses to each of the matters raised, are detailed below.

Issue	Submission	Comment
Zone objectives and character	The proposal does not satisfy the objectives of the RU4 Zone and is not in keeping with the character of the surrounding area.	The objectives of the zone have been addressed in Section 4.2 of this report. The proposed development is consistent with the objectives of the zone.
Non-compliant with boundary setback requirements	The development does not provide for adequate boundary setbacks as required in accordance with Council's DCP.	This assessment report identifies variation to the front, side and rear setbacks required by the DCP. Consideration has been given to the Applicants justification for the proposed variations. As discussed within this report, the variation are considered justified on planning grounds.
Traffic safety and impacts	The development will result in an increase in traffic impacting on the amenity of the area and Talga Road is not of a suitable standard to cater for this additional traffic load.	A TIA was submitted in support of the application. Traffic impacts have been addressed under Section 4.15(1)(b). Council is satisfied that traffic has been reasonably addressed.
Noise impacts	The development will result in adverse noise impacts on the rural amenity and on neighbouring properties, particularly in relation to guests, the function centre (there is limited information on the use of the function centre and no operating hours), vehicles and delivery trucks.	A NIA was submitted in support of the application. Noise impacts have been addressed under Section 4.15(1)(b). Subject to compliance with the submitted NIA and suitable conditions of consent, it is considered that the proposed development will not result in any significant noise impacts
Vehicle noise, headlights and privacy	There is a long driveway on the side boundary which will impact on the amenity of the neighbouring property in relation to vehicle noise, head lights and privacy.	The driveway proposed along the western boundary of the site is not the main access road leading to the main accommodation building positioned towards the front of the site. The driveway along the western boundary will be used by guests staying in the "beekeepers inn". It is also anticipated the driveway will be used to accommodate overflow parking associated with the function centre. A landscape screen is proposed along the western boundary and coupled with existing vegetation on the adjoining property, positioning and location of outbuildings any potential amenity impacts will be minimised.
Visual Appeal	The development is not considered to be visually appealing.	Visual impact and appeal has been discussed in this report under the

		provisions of Council's DCP 2010. It is considered that the design of the development is compatible with the rural character of the area whilst also providing architectural variation within the area.
Fireworks	Potential fireworks from functions will impact on neighbours, livestock and pets.	Whilst Council is notified of proposed fireworks displays, separate approval is required from Safe Work. It is understood that the approval process includes notice to adjoining residents.
Front fencing	The proposed front stone fence and gates will not be visually appealing from Talga Road and is not in keeping with the surrounding rural character.	Fencing has previously been discussed under the provisions of Council's DCP 2010 and is considered suitable.
Proposed helipad	There is mention of a helipad on the plans but no details in the documentation regarding this. Noise impacts from helicopters will impact on neighbours and livestock.	There is no helipad proposed as part of the development.
Material finishes	There is limited information on the colours of building materials, finishes and the type of stonework.	Montages submitted with the application demonstrate the use of muted earthy tones consistent with the rural character of the area.
Inadequate area on site for waste water disposal due to flooding	Inadequate area would be available for on site waste water disposal due to the flood affectation of the site.	Wastewater will be treated and dispersed on site. Council has reviewed the submitted wastewater report, which is deemed satisfactory.
Manager's Residence	There is no managers residence proposed to control noise from guests and function centre.	A manager's residence is proposed and is situated above the function centre, which will assist in managing operations on the site.
Overlooking	There will be overlooking on the neighbouring property from the second storey of the function centre.	The floor above the proposed function centre is the managers residence. Four (4) small windows are proposed on the western façade. Adequate separation has been provided to 453 Talga Road, approximately 120 metres which will minimise any privacy impacts. Further, the existing vegetation on the adjoining property, along with additional boundary planting on the subject land will further mitigate privacy impacts.
Neighbour consultation	There has been no consultation with neighbours.	The application was notified to surrounding neighbours on three (3) separate occasions during the assessment process. It is considered that this notification has been extensive and adequacy captured the views of the community.

Overdevelopment of the site	The proposal is an overdevelopment of the site and is confined to the front portion of the property due to the majority of the property being flood affected.	The suitability of the site for the development and the design and siting of the proposal within the property has been discussed in detail throughout this report. The density of the development complies with the provisions of the DCP. The proposed development is not considered to be an overdevelopment of the site.
Land use conflict and amenity impacts	The development will result in a land use conflict with the surrounding rural/residential area due to amenity impacts.	Land-use conflict has been discussed under the provisions of the DCP. Noise and traffic generation are considered under Section 4.15(1)(b). Professional reports have been prepared and assessed by Council as being acceptable in terms of amenity impacts and suitable conditions of consent have been included in the draft notice of determination to ensure impacts on surrounding properties are minimised.
Lighting impacts	Lighting from the development will impact on neighbouring properties (including head lights from vehicles).	The proposed development is located appropriately on the site, achieving adequate separation distance to dwellings on surrounding properties. Substantial landscape screening is proposed along the western boundary of to ensure amenity impacts associated with lighting are minimised.
Parking	The development provides insufficient parking for guests, the function centre and staff. This will force vehicles to park on Talga Road.	Adequate parking has been provided on site in accordance with the DCP.
Impact of the development on neighbourhood views	The development will impact on existing views currently enjoyed by neighbouring properteis	An assessment of the developments potential impact on existing views experienced from surrounding properties has been undertaken. The subject land falls away from Talga Road towards Black Creek at the rear of the site. The development will be stepped down the site and the location and elevation of existing residents surrounding the site are such that views towards the south will be retained.

4.15(1)(e) The public interest

The public interest is served through the detailed assessment of this Development Application under the *Environmental Planning and Assessment Act 1979*, *Environmental Planning and Assessment Regulation 2000*, Environmental Planning Instruments and Council Policies.

Based on the above assessment, it is considered that the proposed development is consistent with the wider public interest.

4.46 Integrated Development – Bushfire

The development occurs on bushfire prone land and is for a Special Fire Protection Purpose (being tourist and visitor accommodation) as defined in Section 100B of the *Rural Fires Act 1997*. As such the application has been referred to the NSW Rural Fire Service for comment. General terms of approval have been provided dated 19/09/2024

SECTION 7.12 CONTRIBUTIONS

Section 7.12 Contributions are payable for the proposal.

In the event the application is approved, Section 7.12 Contributions totalling **\$49,174.53** would be payable, in accordance with the following:

Stage 1

Proposed cost of carrying out the development (PC)	Percentage of Levy (L%)	Proposed Cost of Development	S7.12 Contribution
\$0 to \$100,000	0.0%	No levies applicable	\$0.00
\$100,001 to \$200,000	0.5%		\$0.00
More than \$200,000	1%	\$250,000.00	\$2,500.00
Contribution Total			\$2,500.00

Stage 2

Proposed cost of carrying out the development (PC)	Percentage of Levy (L%)	Proposed Cost of Development	S7.12 Contribution
\$0 to \$100,000	0.0%	No levies applicable	\$0.00
\$100,001 to \$200,000	0.5%		\$0.00
More than \$200,000	1%	\$1,500,000.00	\$15,000.00
Contribution Total			\$15,000.00

Stage 3

Proposed cost of carrying out the development (PC)	Percentage of Levy (L%)	Proposed Cost of Development	S7.12 Contribution
\$0 to \$100,000	0.0%	No levies applicable	\$0.00
\$100,001 to \$200,000	0.5%		\$0.00
More than \$200,000	1%	\$3,167,453.00	\$31,674.53
Contribution Total			\$31,674.53

INTERNAL REFERRALS

The Development Application was referred to the following Council officers for comment:

Officer	Comment
Development Engineer	No objection has been raised to the proposal, subject to the imposition of standard engineering conditions.
Environmental Health Officer	Council's Environmental Health Officer has assessed the development as being satisfactory subject to suitable conditions of consent in relation to wastewater management, noise impacts and food premises.

Report PE20/2025 - DA 8/2023/753/1 for a staged Development comprising the Demolition of an Existing Dwelling, Swimming Pool and Shed and the Construction of Tourist and Visitor Accommodation, a Function Room, Swimming Pool, Studio/Workshop for Guest Activities, Managers Residence Ancillary Parking and Landscaping

Enclosure 3

Community Planner	Council's Community Planner has assessed the proposal as having an acceptable social impact.
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EXTERNAL REFERRALS

The Development Application was referred to the following external agency for concurrence:

Agency	Concurrence	Outcome
NSW Rural Fire Service	The application was lodged as "integrated development" under the provisions of Section 4.46 of the <i>Environmental Planning and Assessment Act 1979</i> , and was referred to the NSW Rural Fire Service for concurrence.	General Terms of Approval under Division 4.8 of the <i>Environmental Planning and Assessment Act 1979</i> , and a Bush Fire Safety Authority under section 100B of the <i>Rural Fires Act 1997</i> , have been issued.

CONCLUSION

The Development Application has been assessed in accordance with *Section 4.15(1) of the Environmental Planning and Assessment Act 1979*, and all other relevant instruments and policies.

As outlined in this report, the assessment has taken into consideration the relevant planning provisions and the proposal is supported based on the following:

- There are no matters within a SEPP that restrict the proposal from being granted development consent;
- The proposed development is consistent with the *CLEP 2011*. In particular, it is considered that the proposal is permissible on the land and will suitably meet the objectives of the zone;
- Council officers have assessed the proposal against the requirements of the Cessnock DCP 2010 and determined that the development is compliant with the overall aims and objectives of the DCP, with variations associated with boundary setbacks addressed in the report;
- The objections received during the public notification period have been considered pursuant to Section 4.15(1)(d) and the matters raised are not considered sufficient to warrant refusal of the application. Suitable conditions of consent have been imposed to minimise the impact of the development on both the environmental qualities of the site and the amenity of the neighbourhood; and
- Overall, the application is considered to be in the broader public interest.

It is therefore recommended that the application be approved subject to the conditions contained in the attached draft Notice of Determination.



CESSNOCK LGA
2025



VILLAGES STRATEGY



CESSNOCK CITY COUNCIL



Journey Through Time, created by local school students and artist Steven Campbell.

Acknowledgement of Country

Cessnock City Council acknowledges that within its local government area boundaries are the traditional lands of the Wonnarua people, the Awabakal people and the Darkinjung people. We acknowledge these Aboriginal peoples as the traditional custodians of the land on which our offices and operations are located, and pay our respects to Elders past and present. We also acknowledge all other Aboriginal and Torres Strait Islander people who now live within the Cessnock Local Government Area.

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HOW TO READ THIS STRATEGY

How to read this Strategy

This strategy is structured in the following way:

1. An introduction to the strategy, including its purpose, relationship to the planning framework and the outcomes of consultation undertaken to inform the Strategy;
2. An overview of what local character is and how it can be defined; and
3. Actions proposed to embed local character, separated into:
 - a. Planning Actions, i.e., possible amendments to Planning Controls – being the Cessnock Local Environmental Plan (CLEP 2011) and/or Cessnock Development Control Plan (CDCP 2010).
 - b. Other actions which are not any of the above, e.g., community or social events, or actions that require further investigation before amendments to planning controls can be made (e.g., heritage listings).

Timeframes for these Actions are as follows:

Intermediate: 0–2 Years

Short Term: 3–5 Years

Medium Term: 5–10 Years

Long Term: 10+ Years

Ongoing: For actions that will continue to be implemented for the lifespan of the Strategy.



Introduction

Our villages are an important part of our history, and they support thriving communities.

Many of our villages exist in rural or environmental settings. This important quality reflects their histories and provides 'breaks' between one village and the next.

Purpose

The purpose of this Strategy is to reflect on the villages within the Local Government Area (LGA) and seek to understand the important features and characteristics that make them unique. By doing so, we gain a better understanding of their existing local character and how they may look and feel into the future.

This strategy seeks to define the existing and desired future character of the following villages:

- Greta
- Kearsley
- Laguna / Wollombi
- Mulbring
- North Rothbury

These village areas represent key entry points into the LGA, or which are tourist destinations or nodes in their own right.

Over time and as resourcing permits, this strategy will be amended to include consideration of other villages within the LGA which are not addressed by a separate Town Centre Strategy, Masterplan or Public Domain Plan.

Relationship to the Planning Framework

At a local scale, this Strategy responds to goals, priorities and actions of the Community Strategic Plan (CSP) and Local Strategic Planning Statement (LSPS).

Cessnock 2036, our CSP, seeks to establish “A Sustainable and healthy environment”. Fundamental to supporting this goal is a balance between development and the existing environment, including the built and natural environments.

This Strategy has direct connection to a number of priorities in LSPS, including:

Planning Priority 28: Our commercial centres and villages are tourist destinations in their own right.

Planning Priority 29: Our villages retain their unique qualities that reflect their histories.

Planning Priority 30: Growth of our villages occurs in a way that protects their character and setting in the rural and environmental landscape and responds to risk of bushfire and flooding.

Action 13 of the LSPS responds to these priorities, requiring Council to “Prepare a villages strategy”

Additionally, Council’s Village and Activation Plan (November 2020) recommends the preparation of local character statements to inform place activation.

At regional scale, the strategy is informed by the Hunter Regional Plan 2041 (HRP 2041), as per the following strategies:

Strategy 8.5

Local strategic planning should consider:

- Identifying towns and villages which have a strong tourism presence and/or serve as gateways to visitor experiences in surrounding areas
- Supporting a diverse range of tourism development, including events and placemaking initiatives which celebrate the local community, heritage and Country

Strategy 9.5

When identifying expansion opportunities for rural towns and villages (including rural-residential), local strategic planning should consider the location of primary production and conservation lands and determine appropriate rural town and village growth boundaries to limit the encroachment of development into areas that have important agricultural, ecological, scenic or heritage value.

Planning priority 1 for the Hinterland District also requires planning for housing diversity in towns and villages.



Consultation informing this Strategy

External consultation seeking feedback for the draft character statements and actions was undertaken in early 2022. The exhibition material included a Discussion Paper, that outlined the project intent, and analysed social, environmental and economic considerations that make up local character.

The feedback from these engagement activities helped to establish which features of the villages are most important to residents and visitors, and those that helped to contribute to its local character and needed to be preserved. Additionally, this feedback helped to identify the actions within this Strategy that will assist in embedding the desired future character of the villages.

The draft Strategy was exhibited in Mid-2025. The Strategy has been amended post-exhibition to respond to these submissions where appropriate.

What is local character?

Local character is what makes a place or area distinctive or unique. Local character is the combination of multiple factors, which relate to an area's history, built form, public and private spaces, community values, and how they connect to a place.

Local character is influenced by social, economic, and environmental factors.

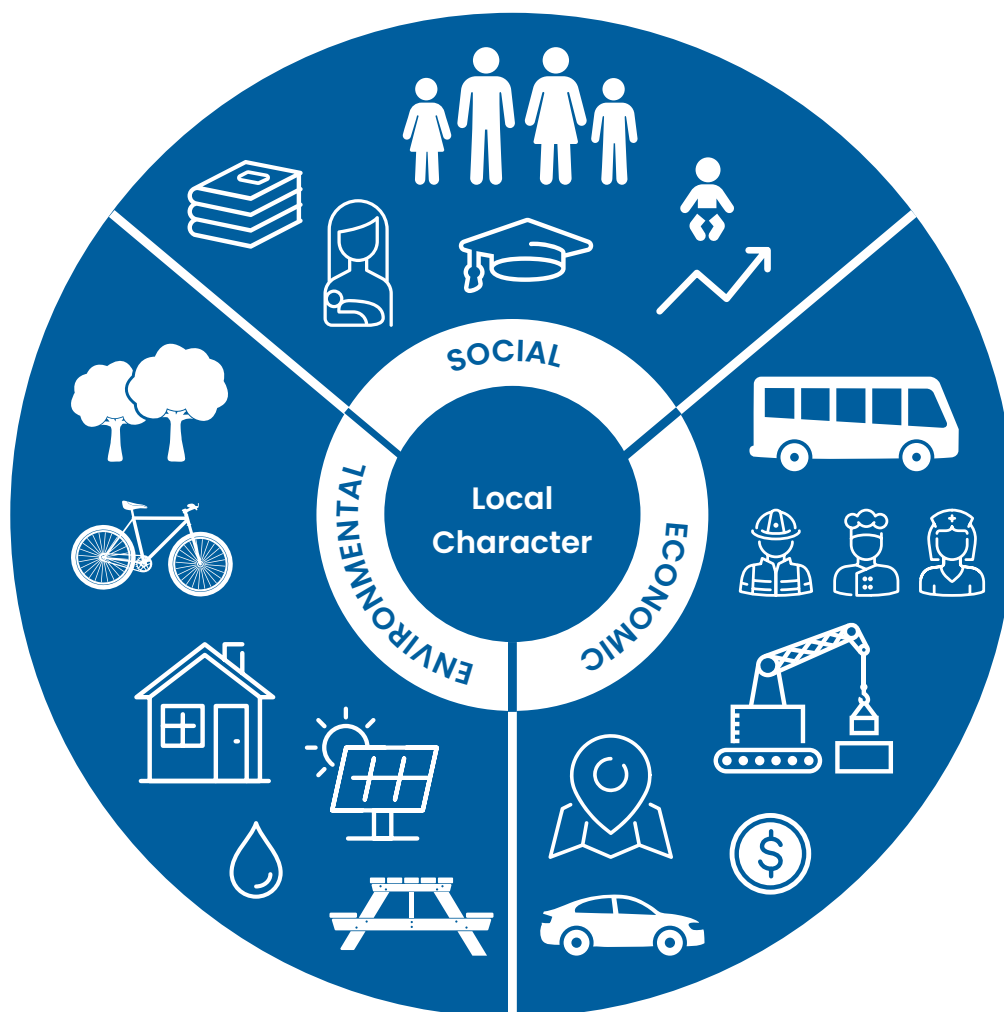


Figure 8: Wheel of Local Character (modified from DPIE Local Character and Place Guideline, 2019)



Natural and Built Environment

The interaction of the natural and built environment also informs the character of a place. The built environment refers to the type of development in an area, including land uses, subdivision pattern, building setbacks, streetscapes/types, architectural styles, density and building height.

The natural environment includes bushland, open spaces (including public parks), watercourses, topography (including landforms and views), vegetation cover and the opportunities it provides for recreation and refuge. The natural environment is also a critical component of connection to country for traditional landowners.

Social Environment

The social environment relates to the local population, being the people who live, work and/or visit a place. The existing and predicted, or forecasted, demography (e.g., age, gender, dwelling types, family and household composition, education, employment etc.) can influence how a place feels and functions, and can help determine what is needed to support the existing and growing community.

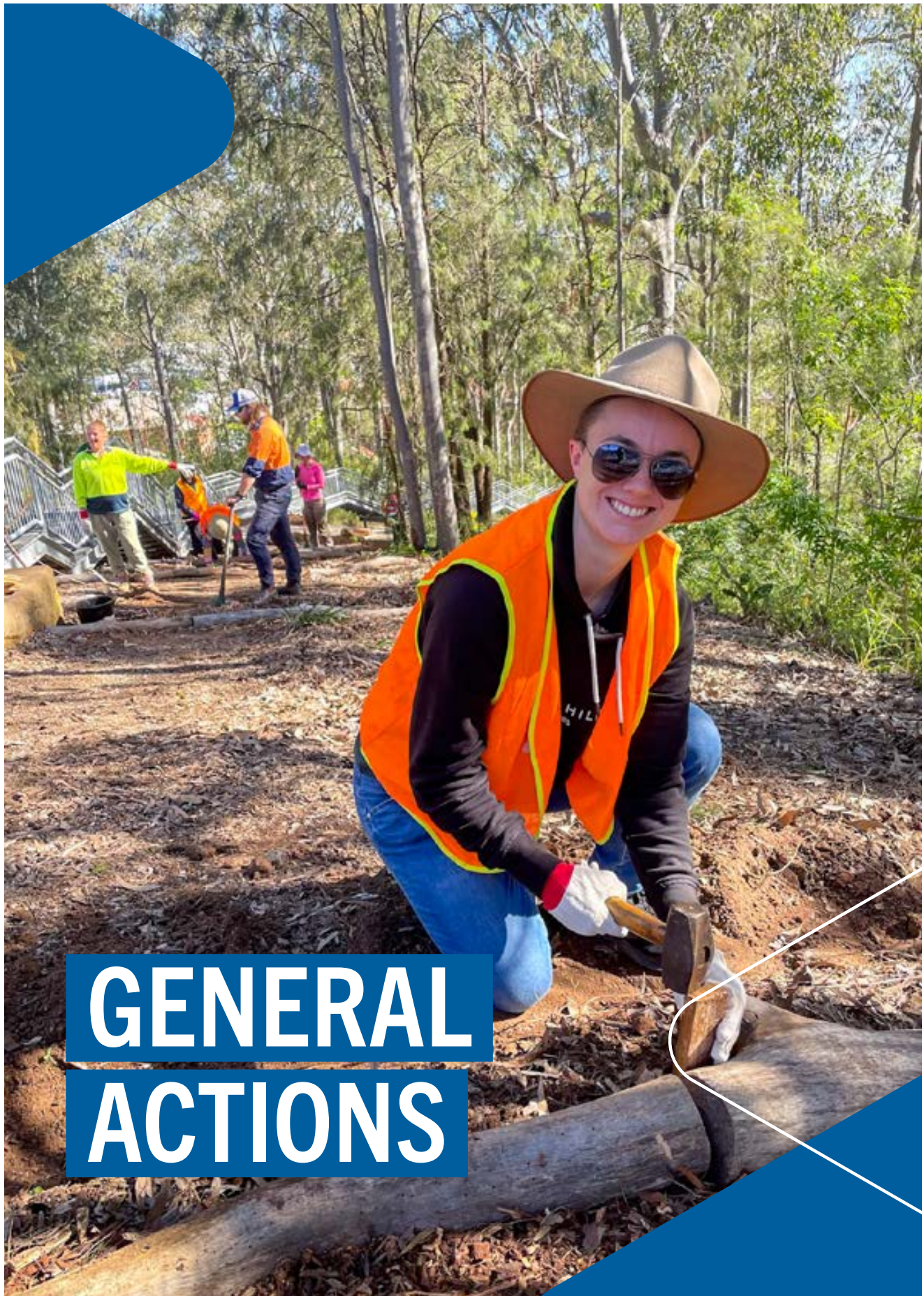
The social environment also includes the social infrastructure that supports the local population and creates social hubs to meet, play or relax. In many cases, this can include aspects of the natural and built environment, such as a pub, sporting facility or park.



Economic Environment

The economic environment relates to how an area forms part of a local or broader economic framework. A place can be defined by the type of businesses it supports, what types of employment is available for its residents, retail activity and the local road network to move people, goods and services.

There are a number of actions which have been identified which are equally relevant across all villages. These are identified in the following pages.

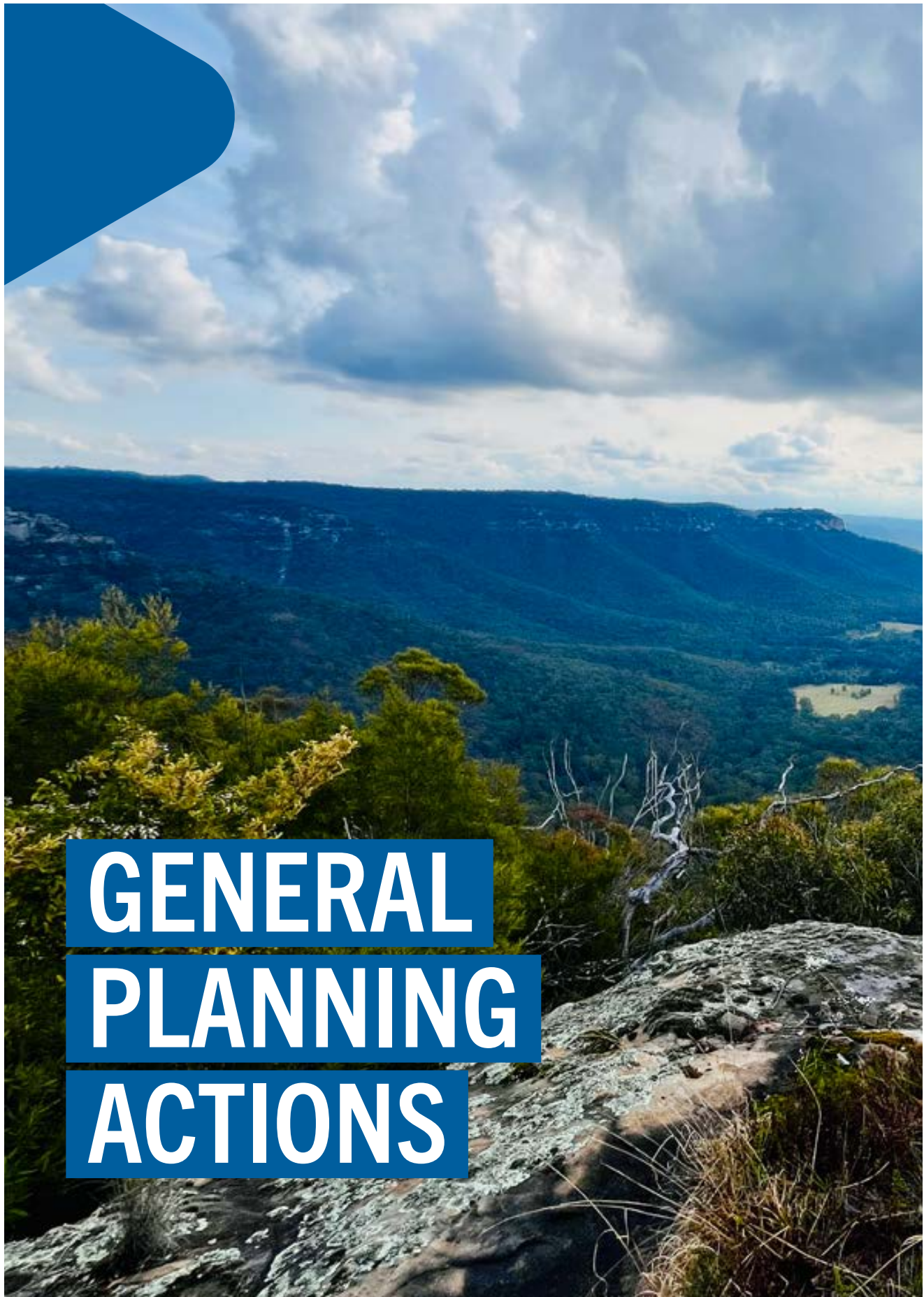


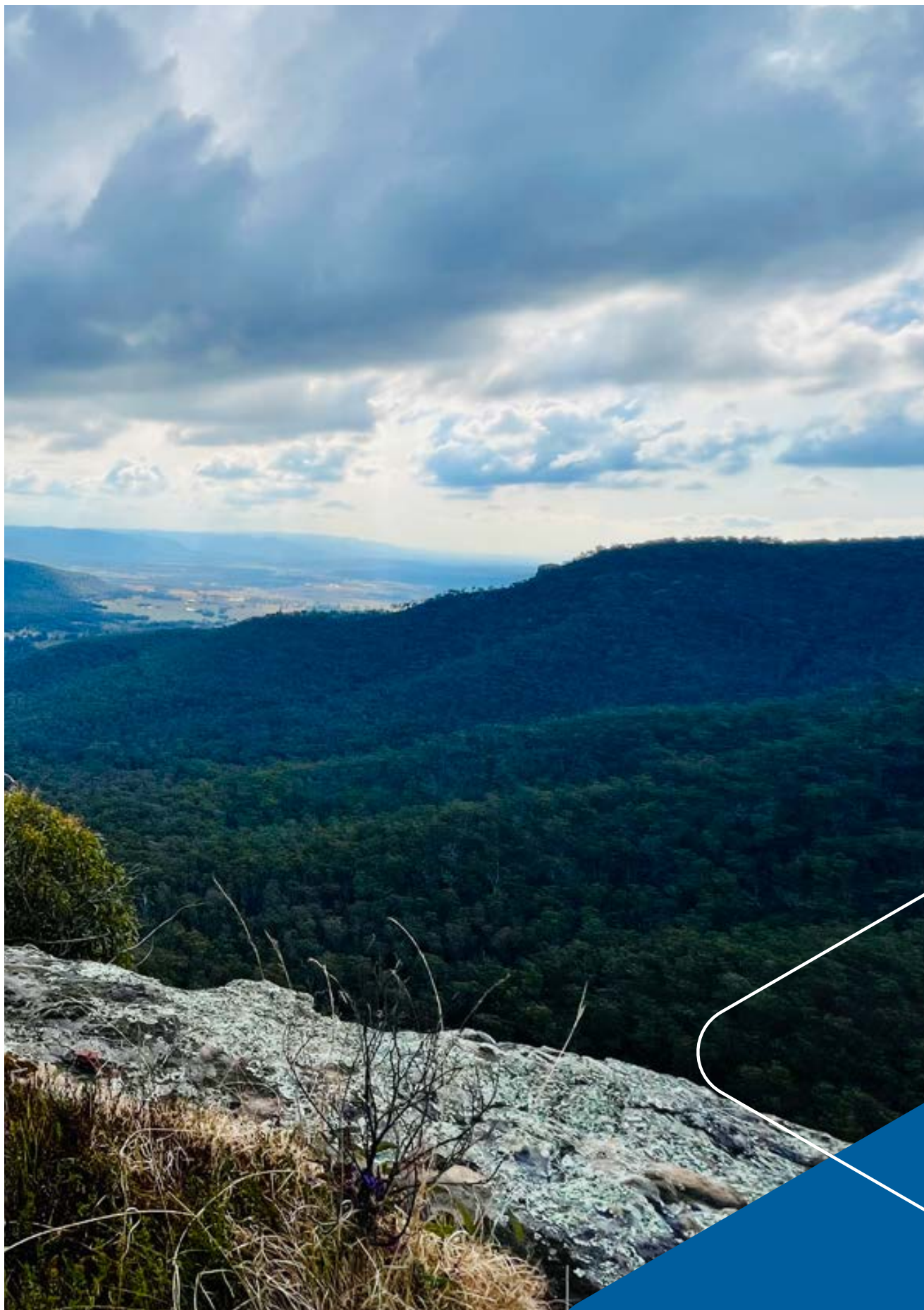
GENERAL ACTIONS

General Actions

ACTION	DEPENDENCIES	KEY PARTNERS	TIMEFRAME
Develop signage and education programs to promote correct waste disposal practices, particularly for tourists.	Funding In-house resource capacity	Waste Management	Short
Install clear signage for public waste bins to minimise contamination and problem waste (i.e., Batteries).	Funding In-house resource capacity	Waste Management	Short



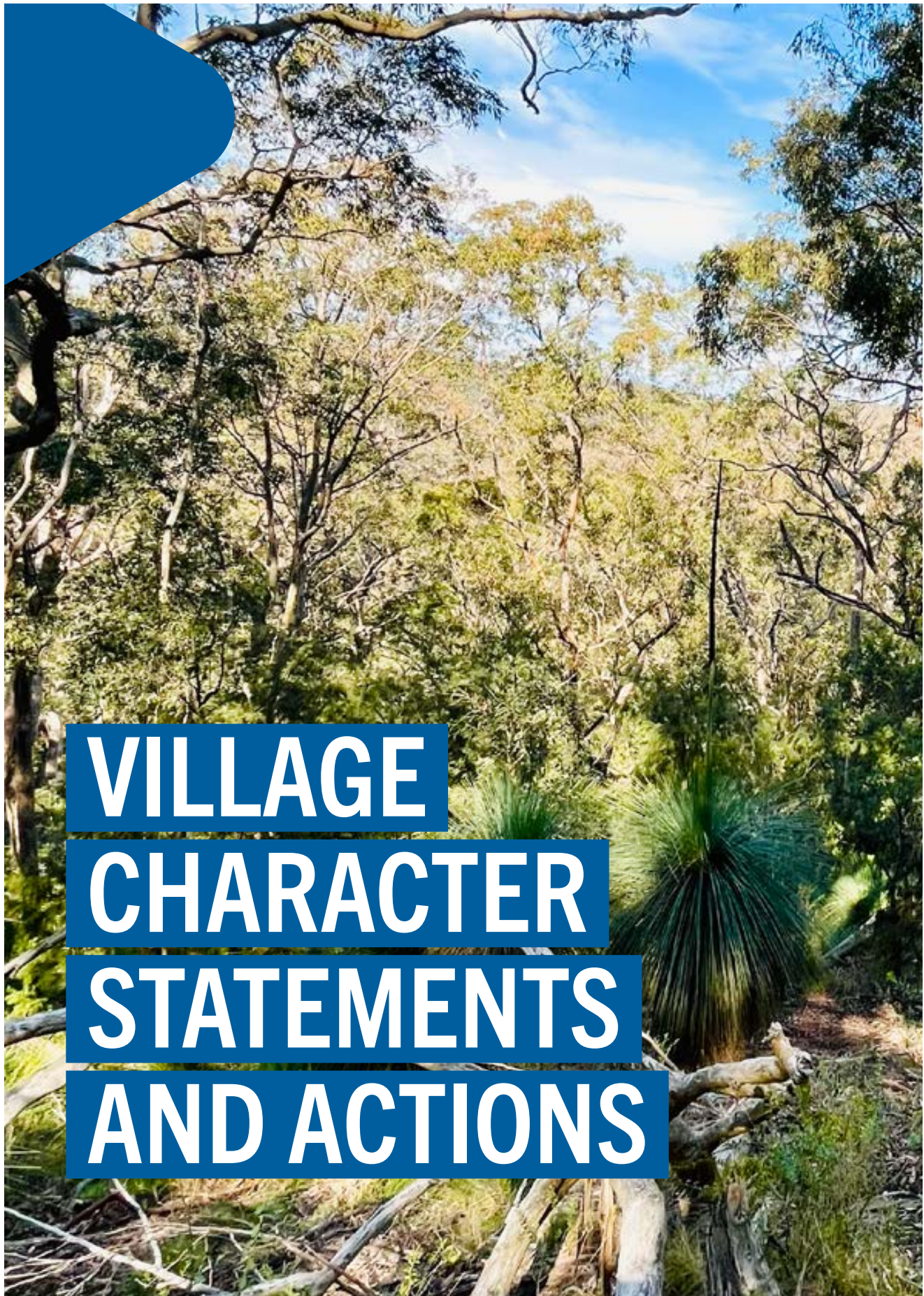




General Planning Actions

ACTION	DEPENDENCIES	KEY PARTNERS	TIMEFRAME
Integrate the local character statements into a new "Villages" Chapter of DCP 2010.	Residential LEP Theme review In-house resource capacity	Strategic Planning	Short
Prepare a Laneways Strategy which seeks to identify issues and opportunities for higher utilisation of existing laneways, such as primary access for subdivided land / secondary dwellings.	Residential LEP Theme review	Strategic Planning	Medium
Relevant matters for consideration include (but are not limited to) water and sewer infrastructure location, waste collection servicing, widths, contribution to local character and potential impacts, heritage value and initial/ongoing maintenance costs.	Funding In-house resource capacity	Traffic and Transport Waste Management Hunter Water	
Review the existing building line policy / DCP controls to maintain the presence of generous front setbacks and fencing.	Residential LEP Theme review In-house resource capacity	Strategic Planning	

ACTION	DEPENDENCIES	KEY PARTNERS	TIMEFRAME
<p>Prepare an amendment to DCP 2010 to address Ancillary Development, such as sheds, to address:</p> <ul style="list-style-type: none"> Built form – Bulk, scale, height Character Neighbour amenity Soft landscaping Stormwater management On-site wastewater disposal management 	<p>Residential LEP Theme review</p> <p>In-house resource capacity</p>	Strategic Planning	Short
<p>Commence the preparation of local character statements and identification of actions to reinforce local character for the Rural West villages: Paxton, Ellalong and Millfield.</p>	In-house resource capacity	Strategic Planning	Short
<p>Commence the preparation of local character statements and identification of actions to reinforce local character for the remaining village areas.</p>	In-house resource capacity	Strategic Planning	Medium





Village Character Statements and Actions

Greta

Existing Character

Greta is located east of the village of Branxton and west of the village of Lochinvar. It is one of the beads of villages along the New England Highway, providing linkages within and beyond the upper Hunter Valley to inland NSW.

Greta is also located within the Anambah to Branxton Growth Corridor.

Like many villages within the Hunter region, Greta was founded on the back of the coal industry in the mid to late 1800's and early 1900's. Unlike other settlements though, the village of Greta had prominence as an administration centre, featuring a police presence, court house and local chambers. These functions later being supported by the Greta migrant camp located south of the village, and then an army presence in the same locality.

The defining feature of Greta is the central green median, between the New England Highway and the original High Street, lined with mature Silky Oak trees (*Grevillea robusta*), in addition to the many areas of open space, particularly the multi-sports oval located on the village's eastern periphery. These open space areas provide a green break in the "hard" road infrastructure, offering opportunities for active and passive recreation, as well as places for community gatherings.

Subdivision pattern and many dwellings within Greta are representative of the era of establishment of the village, particularly

around the core of High Street / New England Highway. Allotments are generally grid-like, being rectangular in shape with modest frontages and deep in length. There are many examples of hipped roof cottages with front verandah. Many cottages have been well maintained, retaining the original façade and features, however modifications, particularly extensions to the rear of dwellings and ancillary structures are common.

The village core retains an active retail street frontage, comprising original buildings, in addition to some more contemporary developments. Parts of the village core retain the original sandstone kerb and guttering.

The village is experiencing some growth, with subdivisions occurring to the north and south of the village core. Subdivisions south of the urban core are in keeping with the existing average lot size of approximately 750 – 800m². Subdivision north of the village core is more contemporary in nature, with lots of approximately 600m². Dwellings in both localities however are generally modern brick and tile project homes.

There is evidence of infill development occurring, with some individual lot subdivisions, dual occupancies and secondary dwellings.

Greta is a family orientated village, with the predominant household type being couples with children.



Future Character

Greta will continue to maintain a linkage to the past by the retention and maintenance of existing buildings within the village core. New development in the village core will be in keeping with these heritage values. Where possible, dwellings with features dominant at the time of the village establishment will be retained and maintained.

The context and setting of the village may change over time, as development within the Branxton to Anambah Growth Corridor advances.

The central median will be retained, with upgrades to tired infrastructure (e.g., seating/tables) utilising materials compatible with the surrounding built form. Upgrades to existing areas of open space will provide enhanced opportunities for active and passive recreation, as well as supporting places for family and community gatherings.

The heritage of Greta will be promoted and there will be more opportunities for activation of public open space through markets and events.

Greta will continue to be a location of choice for growing families. Infill development will occur, but will be focused on delivery of a range of dwelling sizes and forms, to provide opportunities for aging in place.

Growth of the village may occur but only where supported by Council's Urban Growth Management Plan. There will be limited further retail development outside of the existing village core and be reliant on activation of vacant sites and vacant premises. Such development will be of a "local" scale, providing goods and services for the local population.



Greta





Planning actions

ACTION	DEPENDENCIES	KEY PARTNERS	TIMEFRAME
Undertake further investigations to determine whether Schedule 5 of the CLEP should be amended to include a listing for the sandstone steps at Hunter River Reserve.	Comprehensive Heritage LEP Theme In-house resource capacity	Strategic Planning Local Heritage Committee / Partners	Medium

Other actions

ACTION	DEPENDENCIES	KEY PARTNERS	TIMEFRAME
Review the existing stormwater management infrastructure which delivers water into Anvil Creek, with the view to identifying and implementing works or actions to improve the quality of Anvil Creek (e.g., gross pollutant traps, detention basins, wetlands, revegetation, education programs etc.).	In-house resource capacity Funding	Sustainability Infrastructure	Long
Review current arrangements with Local Landcare to identify and provide additional support to maintain green spaces (e.g., bulk waste removal, weed management, revegetation), particularly the Hunter River Reserve, Greta.	In-house resource capacity Funding	Sustainability Waste Management Open Space and Community Facilities	Medium
Support opportunities to provide regular community events that engage children, young people and families which celebrate the multi-cultural diversity of the area resulting from settlement of migrants from the Greta Migrant Camp.	Plans of management Licencing, approvals and insurances Funding	Community and Cultural Development Communications and Engagement Economic Development Chamber of Commerce / Business Chambers Open Space and Community Facilities	Ongoing

ACTION	DEPENDENCIES	KEY PARTNERS	TIMEFRAME
Advocate for local heritage interpretation and signage to form part of the development concept for the redevelopment of the former Greta Migrant Camp.	In-house resource capacity	Strategic Planning Land owner	Intermediate
Develop and promote a local heritage walk within and beyond the Greta township supported by a physical booklet, digital app and or static signage, considering places/items such as:		Open Space and Community Facilities Strategic Planning Traffic and Transport Local Heritage Committee / Partners	
<ul style="list-style-type: none"> Greta courthouse & former police station Greta Chambers Road sections with sandstone kerbing Greta migrant camp Greta Hotel Greta Station Hunter River, including Hunter River Reserve Local Collieries Local indigenous features 	Trails Strategy Review In-house resource capacity Funding	Aboriginal and Torres Strait Islander Committee Local Aboriginal Land Council Economic Development Sustainability Tidy Towns Committee	Long
Develop concept plans for Whitburn and Norman Brown Parks, illustrating future opportunities.	In-house resource capacity Funding	Open Space and Community Facilities	Medium

Kearsley

Existing Character

The village has a significant relationship with historical coal mining activity within the locality. In particular, the South Maitland Railway (SMR) System main line, located at the northern most extent of the village is particularly important.

The village is surrounded on most sides by dense vegetation, and as such is visually disconnected from other urban settlements. Notwithstanding, the village is informally connected by a series of well utilised formal and informal trails through the adjoining bushland connecting to other villages, such as Abernethy.

Caledonia Street provides a local view corridor, but also significant views of the mountain ranges to the east, including the Sugarloaf range. Both Caledonia Street and Lake Road are lined with an avenue of crepe myrtles which provide vibrant colourful streetscapes during the summer months.

George Jeffrey Park, the adjoining hotel, the public school and community hall form the social hub/s of the village. There is limited business and retail activity, with a service station on Allandale Street fulfilling the role of a local general store.

Kearsley comprises two distinct yet connected areas, a larger lot rural residential area in the north-west, and a smaller lot residential area in the south-east with its core along Allandale Street. The two areas are connected by Caledonia Street and George Jeffrey Park. The former comprises predominantly single storey, detached dwellings, set on large allotments, the latter, comprises a grid-like subdivision pattern, with regular sized and shaped lots and midblock unformed laneways.

Dwelling styles include single-storey Victorian, bungalows, examples of later post-war styles, including lightweight weatherboard or clad dwellings, as well as contemporary dwellings (including project brick and tile homes). Battle-axe allotments and secondary dwellings are present but to a lesser degree.

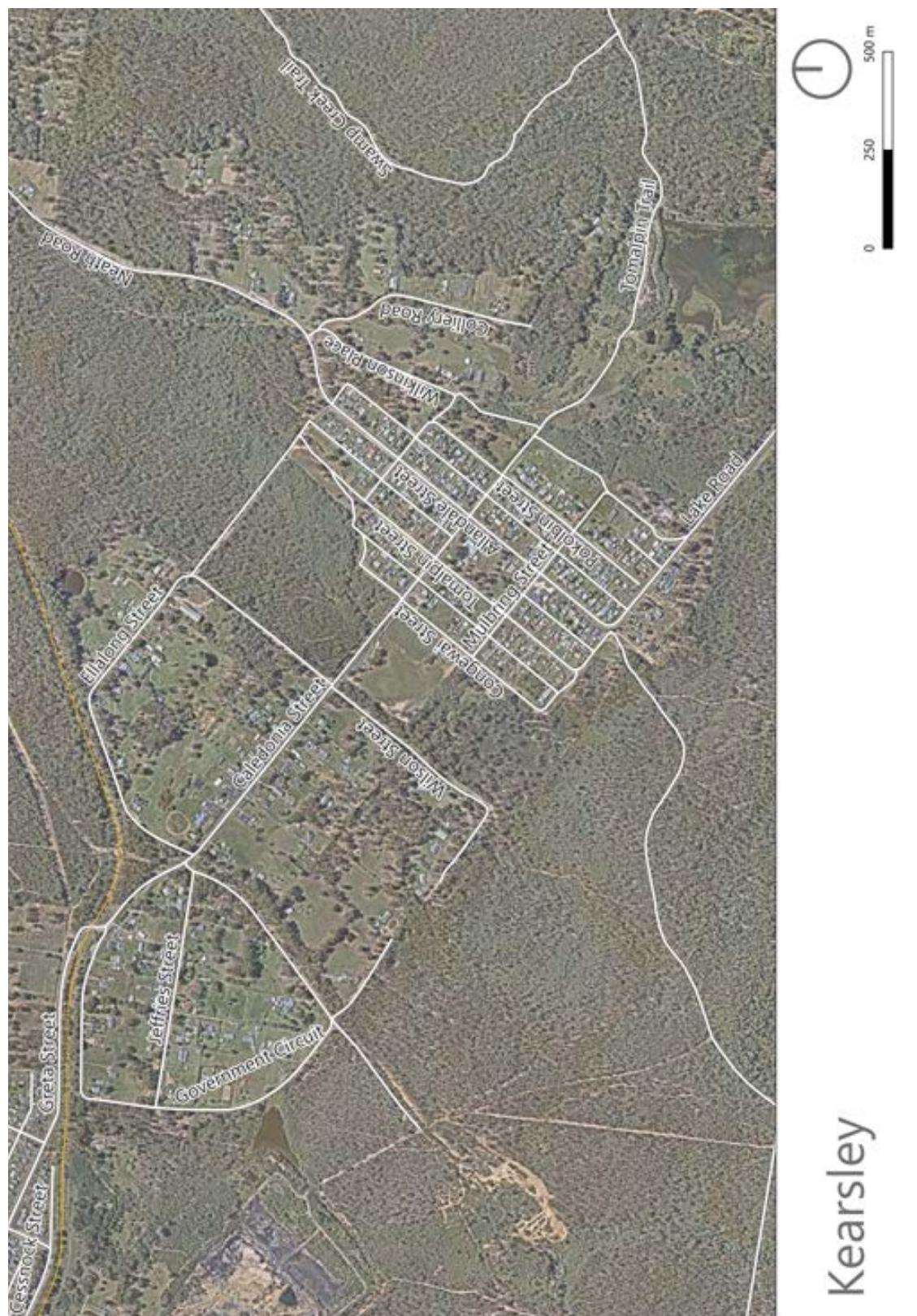
Future Character

The future village of Kearsley will retain the view corridor along Caledonia Street, as will views to the Sugarloaf ranges. The existence of water and sewerage services within the smaller lot residential area will encourage the renewal of existing dwelling stock, through either renovation and/or knock-down/rebuilds, and some dual occupancy development. Subdivision of existing lots will occur, however should not deviate from the original subdivision layout.

Laneways will be preserved, and will continue to provide pedestrian permeability.

New dwelling development will be in keeping with existing dwellings, being predominantly single storey in height. Building lines and setbacks will be comparable with existing development. Future subdivision of land within the north-west area may be supported, so long as the rural nature is preserved, and subject to the ability to manage wastewater disposal on site. Lot sizes will not be smaller than 4,000m² unless connected to a reticulated sewerage system. Higher density development, such as boarding houses or seniors living are not encouraged, in order to preserve the low-density nature of the village.

Reactivation of the SMR for either passenger services, or as a shared pathway will provide opportunities for greater connectivity with adjoining areas.





Planning actions

ACTION	DEPENDENCIES	KEY PARTNERS	TIMEFRAME
Investigate opportunities to rezone the R2 zoned area of Kearsley to RU5 Village and increase the minimum lot size to 750m ² , comparable with other village minimum lot sizes within the LGA with the same servicing capacity and proximity to the Cessnock CBD (e.g. Kitchener).	Regional and Local Strategic Planning Framework including Hunter Regional Plan and Council's Local Strategic Planning Statement and Housing Strategy Residential LEP Theme review In-house resource capacity Funding	Strategic Planning Department of Planning and Environment	Medium

Other actions

ACTION	DEPENDENCIES	KEY PARTNERS	TIMEFRAME
Advocate for National Parks and Wildlife Services (NPWS) to consider opportunities for access, use and embellishment of Kearlsey Dam and trails/ Werakata & Richmond Vale Trail	NPWS Parks Management Strategies Risk Management Plans (contamination, site structures, passive surveillance)	Strategic Planning NPWS	Intermediate
Undertake investigations and landowner consultation to identify the suitability of the South Maitland Railway System for reactivation for light rail services, and/or a future recreation (pedestrian / cycle) networks, with links to the Richmond Vale Trail.	Trails Strategy Pedestrian and Mobility Access Plan Traffic and Transport Strategy Austar Coal Mine Operational Plan In-house resource capacity Funding	Traffic and Transport Strategic Planning Landowner	Long
Develop concept plans for George Jeffrey Park, illustrating future opportunities.	In-house resource capacity Funding	Open Space and Community Facilities	Short
Support opportunities to provide regular community events	Licensing, approvals and insurances	Economic Deveopment	Ongoing

Mulbring

Existing Character

Mulbring is a rural village set in a wide valley surrounded by mountain ranges to the north, east, south and west within the Watagan National Park, Heaton State Forest and Sugarloaf State Conservation Area.

Whilst the village extent may be defined by areas comprising development, the village is intrinsically linked to the scenic landscape afforded by adjoining mountain landforms and rural land uses. Landscape scale views to mountain ranges, and of rural holdings, are visible from most areas within the village extent, but in particular along the road corridors. The southern approach Leggetts Drive afford views of the village; however, elevated landscape features, and vegetation adjoining Wallis Creek secrets the village from view from northern approach.

The village has a distinct entry point at the intersection of Leggetts Drive and Palmers Road, providing a sense of arrival and departure.

Subdivision pattern is generally grid like, with mid-block unformed laneways. Lot shape and sizes are variable, which enable a diversity of housing stock, and consequently affording opportunities to age in place.

The Park is the social hub of the village, providing opportunities for active and passive recreation and play.

Future Character

Mulbring will retain its relative isolation and remain as a discrete entity, however there will be improved connectivity to Kearsley and Pelaw Main through the provision of on-road cycleways.

Existing landscape views will be preserved.

Some subdivision within the village will occur, however this will be minimal as access to reticulated sewerage infrastructure will remain unavailable. Any future growth of the village will be limited (and subject to Council's Urban Growth Management Plan), and require preservation of landscape and view corridors, within, beyond and to the village from available vantage points, including Leggetts Drive.

The Park will continue to be the social hub of the village, with some upgrades to promote accessibility, particularly from the school and additional opportunities for active play.

Opportunities to provide for the day-to-day needs of residents by the installation of a neighbourhood shop will be supported, but scale will be compatible with existing residential development, in terms of built form.

There will be a diversity of lot sizes and dwelling types with improved access to support services, providing more opportunities for aging in place.



Mulbring



Other actions

ACTION	DEPENDENCIES	KEY PARTNERS	TIMEFRAME
Investigate establishing Mulbring as a conservation area within Schedule 5 of CLEP 2011 as a place comprising significant landscape (scenic) value.	Comprehensive Heritage LEP Theme In-house resource capacity Funding	Strategic Planning	Medium
Investigate the local heritage of Mulbring, particularly the grand stand (war memorial) to determine if there are additional items of heritage significance which should be recognised.	Comprehensive Heritage LEP Theme In-house resource capacity Funding	Strategic Planning	Medium
Investigate opportunities to provide more formal walking and cycling opportunities between Mulbring Park and the primary school.	In-house resource capacity Funding	Traffic & Transport	Long
Investigate the viability of a range of local area traffic management options to enhance road safety and amenity throughout the village.	In-house resource capacity Funding	Traffic and Transport	Medium
Review the existing stormwater management infrastructure, with the view to identifying and implementing works or actions to improve the quality of Wallis Creek (e.g. gross pollutant traps, detention basins, wetlands, revegetation, education programs etc.).	In-house resource capacity Funding	Sustainability Infrastructure	Long

ACTION	DEPENDENCIES	KEY PARTNERS	TIMEFRAME
Develop concept plans for Mulbring Park, illustrating future opportunities.	In-house resource capacity Funding	Open Space and Community Facilities	Intermediate



North Rothbury

Existing Character

The village is formed either side of a natural depression/watercourse offers views from the village to the north. Views from the south of village offer views of the Brokenback mountain ranges. Wine Country Road also provides a lineal view corridor.

The village is surrounded to the north and east by the new "Huntlee" development area.

Further south, Old North Road, Rothbury, provides a gateway to the Hunter Valley wine region.

The village is intrinsically linked to historical coal mining in the locality.

The village comprises wide, tree-lined road reserves, and building allotments in a grid-like pattern of generous, but regular sizes. Mid-block unformed laneways are also present. The built form comprises predominantly single storey, detached dwellings, set on large allotments. Dwelling styles are variable, including single-storey Victorian, bungalows, examples of later post-war styles, including lightweight weatherboard or clad dwellings, as well as contemporary dwellings (including project brick and tile/metal roofed homes), particularly in the centre of the village around Olivia Place.

Connectivity within and between both areas relies on the road network, however a shared pathway connection to Huntlee/Branxton is available from Thomas Street, at the northern extent of the village.

The social hub of the village is Ayrfield Miners Park which provides opportunities for passive and active recreation.

The Ayrfield Miners Memorial and Rothbury Riot Memorial serve as ever-present reminders of the role of the unionised labour movement within Australia's history and in particular, the coal industry.

The village also has an important connection to local flora and fauna, in particular, *persoonia pauciflora*, a critically endangered shrub, found only in environs surrounding the Village.

Future Character

The context and setting of the village may change over time, as development within Huntlee advances, however the village will remain a discrete entity.

Notwithstanding, the village will incorporate permeability opportunities for pedestrians to / from Huntlee.

There will be improved internal connectivity to Ayrfield Miners Park, and Wine Country Drive.

The village will continue to provide an alternative diversity in lot size and built form to Huntlee, though there will be some, but limited, subdivision.

Wide, tree-lined road corridors will be retained.

Ayrfield Park will continue to be a social hub in the village, with some upgrades to improve amenity.

The village will retain a sense of pride in its early industrial history and prominence as a location for rare and endangered flora.



North Rothbury



Other actions

ACTION	DEPENDENCIES	KEY PARTNERS	TIMEFRAME
Advocate for the delivery of reticulated sewerage infrastructure within the original village area of North Rothbury.	Available and planned infrastructure capacities and approvals Funding In-house resource capacity	Environmental Health	Intermediate
Investigate the local heritage of North Rothbury to determine if there are additional items of heritage significance.	Comprehensive Heritage LEP Theme In-house resource capacity Funding	Strategic Planning	Medium
Investigate opportunities to provide more formal walking and cycling opportunities between the village and Wine Country Drive shared pathway.	In-house resource capacity Funding	Traffic and Transport	Long
Investigate the viability of a range of local area traffic management options to enhance road safety and amenity throughout the village.	In-house resource capacity Funding	Traffic and Transport	Medium
Review current arrangements with Bush Care to identify and provide additional support to maintain green spaces (e.g., bulk waste removal, weed management, revegetation), particularly the Frederick Street Road Reserve.	In-house resource capacity Funding	Sustainability Waste Management Traffic and Transport	Intermediate

ACTION	DEPENDENCIES	KEY PARTNERS	TIMEFRAME
Develop concept plans for Ayrfield Miners Memorial Park illustrating future opportunities.	In-house resource capacity Funding	Open Space and Community Facilities	Medium



Wollombi & Laguna Valley

Existing Character

The Wollombi / Laguna valley is extremely significant for its Aboriginal and European heritage values.

The villages sit within a narrow valley and are the Gateway to Yengo and Yango National Parks, and the meeting place of the Wollombi Brook and Congewai Creek. Wollombi and Laguna play an important part of the cultural landscape within and beyond the LGA. Yengo National Park is also a World Heritage Area and declared Wilderness Area.

Laguna and Wollombi have their built form origins associated with the construction of the Great North Road, an inland route between Sydney and the Hunter Valley. This route first established the hamlet of Laguna in the same era, and because of this, and their proximity to each other, both are intrinsically linked. The village of Wollombi served as an administrative centre for the region.

The village area of Laguna is small and comprises few dwellings, but the local "Trading Post" and adjacent businesses, as well as a privately owned pool and cricket grounds support the surrounding district population and the local school.

Within Wollombi, buildings, pathways and features such as trees remain that were first developed in the early 1800's. With the onset of alternative travel modes, the decline in usage of the Great North Road effectively preserved the village intact with limited modern intervention. Because of this, Wollombi is a key tourist destination.

The central core on Wollombi Road hosts a range of businesses, and with surrounding wineries, support tourism as well as providing some limited services for the needs of the population within the valley.

There are few residential dwellings within the village extent. Most of the local population is

located outside of the village extent and are couples of or close to retirement age. There is anecdotal evidence that families with dependent children are moving into the area, particularly post-pandemic.

The population is actively engaged in the community, through business ownership, interest groups, media, local sport, events and the local Chamber of Commerce.

In addition to the built environment, key features of the locality are the views across farmland on the floodplain or upper slopes with backdrops of the mountain ranges in National Parks, State Forests and private landholdings. The Old North Road / Paynes Crossing Road also provides a significant view corridor.

Future Character

Wollombi and Laguna will continue to be preserved, so to remain a substantially intact 19th century locality of significant importance.

The existing built form of the villages will be maintained, and existing infrastructure (roads, intersections, pathways etc.) improvements will occur in manner which is complementary to the heritage values of the village, using styles and materials which blend into the existing fabric of the village.

There is a recognised need for a greater resident population within the village and surrounding locality to support the local economy. However, given the significance of the heritage value of the village, its relative isolation, and incidence of flooding and bushfire risk, there is little tolerance to accommodate further infill development.

The Wollombi and Laguna valley will continue to be recognised and celebrated for its ambience and character which will continue to draw tourism and visitation to the area.



Wollombi





Laguna

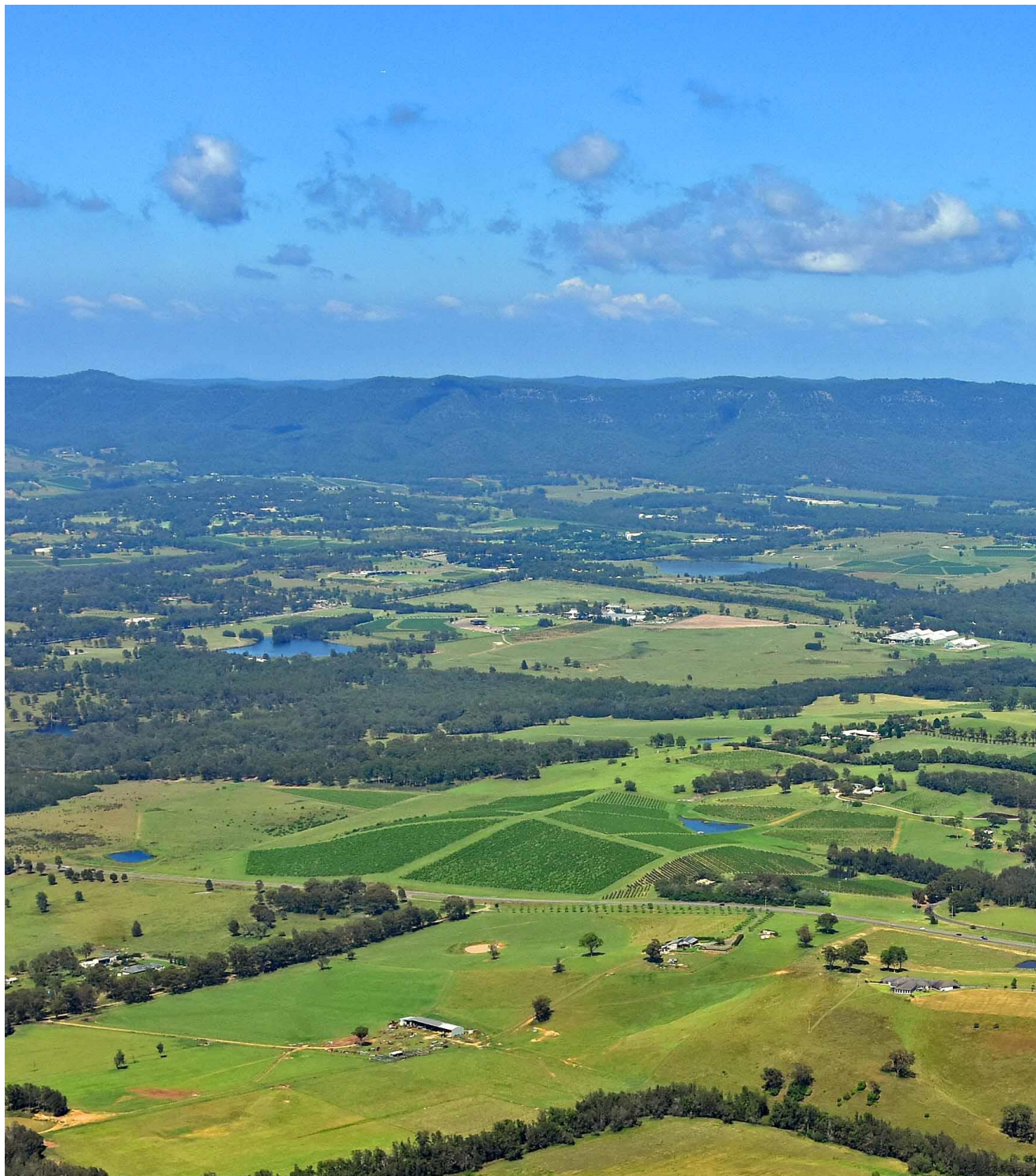


Other actions

ACTION	DEPENDENCIES	KEY PARTNERS	TIMEFRAME
Support opportunities to provide regular community events.	Plans of management Licencing, approvals and insurances Funding	Community and Cultural Development Communications and Engagement Economic Development Chamber of Commerce / Business Chambers Open Space and Community Facilities	Ongoing
Review current arrangements with Local Landcare to identify and provide additional support to rehabilitate the Wollombi Brook Nature Trail, as well undertake weed management and revegetation works.	In-house resource capacity Funding	Sustainability Open Space and Community Facilities	Medium
Support opportunities to promote the viability of local business and trades.	In-house resourcing capacity Funding	Economic Development	Ongoing



62-78 Vincent Street, Cessnock NSW 2325 | PO Box 152 Cessnock NSW 2325
02 4993 4100 | council@cessnock.nsw.gov.au | www.cessnock.nsw.gov.au



AMENDMENT TO THE CESSNOCK LOCAL ENVIRONMENTAL PLAN 2011

PLANNING PROPOSAL

Alex Worthing

The Vintage, Wine Country Drive / McDonalds Road Pokolbin

File No: 18/2025/1/1
Page 1 of 26

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Version 1.A

25 June 2025

Contact: Alex Worthing

Strategic Planner

Telephone: 4993 4295

Email: alex.worthing@cessnock.nsw.gov.au

Application No.: 18/2025/1/1

Proposal: Expansion of Additional Permitted Use Area, Residential Flat Buildings – The Vintage, Wine Country Drive / McDonalds Drive, Pokolbin

Parcel: 518192 & 518194

Lot and Plan: LOT: 0 SP: 107240, LOT: 1016 DP: 1298409 & Part LOT: 2801 DP: 1306576

Ext Ref: Department of Planning, Housing and Infrastructure reference – PP-2025-137

Proponent: Stevens Holdings Pty Ltd

Revision History

Revision	Description	Date
1	Draft for Submission to DPHI	17/02/2025
2	Post Gateway for public exhibition	17/04/2025
3	Post exhibition for finalisation	25/06/2025

PART 1: OBJECTIVES AND OUTCOMES

Introduction

This Planning Proposal has been prepared on behalf of the Stevens Group. The land (Site) is owned by Errol Nominees Pty Ltd - a company owned by the Stevens Group. The Site is within The Vintage Integrated tourist development, a 395-hectare master planned development zoned SP3 Tourist, located in the Vineyards District approximately 14km north of Cessnock.

The purpose of this Proposal is to amend an Additional Permitted Use (APU) clause in Schedule 1 of Cessnock Local Environmental Plan (CLEP) 2011 and *Additional Permitted Uses Map* to expand an existing APU area, creating an approvals pathway for residential flat buildings within a larger defined area at The Vintage. The Proposal also seeks to amend outdated Lot and Plan identifiers for land already benefitting from this clause.

Note: Clause 7.11A of CLEP applies to the entire Vintage Estate and limits the number of allowable dwellings at the Vintage to 1,022. The Proposal will operate within the parameters of Clause 7.11A and is not proposing additional residential dwellings beyond what are already permissible on the site.

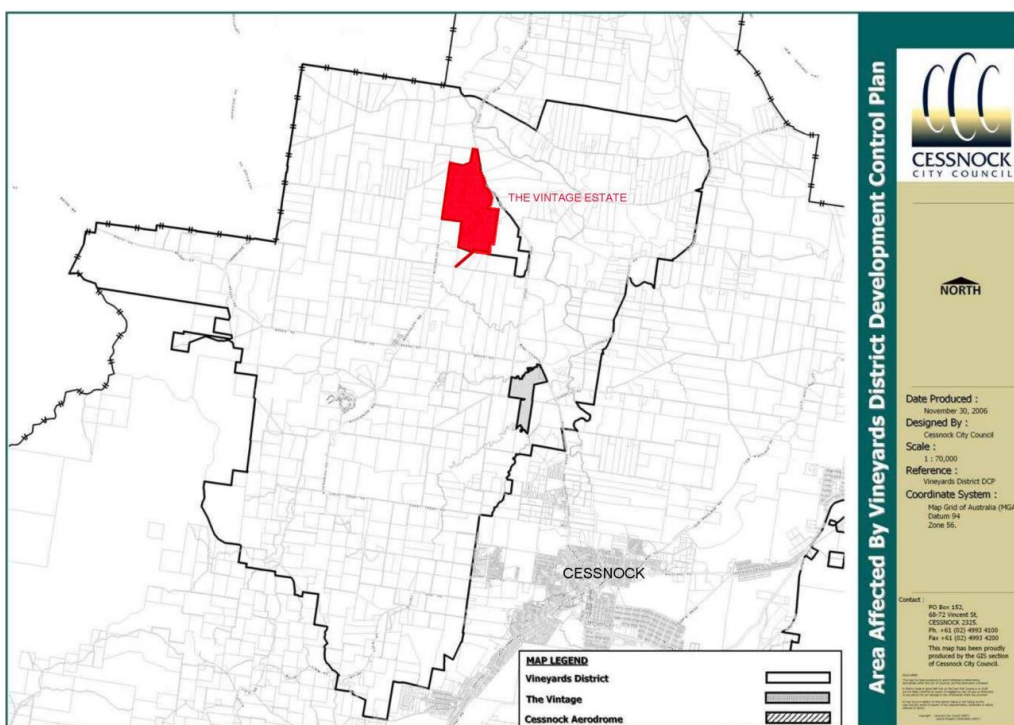


Figure 1: The Vintage location

Location

The Site is located on the southern side of Vintage Drive, approximately 270 metres west of Wine Country Drive. Adjoining the site to the west are two apartment buildings and the Village Centre. The Village Centre includes a sales office, a restaurant and bar, apartments and a landscaped lake. The Centre's development approval also includes a future conference centre, town houses and motel accommodation. To the north and east of the Site is cleared land earmarked for residential subdivision, the Chateau Elan spa resort and the Vintage Golf Club. To the south are homes that are part of The Vintage Estate.

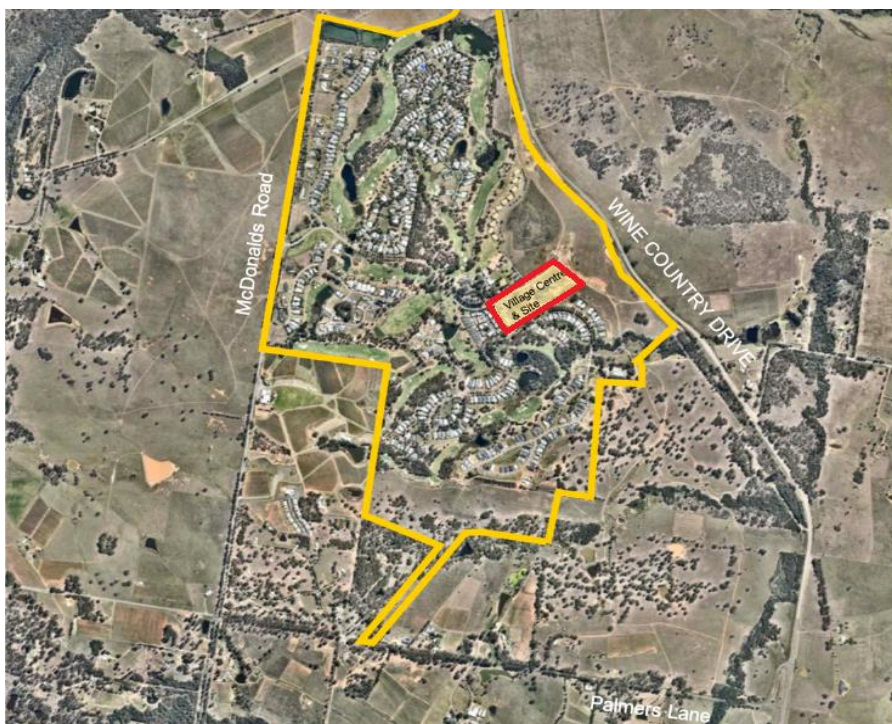


Figure 2: The Vintage development with Village Centre and subject Site



Figure 3: Aerial image of site showing existing and proposed (highlighted yellow) area of Additional Permitted Use

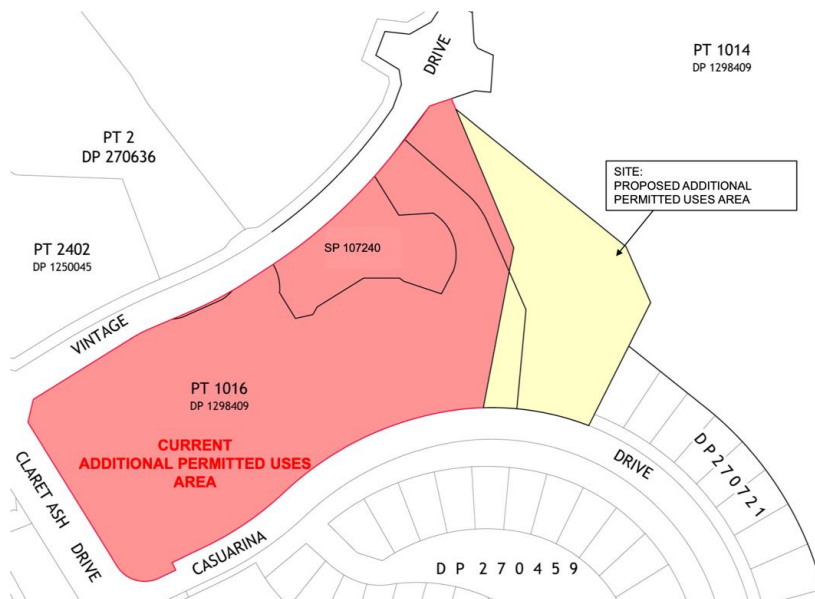


Figure 4: Proposed Additional Permitted Use Area

Residential flat buildings are prohibited within the SP3 Tourist zone. However, CLEP Schedule 1, allows Additional Permitted Uses (APUs) on specific sites, and an existing APU for residential flat buildings applies to land at the Village Centre.

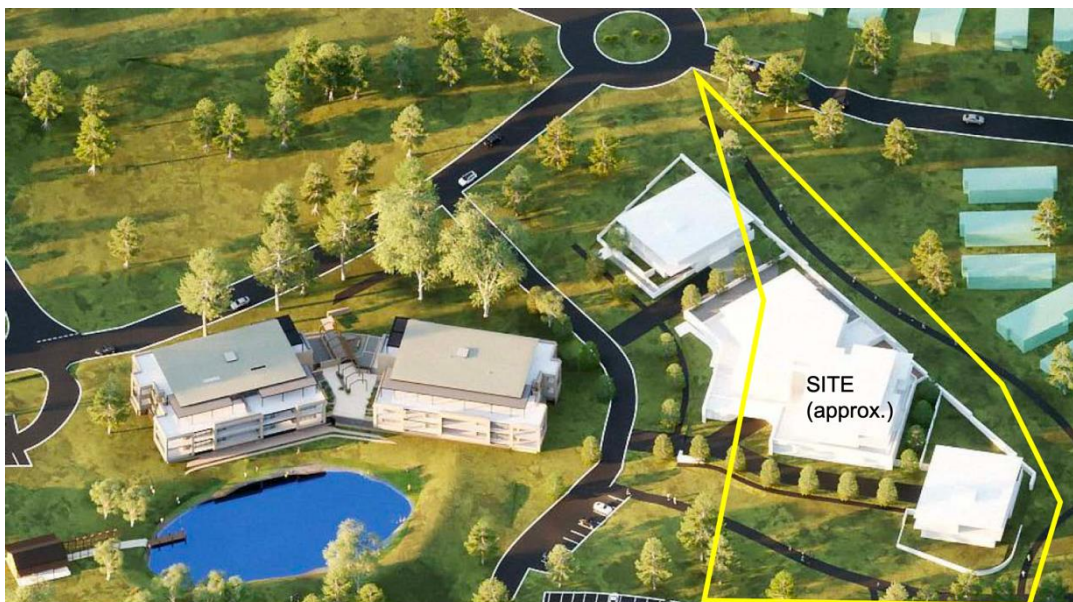


Figure 5: Artist's impression of the site showing existing residential flat building development (left) and concept for potential development within proposed expanded APU area (right). Prepared by EJE Architects

PART 2: EXPLANATION OF PROVISIONS

The Proposal seeks to amend an existing Additional Permitted Use for residential flat buildings within Schedule 1 of Cessnock Local Environmental Plan 2011 (CLEP), to expand the area of land at The Vintage benefiting from this clause. This is proposed through the following –

- (A) Amend Schedule 1 Clause 12 of CLEP 2011 similar to and with the intent of that detailed below:

12 Use of certain land at Wine Country Drive and Vintage Drive, Pokolbin

- (1) This clause applies to the following land identified on the *Additional Permitted Uses Map*—
- (a) Lot 0, SP 107240, Vintage Drive Pokolbin
 - (b) Lot 1016, DP 1298409, Vintage Drive Pokolbin
 - (c) part of Lot 2801 DP 1306576, Wine Country Drive, Pokolbin.
- (2) Development for the purposes of residential flat buildings with a maximum height of 14 metres is permitted with development consent.

- (B) Amend Cessnock LEP Additional Permitted Uses Map (in accordance with (A) above) similar to and with the intent of the **Proposed** Additional Permitted Uses Map detailed below:

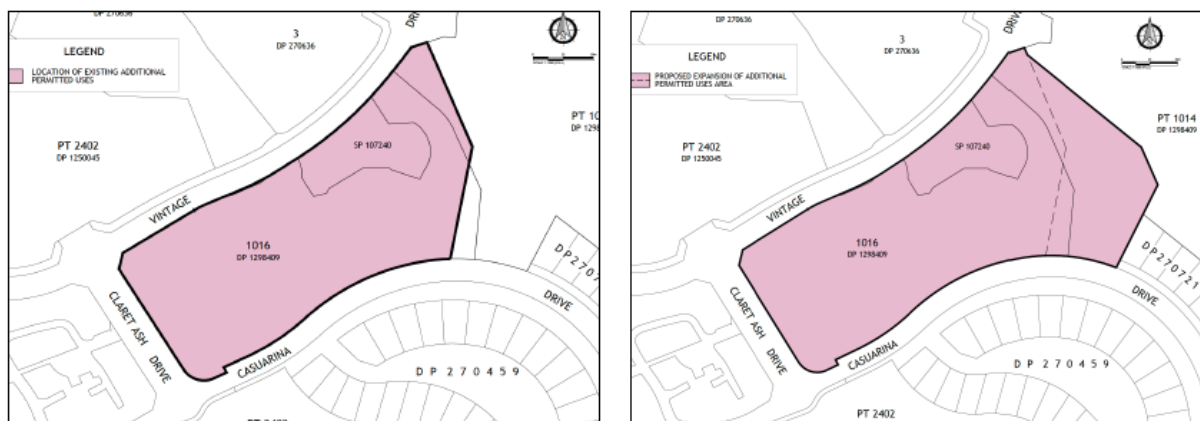


Figure 6: Existing (left) and Proposed (right) Additional Permitted Uses Map – residential flat buildings

PART 3: JUSTIFICATION

In accordance with the Department of Planning and Environment's "Guide to Preparing Planning Proposals", this section provides a response to the following issues:

- Section A: Need for Proposal;
- Section B: Relationship to Strategic Planning Framework;
- Section C: Environmental, Social and Economic Impact; and
- Section D: State and Commonwealth Interests

Section A: Need for the Planning Proposal

1 Is the planning proposal a result of an endorsed LSPS, strategic study or report?

The Proposal is not the result of a strategic study or report. The Proposal was requested by Stevens Holdings Pty Ltd on behalf of the landowner. The purpose of the Proposal is to facilitate the development of residential flat buildings on a larger area within the Vintage, allowing for diversity of housing supply and increased density in residential accommodation types adjacent to the village centre.

2 Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

The use of the *Schedule 1 Additional Permitted Uses* of the CLEP ensures that the proposed land-use of **residential flat buildings** is restricted to a defined area within the site. Unless a planning proposal is finalised, residential flat buildings will remain as a prohibited land use outside the existing APU area.

Section B: Relationship to Strategic Planning Framework

3 Will the planning proposal give effect to the objectives and actions of the applicable regional or district plan or strategy (including any exhibited draft plans or strategies)?

Hunter Regional Plan 2041

The Hunter Regional Plan (HRP) provides the overarching strategic framework to guide development, investment and planning within the Hunter region to 2041.

The Proposal is consistent with the following Priority of the HRP:

- Planning Priority 1: Create housing diversity and sequenced development

A range of housing types will support the changing needs of the community and attract new residents.

Greater Newcastle Metropolitan Plan

The Greater Newcastle Plan 2036 (GNP) identifies Pokolbin as a tourism destination for entertainment and tourism activity. The proposal applies to land identified as an integrated tourist development, offering a mix of residential and tourist development land uses.

The Proposal adds to the diversity of housing options within a recognised integrated tourism development and is consistent with the GNP.

4 Is the planning proposal consistent with a council LSPS that has been endorsed by the Planning Secretary or GSC, or another endorsed local strategy or strategic plan?

Cessnock Local Strategic Planning Statement 2036 (LSPS)

The Cessnock Local Strategic Planning Statement 2036 (LSPS) establishes a 20-year vision for land use planning in the Cessnock LGA. The LSPS sets out the important character and values, which are to be preserved and establishes planning principles to manage land use planning in the future.

The following planning priorities and principles are relevant to the Proposal.

- Rural land is protected from incompatible development.
- Wine tourism is supported and enhanced.
- A variety of niche tourism opportunities are encouraged.
- Developments minimise environmental impacts and respond to site environmental characteristics.
- The scenic and rural landscape of our Vineyard District is preserved.

As identified above, The Vintage has an existing approval as an integrated tourism development providing for up to 1,022 dwellings within the site. The Proposal is supported by a Visual Impact Assessment Report that indicates when viewed from Wine Country Drive, an adjoining road and major thoroughfare through the Vineyards District, development would not be visible above what is already permissible on the site.

Community Strategic Plan - Our People, Our Place, Our Future

The Cessnock Community Strategic Plan 2027 (CSP) was prepared in 2013 and identifies the community's main priorities and expectations for the future and ways to achieve these goals. The vision of the CSP is:

Cessnock will be a cohesive and welcoming community living in an attractive and sustainable rural environment with a diversity of business and employment opportunities supported by accessible infrastructure and services which effectively meet community needs.

A range of strategic directions are provided which relate to the social, environmental and economic health, sustainability and prosperity of the Cessnock LGA. The Planning Proposal is consistent with the themes of the CSP, noting that there are no themes within the CSP that relate directly to housing.

5 Is the planning proposal consistent with any other applicable State and regional studies or strategies?

A 20-year Economic Vision for Regional NSW

The Economic Vision for Regional NSW seeks to drive sustainable, long term economic growth in regional NSW

The planning proposal is consistent with the principles of this strategy.

State Emergency Management Plan (EMPLAN)

The State Emergency Management Plan (EMPLAN) provides a coordinated and comprehensive approach to emergency management in NSW. The Plan identifies the importance of land use planning in prevention of impacts of hazards on the community.

The site is not impacted by flooding or contamination but is identified as being potentially bushfire prone on the Cessnock City Council Bushfire Prone Land Map dated 16 September 2022. The NSW Rural Fire Service were consulted (refer Appendix E) and advised they support the Proposal subject to a requirement that future subdivision/development of the land complies with Planning for Bush Fire Protection (PBP) 2019. A Bushfire Assessment report would be provided as part of a future development application for development on the site.

6 Is the planning proposal consistent with applicable SEPPs?

An assessment of relevant SEPPs against the planning proposal is provided in the table below.

Table 1: Relevant State Environmental Planning Policies

SEPP	Consistency and Implications
SEPP (Biodiversity and Conservation) 2021	The site has been cleared of vegetation under an existing consent
SEPP (Housing) 2021	To be addressed at DA stage
SEPP (Sustainable Buildings) 2021	To be addressed at DA stage
SEPP (Transport & Infrastructure) 2021	Planning proposal was referred to Transport for NSW for comment and no concerns were raised apart from with respect to timing of potential roundabout on Wine Country Drive

7 Is the planning proposal consistent with applicable Ministerial Directions (section 9.1 Directions)?

An assessment of relevant Section 9.1 Directions against the planning proposal is provided in the table below.

Table 2: Relevant Section 9.1 Ministerial Directions

Ministerial Direction		Consistency and Implications
Planning Systems		
1.1	Implementation of Regional Plans	Consistent. As described in Section B of this Planning Proposal.
1.2	Development of Aboriginal Land Council Land	N/A
1.3	Approval and Referral Requirements	N/A. This Proposal will not introduce any development provisions.
1.4	Site Specific Provisions	This Proposal is not imposing development standards not already contained in the LEP being amended. It seeks to expand the permissibility of residential flat buildings within an Additional Permitted Use Area. The proposal has been informed by a Visual Impact Assessment based on concept drawings for potential future development that may be facilitated under this proposal.
1.4A	Exclusion of Development Standards from Variation	N/A. This Proposal will not affect the application of Clause 4.6.
Planning Systems – Place-based		
Design and Place		
Biodiversity and Conservation		
3.1	Conservation Zones	N/A. This Proposal does not apply to land within a conservation zone or land otherwise identified for environmental conservation/protection purposes in a LEP.
3.2	Heritage Conservation	Consistent. This Proposal does not apply to any identified items, areas, objects or places of environmental heritage significance or indigenous heritage significance.
3.5	Recreation Vehicle Areas	Consistent. This Proposal does not enable land to be developed for the purpose of a recreation vehicle area.
3.6	Strategic Conservation Planning	Consistent. This Proposal does not apply to land identified as avoided land or a strategic conservation area
Resilience and Hazards		
4.1	Flooding	Consistent. This Proposal does not apply to land mapped as Flood Prone Land.
4.2	Coastal Management	N/A

4.3	Planning for Bushfire Protection	Can be made Consistent. This Proposal applies to land mapped as bush fire prone land. Council will consult with the NSW Rural Fire Service following receipt of a gateway determination under section 3.34 of the Act, and prior to undertaking community consultation in satisfaction of clause 4, Schedule 1 of the EP&A Act, and take into account any comments so made.
4.4	Remediation of Contaminated Land	Consistent. Contamination and remediation have been considered and there is no known contamination affecting the subject land.
4.5	Acid Sulphate Soils	N/A
4.6	Mine Subsidence and Unstable Land	Consistent. This Proposal does not apply to land that is within a declared mine subsidence district.
Transport and Infrastructure		
5.1	Integrating Land Use and Transport	Consistent. This Proposal does not propose to change any requirements relating to this direction.
5.2	Reserving Land for Public Purposes	N/A
5.3	Development Near Regulated Airports and Defence Airfields	N/A
5.4	Shooting Ranges	N/A
Housing		
6.1	Residential Zones	N/A
6.2	Caravan Parks and Manufactured Home Estates	Consistent. This Proposal will not alter the permissibility of caravan parks or manufactured home estates.
Industry and Employment		
7.1	Business and Industrial Zones	N/A
Resources and Energy		
8.1	Mining, Petroleum Production and Extractive Industries	N/A
Primary Production		
9.1	Rural Zones	N/A
9.2	Rural Lands	N/A
9.3	Oyster Aquaculture	N/A

Section C: Environmental, Social and Economic Impact

8 Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected because of the proposal?

The proposal does not apply to land that is mapped or otherwise identified as critical habitat or threatened species, populations or ecological communities, or their habitats.

9 Are there any other likely environmental effects of the planning proposal and how are they proposed to be managed?

The proposal applies to land that is zoned SP3 tourism and is an integrated tourist facility. The site has previously been cleared and has no identified environmental constraints. The construction of residential flat buildings on the site may be anticipated as a result of this proposal and will be subject to a separate Development Application (DA). A potential environmental impact that may arise includes stormwater management and will be assessed and managed at the DA stage.

10 Has the planning proposal adequately addressed any social and economic effects?

No social effects are envisaged apart from potentially adding to activity and vibrancy around the existing village centre increasing perceptions of safety and well-being by increasing the adjacent population by adding to the number of apartments within walking distance of the Vintage village centre.

Section D: Infrastructure (Local, State and Commonwealth)

11 Is there adequate public infrastructure for the planning proposal?

There is existing civil infrastructure (water, sewer, power, road network, etc) adequate for the development. A separate report detailing this infrastructure is provided (refer Appendix 5). As the proposal adjoins the existing planned Village Centre there will also be adequate community infrastructure to support new residents in the proposed apartments.

Section 7.12 contributions would be made to Council under the 2022 *Cessnock City Wide Infrastructure Contributions Plan 2020*, and open space and community facilities would continue to be provided within the Estate.

Housing and Productivity Contributions would be made to the state government in accordance with the Environmental Planning and Assessment Act 1979.

Section E: State and Commonwealth Interests

12 What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway determination?

Transport for New South Wales reviewed the Traffic Impact Assessment and had no comments to make apart from advising that Wine Country Drive (MR220) is a classified (State) road and all other roads within the site location are local roads. Council is the Roads Authority for Wine Country Drive and all other local roads in the area, in accordance with Section 7 of the *Roads Act 1993*.

The site is not impacted by flooding or contamination but is identified as being potentially bushfire prone on the Cessnock City Council Bushfire Prone Land Map dated 16 September 2022.

The NSW Rural Fire Service were consulted (refer Appendix 6) and advised they support the proposal subject to a requirement that future subdivision/development of the land complies with Planning for Bush Fire Protection (PBP) 2019. A Bushfire Assessment report would be provided as part of a future development application for development on the site.

The views of any additional relevant state and federal public authorities will be sought if required, in accordance with the Gateway determination.

PART 4: MAPS

Existing controls

Figures 8 and 9 Illustrate the current Cessnock LEP 2011 Additional Uses Map applying to the Vintage development. Residential flat buildings are permitted within the black edged border:

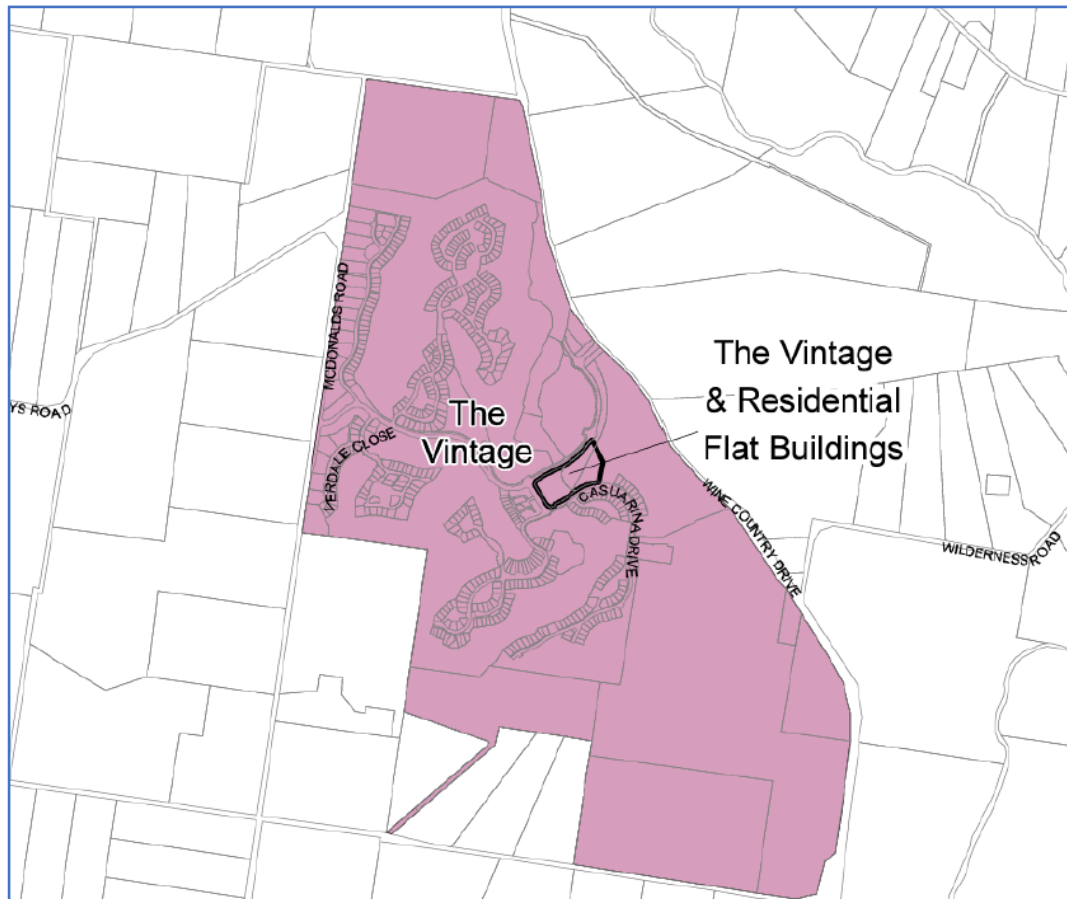


Figure 7: Additional Permissible Uses Map Extracted from Cessnock LEP 2011 (Ref: NSW Planning Portal Extracted 28/11/2024)

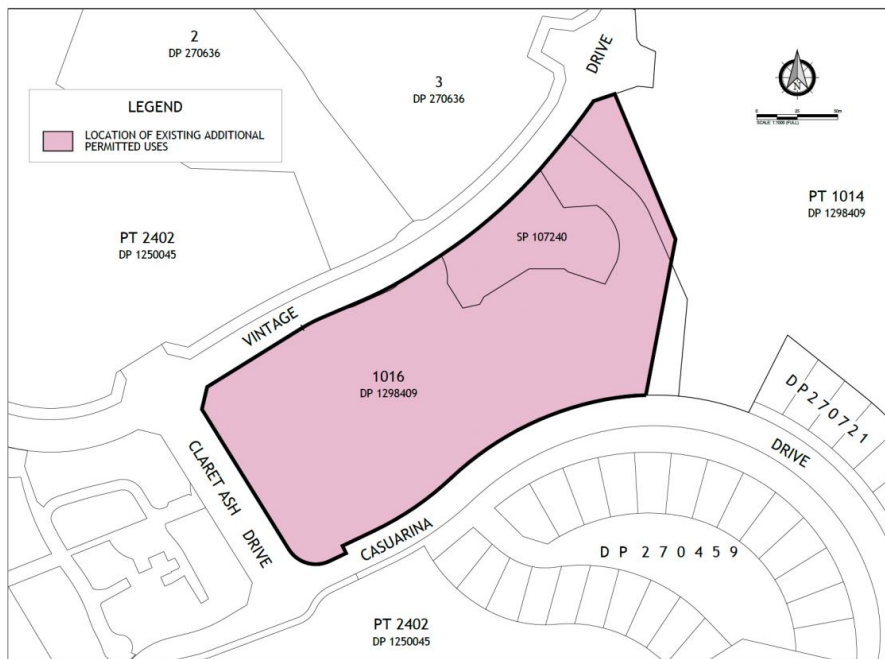


Figure 8: Existing Additional Permitted Use Map – residential flat buildings

Proposed controls:

The proposal seeks to amend Cessnock LEP Additional Permitted Uses Map (in accordance with Part 2 (A) of this Proposal) similar to and with the intent of Figure 10 below:

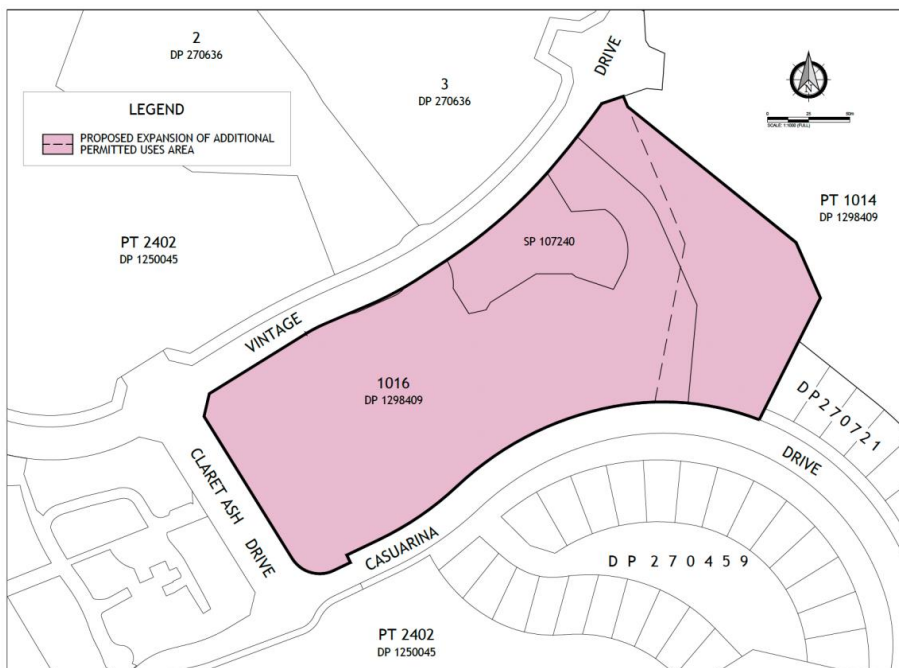


Figure 9: Proposed Additional Permitted Use Map

PART 5: COMMUNITY CONSULTATION

Community consultation was carried out in accordance with the Gateway determination and Council's Community Participation Plan. NSW Rural Fire Service

- Hunter Water Corporation
- Operator of Cessnock Airport.

PART 6: PROJECT TIMELINE

Table 3: Indicative project timeline.

Stage	Timeframe and/or date
Gateway determination	March 2025
Agency Consultation	April 2025
Commencement and completion of public exhibition period	April/May 2025
Post-exhibition review and additional studies	June 2025
Consideration of submissions and reporting to Council	August 2025
Submission to the Department for finalisation (where applicable)	September 2025
Gazettal of LEP amendment	October 2025

Appendix 1: Council Report and Minutes

N/A. In accordance with Council's Planning Proposal Policy, this Proposal will be reported to Council for final determination post exhibition once all gateway conditions have been met.

All subsequent Council reports and minutes will be accessible from Council's website:
<http://www.cessnock.nsw.gov.au/council/meetings>.

**Appendix 2: Concept Project Plans: EJE
Architects**

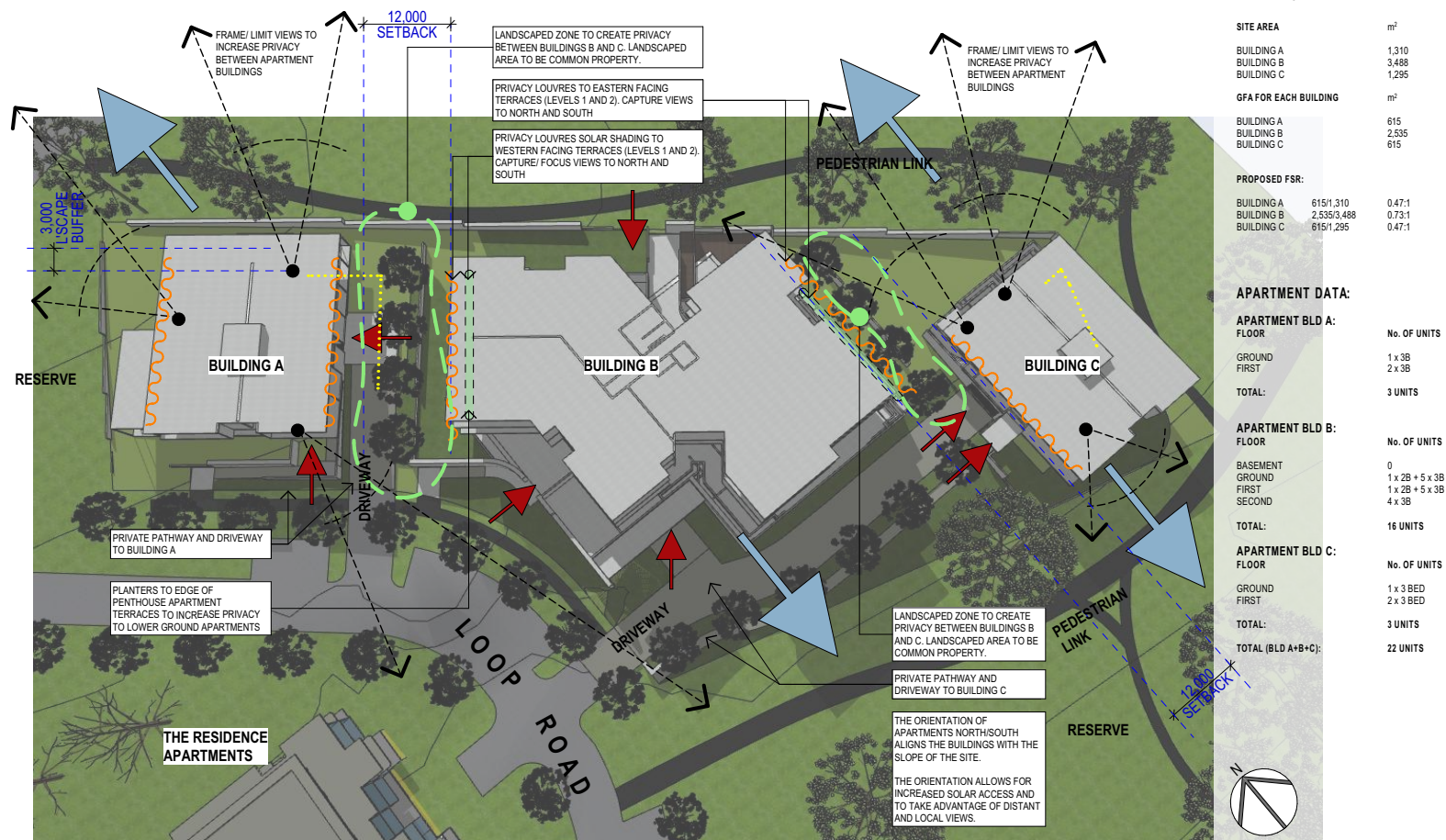
Appendix 3: Visual Impact Assessment: Terras Landscape Architects

Appendix 4: Traffic and Parking Assessment: Intersect Traffic

Appendix 5: Strategic Utilities Services Report: ADW Johnson

Appendix 6: NSW Rural Fire Service: Correspondence Dated 24 October 2024

Appendix 7: Amended Masterplan



VINTAGE STAGE 02 : SITE ANALYSIS

14236 - A01 - Rev C - 01 December 2023
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@ A3

EJE Integrity
Innovation
Inspiration



VINTAGE STAGE 02 : BLD B - BASEMENT FLOOR PLAN

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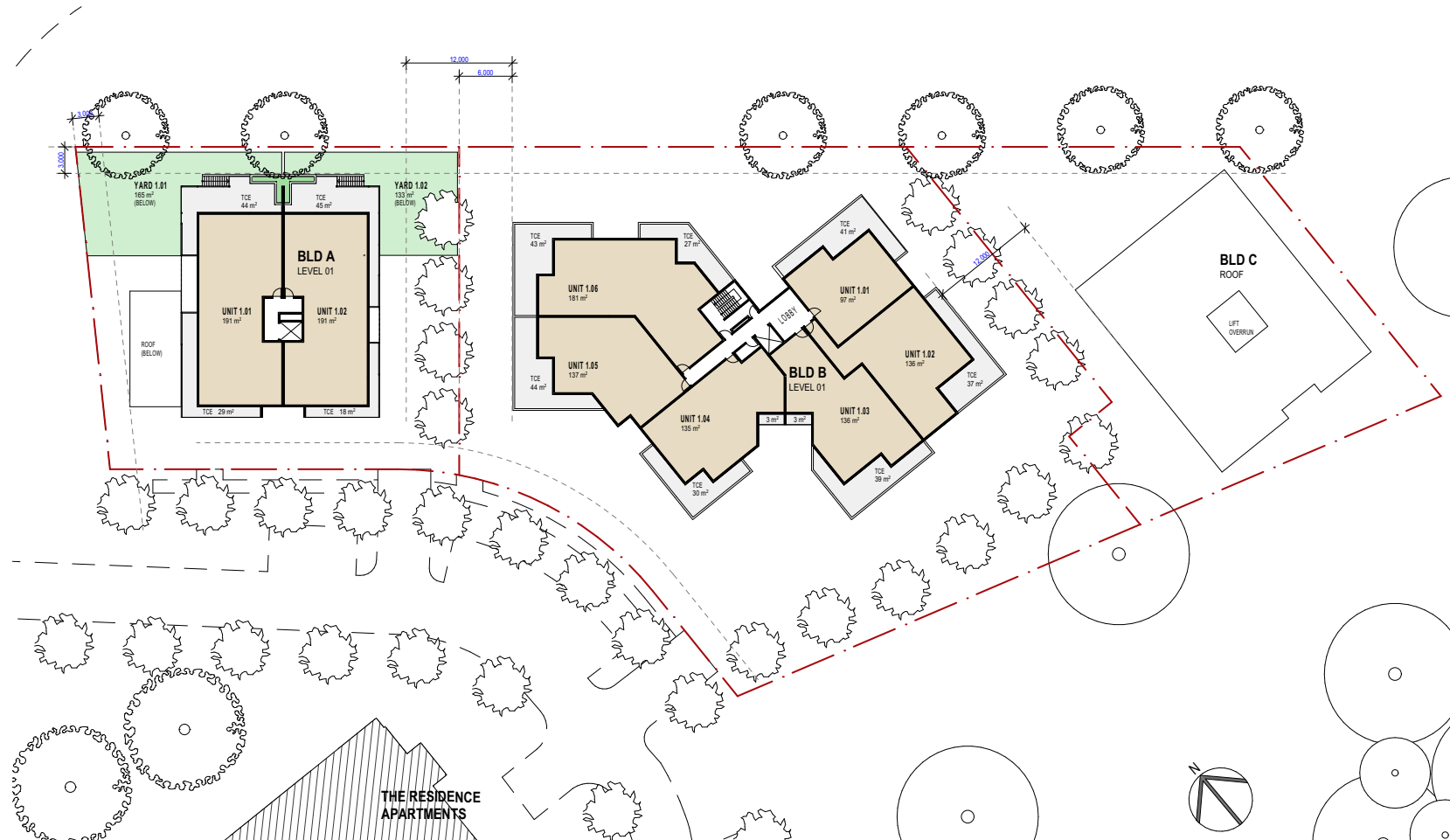


VINTAGE STAGE 02 : BLD B - GROUND FLOOR PLAN

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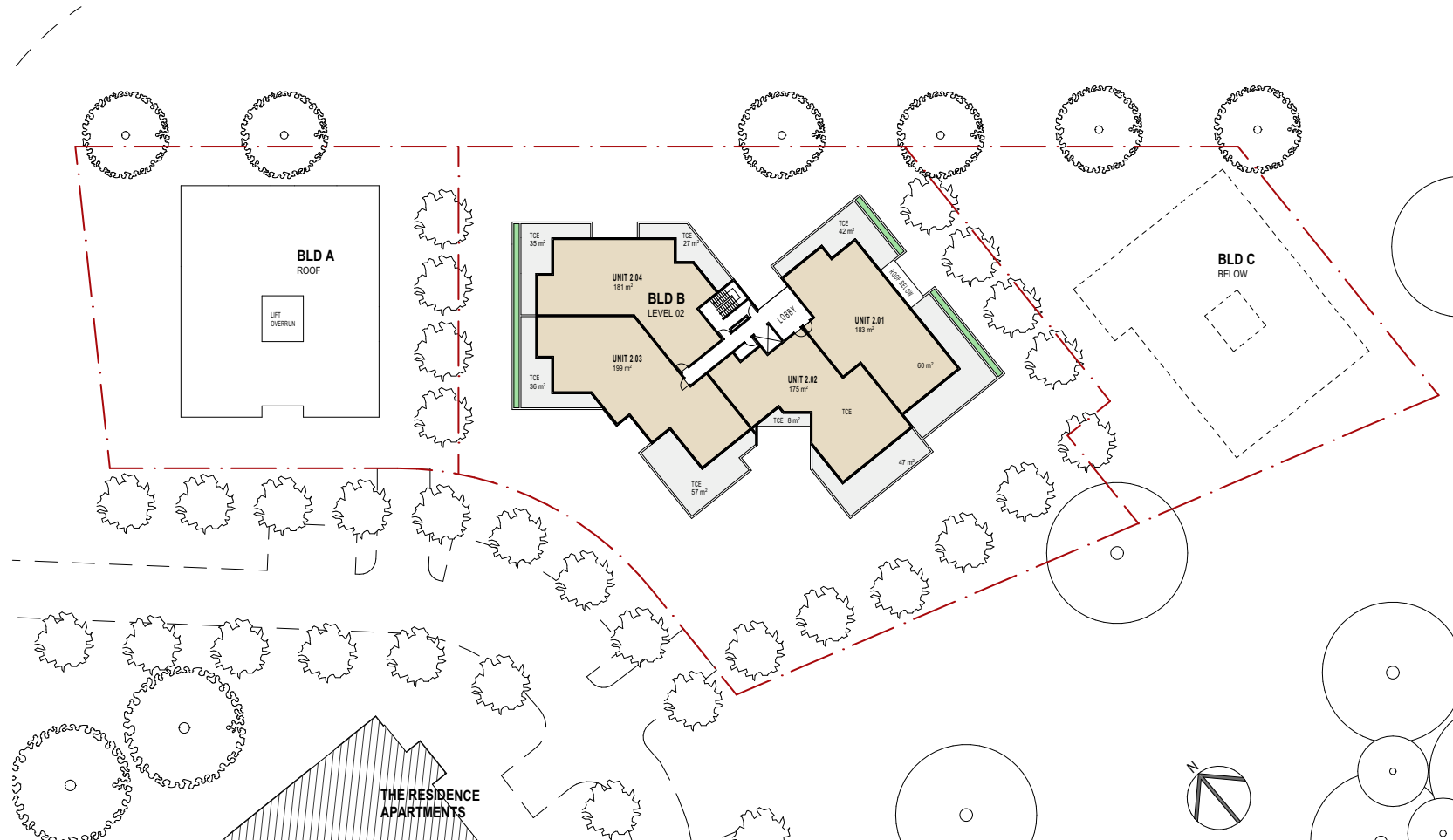


VINTAGE STAGE 02 : BLD B - LEVEL 01 FLOOR PLAN

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VINTAGE STAGE 02 : BLD B - PENTHOUSE FLOOR PLAN

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PERSPECTIVE 01 - AERIAL VIEW LOOKING NORTH



PERSPECTIVE 02 - AERIAL VIEW PROPOSED STAGE 02 APARTMENTS



PERSPECTIVE 03 - AERIAL VIEW LOOKING SOUTH

VINTAGE STAGE 02 : 3D PERSPECTIVES

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PERSPECTIVE 04 - VIEW LOOKING EAST OVER DAM



PERSPECTIVE 05 - VIEW FROM ROUNDABOUT LOOKING SOUTH



PERSPECTIVE 06/07 - VIEW FROM VINTAGE RESIDENCE

VINTAGE STAGE 02 : 3D PERSPECTIVES

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Department of Planning, Housing and Infrastructure

Gateway Determination

Planning proposal (Department Ref: PP-2025-137): Amendment to the Cessnock LEP 2011 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.

I, the Director, Hunter and Northern Region at the Department of Planning, Housing and Infrastructure, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Cessnock Local Environmental Plan 2011 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 should proceed subject to the following Gateway Conditions.

The Council as planning proposal authority is authorised to exercise the functions of the local plan-making authority under section 3.36(2) of the Act subject to the following:

- (a) the planning proposal authority has satisfied all the conditions of the gateway determination;
- (b) the planning proposal is consistent with applicable directions of the Minister under section 9.1 of the Act or the Secretary has agreed that any inconsistencies are justified; and
- (c) there are no outstanding written objections from public authorities.

The LEP should be completed on or before nine months from the date of the Gateway determination.

Gateway Conditions

1. Prior to agency and community consultation, the proposal is to be updated to include the current property descriptions.
2. Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the Act as follows:
 - (a) the planning proposal is categorised as standard as described in the *Local Environmental Plan Making Guideline* (Department of Planning and Environment, August 2023) and must be made publicly available for a minimum of 10 working days; and
 - (b) the planning proposal 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 *Local Environmental Plan Making Guideline* (Department of Planning and Environment, August 2023).

3. Consultation is required with the following public authorities and government agencies under section 3.34(2)(d) of the Act and/or to comply with the requirements of applicable directions of the Minister under section 9 of the Act:

- NSW Rural Fire Service
- NSW Hunter Water Corporation
- Lessee/operator of the Cessnock Airport

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material via the NSW Planning Portal and given at least 30 working 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 3.34(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).

Dated 10 March 2025



**Craig Diss
Director, Hunter and Northern Region
Local Planning and Council Support
Department of Planning, Housing and
Infrastructure**

**Delegate of the Minister for Planning and
Public Spaces**

PP-2025-137 (IRF No 25/406)

Lost Library Item Invoices	
Debtor No	Total
14351.77	\$876.90
13859.77	\$604.27
14187.77	\$583.62
13930.77	\$444.09
14301.77	\$383.09
13850.77	\$382.34
13911.77	\$346.99
13929.77	\$256.40
11437.77	\$234.09
11523.77	\$234.03
13376.77	\$233.84
11391.77	\$227.52
13209.77	\$223.36
12912.77	\$216.01
11967.77	\$199.26
12378.77	\$198.95
12021.77	\$185.91
14143.77	\$183.91
14063.77	\$173.79
11274.77	\$168.92
12578.77	\$155.97
11680.77	\$155.69
14080.77	\$150.67
14408.77	\$150.40
11714.77	\$146.72
12541.77	\$140.99
12043.77	\$140.27
11917.77	\$135.54
11350.77	\$134.23
13925.77	\$132.81
11894.69	\$128.54
13904.77	\$127.38
13578.77	\$126.49
14556.77	\$126.15
14282.77	\$125.90
13207.77	\$122.32
11422.77	\$121.14
13320.77	\$118.77
13485.77	\$117.79
14222.77	\$116.36
14494.77	\$113.68
12471.77	\$113.34
13852.77	\$112.85
13870.77	\$110.88
14478.77	\$110.70
12828.77	\$108.92
11370.77	\$106.82
13249.77	\$106.43
12995.77	\$103.68
14113.77	\$103.15
11291.77	\$102.00
14540.77	\$100.35
12079.77	\$98.98
11406.77	\$98.39
13988.77	\$97.75
12466.77	\$94.68
14015.77	\$94.29
12560.77	\$94.20
12002.77	\$93.39
13715.77	\$93.38
12483.77	\$92.00
13262.77	\$91.43

13948.77	\$90.55
11637.77	\$89.00
13430.77	\$88.83
13848.77	\$88.39
11365.77	\$88.29
11600.77	\$87.55
11924.77	\$87.50
14244.77	\$87.35
14384.77	\$86.33
13248.77	\$85.90
12947.77	\$85.00
13033.77	\$84.80
13410.77	\$84.46
14078.77	\$83.87
12454.77	\$83.29
14172.77	\$83.29
12191.77	\$81.44
11902.69	\$81.03
14175.77	\$80.51
11380.77	\$80.05
11706.77	\$79.12
11982.77	\$78.23
13347.77	\$77.80
13563.77	\$77.19
11339.77	\$76.20
12561.77	\$76.08
12774.77	\$75.90
12085.77	\$75.75
13810.77	\$75.50
13131.77	\$75.49
13992.77	\$73.93
13638.77	\$73.90
13346.77	\$73.60
14047.77	\$72.66
12943.77	\$72.42
11981.77	\$71.86
8825.77	\$71.68
13000.77	\$71.23
12240.77	\$71.03
12080.77	\$70.46
12371.77	\$70.17
13120.77	\$69.99
13698.77	\$69.82
13303.77	\$69.50
11927.77	\$69.44
13186.77	\$69.25
13043.77	\$69.00
13264.77	\$68.75
13694.77	\$68.75
12733.77	\$68.56
13501.77	\$67.92
14096.77	\$67.89
13777.77	\$66.85
11358.77	\$66.80
12288.77	\$66.50
14202.77	\$66.30
11912.77	\$66.20
11894.77	\$64.82
13816.77	\$64.74
13716.77	\$64.09
13734.77	\$64.08
11518.77	\$63.84
12888.77	\$63.80
11496.77	\$63.74

12225.77	\$63.63
13110.77	\$63.26
13133.77	\$62.48
13397.77	\$62.17
11769.77	\$61.99
14061.77	\$61.40
13042.77	\$60.86
12725.77	\$60.55
11578.77	\$60.40
11681.77	\$60.19
14383.77	\$60.02
11705.77	\$60.00
14074.77	\$60.00
11275.77	\$59.99
14342.77	\$59.91
13061.77	\$59.78
12039.77	\$59.69
12026.77	\$59.10
12801.77	\$58.99
12715.77	\$58.76
12274.77	\$58.75
11653.77	\$58.07
12410.77	\$57.98
13355.77	\$57.75
13853.77	\$57.67
12364.77	\$57.50
13059.77	\$57.43
14101.77	\$56.90
13367.77	\$56.67
11920.77	\$56.60
12045.77	\$55.43
12814.77	\$55.19
13854.77	\$54.60
12570.77	\$54.05
12815.77	\$52.75
11718.77	\$52.45
13086.77	\$52.33
12754.77	\$52.18
11970.77	\$52.15
11425.77	\$51.61
12009.77	\$51.18
13740.77	\$51.05
12151.77	\$48.54
14371.77	\$47.22
13691.77	\$46.95
13788.77	\$43.76
13851.77	\$42.80
13518.77	\$42.65
14053.77	\$42.59
14245.77	\$42.19
11550.77	\$41.90
13134.77	\$41.35
14555.77	\$41.30
14257.77	\$41.14
13676.77	\$41.11
13657.77	\$40.95
14056.77	\$39.57
12859.77	\$39.30
12883.77	\$39.00
13847.77	\$39.00
13113.77	\$38.65
13147.77	\$38.00
11507.77	\$37.99
11914.77	\$37.99

11923.77	\$37.99
12442.77	\$37.99
11689.77	\$37.95
13190.77	\$37.95
14115.77	\$37.80
14498.77	\$37.56
14139.77	\$37.55
14386.77	\$37.39
11455.77	\$37.11
14035.77	\$36.60
12342.77	\$36.36
14100.77	\$35.90
12631.77	\$35.00
11655.77	\$34.99
12046.77	\$34.99
11336.77	\$34.95
11677.77	\$34.10
11540.77	\$34.05
12291.77	\$33.95
13604.77	\$33.00
13319.77	\$32.99
14145.77	\$32.50
12729.77	\$31.50
11996.77	\$31.30
11747.77	\$30.45
14518.77	\$30.09
12120.77	\$30.00
13899.77	\$29.98
11256.77	\$29.65
12621.77	\$29.54
12681.77	\$29.00
13296.77	\$29.00
14137.77	\$29.00
14081.77	\$28.45
14256.77	\$28.42
12123.77	\$28.40
13770.77	\$28.40
13973.77	\$28.25
14111.77	\$27.80
12487.77	\$27.40
13932.77	\$27.05
14391.77	\$26.90
13174.77	\$26.80
11426.77	\$26.45
11904.77	\$26.29
11593.77	\$26.00
13208.77	\$26.00
13514.77	\$26.00
13749.77	\$26.00
13931.77	\$26.00
14008.77	\$26.00
13515.77	\$25.99
14526.77	\$25.70
14300.77	\$25.60
11353.77	\$25.30
11276.77	\$25.20
11668.77	\$25.00
12730.77	\$25.00
11440.77	\$24.99
11792.77	\$24.99
12331.77	\$24.99
12634.77	\$24.99
12772.77	\$24.99
12915.77	\$24.99

11781.77	\$24.55
14280.77	\$24.51
14260.77	\$24.50
13708.77	\$24.39
13439.77	\$24.24
13214.77	\$24.18
13989.77	\$24.15
14563.77	\$24.11
13641.77	\$24.00
13762.77	\$23.99
13570.77	\$23.72
11773.77	\$23.40
11483.77	\$23.39
11968.77	\$23.30
11883.69	\$23.20
12759.77	\$23.15
12793.77	\$23.15
12986.77	\$23.15
12020.77	\$22.95
11511.77	\$22.67
11301.77	\$22.45
14496.77	\$22.29
12125.77	\$22.09
12886.77	\$22.01
13359.77	\$22.00
13363.77	\$21.99
13927.77	\$21.99
13592.77	\$21.86
13806.77	\$21.00
12024.77	\$20.96
13216.77	\$20.55
12190.77	\$20.24
14539.77	\$20.10
13610.77	\$20.04
11254.77	\$20.00
11899.69	\$20.00
13063.77	\$20.00
13087.77	\$20.00
12295.77	\$19.99
12761.77	\$19.90
12889.77	\$19.70
13775.77	\$19.65
13522.77	\$19.60
13779.77	\$19.60
13805.77	\$19.60
12124.77	\$19.55
13572.77	\$19.50
14537.77	\$19.45
14312.77	\$19.25
11304.77	\$19.05
13735.77	\$19.00
13815.77	\$19.00
11966.77	\$18.99
14009.77	\$18.99
12339.77	\$18.95
12930.77	\$18.63
12682.77	\$18.60
11726.77	\$18.45
14255.77	\$18.30
13778.77	\$18.29
13707.77	\$18.00
12580.77	\$17.35
14303.77	\$17.20
12031.77	\$17.00

12909.77	\$16.99
13591.77	\$16.99
14566.77	\$16.70
7047.77	\$16.66
13738.77	\$16.50
12119.77	\$16.20
12976.77	\$16.20
13730.77	\$15.95
12900.77	\$15.90
13111.77	\$15.90
11537.77	\$15.40
13175.77	\$15.20
13082.77	\$15.00
13394.77	\$15.00
11682.77	\$14.95
14483.77	\$14.29
12455.77	\$14.00
13330.77	\$14.00
12750.77	\$12.99
13600.77	\$12.82
14394.77	\$12.10
12042.77	\$11.95
12675.77	\$10.82
11901.77	\$10.80
12716.77	\$5.75
13502.77	\$5.00
13696.77	\$3.00
	\$23,063.82

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Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
CC16/2025 128	Ordinary Council 19/03/2025	Waghorn, Peter Maginnity, Robert	Authorisation to Purchase Property adjacent to Council Facility	18/07/2025	24/03/2025	24/06/2025
26 Mar 2025 1:46pm Waghorn, Peter - Target Date Revision Target date changed by Waghorn, Peter from 16 April 2025 to 30 May 2025 - The property owner's managing agent has been advised of Council's authorisation of the proposed purchase and a formal letter of offer was issued 25 March 2025. 06 May 2025 3:29pm Waghorn, Peter Council's lawyers emailed 5/5/2025 advising the vendors have instructed their own lawyers to exchange sale contracts in anticipation of prompt settlement 29 May 2025 9:10am Waghorn, Peter - Target Date Revision Target date changed by Waghorn, Peter from 30 May 2025 to 18 July 2025 - Council's solicitor is still liaising with the vendor's agent and lawyers to finalise the contract details for exchange. Revised advice re expected settlement date to account for these negotiations 24 Jun 2025 2:58pm Waghorn, Peter - Completion Completed by Waghorn, Peter (action officer) on 24 June 2025 at 2:58:17 PM - Sale contracts exchanged in preparation for final settlement.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
PE6/2025 112	Ordinary Council 19/03/2025	Worthing, Alex Chrystal, Peter	Exhibition of Draft Cessnock Development Control Plan chapters - 'Tourist Accommodation on Rural and Conservation Lands' and 'Signage and Outdoor Advertising'.	1/12/2025	24/03/2025	1/07/2025
30 Apr 2025 10:36am Worthing, Alex These chapters are currently on exhibition until May 24, 2025. A report will be prepared with the outcome of the public exhibition. 01 Jul 2025 8:35am Blake, Yvonne - Completion Completed by Blake, Yvonne on behalf of Worthing, Alex (action officer) on 01 July 2025 at 8:35:03 AM - New report to be prepared outlining outcome of public exhibition.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
PE4/2025 109	Ordinary Council 19/03/2025	Rush, Iain Chrystal, Peter	Exhibition of the Draft Cessnock Vineyards District Place Strategy and the Draft Vineyards District Development Control Plan	20/08/2025	24/03/2025	1/07/2025
01 Apr 2025 12:56pm Rush, Iain - Target Date Revision Target date changed by Rush, Iain from 16 April 2025 to 30 June 2025 - Target date extended to allow time to publicly exhibit the draft documents, respond to submissions and report the final plans to Council for adoption. 24 Jun 2025 3:54pm Blake, Yvonne - Target Date Revision Target date changed by Blake, Yvonne from 30 June 2025 to 20 August 2025 - Looking to go back to Council for adoption in August. 01 Jul 2025 8:32am Blake, Yvonne - Completion Completed by Blake, Yvonne on behalf of Rush, Iain (action officer) on 01 July 2025 at 8:32:48 AM - New report to go back to August Council meeting.						

Action Sheets Report	Division: Committee: Ordinary Council Officer:	Date From: Date To: Printed: Monday, 7 July 2025 1:30:06 PM
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Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
PE5/2025 111	Ordinary Council 19/03/2025	Rush, Iain Chrystal, Peter	Exhibition of Draft Infrastructure Contributions Plans	20/08/2025	24/03/2025	1/07/2025
01 Apr 2025 12:56pm Rush, Iain - Target Date Revision Target date changed by Rush, Iain from 16 April 2025 to 30 June 2025 - Target date extended to allow time to publicly exhibit the draft documents, respond to submissions and report the final plans to Council for adoption. 24 Jun 2025 3:54pm Blake, Yvonne - Target Date Revision Target date changed by Blake, Yvonne from 30 June 2025 to 20 August 2025 - To be reported to Council for adopting in August. 01 Jul 2025 8:34am Blake, Yvonne - Completion Completed by Blake, Yvonne on behalf of Rush, Iain (action officer) on 01 July 2025 at 8:34:13 AM - New report to be created for August Council meeting.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
CC18/2025 140	Ordinary Council 16/04/2025	Varghese, Arun Maginnity, Robert	Placement of Integrated Planning and Reporting Documents 2025-26 on Public Exhibition	14/05/2025	22/04/2025	24/06/2025
24 Jun 2025 3:07pm Anderson, India - Completion Completed by Anderson, India on behalf of Varghese, Arun (action officer) on 24 June 2025 at 3:07:44 PM - Documents have been adopted by Council at June OC Meeting						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
PE10/2025 137	Ordinary Council 16/04/2025	Worthing, Alex Chrystal, Peter	Exhibition of draft Development Control Plan - The Vintage	9/10/2025	22/04/2025	1/07/2025
30 Apr 2025 10:37am Worthing, Alex Public exhibition will commence Friday May 2nd, 2025. At the conclusion of the exhibition a report will be prepared detailing the outcomes. 01 Jul 2025 8:38am Blake, Yvonne - Completion Completed by Blake, Yvonne on behalf of Worthing, Alex (action officer) on 01 July 2025 at 8:38:08 AM - New report to be presented to Council once exhibition is concluded.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
PE8/2025 135	Ordinary Council 16/04/2025	Mewing, Jenny Chrystal, Peter	Draft Villages Strategy	31/07/2025	22/04/2025	1/07/2025
29 Apr 2025 3:19pm Mewing, Jenny - Target Date Revision Target date changed by Mewing, Jenny from 14 May 2025 to 31 July 2025 - Exhibition to commence 1 May 2025. 23 May 2025 8:25am Mewing, Jenny Face-to-face engagement activities rescheduled/relocated to account for flooding and closures 23 Jun 2025 10:49am Mewing, Jenny To be reported to July meeting for strategy adoption 01 Jul 2025 8:37am Blake, Yvonne - Completion Completed by Blake, Yvonne on behalf of Mewing, Jenny (action officer) on 01 July 2025 at 8:37:13 AM - New report created for July Council meeting.						

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Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
	Ordinary Council 18/06/2025	Barnes, Megan	Adoption of the Aboriginal and Torres Strait Islander Community Action Plan 2025-2029	16/07/2025	23/06/2025	23/06/2025
CC30/2025 173		Maginnity, Robert				
23 Jun 2025 9:26am Barnes, Megan The Plan was adopted by Council and a request was lodged to have the appropriate website updates/changes made Thursday 19 June 2025. The adopted Plan can be located under https://www.cessnock.nsw.gov.au/Council/Forms-and-documents/Plans-and-strategies . 23 Jun 2025 9:36am Barnes, Megan - Completion Completed by Barnes, Megan (action officer) on 23 June 2025 at 9:36:47 AM - The Plan was adopted by Council and a request was lodged to have the appropriate website updates/changes made Thursday 19 June 2025. The adopted Plan can be located under https://www.cessnock.nsw.gov.au/Council/Forms-and-documents/Plans-and-strategies .						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
	Ordinary Council 18/06/2025	Roberts, Deslie	Making the Rate 2025-26	16/07/2025	23/06/2025	24/06/2025
CC36/2025 179		Maginnity, Robert				
24 Jun 2025 3:08pm Anderson, India - Completion Completed by Anderson, India on behalf of Roberts, Deslie (action officer) on 24 June 2025 at 3:08:33 PM - Assessment notices to be distributed in July 2025.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
	Ordinary Council 18/06/2025	Gambotto, Daniela	Minutes of Grants Advisory Committee Meeting held 21 May 2025	16/07/2025	23/06/2025	23/06/2025
CC28/2025 171		McLachlan, Paul				
23 Jun 2025 9:42am Drage, Natalie Resolution 3 noted. Action for Resolution 1 and 2 will be forwarded to the Council Officer responsible for executing the grant stream. 23 Jun 2025 9:53am Drage, Natalie - Reallocation Action reassigned to Gambotto, Daniela by Drage, Natalie - Referred to the grant manager for the program stream to finalise the resolutions. 23 Jun 2025 12:07pm Gambotto, Daniela - Completion Completed by Gambotto, Daniela (action officer) on 23 June 2025 at 12:07:09 PM - Schools have been notified and funds being distributed by 30 June 2025						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
	Ordinary Council 18/06/2025	Chrystal, Peter	Vacancy in Civic Office: Resignation of Councillor Jay Suvaal	16/07/2025	23/06/2025	24/06/2025
MM3/2025 166		Chrystal, Peter				
23 Jun 2025 2:05pm Chrystal, Peter Noted. Further advice from NSWEC to come and will distribute to Clrs via Memo. 24 Jun 2025 2:17pm Cocking, Tracey - Completion Completed by Cocking, Tracey on behalf of Chrystal, Peter (action officer) on 24 June 2025 at 2:17:43 PM - Action noted, Clr Memo to be issued in due course.						

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	Committee:		Date To:
	Officer:		Printed: Monday, 7 July 2025 1:30:06 PM

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
	Ordinary Council 18/06/2025	Neveltsen, Keri	Local Government Remuneration Tribunal - Annual Fees Payable to Mayor and Councillors 1 July 2025 to 30 June 2026	16/07/2025	23/06/2025	1/07/2025
CC33/2025 176		Maginnity, Robert				
01 Jul 2025 12:13pm Larsen, Robyn - Completion Completed by Larsen, Robyn on behalf of Neveltsen, Keri (action officer) on 01 July 2025 at 12:13:47 PM - Finance to be advised no adjustment to fees for new financial year.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
	Ordinary Council 18/06/2025	Waghorn, Peter	Classification of Land - Lot 900 DP 1278224, 46 Wildflower Circuit Bellbird	16/07/2025	23/06/2025	24/06/2025
CC32/2025 175		Maginnity, Robert				
24 Jun 2025 2:57pm Waghorn, Peter - Completion Completed by Waghorn, Peter (action officer) on 24 June 2025 at 2:57:14 PM - Operational land classification recorded in statutory Land Register						

Action Sheets Report	Division: Committee: Officer:	Ordinary Council	Date From: Date To:
	Printed: Monday, 7 July 2025 1:23:07 PM		
<p>26 May 2022 9:22am Waghorn, Peter Bellbird Park Bowling Club officials have confirmed that Marshall Scott Surveyors were engaged by the previous Board to prepare a plan of acquisition. Once the draft plan is provided to Council for review and verification, the process to reclassify the identified portion of Bellbird Park can be commenced. Transfer of the land to the Club can only be effected on gazettal of the reclassification.</p> <p>26 May 2022 9:50am Waghorn, Peter - Target Date Revision Target date changed by Waghorn, Peter from 15 June 2022 to 30 December 2022 - The planning proposal to amend the LEP and reclassify a portion of Bellbird Park is a lengthy process and yet be commenced. Transferring ownership to the Club is deferred pending gazettal of the land reclassification for Community to Operational land.</p> <p>30 Jun 2022 3:12pm Waghorn, Peter An LEP amendment request to reclassify the portion of Bellbird Park the Club requires has been scheduled with Strategic Planning.</p> <p>28 Jul 2022 2:49pm Waghorn, Peter A survey plan prepared by Marshall Scott Surveyors on behalf of Bellbird Park Bowling Club has been provided to Strategic Planning. A planning proposal requesting amendment of the Cessnock LEP land classification of the nominated portion of Bellbird Park is in progress.</p> <p>31 Aug 2022 4:46pm Keegan, Robyn Further updates are subject to progression of a planning proposal to amend the Cessnock LEP and change the community land classification of the nominated portion of Bellbird Park.</p> <p>25 Nov 2022 3:47pm Waghorn, Peter Internal Property staff followed up with Marshall Scott Surveyors 24/11/2022 and were advised that the survey plan detailing the area to be acquired by the club and prepared by their firm on behalf of Bellbird Park Bowling Club is yet to be lodged with Land Registry Services for assessment. Council staff actions are deferred pending plan registration and gazettal of the proposed land reclassification.</p> <p>16 Jan 2023 12:12pm Waghorn, Peter Property staff visited BPBC on 4/1/2023 to enquire with management as to the status of survey plan approval and were advised that they will follow up with Marshall Scott Surveyors. As at 16/1/2023, Mark Scott of MSS has not been contacted by BPBC.</p> <p>16 Jan 2023 12:21pm Waghorn, Peter - Target Date Revision Target date changed by Waghorn, Peter from 30 December 2022 to 31 March 2023 - Delayed pending Bellbird Park Bowling Club approval of draft survey plan of acquisition and the outcome of a Council request to reclassify the relevant portion of Carmichael Park to be acquired</p> <p>03 Apr 2023 10:44am Waghorn, Peter The Strategic Planning unit has scheduled a report seeking approval to submit the LEP amendment required to reclassify the portion of Bellbird Park the Club requires. Reclassification to operational land is required to facilitate any transfer of council community land. The report will be considered at the April 2023 Ordinary Council Meeting. .</p> <p>03 Apr 2023 11:11am Waghorn, Peter - Target Date Revision Target date changed by Waghorn, Peter from 31 March 2023 to 30 June 2023 - The report seeking approval to submit an LEP amendment to reclassify the required portion of Bellbird Park is scheduled for the April 2023 OCM. Reclassifications necessarily involve state planning departments and completion of that process cannot be accurately determined at this time.</p> <p>26 May 2023 3:16pm Waghorn, Peter - Target Date Revision Target date changed by Waghorn, Peter from 30 June 2023 to 31 March 2024 - A planning proposal to amend the Cessnock LEP community land classification of a portion of Carmichael Oval adjoining Bellbird Park Bowling Club was approved for submission to Dept. of Planning & Environment (DPE) on 19 April 2023. Subject to obtaining a DPE Gateway determination to reclassify the land from community to operational use, consultation will be undertaken with public authorities and the community. Unresolved objections must be submitted to Council for consideration before DPE is requested to make the Plan and publish LEP changes in the Government Gazette. This process is anticipated to take six to nine months. On completion, Property staff will prepare contract documentation to transfer the required land.</p> <p>25 Sep 2023 3:37pm Waghorn, Peter - Email On 15 September, Officers arranged for surveyors to attend and mark the site, allowing a partially installed fence to be completed along the new boundary with a lockable pedestrian access. Illegal private vehicular use of CCC community land is understood to have been occurring and neighbouring residents will be notified prior to erection of the final stage of fencing. Formal transfer of the land portion to BPBC is subject to land reclassification and the revised target date is still projected as March 2024.</p> <p>24 Nov 2023 9:41am Waghorn, Peter No further updates from Property Services pending completion of land reclassification process and subsequent land transfer</p> <p>28 Mar 2024 11:17am Waghorn, Peter - Target Date Revision Target date changed by Waghorn, Peter from 31 March 2024 to 30 May 2024 - Council's Strategic Planning unit advise the planning proposal seeking to amend the LEP land classification is currently being reviewed by the relevant state government planning department</p> <p>25 Jun 2024 10:52am Waghorn, Peter - Target Date Revision Target date changed by Waghorn, Peter from 30 May 2024 to 29 November 2024 - On 29/5/2024 Council's Strategic Planner advised Planning proposal PP-2023-1296 to amend Cessnock Local Environmental Plan 2011 (LEP) has received Gateway determination. The advice refers to issues remaining to be addressed and requires the amending LEP to be finalised on or before 6 months of the Gateway determination date.</p>			

Division:	Ordinary Council	Date From:	
Committee:		Date To:	
Officer:			
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27 Nov 2024 4:33pm Waghorn, Peter - Target Date Revision

Target date changed by Waghorn, Peter from 29 November 2024 to 31 January 2025 - Department Planning Housing and Infrastructure has endorsed the Planning Proposal to rezone and reclassify the strip of land at Bellbird Park Bowling Club for finalization. Once the public reserve status is removed from title, the portion required by the club can be excised from Carmichael Park and transferred to the Club in accordance with the resolution.

26 Mar 2025 2:27pm Waghorn, Peter - Target Date Revision

Target date changed by Waghorn, Peter from 31 January 2025 to 31 March 2025 - Planning Proposal PP-2023-1296 was sent to DPHI for gazettal on 27 November 2024. The Department recently advised to expect further delays associated with the PP dealing with reclassification of land owned by a council.

06 May 2025 3:05pm Waghorn, Peter - Target Date Revision

Target date changed by Waghorn, Peter from 31 March 2025 to 30 June 2025 - Planning Proposal PP-2023-1296 to amend Cessnock Local Environmental Plan 2011 (LEP) is still with Department of Planning, Housing and Infrastructure

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
W175/2022	Ordinary Council 14/12/2022	Dennis, Johanna	Works and Infrastructure	Cessnock LGA Hall Booking/Management	31/07/2025	
383 MOTION 383 RESOLVED	Moved:	McLachlan, Paul Councillor Watton	Seconded:	Councillor Burke		
<ol style="list-style-type: none"> That Council notes the information contained within the report with regard to the implications and resourcing requirements required to overhaul the current practices has adopted relating to hall bookings, maintenance and potential promotions; That Council completes a hall booking trial using the Bookeasy system at four community halls; and That if the hall booking trial is successful, that Council implements the Bookeasy system at all community halls in consultation with the s355 volunteer management committees as resources allow. 						
16 Jan 2023 4:28pm Eveleigh, Nathan - Target Date Revision Target date changed by Eveleigh, Nathan from 11 January 2023 to 30 June 2023 - Test webpage and platform completed for Bellbird Hall. Officers liaising with BookEasy on some minor amendments required for regular bookings., Additional halls will come online after testing is completed with Bellbird Community Hall as per the Council report.						
02 Mar 2023 9:41am Eveleigh, Nathan BookEasy set-up in final testing phase for Bellbird Community Hall before going live.						
27 Mar 2023 11:56am Eveleigh, Nathan Bellbird Community Hall Bookeasy portal went live on 20/3/2023. Will roll out 3 additional facilities following initial trials and feedback.						
28 Jun 2023 11:36am Eveleigh, Nathan Hunter Valley VIC staff have commenced work on Ellalong & Millfield Community Halls following successful roll-out of the BookEasy online bookings at Bellbird Community Hall for 3 months.						
28 Jun 2023 11:40am Eveleigh, Nathan - Target Date Revision Target date changed by Eveleigh, Nathan from 30 June 2023 to 30 September 2023 - 2 additional halls being set-up. A 4th hall will be added once these two halls are online in the coming months.						
25 Aug 2023 8:36am Eveleigh, Nathan - Target Date Revision Target date changed by Eveleigh, Nathan from 30 September 2023 to 20 December 2023 - VIC staff working on 2nd & 3rd hall in consultation with open Space staff and s355 committee's.						
01 Mar 2024 11:29am McNally, Kate 1. Noted, 2. The Bookeasy system is in place for Bellbird Hall. Ellalong and Millfield Hall are ready to go live following training and engagement with the s355 committees., 3. To be completed after item 2.						
01 Mar 2024 11:31am McNally, Kate - Target Date Revision Target date changed by Harris, Kate from 30 April 2024 to 28 June 2024 - Training must be undertaken with S355 Committee members prior to online bookings progressing.						

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24 Jun 2024 1:26pm McNally, Kate

1. Noted, 2. The Bookeasy system is in place for Bellbird Hall with Millfield Hall coming on line by the end of July 2024. Ellalong Hall will be the next facility to provide online bookings., 3. To be completed after item 2.

24 Jun 2024 1:29pm McNally, Kate - Target Date Revision

Target date changed by Harris, Kate from 28 June 2024 to 30 August 2024 - Council Officers are in the process of transitioning community halls to the online booking system. Millfield Hall will be complete by the end of July and then moving to Ellalong Hall.

30 Oct 2024 1:00pm Dennis, Johanna

Council staff undertook system training with Millfield Hall s355 committee volunteers in August and the booking system has been set up and will go live in November.

30 Oct 2024 1:05pm Dennis, Johanna - Target Date Revision

Target date changed by Dennis, Johanna from 30 August 2024 to 31 December 2024 - AGM being held for Ellalong s355 Committee 18 November. New committee will be trained on booking system before implementation.

02 Dec 2024 12:24pm Dennis, Johanna

Booking system for Millfield Hall has gone live and is being utilised.

03 Feb 2025 1:36pm Dennis, Johanna

Booking system for Ellalong Hall is now live. Fourth community hall for online booking system currently being determined in consultation with s355 committees.

03 Feb 2025 1:40pm Dennis, Johanna - Target Date Revision

Target date changed by Dennis, Johanna from 31 December 2024 to 30 June 2025 - Fourth site for trial will be determined in consultation with s355 committees and training undertaken.

30 Apr 2025 9:15am Dennis, Johanna

Council Officers are liaising with s355 committees investigating the fourth trial site for online booking system.

27 May 2025 9:23am Dennis, Johanna

Council staff will be meeting with Branxton Community Hall s355 committee on 4 June to discuss this facility being the fourth trial site for the online booking system.

27 May 2025 9:29am Dennis, Johanna - Target Date Revision

Target date changed by Dennis, Johanna from 30 June 2025 to 31 July 2025 - Once a fourth facility is determined, volunteers will need to be trained in the booking system.

30 Jun 2025 9:58am Dennis, Johanna

Branxton Community Hall s355 committee have met with staff about being the fourth trial site for the online booking system. Volunteers will undertake system training before implementation.

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
PE24/2024	Ordinary Council 20/11/2024	Lewis-Curnoe, Olivia	Planning and Environment	Planning Proposal 18 2022 6 1 - Reclassification and Rezoning of Council Land - Post exhibition	1/08/2025	
50 MOTION 50 RESOLVED	Moved:	Chrystal, Peter Councillor Hill	Seconded:	Councillor Pascoe		
1.	That Council note the outcomes of community consultation for Planning Proposal 18/2022/6/1 - Reclassification and Rezoning of Land at Bellbird and Abermain.					
2.	That Council forwards the Planning Proposal for Reclassification and Rezoning of Council Land to the Minister for Planning and Public Spaces with a recommendation that the plan be made pursuant to Section 3.36 of the <i>Environmental Planning and Assessment Act 1979</i> .					
3.	That Council remove the Public Reserve Status from Part of Lot 3 DP 624793.					
26 Nov 2024 9:43am Lewis-Curnoe, Olivia - Target Date Revision						
Target date changed by Lewis-Curnoe, Olivia from 18 December 2024 to 15 January 2025 - Liaising with PC for finalisation.						
24 Jan 2025 1:42pm Lewis-Curnoe, Olivia - Target Date Revision						
Target date changed by Lewis-Curnoe, Olivia from 15 January 2025 to 31 March 2025 - Liaising with DPHI to finalise the Planning Proposal.						

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01 Apr 2025 9:03am Lewis-Curnoe, Olivia - Target Date Revision

Target date changed by Lewis-Curnoe, Olivia from 31 March 2025 to 10 May 2025 - DPHI is the plan making authority. The Planning Proposal is with DPHI for finalisation.

30 Apr 2025 9:11am Lewis-Curnoe, Olivia - Target Date Revision

Target date changed by Lewis-Curnoe, Olivia from 10 May 2025 to 31 May 2025 - Planning Proposal still with the Department for Finalisation.

27 May 2025 10:09am Lewis-Curnoe, Olivia - Target Date Revision

Target date changed by Lewis-Curnoe, Olivia from 31 May 2025 to 01 August 2025 - Currently with Parliamentary Council for Finalisation.

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
WI27/2024	Ordinary Council 11/12/2024	Dennis, Johanna	Works and Infrastructure	Naming of Averys Rise Park	31/07/2025	
79 MOTION 79 RESOLVED	Moved:	McLachlan, Paul Councillor Hill	Seconded:	Councillor Palmowski		
<p>1. That Council endorses naming the new park and playground Averys Rise Park.</p> <p>2. That Council supports a naming proposal be submitted to the NSW Geographical Names Board for consideration and gazettal.</p> <p>3. That signage be updated following the gazettal of the Place Naming Proposal by the NSW Geographical Names Board (subject to approval).</p>						
<p>03 Feb 2025 1:08pm Pople, Alena An application for naming has been submitted to the Geographical Names Board. The GNB have requested further information on the Avery family, then more specifically birth and death dates of William Avery, his occupation and any time served on Council which is currently being researched by the Library historian and will be provided to the GNB.</p> <p>26 Feb 2025 11:31am Pople, Alena All historical information has been provided to the GNB. The proposal for Averys Rise Park will be considered by the NSW Geographical Names Board (the Board) at a forthcoming meeting. , Council will be notified of the Board's resolution after the meeting.</p> <p>27 Feb 2025 9:24am Pople, Alena - Target Date Revision Target date changed by Pople, Alena from 19 March 2025 to 30 June 2025 - Awaiting approval of name from Geographical Names Board</p> <p>26 Mar 2025 10:54am Pople, Alena The proposal for Averys Rise Park will be advertised for public comment in the Hunter Valley News, Branxton-Greta Vineyard News and Hunter River Times on 04 April 2025. , The Geographical Names Board will be accepting submissions on its website from 04 April 2025 until 04 May 2025. Council will be advised if any objections are received.</p> <p>30 Apr 2025 9:31am Pople, Alena The proposal for Averys Rise Park is currently being advertised for public comment in the Hunter Valley News, Branxton-Greta Vineyard News and Hunter River Times. , The Geographical Names Board will be accepting submissions on its website until 04 May 2025. Council will be advised if any objections are received.</p> <p>06 May 2025 10:02am Pople, Alena The period calling for any comments for the name of Averys Rise Park has expired. There were no comments either in support or objecting to the name and as such the Geographical Names Board have moved to formally gazette the name., The gazettal will be published on Friday 9 May 2025</p> <p>05 Jun 2025 1:40pm Pople, Alena Averys Rise Park was gazetted on 9 May 2025. , Signage will be updated accordingly.</p> <p>05 Jun 2025 1:45pm Pople, Alena - Target Date Revision Target date changed by Pople, Alena from 30 June 2025 to 31 July 2025 - Signage update will need to be ordered and proofed, then installed.</p> <p>30 Jun 2025 9:56am Larsen, Robyn - Reallocation Action reassigned to Dennis, Johanna by Larsen, Robyn - reallocated</p> <p>30 Jun 2025 10:07am Dennis, Johanna New park name to be updated on ordinance signage in July.</p>						

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Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
BN7/2025	Ordinary Council 19/03/2025	Martin, Cam	Business With Notice	Report on Unsealed Roads and Costs	30/07/2025	
124 MOTION 124 RESOLVED	Moved:	McLachlan, Paul Councillor Hill	Seconded:	Councillor Suvaal		
<p>1. That the General Manager provide a report to Council on the unsealed road network review, including information on Unsealed Road Maintenance Schedule, Council's Asset Management Framework and budget in line with the Long Term Financial Plan.</p> <p>2. Currently what grants are available to help with our unsealed road program.</p> <p>09 Apr 2025 10:10am Meyers, Kristy Investigating data set.</p> <p>05 May 2025 2:49pm Meyers, Kristy Report expected June/July 2025.</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
BN6/2025	Ordinary Council 19/03/2025	McNally, Kate	Business With Notice	Investigation for Opportunities to Reduce Vandalism in Public Spaces	29/08/2025	
123 MOTION 123 RESOLVED	Moved:	McLachlan, Paul Councillor King	Seconded:	Councillor Jurd		
<p>That Council reconvene to further consider options available to help address impacts of crime within the Cessnock LGA after further consultation is undertaken between Cessnock Councillors and NSW Police.</p> <p>05 May 2025 3:53pm Meyers, Kristy A Councillor Briefing to be organised for Crime Prevention Through Environmental Design (CPTED).</p> <p>05 May 2025 3:55pm Meyers, Kristy - Target Date Revision Target date changed by Meyers, Kristy from 30 June 2025 to 30 June 2025 - To organise Councillor Briefing.</p> <p>30 Jun 2025 9:59am McNally, Kate A Councillor Briefing to be organised for Crime Prevention Through Environmental Design (CPTED).</p> <p>30 Jun 2025 10:01am McNally, Kate - Target Date Revision Target date changed by McNally, Kate from 30 June 2025 to 29 August 2025 - Competing priorities have resulted in this briefing being delayed.</p>						

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Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
WI5/2025	Ordinary Council 16/04/2025	Gambotto, Daniela	Works and Infrastructure	Nomination of Section 355 Committees	30/07/2025	
145 MOTION 145 RESOLVED	Moved:	McLachlan, Paul Councillor Hill	Seconded:	Councillor Mason		
<p>1. That Council delegates the care, control and management of Council's community and recreation facilities, other Council owned and controlled land, to relevant Section 355 Committees.</p> <p>2. That Council authorise the management of the Section 355 Committees to be in accordance with any practices and procedures adopted by the General Manager.</p> <p>3. That Council authorise the General Manager to execute documents confirming the delegated functions with each of the appointed community representatives for each of the respective Section 355 Committees in accordance with any practices and procedures.</p> <p>4. That Council establishes the following Section 355 Committees:</p> <ul style="list-style-type: none"> a) Cessnock Tidy Towns b) Greta Tidy Towns c) Kearsley Tidy Towns d) Millfield Tidy Towns e) North Rothbury Tidy Towns f) North Rothbury Bushcare g) Paxton Tidy Towns h) Weston Tidy Towns. <p>05 May 2025 3:11pm Gambotto, Daniela - Target Date Revision Target date changed by Gambotto, Daniela from 30 June 2025 to 30 July 2025 - Awaiting further advice from Insurance</p> <p>30 Jun 2025 11:59am Gambotto, Daniela - Target Date Revision Target date changed by Gambotto, Daniela from 30 June 2025 to 30 July 2025 - Awaiting insurance advice to conclude this matter</p>						

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Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
CC19/2025	Ordinary Council 16/04/2025	Plumridge, Matthew	Corporate and Community	Engagement of Advisor for Special Rate Variation	30/06/2025	
141 MOTION 141 RESOLVED	Moved:	Maginnity, Robert Councillor Pascoe	Seconded:	Councillor Mason		
<p>1. That Council notes the report of the Institute for Regional Futures of the University of Newcastle, outlining the financial sustainability challenges for Cessnock City Council.</p> <p>2. That Council authorises the General Manager to:</p> <p style="padding-left: 40px;">a. engage an independent advisor to provide further advice to Council on the potential for a special rate variation</p> <p style="padding-left: 40px;">b. report to Council on the recommendations of the advisor prior to any decision being made on a Special Rate Variation application by Council.</p> <p>06 May 2025 9:18am Anderson, India - Target Date Revision Target date changed by Anderson, India from 14 May 2025 to 30 June 2025 - Commenced discussions and currently negotiating contract.</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
PE9/2025	Ordinary Council 16/04/2025	Lewis-Curnoe, Olivia	Planning and Environment	Anomalies Planning Proposal Post Exhibition Report	1/08/2025	
136 MOTION 136 RESOLVED	Moved:	Chrystal, Peter Councillor Lea	Seconded:	Councillor Hill		
<p>1. That Council note the outcomes of community consultation for Planning Proposal 18/2024/3/1 – Anomalies Planning Proposal</p> <p>2. That Council forwards the Anomalies Planning Proposal to the Minister for Planning and Public Spaces with a recommendation that the plan be made pursuant to Section 3.36 of the <i>Environmental Planning and Assessment Act 1979</i>.</p> <p>30 Apr 2025 9:12am Lewis-Curnoe, Olivia - Target Date Revision Target date changed by Lewis-Curnoe, Olivia from 14 May 2025 to 30 June 2025 - Currently liaising with the Department to finalise the Planning Proposal.</p> <p>27 May 2025 10:09am Lewis-Curnoe, Olivia - Target Date Revision Target date changed by Lewis-Curnoe, Olivia from 30 June 2025 to 01 August 2025 - Currently with Parliamentary Council for Finalisation.</p>						

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Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
PE12/2025	Ordinary Council 21/05/2025	Worthing, Alex	Planning and Environment	Planning Proposal 18/2024/6/1 - Reclassification of Council Land - Post Exhibition	30/10/2025	
152 MOTION 152 RESOLVED	Moved:	Chrystal, Peter Councillor King	Seconded:	Councillor Harrington		
<ol style="list-style-type: none"> That Council notes the outcome of the community consultation for Planning Proposal 18/2024/6/1 - Reclassification of part Lot 312 DP 566724 (Old Maitland Road, Cessnock) from Community Land to Operational Land. That Council forwards the Planning Proposal 18/2024/6/1 for Reclassification of Council Land to the Minister for Planning and Public Spaces with a recommendation that the plan be made pursuant to Section 3.36 of the Environmental Planning and Assessment Act 1979. That Council notifies submission makers of the Minister's decision. 						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
CC35/2025	Ordinary Council 18/06/2025	Plumridge, Matthew	Corporate and Community	Adoption of the IPR Framework Suite of documents comprising of: - Community Strategic Plan: Together Cessnock 2040 - 2025-29 Delivery Program incorporating the 2025-26 Operational Plan, Budget and Revenue Policy - Resourcing Strategy incorporating the Long Term Financial Plan, Workforce Management Plan and Asset Management Strategy - 2025-26 Fees & Charges	16/07/2025	
178 MOTION 178 RESOLVED	Moved:	Maginnity, Robert Councillor Lea	Seconded:	Councillor Palmowski		
<p>That Council having considered all submissions received from the community following public exhibition of the draft documents adopts the:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Community Strategic Plan: Together Cessnock 2040 with the addition of the following objectiveS under 'Outcome 2 - Thrive': <ul style="list-style-type: none"> o 2.3.3 Explore opportunities for the construction of the Richmond Vale Rail Trail and additional Shiraz to Shore connections (Hunter Regional Plan 2041) o Explore opportunities for the construction of the Bellbird North Bypass from Mount View Road to Wine Country Drive. <input type="checkbox"/> 2025-29 Delivery Program 2025-2029 incorporating the <ul style="list-style-type: none"> o 2025-26 Operational Plan o Budget and Revenue Policy <input type="checkbox"/> Resourcing Strategy incorporating the <ul style="list-style-type: none"> o Long Term Financial Plan o Workforce Management Strategy o Asset Management Strategy <input type="checkbox"/> 2025-26 Fees and Charges 						

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Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
WI7/2025	Ordinary Council 18/06/2025	Jeffery, Warren	Works and Infrastructure	Local Traffic Committee Meeting held 17 March 2025 - Items Requiring a Council decision	16/07/2025	
182 MOTION 182 RESOLVED	Moved:	McLachlan, Paul Councillor Harrington	Seconded:	Councillor Jurd		
<p>That the following item from the Cessnock Local Traffic Committee Meeting of 17 March 2025 be adopted as a resolution of Council.</p> <p><input type="checkbox"/> TC3/2025 That Council authorises the installation of regulatory controls on Wollombi Road - Bellbird to Cessnock, in accordance with the Wollombi Road Upgrade Project – Signage and Line Marking Plan Package – Stage 1 Revision D.</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
MM4/2025	Ordinary Council 18/06/2025	Honeyman, Michelle	Mayoral Minutes	Personnel Matter Relating to the General Manager's Contract of Employment.	16/07/2025	
185 MOTION 185 RESOLVED	Moved:	Chrystal, Peter Councillor Watton				
<ol style="list-style-type: none"> That Council notes the confidential correspondence from Ken Liddell (General Manager) to Councillor Watton (Mayor) dated 17 June 2025 and accepts their resignation as General Manager of Cessnock City Council with effect on and from 17 July 2025. That Council conveys its sincere thanks to Ken Liddell, for their leadership and achievements during his tenure with Cessnock City Council. That Council pursuant to sections 336 and 351 of the <i>Local Government Act 1993</i>, appoints Mr Peter Chrystal to be the Council's Acting General Manager when Ken Liddell is on leave and for such person to remain the Council's Acting General Manager until the commencement of a new General Manager (for a maximum period of up to 12 months) or until further resolution of the Council, whichever occurs first. Provided that if Peter Chrystal is on leave prior to Council appointing a new General Manager or appointing a different Acting General Manager, the Mayor, following consultation with the Deputy Mayor, may temporarily appoint one of Council's Directors as Interim General Manager for the period of such leave. That Council authorise the Mayor, following consultation with the Deputy Mayor: <ol style="list-style-type: none"> to invite Local Government NSW and other suitably experienced external recruitment consultants to submit proposals to assist the Council with the recruitment process to recruit a new General Manager for the Council, and to appoint a suitably experienced external recruitment consultant to assist the Council with the recruitment process to recruit a new General Manager for the Council in accordance with the requirements of the <i>Local Government Act 1993</i> and consistent with the Office of Local Government's Guidelines for the appointment and oversight of general managers ("Guidelines"). That Council, in furtherance of the above, and consistent with page 7 of the Guidelines, the Council delegates to the Mayor the task of ensuring: <p><input type="checkbox"/> the selection panel is established,</p> <p><input type="checkbox"/> the general manager's position description is current and evaluated in terms of salary to reflect the responsibilities of the position,</p> 						

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☐ the proposed salary range reflects the responsibilities and duties of the position,
☐ the position is advertised according to the requirements of the Act,
☐ information packages are prepared, and
☐ applicants selected for interview are notified.

6. That Council have the selection panel (referred to above) prepare a selection panel report addressing the matters referred to on page 8 of the Guidelines, which is to be presented to a future meeting of the Council for consideration.

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
PE15/2025	Ordinary Council 18/06/2025	Worthing, Alex	Planning and Environment	Exhibition of Draft Housing Theme Review Discussion Paper	25/09/2025	
169 MOTION 169 RESOLVED	Moved:	Chrystal, Peter Councillor Lea	Seconded:	Councillor Palmowski		
1. That Council place the Draft Housing Theme Review Discussion Paper on public exhibition for a period of 28 days. 2. That Council receive a further report following public exhibition of the Draft Housing Theme Review Discussion Paper. 3. That a workshop be held with Councillors after the feedback from the exhibition period.						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
PE16/2025	Ordinary Council 18/06/2025	Worthing, Alex	Planning and Environment	Draft Amendments to Cessnock Development Control Plan Chapter - D8, Events	27/11/2025	
170 MOTION 170 RESOLVED	Moved:	Chrystal, Peter Councillor Lea	Seconded:	Councillor Pascoe		
1. That Council places the draft "D8 – Events" on public exhibition for a period of 28 days, as required by Council's Community Participation Plan. 2. That Council receive a further report following public exhibition of the draft Development Control Plan chapter if unresolved submissions are received or significant amendments are proposed post-exhibition. Where there are no unresolved objections, the draft Development Control Plan chapter be adopted by Council pursuant to the Environmental Planning and Assessment Regulation 2021. 3. That Council repeal the current Cessnock Development Control Plan Chapter D8 - Temporary Events, in the event that the amended Draft chapter D8 – Events is adopted.						

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Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
CC34/2025	Ordinary Council 18/06/2025	Plumridge, Matthew	Corporate and Community	Investment Policy	16/07/2025	
177 MOTION 177 RESOLVED	Moved:	Maginnity, Robert Councillor Lea	Seconded:	Councillor Mason		
That the Council adopts the revised Investment Policy.						