



Vincent Street  
CESSNOCK 2325

29 January 2008

To All Councillors

You are hereby notified that the next Meeting of the Corporate and Regulatory Services Committee will be held in the Council Chambers on Wednesday, 6 February 2008 immediately following the conclusion of the Strategic and Community Services Committee Meeting, for the purpose of transacting the undermentioned business.

**B R MORTOMORE  
GENERAL MANAGER**

**AGENDA:**

PAGE NO.

**(1) APOLOGIES.**

**(2) CONFIRMATION OF MINUTES.**

Minutes of the Corporate and Regulatory Services Committee  
Meeting held on 23 January 2008

**(3) DEFERRED BUSINESS.**

114/2007	Draft Masterplan – Cessnock Aerodrome – Privately Owned Motel Precinct	2
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**(4) OFFICERS' REPORTS.**

**ACTING DIRECTOR CORPORATE & REGULATORY SERVICES**

4/2008	Loan Borrowing - Cessnock Community Performing Arts Centre	7
5/2008	8/2004/596/1 – 5 Maitland Street Branxton	8

**(7) QUESTIONS WITHOUT NOTICE.**

## **DEFERRED BUSINESS**

### **ACTING DIRECTOR CORPORATE & REGULATORY SERVICES REPORT NO. 114/2007**

**SUBJECT:** **DRAFT MASTERPLAN – CESSNOCK  
AERODROME – PRIVATELY OWNED MOTEL  
PRECINCT**

**OWNER:** **HUNTER VALLEY ACCOMMODATION  
CENTRE**

**PROPERTY:** **LOT 210, DP 559578, 453 WINE COUNTRY  
DRIVE, POKOLOBIN**

**AREA:** **3 HECTARES**

**ZONING:** **5(E) SPECIAL USES (AERODROME) ZONE**

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Kerry Porter, Acting Development Co-ordinator, reports:

#### **SUMMARY:**

A draft master plan for the privately owned motel precinct at the Cessnock Aerodrome has been prepared on behalf of Council by Planning Consultants Andrews Neil Pty Ltd (see enclosures for copy of draft masterplan). This masterplan is required to be prepared and adopted by Council under the provisions of the Cessnock Development Control Plan No. 2006 - Part E.7 (Specific Areas) - Cessnock Aerodrome, prior to approval of any development application for the site.

The masterplan provides “conceptual” development guidelines, in addition to some design standards, to ensure that future development of the site is predominantly for tourist-related purposes, consistent with the desired character of the Vineyards District and surrounding rural area, and provides good integration with the existing Aerodrome and Visitor’s Centre.

It is recommended that prior to the masterplan being adopted, Council inspect the site with Council staff (and Council’s Planning Consultant Andrews Neil Pty Ltd) to gain an understanding of the site conditions that have led to the recommendations contained within the draft Masterplan document.

#### **BACKGROUND:**

On March 23, 2005 a draft Master Plan for the privately owned motel precinct (at the Cessnock Aerodrome) was lodged by Harper Somers O’Sullivan (on behalf of the owners of the site – Hunter Valley Accommodation Centre). At the same time, a development application for the associated new hotel building (on the same site) was also lodged.

Council held several meetings with the applicant prior to lodgement of the masterplan and DA for the site where it was advised that the design of the masterplan and hotel building did not comply with development guidelines contained within the DCP for the Aerodrome, nor the adopted design guidelines for the privately owned motel precinct.

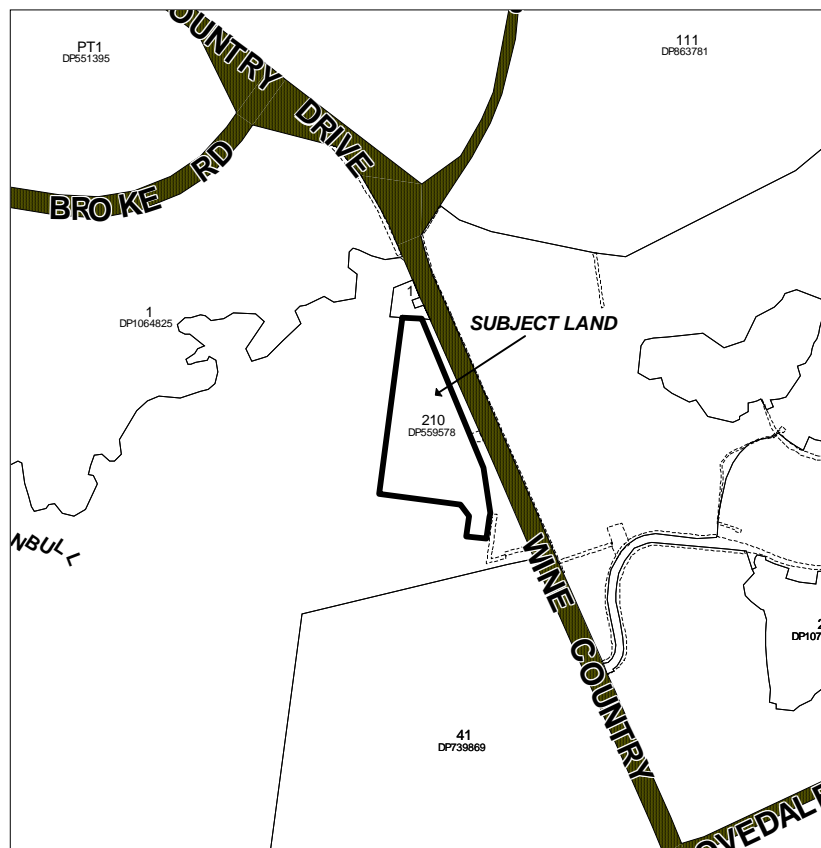
Notwithstanding Council’s advice, the masterplan and DA were lodged (unamended) and the applicant has been reluctant to amend the design over the past 2 years to comply with the DCP. During this time, an independent planning assessment of the proposal was undertaken (at the request of Council) by Planning Consultant Andrew Martin. This independent assessment also concluded that the proposed masterplan and DA failed to satisfy the objectives of Council’s LEP 1989, DCP for the Cessnock Aerodrome and adopted design guidelines for the privately owned motel precinct.

In order to progress the matter, Council engaged an independent Planning Consultant in early November 2007 (Andrews Neil Pty Ltd) to review the work undertaken to date and to finalise the masterplan document for the site.

**SITE DESCRIPTION:**

The subject land is located on the western side of Wine Country Drive, is approximately 3 hectares in area and is located adjacent to the Hunter Valley Wine Country Tourist Information Centre. The site is immediately adjoined by the Cessnock Aerodrome to the south and west. The land is currently occupied by a motel, with associated swimming pool, tennis courts and backpacker accommodation.

The subject land is located within the primary gateway to the Vineyards District and falls within a visually significant area, as identified under Council's Development Control Plan 2006 Part E (Specific Areas) – E.3 - Vineyards District.



**PURPOSE OF THE DOCUMENT:**

The purpose of the Masterplan is to ensure the vision and objectives for the Cessnock Aerodrome can be achieved. The vision for the Cessnock Aerodrome is for .....*“a well planned and serviced aerodrome facility managed in a manner which attracts new and environmentally responsible economic development opportunities to the Cessnock region.”*

The specific purposes and objectives of the Masterplan are to:

- Ensure that the land is developed for tourist-related purpose which are complimentary to / consistent with the design scale of and / or form and / or materials used in the Hunter Wine and Visitors Centre.
- Ensure development on and near the Aerodrome is consistent with the desired character of the Vineyards District and surrounding rural area.
- Encourage moderate growth in the standard of infrastructure available.
- Encourage appropriate ancillary development related to the Aerodrome and to the Wine Interpretive Centre while protecting sensitive existing surrounding development from adverse environmental impact.
- Provide design guidelines for certain development to ensure development on and near the Aerodrome responds to the principles of environmentally sustainable development and becomes a model for implementation of those principles and;
- Retain and enhance (where approximate) existing vegetation.

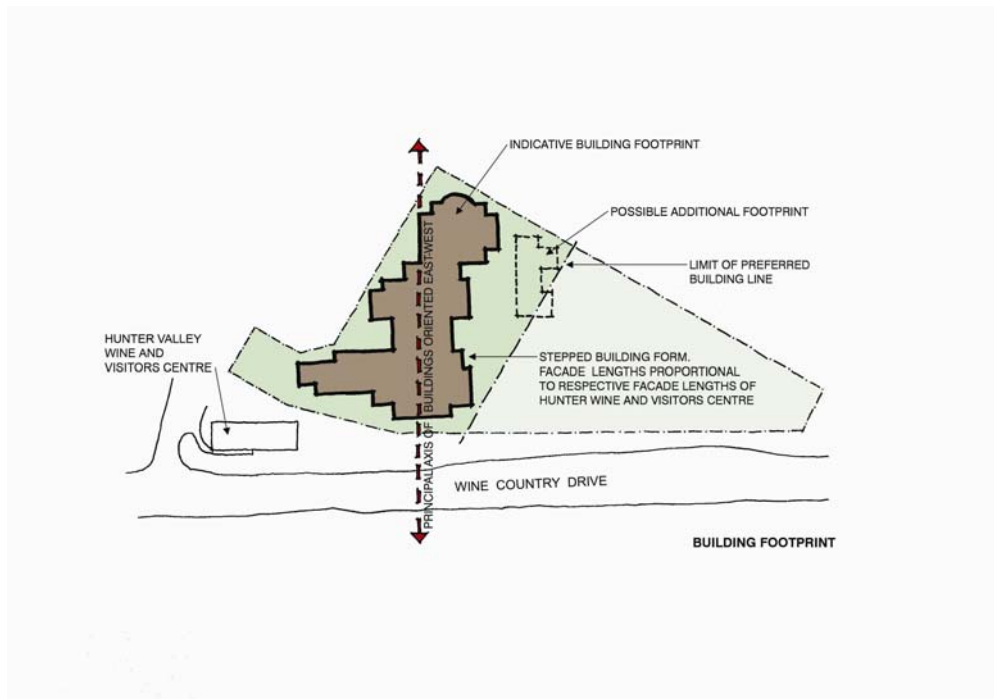
**KEY DESIGN ELEMENTS OF THE MASTERPLAN:**

The masterplan separates the subject land into two (2) areas: building zone and view corridor.



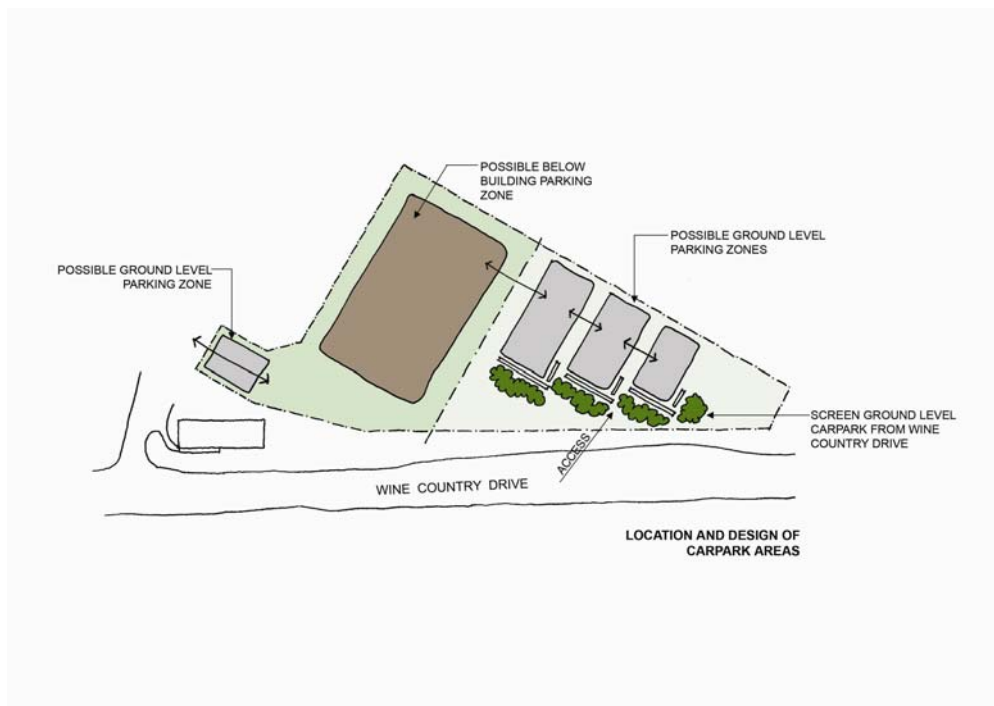
The building zone will contain all buildings while the view corridor will be restricted to parking and landscaping to preserve the view corridor to distant hills currently available across the site from Wine Country Drive.

Building heights in the building zone will be restricted to a mix of single and double-storey forms and there will be restrictions on unarticulated lengths to provide visually interest.



Parking areas are to be adequately landscaped and screened from Wine Country Drive to preserve the visual significance of this particular location.

A separate access point into the site from Wine Country Drive is also proposed to relieve congestion at the main entry point to the existing Aerodrome. This separate access point has been encouraged in the past by both the RTA and Local/Regional Traffic Committees. However, the exact location and design of this entry will be subject to further assessment upon lodgement of the associated development applications for re-development of the site.



**CONCLUSION:**

It is considered that the recommendations contained within the draft Masterplan for the privately owned motel precinct at the Cessnock Aerodrome are consistent with the overall vision and objectives of DCP 2006 (Part E.7 - Cessnock Aerodrome DCP) and the adopted design guidelines for the site. The masterplan gives strong consideration to the visual significance of the site, the relationship with the adjacent Aerodrome, Visitors Centre and is sensitive to the overall character of the surrounding Vineyards District.

**RECOMMENDATION** that Council defer consideration of the Masterplan for the Cessnock Aerodrome - privately owned motel precinct, to the Council Meeting to be held on 23 January 2008 to allow all Councillors to undertake an inspection of the site with Council staff and Planning Consultant Andrews Neil Pty Ltd to gain an understanding of the site conditions that have led to the recommendations contained within the draft Masterplan document.

To: **The General Manager**  
Corporate & Regulatory Services  
Committee – 12 December 2007

**D FITZGERALD**  
**ACTING DIRECTOR CORPORATE &**  
**REGULATORY SERVICES**  
4 December 2007

**MOTION**                      **Moved:**      Councillor Smith                      **Seconded:**      Councillor Besoff  
806 (23/1/2008)

**RECOMMENDED** that Council **DEFER** consideration of the Masterplan for the Cessnock Aerodrome - privately owned motel precinct, to the Council Meeting to be held on 6 February 2008 to allow all Councillors to undertake an inspection of the site with Council staff and Planning Consultant Andrews Neil Pty Ltd and the Owner to gain an understanding of the site conditions that have led to the recommendations contained within the draft Masterplan document.

**CARRIED**

## **OFFICER'S REPORTS**

### **ACTING DIRECTOR CORPORATE & REGULATORY SERVICES REPORT NO. 4/2008**

**SUBJECT: LOAN BORROWING – CESSNOCK COMMUNITY PERFORMING ARTS  
CENTRE**

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Financial and Administrative Services Manager, Mr Robert Maginnity, reports:

At the Council meeting of 23 January 2008, Council approved loan borrowings of \$6,000,000 to fund the construction of the Cessnock Community Performing Arts Centre.

Listed below are details of the borrowings committed to the following day:

Lender:	National Australia Bank
Duration:	15 years
Rate:	7.166%

**RECOMMENDATION** that the information be received and noted

To: **The General Manager**  
Corporate & Regulatory Services  
Committee – 6 February 2008

**D FITZGERALD**  
**ACTING DIRECTOR CORPORATE &  
REGULATORY SERVICES**  
29 January 2008

**ACTING DIRECTOR CORPORATE & REGULATORY SERVICES  
REPORT NO. 5/2008**

**DEVELOPMENT APPLICATION NO:** 8/2004/596/1  
**APPLICANT:** MATTHEW HOLT  
**OWNER:** ANDREW KORLEVIC  
**PROPERTY:** LOT 1 DP 1068956 NO. 5 MAITLAND STREET  
BRANXTON  
**AREA:** 2,150 SQUARE METRES  
**ZONING:** RESIDENTIAL 2(A)  
**PROPOSAL:** ERECTION OF SIX (6) RESIDENTIAL UNITS

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Senior Planning Assessment Officer, Mr Rod Sandell, reports:

**BACKGROUND:**

Council at its meeting of 9 May 2007 resolved to refuse consent to the application for the erection of six (6) residential units on the subject land. The application was refused on the grounds that the proposal did not comply with the provisions of the Cessnock Development Control Plan 2006 with respect to access and parking on the site and the provision of an adaptable unit for the disabled. A copy of the Council report is attached for Council's information.

**LAND & ENVIRONMENT COURT:**

The owner subsequently appealed Council's decision in the Land and Environment Court (Proceedings No. 10587 of 2007). A conference pursuant to Section 34 of the Land & Environment Court Act was held with representatives of the applicant, the Court's Assessor, Council's legal representative and Council Officers at Council on 18 September 2007 in an attempt to resolve the outstanding matters of non-compliance. The applicant's representatives were directed by the Court's Assessor to submit plans in compliance with Council's requirements.

**SUBMISSION OF AMENDED PLANS:**

Council is now in receipt of amended plans from the applicant following the directions of the Land and Environment Court to the applicant. The plans have been assessed by Council officers and deemed to comply with the provisions of Council's Development Control Plan (DCP) 2006.

**CONCLUSION:**

With the receipt of amended plans which are in compliance with DCP 2006, there remain no further grounds on which to deny consent to the proposed development. Council's legal representative has consequently sought advice from Council as to whether it is prepared to agree to consent orders on the basis of the attached conditions.

**RECOMMENDATION** that Council agree to consent orders from the Land and Environment Court with respect to the proposed development and on the basis of the attached conditions.

To: **The General Manager**  
Corporate & Regulatory Services  
Committee - 6 February 2008

**D FITZGERALD**  
**ACTING DIRECTOR CORPORATE &  
REGULATORY SERVICES**  
30 January 2008