

What is a Development Control Plan?

A Development Control Plan, often referred to as a DCP, is the key supporting document to the Local Environmental Plan (LEP). The DCP provides detailed guidance on design considerations and the assessment of new development.

What is Council's current DCP (2006)?

On September 30, 2005 the Environmental Planning and Assessment Act 1979 (EP&A Act) was amended to provide that only one Development Control Plan prepared by a consent authority may apply to any land within a local government area. In order to comply with this provision, Council consolidated and condensed all DCPs into Cessnock DCP (2006).

Why is Council preparing draft DCP (2009)?

The draft Cessnock DCP 2009 has been prepared in response to the Standard Local Environmental Plan Template and incorporates the new terms, definitions and a number of consequential amendments.

Chapter E.9 - Millfield Small Holdings has been amended in regard to management of domestic sewage and wastewater. Council resolved at its meeting of 3 June 2009 to support a variation to clause 9.2.7 to allow on site effluent disposal.

Following "Authorisation" from the Department of Planning to exhibit the draft LEP 2009, the (draft) Cessnock Development Control Plan (2009) will also be exhibited.

Following completion of the public exhibition, all submissions and comments will be considered in the final review. The final draft DCP is anticipated to be reported to Council with the draft LEP 2009 and draft City Wide Settlement Strategy (2009) and have an effective commencement date concurrent to the gazettal of the draft LEP 2009.

Where does draft DCP (2009) apply?

This draft DCP applies to the whole of the Cessnock local government area (LGA).

How do I use the draft DCP (2009)?

The draft DCP (2009) is a key supporting document to the draft LEP 2009. It is a chapter based document that provides guidance on design considerations and the assessment of development applications.

Parts A to C apply to all development and should be read in conjunction with the specific provisions chapters. Part D provides requirements for specific development and Part E for specific areas.

Each section provides an explanation of the criteria, a range of objectives and performance criteria to meet those

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objectives. All development must meet the objectives. Where a variation is sought from the specific performance criteria or requirement of this draft DCP, the development application must include justification for each variance and demonstrate how the objectives of the provision are being achieved.

What has not been incorporated into draft?

Generally the provisions and requirements of the current Cessnock DCP (2006) have been translated into draft DCP 2009. However, the chapter relating to Exempt and Complying Development has been omitted as it is no longer required as the provisions for exempt and complying development are now included in the draft LEP 2009, as required by the Standard LEP Template.

Similarly, the provisions relating to development in areas subject to airport noise and development in flight paths within the Cessnock Aerodrome Chapter are now included as Local Provisions in the draft LEP 2009.

How can I view and comment on the draft?

You are strongly advised to review the plans whilst on public exhibition and invited to make written submissions. Written submissions will be accepted until 12 October 2009. Council staff will be available during 9am - 12pm by appointment, to discuss the exhibition material and answer your questions.

Fact Sheet 11 details where the draft DCP (2009) may be reviewed and how to make a submission.

**For more information please contact
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