



# **PLANNING PROPOSAL**

## **Amendment to the**

### ***Cessnock Local Environmental Plan 2011***

## **Comprehensive LEP Review**

Recreation (RE1 & RE2) Land Use Zones

**Contact: Mr Iain Rush**

**Telephone: 02 4993 4155**

**Email: [ian.rush@cessnock.nsw.gov.au](mailto:ian.rush@cessnock.nsw.gov.au)**

#### **Revision History**

Revision	Description	Date
1	For Lodgement	15.09.21

# Table of Contents

Part 1: Objectives and Outcomes .....	3
Part 2: Explanation of Provisions .....	4
Part 3: Justification .....	27
Section A: Need for Proposal .....	27
1 Resulting from a Strategic Study or Report .....	27
2 Planning Proposal as best way to achieve to objectives .....	27
Section B: Relationship to Strategic Planning Framework .....	28
3 Consistency with Objectives and Actions within Regional Strategies .....	28
4 Consistency with Council’s Community Strategic Plan or other Local Strategic Plan .....	28
5 Consistency with State Environmental Planning Policies .....	29
6 Consistency with Section 9.1 Ministerial Directions for Local Plan Making .....	34
Section C: Environmental, Social and Economic Impact .....	38
7 Impact on Threatened Species .....	38
8 Environmental Impact .....	38
9 Social and Economic Impacts .....	38
Section D: State and Commonwealth Interests .....	38
10 Adequate Public Infrastructure .....	38
11 Consultation with State and Commonwealth Authorities .....	38
Part 4: Mapping .....	39
Part 5: Community Consultation .....	40
Part 6: Project Timeline .....	41

## Tables

Table 1: Relevant State Environmental Planning Policies .....	29
Table 2: Relevant Section 9.1 Ministerial Directions .....	34

## Appendices

Appendix 1: .....	42
Appendix 2: .....	43

## **Background**

The *Cessnock Local Environmental Plan 2011* (the 'LEP 2011') and Cessnock Development Control Plan 2010 (the 'DCP 2010') contain provisions that guide development on recreation zoned land. The provisions are need to be comprehensively reviewed to ensure consistency with the relevant priorities and principals for recreation land contained in the Cessnock Local Strategic Planning Statement (LSPS) 2036 and other relevant local and regional plans and strategies.

---

## **Part 1: Objectives and Outcomes**

---

The objective of the Planning Proposal is to amend the LEP 2011 to achieve the following outcomes:

- Amend the RE1 Public Recreation Zone Land Use Table to:
  - **permit** emergency services facilities, entertainment facilities, function centres, information and education facilities, markets, restaurants or cafes and signage; and
  - **prohibit** heliports and respite day care centres.
- Amend the RE2 Private Recreation Zone Land Use Table to:
  - **permit** amusement centres, building identification signs, business identification signs, entertainment facilities, function centres, information and education facilities, markets, restaurants or cafés; and
  - **prohibit** helipads.
- Amend the LEP 2011 Land Use Zone Map, Minimum Lot Size Map and Land Reservation Acquisition Map in relation to various parcels of land in the LGA.

## **Request for authorisation to act as Local Plan-Making Authority**

Council requests authorisation under Section 3.31 of the *Environmental Planning and Assessment Act 1979* to act as the local plan-making authority to make the Local Environmental Plan.

## Part 2: Explanation of Provisions

This Planning Proposal has been prepared to enable the following amendments to be made to the *Cessnock Local Environmental Plan 2011* (the LEP) instrument and maps.

### **Item 1 – Amendment to the RE1 and RE2 Zone Land Use Tables**

The RE1 and RE2 Zone land use tables list the various forms of development that are considered to be compatible with the objectives of the zone and therefore permitted with or without consent. The land use tables also list development that is not compatible with the objectives of the zones and these are listed as prohibited development.

The SILEP mandates certain land uses as permissible or prohibited in each zone. Additional land uses may be included if, in Council's opinion, the mandated uses do not satisfactorily address the local intent of the zone. The proposed RE1 Public Recreation Zone and RE2 Private Recreation Zone land use table amendments (see below and **Appendix 1**) will enable greater flexibility for compatible employment generating development to occur within the recreation zones, while prohibiting uses that are considered incompatible.

#### Proposed amendments to the RE1 Public Recreation Zone Land Use Table

The existing Cessnock RE1 Zone Land Use Table is provided below with the mandated land uses **bolded and italicised**.

##### **2 – Permitted without consent**

Nil

##### **3 – Permitted with consent**

**Aquaculture**; Camping grounds; Caravan parks; Centre-based child care facilities; Community facilities; **Environmental facilities**; **Environmental protection works**; Heliports; **Kiosks**; **Recreation areas**; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Respite day care centres; **Roads**

##### **4 – Prohibited**

Any development not specified in item 2 or 3

The following RE1 Public Recreation Zone Amendments are proposed: emergency services facilities, entertainment facilities, function centres, information and education facilities, markets, restaurants or cafes and signage.

It is proposed to include the following land uses as prohibited in the RE1 Zone: heliports and respite day care centres.

#### Proposed amendments to the RE2 Private Recreation Zone Land Use Table

The existing Cessnock RE2 Zone Land Use Table is provided below with the mandated land uses **bolded and italicised**.

##### **2 – Permitted without consent**

Nil

##### **3 – Permitted with consent**

**Aquaculture**; Camping grounds; Caravan parks; **Community facilities**; **Environmental facilities**; **Environmental protection works**; Helipads; **Kiosks**; **Recreation areas**; **Recreation facilities (indoor)**; Recreation facilities (major); **Recreation facilities (outdoor)**; Registered clubs; **Roads**

##### **4 – Prohibited**




Any development not specified in item 2 or 3

It is proposed to include the following land uses as permitted with consent in the RE2 Zone: amusement centres, building identification signs, business identification signs, entertainment facilities, function centres, information and education facilities, markets and restaurants or cafés.

It is proposed to include the following land uses as prohibited in the RE2 Zone: helipads.





## Item 2 – Amendments to the LEP map sheets

The following LEP 2011 map amendments are proposed. The amendments will ensure the most appropriate zone is applied to the land.

No.	Lot / Sec / DP	Planning Considerations	LEP Map		Subject Land
			Current	Proposed	
1	26 / 7 / 758082 27 / 7 / 758082 28 / 7 / 758082	<p><b>Name:</b> Miners Memorial Park, Bellbird</p> <p><b>Address:</b> 496 Wollombi Road Bellbird</p> <p><b>Current Classification:</b> Community Land</p> <p><b>Reason for LEP Amendment:</b> The land is primarily used for recreation purposes.</p> <p><b>Map Sheet:</b> LZN_006C LSZ_006C</p>	<p>LZN: R2</p> <p>MLS: 450m<sup>2</sup></p>	<p>LZN: RE1</p> <p>MLS: NA</p>	
2	N/A	<p><b>Name:</b> Pokolbin Park, Pokolbin</p> <p><b>Address:</b> N/A</p> <p><b>Current Classification:</b> Community Land</p> <p><b>Reason for LEP Amendment:</b> The land is primarily used for recreation purposes.</p> <p><b>Map Sheet:</b> LZN_006C LSZ_006C</p>	<p>LZN: RU4</p> <p>MLS: 40ha</p>	<p>LZN: RE1</p> <p>MLS: NA</p>	
3	17 / 5 / 758005 18 / 5 / 758005	<p><b>Name:</b> Abernethy Park, Abernethy</p> <p><b>Address:</b> 6 Murray Street Abernethy</p> <p><b>Current Classification:</b> Community Land</p> <p><b>Reason for LEP Amendment:</b> The land is primarily used for recreation purposes.</p> <p><b>Map Sheet:</b> LZN_006D LSZ_006D</p>	<p>LZN: RU5</p> <p>MLS: 750m<sup>2</sup></p>	<p>LZN: RE1</p> <p>MLS: NA</p>	

Planning Proposal – Comprehensive LEP Review

File No. 18/2020/3/1

No.	Lot / Sec / DP	Planning Considerations	LEP Map		Subject Land
			Current	Proposed	
4	2882 // 1158212	<p><b>Name:</b> George Jeffery Park, Kearsley</p> <p><b>Address:</b> 24 Congewai Street Kearsley</p> <p><b>Current Classification:</b> Community Land</p> <p><b>Reason for LEP Amendment:</b> The land is primarily used for recreation purposes.</p> <p><b>Map Sheet:</b> LZN_006C LSZ_006C</p>	<p>LZN: RU2</p> <p>MLS: 40ha</p>	<p>LZN: RE1</p> <p>MLS: NA</p>	
5	8 / 2 / 758795 10 / 2 / 758795	<p><b>Name:</b> Nulkaba Park, Nulkaba</p> <p><b>Address:</b> 9 Branxton Street Nulkaba</p> <p><b>Current Classification:</b> Community Land</p> <p><b>Reason for LEP Amendment:</b> The land is primarily used for recreation purposes.</p> <p><b>Map Sheet:</b> LZN_006C LSZ_006C</p>	<p>LZN: RU5</p> <p>MLS: 750m<sup>2</sup></p>	<p>LZN: RE1</p> <p>MLS: NA</p>	
6	14 / 10 / 5465 15 / 10 / 5465	<p><b>Name:</b> O'Brien Street Playground, Cessnock</p> <p><b>Address:</b> 36 O'Brien Street Cessnock</p> <p><b>Current Classification:</b> Community Land</p> <p><b>Reason for LEP Amendment:</b> The land is primarily used for recreation purposes.</p> <p><b>Map Sheet:</b> LZN_006CA LSZ_006CA</p>	<p>LZN: R3</p> <p>MLS: 450m<sup>2</sup></p>	<p>LZN: RE1</p> <p>MLS: NA</p>	
7	421 // 1031072	<p><b>Name:</b> Shiraz Grove Park, Cessnock</p> <p><b>Address:</b> 9 Shiraz Grove Cessnock</p> <p><b>Current Classification:</b> Community Land</p> <p><b>Reason for LEP Amendment:</b> The land is primarily used for recreation purposes.</p> <p><b>Map Sheet:</b> LZN_006C LSZ_006C</p>	<p>LZN: R2</p> <p>MLS: 450m<sup>2</sup></p>	<p>LZN: RE1</p> <p>MLS: NA</p>	






Planning Proposal – Comprehensive LEP Review

File No. 18/2020/3/1

No.	Lot / Sec / DP	Planning Considerations	LEP Map		Subject Land
			Current	Proposed	
8	7005 // 93585	<p><b>Name:</b> Kitchener Poppethead Park, Kitchener</p> <p><b>Address:</b> 30 Cessnock Street Kitchener</p> <p><b>Current Classification:</b> Community Land</p> <p><u>Reason for LEP Amendment:</u> The land is primarily used for recreation purposes.</p> <p><u>Map Sheet:</u> LZN_006D LSZ_006D</p>	<p>LZN: RU2 SP2</p> <p>MLS: 40ha &amp; NA</p>	<p>LZN: RE1</p> <p>MLS: NA</p>	
9	7005 // 1074592	<p><b>Name:</b> Bailey Park, Abermain</p> <p><b>Address:</b> 198 Cessnock Road Abermain</p> <p><b>Current Classification:</b> Community Land</p> <p><u>Reason for LEP Amendment:</u> The land is primarily used for recreation purposes.</p> <p><u>Map Sheet:</u> LZN_009A LSZ_009A</p>	<p>LZN: RU2</p> <p>MLS: 40ha</p>	<p>LZN: RE1</p> <p>MLS: NA</p>	
10	N/A	<p><b>Name:</b> Edgeworth David Park, Abermain</p> <p><b>Address:</b> 286 Cessnock Road Abermain</p> <p><b>Current Classification:</b> Community Land</p> <p><u>Reason for LEP Amendment:</u> The land is primarily used for recreation purposes.</p> <p><u>Map Sheet:</u> LZN_009A LSZ_009A</p>	<p>LZN: SP2</p> <p>MLS: NA</p>	<p>LZN: RE1</p> <p>MLS: NA</p>	

Planning Proposal – Comprehensive LEP Review

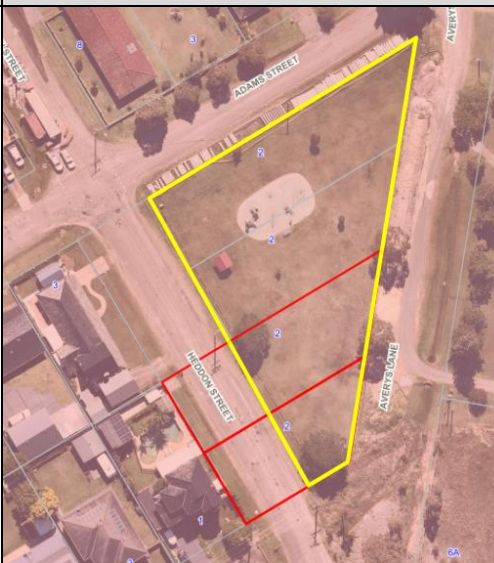


File No. 18/2020/3/1

No.	Lot / Sec / DP	Planning Considerations	LEP Map		Subject Land
			Current	Proposed	
11	4 / 4 / 758926 5 / 4 / 758926	<p><b>Name:</b> Stanford Merthyr Park, Stanford Merthyr</p> <p><b>Address:</b> 42 Walsend Street Stanford Merthyr</p> <p><b>Current Classification:</b> Community Land</p> <p><b>Reason for LEP Amendment:</b> The land is primarily used for recreation purposes.</p> <p><b>Map Sheet:</b> LZN_009A LSZ_009A</p>	LZN: R2  MLS: 450m <sup>2</sup>	LZN: RE1  MLS: NA	
12	4 / 11 / 979187	<p><b>Name:</b> Bluey Frame Park, Weston</p> <p><b>Address:</b> 103 Station Street Weston</p> <p><b>Current Classification:</b> Community Land</p> <p><b>Reason for LEP Amendment:</b> The land is primarily used for recreation purposes.</p> <p><b>Map Sheet:</b> LZN_009A LSZ_009A</p>	LZN: R3  MLS: 450m <sup>2</sup>	LZN: RE1  MLS: NA	
13	170 / 1137848	<p><b>Name:</b> George Winter Park, Kurri Kurri</p> <p><b>Address:</b> 131A Abdare Street Kurri Kurri</p> <p><b>Current Classification:</b> Community Land</p> <p><b>Reason for LEP Amendment:</b> The land is primarily used for recreation purposes.</p> <p><b>Map Sheet:</b> LZN_009AA LSZ_009AA</p>	LZN: R2  MLS: 450m <sup>2</sup>	LZN: RE1  MLS: NA	






Planning Proposal – Comprehensive LEP Review

File No. 18/2020/3/1

No.	Lot / Sec / DP	Planning Considerations	LEP Map		Subject Land
			Current	Proposed	
14	12 / 15 / 3816 13 / 15 / 3816 14 / 15 / 3816 15 / 15 / 3816	<p><b>Name:</b> Hedleigh Park, Heddon Greta</p> <p><b>Address:</b> 2 Adams Street, Heddon Greta</p> <p><b>Current Classification:</b> Community Land</p> <p><u>Reason for LEP Amendment:</u> The land is primarily used for recreation purposes.</p> <p><u>Map Sheet:</u> LZN_009A LSZ_009A</p>	LZN: R2  MLS: 450m <sup>2</sup>	LZN: RE1  MLS: NA	
15	9 / 23 / 979187 10 / 23 / 979187	<p><b>Name:</b> Meredith Park, Weston</p> <p><b>Address:</b> 11 Eight Street, Weston</p> <p><b>Current Classification:</b> Community Land</p> <p><u>Reason for LEP Amendment:</u> The land is primarily used for recreation purposes.</p> <p><u>Map Sheet:</u> LZN_009A LSZ_009A</p>	LZN: R2  MLS: 450m <sup>2</sup>	LZN: RE1  MLS: NA	
16	1 // 1089923 2 // 1089923	<p><b>Name:</b> Mulbring Park, Mulbring</p> <p><b>Address:</b> 11 Vincent Street Mulbring</p> <p><b>Current Classification:</b> Community Land</p> <p><u>Reason for LEP Amendment:</u> The land is primarily used for recreation purposes.</p> <p><u>Map Sheet:</u> LZN_009 LSZ_009</p>	LZN: RU5  MLS: 750m <sup>2</sup>	LZN: RE1  MLS: NA	

Planning Proposal – Comprehensive LEP Review

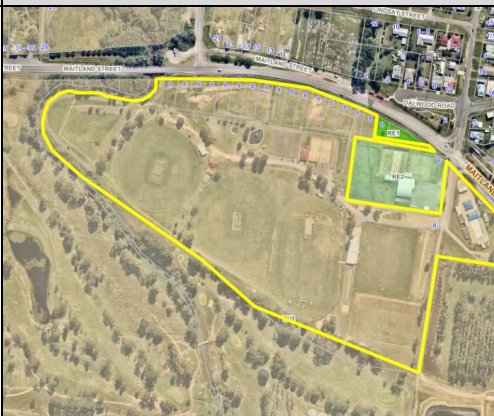


File No. 18/2020/3/1

No.	Lot / Sec / DP	Planning Considerations	LEP Map		Subject Land
			Current	Proposed	
17	1 // 329999 2 // 329999	<p><b>Name:</b> Maybury Peace Park, Weston</p> <p><b>Address:</b> 122 Cessnock Road Weston</p> <p><b>Current Classification:</b> Community Land</p> <p><b>Reason for LEP Amendment:</b> The land is primarily used for recreation purposes.</p> <p><b>Map Sheet:</b> LZN_009A LSZ_009A</p>	<p>LZN: R2, R3</p> <p>MLS: 450m<sup>2</sup></p>	<p>LZN: RE1</p> <p>MLS: NA</p>	
18	1 // 1151642 241 // 755259	<p><b>Name:</b> Neath Pony Ground, Neath</p> <p><b>Address:</b> 63 Carrs Road Neath</p> <p><b>Current Classification:</b> Community Land</p> <p><b>Reason for LEP Amendment:</b> The land is primarily used for recreation purposes.</p> <p><b>Map Sheet:</b> LZN_009A LSZ_009A</p>	<p>LZN: RU2</p> <p>MLS: 40ha</p>	<p>LZN: RE1</p> <p>MLS: NA</p>	
19	140 // 755225	<p><b>Name:</b> Ellalong Park, Ellalong</p> <p><b>Address:</b> 22 Helena Street Ellalong</p> <p><b>Current Classification:</b> Community Land</p> <p><b>Reason for LEP Amendment:</b> The land is primarily used for recreation purposes.</p> <p><b>Map Sheet:</b> LZN_006D LSZ_006D</p>	<p>LZN: RU5</p> <p>MLS: 1500m<sup>2</sup></p>	<p>LZN: RE1</p> <p>MLS: NA</p>	






Planning Proposal – Comprehensive LEP Review

File No. 18/2020/3/1

No.	Lot / Sec / DP	Planning Considerations	LEP Map		Subject Land
			Current	Proposed	
20	2 // 591952 191 // 1137947 1 // 1134121 2 // 1134121 3 // 1134121 4 // 1134121 5 // 1134121 6 // 1134121 7 // 1134121 8 // 1134121 9 // 1134121 1 // 772428 2 // 772428 3 // 772428 4 // 772428 5 // 772428 6 // 772428 7 // 772428 8 // 772428	<b>Name:</b> Miller Park and Branxton Pool, Branxton  <b>Address:</b> 4 and 8 Maitland Street East Branxton  <b>Current Classification:</b> Community Land  <b>Reason for LEP Amendment:</b> The land is primarily used for recreation purposes.  <b>Map Sheet:</b> LZN_005A LSZ_005A	LZN: RU2  MLS: 40ha	LZN: RE1  MLS: NA	
21	7 // 813163	<b>Name:</b> Rothbury Riot Miner's Memorial, North Rothbury  <b>Address:</b> 1707 Wine Country Drive, North Rothbury  <b>Current Classification:</b> Community Land  <b>Reason for LEP Amendment:</b> The land is primarily used for recreation purposes.  <b>Map Sheet:</b> LZN_005A LSZ_005A	LZN: R1  MLS: NA	LZN: RE1  MLS: NA	
22	16 / B / 7554 17 / B / 7554 18 / B / 7554 19 / B / 7554	<b>Name:</b> Ayrfield Miners Memorial Park, North Rothbury  <b>Address:</b> 6 Morgan Street North Rothbury  <b>Current Classification:</b> Community Land  <b>Reason for LEP Amendment:</b> The land is primarily used for recreation purposes.  <b>Map Sheet:</b> LZN_005A LSZ_005A	LZN: RU5  MLS: 750m <sup>2</sup>	LZN: RE1  MLS: NA	

Planning Proposal – Comprehensive LEP Review

File No. 18/2020/3/1

No.	Lot / Sec / DP	Planning Considerations	LEP Map		Subject Land
			Current	Proposed	
23	1 // 963590	<p><b>Name:</b> Norman Brown Park, Greta</p> <p><b>Address:</b> 59 High Street Greta</p> <p><b>Current Classification:</b> Community Land</p> <p><u>Reason for LEP Amendment:</u> The land is primarily used for recreation purposes.</p> <p><u>Map Sheet:</u> LZN_005A LSZ_005A</p>	<p>LZN: R2</p> <p>MLS: 450m<sup>2</sup></p>	<p>LZN: RE1</p> <p>MLS: NA</p>	
24	25 / A / 5904 26 / A / 5904	<p><b>Name:</b> Whitburn Park, Greta</p> <p><b>Address:</b> 22 Whitburn Street Greta</p> <p><b>Current Classification:</b> Community Land</p> <p><u>Reason for LEP Amendment:</u> The land is primarily used for recreation purposes.</p> <p><u>Map Sheet:</u> LZN_005A LSZ_005A</p>	<p>LZN: R2</p> <p>MLS: 450m<sup>2</sup></p>	<p>LZN: RE1</p> <p>MLS: NA</p>	
25	7007 // 93250	<p><b>Name:</b> ANZAC Reserve</p> <p><b>Address:</b> 7 Narone Creek Road Wollombi</p> <p><b>Current Classification:</b> Community Land</p> <p><u>Reason for LEP Amendment:</u> The land is primarily used for recreation purposes.</p> <p><u>Map Sheet:</u> LZN_006B LSZ_006B</p>	<p>LZN: RU2</p> <p>MLS: 40ha</p>	<p>LZN: RE1</p> <p>MLS: NA</p>	




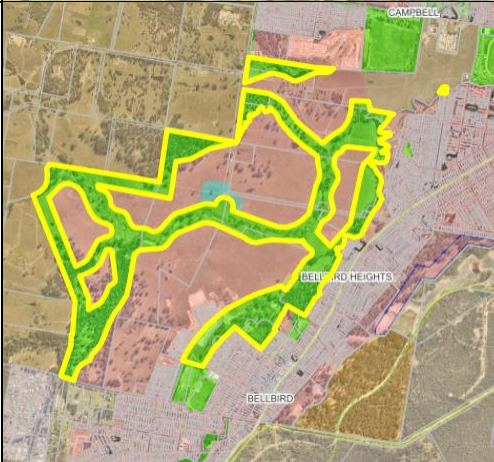
Planning Proposal – Comprehensive LEP Review

File No. 18/2020/3/1

No.	Lot / Sec / DP	Planning Considerations	LEP Map		Subject Land
			Current	Proposed	
26	1 // 650947 35 // 13687 36 // 13687 37 // 13687 38 // 13687 39 // 13687 40 // 13687 41 // 13687 42 // 13687 73 // 13687 74 // 13687 75 // 13687 76 // 13687 77 // 13687 78 // 13687 79 // 13687 80 // 13687	<b>Name:</b> Crawfordville Park, Millfield  <b>Address:</b> 33 Bennett St Millfield  <b>Current Classification:</b> Community Land  <b>Reason for LEP Amendment:</b> The land is primarily used for recreation purposes.  <b>Map Sheet:</b> LZN_006B LSZ_006B	LZN: RU5  MLS: 750m <sup>2</sup>	LZN: RE1  MLS: NA	
27	100 // 1039335 101 // 1039335 509 // 1098835	<b>Name:</b> Wollombi Tennis, Wollombi  <b>Address:</b> 2979 Paynes Crossing Road Wollombi  <b>Current Classification:</b> Community Land  <b>Reason for LEP Amendment:</b> The land is primarily used for recreation purposes.  <b>Map Sheet:</b> LZN_003 & LZN_006B LSZ_003 & LSZ_006B	LZN: RU5  MLS: 750m <sup>2</sup>	LZN: RE1  MLS: NA	
28	1 / 3 / 759103	<b>Name:</b> Slacks Park, Wollombi  <b>Address:</b> 2980 Paynes Crossing Road Wollombi  <b>Current Classification:</b> Community Land  <b>Reason for LEP Amendment:</b> The land is primarily used for recreation purposes.  <b>Map Sheet:</b> LZN_003 LSZ_003	LZN: RU5  MLS: 750m <sup>2</sup>	LZN: RE1  MLS: NA	

Planning Proposal – Comprehensive LEP Review




File No. 18/2020/3/1

No.	Lot / Sec / DP	Planning Considerations	LEP Map		Subject Land
			Current	Proposed	
29	102 / 755219	<p><b>Name:</b> Wollombi Recreation Ground, Wollombi</p> <p><b>Address:</b> 66 Christina Street Wollombi</p> <p><b>Current Classification:</b> Community Land</p> <p><b>Reason for LEP Amendment:</b> While the land is primarily used for recreation purposes, the north eastern portion contains endangered ecological communities. Land is significantly flood prone.</p> <p><b>Map Sheet:</b> LZN_006B LSZ_006B</p>	<p>LZN: RU2</p> <p>MLS: 40ha</p>	<p>LZN: RE1 &amp; E2</p> <p>MLS: NA 40Ha</p>	
30	200 // 1272609 137 // 1272608 125 // 1258348 1 // 1011544 2 // 597226 3 // 597226 0 // 84336 1 // 327580 212 // 1053307 2 // 1208343 1 // 349452 211 // 1012346 11 // 815485 10 // 815485 1 // 167004 101 // 1229116 3 // 810827 141 // 986905 1 // 440273 6 // 262927	<p><b>Name:</b> Various RE1 Private Recreation Zone land at Cessnock and Bellbird.</p> <p><b>Address:</b> Abbotsford St Bellbird Mount View Rd Cessnock Tennant St Bellbird Wollombi Rd Cessnock 268 Wollombi Rd Bellbird 58 Balangara Way Bellbird 52 Christy Rd Private Access Bellbird 270 Wollombi Rd Bellbird 254 Wollombi Rd Bellbird Heights 2 Wollombi Rd Cessnock 52 Buttaba Ave Cessnock 21 Buttaba Ave Cessnock 141 Mount View Rd Cessnock 143 Mount View Rd Cessnock 349 Mount View Rd Cessnock 91 Desmond Street Cessnock 119 Macquarie Ave Cessnock</p> <p><b>Current Classification:</b> NA – Privately Owned</p> <p><b>Reason for LEP Amendment:</b> Land is privately owned and is not used for public recreation. Land is flood prone and contains endangered ecological communities. Zone boundary to be snapped to cadastre where possible.</p> <p><b>Map Sheet:</b> LZN_006C &amp; LZN_006CA LSZ_006C &amp; LSZ_006CA</p>	<p>LZN: R2 &amp; RE1</p> <p>MLS: 450m<sup>2</sup> &amp; NA</p>	<p>LZN: E3</p> <p>MLS: 40Ha</p>	






Planning Proposal – Comprehensive LEP Review

File No. 18/2020/3/1

No.	Lot / Sec / DP	Planning Considerations	LEP Map		Subject Land
			Current	Proposed	
31	106 // 1251728 725 // 1185415 724 // 1185415 634 // 1185414 236 // 1081597 234 // 1081597 137 // 831570	<p><b>Name:</b> Various RE1 Private Recreation Zone land at Bellbird</p> <p><b>Address:</b> Mount View Rd Cessnock 335 Mount View Rd Cessnock 2A O'Shea Crt Cessnock</p> <p><b>Current Classification:</b> NA – Privately Owned</p> <p><b>Reason for LEP Amendment:</b> Urban land set aside as buffer should adopt the relevant adjoining zone.</p> <p><b>Map Sheet:</b> LZN_006C LSZ_006C</p>	LZN: RE1  MLS: NA	LZN: R2  MLS: 450m <sup>2</sup>	
32	52 // 807540 51 // 807540 1 // 328497	<p><b>Name:</b> Various RE1 Private Recreation Zone land at Bellbird</p> <p><b>Address:</b> 1A Kalingo St Bellbird 342 Wollombi Rd Bellbird Heights 2 Ruby St Bellbird</p> <p><b>Current Classification:</b> NA – Privately Owned</p> <p><b>Reason for LEP Amendment:</b> Land is privately owned and is significantly flood prone. The north western portion of the land contains endangered ecological communities.</p> <p><b>Map Sheet:</b> LZN_006C LSZ_006C</p>	LZN: RE1  MLS: NA	LZN: E3  MLS: 40Ha	
33	37 // 755215 20 // 755215 21 // 755215 580 // 1017350 583 // 1017350	<p><b>Name:</b> Various land at Cessnock</p> <p><b>Address:</b> Vincent St Cessnock Quorrobolong Rd Cessnock 85 Railway St Cessnock</p> <p><b>Current Classification:</b> NA</p> <p><b>Reason for LEP Amendment:</b> The land contains endangered ecological communities and is not primarily used for recreation.</p> <p><b>Map Sheet:</b> LZN_006C LZN_006CA LZN_006D LSZ_006C LSZ_006CA LSZ_006</p>	LZN: RE1  MLS: NA	LZN: E2  MLS: 80Ha	

Planning Proposal – Comprehensive LEP Review

File No. 18/2020/3/1

No.	Lot / Sec / DP	Planning Considerations	LEP Map		Subject Land
			Current	Proposed	
34	Road Reserve	<p><b>Name:</b> Part of Veterans Memorial Park</p> <p><b>Address:</b> Road reserve bisecting 108A Aberdare Road Aberdare</p> <p><b>Current Classification:</b> Community Land</p> <p><u>Reason for LEP Amendment:</u> The land is primarily used for recreation purposes.</p> <p><u>Map Sheet:</u> LZN_006C LSZ_006C</p>	<p>LZN: R2</p> <p>MLS: 450m<sup>2</sup></p>	<p>LZN: RE1</p> <p>MLS: NA</p>	
35	3 // 574111 51 // 1128812	<p><b>Name:</b> NA</p> <p><b>Address:</b> South Avenue Cessnock 30A West Avenue Cessnock</p> <p><b>Current Classification:</b> NA</p> <p><u>Reason for LEP Amendment:</u> The proposed R3 land is used for residential purposes and contains a seniors' living development. The proposed E3 land contains stormwater drainage (natural).</p> <p>In accordance with Council's adopted Recreation and Open Space Strategic Plan (Action C1.10), the land is no longer required for a future public purpose and the designation of the site for acquisition may be removed.</p> <p><u>Map Sheet:</u> LZN_006CA LSZ_006CA LRA_006CA</p>	<p>LZN: RE1</p> <p>MLS: NA</p> <p>LRA: Yes</p>	<p>LZN: R2 &amp; E3</p> <p>MLS: 450m<sup>2</sup> &amp; 40Ha</p> <p>LRA: No</p>	
36	7016 // 1030584 3 / 4 / 758082 16 / 6 / 758082	<p><b>Name:</b> NA</p> <p><b>Address:</b> Kendall St Bellbird Cambage St Bellbird Sparke St Bellbird</p> <p><b>Current Classification:</b> Community Land (Default)</p> <p><u>Reason for LEP Amendment:</u> The land contains endangered ecological communities and is not primarily used for recreation.</p> <p><u>Map Sheet:</u> LZN_006C LSZ_006C</p>	<p>LZN: RE1</p> <p>MLS: NA</p>	<p>LZN: E3</p> <p>MLS: 40Ha</p>	






Planning Proposal – Comprehensive LEP Review

File No. 18/2020/3/1

No.	Lot / Sec / DP	Planning Considerations	LEP Map		Subject Land
			Current	Proposed	
37	19 / 7 / 11969 29 / 3 / 11969 25 / 4 / 11969 19 / 5 / 11969 18 / 5 / 11969 3 // 588377	<p><b>Name:</b> Concrete storm water channel</p> <p><b>Address:</b> Short St Cessnock Boomerang St Cessnock Davidson St Cessnock Westcott St Cessnock Love St Cessnock Kenny St Cessnock</p> <p><b>Current Classification:</b> Community Land (Default)</p> <p><b>Reason for LEP Amendment:</b> The land is used for stormwater drainage (artificial) and should adopt the relevant adjacent land use zone as the default zone.</p> <p><b>Map Sheet:</b> LZN_006CA LSZ_006CA</p>	LZN: RE1  MLS: NA	LZN: R3  MLS: 450m <sup>2</sup>	
38	3 // 13454 4 // 13454 45 // 13297 36 / B / 8991 37 / B / 8991	<p><b>Name:</b> Manning Park (East and West)</p> <p><b>Address:</b> 10 Newton Avenue Cessnock 24 Lightfoot Street Cessnock</p> <p><b>Current Classification:</b> Community Land (Default)</p> <p><b>Reason for LEP Amendment:</b> The land is primarily used for recreation purposes.</p> <p><b>Map Sheet:</b> LZN_006C &amp; LZN_006CA LSZ_006C &amp; LSZ_006CA</p>	LZN: R3  MLS: 450m <sup>2</sup>	LZN: RE1  MLS: NA	
39	1 // 723856 1 // 1103032 32 // 455973 33 // 455974 1 // 392509	<p><b>Name:</b> Land Adjacent to Concrete Stormwater Channels</p> <p><b>Address:</b> Henderson Ave Cessnock 44 Boomerang St Cessnock 1A Doyle St Cessnock 33 Ferguson St Cessnock</p> <p><b>Current Classification:</b> Community Land (Default)</p> <p><b>Reason for LEP Amendment:</b> All the proposed E3 land is privately owned and is significantly flood prone.  The proposed R3 land is adjacent to land used for stormwater drainage (artificial) and should adopt the relevant adjacent land use zone as the default zone.</p> <p><b>Map Sheet:</b> LZN_006C &amp; LZN_006CA LSZ_006C &amp; LSZ_006CA</p>	LZN: RE1  MLS: NA	LZN: R3 & E3  MLS: 450m <sup>2</sup> & 40Ha	

Planning Proposal – Comprehensive LEP Review




File No. 18/2020/3/1

No.	Lot / Sec / DP	Planning Considerations	LEP Map		Subject Land
			Current	Proposed	
40	311 // 566724 313 // 566724 13 // 11020 14 // 11020 15 // 11020 16 // 11020 17 // 11020 18 // 11020 1 / A / 4924 2 / A / 4924 3 / A / 4924 4 / A / 4924 5 / A / 4924	<p><b>Name:</b> Alkira Avenue Park Housing Community Park</p> <p><b>Address:</b> 11 Duguid CI Cessnock 159 Alkira Ave Cessnock 68 Anzac Ave Cessnock 70-76 Anzac Ave Cessnock 78 Anzac Ave Cessnock 80 Anzac Ave Cessnock 82 Anzac Ave Cessnock 41 Anzac Ave Cessnock 360 Old Maitland Rd Cessnock 362 Old Maitland Rd Cessnock 364 Old Maitland Rd Cessnock 366 Old Maitland Rd Cessnock</p> <p><b>Current Classification:</b> Community Land</p> <p><b>Reason for LEP Amendment:</b> The land contains endangered ecological communities and is not primarily used for recreation.</p> <p><b>Map Sheet:</b> LZN_006C LSZ_006C</p>	LZN: RE1  MLS: NA	LZN: E2  MLS: 80Ha	
41	312 // 566724	<p><b>Name:</b> N/A</p> <p><b>Address:</b> Old Maitland Rd Cessnock</p> <p><b>Current Classification:</b> Community Land</p> <p><b>Reason for LEP Amendment:</b> Urban land set aside as buffer should adopt the relevant adjoining zone.</p> <p><b>Map Sheet:</b> LZN_006C LSZ_006C</p>	LZN: RE1  MLS: NA	LZN: R2  MLS: 450m <sup>2</sup>	
42	369 // 823684 312 // 720687	<p><b>Name:</b> N/A</p> <p><b>Address:</b> Ridley Street Abermain</p> <p><b>Current Classification:</b> Community Land (Default)</p> <p><b>Reason for LEP Amendment:</b> The land contains endangered ecological communities and is not primarily used for recreation.</p> <p><b>Map Sheet:</b> LZN_009A LSZ_009A</p>	LZN: RE1  MLS: NA	ZN: E2  MLS: 80Ha	






Planning Proposal – Comprehensive LEP Review

File No. 18/2020/3/1

No.	Lot / Sec / DP	Planning Considerations	LEP Map		Subject Land
			Current	Proposed	
43	2 / 12 / 758004	<p><b>Name:</b> Abermain Primary School</p> <p><b>Address:</b> Goulburn Street Abermain</p> <p><b>Current Classification:</b> N/A</p> <p><b>Reason for LEP Amendment:</b> The land contains a public school and is not used for public recreation. Relevant adjacent zone should be applied to the land.</p> <p><b>Map Sheet:</b> LZN_009A LSZ_009A</p>	<p>LZN: RE1</p> <p>MLS: NA</p>	<p>LZN: R2</p> <p>MLS: 450m<sup>2</sup></p>	
44	381 - 382 // 755231 384 // 755231 7301 // 1139383 7303 // 1139381 7309 // 1139379 7310 // 1139492 537 // 755231 698 - 724 // 755231 730 - 752 // 755231 753 - 755 // 755231 764 - 766 // 755231 147 - 148 // 755259	<p><b>Name:</b> N/A</p> <p><b>Address:</b> Aberdare St Weston Gover St Weston Hospital Rd Weston Lang St Weston 175 Northcote St Kurri Kurri 177 Northcote St Kurri Kurri 385 Lang St Kurri Kurri</p> <p><b>Current Classification:</b> Community Land</p> <p><b>Reason for LEP Amendment:</b> The land contains endangered ecological communities and is not primarily used for recreation</p> <p><b>Map Sheet:</b> LZN_009A &amp; LZN_009AA LSZ_009A &amp; LSZ_009AA</p>	<p>LZN: RE1</p> <p>MLS: NA</p>	<p>ZN: E2</p> <p>MLS: 80Ha</p>	
45	760 // 755231	<p><b>Name:</b> N/A</p> <p><b>Address:</b> Mitchell Ave Kurri Kurri</p> <p><b>Current Classification:</b> Community Land</p> <p><b>Reason for LEP Amendment:</b> The land contains endangered ecological communities and is not primarily used for recreation</p> <p><b>Map Sheet:</b> LZN_009AA LSZ_009AA</p>	<p>LZN: RE1</p> <p>MLS: NA</p>	<p>ZN: E2</p> <p>MLS: 80Ha</p>	

Planning Proposal – Comprehensive LEP Review



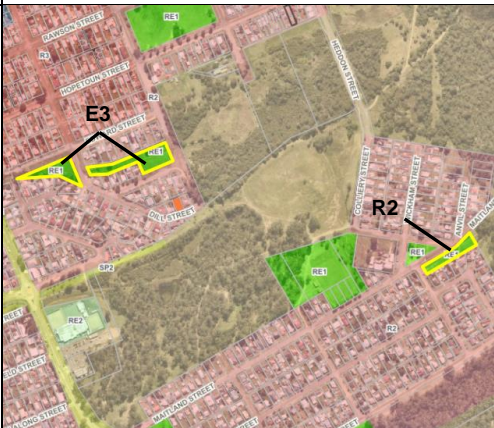
File No. 18/2020/3/1

No.	Lot / Sec / DP	Planning Considerations	LEP Map		Subject Land
			Current	Proposed	
46	52 // 1039150 51 // 1065210 17 // 1029601	<p><b>Name:</b> N/A</p> <p><b>Address:</b> Gingers Ln Sawyers Gully Woodlands Dr Sawyers Gully Mitchell Ave Kurri Kurri</p> <p><b>Current Classification:</b> Community Land</p> <p><b>Reason for LEP Amendment:</b> Land set aside as buffer should adopt the relevant adjoining zone.</p> <p><b>Map Sheet:</b> LZN_009A &amp; LZN_009AA LSZ_009A &amp; LSZ_009AA</p>	<p>LZN: RE1</p> <p>MLS: NA</p>	<p>LZN: R2</p> <p>MLS: 450m<sup>2</sup></p>	
47	100 // 1039497 1000 // 1062120 6 // 1251190 5 // 1251190 12 // 1234688 1 // 1267615	<p><b>Name:</b> N/A</p> <p><b>Address:</b> 153 Mitchell Ave Kurri Kurri 149 Mitchell Ave Kurri Kurri 135 Mitchell Ave Kurri Kurri 10 Styles St Kurri Kurri 8 Styles St Kurri Kurri 6 Styles St Kurri Kurri</p> <p><b>Current Classification:</b> N/A – Privately owned</p> <p><b>Reason for LEP Amendment:</b> Land set aside as buffer, is privately owned, contains endangered ecological communities and is not primarily used for recreation.</p> <p><b>Map Sheet:</b> LZN_009AA LSZ_009AA</p>	<p>LZN: RE1</p> <p>MLS: NA</p>	<p>ZN: E3</p> <p>MLS: 40Ha</p>	
48	793 // 257064	<p><b>Name:</b> N/A</p> <p><b>Address:</b> 43 Northcote St Kurri Kurri</p> <p><b>Current Classification:</b> N/A</p> <p><b>Reason for LEP Amendment:</b> Land is set aside as buffer. The land contains endangered ecological communities and is not primarily used for recreation.</p> <p><b>Map Sheet:</b> LZN_009AA LSZ_009AA</p>	<p>LZN: RE1</p> <p>MLS: NA</p>	<p>ZN: E2</p> <p>MLS: 80Ha</p>	





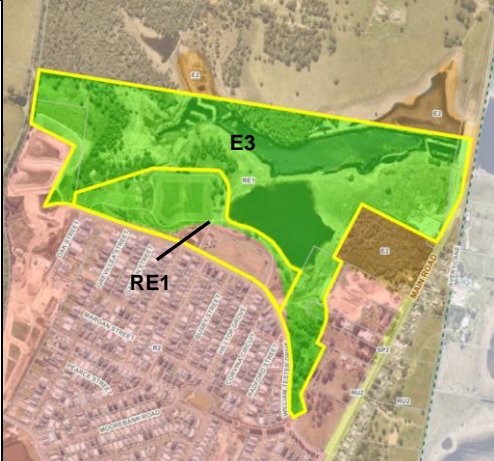
Planning Proposal – Comprehensive LEP Review

File No. 18/2020/3/1

No.	Lot / Sec / DP	Planning Considerations	LEP Map		Subject Land
			Current	Proposed	
49	38 // 262837 7301 // 1135304	<p><b>Name:</b> Brooks Street Reserve</p> <p><b>Address:</b> Stanford Rd Buchanan 15-17 Brooks St Kurri Kurri</p> <p><b>Current Classification:</b> Community Land (Default)</p> <p><b>Reason for LEP Amendment:</b> The land contains endangered ecological communities and is not primarily used for recreation.</p> <p><b>Map Sheet:</b> LZN_009AA LSZ_009AA</p>	LZN: RE1  MLS: NA	ZN: E2  MLS: 80Ha	
50	22 // 1152642 9 / 17 / 758834 10 / 17 / 758834 11 / 17 / 758834 275 // 262836	<p><b>Name:</b> N/A</p> <p><b>Address:</b> Leconfield St Stanford Merthyr Pokolbin St Pelaw Main 8 Tomalpin St Pelaw Main</p> <p><b>Current Classification:</b> Community Land (Default)</p> <p><b>Reason for LEP Amendment:</b> The land contains endangered ecological communities, is undermined and is not primarily used for recreation.</p> <p><b>Map Sheet:</b> LZN_009A LSZ_009A</p>	LZN: RE1  MLS: NA	ZN: E2  MLS: 80Ha	
51	31 // 262836 11 / 54 / 758590 7010 // 1021260	<p><b>Name:</b> N/A</p> <p><b>Address:</b> Edward St Kurri Kurri Minmi St Stanford Merthyr 1-7 Coronation St Kurri Kurri</p> <p><b>Current Classification:</b> Community Land (Default)</p> <p><b>Reason for LEP Amendment:</b> Proposed E3 land contains natural hazards (flooding due to stormwater drainage) and is not primarily used for recreation purposes. Proposed R2 land is set aside as buffer should adopt the relevant adjoining zone.</p> <p><b>Map Sheet:</b> LZN_009A &amp; LZN_009AA LSZ_009A &amp; LSZ_009AA</p>	LZN: RE1  MLS: NA	LZN: R2 & E3  MLS: 450m <sup>2</sup> & 40Ha	

Planning Proposal – Comprehensive LEP Review

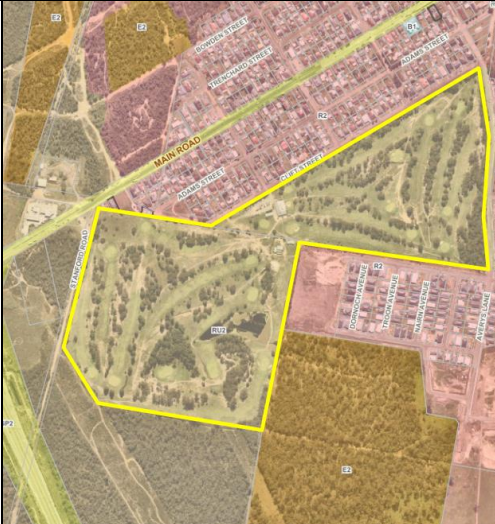


File No. 18/2020/3/1

No.	Lot / Sec / DP	Planning Considerations	LEP Map		Subject Land
			Current	Proposed	
52	36 // 1262926 30 // 1256960 8 // 1047409	<p><b>Name:</b> N/A</p> <p><b>Address:</b> Hall St Heddon Greta 9 Broome St Heddon Greta 11 Madeline St Heddon Greta</p> <p><b>Current Classification:</b> Community Land (Default)</p> <p><b>Reason for LEP Amendment:</b> The land contains natural hazards (flooding due to stormwater drainage) and is not primarily used for recreation purposes. Zone boundary does not align with cadastral boundary.</p> <p><b>Map Sheet:</b> LZN_009A LSZ_009A</p>	LZN: RE1  MLS: NA	ZN: E2  MLS: 80Ha	
53	140 // 1079687 142 // 1079687 317 // 1227504 318 // 1227504	<p><b>Name:</b> N/A</p> <p><b>Address:</b> Main Rd Heddon Greta 16 Ashton Dr Heddon Greta 71 Main Rd Heddon Greta 85 Main Rd Heddon Greta</p> <p><b>Current Classification:</b> Community Land (Default)</p> <p><b>Reason for LEP Amendment:</b> Urban land set aside as buffer should adopt the relevant adjoining zone.</p> <p><b>Map Sheet:</b> LZN_009A LSZ_009A</p>	LZN: RE1  MLS: NA	LZN: R2  MLS: 450m <sup>2</sup>	
54	1 // 1249763 9000 // 1272041 1 // 1266792 21 // 607899	<p><b>Name:</b> N/A</p> <p><b>Address:</b> William Tester Dr Cliftleigh 19 Main Rd Cliftleigh 21 Main Rd Cliftleigh 64 William Tester Dr Cliftleigh</p> <p><b>Current Classification:</b> Community Land (Default)</p> <p><b>Map Sheet:</b> LZN_009A LSZ_009A</p>	LZN: RE1 & R2  MLS: NA & 450m <sup>2</sup>	LZN: RE1 & E3  MLS: NA & 40Ha	






Planning Proposal – Comprehensive LEP Review

File No. 18/2020/3/1

No.	Lot / Sec / DP	Planning Considerations	LEP Map		Subject Land
			Current	Proposed	
55	1 // 1210267 775 // 755231	<p><b>Name:</b> N/A</p> <p><b>Address:</b> Stanford Rd Heddon Greta 66 Cliff St Heddon Greta</p> <p><b>Current Classification:</b> N/A</p> <p><u>Reason for LEP Amendment:</u> Land contains a privately owned outdoor recreation facilities are more appropriately zoned RE2 Private Recreation.</p> <p><u>Map Sheet:</u> LZN_009A LSZ_009A</p>	LZN: RU2  MLS: 80Ha	LZN: RE2  MLS: NA	
56	672 // 1003593 3 // 1094098 1 // 1094098	<p><b>Name:</b> N/A</p> <p><b>Address:</b> Maitland St Branxton 83 Maitland St Branxton 83A Maitland St Branxton</p> <p><b>Current Classification:</b> N/A</p> <p><u>Reason for LEP Amendment:</u> The land contains natural hazards (flooding), is privately owned, is set aside as buffer and is not primarily used for recreation purposes.</p> <p><u>Map Sheet:</u> LZN_005A LSZ_005A</p>	LZN: RE1  MLS: NA	LZN: E3  MLS: 80Ha	
57	195 // 1149980 1 // 592029 63 // 569450 9 // 502065 4 // 591952	<p><b>Name:</b> N/A</p> <p><b>Address:</b> Cessnock Rd Branxton Maitland St Branxton</p> <p><b>Current Classification:</b> N/A</p> <p><u>Reason for LEP Amendment:</u> Land containing privately owned outdoor recreation facilities are more appropriately zoned RE2 Private Recreation.</p> <p><u>Map Sheet:</u> LZN_005A LSZ_005A</p>	LZN: RU2  MLS: 80Ha	LZN: RE2  MLS: NA	

Planning Proposal – Comprehensive LEP Review




File No. 18/2020/3/1

No.	Lot / Sec / DP	Planning Considerations	LEP Map		Subject Land
			Current	Proposed	
58	123 // 1110717	<p><b>Name:</b> Cessnock Showground</p> <p><b>Address:</b> 111 Mount View Road Cessnock</p> <p><b>Current Classification:</b> N/A</p> <p><u>Reason for LEP Amendment:</u> Land containing privately owned outdoor recreation facilities are more appropriately zoned RE2 Private Recreation.</p> <p>Land is no longer required for acquisition. In accordance with Council's adopted Recreation and Open Space Strategic Plan (Action C1.10), the land is no longer required for a future public purpose and the designation of the site for acquisition may be removed.</p> <p><u>Map Sheet:</u> LZN_006CA LSZ_006CA LRA_006CA</p>	<p>LZN: RE1</p> <p>MLS: NA</p> <p>LRA: Yes</p>	<p>LZN: RE2</p> <p>MLS: NA</p> <p>LRA: No</p>	
59	1 // 1175046	<p><b>Name:</b> Hunter Water Facility</p> <p><b>Address:</b> 157 Mount View Road Cessnock</p> <p><b>Current Classification:</b> N/A</p> <p><u>Reason for LEP Amendment:</u> Land contains Hunter Water Corporation Infrastructure, more appropriately zoned SP2 Infrastructure.</p> <p><u>Map Sheet:</u> LZN_006CA LSZ_006CA</p>	<p>LZN: RE1</p> <p>MLS: NA</p>	<p>LZN: SP2</p> <p>MLS: NA</p>	
60	1 // 508142	<p><b>Name:</b> N/A</p> <p><b>Address:</b> 68 Eighth Street Weston</p> <p><b>Current Classification:</b> N/A</p> <p><u>Reason for LEP Amendment:</u> The land contains natural hazards (flooding), is privately owned and is not primarily used for recreation purposes.</p> <p>In accordance with Council's adopted Recreation and Open Space Strategic Plan (Action KK1.11), the land is no longer required for a future public purpose and the designation of</p>	<p>LZN: RE1</p> <p>MLS: NA</p> <p>LRA: Yes</p>	<p>LZN: E3</p> <p>MLS: 80Ha</p> <p>LRA: No</p>	






Planning Proposal – Comprehensive LEP Review

File No. 18/2020/3/1

No.	Lot / Sec / DP	Planning Considerations	LEP Map		Subject Land
			Current	Proposed	
		the site for acquisition may be removed.  <u>Map Sheet:</u> LZN_009A LSZ_009A LRA_009A			
61	140 // 264038 141 // 264038	<b>Name:</b> N/A  <b>Address:</b> Fifth Street Weston Eighth Street Weston  <b>Current Classification:</b> N/A  <b>Reason for LEP Amendment:</b> Land is owned by the Department of Housing, is not used for recreation purposes, is set aside as buffer and should adopt the relevant adjoining zone.  <u>Map Sheet:</u> LZN_009A LSZ_009A	LZN: RE1  MLS: NA	LZN: R2  MLS: 450m <sup>2</sup>	
62	472 // 755231 784 // 755231	<b>Name:</b> N/A  <b>Address:</b> 298 Cessnock Road Abermain  <b>Current Classification:</b> N/A  <b>Reason for LEP Amendment:</b> Land is privately owned and is not primarily used for recreation purposes.  <u>Map Sheet:</u> LZN_009A LSZ_009A	LZN: RE1  MLS: NA	LZN: B1  MLS: NA	
63	558 // 729017	<b>Name:</b> N/A  <b>Address:</b> Quorrobolong Road Kitchener  <b>Current Classification:</b> N/A  <b>Reason for LEP Amendment:</b> In accordance with Council's adopted Recreation and Open Space Strategic Plan (Action C1.10), the land is no longer required for a future public purpose and the designation of the site for acquisition may be removed.  <u>Map Sheet:</u> LRA_006D	LRA: Yes	LRA: No	

Planning Proposal – Comprehensive LEP Review

File No. 18/2020/3/1

No.	Lot / Sec / DP	Planning Considerations	LEP Map		Subject Land
			Current	Proposed	
64	532 // 1268182	<p><b>Name:</b> N/A</p> <p><b>Address:</b> 49B Aberdare Road Cessnock</p> <p><b>Current Classification:</b> N/A</p> <p><b>Reason for LEP Amendment:</b> In accordance with Council's adopted Recreation and Open Space Strategic (Action C1.9), the land is identified for a future public purpose and is proposed to be designated for acquisition in the LEP 2011.</p> <p><b>Map Sheet:</b> LRA_006CA</p>	LRA: No	LRA: Yes	
65	2 // 1239939	<p><b>Name:</b> N/A</p> <p><b>Address:</b> Part of 22 William Street Abermain</p> <p><b>Current Classification:</b> N/A</p> <p><b>Reason for LEP Amendment:</b> In accordance with Council's adopted Recreation and Open Space Strategic (Action C1.9), the land is identified for a future public purpose and is proposed to be designated for acquisition in the LEP 2011.</p> <p><b>Map Sheet:</b> LRA_009A</p>	LRA: No	LRA: Yes	
66	1 // 1103032	<p><b>Name:</b> N/A</p> <p><b>Address:</b> 1A Doyle Street Cessnock</p> <p><b>Current Classification:</b> N/A</p> <p><b>Reason for LEP Amendment:</b> In accordance with Council's adopted Recreation and Open Space Strategic (Action C1.7), the land is identified for a future public purpose and is proposed to be designated for acquisition in the LEP 2011. Note: part of the land is already designated for acquisition.</p> <p><b>Map Sheet:</b> LRA_006CA</p>	LRA: Yes (Partial)	LRA: Yes	

---

## 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 Proposal

#### ***1 Resulting from a Strategic Study or Report***

The Planning Proposal is required to address Action 5 of the Cessnock Local Strategic Planning Statement 2036 (the LSPS). Action 5 of the Cessnock LSPS outlines the need to review the LEP 2011 to bring about the following relevant outcomes:

- To provide flexibility for new tourism development in suitable locations.
- To ensure permitted development is consistent with the objectives of each zone.
- To examine the urban release areas and rezone riparian corridors to an appropriate environmental zone.
- To ensure significant riparian corridors and water bodies are zoned to an appropriate environmental zone.
- To ensure that the zoning and land-uses for land that is significantly affected by natural hazards (e.g. flooding and bushfire) reflect the risk.
- To ensure major events are permitted in strategic centres and other suitable locations.
- To enable land-uses that support events, such as tourist and visitor accommodation, function centres, to be permissible in strategic centres and other suitable locations.

The Planning Proposal will also address irregularities in the historical application of the RE1 Public Recreation Zone and RE2 Private Recreation Zone in the Cessnock LGA.

#### ***2 Planning Proposal as best way to achieve to objectives***

The objective of the Planning Proposal is to amend the LEP 2011 RE1 Public Recreation Zone and RE2 Private Recreation Zone land use tables and the maps accompanying the LEP in respect of various parcels of land in the LGA. A planning proposal is the only way for Council to achieve these objectives.



## **Section B: Relationship to Strategic Planning Framework**

### **3 *Consistency with Objectives and Actions within Regional Strategies***

#### **Hunter Regional Plan 2036**

The Planning Proposal is consistent with the following directions of the Hunter Regional Plan (HRP) 2036:

- Direction 14 - protect and connect natural areas; and
- Direction 18 - enhance access to recreational facilities and connect open spaces.

Direction 14 of the HRP 2036 identifies the need to strengthen biodiversity corridors. Many of the proposed amendments contained in the Planning Proposal relate to land that contains important environmental characteristics, including significant vegetation, threatened species or endangered ecological communities. To this land, the Planning Proposal is seeking to apply an environmental zone, consistent with Council's comprehensive environmental zone review.

Direction 18 of the HRP 2036 outlines the need for Council's to expand on the recreational facilities that already exist to create a 'green grid' across the Hunter Region. The first step in this process is to accurately reflect (through the LEP) the correct location of public and private open space in the Cessnock Local Government Area.

#### **Greater Newcastle Metropolitan Plan 2036**

The Planning Proposal is consistent with the following strategies of the Greater Newcastle Metropolitan Plan (GNMP) 2036:

- Strategy 7 – respond to the changing land use needs of the new economy;
- Strategy 10 – create better buildings and great places;
- Strategy 11 – create more great public spaces where people come together; and

Strategy 7 of the GNMP 2036 identifies the need to build capacity for new jobs in areas well serviced by public transport and close to established centres. The proposed RE1 Public Recreation Zone and RE2 Private Recreation Zone land use table amendments will enable greater flexibility for compatible employment generating development to occur within the zones, while prohibiting uses that are considered incompatible. Employment generating uses that are considered compatible with the recreation zones include: entertainment facilities, function centres, information and education facilities, markets and restaurants or cafes.

Strategy 10 of the GNMP 2036 identifies the need to improve the amenity of our centres and urban renewal corridors through place making initiatives that strengthen the connection between people and the places they share. The Planning Proposal will reinforce the role of recreation and open space in Cessnock's towns and villages by applying a consistent zoning regime and broadening the scope of permissible development in open space land throughout the LGA.

Strategy 11 of the GNMP 2036 identifies the need to create and activate public spaces in strategic centres that are suitable for community events like markets, festivals, commemorations and assemblies. The proposed RE1 Public Recreation Zone and RE2 Private Recreation Zone land use table amendments will enable greater flexibility for community events, markets and assemblies to occur by permitting entertainment facilities, function centres, information and education facilities, markets and restaurants or cafes in the recreation zones.

### **4 *Consistency with Council's Community Strategic Plan or other Local Strategic Plan***

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

The Planning Proposal is consistent with the following themes and objectives of the Cessnock 2027 Community Strategic Plan (CSP):

- Objective 3.1 – Protecting and enhancing the natural environment and rural character of the area
- Objective 3.2 – Better utilisation of existing open space
- Objective 5.2 – involving more community participation in decision making

Objective 3.1 and 3.2 of the CSP focus on the conservation and preservation of the natural environment while balancing the impact of development to ensure a sustainable and healthy community. The Planning Proposal seeks to apply appropriate land use zones to protect our environmental amenity, waterways and green corridors, which connect our open space areas.

Objective 5.2 of the CSP focuses on involving the community in decision making processes affecting their future. Consultation is an important component of the Planning Proposal process and ensures outcomes align with the community's expectations in relation to recreation and open space areas and the environment.

## Local Strategic Planning Statement (LSPS)

The Cessnock Local Strategic Planning Statement 2036 (LSPS) sets out the 20-year vision for land use in the local area. It establishes the special character and values of the LGA that are to be preserved and how change will be managed into the future.

The planning proposal is consistent with the planning priorities and principles of the endorsed LSPS, notably Action 5, which outlines the need to review the LEP 2011 to bring about the following outcomes:

- To provide flexibility for new tourism development in suitable locations.
- To ensure permitted development is consistent with the objectives of each zone.
- To examine the urban release areas and rezone riparian corridors to an appropriate environmental zone.
- To ensure significant riparian corridors and water bodies are zoned to an appropriate environmental zone.
- To ensure that the zoning and land-uses for land that is significantly affected by natural hazards (e.g. flooding and bushfire) reflect the risk.
- To ensure major events are permitted in strategic centres and other suitable locations.
- To enable land-uses that support events, such as tourist and visitor accommodation, function centres, to be permissible in strategic centres and other suitable locations.

## 5 Consistency with State Environmental Planning Policies

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

**Table 1: Relevant State Environmental Planning Policies**

SEPP	Relevance	Consistency and Implications
<b>SEPP 21 - Caravan Parks</b>	The SEPP provides for development for caravan parks.	Nothing in this Planning Proposal impacts on the operation of this SEPP.  No changes to the permissibility of caravan parks is proposed by this Planning Proposal.
<b>SEPP 33 - Hazardous &amp; Offensive Development</b>	The SEPP provides considerations for consent for hazardous & offensive development.	Nothing in this Planning Proposal impacts on the operation of this SEPP.
<b>SEPP 36 - Manufactured Homes Estates</b>	The SEPP makes provision to encourage manufactured homes estates through permitting this use where caravan parks are permitted and allowing subdivision.	Nothing in this Planning Proposal impacts on the operation of this SEPP.
<b>SEPP 50 - Canal Estate Development</b>	The SEPP bans new canal estates from the date of gazettal, to ensure coastal and aquatic environments are not affected by these developments.	Nothing in this Planning Proposal impacts on the operation of this SEPP.

SEPP	Relevance	Consistency and Implications
<b>SEPP 55 - Remediation of Land</b>	This SEPP applies to land across NSW and states that land must not be developed if it is unsuitable for a proposed use because of contamination	Nothing in this Planning Proposal impacts on the operation of this SEPP.
<b>SEPP 64 - Advertising and Signage</b>	The SEPP aims to ensure that outdoor advertising is compatible with the desired amenity and visual character of an area, provides effective communication in suitable locations and is of high quality design and finish.	<p>The signage (group term) is proposed to be included as permitted with consent in the Cessnock RE1 Public Recreation Zone. Future applications for signage in the RE1 Zone will be subject to a development application and will be assessed under the provisions of the Cessnock Development Control Plan 2010, which is considered appropriate.</p> <p>The land uses building and business identification signage are proposed to be included as permitted with consent in the RE2 Public Recreation Zone. Future applications for building or business identification signage will be subject to a development application and assessed under the provisions of the Cessnock Development Control Plan 2010.</p>
<b>SEPP 65 - Design Quality of Residential Development</b>	The SEPP relates to residential flat development across the state through the application of a series of design principles. Provides for the establishment of Design Review Panels to provide independent expert advice to councils on the merit of residential flat development.	Nothing in this Planning Proposal impacts on the operation of this SEPP.
<b>SEPP 70 – Affordable Rental Housing (Revised Schemes)</b>	The SEPP provides for an increase in the supply and diversity of affordable rental and social housing in NSW.	Nothing in this Planning Proposal impacts on the operation of this SEPP.
<b>SEPP Affordable Rental Housing 2009</b>	<p>The aims of this Policy are as follows:</p> <ul style="list-style-type: none"> <li>(a) to provide a consistent planning regime for the provision of affordable rental housing,</li> <li>(b) to facilitate the effective delivery of new affordable rental housing by providing incentives by way of expanded zoning permissibility, floor space ratio bonuses and non-discretionary development standards,</li> <li>(c) to facilitate the retention and mitigate the loss of existing affordable rental housing,</li> <li>(d) to employ a balanced approach between obligations for retaining and mitigating the loss of existing affordable rental housing, and incentives for the development of new affordable rental housing,</li> <li>(e) to facilitate an expanded role for not-for-profit-providers of affordable rental housing,</li> <li>(f) to support local business centres by providing affordable rental housing for workers close to places of work,</li> </ul>	Nothing in this Planning Proposal impacts on the operation of this SEPP.



SEPP	Relevance	Consistency and Implications
	(g) to facilitate the development of housing for the homeless and other disadvantaged people who may require support services, including group homes and supportive accommodation.	
<b>SEPP Building Sustainability Index: BASIX 2004</b>	The SEPP provides for the implementation of BASIX throughout the State.	Nothing in this Planning Proposal impacts on the operation of this SEPP.
<b>SEPP (Coastal Management) 2018</b>	<p>The aim of this Policy is to promote an integrated and co-ordinated approach to land use planning in the coastal zone in a manner consistent with the objects of the Coastal Management Act 2016, including the management objectives for each coastal management area, by—</p> <ul style="list-style-type: none"> <li>(a) managing development in the coastal zone and protecting the environmental assets of the coast, and</li> <li>(b) establishing a framework for land use planning to guide decision making in the coastal zone, and</li> <li>(c) mapping the 4 coastal management areas that comprise the NSW coastal zone for the purpose of the definitions in the Coastal Management Act 2016.</li> </ul>	Nothing in this Planning Proposal impacts on the operation of this SEPP.
<b>SEPP (Concurrences and Consents) 2018</b>		Nothing in this Planning Proposal impacts on the operation of this SEPP.
<b>SEPP (Educational Establishments and Child Care Facilities) 2017</b>	<p>The aim of this Policy is to facilitate the effective delivery of educational establishments and early education and care facilities across the State by:</p> <ul style="list-style-type: none"> <li>(a) improving regulatory certainty and efficiency through a consistent planning regime for educational establishments and early education and care facilities, and</li> <li>(b) simplifying and standardising planning approval pathways for educational establishments and early education and care facilities (including identifying certain development of minimal environmental impact as exempt development), and</li> <li>(c) establishing consistent State-wide assessment requirements and design considerations for educational establishments and early education and care facilities to improve the quality of infrastructure delivered and to minimise impacts on surrounding areas, and</li> <li>(d) allowing for the efficient development, redevelopment or use of surplus government-owned land (including providing for consultation with communities regarding educational establishments in their local area), and</li> <li>(e) providing for consultation with relevant public authorities about</li> </ul>	Nothing in this Planning Proposal impacts on the operation of this SEPP.

SEPP	Relevance	Consistency and Implications
	<p>certain development during the assessment process or prior to development commencing, and</p> <p>(f) aligning the NSW planning framework with the National Quality Framework that regulates early education and care services, and</p> <p>(g) ensuring that proponents of new developments or modified premises meet the applicable requirements of the National Quality Framework for early education and care services, and of the corresponding regime for State regulated education and care services, as part of the planning approval and development process, and</p> <p>(h) encouraging proponents of new developments or modified premises and consent authorities to facilitate the joint and shared use of the facilities of educational establishments with the community through appropriate design.</p>	
<b>SEPP Exempt and Complying Development Codes 2008</b>	The SEPP provides exempt and complying development codes that have State-wide application, identifying, in the General Exempt Development Code, types of development that are of minimal environmental impact that may be carried out without the need for development consent; and, in the General Housing Code, types of complying development that may be carried out in accordance with a complying development certificate.	Nothing in this Planning Proposal impacts on the operation of this SEPP.
<b>SEPP Housing for Seniors or People with a Disability 2004</b>	The SEPP aims to encourage provision of housing for seniors, including residential care facilities. The SEPP provides development standards.	Nothing in this Planning Proposal impacts on the operation of this SEPP.
<b>SEPP Infrastructure 2007</b>	The SEPP provides a consistent approach for infrastructure and the provision of services across NSW, and to support greater efficiency in the location of infrastructure and service facilities.	Nothing in this Planning Proposal impacts on the operation of this SEPP.
<b>SEPP (Koala Habitat Protection) 2019</b>	This Policy aims to encourage the conservation and management of areas of natural vegetation that provide habitat for koalas to support a permanent free-living population over their present range and reverse the current trend of koala population decline.	Nothing in this Planning Proposal impacts on the operation of this SEPP.
<b>SEPP Mining, Petroleum Production and Extractive Industries 2007</b>	The SEPP aims to provide proper management of mineral, petroleum and extractive material resources and ESD.	Nothing in this Planning Proposal impacts on the operation of this SEPP.
<b>SEPP Miscellaneous Consent Provisions 2007</b>	The aims of this Policy are as follows: (a) to provide that the erection of temporary structures is permissible with consent across the State,	Nothing in this Planning Proposal impacts on the operation of this SEPP.

SEPP	Relevance	Consistency and Implications
	<p>(b) to ensure that suitable provision is made for ensuring the safety of persons using temporary structures,</p> <p>(c) to encourage the protection of the environment at the location, and in the vicinity, of temporary structures by specifying relevant matters for consideration,</p> <p>(d) to provide that development comprising the subdivision of land, the erection of a building or the demolition of a building, to the extent to which it does not already require development consent under another environmental planning instrument, cannot be carried out except with development consent.</p>	
<p><b>SEPP (Primary Production and Rural Land) 2019</b></p>	<p>The aims of this Policy are as follows:</p> <p>(a) to facilitate the orderly economic use and development of lands for primary production,</p> <p>(b) to reduce land use conflict and sterilisation of rural land by balancing primary production, residential development and the protection of native vegetation, biodiversity and water resources,</p> <p>(c) to identify State significant agricultural land for the purpose of ensuring the ongoing viability of agriculture on that land, having regard to social, economic and environmental considerations,</p> <p>(d) to simplify the regulatory process for smaller-scale low risk artificial waterbodies, and routine maintenance of artificial water supply or drainage, in irrigation areas and districts, and for routine and emergency work in irrigation areas and districts,</p> <p>(e) to encourage sustainable agriculture, including sustainable aquaculture,</p> <p>(f) to require consideration of the effects of all proposed development in the State on oyster aquaculture,</p> <p>(g) to identify aquaculture that is to be treated as designated development using a well-defined and concise development assessment regime based on environment risks associated with site and operational factors.</p>	<p>Nothing in this Planning Proposal impacts on the operation of this SEPP.</p>
<p><b>SEPP State and Regional Development 2011</b></p>	<p>The SEPP aims to identify development and infrastructure that is State significant and confer functions on the Joint Regional Planning Panels (JRPPs) to determine development applications.</p>	<p>Nothing in this Planning Proposal impacts on the operation of this SEPP.the operation of this SEPP.</p>
<p><b>SEPP (State Significant Precincts) 2005</b></p>	<p>The aims of this Policy are as follows:</p> <p>(a), (b) (Repealed)</p> <p>(c) to facilitate the development, redevelopment or protection of important urban, coastal and regional</p>	<p>Nothing in this Planning Proposal impacts on the operation of this SEPP.</p>



SEPP	Relevance	Consistency and Implications
	<p>sites of economic, environmental or social significance to the State so as to facilitate the orderly use, development or conservation of those State significant precincts for the benefit of the State,</p> <p>(d) to facilitate service delivery outcomes for a range of public services and to provide for the development of major sites for a public purpose or redevelopment of major sites no longer appropriate or suitable for public purposes.</p> <p>(e), (f) (Repealed)</p>	

## 6 Consistency with Section 9.1 Ministerial Directions for Local Plan Making

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	Objective of Direction	Consistency and Implication
<b>1. Employment and Resources</b>		
1.1. Business and Industrial Zones	The objectives of this direction are to: (a) encourage employment growth in suitable locations, (b) protect employment land in business and industrial zones, and (c) support the viability of identified strategic centres.	N/A
1.2. Rural Zones	The objective of this direction is to protect the agricultural production value of rural land.	N/A
1.3. Mining, Petroleum Production and Extractive Industries	The objective of this direction is to ensure that the future extraction of State or regionally significant reserves coal, other minerals, petroleum and extractive materials are not compromised by inappropriate development.	N/A
1.5. Rural Lands	The objectives of this direction are to: (a) protect the agricultural production value of rural land, (b) facilitate the orderly and economic development of rural lands for rural and related purposes.	N/A
<b>2. The objective of this direction is to discourage unnecessarily restrictive site specific planning controls. Environment and Heritage</b>		
2.1 Environmental Protection Zones	The objective of this direction is to protect and conserve environmentally sensitive areas.	Consistent. The Planning Proposal seeks to apply an environmental zone to properties that are known to contain endangered ecological communities or critical habitat.
2.2 Coastal Protection	The objective of this direction is to protect and manage coastal areas of NSW.	Not applicable to LGA
2.3 Heritage Conservation	The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.	Consistent.

Ministerial Direction	Objective of Direction	Consistency and Implication
2.4 Recreation Vehicle Areas	The objective of this direction is to protect sensitive land or land with significant conservation values from adverse impacts from recreation vehicles.	Consistent.
<b>3. Housing, Infrastructure and Urban Development</b>		
3.1 Residential Zones	The objectives of this direction are: (a) to encourage a variety and choice of housing types to provide for existing and future housing needs, (b) to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and (c) to minimise the impact of residential development on the environment and resource lands.	Consistent. The Planning Proposal will not hinder the achievement of the objectives of this direction.
3.2 Caravan Parks and Manufactured Home Estates	The objectives of this direction are: (a) to provide for a variety of housing types, and (b) to provide opportunities for caravan parks and manufactured home estates.	Consistent. No changes to the permissibility of caravan parks is proposed by this Planning Proposal.
3.3 Home Occupations	The objective of this direction is to encourage the carrying out of low-impact small businesses in dwelling houses.	N/A
3.4 Integrating Land Use and Transport	The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives: (a) improving access to housing, jobs and services by walking, cycling and public transport, and (b) increasing the choice of available transport and reducing dependence on cars, and (c) reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and (d) supporting the efficient and viable operation of public transport services, and (e) providing for the efficient movement of freight.	N/A
3.5 Development Near Licensed Aerodromes	The objectives of this direction are: (a) to ensure the effective and safe operation of aerodromes, and (b) to ensure that their operation is not compromised by development that constitutes an obstruction, hazard or potential hazard to aircraft flying in the vicinity, and (c) to ensure development for residential purposes or human occupation, if situated on land within the Australian Noise Exposure Forecast (ANEF) contours of between 20 and 25, incorporates appropriate mitigation measures so that the development is	N/A

Ministerial Direction	Objective of Direction	Consistency and Implication
	not adversely affected by aircraft noise.	
3.6 Shooting Ranges	The objectives are: (a) to maintain appropriate levels of public safety and amenity when rezoning land adjacent to an existing shooting range, (b) to reduce land use conflict arising between existing shooting ranges and rezoning of adjacent land, (c) to identify issues that must be addressed when giving consideration to rezoning land adjacent to an existing shooting range.	Consistent.
<b>4. Hazard and Risk</b>		
4.1 Acid Sulfate Soils	The objective of this direction is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils.	N/A
4.2 Mine Subsidence and Unstable Land	The objective of this direction is to prevent damage to life, property and the environment on land identified as unstable or potentially subject to mine subsidence.	Consistent.
4.3 Flood Prone Land	The objectives of this direction are: (a) to ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005, and (b) to ensure that the provisions of an LEP on flood prone land is commensurate with flood hazard and includes consideration of the potential flood impacts both on and off the subject land.	<p>Inconsistent. The Planning Proposal includes several properties that are proposed to be rezoned residential, but contain artificial stormwater channels and are subject to high hazard flooding.</p> <p>However, it is considered that the provisions of the Planning Proposal that are inconsistent with the direction are of minor significance (in accordance with part 9(d) of the direction) on the basis that:</p> <ul style="list-style-type: none"> <li>- <i>State Environmental Planning Policy (Infrastructure) 2007</i> allows certain environmental management works, e.g. flood mitigation works and waterways (including artificial waterways), to be undertaken in any zone. This is confirmed by DPIE Practice Note 10-001 and is the reason other forms of infrastructure (e.g. roads) often adopt the relevant adjacent zone, rather than the SP2 Infrastructure Zone.</li> <li>- The land that is proposed to be rezoned from RE1 Public Recreation to a residential zone (R2 or R3) cannot be developed for residential purposes, in the same manner a local road, zoned residential, cannot be developed for residential purposes.</li> <li>- The cadastral boundaries associated with the properties in question make it impractical for</li> </ul>



Ministerial Direction	Objective of Direction	Consistency and Implication
		<p>Council to apply a SP2 Infrastructure Zone to the land.</p> <ul style="list-style-type: none"> <li>- Some of the land currently zoned RE1 Public Recreation is presently in private ownership, is not proposed to be acquired by Council and must be rezoned.</li> </ul>
4.4 Planning for Bushfire Protection	<p>The objectives of this direction are:</p> <p>(a) to protect life, property and the environment from bush fire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas, and</p> <p>(b) to encourage sound management of bush fire prone areas.</p>	<p>Consistent. The Planning Proposal seeks to apply an environmental zone to properties that are known to pose a substantial bushfire risk.</p>
5. Regional Planning		
5.10 Implementation of Regional Plans	<p>The objective of this direction is to give legal effect to the vision, land use strategy, goals, directions and actions contained in Regional Plans.</p>	<p>Consistent.</p>
6. Local Plan Making		
6.1 Approval and Referral Requirements	<p>The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development.</p>	<p>N/A</p>
6.2 Reserving Land for Public Purpose	<p>The objectives of this direction are:</p> <p>(a) to facilitate the provision of public services and facilities by reserving land for public purposes, and</p> <p>(b) to facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition.</p>	<p>Consistent. The Planning Proposal seeks to apply an appropriate recreation zone to land that has been reserved for a public purpose.</p>
6.3 Site Specific Provision	<p>The objective of this direction is to discourage unnecessarily restrictive site specific planning controls.</p>	<p>N/A</p>

## **Section C: Environmental, Social and Economic Impact**

### **7 *Impact on Threatened Species***

The Planning Proposal will have no impact on threatened species or endangered ecological communities (EEC). The Planning Proposal seeks to prevent negative impacts on threatened species and EEC through the application of an appropriate land use zone.

### **8 *Environmental Impact***

The Planning Proposal will have no impact on environmentally sensitive land or endangered ecological communities (EEC). The Planning Proposal seeks to prevent negative impacts on threatened species and EEC by applying an appropriate environmental land use zone to that land.

The Planning Proposal relates to several properties that are proposed to be rezoned residential, but contain artificial stormwater channels and are subject to flooding. However, it is considered that the provisions of the Planning Proposal in relation to flood prone land have merit on the basis that:

- *State Environmental Planning Policy (Infrastructure) 2007* allows certain environmental management works, e.g. flood mitigation works and waterways (including artificial waterways), to be undertaken in any zone. This is confirmed by DPIE Practice Note 10-001 and is the reason other forms of infrastructure (e.g. roads) often adopt the relevant adjacent zone, rather than the SP2 Infrastructure Zone.
- The land that is proposed to be rezoned from RE1 Public Recreation to a residential zone (R2 or R3) cannot be developed for residential purposes, in the same manner a local road, zoned residential, cannot be developed for residential purposes.
- The cadastral boundaries associated with the properties in question make it impractical for Council to apply a SP2 Infrastructure Zone to the land.
- Some of the land currently zoned RE1 Public Recreation is presently in private ownership, is not proposed to be acquired by Council and must be rezoned.

### **9 *Social and Economic Impacts***

The planning proposal is unlikely to have any significant adverse social or economic impacts. The Planning Proposal will not generate demand for additional public infrastructure.

## **Section D: State and Commonwealth Interests**

### **10 *Adequate Public Infrastructure***

The Planning Proposal will have no impact on public infrastructure; however, it does seek to apply an appropriate land use zone to land that contains public infrastructure.

### **11 *Consultation with State and Commonwealth Authorities***

Council will undertake consultation with public authorities and the community as required by the Gateway determination. The following government agencies are likely to have an interest in the planning proposal:

- The Biodiversity Conservation Division (BCD) of DPIE
- Hunter Water Corporation (HWC)
- Subsidence Advisory (SA)

The following community group is also likely to have an interest in the planning proposal:

- Mindaribba Local Aboriginal Land Council (MLALC)

## Part 4: Mapping

---

The following LEP map sheets will be required to be amended as a result of the Planning Proposal.

### Land Zoning Map

- LZN\_003
- LZN\_005A
- LZN\_006B
- LZN\_006C
- LZN\_006CA
- LZN\_006D
- LZN\_009
- LZN\_009A
- LZN\_009AA

### Land Size Map

- LSZ\_003
- LSZ\_005A
- LSZ\_006B
- LSZ\_006C
- LSZ\_006CA
- LSZ\_006D
- LSZ\_009
- LSZ\_009A
- LSZ\_009AA

### Land Reservation Acquisition Map

- LRA\_006CA
- LRA\_006D
- LRA\_009A



---

## **Part 5: Community Consultation**

---

Community consultation will be undertaken in accordance with a Gateway determination.

## Part 6: Project Timeline

It is estimated that the proposed amendment to the LEP will be completed by November 2022, following receipt of a Gateway determination from the Department of Planning, Industry and Environment. Additional time has been added to the timeline taking into consideration the Christmas period and scheduling of Council meetings.

Technical studies have not been identified as a component of the Planning Proposal. If the DPIE Gateway determination makes prescriptions relating to technical studies, this may impact the estimated completion date.

It is noted that Council's last reclassification amendment to the Cessnock Local Environmental Plan 2011 took closer to 18 months to complete.

### Project Timeline

Plan Making Stage		Nov 2021	Dec 2021	Jan 2022	Feb 2022	Mar 2022	Apr 2022	May 2022	Jun 2022	Jul 2022	Aug 2022	Sep 2022	Oct 2022	Nov 2022
<b>STAGE 1</b>	Submit to DPIE for Gateway Determination													
<b>STAGE 2</b>	Receive Gateway Determination													
<b>STAGE 3</b>	Preparation of documentation for Public Exhibition													
<b>STAGE 4</b>	Public Exhibition													
<b>STAGE 5</b>	Review/consideration of submission received													
<b>STAGE 6</b>	Report to Council													
<b>STAGE 7</b>	Forward Planning Proposal to DPIE with request the amendment be made													

---

## **Appendix 1:**

### **Council Report and Minutes (dates)**

---

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



## Appendix 2:

### RE1 and RE2 Zone Land Use Table Amendments

All SILEP defined land uses are listed in the table below and were reviewed for their compatibility with the RE1 Public Recreation and RE2 Private Recreation Zone objectives. Land uses outlined **RED** in the table below are recommended changes to the land use matrix.

Cessnock Local Environmental Plan 2011						
Rural Zone Land Use Matrix			Public Recreation (Existing)	Public Recreation (Recommended)	Private Recreation (Existing)	Private Recreation (Recommended)
			RE1	RE1	RE2	RE2
Legend						
o permitted without consent [mandated under the SI].						
o permitted without consent.						
c permitted with consent [mandated under the SI].						
c permitted with consent.						
x prohibited [mandated under the SI].						
x prohibited.						
A permitted under SEPP (Affordable Rental Housing) 2009.						
I permitted under SEPP (Infrastructure) 2007.						
E permitted under SEPP (Educational Establishments and Child Care Facilities) 2017						
fill colours in green or red mandated under the SI.						
fill colour in purple public infrastructure permitted under a SEPP.						
(LAND USE terms WITHIN agriculture group term)						
	agriculture					
		aquaculture	c	c	c	c
		Oyster aquaculture	c	c	c	c
		Pond-based aquaculture	c	c	c	c
		Tank-based aquaculture	c	c	c	c
		extensive agriculture [eg. grazing of livestock, etc.]	x	x	x	x
		bee keeping	x	x	x	x
		dairy (pasture-based)	x	x	x	x
		intensive livestock agriculture [eg. poultry farms, etc.]	x	x	x	x
		feedlots	x	x	x	x
		dairies (restricted)	x	x	x	x
		pig farm	x	x	x	x
		poultry farm	x	x	x	x
		intensive plant agriculture [eg. cultivation of irrigated crops]	x	x	x	x
		horticulture	x	x	x	x
		turf farming	x	x	x	x
		viticulture	x	x	x	x
(LAND USE terms OUTSIDE agriculture group term)						
	animal boarding or training establishments		x	x	x	x
	farm buildings		x	x	x	x
	forestry		x	x	x	x
(LAND USE terms WITHIN residential accommodation group term)						
	residential accommodation		x	x	x	x
	attached dwellings		x	x	x	x
	boarding houses		x	x	x	x
	dual occupancies		x	x	x	x
	dual occupancies (attached)		x	x	x	x
	dual occupancies (detached)		x	x	x	x
	dwelling houses		x	x	x	x
	group homes		x	x	x	x
	group homes (permanent)		x	x	x	x

	group homes (transitional)	x	x	x	x
	hostels	x	x	x	x
	multi dwelling housing	x	x	x	x
	residential flat buildings	x	x	x	x
	rural worker's dwellings	x	x	x	x
	secondary dwellings	x	x	x	x
	semi-detached dwellings	x	x	x	x
	seniors housing	x	x	x	x
	residential care facilities	x	x	x	x
	shop top housing	x	x	x	x
(LAND USE terms OUTSIDE residential accommodation group term)					
	home business	x	x	x	x
	home occupations	x	x	x	x
	home occupation (sex services)	x	x	x	x
(LAND USE terms WITHIN tourist and visitor accommodation group term)					
	<b>tourist and visitor accommodation</b>	x	x	x	x
	backpackers' accommodation	x	x	x	x
	bed & breakfast accommodation	x	x	x	x
	farm stay accommodation	x	x	x	x
	hotel or motel accommodation	x	x	x	x
	serviced apartments	x	x	x	x
(LAND USE terms OUTSIDE tourist and visitor accommodation group term)					
	camping grounds	c	c	c	c
	caravan parks	c	c	c	c
	eco-tourist facilities	x	x	x	x
(LAND USE terms WITHIN commercial premises group term)					
	<b>commercial premises</b>	x	x	x	x
	<b>business premises</b> [eg. banks, post offices, hairdressers, etc.]	x	x	x	x
	funeral homes	x	x	x	x
	<b>office premises</b>	x	x	x	x
	<b>retail premises</b>	x	x	x	x
	cellar door premises	x	x	x	x
	food & drink premises	x	x	x	x
	pubs	x	x	x	x
	restaurants or cafes	x	c	x	c
	take-away food & drink premises	x	x	x	x
	small bars	x	x	x	x
	garden centres	x	x	x	x
	hardware & building supplies	x	x	x	x
	kiosks	c	c	c	c
	landscaping material supplies	x	x	x	x
	markets	x	c	x	c
	plant nurseries	x	x	x	x
	roadside stalls	x	x	x	x
	rural supplies	x	x	x	x
	shops	x	x	x	x
	neighbourhood shops	x	x	x	x
	neighbourhood supermarkets	x	x	x	x
	Specialised retail premises	x	x	x	x
	timber yards	x	x	x	x
	vehicle sales or hire premises	x	x	x	x
(LAND USE terms OUTSIDE commercial premises group term)					

	amusement centres	x	x	x	C
	entertainment facilities	x	C	x	C
	function centres	x	C	x	C
	highway service centres	x	x	x	x
	industrial retail outlets	x	x	x	x
	registered clubs	x	x	C	C
	restricted premises	x	x	x	x
	service stations	x	x	x	x
	sex services premises	x	x	x	x
	veterinary hospitals	x	x	x	x
	wholesale supplies	x	x	x	x
(LAND USE terms WITHIN rural industry group term)					
	<b>rural industries</b> [eg. use of composting facilities and works]	x	x	x	x
	agricultural produce industries	x	x	x	x
	livestock processing industries	x	x	x	x
	sawmill or log processing industries	x	x	x	x
	stock & sale yards	x	x	x	x
(LAND USE terms WITHIN industry group term)					
	<b>industries</b>	x	x	x	x
	heavy industries	x	x	x	x
	hazardous industry	x	x	x	x
	offensive industry	x	x	x	x
	light industries	x	x	x	x
	artisan food and drink industry	x	x	x	x
	high technology industries	x	x	x	x
	home industry	x	x	x	x
	general industries	x	x	x	x
(LAND USE terms OUTSIDE industry group term)					
	boat building and repair facilities	x	x	x	x
	vehicle body repair workshops	x	x	x	x
	vehicle repair stations	x	x	x	x
(LAND USE terms WITHIN heavy industrial storage establishment group term)					
	<b>heavy industrial storage establishments</b>	x	x	x	x
	hazardous storage establishments	x	x	x	x
	liquid fuel depots	x	x	x	x
	offensive storage establishments	x	x	x	x
(LAND USE terms WITHIN storage premises group term)					
	<b>storage premises</b>	x	x	x	x
	self storage units	x	x	x	x
(LAND USE terms OUTSIDE storage premises group term)					
	depots	x	x	x	x
	warehouse or distribution centres	x	x	x	x
	Local distribution premises	x	x	x	x
(LAND USE terms WITHIN sewerage system group term)					
	<b>sewerage systems</b>	x	x	x	x
	biosolids treatment facilities	x	x	x	x
	sewage reticulation systems	I	I	I	I
	sewage treatment plants	x	x	x	x
	water recycling facilities	x	x	x	x
(LAND USE terms WITHIN waste or resource management facility group term)					
	<b>waste or resource management facilities</b>	x	x	x	x



	resource recovery facilities	x	x	x	x
	waste disposal facilities	x	x	x	x
	waste or resource transfer stations	x	x	x	x
(LAND USE terms WITHIN water supply system group term)					
	<b>water supply systems</b>	x	x	x	x
	water reticulation systems	x	x	x	x
	water storage facilities	x	x	x	x
	water treatment facilities	x	x	x	x
(LAND USE terms WITHIN air transport facility group term)					
	<b>air transport facilities</b>	x	x	x	x
	airport	x	x	x	x
	heliport	c	x	x	x
(LAND USE terms OUTSIDE air transport facility group term)					
	airstrip	x	x	x	x
	helipad	x	x	c	x
(Other LAND USE terms relating to infrastructure)					
	car parks	x	x	x	x
	electricity generating works	x	x	x	x
	freight transport facilities	x	x	x	x
	passenger transport facilities	x	x	x	x
	port facilities	x	x	x	x
	roads	c	c	c	c
	transport depots	x	x	x	x
	truck depots	x	x	x	x
	wharf or boating facilities	x	x	x	x
(LAND USE terms WITHIN educational establishment group term)					
	<b>educational establishments</b> [eg. TAFE establishment, etc.]	x	x	x	x
	schools	x	x	x	x
(LAND USE terms WITHIN health services facility group term)					
	<b>health services facilities</b>	x	x	x	x
	hospitals	x	x	x	x
	medical centres	x	x	x	x
	health consulting rooms	x	x	x	x
(Other LAND USE terms relating to community infrastructure)					
	<b>early education &amp; care facilities</b> [eg TAFE establishment etc.]	x	x	x	x
	centre-based child care facilities	c	c	x	x
	home-based child care	x	x	x	x
	school-based child care	x	x	x	x
	community facilities	c	c	c	c
	correctional centres	x	x	x	x
	emergency services facilities	x	c	x	x
	industrial training facilities	x	x	x	x
	information and education facilities	x	c	x	c
	places of public worship	x	x	x	x
	public administration building	x	x	x	x
	research stations	x	x	x	x
	respite day care centres	c	x	x	x
(LAND USE terms WITHIN signage group term)					
	<b>signage</b>	x	c	x	x
	advertising structure	x	c	x	x
	building identification sign	x	c	x	c

	business identification sign	x	C	x	C
(LAND USE terms relating to recreation)					
	boat launching ramps	x	x	x	x
	boat sheds	x	x	x	x
	charter & tourism boating facilities	x	x	x	x
	environmental facilities	C	C	C	C
	jetties	x	x	x	x
	marinas	x	x	x	x
	mooring	x	x	x	x
	mooring pens	x	x	x	x
	recreation areas	C	C	C	C
	recreation facilities (indoor)	C	C	C	C
	recreation facilities (major)	C	C	C	C
	recreation facilities (outdoor)	C	C	C	C
	water recreation structures	x	x	x	x
(Other miscellaneous LAND USE terms)					
	cemetery	x	x	x	x
	crematorium	x	x	x	x
	environmental protection works	C	C	C	C
	exhibition homes	x	x	x	x
	exhibition villages	x	x	x	x
	extractive industries	x	x	x	x
	flood mitigation works	x	x	x	x
	mortuaries	x	x	x	x
	open cut mining	x	x	x	x
(OTHER LAND USES)					
	development which cannot be characterised into any land uses defined in the SI	x	x	x	x
<p><b>Note 1.</b> Zone B8 Metropolitan Centre is not included in the matrix given this zone may only be used in two nominated LGAs. Zone E1 National Parks and Nature Reserves is not included given there is no need to add any additional uses to the zone. Zones SP1 Special Activities and SP2 Infrastructure are not included given the primary uses in these zones should be annotated on the Land Zoning Map.</p> <p><b>Note 2.</b> A type of development referred to in the matrix is a reference to that type of development only to the extent it is not regulated by an applicable State Environmental Planning Policy (SEPP). The following SEPPs in particular may be relevant to development on land covered by this Plan:  SEPP (Housing for Seniors or People with a Disability) 2004  SEPP (Infrastructure) 2007  SEPP (Mining, Petroleum Production and Extractive Industries) 2007  SEPP (Rural Lands) 2008  SEPP (Affordable Rental Housing) 2009  SEPP No 33—Hazardous and Offensive Development  SEPP No 50—Canal Estate Development  SEPP No 62—Sustainable Aquaculture  SEPP No 64—Advertising and Signage</p>					
<p><b>Important note</b>  This information does not constitute legal advice. Users are advised to seek professional advice and refer to the relevant legislation, as necessary.</p> <p><b>Disclaimer:</b> While every reasonable effort has been made to ensure that this document is correct at the time of publication, the State of New South Wales, its agencies and employees, disclaim any and all liability to any person in respect of anything or the consequences of anything done or omitted to be done in reliance upon the whole or any part of this document.</p>					