



Vincent Street  
CESSNOCK

9 April 2025

## ORDINARY MEETING OF COUNCIL

**WEDNESDAY, 16 APRIL 2025**

### ENCLOSURES

*PAGE NO.*

#### PLANNING AND ENVIRONMENT

**PE7/2025      Development Application No. 8/2024/197/1 proposing a  
Centre-based Child Care Facility (124 Children) with  
Basement Level Car Parking**

**Enclosure1:** Assessment Report..... 3

**Enclosure2:** Draft Conditions of Consent ..... 37

**Enclosure3:** Architectural Plans ..... 63

**PE8/2025      Draft Villages Strategy**

**Enclosure1:** Draft Villages Strategy ..... 86

**Enclosure2:** Community Consultation Report ..... 126

**Enclosure3:** Submission Summary (written responses) ..... 134

**PE9/2025      Anomalies Planning Proposal Post Exhibition Report**

**Enclosure1:** Anomalies Planning Proposal ..... 138

**Enclosure2:** Response to Submissions Anomalies Planning Proposal..... 160

**PE10/2025      Exhibition of draft Development Control Plan - The  
Vintage**

**Enclosure1:** Draft DCP Chapter - The Vintage..... 162

**PE11/2025      Tender T2025-10 Background Studies and Structure  
Plan for Anambah to Branxton Regional Significant  
Growth Area**

**Enclosure1:** Tender T2025-10 Tender Evaluation Methodology ..... 179

## **CORPORATE AND COMMUNITY**

### **CC18/2025    Placement of Integrated Planning and Reporting Documents on Public Exhibition 2025-26**

<b>Enclosure1:</b>	Community Strategic Plan - Provided Under Separate Cover .....	182
<b>Enclosure2:</b>	Long Term Financial Plan - Provided Under Separate Cover .....	183
<b>Enclosure3:</b>	Asset Management Strategy - Provided Under Separate Cover .....	184
<b>Enclosure4:</b>	Workforce Management Strategy - Provided Under Separate Cover .....	185
<b>Enclosure5:</b>	Delivery Program incorporating the Operational Plan - Provided Under Separate Cover .....	186
<b>Enclosure6:</b>	Fees and Charges - Provided Under Separate Cover .....	187

### **CC21/2025    Resolutions Tracking Report**

<b>Enclosure1:</b>	Outstanding Actions .....	188
<b>Enclosure2:</b>	Finalised Actions .....	202



## ASSESSMENT REPORT

### DETAILS OF THE PROPOSED DEVELOPMENT

Development Application No. 8/2024/197/1 seeks approval for a centre-based child care facility at 14A Fletcher Street, Nulkaba.

Specifically, the application proposes earthworks to facilitate a basement level car park, removal of four (4) trees, and a new child care facility. The proposed development will present to the street as a single storey building ensuring the development is in keeping with the established physical character of development within the area.

The child care facility will accommodate 124 children within the following age categories:

- 0-2 years – 24 children;
- 2-3 years – 40 children; and
- 3-5 years – 60 children.

In accordance with the Education and Care Services National Regulation, 20 staff are required to service the facility. The proposed development will operate between the hours of 7:00am and 6:00pm Monday to Friday (excluding public holidays).

Car parking is provided on site within a basement level arrangement. Fifty-one (51) parking spaces will be provided which exceeds the minimum standards requirements. Access to the carpark will be via separate entry and exits from/to Valley View Place.

The application does not seek approval for any signage. Plans illustrating the proposed development are contained in Enclosure 3.

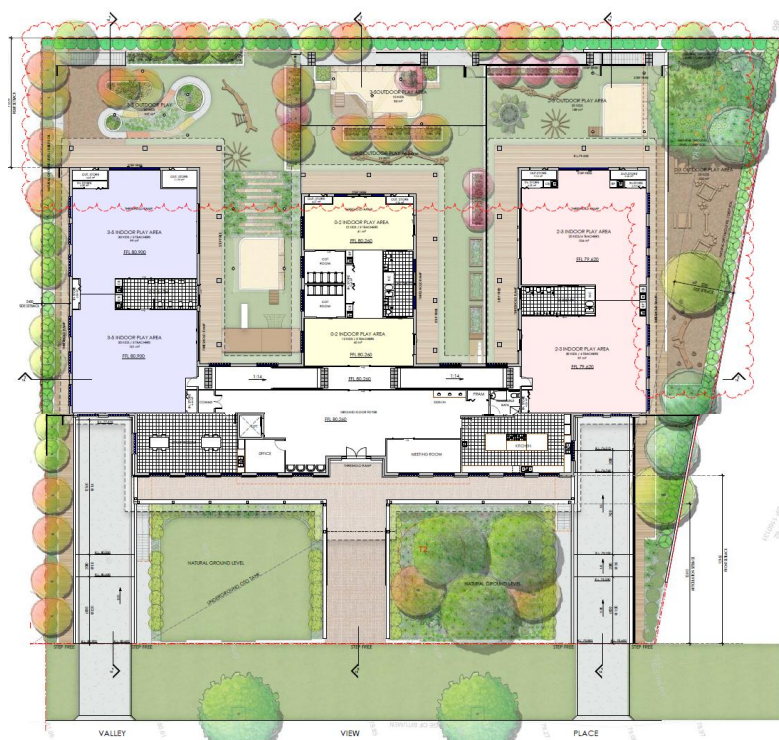
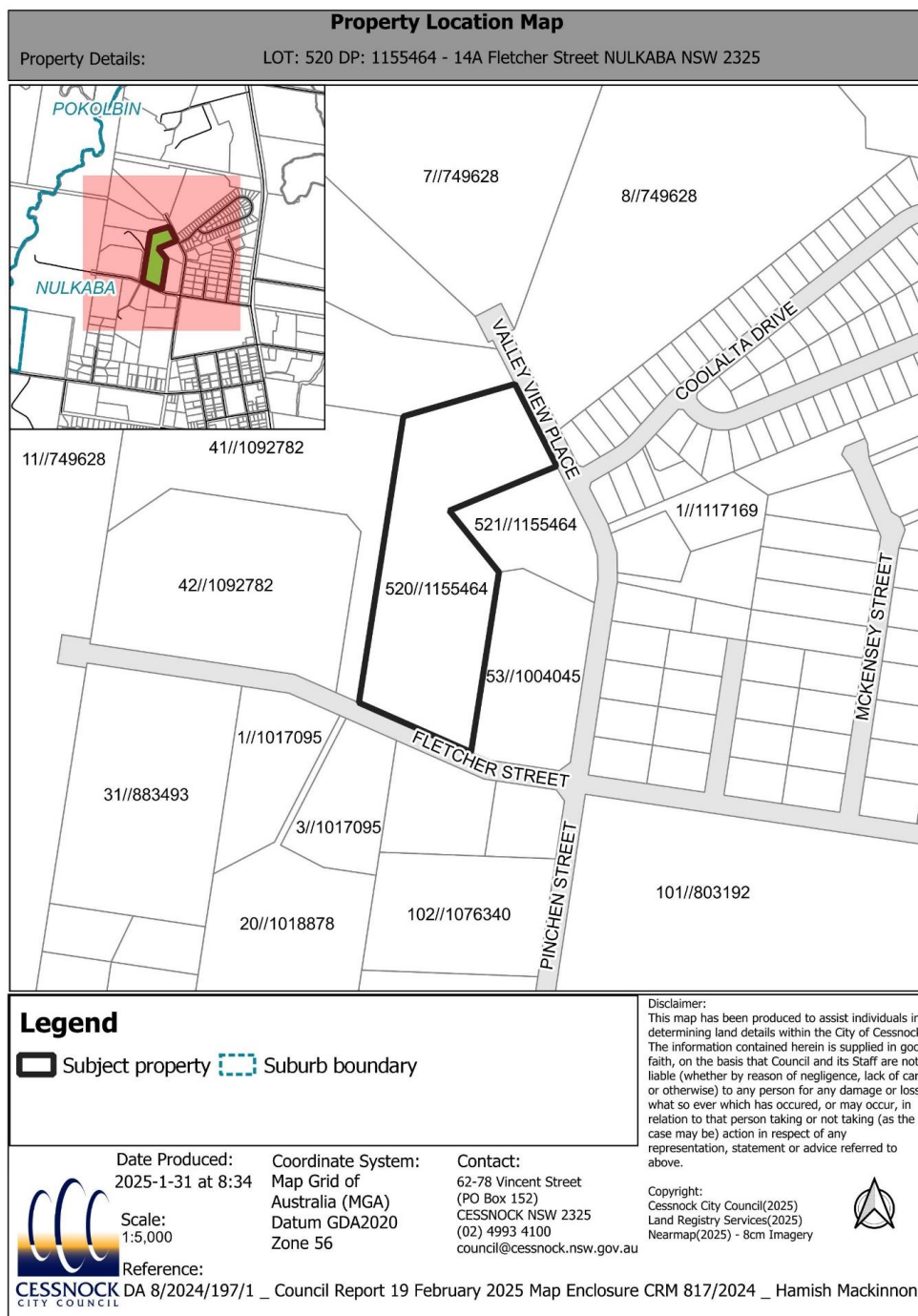


Figure 1: Child care facility floor plan.

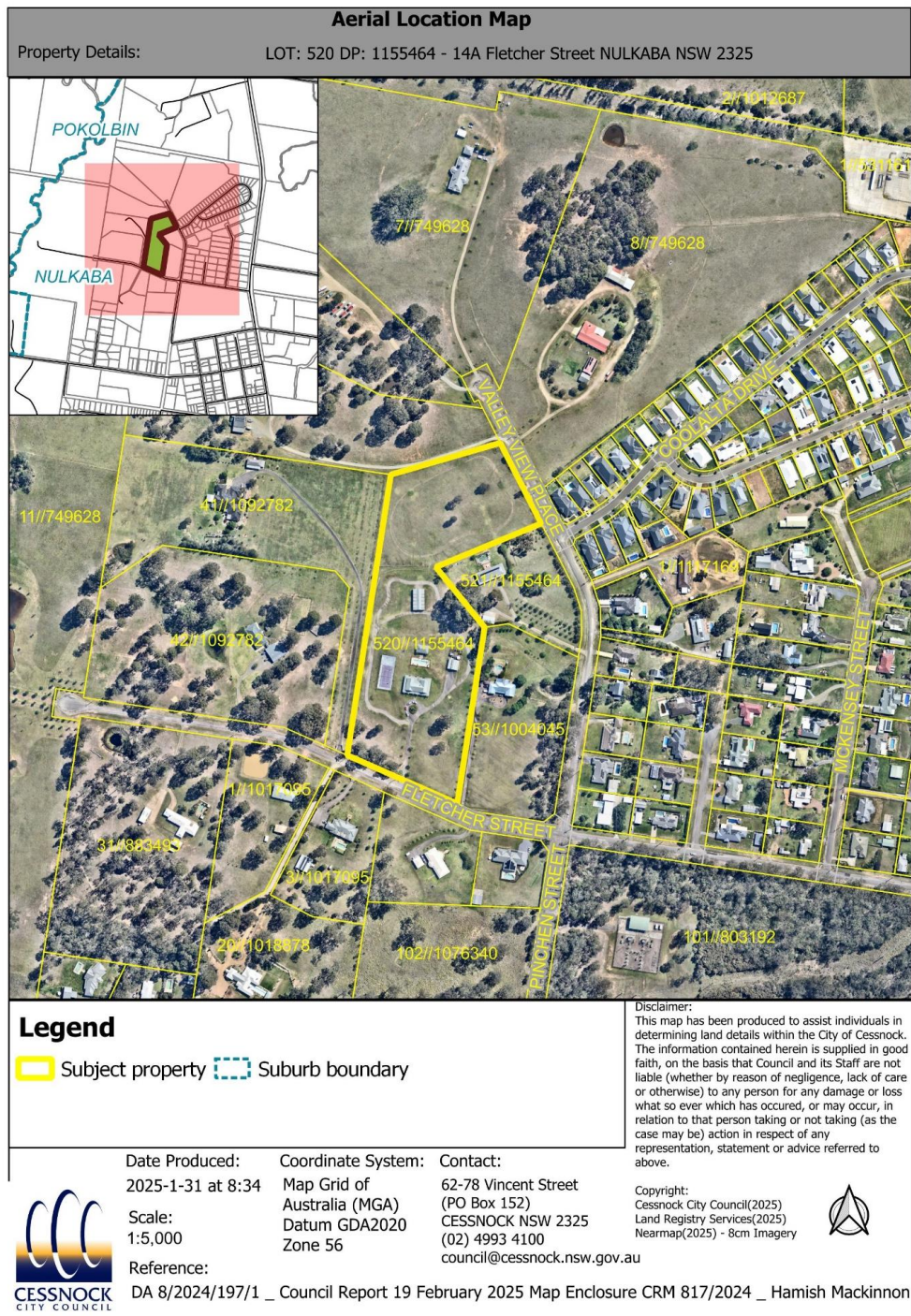
## LOCATION MAP



**Figure 2: Location map showing the subject site.**



## AERIAL



**Figure 3: Aerial map of the subject site.**

## **SITE DESCRIPTION AND LOCALITY**

---

The site is located at 14A Fletcher Street, Nulkaba formally known as Lot: 520 DP: 1155464. The site has a primary road frontage to Fletcher Street of approximately 128 metres and secondary frontage to Valley View Place approximately 95 metres. Access to the proposed development is from the secondary road frontage to Valley View Place. Overall, the site has a total area of approximately 4.083 hectares.

Existing development on the site includes a single dwelling, garage, swimming pool and associated pavilion, tennis court and machinery shed, with access to all structures gained from Fletcher Street. Existing structures are proposed to be maintained.

The site is located within an established rural residential area. Development to the north, south and west of the site consists of single dwellings on large lots between 2ha and 8ha. Located to the east of the site approximately 100 metres from the entry is a newly established subdivision with access from Valley View Place onto Coolalta Drive.

Vegetation on the site is primarily located around the existing development with the remainder of the site containing scattered native trees.

Below are photographs of the site and surrounding area.



**Photograph 1 – Existing development 14A Fletcher Street, Nulkaba (view from Fletcher Street).**





**Photograph 2 – Proposed development site viewed from Valley View Place (looking south-west).**



**Photograph 3 – Proposed development site viewed from Valley View Place (looking north-west).**



**Photograph 4 – Residential development within 'Vue' Estate (looking south-east from development site).**



**Photograph 5 – Intersection of Valley View Place and Coolalta Drive (looking south along Valley View Place).**





**Photograph 6 – Valley View Place (looking south approximately half way point of road).**



**Photograph 7 – Valley View Place near Fletcher Street intersection (looking south).**





**Photograph 8 – Valley View Place and Fletcher Street intersection (looking east towards Wine Country Drive).**



**Photograph 8 – Fletcher Street at the intersection with McKensey Street (looking east towards Wine Country Drive).**



## HISTORY

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

Date	Action
1 May 2024	Development Application lodged with Council.
6 May 2024	Application referred internally to Council's Development Engineer, Environmental Management, Environmental Health Officer and Community Planner.  Application referred externally to NSW Rural Fire Service (RFS).
14 May 2024	Environmental Waste referral completed – require clarification around waste collection.  Applicant requested to lodge this information.
15 May 2024	Application placed on public exhibition from 15 May to 29 May 2024.  As a result, 22 submissions received from 16 households raising objection to the proposal, with the main issues raised being in relation to existing road conditions, intersection safety, increased traffic, street amenity and noise impacts.
15 May 2024	Development Engineering referral completed – require referral to Transport for New South Wales (TfNSW) to assess impact on Wine Country Drive intersection. A revised stormwater management plan was also required to be submitted.
20 May 2024	Community Planner referral completed – require the submission of a Social Impact Assessment (SIA).  Additional information requested from applicant including SIA and stormwater management details.
22 May 2024	Application referred externally to TfNSW.
27 May 2024	Applicant requested to amend the development design to comply with setbacks for the zone and respond to concerns raised within submissions.
6 June 2024	Referral response from TfNSW received – no objection.
12 June 2024	NSW RFS referral complete – additional information required.
13 June 2024	Re-referred to Development Engineers to review TfNSW response.
13 June 2024	Applicant requested to address issues relating to NSW RFS referral.
18 June 2024	Environmental Health referral completed and conditions provided.
24 June 2024	Additional bushfire report lodged by Applicant.
26 June 2024	Application re-referred externally to NSW RFS.
6 August 2024	Referral response from NSW RFS received – Bushfire Safety Authority issued.
15 August 2024	Additional information lodged by Applicant including amended plans, Statement of Environmental Effects (SEE) and SIA.

19 August 2024	Additional stormwater information lodged by Applicant.
28 August 2024	Additional information lodged by Applicant including revised SEE, landscape plans, plan of management (POM), architectural plans, SIA, stormwater management plan and traffic impact assessment.
29 August 2024	Re-referred to Community Planner, Development Engineering and Environmental Management to review submitted documentation.
5 September 2024	Development Engineering referral completed – conditions provided.
9 September 2024	Community Planner referral completed – outstanding items addressed.
12 September 2024	Comments provided by Environmental Management regarding waste arrangements – further clarification required.
27 September 2024	Application re-notified from 27 September to 14 October 2024.  As a result, 20 submissions received from 11 households raising objection to the proposal, with the main issues remaining the same as previously mentioned, being the existing road conditions, intersection safety, increased traffic, street amenity and noise impacts.
28 October 2024	Additional information requested including an amended SIA to address matters raised during community consultation and provision of further waste collection information.
12 November 2024	Amended SIA lodged by Applicant.
18 November 2024	Additional waste information lodged by Applicant.
19 November 2024	Re-referred to Environmental Management.
22 November 2024	Environmental Management referral completed – conditions provided.
27 November 2024	Advice to applicant that application to be referred to next available Council meeting for determination.
22 January 2025	Assessment finalised and Council report prepared.

## **ASSESSMENT**

### **ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**

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

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

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

### ***Biodiversity Conservation Act 2016***

The proposed development includes the removal of four (4) trees.

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

The ecology impacts of the development are addressed further in the report under Section 4.15 of the *EP&A Act*.

### ***Section 4.14 Consultation and development consent – certain bush fire prone land***

S4.14 of the *EP&A Act*, prescribes that development consent cannot be granted for the carrying out of development for certain purposes, unless the consent authority is satisfied that the matters outlined in s4.14(1)(a) and (b) have been adequately addressed.

The site is identified as bush fire prone land, and proposes a Special Fire Protection Purpose as defined under the *Rural Fires Act 1997*, as such the application has been referred to the NSW RFS pursuant to section 100B as discussed further within this report. An assessment under Section 4.14 is therefore not required.

### ***Section 4.46 Integrated Development***

#### ***Rural Fires Act 1997 (Section 100B)***

The application proposes development of a child care facility on bushfire prone land. A child care facility is identified as a Special Fire Protection Purpose as defined in Section 100B of the *Rural Fires Act 1997*. As such, the application has been referred to the NSW RFS.

A Bushfire Safety Authority has been issued dated 6 August 2024, with the General Terms of Approval (GTAs) included within the conditions of consent.

### ***Section 4.15 Evaluation***

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

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

The Environmental Planning Instruments that relate to the proposed development are:

1. *State Environmental Planning Policy (Resilience and Hazards) 2021*;
2. *State Environmental Planning Policy (Transport and Infrastructure) 2021*; and
3. *Cessnock Local Environmental Plan 2011*

An assessment of the proposed development under the Environmental Planning Instruments is provided below:

#### ***1. State Environmental Planning Policy (Resilience and Hazards) 2021***

The aim of the policy is to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment.

*State Environmental Planning Policy (Resilience and Hazards) 2021* requires that consent not be granted until Council has considered whether the land is contaminated. If the land is contaminated, the Council needs to be satisfied that the land is suitable in its contaminated

state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out.

While the site has historically been used for rural residential purposes, the Preliminary Site Investigation (PSI) submitted by the applicant, has been reviewed by Council and it is considered that the site is suitable for the proposed land use.

## **2. State Environmental Planning Policy (Transport and Infrastructure) 2021**

### Chapter 3 – Educational Establishments and Child Care Facilities

The aim of the policy is to facilitate the effective delivery of educational establishments and early education and care facilities across the State.

Under this policy, the proposal is required to satisfy the provisions of the *Education and Care Services National Regulations (2011 SI 653)*. Specifically, these regulations ensure that early education and care services developments meet the applicable requirements of the National Quality Framework. The relevant sections are summarised in the table below:

<b>Education and Care Services National Regulations – Physical Environment Requirements</b>		
<b>Regulation</b>	<b>Discussion</b>	<b>Complies</b>
<b>25 – Soil Assessment - Contamination</b>	A child care facility is identified as a sensitive land use; as such the application has been accompanied by a PSI which has considered previous uses of the site and the sites suitability to accommodate the proposed development. The PSI demonstrates that the site has not been used for any contaminating purposes and is deemed to be suitable for the proposed use.	Yes
<b>104 – Fencing – outdoor space is to be enclosed by a fence of a height and design to ensure children cannot go through, under or over</b>	The outdoor play areas will be appropriately secured to ensure that children cannot go through, under or over. The recommendations of the acoustic report require a 1.8m high fence to outdoor play areas.  A condition of consent will require fencing to be provided to the north, west and southern boundaries in accordance with the recommendations of the acoustic report. The condition will require the fencing to be constructed of a lapped and capped timber fence to ensure the requirement of this section are met, noise levels outlined within the acoustic report are achieved, and to ensure the fencing is of a natural (fire resistant) material to tie the development into the rural residential character of the area.	Yes
<b>106 – Laundry and Hygiene Facilities</b>	The child care facility will be provided with adequate laundry and hygiene facilities including storage area for soiled items, laundry sinks, washing machine and dryer.	Yes
<b>107 – Indoor Space Requirements – unencumbered space to be not less than 3.25m<sup>2</sup> per child</b>	Based on an indoor unencumbered space requirement of 3.25m <sup>2</sup> per child, for a 124 place centre the total indoor unencumbered space required is 403m <sup>2</sup> .  The total area provided is 484m <sup>2</sup> (3.90m <sup>2</sup> ), exceeding this requirement.	Yes
<b>108 – Outdoor Space Requirements - unencumbered space to be not less than 7m<sup>2</sup> per child</b>	Based on an outdoor unencumbered space requirement of 7m <sup>2</sup> per child, for a 124 place centre the total outdoor unencumbered space required is 868m <sup>2</sup> . The total area provided is 884m <sup>2</sup> , consistent with this requirement.	Yes

<b>109 – Toilet and Hygiene Facilities</b>	The facility incorporates the provision of nine (9) toilets and nine (9) hand wash basins for children with direct access from activity rooms and outdoor play areas, consistent with the requirements of this section.	Yes
<b>110 – Ventilation and Natural Light</b>	The building has been designed to ensure adequate light and ventilation with windows and sliding doors appropriately located and orientated to maximise solar access and breezes.	Yes
<b>111 – Administrative Space</b>	The facility incorporates a reception / office space, staff room and meeting room off the foyer which is considered appropriate to accommodate for the needs of the development.	Yes
<b>112 - Nappy Change Facilities</b>	Nappy change facilities are proposed to be incorporated within two (2) toilets/amenities rooms catering for children of ages 0-3 years. The amenities provided are consistent with the requirements of this section.	Yes
<b>113 – Natural Environment</b>	The Applicant proposes the outdoor spaces to incorporate a mix of interactive natural environments. A detailed landscaping plan has been provided demonstrating a satisfactory natural environment. The landscape plans will be included in the stamped approved plans.	Yes
<b>114 – Shade</b>	The outdoor play areas will be provided with controlled solar access via the placement of vegetation and four (4) large shade structures, meeting the requirement of the regulation for shade.	Yes
<b>115 – Supervision</b>	The facility proposes a design which provides adequate supervision points for both the internal and external areas of the childcare facility. The Plan of Management includes procedures to ensure that adequate supervision is provided in accordance with the Regulation.	Yes
<b>123 – Educator to child ratios—centre-based services</b>	<p>The Regulation sets the following minimum staff requirements for child care facilities in Australia:</p> <p>0-2 Years – 1 employee per 4 children  2-3 Years – 1 employee per 5 children  3-5 Years – 1 employee per 11 children</p> <p>It is noted that section 271 (below) overrides the ratio for the 3-5 age group for facilities. Therefore, the ratios for the proposed facility are as follows:</p> <p>0-2 Years – 1 employee per 4 children  2-3 Years – 1 employee per 5 children  3-5 Years – 1 employee per 10 children</p> <p>The breakdown of children ratio within the proposed centre-based child care facility is as follows:</p> <p>0-2 Years – 24 children (6 staff)  2-3 Years – 40 children (8 staff)  3-5 Years – 60 children (6 staff)</p> <p>A total of 20 staff will be employed, consistent with the requirements of section 123 and section 271.</p>	Yes

<b>168 – Education and care service must have policies and procedures</b>	The proposed child care facility has been designed and incorporates features that provide for the safe and managed evacuation of children and staff from the facility in the event of a fire or other emergency.  The requirement for an emergency evacuation plan is included within the conditions of consent.	Yes
<b>271 – Educators to child ratios – (1) children aged 36 months or more but less than 6 years</b>	This is addressed in section 123 above. The child to staff ratios provided are consistent with the provisions of this section.	Yes

Specific development controls apply to early education and care facilities under Part 3.3 of the SEPP. Specifically, Section 3.23 of this Chapter states the following:

*3.23. Before determining a development application for development for the purpose of a centre-based child care facility, the consent authority must take into consideration any applicable provisions of the Child Care Planning Guidelines (The Guidelines), in relation to the proposed development.*

The Guidelines are published by the NSW Department of Planning and Environment. The proposal has been assessed against these guidelines as outlined in the table below:

<b>Part 3 Matters for Consideration</b>		
<b>3.1 Site Selection and Location</b>		
<b>Consideration</b>	<b>Discussion</b>	<b>Complies</b>
<b>C1 – To ensure that appropriate zone considerations are assessed when selecting a site.</b>	Pursuant to the provisions of the CLEP 2011, the subject land is zoned R5 Large Lot Residential. Development adjoining the subject site to the north, south and west of the site consists of single dwellings on large lots between 2ha and 8ha. Consideration of the objectives of the R5 zone are outlined further in this report. In summary, the proposed development is consistent with the objectives of the zone and will provide an appropriate land use without limiting the further development of the land for another purpose in the future. The application has considered the potential acoustic impacts of the development on the adjoining properties, impact of increased traffic movements and the impacts of the development on the amenity of the area. Council has considered each of these matters and found the development to be appropriate, subject to conditions being imposed including: <ul style="list-style-type: none"> <li>• Installation of an acoustic fence,</li> <li>• Plan of management detailing procedure for management of outdoor play times,</li> <li>• Road/intersection upgrades,</li> <li>• Design of the development to be generally consistent with the character of existing development within the area,</li> <li>• Basement parking to eliminate the appearance of large hardstand areas, and</li> <li>• Inclusion of landscaping throughout the development to further soften the visual impact of the development when viewed from the street.</li> </ul>	Yes
<b>C2 – To ensure that the site selected for a proposed child care</b>	Consideration of the site's suitability has been undertaken throughout the assessment of the application.	Yes

facility is suitable for the use.	<p>Based on the findings of the PSI, the site does not contain any contamination which would render the site unsuitable for the proposed sensitive land use.</p> <p>Further, potential impacts of the development including but not limited to character, noise, traffic and amenity have been considered and found to be appropriately addressed both through the design of the development and through the imposition of conditions as detailed within this report.</p> <p>The overall size of the subject site is considered to be suitable for the development. The site comprises a single allotment totalling approximately 4.083 hectares which provides sufficient area to accommodate the building footprint, parking, outdoor areas and on-site waste water management.</p> <p>Based on the outcomes of the assessment, the site is considered suitable.</p>	
<b>C3 – To ensure that sites for child care facilities are appropriately located.</b>	<p>As detailed above, the subject land is suitably zoned and the site is considered suitable to accommodate the proposed development.</p> <p>Forecast population data for 2024-2046 predicts an increase of 269 children ages 0 – 4 years in the Nulkaba area. The data supports the need for additional child care facilities.</p> <p>It is further recognised that the current early learning facilities within the Cessnock area are experiencing a high level of demand showing a clear need for additional child care and pre-school services.</p> <p>The proposal is therefore suitably sited to accommodate for the additional needs of the broader community into the future.</p>	Yes
<b>C4 – To ensure that sites for child care facilities do not incur risks from environmental, health or safety hazards.</b>	<p>As previously discussed in this report, a PSI was submitted with the application. This report concluded that the site has not been used for a purpose which would result in the subject land being considered unsuitable for the proposed development.</p> <p>Further, there are no offensive or hazardous land-uses in the immediate locality.</p> <p>Accordingly, there are no health and safety risks associated with the proposed development in this location.</p>	Yes
<b>3.2 Local Character, Streetscape and the Public Domain Interface</b>		
<b>Consideration</b>	<b>Discussion</b>	<b>Complies</b>
<b>C5 – To ensure that the child care facility is compatible with the local character and surrounding streetscape.</b>	<p>The proposed child care centre has been designed specifically to compliment the streetscape and respect the character of the area.</p> <p>The development is comprised of two storeys (basement parking with classrooms above); however, the aspect of the development from the street is as if it was of a raised single storey construction. Landscaping and fencing along the boundary fronting Valley View Place will soften the appearance of the development</p>	Yes



	<p>from the street. The development is also setback 15m from the front of the lot, which is consistent with other developments along Valley View Place.</p> <p>A variety of materials have been incorporated into the design of the building including linear weatherboard, Colorbond steel sheeting and rendered brickwork, consistent with the character or development within the immediate vicinity.</p> <p>Accordingly, the proposed development is consistent with the overall streetscape character.</p>	
<b>C6-C8 – To ensure clear delineation between the Childcare Facility and public spaces.</b>	<p>The child care centre provides a clear transition between the public and private realms by providing fencing to the street and fencing to outdoor play areas. The design of the development ensures access to the facility is restricted and the general public do not have access to the main child care areas. The design also enables passive surveillance of public areas.</p>	Yes
<b>C9-C10 – To ensure that front fences and retaining walls respond to and complement the context and character of the area and do not dominate the public domain.</b>	<p>Front fencing is not inconsistent with the character of development in the surrounding area. Articulation has been incorporated into the building design and landscaping is used to soften the appearance when viewed from the street.</p> <p>The front fencing is of masonry construction and has a height of 1.2m. Fencing surrounding the development to the north, south and west will be a timber lapped and capped fence. Use of a natural material will ensure that fencing proposed does not unduly detract from the rural residential character of the locality.</p> <p>Fencing is considered to be complimentary to the existing character of the area.</p>	Yes
<b>3.3 Building Orientation, Envelope and Design</b>		
<b>Consideration</b>	<b>Discussion</b>	<b>Complies</b>
<b>C11 – To respond to the streetscape and site, while optimising solar access and opportunities for shade.</b>	<p>The proposed development has been sited and designed to ensure amenity impacts are minimised on adjoining properties and the existing streetscape character is respected. The building has been designed, orientated and located to optimise solar access and shade opportunities, while keeping as much distance as possible to existing residents. Additional shade structures have been incorporated to provide additional shade throughout the development.</p>	Yes
<b>C12 – To ensure that the scale of the child care facility is compatible with adjoining development and the impact on adjoining buildings is minimised.</b>	<p>The facility has been designed to respect the character of the local streetscape incorporating a range of materials consistent with the design of development within the vicinity. The building appears as a raised single storey development from the street, providing basement parking and has a setback consistent with existing developments within the street. Potential impacts of the development on adjoining properties including noise, traffic and amenity have been addressed throughout this report. It is considered that the development will incorporate appropriate measures to minimise any impact, subject to the impose of appropriate conditions.</p>	Yes



<b>C13-C14 – To ensure that setbacks from the boundary of a child care facility are consistent with the predominant development within the immediate context.</b>	Proposed setbacks are consistent with established setbacks along Valley View Place. Setbacks to neighbouring properties to the north and south are also considered appropriate having regard to the character of the area.	Yes
<b>C15 – To ensure that buildings are designed to create safe environments for all users.</b>	<p>Entry to the facility is restricted to two points, one being via a lift from the basement car park and the other directly from Valley View Place.</p> <p>The design also enables passive surveillance of public areas including the street and car parking areas from within the facility from staffed reception areas.</p> <p>In addition, the POM indicates the following additional security measures to be implemented:</p> <ul style="list-style-type: none"> <li>• child proof fences and gates,</li> <li>• security cameras, and</li> <li>• CCTV.</li> </ul> <p>Accordingly, the design of the building, including additional measures identified above, will provide a safe environment for all users.</p>	Yes
<b>C16 – To ensure that child care facilities are designed to be accessible by all potential users.</b>	<p>The development provides appropriate continuous path of travel to and within the building, including access between the street entry and main building entrance via a graded pedestrian pathway from Valley View Place.</p> <p>The development will be required to meet the requirements of the <i>Disability (Access to Premises – Buildings) Standards 2010</i>, National Construction Code and <i>Discrimination Disability Act 1992</i>, which is included as a condition of consent.</p>	Yes
<b>3.4 Landscaping</b>		
<b>Consideration</b>	<b>Discussion</b>	<b>Complies</b>
<b>C17-C18 – To provide landscape design that contributes to the streetscape and amenity.</b>	<p>The application is accompanied by a detailed landscape plan. The development incorporates landscaping throughout including planting along the front boundary to Valley View Place to soften the development when viewed from the street.</p> <p>A condition of consent is included to ensure the landscaping is maintained for the life of the development.</p>	Yes
<b>3.5 Visual and Acoustic Privacy</b>		
<b>Consideration</b>	<b>Discussion</b>	<b>Complies</b>
<b>C19-C20 – To protect the privacy and security of children attending the facility.</b>	The development has been designed to ensure both indoor and outside spaces are screened from public spaces to ensure privacy and security for children, whilst still allowing for casual surveillance within the centre. Access to the centre is also restricted to ensure children are within a safe environment at all times.	Yes
<b>C21 – To minimise impacts on privacy of adjoining properties.</b>	Dwellings located on adjoining properties are at least 50m from the proposed development. The development incorporates appropriate fencing and landscaping assisting to minimise overlooking into neighbouring properties. It is considered that the privacy of adjoining	Yes

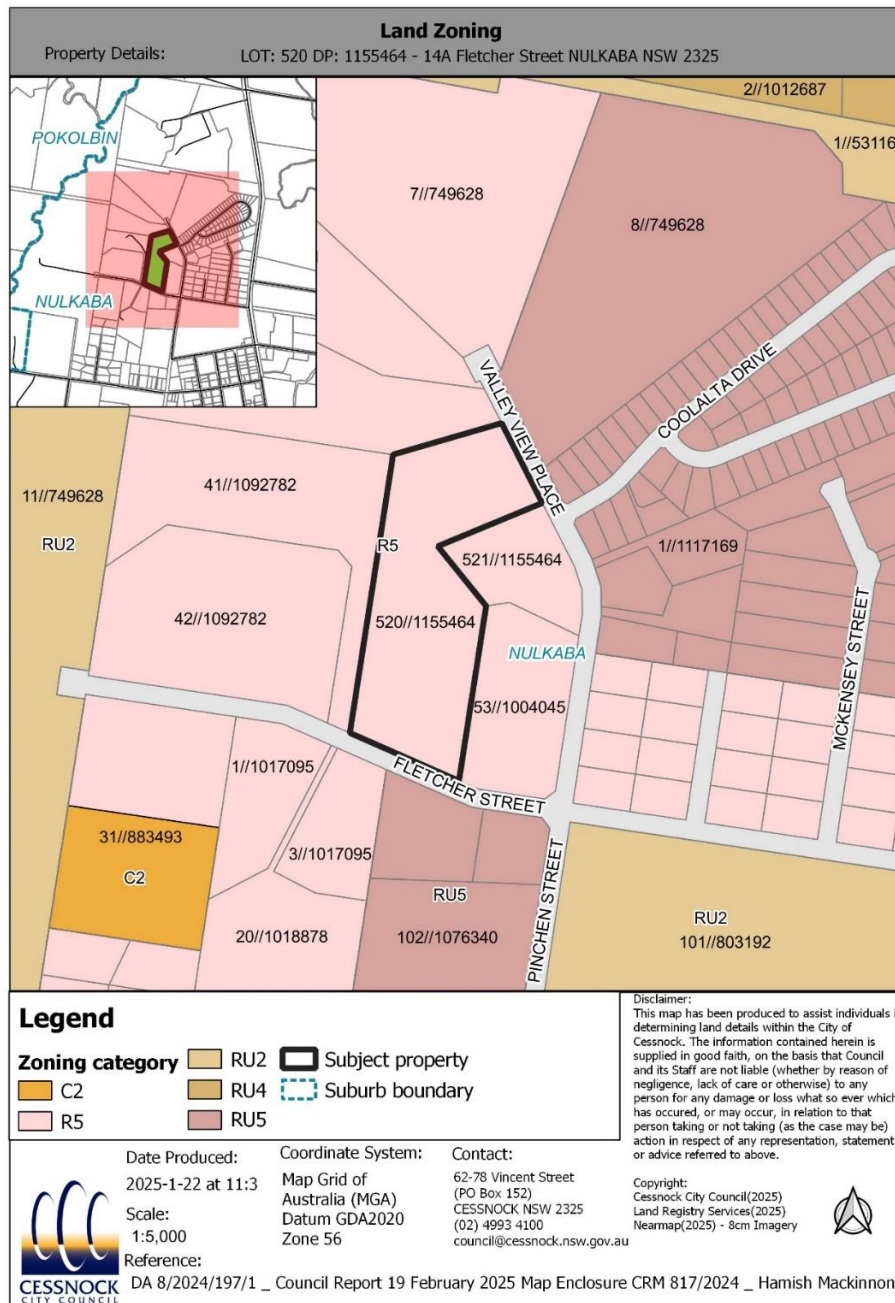
	properties will not be impacted as a result of the development.	
<b>C22-C23 – To minimise the impact of child care facilities on the acoustic privacy of neighbouring residential developments.</b>	<p>The acoustic report submitted with the application assessed the worst case scenario (all children playing outside at the same time) for the development and concluded that the operation of the child care facility can comply with the target noise criteria.</p> <p>Subject to the recommendations of the acoustic report, Council is satisfied that the proposed development can operate without causing adverse impacts on surrounding receivers.</p> <p>The following fencing measures are proposed to minimise noise impacts from the development:</p> <ul style="list-style-type: none"> <li>- 1.8-metre-high fence along the northern boundary of the Site, from the Centre's western boundary continuing to the front setback to Valley View Place;</li> <li>- 1.8-metre-high fence along the southern boundary of the Site, from the Centre's western boundary continuing to the front setback to Valley View Place; and</li> <li>- 1.8-metre-high fence along the entire western boundary of the Site.</li> </ul> <p>A condition of consent is included that the fence is to be constructed of timber and be designed to the specification within the acoustic report.</p> <p>The acoustic report and associated recommendations will form part of the consent documentation.</p>	Yes
<b>3.6 Noise and Air Pollution</b>		
<b>Consideration</b>	<b>Discussion</b>	<b>Complies</b>
<b>C24-C25 – To ensure that outside noise levels on the facility are minimised to acceptable levels.</b>	<p>The development has been designed to ensure outside noise levels do not adversely impact on the acoustic privacy of the occupants of the facility, through the inclusion of landscaping and acoustic fencing, as detailed previously.</p> <p>The acoustic report submitted with the application also makes recommendations in relation to cot window closure and mechanical plant selection which will assist in minimising impacts of outside noise sources on the facility.</p> <p>Therefore, the facility is not anticipated to be impacted by external noise sources.</p>	Yes
<b>C26-C27 – To ensure air quality is acceptable where child care facilities are proposed close to external sources of air pollution such as major roads and industrial development.</b>	The child care facility is not located in immediate proximity to any air polluting land uses such as major roads or industrial development. No concerns are raised in relation to the development being impacted upon by external air pollution sources.	Yes

<b>3.7 Hours of Operation</b>		
<b>Consideration</b>	<b>Discussion</b>	<b>Complies</b>
<b>C28-C29 – To minimise the impact of the child care facility on the amenity of neighbouring residential developments.</b>	<p>The proposed operating hours are from 7:00am to 6:00pm Monday to Friday (excluding public holidays).</p> <p>This will be imposed as a condition of consent.</p> <p>Lighting of the development will be required to be designed ensuring minimal impact upon adjoining development and to ensure that lighting is positioned in such a way as to restrict potential light spill onto adjoining land. A condition will be imposed on the consent to ensure that lighting of the facility is restricted to security sensor lighting between the hours of 9:00pm and 6:00am, 7 days per week.</p>	Yes
<b>3.8 Traffic, Parking and Pedestrian Circulation</b>		
<b>Consideration</b>	<b>Discussion</b>	<b>Complies</b>
<b>C30-C32 – To provide parking that satisfies the needs of users and demand generated by the centre.</b>	<p>Parking has been provided in accordance with Council's Development Control Plan 2010 (Chapter C.1 Access and Parking).</p> <p>The development proposes to accommodate 124 children and 20 staff. In accordance with the DCP, based on a rate of 1 space per 8 children and 1 space per staff member, the development requires 36 spaces.</p> <p>Plans of the development demonstrate the development has capacity to accommodate 51 off street car parking spaces (including 20 spaces for teachers), which exceeds the parking requirements of the DCP.</p>	Yes
<b>C33-C34 – To provide vehicle access from the street in a safe environment that does not disrupt traffic flows.</b>	<p>The development proposes suitable access/egress of Valley View Place</p> <p>Traffic volumes will trigger an upgrade to the Fletcher Street / Wine Country Drive intersection from the existing treatment of only a BAR/AUL to a channelised right turn (CHR) and an auxiliary left turn (AUL).</p> <p>This will be included as a condition of consent with the final design subject to TfNSW approval.</p>	Yes
<b>C35-C37 – To provide a safe and connected environment for pedestrians both on and around the site.</b>	<p>The proposed development incorporates the following measures to ensure safe pedestrian travel:</p> <ul style="list-style-type: none"> <li>• Separate pedestrian access from the car park to the facility is provided; and</li> <li>• The development will be required to meet the requirements of the <i>Disability (Access to Premises – Buildings) Standards 2010</i>, National Construction Code and <i>Discrimination Disability Act 1992</i>.</li> </ul> <p>Accordingly, the requirements of the regulation are considered to have been appropriately addressed.</p>	Yes

### 3. Cessnock Local Environmental Plan 2011

#### 3.1 Permissibility

The subject land is zoned R5 Large Lot Residential under the provisions of the Cessnock Local Environmental Plan (CLEP) 2011, as depicted in the map below:



**Figure 4: Zoning Map CLEP 2011.**

The proposed development is defined as a centre-based child care facility under the provisions of the CLEP 2011, which is defined as follows:

**centre-based child care facility means—**

(a) *a building or place used for the education and care of children that provides any one or more of the following—*

- (i) *long day care,*
- (ii) *occasional child care,*
- (iii) *out-of-school-hours care (including vacation care),*
- (iv) *preschool care, or*

(b) *an approved family day care venue (within the meaning of the Children (Education and Care Services) National Law (NSW)),*

Centre-based child care facilities, although not specifically listed as '*permitted with consent*' within the CLEP 2011, are permitted with consent within the R5 Large Lot Residential zone as they are a type of development that is not listed as '*prohibited*' and therefore fall under '*Any other development not specified in item 2 or 4*'.

### **3.2 Objectives**

The objectives of the R5 Large Lot Residential zone, and a response to each, are identified in the following table:

<b>Objective</b>	<b>Comment</b>
<i>To provide residential housing in a rural setting while preserving, and minimising impacts on, environmentally sensitive locations and scenic quality.</i>	While the application does not provide additional residential development, the proposed child care facility is permissible in the zone.  The development is comprised of two storeys (basement parking with classrooms above); however, the aspect of the development from the street is as if it was of a raised single storey construction, with landscaping and front fencing complimentary to the surrounding area. The development is also setback 15m from the front of the lot, which is in consistent with other developments along Valley View Place.
<i>To ensure that large residential lots do not hinder the proper and orderly development of urban areas in the future.</i>	Whilst the application does not propose further residential development, the siting and design of the child care facility does not restrict the future use of the land for another purpose.
<i>To ensure that development in the area does not unreasonably increase the demand for public services or public facilities.</i>	The proposed child care facility will provide an additional service within the area to help meet the day to day needs of residents within the locality.  The proposed development will not result in any unreasonable demand on public services or facilities.

To minimise conflict between land uses within this zone and land uses within adjoining zones.	<p>The proposed development has been located and designed to minimise any conflict with the existing residential development by ensuring the building has been orientated and located to provide adequate separation distances between the development and neighbouring dwellings.</p> <p>The building appears as a single storey development from the street, while providing basement parking and has been setback consistent with existing developments in the street.</p>
---	---

### 3.3 Relevant Sections

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

#### Section 7.2 Earthworks

Section 7.2 seeks to ensure that any earthworks do not result in an adverse impact on the environment, neighbouring properties or heritage items.

The built form has also been designed to follow the natural contours of the site to minimise excessive cut and fill.

According to the plans, the cut of the earthworks on the high side (south) of the development is proposed to be approximately 4.12m, while the cut of the earthworks on the low side (north) of the development is proposed to be approximately 2.5m, with the development to be stepped down. Please see the plans below which demonstrates the proposed cut and fill, with relevant sections highlighted in yellow:

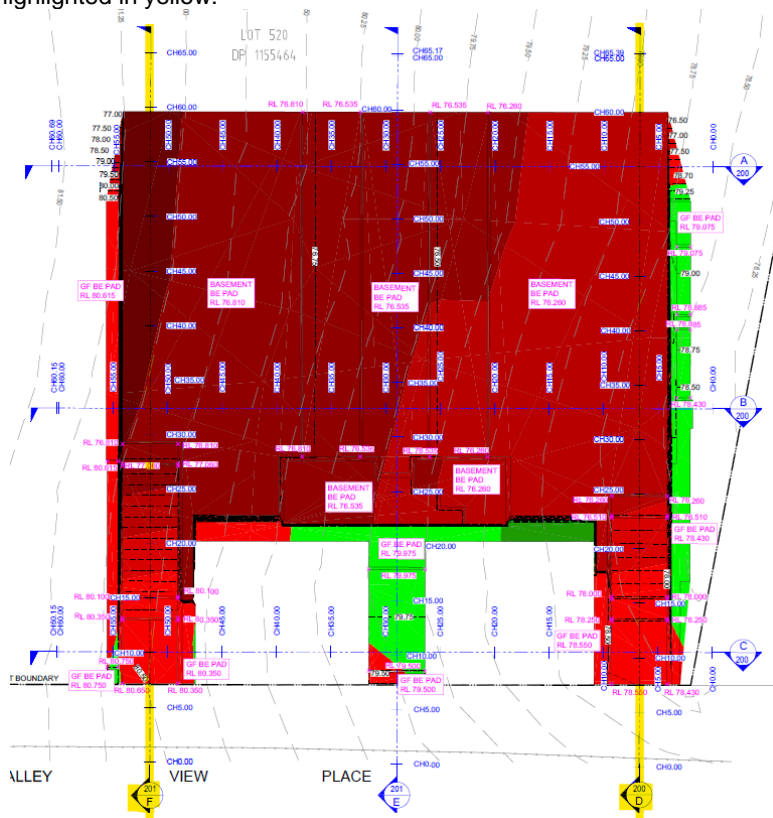


Figure 5: Proposed Cut and Fill plan



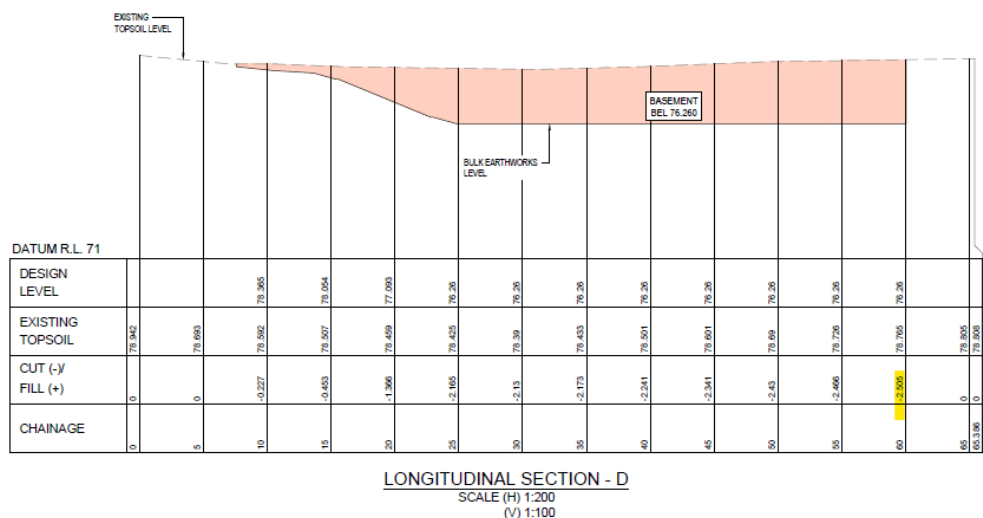


Figure 5: Section D showing maximum cut on the northern side of the proposed development.

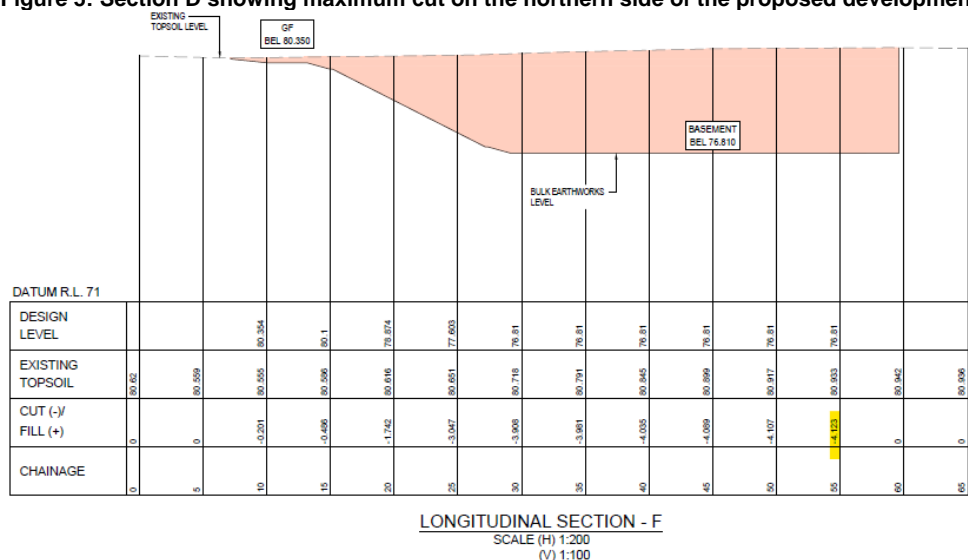


Figure 6: Section F showing maximum cut on the southern side of the proposed development.

Council have assessed the earthworks proposed as being satisfactory, without impacting on adjoining properties.

Accordingly, the proposed development is consistent with this section.

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

#### Remediation of Land SEPP

The proposed Remediation of Land SEPP was exhibited from 25 January to 13 April 2018 and is currently under consideration.

However, as it has not been made within 3 years of the public consultation, it does not need to be taken into consideration during the assessment of the application.

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

**Cessnock Development Control Plan 2010**

The following is an assessment of the proposal's compliance with the relevant provisions of the Cessnock Development Control Plan 2010 (CDCP). Discussion of any variations to the standards is provided after the compliance table:

<b>Part C: General Guidelines</b>
<b>Chapter 1: Parking and Access</b>

Council's Car Parking DCP requires the following:

- 1 space per employee, PLUS
- 1 space per 8 enrolments; and
- 1 motorbike space per 20 parking spaces.

The development proposed 124 children and 20 staff and as such the development requires 16 parking spaces for enrolments and 20 staff parking spaces. A total of 51 spaces has been provided which exceeds the requirements of the DCP.

There has been no specific motorbike parking provided; however, due to the excess in parking spaces, motorbike parking is able to be reasonably accommodated.

Parking is considered to be satisfactory.

<b>Chapter 3: Contaminated Lands</b>
--------------------------------------

The contaminated lands guidelines chapter of the CDCP reflect the requirements of *State Environmental Planning Policy (Resilience and Hazards) 2021*.

As discussed throughout this report, the application was supported by a PSI which demonstrated that the site is considered suitable for the proposed sensitive land use.

<b>Chapter 5: Waste Management and Minimisation</b>
---

Chapter C.5 of the CDCP requires a waste management plan that addresses waste management during demolition, construction and for the ongoing operation of the development.

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

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



**Chapter 8: Social Impact Assessment and Crime Prevention thorough Environmental Design  
Guidelines (CPTED) for Proposed Development.**

The Social Impact Assessment (SIA) submitted in support of the application was assessed by Council's Community Planner and is considered satisfactory.

Concerns were initially raised in relation to the accuracy of the submitted SIA, where the incorrect site photos were used. This was raised with the Applicant who corrected the error.

Another concern raised was that no community consultation was undertaken as part of the SIA process, as per Council's DCP. It is acknowledged that the submitted SIA did not include any 'Community Consultation and Engagement' prior to the lodgement of the application.

However, the purpose for community consultation is to ascertain the views of the community, and community views had already been received as a result of the public exhibition/notification of the application and had been referred to the Applicant to be addressed.

The applicant provided a response to the matters raised and the application and amended documentation was publicly re-exhibited providing further opportunity to receive the views of the community.

It was considered that requiring the applicant to withdraw the application to undertake further community consultation was deemed to be unnecessary and unreasonable in this instance.

**Council's comments:**

It is recognised that the area of Nulkaba contains an Urban Release Area and has experienced sound growth in recent years and that further development will only add to this.

Forecast population data for 2024-2046 predicts an increase of 269 children ages 0 – 4 years in the Nulkaba area. The data supporting the need for additional childcare facilities relates to the neighbouring 'Central Cessnock Townships' which sees an increase of children ages 0 – 4 years by 7.3% from 2021 to 2031, with a further increase predicted of 6.0% to 2046.

The forecast data (which incorporates suburbs outside of Nulkaba) specifically supports the need for increased provision of early childhood services in the greater area.

It is further recognised that the current early learning facilities within the Cessnock area are experiencing a high level of demand showing a clear need for additional childcare and pre-school services.

The proposed development would assist in addressing the rapidly increasing need for care for children aged 0 – 6 years in the Cessnock area.

In accordance with Council's Crime Prevention Through Environmental Design Guidelines a CPTED assessment was not required.

In summary, the Applicant has demonstrated that the development will have an acceptable level of social impact on the immediate community and is designed and managed to minimise the risk of crime.

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

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

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

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

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

Traffic

The applicant submitted a Traffic Impact Assessment (TIA) to support the development. The report identifies the existing road conditions including Valley View Place, Fletcher Street and Wine Country Drive, as well as identifying the intersection of concern being Fletcher Street/Wine Country Drive.

A manual traffic survey was conducted between 7:00-9:30am and 2:30-6:00pm on Friday 10<sup>th</sup> November 2023. This was considered to capture peak times due to school drop off and pick up and is considered reasonable as Wine Country Drive is fairly consistent in terms of traffic flows. Council's assessment has deemed that the submitted information was adequate to allow the proper assessment of the application.

Existing Road Network

The development fronts Valley View Place, which is owned and maintained by Council. Valley View Place has a 6m (approximate) wide bitumen pavement within a 20m road reserve. The road has been assessed and is considered to be in good condition.

Fletcher Street is also owned and maintained by Council and has a 6m (approximate) wide bitumen pavement within a 20m road reserve. The road has been assessed and is considered to be in fair condition.

According to the council's Kerb and Gutter Resolution, the applicant will be required to construct a kerb and gutter treatment for the full frontage of the development (approx.96m) within Valley View Place, which will be included as a condition of consent.

As a result of the assessment of the existing road network, it has been determined that no other road upgrades are required to the local road network (Valley View Place/Fletcher Street), other than those directly related to the construction of the required kerb and gutter treatment.

Wine Country Drive / Fletcher Street Intersection

The current arrangement at the intersection of Fletcher Street/ Wine Country Drive is indicated as being a BAR/AUL, which with the current traffic numbers has been shown to be inadequate to cater for existing traffic movements. As such the existing BAR will require upgrading to a Channelised Right-hand turning lane (CHR). The existing auxiliary left turn (AUL) has been deemed to be acceptable.

Notwithstanding, the predicted traffic increase from 2023, when traffic counts were undertaken to now, would not alter the required upgrades for the Wine Country Drive and Fletcher Street intersection. TfNSW did not raise any concerns in relation to the age of the traffic data and as such, the intersection upgrade will be included as a condition of consent.

As detailed in the above assessment, it has been demonstrated that the existing road infrastructure has the capacity to accommodate the additional traffic generated by the development, subject to intersection upgrades with Wine Country Drive and Fletcher Street.

### Noise Impacts

An Environmental Noise Impact Assessment (Acoustic Report) accompanies the application.

Background noise was measured at a location representative of the most potentially affected receptor, identified as R4 to the south of the site as shown in Figure 10 below. Location A, identified in Figure 10 indicates the location most representative of the most affected sensitive receivers. Additional receptor sites are also shown in the Figure below.



**Figure 7: Receptor sites (Environmental Noise Impact Assessment prepared by Day Design Pty Ltd Dated 28 August 2024)**

A noise monitor was placed at Location 'A'; from Friday 8 September 2023 to Thursday 21 September 2023 to determine the background noise level. Noise levels measured have excluded the weekend period during which the centre would not be operational. The background noise level at the location specified was determined to be:

- Early morning (6:30am to 7:00am) – 43 (L90 Rating Background Noise Level), and
- Day (7:00am to 6:00pm) – 32 (L90 Rating Background Noise Level).

The acoustic report notes that distant road noise from Wine Country Drive, local fauna and neighbourhood noise (including pets and occasional yard work) influenced the background noise level ratings.

The report identifies three main areas of noise generation from the proposed development, these being:

- The noise made by children at play inside and outside the child care centre;
- Vehicles entering and leaving the premises; and
- Mechanical plant operating noise.

The following figure from the acoustic report identifies the predicated worse case cumulative noise levels associated with the above, the noise criteria to be achieved (based on the background noise level and the Australasian Acoustical Consultants Guideline for Child Care Centre Acoustic Assessment). This figure demonstrates the facility is able to comply with the required noise criteria:

**Predicted Cumulative  $L_{eq, 15 \text{ minute}}$  Noise Levels – Indoor Play, Mechanical Plant & Vehicles On Site**

Receptor Location and Description	Predicted Noise Level (dBA)	Noise Criterion (dBA)	Compliance (Yes/No)
R1 – 30 Valley View Pl (GF)			
- Indoor play areas	26		
- Vehicles On Site	<10		
- Mechanical	<10		
Cumulative Noise Level	26	37	Yes
R2 – 20 Valley View Pl (GF)			
- Indoor play areas	26		
- Vehicles On Site	15		
- Mechanical	<10		
Cumulative Noise Level	26	37	Yes
R3 – 1 Coolalta Dr (GF)			
- Indoor play areas	31		
- Vehicles On Site	24		
- Mechanical	32		
Cumulative Noise Level	35	37	Yes
R4 – 1 Valley View Pl (GF)			
- Indoor play areas	34		
- Vehicles On Site	<10		
- Mechanical	31		
Cumulative Noise Level	36	37	Yes
R5 – 16 Fletcher St (GF)			
- Indoor play areas	27		
- Vehicles On Site	<10		
- Mechanical	<10		
Cumulative Noise Level	27	37	Yes
R6 – 16A Fletcher St (GF)			
- Indoor play areas	28		
- Vehicles On Site	<10		
- Mechanical	<10		
Cumulative Noise Level	28	37	Yes
R7 – 3 Valley View Pl (GF)			
- Indoor play areas	28		
- Vehicles On Site	<10		
- Mechanical	<10		
Cumulative Noise Level	28	37	Yes
R8 – 5 Valley View Pl (GF)			
- Indoor play areas	24		
- Vehicles On Site	<10		
- Mechanical	<10		
Cumulative Noise Level	24	37	Yes

**Figure 8: Predicted Cumulative Noise Levels (Environmental Noise Impact Assessment prepared by Day Design Pty Ltd Dated 28 August 2024)**

Recommendations from the acoustic report include boundary fences, which are to be of solid construction, comprising three (3) rail 'solid capped and lapped' timber, 10 mm thick solid polycarbonate (not hollow), 6.38 mm thick laminated glass or masonry. The construction shall be free of visible air gaps to provide an impervious sound barrier and be a minimum height of 1.8m around the perimeter of the property. Fencing details have been provided on the development plans, which indicate the Applicant's preference to construct capped and lapped timber fencing.

Overall, subject to compliance with the recommendations of the submitted noise report, the erection of suitable fencing and the implementation of a plan of management, it is considered that the amenity of residents within close proximity to the child care centre will be maintained to an acceptable standard.

#### Amenity Impacts

The subject site is located on a rural residential allotment; however, a relatively new subdivision has been established in the locality within the Nulkaba urban release area. A variety of materials have been selected allowing the development to integrate into the existing streetscape character.

Although the development is comprised of two storeys (basement parking and classrooms above), the view from the street is as if it was of a raised single storey construction, with landscaping and front fencing complimentary to the surrounding area. The development is also setback 15m from the front of the lot, which is consistent with other developments along Valley View Place.

The car parking area is proposed to be contained to the basement of the development and as such there is no need for screening of the carparking area.

In relation to noise impacts, as previously discussed, noise monitoring has been undertaken, and subject to the recommendations within the acoustic report, will comply with the relevant noise criteria standards.

There is unlikely to be any privacy or overlooking issues onto neighbouring properties as the development will be bounded by an acoustic fence, with a minimum height of 1.8m high. Notwithstanding, the closest neighbouring property is over 50m from the front of the property.

Lighting has been addressed through conditions of consent requiring the submission of a lighting plan and through limiting exterior lighting of the centre between 9:00pm and 6:00am to sensor security lighting only.

Overall, the proposed development is not considered to unduly impact upon the existing amenity of the area.

#### Tree Removal

The proposed development will require the removal of four (4) trees.

The applicant has submitted an arborist report in support of the proposed development, which demonstrates that there are no roosting or habitat hollows observed in any of the site trees proposed to be removed. The removal of these trees is not deemed to be significant in context of the general locality as they do not contribute to the any habitat corridor or contain any habitat features, such as hollows.

Council has reviewed the submitted documentation and are satisfied with the reasoning for the tree removal.

On the basis of the above, it is considered that the proposed development does not result in a significant impact on flora and fauna. A condition of consent has been included with regard to tree clearing and following the recommendations of the arborist report.

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

As demonstrated by the above assessment, subject to appropriate conditions of consent and remediation of the land, the site is considered to be suitable for the proposed development.

The site is located within an established rural residential area, is in close proximity to a transitioning urban release area and to services to support the development. There are no constraints or restrictions over the land that would result in the site being considered unsuitable to accommodate the proposed development.

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

The application was publicly exhibited on two (2) separate occasions.

Notification first occurred between 15 May 2024 and 29 May 2024. As a result, 22 submissions received from 16 households raising objection to the proposal, noting that only 10 of the 16 submissions were received during the notification period. The submissions received represent 145% of the adjoining notified households (with a total of eleven (11) households notified).

The application was publicly exhibited for the second time between 27 September 2024 and 14 October 2024, due to the 'Application Tracker' being offline for part of the initial notification period and due to the applicant providing amended documentation. As a result, 20 submissions received from 11 households raising objection to the proposal. The submissions received represent 44% of the adjoining notified households (with a total of twenty-five (25) households notified).

Due to the number of submissions received over both exhibition periods, it was determined that this constituted a 'significant objection' and as such the application is being referred to Council for determination.

The following table outlines the issues raised in the submissions, along with a response to each matter:

Issue	Submission	Comment
<b>Permissibility</b>	The zoning (R5) ... does not list / permit a child care facility.	Centre-based child care facilities, although not specifically listed as ' <i>permitted with consent</i> ' within the R5 Large Lot Residential zone, are permitted with consent as they are a type of development that is not listed as ' <i>prohibited</i> ' and therefore fall under ' <i>Any other development not specified in item 2 or 4</i> '. Accordingly, the proposed development is permissible.
<b>Streetscape / Scale</b>	The development will adversely impact on the character of the area.	The issue of streetscape impact has been addressed previously throughout this report. The proposed development is not considered to have an unreasonable impact on the character of the area and is suitable. Variation in materials have been incorporated into the design, reflective of development within the surrounding area. The development presents as a raised single storey building with hardstand parking



		<p>areas have been concealed through incorporation of basement level parking.</p> <p>Additional landscaping and fencing have been incorporated into the design to minimise the impact of the development when viewed from Valley View Place.</p> <p>Overall, the proposed development is considered to be appropriate.</p>
<b>Noise</b>	The development will result in unacceptable noise impacts on adjoining/adjacent properties.	<p>The issue of noise impacts has been addressed previously in this report under 'Noise Impacts'. With the inclusion of recommendations outlined within the acoustic report, the development should not result in any unreasonable impact. Noise associated with the proposed development has been demonstrated as able to comply with the required noise criteria.</p>
<b>Traffic</b>	The development will adversely impact on existing traffic volumes in the locality and the road network is unable to accommodate additional traffic generated by the development.	<p>Council's assessment identifies that the existing road network is adequate to support the proposed development, with the road considered to be in good condition.</p> <p>Kerb and Gutter is required to be constructed for the full frontage of the development (approx. 96m).</p> <p>An intersection upgrade will also be required to the Fletcher Street / Wine Country Drive intersection.</p>
<b>Pedestrian access</b>	There is no safe pedestrian access from Wine Country Drive to the proposed development site, as such a pedestrian footpath should be provided	<p>The developer is not required to construct a pedestrian footpath for the length of Valley View Place, as the existing road network has been deemed adequate to cater for the proposed development.</p>
<b>Intersection</b>	The existing intersection of Wine Country Drive and Fletcher Street is unable to accommodate additional traffic generated by the development and is unsafe.	<p>Council's assessment identifies that the existing BAR/AUL intersection of Wine Country Drive and Fletcher Street already requires upgrading from the current design.</p> <p>A condition of consent will be imposed to upgrade the intersection to a CHR/AUL in order to satisfy the safety requirements for the intersection.</p>
<b>Access</b>	The difference between the location of the access for the development and the address of the development application are misleading as they are on two different streets.	<p>Council's assessment considers access to the development to be satisfactory, as there is a separate entry and exit and parking is situated in a basement arrangement.</p> <p>The issue of the address of the proposed development is the legal address of the property, with further detail of the location on Valley View Place demonstrated within the lodgement documents.</p>

<b>Parking</b>	The configuration of the basement parking will force attendees to park on the street.	Council's assessment demonstrates that the configuration of the basement parking is acceptable and the development exceeds the parking requirements as per Chapter C.1 of the DCP. Accordingly, parking is considered adequate.
<b>Inaccurate traffic data</b>	The traffic survey submitted with the application is outdated.	Council's assessment has deemed that the submitted information is adequate to allow the proper assessment of the application.  Notwithstanding, following internal discussions, it was confirmed that predicted traffic increase from 2023 to now would not alter the requirements for the Wine Country Drive and Fletcher Street intersection. TfNSW did not raise any concerns in relation to the age of the traffic data.
<b>Wastewater disposal</b>	The soil on the site is poorly drained and as such connection to sewer is warranted.	Council's assessment has deemed that the site cannot connect to sewer; with an on-site wastewater report being submitted concluding that there is an appropriate area available to dispose of waste water on-site. A Section 68 Application will be required to ascertain the detailed design of the system before a Construction Certificate (CC) is issued.
<b>Signage</b>	Any signage will be entirely out of character with the surrounding rural / large lot residential character of the area	No signage is proposed with this application and may be subject to a further development application if required.
<b>Privacy</b>	Visual impact and privacy concerns (for existing residents and students)	The issue of privacy impacts has been considered throughout this report. The proposed development is not considered to result in a negative visual impact or cause any significant privacy concerns. Appropriate setbacks have been implemented to ensure separation of the proposed development to residences adjoining the site.
<b>Social Impact Assessment</b>	Inadequate community consultation and notification has been undertaken regarding the development.	Council's assessment considers access to the development to be satisfactory.  It is acknowledged that the submitted SIA did not include any Community Consultation and Engagement as per the DCP; however, it was determined that as the application had already been placed on public exhibition and the purpose for community consultation is to ascertain the view of the community, further community consultation was not deemed necessary.  Concerns within submission have been addressed throughout this assessment report.



<b>Ecology</b>	The site is mapped as containing Biodiversity Values. I presume a Biodiversity Development Assessment Report (BDAR) has been completed or justification why it is not necessary	Although a part of the site is mapped as containing Biodiversity Values, the location of the development is not within any of these areas. Four (4) trees within the development footprint are to be removed.  A BDAR is not required to be submitted with tree removal considered under Section 4.55 of the EP&A Act.
<b>Lighting</b>	Lighting of the premises will be obtrusive and impact on the amenity of adjoining properties.	A condition of consent has been imposed ensuring the development does not emit obtrusive glare from lighting onto adjoining properties. A condition of consent has been imposed requiring a lighting plan prior to issue of the CC. A further condition has been imposed restricting exterior lighting of the development between the hours of 9:00pm and 6:00am to security sensor lighting only.
<b>Property values</b>	The development will adversely impact property values in the area.	This issue is not a planning consideration in respect to Section 4.15 of the <i>EP&amp;A Act 1979</i> .
<b>Nearby development</b>	There are a number of other childcare facility within the wider locality.	This issue is not a planning consideration in respect to Section 4.15 of the <i>EP&amp;A Act 1979</i> .  The proposed land use is permissible in the zone and as such it is at the applicant's discretion as to whether the development is feasible in respect to surrounding similar development.

#### **4.15(1)(e) The public interest**

The public interest is served through the detailed assessment of this Development Application under the *Environmental Planning and Assessment Act 1979*, *Environmental Planning and Assessment Regulation 2021*, Environmental Planning Instruments and Council Policies.

Based on the above assessment, it is considered that the proposed development is consistent with the public interest considering the location of the development adjacent to existing urban release areas.

### **HOUSING AND PRODUCTIVITY CONTRIBUTION**

In the event the application is approved, based on a GFA of 914m<sup>2</sup>, the State levied Housing and Productivity Contribution (HPC) totalling \$29,130.02 will be payable to the State via the NSW Planning Portal before the issue of the Construction Certificate.

### **SECTION 7.12 CONTRIBUTIONS**

In the event the application is approved, based on a cost of \$2,420,000.00, Section 7.12 Contributions totalling \$24,200.00 will be payable before the issue of the Construction Certificate.

## **INTERNAL REFERRALS**

---

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

<b>Officer</b>	<b>Comment</b>
Development Engineer	The application has been assessed as being satisfactory in relation to engineering matters, and suitable conditions of consent have been imposed.
Environmental Health	The application has been assessed as being satisfactory in relation to environmental health matters, and suitable conditions of consent have been imposed.
Community Planner	The application has been assessed as being satisfactory in relation to community planning matters, and suitable conditions of consent have been imposed.
Environmental Management	The application has been assessed as being satisfactory in relation to environmental management matters, and suitable conditions of consent have been imposed.

## **EXTERNAL REFERRALS**

---

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

<b>Agency</b>	<b>Comment or concurrence?</b>	<b>Outcome</b>
TfNSW	Comment	No objection raised and comments provided to assist determination.
NSW RFS	Concurrence – <i>Section 100B of the Rural Fires Act 1997.</i>	A Bushfire Safety Authority was issued on 6 August 2024.

**Reasons for approval**

The determination decision was reached for the following reasons:

- The proposed development, subject to the recommended conditions, is consistent with the objectives of the applicable environmental planning instrument(s), being the *Cessnock Local Environmental Plan 2011* (CLEP), *State Environmental Planning Policy (Transport and Infrastructure) 2021* and *State Environmental Planning Policy (Resilience and Hazards) 2021*.
- The proposed development is, subject to the recommended conditions, consistent with the objectives of the Cessnock Development Control Plan 2010 (DCP).
- Subject to the recommended conditions, the proposed development will be provided with adequate essential services required under the *Cessnock Local Environmental Plan 2011* (CLEP).
- The proposed development is considered to be of an appropriate scale and form for the site, and is consistent with the character of the locality.
- The proposed development, subject to the recommended conditions, will not result in unacceptable adverse impacts upon the natural or built environments.
- The proposed development is a suitable and planned use of the site and its approval is consistent with the public interest.
- Any issues raised in submission/s have been taken into account in the assessment report and where appropriate, conditions of consent have been imposed on the determination. Council has given due consideration to community views when making the decision to determine the application.

## GENERAL CONDITIONS

Condition		
<p><b>1. General Terms of Approval</b></p> <p>All General Terms of Approval issued by NSW Rural Fire Service, dated 6 August 2024, shall be complied with prior, during and at the completion of the development, as required.</p> <p>A copy of the General Terms of Approval is attached to this determination notice.</p>		
<p><b>2. Approved Plans and Documents</b></p> <p>Development must be carried out strictly in accordance with DA No. 8/2024/197/1 and the following plans and supplementary documentation, except where amended by the conditions of this consent.</p>		
Plan Reference	Drawn By	Dated
Location Plan Project No.: 23047 Drawing No.: 04 Revision: C	Baini Design	30.08.2024
Site Plan Project No.: 23047 Drawing No.: 08 Revision: C	Baini Design	30.08.2024
Basement Floor Plan 01 Project No.: 23047 Drawing No.: 10 Revision: C	Baini Design	30.08.2024
Basement Floor Plan 02 Project No.: 23047 Drawing No.: 11 Revision: C	Baini Design	30.08.2024
Ground Floor Plan 01 Project No.: 23047 Drawing No.: 12 Revision: C	Baini Design	30.08.2024
Ground Floor Plan 02 Project No.: 23047 Drawing No.: 13 Revision: C	Baini Design	30.08.2024
Roof Plan 01 Project No.: 23047 Drawing No.: 14 Revision: C	Baini Design	30.08.2024
Roof Plan 02 Project No.: 23047 Drawing No.: 15 Revision: C	Baini Design	30.08.2024

Elevations (East & West) Project No.: 23047 Drawing No.: 16 Revision: C	Baini Design	30.08.2024
Elevations (North & South) Project No.: 23047 Drawing No.: 17 Revision: C	Baini Design	30.08.2024
Sections (A-A & B-B) Project No.: 23047 Drawing No.: 18 Revision: C	Baini Design	30.08.2024
Sections (C-C & D-D) Project No.: 23047 Drawing No.: 19 Revision: C	Baini Design	30.08.2024
Callout Elevations Project No.: 23047 Drawing No.: 20 Revision: C	Baini Design	30.08.2024
Callout Elevations Project No.: 23047 Drawing No.: 21 Revision: C	Baini Design	30.08.2024
Callout Elevations Project No.: 23047 Drawing No.: 22 Revision: C	Baini Design	30.08.2024
Ground Floor Fence Plan 1 Project No.: 23047 Drawing No.: 34 Revision: C	Baini Design	30.08.2024
Ground Floor Fence Plan 2 Project No.: 23047 Drawing No.: 35 Revision: C	Baini Design	30.08.2024
Fence Details Project No.: 23047 Drawing No.: 36 Revision: C	Baini Design	30.08.2024
Schedule of Finishes Project No.: 23047 Drawing No.: 45 Revision: C	Baini Design	30.08.2024
3D Perspectives Project No.: 23047 Drawing No.: 46 Revision: C	Baini Design	30.08.2024
Landscape Plan – Ground Floor A Project No.: G032 Sheet No.: G032_LP_01 Revision: F	Creative Planning Solutions	29.08.2024

Landscape Plan – Ground Floor B Project No.: G032 Sheet No.: G032_LP_02 Revision: F	Creative Planning Solutions	29.08.2024
Details, Notes & Preliminary Specification Project No.: G032 Sheet No.: G032_LP_07 Revision: F	Creative Planning Solutions	29.08.2024

Document Title	Prepared By	Dated
Arboricultural Impact Assessment and Tree Management Plan Version: 3	Horticultural Management Services	19 December 2023
Environmental Noise Impact Assessment Report Number: 7859-1.1R Rev A	Day Design Pty Ltd	28 August 2024
Social Impact Assessment Revision: Final	Think Planners	23 August 2024
Plan of Management Revision: Final	Think Planners	23 August 2024
Amended Waste Management Plan Reference: 23166	Dickens Solutions	February 2025

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

### **3. Separate Approval for Signs**

This consent does not approve any signage associated with the approved use. Any signage must be the subject of a separate approval unless exempt in accordance with *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

### **4. CC, PC & Notice Required**

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

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

## BUILDING WORK

### BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE

Condition						
<p><b>5. Cessnock Section 7.12 Levy Development Contributions Plan</b></p> <p>A total monetary contribution of <b>\$24,200.00</b> is to be paid to Council, pursuant to Section 7.12 of the <i>EP&amp;A Act 1979</i>, such contribution is to be paid before the issue of any CC.</p> <p>a) This condition is imposed in accordance with the provisions of <i>Cessnock Section 7.12 Levy Contributions Plan 2017 (as amended)</i>. A copy of the document is available on Council's website at <a href="http://www.cessnock.nsw.gov.au">www.cessnock.nsw.gov.au</a> or may be inspected at Councils' Customer Services Section, Administration Building, Vincent Street Cessnock.</p> <p>b) The amount of contribution payable under this condition has been calculated at the date of consent. In accordance with the provisions of the Contributions Plan, this amount shall be indexed at time of actual payment in accordance with the Consumer Price Index. Indexation of contributions for payment occurs quarterly.</p> <p>Any party intending to act on this consent should contact Council prior to the date of payment to determine the indexed amount payable.</p> <p><b>NOTE: PRIOR TO PAYMENT OF ANY CONTRIBUTIONS, PLEASE CONTACT COUNCIL'S STRATEGIC PLANNING ASSISTANT ON 02 4993 4293 TO OBTAIN AN UP-TO-DATE AMOUNT PAYABLE FIGURE. AT THAT TIME, WE WILL ADVISE HOW YOUR CONTRIBUTIONS CAN BE PAID.</b></p> <p><b>6. Housing and Productivity Contribution</b></p> <p>The housing and productivity contribution (HPC) set out in the table below, but as adjusted in accordance with a) below, is required to be paid before the issue of the first Construction Certificate for the development:</p> <table border="1" style="width: 100%; border-collapse: collapse; margin: 10px 0;"><thead><tr><th style="text-align: left; padding: 5px;">Plan Name</th><th style="text-align: right; padding: 5px;">Amount Payable</th></tr></thead><tbody><tr><td style="padding: 5px;">Housing and Productivity Contribution (Lower Hunter Region)</td><td style="text-align: right; padding: 5px;">\$29,130.02</td></tr><tr><td style="padding: 5px;"><b>Total</b></td><td style="text-align: right; padding: 5px;"><b>\$29,130.02</b></td></tr></tbody></table> <p>The HPC must be paid using the NSW planning portal.</p> <p>At the time of payment, the amount of the HPC is to be adjusted in accordance with the <i>Environmental Planning and Assessment (Housing and Productivity Contributions) Order 2024 (HPC Order)</i>.</p> <p>The HPC may be made wholly or partly as a non-monetary contribution (apart from any transport project component) if the Minister administering the <i>Environmental Planning and Assessment Act 1979</i> agrees.</p> <p>The HPC is not required to be made to the extent that a planning agreement excludes the application of Subdivision 4 of Division 7.1 of the <i>Environmental Planning and Assessment Act 1979</i> to the development, or the HPC Order exempts the development from the contribution.</p>	Plan Name	Amount Payable	Housing and Productivity Contribution (Lower Hunter Region)	\$29,130.02	<b>Total</b>	<b>\$29,130.02</b>
Plan Name	Amount Payable					
Housing and Productivity Contribution (Lower Hunter Region)	\$29,130.02					
<b>Total</b>	<b>\$29,130.02</b>					



The amount of the contribution may be reduced under the HPC Order, including if payment is made before 1 July 2025.

**7. Long Service Levy**

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

**8. Security for Cost of Damage and Completion of Public Work**

Before the issue of a CC authorising the carrying out of any work in accordance with this development consent, the applicant must provide security to the Council for the payment of the cost of the following:

- a) Making good any damage caused to any property of the Council as a consequence of the doing of anything to which the consent relates,
- b) Completing any public work (such as road work, kerbing and guttering, footway construction, stormwater drainage and environmental controls) required in connection with the consent,
- c) Remedying any defects in any such public work that arise within six (6) months after the work is completed.

The security is to be for an amount that is the greater of \$5000 or 5% of the estimated cost of carrying out the development and may be provided by way of:

- a) Cash deposit with the Council, or
- b) An unconditional bank guarantee in favour of the Council.

The security may be used to meet any costs referred above and on application being made to the Council by the person who provided the security, any balance remaining is to be refunded to, or at the direction of, that person. If no application is made to the Council for a refund of any balance remaining of the security within six (6) years of the date of issue of the OC or SC for the development the Council may pay the balance to the Chief Commissioner of State Revenue under the *Unclaimed Money Act 1995*.

**9. Retaining Wall**

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

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

**10. Car Parking – Commercial/Industrial**

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

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

**11. Disabled Car Parking Spaces**

A total of two (2) car parking spaces for use by persons with a disability must be provided as part of the total car parking requirements.

Plans demonstrating compliance with this requirement and the following Australian Standards are to be submitted to, and approved by, the Certifier before the issue of a CC.

- \* *AS/NZS 2890.1:2004 Parking Facilities – Off street car parking*
- \* *AS/NZS 1428.1:2009 Design for access and mobility – General requirements for access – New building work*
- \* *AS/NZS 1428.4.1:2009 Design for access and mobility – Means to assist the orientation of people with vision impairment – Tactile ground surface indicators.*

**12. Parking – Minimum Requirement**

Onsite car parking shall be provided for a minimum of fifty-one (51) vehicles.

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

**13. TfNSW Approval Required**

Approval must be obtained from TfNSW for the proposed works in the public road reserve (Wine Country Drive).

Evidence of the approval must be submitted to the Certifier before the issue of a CC. All requirements of TfNSW are to be complied with.

**14. Road – Road Widening Requirement**

The person having the benefit of the Development Consent shall construct the following and set out on a set of plans, which are to be submitted to, and approved by, TfNSW before the issue of a CC for the construction works.

- a) Construct a Channelised Right turn (CHR) and Auxiliary Left turn (AUL) intersection treatment on Wine Country Drive at the intersection of Fletcher Street and Wine Country Drive;

- b) Enter into a Works Authorisation Deed (WAD) with TfNSW;
- c) Construct drainage works as necessary.

**15. Road – External Construction**

The person having the benefit of the Development Consent shall construct the following for the full frontage of Lot 520, DP 1155464 for a distance of approximately 96m in accordance with Council's 'Engineering Guidelines for Design and Construction' and set out on a set of plans, which are to be submitted to, and approved by, Council before the release of the S138 Roads Act Approval.

- a) Construct concrete edge strip;
- b) Construct and gravel road shoulders;
- c) Place two (2) coat hot bitumen seal / Asphalt on road shoulders;
- d) Top-dress and turf footpath;
- e) Construct necessary drainage works.

**16. Road – Fees**

The applicant shall lodge payment of fees as follows:-

- a) Road fees – Engineering plan checking;
- b) Road fees – PC certification of works.

Final fee amounts will be levied on accurate dimensions contained within the engineering plans.

The fees shall be payable prior to the issue of a CC / *Section 138* for the Construction Works and shall be in accordance with Council's adopted fees and charges current at the time of payment.

**17. Stormwater – Detailed Design Requirements**

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

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

**18. Stormwater – Detention Requirement**

The person having the benefit of the Development Consent is to provide a stormwater detention facility within the boundaries of the site to reduce the peak stormwater discharge from the developed lot to that of the peak stormwater discharged from the undeveloped lot for all storm events from the 1 in 1 year to the 1 in 100 year Average Recurrence Interval (ARI) storm event. A detailed drainage design shall be prepared for the disposal of roof and surface water from the site, including any natural runoff currently entering the property. Details shall include onsite storage, the method of controlled release from the site, and connection to an approved drainage system in accordance with Council's 'Engineering Guidelines for Design and Construction'.

Detailed plans, specifications and copies of the calculations, including existing and proposed surface levels, sub-catchments and conduit sizing appropriate for the development, shall be prepared by an engineer suitably qualified and experienced in the field of hydrology and hydraulics. The plans submitted in association with the CC application are to demonstrate compliance with this requirement. The plans are to be approved by the Certifier as satisfying this requirement before the issue of a CC.

**19. Dilapidation Report – Council Property**

A dilapidation report on the visible and structural condition of the following public infrastructure must be provided to Council before the issue of a CC:

- a) Valley View Place; and
- b) Fletcher Street.

The dilapidation report is to be prepared by a practising Structural / Civil Engineer agreed to by both the applicant and Council. All costs incurred in achieving compliance with this condition shall be borne by the applicant.

The liability of any damage to public infrastructure in the vicinity of the site, where such damage is not accurately recorded by the requirements of this condition, will be borne by the applicant.

**20. Street Trees**

A street tree planting plan shall be submitted and approved, before the issue of a CC.

The plan shall include:

- a) Proposed location of street trees;
- b) Detailed species list including botanical and common names, quantities, pot sizes and estimated size at maturity;
- c) Species selection consistent with surround street scape where applicable;
- d) Detailed design drawings consistent with Cessnock City Council's 'Engineering Guidelines for Design and Construction';
- e) A landscape maintenance schedule to administer over the determined time frame.

**21. Food Premises**

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

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

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

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

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

**22. Noise Management Plan**

A Noise Management Plan prepared by a suitably qualified professional must be submitted to the Certifier before the issue of a CC. The plan must address the following matters:

- a) Identification of sensitive locations near the site;
- b) Identification of potential impacts including exceedances of the goals at the identified locations;
- c) Mitigation measures to control noise, and feasibility and reasonableness of these measures;
- d) Selection criteria for plant and equipment;

- e) Community consultation;
- f) Details of work schedules for all construction phases;
- g) Selection of traffic routes to minimise residential noise intrusion;
- h) Schedule of plant and equipment use and maintenance programs;
- i) Noise monitoring techniques and method of reporting results;
- j) The methodology to be employed for handling and investigating any complaints should they arise;
- k) Site induction details for employees and contractors;
- l) A declaration of available technologies, and the reason for the selection of the preferred technology from a noise generating perspective should be included.

**23. Mechanical Exhaust System**

Details of any proposed mechanical exhaust systems, detailing compliance with the relevant requirements of Clause F4.12 of the *BCA* and *AS 1668 Parts 1 and 2* (including exhaust air quantities and discharge location points) are to be provided to the Certifier before the issue of a *CC*.

**24. Air Conditioning Units**

Any air conditioning unit on the site must be installed and operated at all times so as not to cause "Offensive Noise" as defined by the *Protection of the Environment Operations Act 1997*.

Details demonstrating noise attenuation measures in this regard are to be submitted to the Certifier before the issue of a *CC*.

**25. Plant and Equipment**

All plant and associated equipment must be located within the approved building envelope and is not to be located on the roof. The plans are to be approved by the Certifier as satisfying this requirement before the issue of a *CC*.

**26. Section 68 Approval**

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

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

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

**27. Exterior Lighting Generally**

Before the issue of a CC, submit to Council for approval a proposed exterior lighting plan. Design and position all exterior/outdoor lighting, to minimise and detrimental impact upon the amenity of other premises, adjacent dwellings and the road reserve, and in accordance with the relevant provisions of:

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

All outdoor lighting must be restricted to security sensor lighting between the hours of 9:00pm and 6:00am.

**28. Adoption of Noise Report Recommendations**

Adopt and incorporate the construction methods into the building design as recommended in the *Environmental Noise Impact Assessment by Day Design Pty Ltd report number 7859-1.1R Rev A, issued 28 August 2024.*

Adopt and incorporate into the Plan of Management by *think planners dated 27 March 2024* the methodology in limiting cumulative noise generation by child grouping and play times

Evidence of the above is to be provided to the Certifier before the issue of a CC.

**29. Crime Prevention Through Environmental Design**

The following Crime Prevention Through Environmental Design (CPTED) principles must be incorporated into the building.

- a) Installation of 24 hour CCTV and associated signage indicating that CCTV surveillance is in 24 hour operation;
- b) Install high lux lighting in the basement car park to help increase the visibility for drivers entering the relatively dark carpark (especially on sunny days);
- c) Provision of appropriate lighting above and around building entrances, exits, internal footpaths and the entry and exit to the car park;
- d) Lighting is required to be designed in accordance with the Australian and New Zealand Lighting Standard *AS 1158.4.2005 & AS 4282*. A lighting maintenance policy should be established. Security lighting should be installed in and around the building, and such shall not impact on any adjoining premises. The lighting should be vandal resistant - especially external lighting;
- e) Install a stop sign at exit of basement carpark to improve safety and movement of vehicles exiting the carpark;
- f) Ensure that the basement carpark is locked outside business hours to prevent opportunities for loitering and potential use as a skate or bike space after hours;
- g) Basement parking area shall be painted a light colour;
- h) Design the off street above ground access to the centre-based childcare centre is to comply with the *AS 1428.1.2009 Design for access and mobility*;
- i) Rapid removal of graffiti and rapid repair of vandalised property (within 72 hours) is to be adopted across the site to attempt to mitigate the risk of further occurrence or perceived acceptance; and
- j) Ongoing maintenance of landscaped areas.



In the event these recommendation/s are implemented and as detailed within the *Social Impact Assessment prepared by Think Planners dated 23 August 2024*, plans and details submitted in association with the CC application are to reflect this.

The plans and details must be approved by the Certifier as satisfying this requirement before the issue of a CC.

### **BEFORE BUILDING WORK COMMENCES**

Condition	
<b>30. Erection of Signs</b>	<p>Before the commencement of building works, subdivision work or demolition work, a sign must be erected in a prominent position on the site on which the work is being carried out. The sign must state:</p> <ul style="list-style-type: none"> <li>a) the name, address and telephone number of the principal certifier for the work;</li> <li>b) the name of the principal contractor, if any, for the building work and a telephone number on which the principal contractor may be contacted outside of working hours; and</li> <li>c) state that unauthorised entry to the work site is prohibited.</li> </ul> <p>The sign must be maintained while the work is being carried out, but must be removed when the work has been completed.</p>
<b>31. Public Liability Insurance</b>	<p>Any person or contractor undertaking works on public property must take out Public Risk insurance with a minimum cover of twenty (20) million dollars in relation to the occupation of, and approved works within, public property. The Policy is to note, and provide protection for Cessnock City Council as an interested party, and a copy of the Policy must be submitted to Council before the commencement of the works. The Policy must be valid for the entire period that the works are being undertaken on public property. The insurance shall also note the location and the risk.</p>
<b>32. S138 Roads Act Approvals</b>	<p>Under Section 138 of the <i>Roads Act 1993</i>, should any work on the verge, footpath, or public road reserve be required, a S138 Roads Act Approval will need to be obtained from Council. In this regard, the applicant is to make a formal application to Council. The S138 application is to be submitted to, and approved by, Council before works commence.</p>
<b>33. Construction and Traffic Management Plan</b>	<p>The applicant must prepare a Construction and Traffic Management Plan incorporating the following matters. The plan must be submitted to and approved by the PC as satisfying these matters before the commencement of works.</p>

- a) A plan view of the entire site and frontage roadways indicating:
  - i) Dedicated construction site entrances and exits, controlled by a certified traffic controller, to safely manage pedestrians and construction related vehicles in the frontage roadways.
  - ii) Turning areas within the site for construction and spoil removal vehicles, allowing a forward egress for all construction vehicles on the site.
  - iii) The locations of proposed work zones in the frontage roadways.
  - iv) Location of any proposed crane, concrete pump, truck standing areas on and off the site.
  - v) A dedicated unloading and loading point within the site for all construction vehicles, plant and deliveries.
  - vi) Material, plant and spoil bin storage areas within the site, where all materials are to be dropped off and collected.
  - vii) An onsite parking area for employees, tradespersons and construction vehicles as far as possible.
  - viii) The proposed areas within the site to be used for the storage of excavated material, construction materials and waste and recycling containers during the construction period.
  - ix) How it is proposed to ensure that soil/excavated material is not transported onto surrounding footpaths and roadways.
  - x) The proposed method of support to any excavation adjacent to adjoining properties, or the road reserve. The proposed method of support is to be designed by a Chartered Civil Engineer.
- b) During excavation, demolition and construction phases, noise generated from the site must be controlled.
- c) All site works must comply with the work health and safety requirements of SafeWork NSW.
- d) During excavation, demolition and construction phases, toilet facilities are to be provided on site, at the rate of one (1) toilet for every twenty (20) persons or part of twenty (20) persons employed at the site.
- e) All traffic control plans must be in accordance with the *TfNSW* publication *Traffic Control Worksite Manual* and prepared by a suitably qualified person (minimum 'red card' qualification). The main stages of the development requiring specific construction management measures are to be identified and specific traffic control measures identified for each stage.

Approval is to be obtained from Council for any temporary road closures or crane use from public property. Applications to Council shall be made a minimum of six (6) weeks prior to the proposed activity being undertaken.

**34. Road – Bonds**

The applicant shall pay the following:-

- a) A performance and maintenance bond of a minimum of \$1000 or 5% of the contract construction costs, whichever is greater. To be held by council for a period of 12 months.

It will be necessary for the applicant to submit evidence of the contract price of all construction works in order for Council to assess accurate bond amounts.

The bond shall be payable prior to the commencement of work and issue of a *Section 138* approval.

The bond may be used to meet any costs referred to above, and on application being made to the Council by the person who provided the bond, any balance remaining is to be refunded to, or at the direction of, that person.

A fee in accordance with Council's current fees and charges is to be paid prior to the final inspection of works and subsequent bond return.

If no application is made to the Council for a refund of any balance remaining of the bond within six (6) years of the date of issue of a compliance certificate for the development, the Council may pay the balance to the Chief Commissioner of State Revenue under the *Unclaimed Money Act 1995*.

**35. Soil and Water Management Plan**

The applicant must prepare a Soil and Water Management Plan, being compatible with the Construction Management and Traffic Management Plan referred to in this Development Consent and incorporating the following matters. The plan must be submitted to and approved by the PC as satisfying these matters prior to the commencement of works.

- a) Minimise the area of soils exposed at any one time;
- b) Conservation of top soil;
- c) Identify and protect proposed stockpile locations;
- d) Preserve existing vegetation. Identify revegetation technique and materials;
- e) Prevent soil, sand, sediments leaving the site in an uncontrolled manner;
- f) Control surface water flows through the site in a manner that:
  - i) Diverts clean-runoff around disturbed areas;
  - ii) Minimises slope gradient and flow distance within disturbed areas;
  - iii) Ensures surface run-off occurs at non erodible velocities;
  - iv) Ensures disturbed areas are promptly rehabilitated.

- g) Sediment and erosion control measures in place before work commences;
- h) Materials are not tracked onto the road by vehicles entering or leaving the site;
- i) Details of drainage to protect and drain the site during works.

**36. Tree Protection**

Before the commencement of building works, the recommendations for the management of the retained trees must be implemented as per the *Arboricultural Impact Assessment and Tree Management Plan prepared by Horticultural Management Services dated 19 December 2023*.

**37. Relocation of Services**

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

**DURING BUILDING WORK**

	Condition
<b>38. Construction Hours</b>	Excavation, building or subdivision work must be restricted to the hours of 7.00am and 5.00pm on Monday to Saturday inclusive. Work is not to be carried out on Sundays and public holidays.
<b>39. Construction Noise</b>	Noise arising from the works must be controlled in accordance with the requirements of the <i>Protection of the Environment Operations Act 1997</i> and guidelines contained in the New South Wales Environmental Protection Authority document <i>Noise Guide for Local Government</i> .
<b>40. Implementation of Soil and Water Management Plan</b>	<p>The requirements of the Soil and Water Management Plan must be maintained at all times during the works, and any measures required by the Soil and Water Management Plan shall not be removed until the site has been stabilised.</p> <p>Materials from the site are not to be tracked into the road by vehicles entering or leaving the site. At the end of each working day, any dust/dirt or other sediment shall be swept off the road and contained on the site, and not washed down any stormwater pit or gutter.</p> <p>The sediment and erosion control measures are to be inspected daily, and defects or system failures are to be repaired as soon as they are detected.</p>

**41. Site is Securely Fenced**

The site must be appropriately secured and fenced at all times during works.

**42. Stormwater Runoff**

Alterations to the natural surface contours must not impede or divert natural surface water runoff, so as to cause a nuisance to adjoining property owners.

**43. Waste Management**

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

**44. Road – Obstruction of Footpath Restriction**

No obstruction is to be caused to Council's footpaths, roads and/or other public areas during construction of the development.

No spoil, building materials, excavated or demolition material from the site shall be stored or deposited on the public road, footpath, public place or Council owned property, without prior approval of Council.

**45. Building Materials On Site**

All building materials, plant and equipment are to be placed on the building site. Building materials, plant and equipment (including water closets), are not to be placed on footpaths, roadways, public reserves, etc.

**46. Securing Excavations**

All associated excavations and backfilling associated with the development must be executed safely and in accordance with the appropriate professional standards, and must be properly guarded and protected to prevent them from being dangerous to life or property.

**47. Location of Council Pipes**

During all phases of demolition, excavation and construction, it is the full responsibility of the applicant and their contractors to:

- a) Ascertain the exact location of the Council stormwater drainage pipeline and associated pits traversing the site in the vicinity of the works;
- b) Take measures to protect the in-ground Council stormwater drainage pipeline and associated pits;
- c) Ensure dedicated overland flow paths are satisfactorily maintained through the site.

Stormwater drainage pipes can be damaged through applying excessive loading (such as construction machinery, material storage, and the like). All proposed structures and construction activities must be sited fully clear of Council's stormwater drainage pipes, pits, easements, watercourses and overland flow paths on the site.

If the Council pipeline is uncovered during construction, all work must cease, and the *PC* and Council must be contacted immediately for advice. Any damage caused to the Council stormwater drainage system must be immediately repaired in full as directed, and at no cost to Council.

### **BEFORE ISSUE OF AN OCCUPATION CERTIFICATE**

Condition
<p><b>48. Roads – Concrete Crossing</b></p> <p>The registered proprietors shall construct and maintain two (2) concrete access crossings from the kerb and gutter in Valley View Place to the property boundary, in accordance with Council's 'Engineering Guidelines for Design and Construction' and AS 2890.1. A S138 Roads Act Approval is required from Council before any construction commences within the road reserve. The access crossing is required to be constructed before the issue of an <i>OC</i> for the whole of the building. Where a Partial <i>OC</i> is issued the crossing shall be completed within six (6) months from the date of the Partial <i>OC</i>.</p> <p>Construction of the crossing will require inspections to be undertaken by Council. The applicant shall pay Council engineering site supervision fees in accordance with Council's current Fees &amp; Charges, prior to the inspections being undertaken.</p> <p>The initial fee will facilitate approval of the application and one (1) construction inspection (steel and formwork inspection).</p> <p>A final inspection will be required upon completion of the driveway and restoration of all disturbed footway areas. (A separate fee will be required to be paid when the final inspection is booked.) Should further inspections become necessary as a result of unsatisfactory or defective works, additional inspection fees will be charged in accordance with Council's current Fees &amp; Charges.</p> <p>The applicant is to advise Council at least 48 hours prior to inspection of works within the footpath and/or road reserve.</p> <p><b>49. Disabled Access/Parking</b></p> <p>The proposed development shall be provided with vehicular access and parking for the disabled in accordance with AS 1428.1 and AS 2890.6. The access shall be provided before the issue of an <i>OC</i>.</p> <p><b>50. Parking – Provision</b></p> <p>Fifty-one (51) car parking spaces shall be provided before the issue of an <i>OC</i>.</p> <p><b>51. Completion of Car Park</b></p> <p>Prior to the issue of an <i>OC</i>, the <i>PC</i> must ensure that the vehicle access and off street parking facilities have been constructed in accordance with the development consent and relevant AS and the following have been implemented within the property, where applicable:</p>

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

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

**52. Completion of Road Works**

Before the issue of an OC, the PC must ensure that all approved road, footpath and/or drainage works, including vehicle crossings, have been completed in the road reserve in accordance with Council's S138 Roads Act Approval.

Works-as-Executed plans of the extent of roadworks, including any component of the stormwater drainage system that is to revert to Council, certified by a registered surveyor, together with certification by a qualified practising Civil Engineer, to verify that the works have been constructed in accordance with the approved design and relevant AS, must be provided to Council before the issue of an OC.

The Works-as-Executed plan(s) must show the as-built details in comparison to those shown on the plans approved with the road works permit. All relevant levels and details indicated must be marked in red on a copy of the Council stamped plans.

**53. Reinstate Road Reserve Verge**

The applicant shall construct/reconstruct the unpaved road reserve verge with grass - species and installation shall be approved by the Certifier before the issue of an OC.

**54. Second Dilapidation Report**

A second Dilapidation Report, including a photographic survey, must be submitted after the completion of works. A copy of this Dilapidation Report, together with the accompanying photographs, must be given to the property owners referred to in this Development Consent. A copy must be lodged with Council and the PC before the issue of an OC.

**55. Inspection and Payment of Fee Relating to Street Trees**

Before the issue of an OC, a final inspection of all approved landscaping works is to be carried out by Council, with a minimum of 48 hours' notice provided to Council to request a final inspection. The applicant shall pay an inspection fee in accordance with Council's adopted fees and charges.

All notifiable defects are subject to a reinspection, in which case, such reinspection will be subject to an additional fee / charge in accordance with Council's adopted fees and charges.



**56. Food Premises**

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

**57. Acoustic report recommendations complied with**

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

- a) The recommendations of the acoustic assessment will be achieved when the development is operational;
- b) All physical acoustic treatments recommended as per the *Environmental Noise Impact Assessment by Day Design Pty Ltd, Report Number 7859-1.1R Rev A, issued 28 August 2024*, whether expressly stated within the report as compulsory or not, have been implemented and complied with.

**58. Bin Storage Area**

Details and location of the proposed bin storage area are to be provided to the Certifier before the issue of an *OC*. The area used for the storage of garbage, and rooms used for the washing and storage of garbage receptacles, are to be constructed of solid material, cement rendered and trowelled to a smooth even surface, and subject to the following requirements:

- a) The floor must be impervious material coved at the intersection with the walls, graded and drained to an approved floor waste within the area;
- b) The bin storage area must contain a hose cock to enable the cleaning of the area and a supply of hot and cold water mixed through a centralised mixing valve;
- c) The bin storage area must be vented to the external air by natural or mechanical ventilation;
- d) Must be constructed in a manner to prevent the entry of vermin.

Such details must be approved by the Certifier as satisfying this requirement before the issue of an *OC*.

**59. Waste Management Plan**

Before the issue of an *OC*, the *PC* must ensure that all works have been completed in accordance with the approved *Amended Waste Management Plan* referred to in this development consent.

**60. Waste Disposal**

Before the issue of an *OC* and/or commencement of the use, whichever is earlier, the registered proprietors must ensure that there is a contract with a licensed commercial waste contractor for the removal of all waste. No garbage is to be placed on the public way, e.g. footpaths, roadways, plazas, reserves, at any time.

Evidence of this must be lodged with Council and the *PC* before the issue of an *OC*.

**61. Inspection for Onsite Sewage Management**

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

**62. Positive Covenant – OSD**

Before the issue of an *OC*, a positive covenant must be created under Section 88E of the *Conveyancing Act 1919*, burdening the owner(s) with the requirement to maintain the on-site detention and on-site retention/re-use facilities on the property, and registered on title.

The terms of the 88E instrument with positive covenant shall include, but not be limited to, the following:

- a) The proprietor of the property shall be responsible for maintaining and keeping clear all pits, pipelines, trench barriers and other structures associated with the on-site stormwater detention facilities (OSD).
- b) The proprietor shall have the OSD inspected annually by a competent person.
- c) The Council shall have the right to enter upon the land referred to above, at all reasonable times, to inspect, construct, install, clean, repair and maintain in good working order all pits, pipelines, trench barriers and other structures which comprise the OSD, or which convey stormwater from the said land, and recover the costs of any such works from the proprietor.
- d) The registered proprietor shall indemnify the Council and any adjoining land owners against damage to their land arising from the failure of any component of the OSD, or failure to clean, maintain and repair the OSD.

The proprietor, or successor, must bear all costs associated with the preparation of the subject 88E instrument.

The 88E instrument shall be submitted to and approved by the *PC* prior to lodgement at NSW Land Registry Services.

Proof of registration with the NSW Land Registry Services shall be submitted to the *PC* before the issue of an *OC*.

The approved 88E Instrument must be registered on title.

**63. Stormwater – Plan of Management**

The person having the benefit of the Development Consent shall prepare a Plan of Management for the stormwater facilities within the development. The plan shall set out all design and operational parameters for the stormwater facilities, including design levels, hydrology and hydraulics, inspection and maintenance requirements, and time intervals for such inspection and maintenance. The plan shall be submitted to the *PC* for approval before the issue of an *OC*.

**64. Certification of Fire Services**

The building must comply with the fire safety provisions applicable to the approved use. The applicant shall provide Council and the Fire Commissioner with a copy of the Final Fire Safety Certificate and the Fire Safety Schedule relating to the required fire safety measures, in accordance with the *Environmental Planning and Assessment Regulation (Development Certification and Fire Safety) 2021* before the occupation of the building or issue of an OC.

The Final Fire Safety Certificate and the Fire Safety Schedule are to be prominently displayed in the building.

**65. Bushfire Protection**

Before the issue of an OC, the PC shall ensure the development has been constructed/completed in accordance with the General Terms of Approval issued by NSW RFS, which form part of this consent.

**66. Evacuation Plan – Child Care Centres**

Before the issue of an OC for the child care centre, an emergency evacuation plan complying with AS 3745-2010 and the requirements of the NSW RFS document: A guide to Developing a Bush Fire Emergency Management and Evacuation Plan shall be prepared and implemented. The emergency evacuation plan shall take into account and address the following:

- a) The mobility of children and how this is to be accommodated during an evacuation;
- b) The location of a safe congregation area, away from the evacuated building, busy roads and other hazards;
- c) The supervision of children during the evacuation having regard to the child to staff ratios.
- d) Centres which accommodate children under 2 years of age are to have a large mobile cot (on wheels) so groups of babies can be quickly evacuated

**67. Roof Stormwater – Clear of Buildings, Without Affecting OSSM**

Before the issue of an OC, roof water from the building and any rainwater tank overflow shall be piped clear of all buildings - without creating any nuisance on the property, to the onsite sewage management system, or to adjoining properties.

**68. Completion of Landscape Works & Fencing**

All landscape works and fencing are to be undertaken in accordance with the approved plans and any conditions of Development Consent, at the whole cost of the developer, before the issue of an OC. The acoustic fencing is to be specifically constructed of 3 rail 'solid capped and lapped' hardwood timber.

**69. All Services Provided**

Certification that all services as required (eg water supply, gas, electricity, telephone, sewer), are available to the site, shall be submitted to the PC before the issue of an OC.

## OCCUPATION AND ONGOING USE

Condition									
<b>70. Child Care Centre</b>	<p>A licence to operate the child care centre must be obtained from the New South Wales Department of Education and Communities (DEC) – Early Childhood and Education Directorate before the commencement of operations at the child care centre.</p> <p>The centre-based child care facility shall meet the Australian Children’s Education and Care Quality Authority’s National Quality Standard (NQS).</p>								
<b>71. Plan of Management</b>	<p>The Plan of Management is to be a working document and is to be complied with during the operation of the facility. It is to be kept onsite and provided to Council Officers for review, upon request.</p>								
<b>72. Hours of Operation</b>	<p>The property is to be open for business and used for the purpose approved only within the following hours:</p> <table> <tr> <td>Monday to Friday</td><td>7.00am – 6.00pm</td></tr> <tr> <td>Saturday, Sunday &amp; Public Holidays</td><td>Closed</td></tr> </table> <p><b>Waste collection, loading, deliveries to occur within only within the following hours:</b></p> <table> <tr> <td>Monday to Friday</td><td>7.00am – 6.00pm</td></tr> <tr> <td>Saturday, Sunday &amp; Public Holidays</td><td>Closed</td></tr> </table>	Monday to Friday	7.00am – 6.00pm	Saturday, Sunday & Public Holidays	Closed	Monday to Friday	7.00am – 6.00pm	Saturday, Sunday & Public Holidays	Closed
Monday to Friday	7.00am – 6.00pm								
Saturday, Sunday & Public Holidays	Closed								
Monday to Friday	7.00am – 6.00pm								
Saturday, Sunday & Public Holidays	Closed								
<b>73. Maximum Number of Children</b>	<p>The maximum number of children cared for at the premise must not exceed 124 at any given time. The age group ratio for the child care facility shall be as follows:</p> <ul style="list-style-type: none"> <li>• 0-2 years - 24 places</li> <li>• 2-3 years - 40 places</li> <li>• 3-5 years - 60 places</li> </ul>								
<b>74. Maximum Number of Staff</b>	<p>A maximum number of 20 staff are permitted to work on the premises at any time. Any increase in this number shall may be subject to a Section 4.55 modification application or a new Development Application.</p>								
<b>75. Implementation of Acoustic Report recommendations</b>	<p>All recommendations, treatments, controls, procedures, plans and precautions outlined and detailed within the <i>Environmental Noise Impact Assessment by Day Design Pty Ltd, Report Number 7859-1.1R Rev A, issued 28 August 2024</i>. must be implemented and maintained as compulsory whether expressly stated within the report as compulsory or not.</p>								

**76. Acoustic Validation**

An operational noise validation report is to be conducted and submitted to Council within three (3) months of the commencement of use. The report must demonstrate and certify that noise emission from the development satisfies the relevant noise emissions criteria as outlined in the *Environmental Noise Impact Assessment by Day Design Pty Ltd, Report Number 7859-1.1R Rev A, issued 28 August 2024*.

The validation assessment must be conducted at representative sensitive receiver locations and during worst-case noise emission scenario(s) (i.e. capacity operations and during the most sensitive time periods).

Any recommendations contained in the validation report (e.g. additional management measures, noise controls, acoustic screening, etc.) must be implemented in accordance with the noise validation report.

**77. Noise Complaints**

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

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

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

**78. Outdoor Lighting**

Evidence, including model details and photos of installed exterior lighting, shall be submitted to Council prior to the issue of the OC. All outdoor lighting must be restricted to security sensor lighting only.

**79. Submission of Annual Fire Safety Statement**

An annual Fire Safety Statement must be given to Council and the New South Wales Fire Brigade commencing within twelve (12) months after the date on which the initial Interim / Final Fire Safety Certificate is issued.

**80. Parking Areas to be Kept Clear**

At all times, the loading area, car parking spaces, driveways and footpaths must be kept clear of goods and must not be used for storage purposes.



**81. Driveways to be Maintained**

All access crossings and driveways shall be maintained in good order for the life of the development.

**82. Maintenance of Landscaping**

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

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

**83. Waste Management – Ongoing**

- a) Waste and recycling storage is to be located wholly within the dedicated bin storage area.
- b) The design of the waste and recycling storage area is to be designed to prevent trespassing and vermin entering the area. The waste and recycling storage area is to be constructed in a manner that enables adequate ventilation and the area to be easily cleaned.
- c) The waste storage and collection area are to be level, free of obstructions and with sufficient height clearance to enable safe collection and serving of garbage bins.
- d) Waste collection must be carried out twice per week as stated in the *Amended Waste Management Plan prepared by Dicken Solutions dated November 2024*, to ensure that the facility is kept in a safe and healthy condition.
- e) Waste collection vehicles must be able to enter and exit the site in forward motion. Vehicles are to service the site with minimal reversing.
- f) Waste service collection must be provided by a commercial waste service contractor.

## **ADVISORY**

### Notes

#### **A. BEFORE YOU DIG AUSTRALIA**

Before any excavation work starts, contractors and others should look up the “Before You Dig Australia” service to access plans/information for underground pipes and cables.  
[www.byda.com.au](http://www.byda.com.au)

#### **B. Disability Inclusion Act**

This application has been assessed in accordance with the *Environmental Planning and Assessment Act 1979*. No guarantee is given that the proposal complies with the *Disability Inclusion Act 2014*. The applicant/owner is responsible for ensuring compliance with this, and other, anti-discrimination legislation. The *Disability Inclusion Act 2014* covers disabilities not catered for in the minimum standards called up in the Building Code of Australia which references *AS 1428.1 - Design for Access and Mobility*. *AS 1428 Parts 2, 3 & 4* provide the most comprehensive technical guidance under the *Disability Inclusion Act 2014* currently available in Australia.

#### **C. Dividing Fences**

The erection of dividing fences under this consent does not affect the provisions of the *Dividing Fences Act 1991*. Under this Act, all relevant parties must be in agreement prior to the erection of any approved dividing fence/s under this consent.

Council has no regulatory authority in this area and does not adjudicate civil disputes relating to the provision of, or payment for, the erection of dividing fences. If there is a neighbour dispute about the boundary fence and you are seeking mediation, you may contact the Community Justice Centre, or if legal advice or action is required, you may contact the Chamber Magistrate.

#### **D. Responsibility for Other Consents/Agreements**

The applicant is solely responsible for ensuring that all additional consents and agreements are obtained from other authorities, as relevant.

#### **E. Other Approval and Permits**

The applicant shall apply to Council for all necessary permits including crane permits, road opening permits, hoarding or scaffolding permits, footpath occupation permits, and/or any other approvals under *Section 68 (Approvals)* of the *Local Government Act 1993* or *Section 138* of the *Roads Act 1993*.

#### **F. Site Contamination Issues During Construction**

Should any new information come to light during demolition or construction works which has the potential to alter previous conclusions about site contamination, Council must be immediately notified by the applicant, and works must cease. Works must not recommence on site until approval is granted by Council.

[illegible]

**baini**design  
bdaa

BAIN DESIGN ASSOCIATION OF AUSTRALIA  
ACCREDITED MEMBER SINCE 2007

---

+61 2 9188 8250  
baindesign.com.au  
info@baindesign.com.au  
18 Villiers St, Parramatta, NSW, 2150  
PO BOX 2402, North Parramatta, NSW, 1750

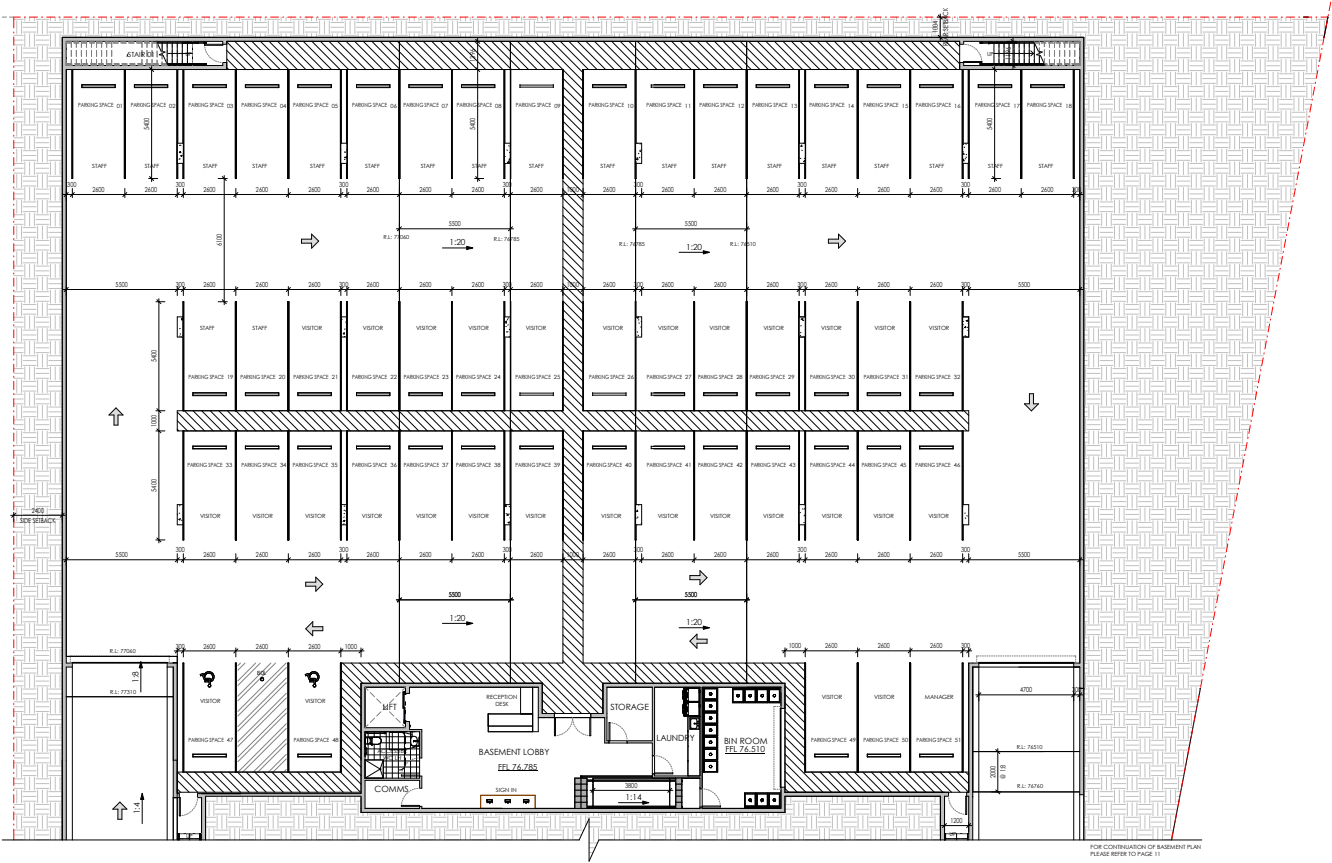
**FOR DA APPROVAL**

PROJECT TITLE  
PROPOSED SINGLE STOREY CHILDCARE CENTRE  
14A FLETCHER STREET NULKABA  
DRAWING TITLE  
LOCATION PLAN

	PROJECT NUMBER	DRAWING NUMBER	DRAWN BY
	23047	04	JM
	SCALE @ A1	CHECKED	
	1 : 550	CR	

THIS DRAWING IS COPYRIGHTED AND THE PROPERTY OF Baine Design. ANY USE OF THIS DRAWING REQUIRES PERMISSION FROM BAINE DESIGN. LARGER SIZE DRAWINGS AND WRITTEN DIMENSIONS TAKE PRECEDENCE. DO NOT SCALE FROM DRAWING. THIS DRAWING IS NOT FOR CONSTRUCTION. ALL DIMENSIONS TO BE





1 BASEMENT FLOOR PLAN  
1:100

REV	DESCRIPTION	DATE
A	ISSUED FOR DA	18/12/23
B	ISSUED FOR ADDITIONAL INFORMATION	19/02/24
C	LANDSCAPE PLAN AMENDED / ROOF POOL REVISED	20/03/24

KEY

- 3-5 INDOOR PLAY AREA
- 2-3 INDOOR PLAY AREA
- 0-2 INDOOR PLAY AREA

- CIRCULATION SPACE
- DEEP SOIL
- LANDSCAPE

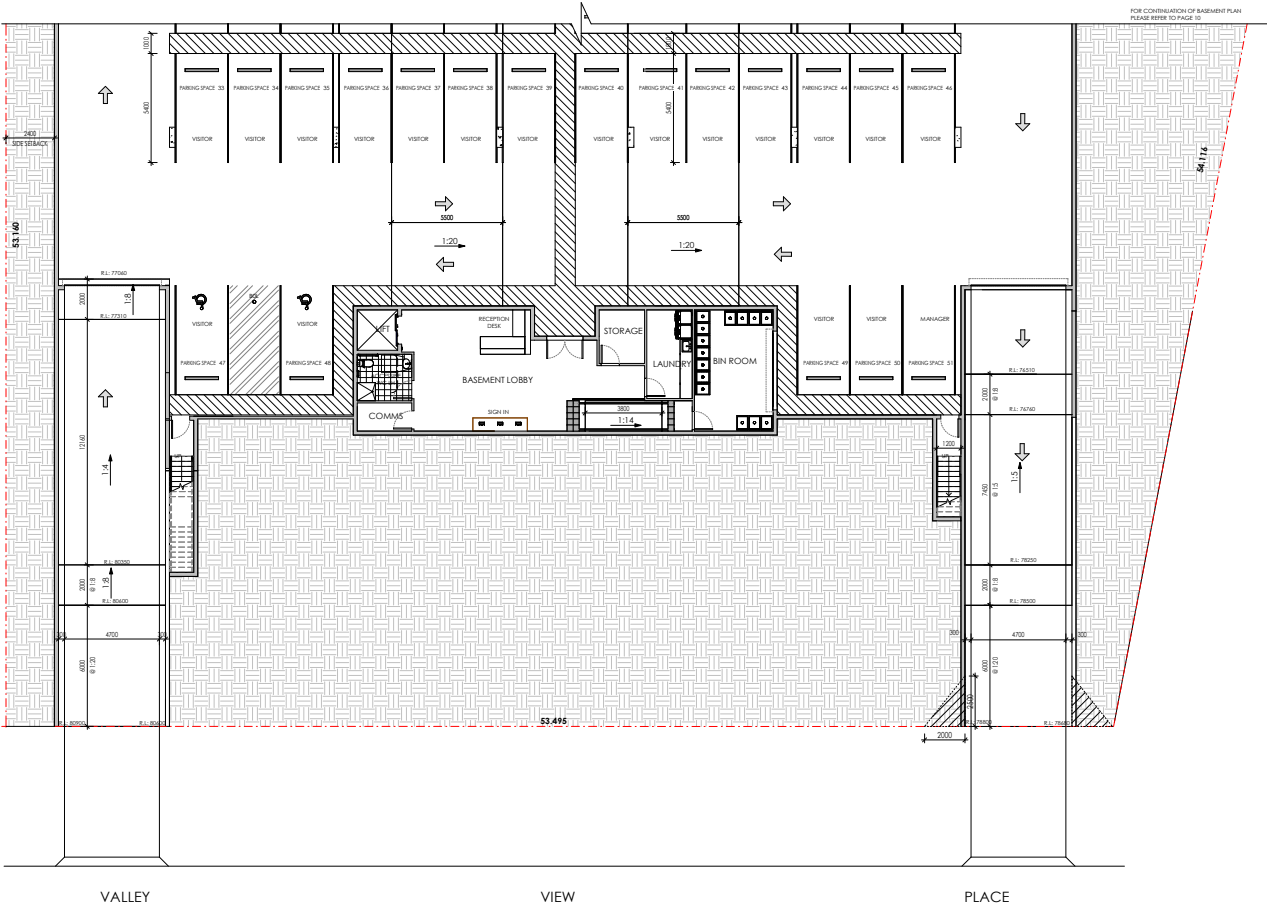
- BUILDING FOOTPRINT
- DEMOLISHED
- SITE BOUNDARY



**baini design**  
bdao  
CHILD CARE SPECIALISTS  
+61 2 9188 8250  
bainidesign.com.au  
info@bainidesign.com.au  
18 Villiers St, Parramatta, NSW, 2150  
PO BOX 3402, North Parramatta, NSW, 1750

FOR DA APPROVAL

PROJECT TITLE  
PROPOSED SINGLE STOREY CHILD CARE CENTRE  
14A FLETCHER STREET HULKABA  
DRAWING TITLE  
BASEMENT FLOOR PLAN D1  
PROJECT NUMBER  
23047  
DRAWING NUMBER  
10  
SCALE  
A1  
1:100  
DRAWN BY  
JM  
CHECKED BY  
CB



1 BASEMENT FLOOR PLAN  
1 : 100

REV	DESCRIPTION	DATE
A	ISSUED FOR DA	18/12/23
B	ISSUED FOR ADDITIONAL INFORMATION	19/02/24
C	LANDSCAPE PLAN AMENDED / ROOF POOL REVISED	20/03/24

KEY

- 3 - 5 INDOOR PLAY AREA
- 2 - 3 INDOOR PLAY AREA
- 0 - 2 INDOOR PLAY AREA

- CIRCULATION SPACE
- DEEP SOIL
- LANDSCAPE

- BUILDING FOOTPRINT
- DEMOLISHED
- SITE BOUNDARY

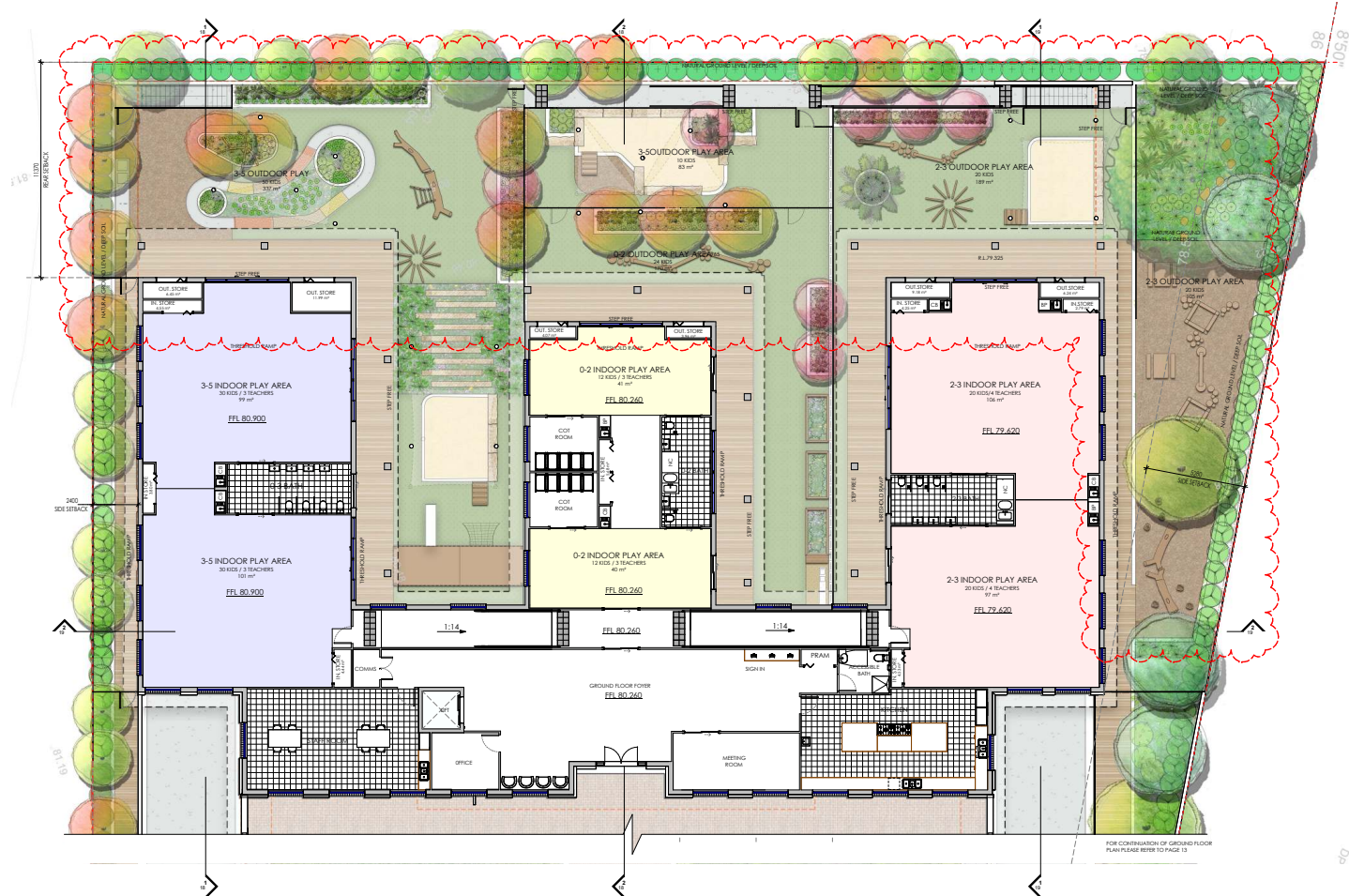


**baini design**  
**bdoo**  
CHILD CARE SPECIALISTS  
+61 2 9188 8250  
baini@baini.com.au  
info@baini.com.au  
18 Villiers St, Parramatta, NSW, 2150  
PO BOX 3402, North Parramatta, NSW, 1750

FOR DA APPROVAL

PROJECT TITLE  
PROPOSED SINGLE STOREY CHILDCARE CENTRE  
14A FLETCHER STREET NULKABA  
DRAWING TITLE  
BASEMENT FLOOR PLAN 02  
PROJECT NUMBER  
23047  
DRAWING NUMBER  
11  
SCALE  
A1  
1 : 100  
DRAWN BY  
JM  
CHECKED BY  
CB





1 GROUND FLOOR PLAN  
1 : 100

REV	DESCRIPTION	DATE
A	ISSUED FOR DA	18/12/23
B	ISSUED FOR ARCHITECTURAL INFORMATION	19/02/24
C	LANDSCAPE PLAN AMENDED / ROOF POOL REVISED	30/06/24

KEY
3-5 INDOOR PLAY AREA
2-3 INDOOR PLAY AREA
0-2 INDOOR PLAY AREA

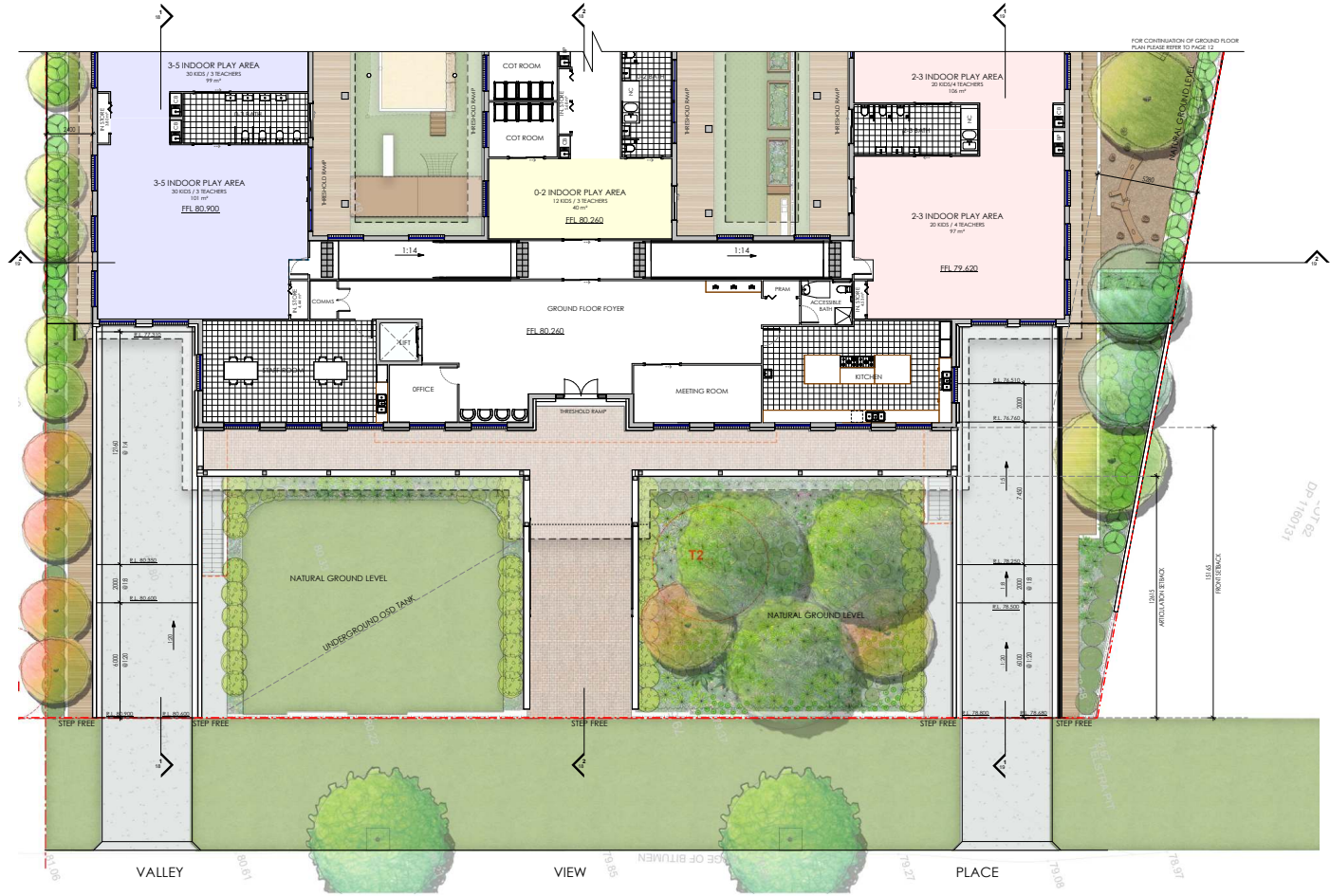
CIRCULATION SPACE
DEEP SOIL
LANDSCAPE

BUILDING FOOTPRINT
DEMOLISHED
SITE BOUNDARY



**baini design**  
bdao  
+61 2 9188 8250  
info@baini design.com.au  
18 Villiers St, Parramatta, NSW, 2150  
PO BOX 3422, North Parramatta, NSW, 1750

REV C : 30/08/2024  
- OUTDOOR PLAY AREA REVISED  
**FOR DA APPROVAL**  
PROJECT TITLE  
PROPOSED SINGLE STOREY CHILD CARE CENTRE  
14A FLETCHER STREET MULKABIA  
DRAWING TITLE  
GROUND FLOOR PLAN 01  
PROJECT NUMBER  
23047  
DRAWING NUMBER  
12  
SCALE  
A1  
1 : 100  
DRAWN BY  
JM  
CHECKED BY  
CB



1 GROUND FLOOR PLAN  
1:100

REV	DESCRIPTION	DATE
A	ISSUED FOR DA	18/12/23
B	ISSUED FOR ACTIONABLE INFORMATION	17/02/24
C	LANDSCAPE PLAN AMENDED / ROOF POOL REVISED	20/03/24

- KEY
- 3-5 INDOOR PLAY AREA
  - 2-3 INDOOR PLAY AREA
  - 0-2 INDOOR PLAY AREA

- CIRCULATION SPACE
- DEEP SOIL
- LANDSCAPE

- BUILDING FOOTPRINT
- DEMOLISHED
- SITE BOUNDARY



**baini design**  
bdao  
+61 2 9188 8250  
info@bainidesign.com.au  
18 Villiers St, Parramatta, NSW, 2150  
PO BOX 2402, North Parramatta, NSW, 1750

**FOR DA APPROVAL**

PROJECT TITLE  
PROPOSED SINGLE STOREY CHILDCARE CENTRE  
14A FLETCHER STREET MULKABIA

DRAWING TITLE  
GROUND FLOOR PLAN 02

PROJECT NUMBER  
23047

DRAWING NUMBER  
13

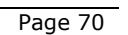
DRAWN BY  
JM

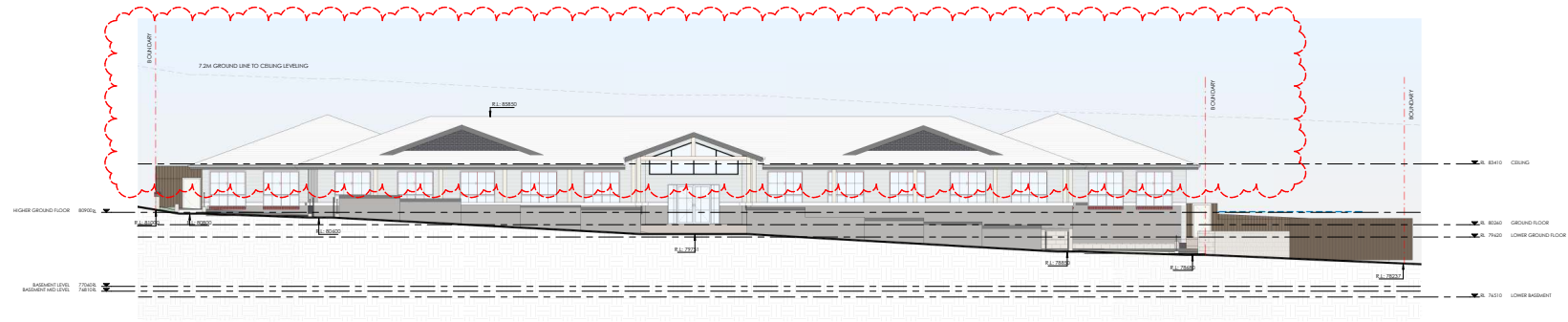
CHECKED BY  
CB

SCALE  
1:100

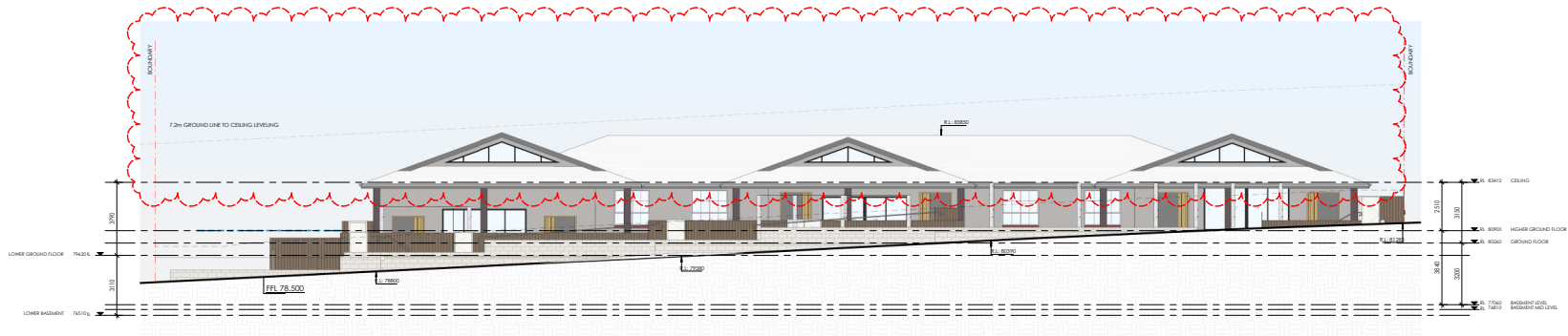








1 EAST ELEVATION  
1:100



2 WEST ELEVATION  
1:100

REV	DESCRIPTION	DATE
A	ISSUED FOR DA	18/12/23
B	ISSUED FOR ADDITIONAL INFORMATION	19/02/24
C	LARGE AREA PLAN AMENDED / ROOF PITCH REVISED	20/08/24



**baini**design  
bdaa

+61 2 9188 8250  
info@baini-design.com.au  
18 Villiers St, Parramatta, NSW, 2150  
PO BOX 3422, North Parramatta, NSW, 1750

REV C - 02/08/2024  
- ROOF PITCH REVISED

**FOR DA APPROVAL**

PROJECT TITLE  
PROPOSED SINGLE STOREY CHILD CARE CENTRE  
14A FLETCHER STREET MULKABA

DRAWING TITLE  
ELEVATIONS

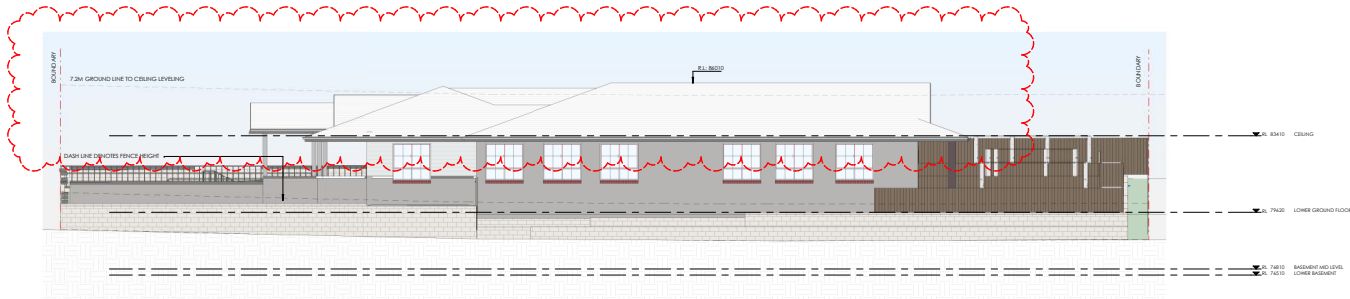
PROJECT NUMBER  
23047

DRAWING NUMBER  
16

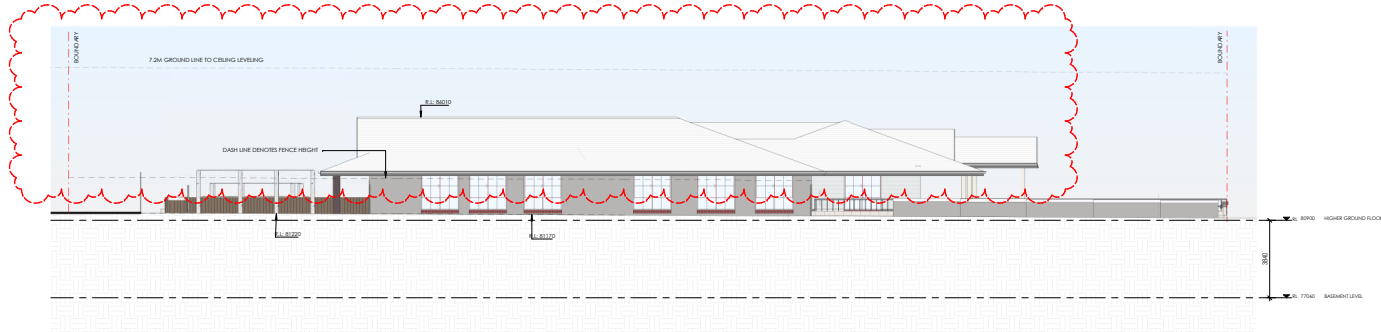
DRAWN BY  
JM

CHECKED BY  
CB

SCALE  
SCALE: 1:100



① NORTH ELEVATION  
1:100



② SOUTH ELEVATION  
1:100

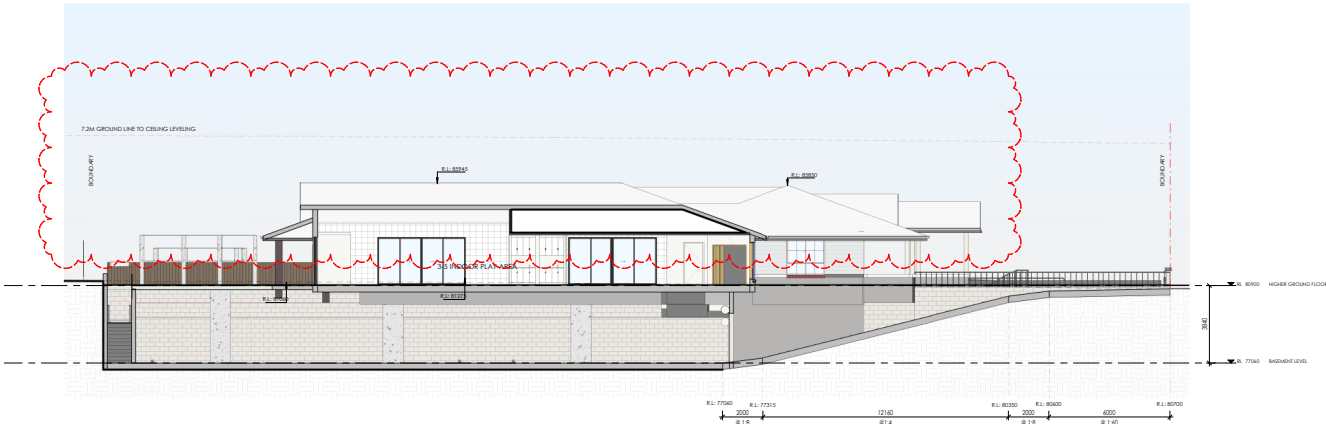
REV	DESCRIPTION	DATE
A	ISSUED FOR DA	18/12/23
B	ISSUED FOR ADDITIONAL INFORMATION	10/02/24
C	LANDSCAPE PLAN AMENDED / ROOF PITCH REVISED	30/08/24



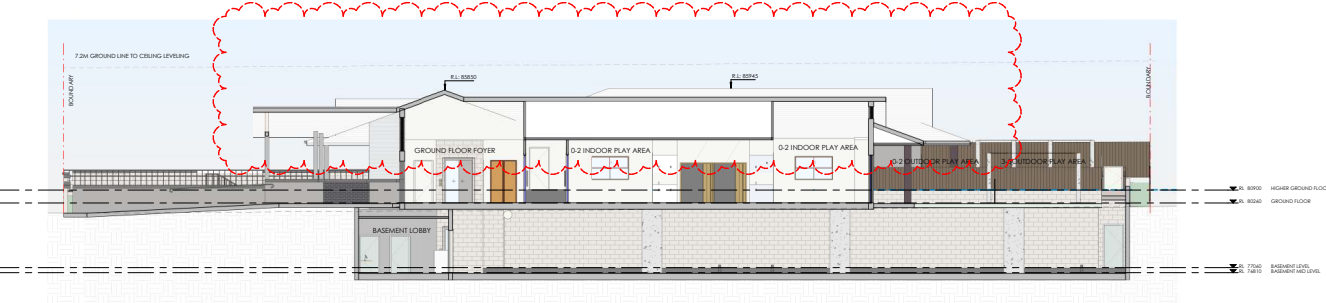
**baini design**  
**bdoo**  
DESIGN, BUILD, MANAGE AND OPERATE OF COMMERCIAL AND RESIDENTIAL PROJECTS  
+61 2 9188 8250  
info@baini design.com.au  
18 Wilson St, Parramatta, NSW, 2150  
PO BOX 2402, North Parramatta, NSW, 1750

REV C - 02/08/2024  
- ROOF PITCH REVISED  
**FOR DA APPROVAL**  
PROJECT TITLE  
PROPOSED SINGLE STOREY CHILDCARE CENTRE  
14A FLETCHER STREET NULKABA  
DRAWING TITLE  
ELEVATIONS  
PROJECT NUMBER  
23047  
DRAWING NUMBER  
17  
DRAWN BY  
JM  
SCALE @ A1  
1:100  
CHECKED BY  
CB





1 SECTION A-A  
1:100



2 SECTION B-B  
1:100

REV	DESCRIPTION	DATE
A	ISSUED FOR DA	18/12/23
B	ISSUED FOR ADDITIONAL INFORMATION	10/01/24
C	LANDSCAPE PLAN AMENDED / ROOF PITCH REVISED	30/06/24

REV C - 02/08/2024  
- ROOF PITCH REVISED

**FOR DA APPROVAL**

PROJECT TITLE  
PROPOSED SINGLE STOREY CHILDCARE CENTRE  
1/4A FLETCHER STREET NULKABA

DRAWING TITLE  
SECTIONS

PROJECT NUMBER  
18

DRAWING NUMBER  
23047

DRAWN BY  
JM

CHECKED BY  
CB

SCALE  
1:100

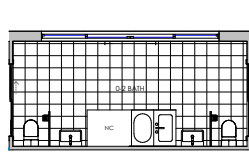


**baini design**  
bdao

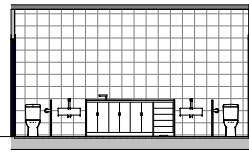
+61 2 9188 8250  
info@baini design.com.au  
18 Villiers St, Parramatta, NSW, 2150  
PO BOX 2422, North Parramatta, NSW, 1750

THIS DRAWING IS COPYRIGHT AND THE PROPERTY OF BAINI DESIGN. ANY USE OF THIS DRAWING WITHOUT THE WRITTEN PERMISSION FROM BAINI DESIGN, UNLESS SPECIFICALLY STATED OTHERWISE, IS PROHIBITED. THE DRAWING IS FOR INFORMATION ONLY AND IS NOT TO BE USED FOR CONSTRUCTION. ALL DIMENSIONS TO BE TAKEN FROM THE DRAWING UNLESS OTHERWISE SPECIFIED.





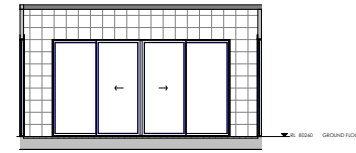
① 0-2 BATHROOM DETAIL PLAN  
1:50



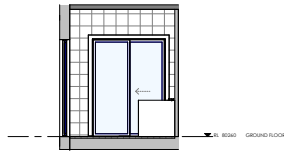
② 0-2 BATHROOM ELEVATION A  
1:50



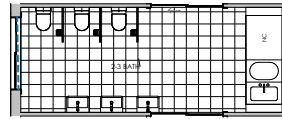
③ 0-2 BATHROOM ELEVATION B  
1:50



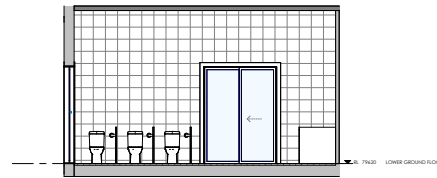
④ 0-2 BATHROOM ELEVATION C  
1:50



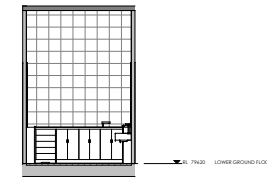
⑤ 0-2 BATHROOM ELEVATION D  
1:50



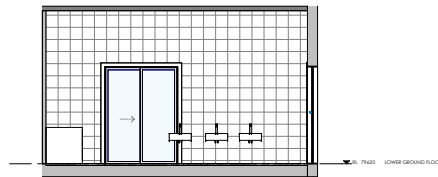
⑥ 2-3 BATHROOM DETAIL PLAN  
1:50



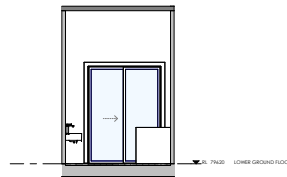
⑦ 2-3 BATHROOM ELEVATION A  
1:50



⑧ 2-3 BATHROOM ELEVATION B  
1:50



⑨ 2-3 BATHROOM ELEVATION C  
1:50



⑩ 2-3 BATHROOM ELEVATION D  
1:50

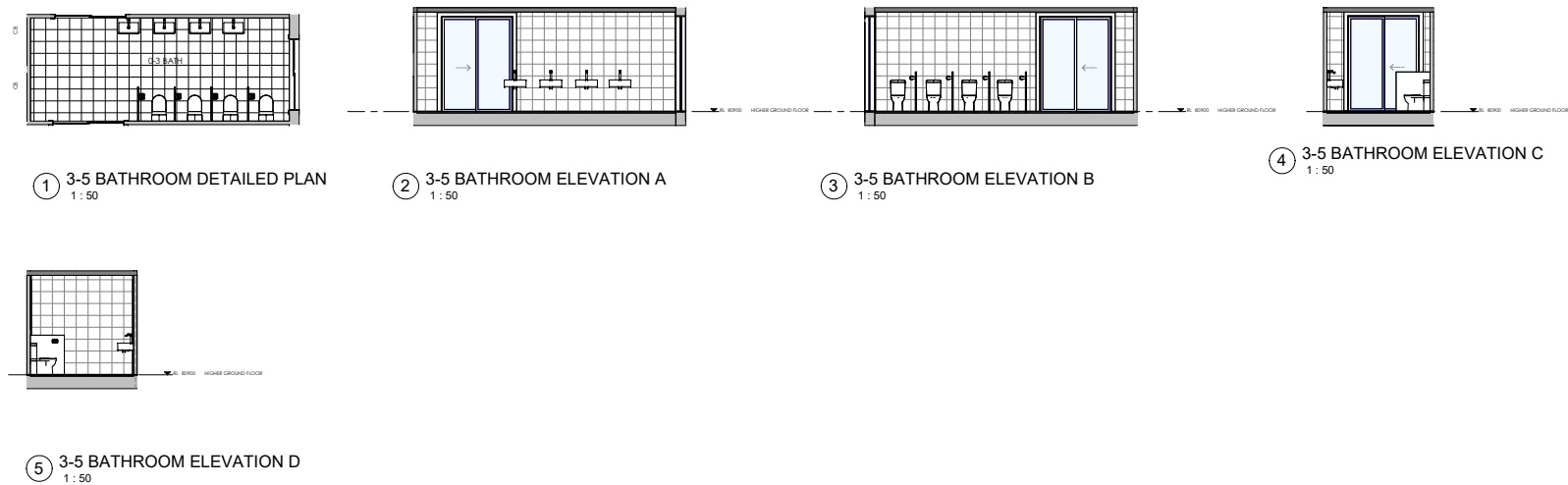
REV	DESCRIPTION	DATE
A	ISSUED FOR DA	18/12/23
B	ISSUED FOR ADDITIONAL INFORMATION	20/01/24
C	LANDSCAPE PLAN AMENDED / ROOF PITCH REVISED	20/01/24



FOR DA APPROVAL

PROJECT TITLE	PROPOSED SINGLE STOREY CHILDCARE CENTRE
DRAWING TITLE	14A FLETCHER STREET MULKABA
CALLOUT ELEVATIONS	
PROJECT NUMBER	23047
DRAWING NUMBER	20
DRAWN BY	JM
CHECKED BY	CB
SCALE	1:50

+61 2 9188 8250  
info@baini.com.au  
18 Villiers St, Parramatta, NSW, 2150  
PO BOX 3422, North Parramatta, NSW, 1750



REV	DESCRIPTION	DATE
A	ISSUED FOR DA	18/12/23
B	ISSUED FOR ADDITIONAL INFORMATION	10/01/24
C	LARGE AREA PLAN AMENDED / ROOF PITCH REVISED	30/06/24

**BAINI  
DESIGN**  
CHILD CARE SPECIALISTS

**baini design**  
bdaa

+61 2 9188 8250  
info@bainidesign.com.au  
18 Wilson St, Parramatta, NSW, 2150  
PO BOX 3402, North Parramatta, NSW, 1750

**FOR DA APPROVAL**

PROJECT TITLE  
PROPOSED SINGLE STOREY CHILDCARE CENTRE  
14A FLETCHER STREET MULKABGA

DRAWING TITLE  
CALLOUT ELEVATIONS

PROJECT NUMBER	DRAWING NUMBER	DRAWN BY
23047	21	JM
	SCALE @ A1	CHECKED BY
	1 : 50	CB

THIS DRAWING IS COPYRIGHT AND THE PROPERTY OF BAINI DESIGN. ANY USE OF THIS DRAWING REQUIRES WRITTEN PERMISSION FROM BAINI DESIGN. LARGER SCALE DRAWINGS AND REVISED DRAWINGS ARE PROHIBITED. TO VIEW AND PRINT DRAWINGS, THE DRAWING MUST BE DOWNLOADED. ALL INFORMATION IS TO BE VIEWED ON OR BEFORE COMMENCEMENT OF WORK. ALL SUBSEQUENT PROJECTS ARE SUBJECT TO THE INTERPRETATION OF THE FIRM.

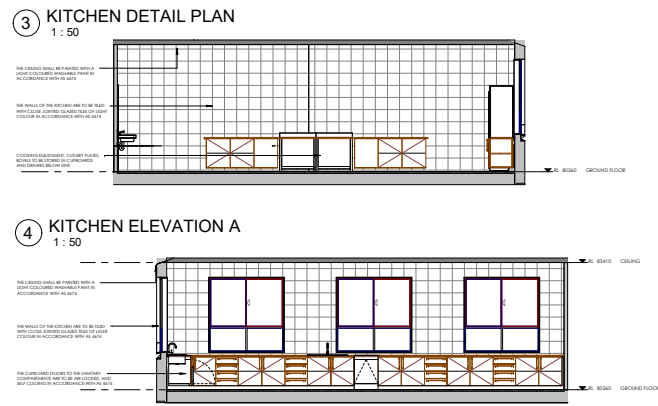
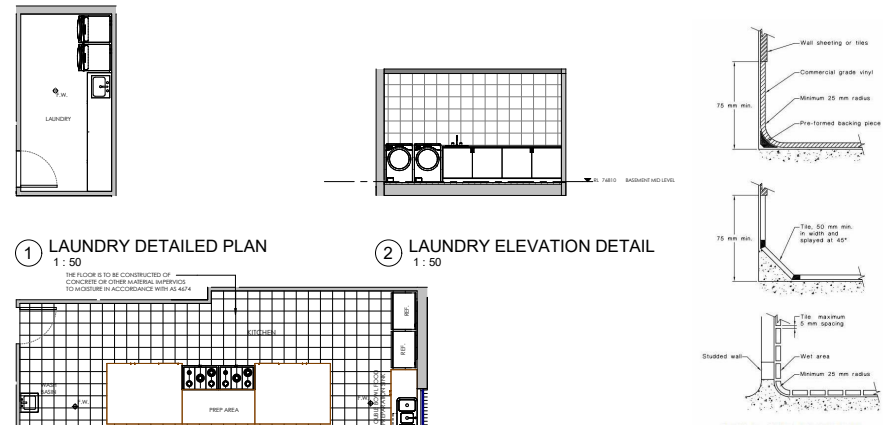


Table 3 – Daily food amounts for children (2 to 5 years)¹		
Food Group and serve sizes	Minimum number of serves while in care for 5 hours	Comments
<b>Vegetables and legumes/beans</b> <b>Each of the following foods is one serve:</b> 1/2 cup cooked vegetables 1/2 cup cooked dried, canned beans, peas or lentils 1 cup salad vegetables 1/2 medium potato or sweet potato 1 medium tomato	2	<ul style="list-style-type: none"><li>Includes different types and colours.</li><li>Fresh, frozen and canned varieties can be used.</li><li>Choose canned varieties with no added salt.</li></ul>
<b>Fruit</b> <b>Each of the following foods is one serve:</b> 1 medium (150g) piece of fruit e.g. apple, banana, orange or pear 2 small apricots, kiwi fruits or plums 1 cup dried or canned fruit (no added sugar) 30g dried fruit e.g. 4 dried apricot halves	1	<ul style="list-style-type: none"><li>Serve fresh fruit rather than juice.</li></ul>
<b>Wholegrain cereal foods and breads</b> <b>Each of the following foods is one serve:</b> 1 slice of bread 1/2 a bread roll 1/2 cup wheat cereal flakes 1/2 cup cooked rice 1/2 cup cooked pasta 3 crispbread biscuits 1 crumpet 1 English muffin 1 scone	2	<ul style="list-style-type: none"><li>Includes a variety of grains.</li><li>Breads, cereals, rice, pasta, noodles, polenta, couscous, oats, quinoa and barley.</li><li>Choose wholegrain or wholemeal varieties and when available varieties with added iron.</li></ul>
<b>Lean meat and poultry, fish, eggs, tofu, seeds and legumes</b> <b>Each of the following foods is one serve:</b> 60g cooked lean meats – beef, lamb, veal, pork, goat, kangaroo (90-100g raw) 80g cooked lean poultry or turkey (100g raw) 100g cooked fish (115g raw) 1 small can fish 2 large eggs 1 cup cooked or canned legumes/beans 170g tofu	1	<ul style="list-style-type: none"><li>Trim fat from meat where possible.</li></ul>
<b>Milk, yoghurt, cheese and alternatives</b> <b>Each of the following foods is one serve:</b> 1 cup milk 2 slices of cheese (40g) 200g yoghurt 120g ricotta cheese 1 cup soy milk with at least 100mg of added calcium per 100ml	1	<ul style="list-style-type: none"><li>Serving milk at morning and afternoon tea may be an easy and reliable way to meet this requirement.</li><li>Choose mostly reduced fat varieties.</li></ul>

Note: If a child is in care for more than eight hours extra meals and/or midmeals (i.e. breakfast or late afternoon tea) should be provided.

**Child Care Centre Kitchen**

The premises are to be constructed and fitted out strictly in accordance with the Australian/New Zealand Food Safety Standards Code 3.2.3 Food Premises & Equipment and Australian Standard 4674.2004 Design, Construction & Fit Out of Food Premises.

**Fitout of Food Preparation Area**

A rigid smooth faced impervious ceiling shall be provided over the food preparation, cooking and serving areas. The surface finish shall be free of open joints, cracks, crevices or openings with the intersection of the walls and ceiling being tight jointed, sealed and dustproof.

The ceiling shall be painted with a light coloured washable paint.

All fluorescent light fittings shall be fitted with a smooth faced diffuser. Lighting shall be either:

- recessed so that the diffuser is flush with the ceiling or
- designed to ensure that no horizontal surface exists which would allow dust & grease to accumulate.

The floor is to be constructed of concrete or other material impervious to moisture, finished to a smooth trowelled finish, covered at the intersections with the walls and grouted and drained to approved sewerage connections.

Coving is to be provided between all walls and the floor and between the floor and all fitting. This can be achieved by coving tiles, cement render, or by turning vinyl flooring up the walls. In this case a fillet or backing piece is required to support the cove.

Floor to be constructed of material impervious to water, non slip and graded and drained to floor waste.

The walls in the kitchen are to be constructed of cement rendered bricks, blocks or concrete finished to a smooth, steel trowelled surface, covered to the floor, and where not tiled, painted with a light coloured glass paint. Unrendered brick or block work is not permitted.

The walls of the kitchen are to be tiled with close jointed, glazed tiles of a light colour to a height of 2 metres.

The walls of the kitchen are to be tiled with close jointed, glazed tiles of a light colour to a height of 450mm above all sinks, tubs, draining boards, wash hand basins and preparation benches.

All walls where not tiled shall be cement rendered to a smooth surface and painted with a light coloured washable paint.

Refrigeration, frozen food cabinets, cooking appliances, equipment, fitting, cupboards, and cabinets are to be supported on one of the following systems:

- Wheels or casters which allow the fully loaded fitting to be easily moved
- Legs which provide a min. 150mm clearance from the floor to the underside of the fitting.

All shelving being installed on approved metal brackets and kept at least 25mm clear off wall.

Food preparation benches shall be constructed of stainless steel.

The top and exposed edges of all benches, counters and shelving shall be finished in a smooth and non absorbent material free of joints.

All service pipes, condensate pipes and electrical conduits must be sealed into the walls, floors or plinths.

All service pipes, condensate pipes and electrical conduits which are not capable of being concealed within the walls shall be mounted on brackets so as to provide at least 25mm clearance between the pipe and adjacent (wall) vertical surface and 100mm between the pipe and adjacent (floor) horizontal surface.

A freestanding wash hand basin is to be provided in an approved position in the kitchen/food preparation area connected to both hot and cold water at a minimum temperature of 40°C through a single outlet, as required by Clause 14 (1) and (2) of the Australian New Zealand Food Standards Code Food Safety Standard 3.2.3. Provide and maintain dispensable soap and single use towels or other suitable hand drying facilities near the wash hand basin.

All openings in the walls, floors and ceiling and all external doors and windows must be vermin proof.

All windows and doors to the external air are to be provided with fly screens.

A kitchen exhaust hood is to be provided above all appliances of heating capacity greater than 8KW in accordance with AS 1648 Part 2. A test certificate shall be submitted to the Principal Certifying Authority with application for an Occupation Certificate.

The doors of the oil-lock and sanitary compartments must be close fitting and self closing.

A liquid soap dispenser and paper towel dispenser must be provided above or adjacent to the hand basin.

Washing facilities must be provided and comply with the Food Premises Code.

Not less than 300 lux of light will be available on all surfaces where food is prepared, or utensils are washed and sterilised in accordance with SA 1680.

FOR DA APPROVAL

baini design

bdaa

18 VILLAGE ST, PARRAMATTA NSW, 2150  
PO BOX 2402, North Parramatta, NSW, 1750

+61 2 9188 8250  
baini@baini.com.au  
info@baini.com.au

CHILD CARE SPECIALISTS

PROJECT TITLE

PROPOSED SINGLE STOREY CHILDCARE CENTRE  
1/4 FLETCHER STREET MULLKABA

DRAWING TITLE

KITCHEN & LAUNDRY DETAILS

PROJECT NUMBER

22

SCALE

B A1

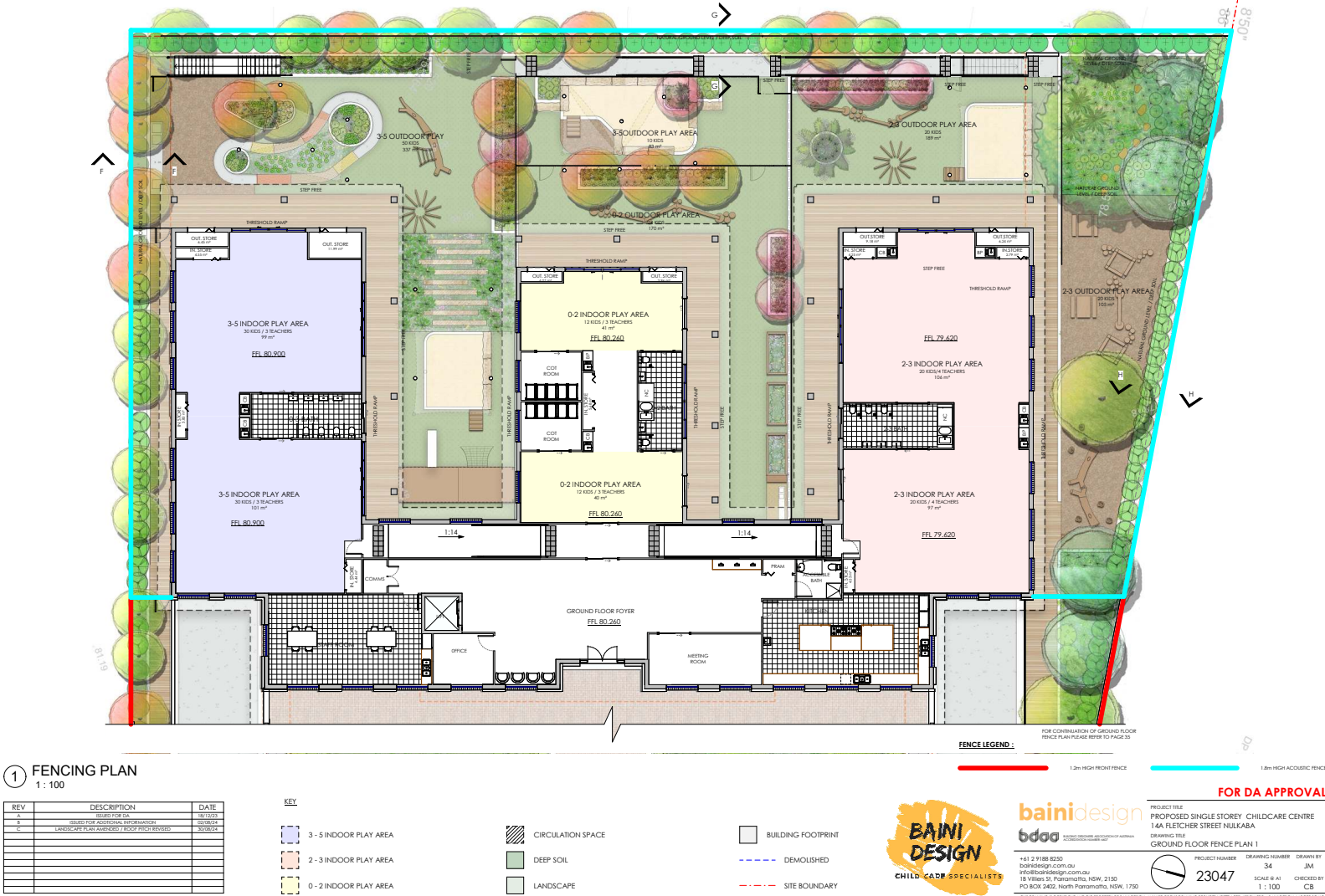
DRAWN BY

JM

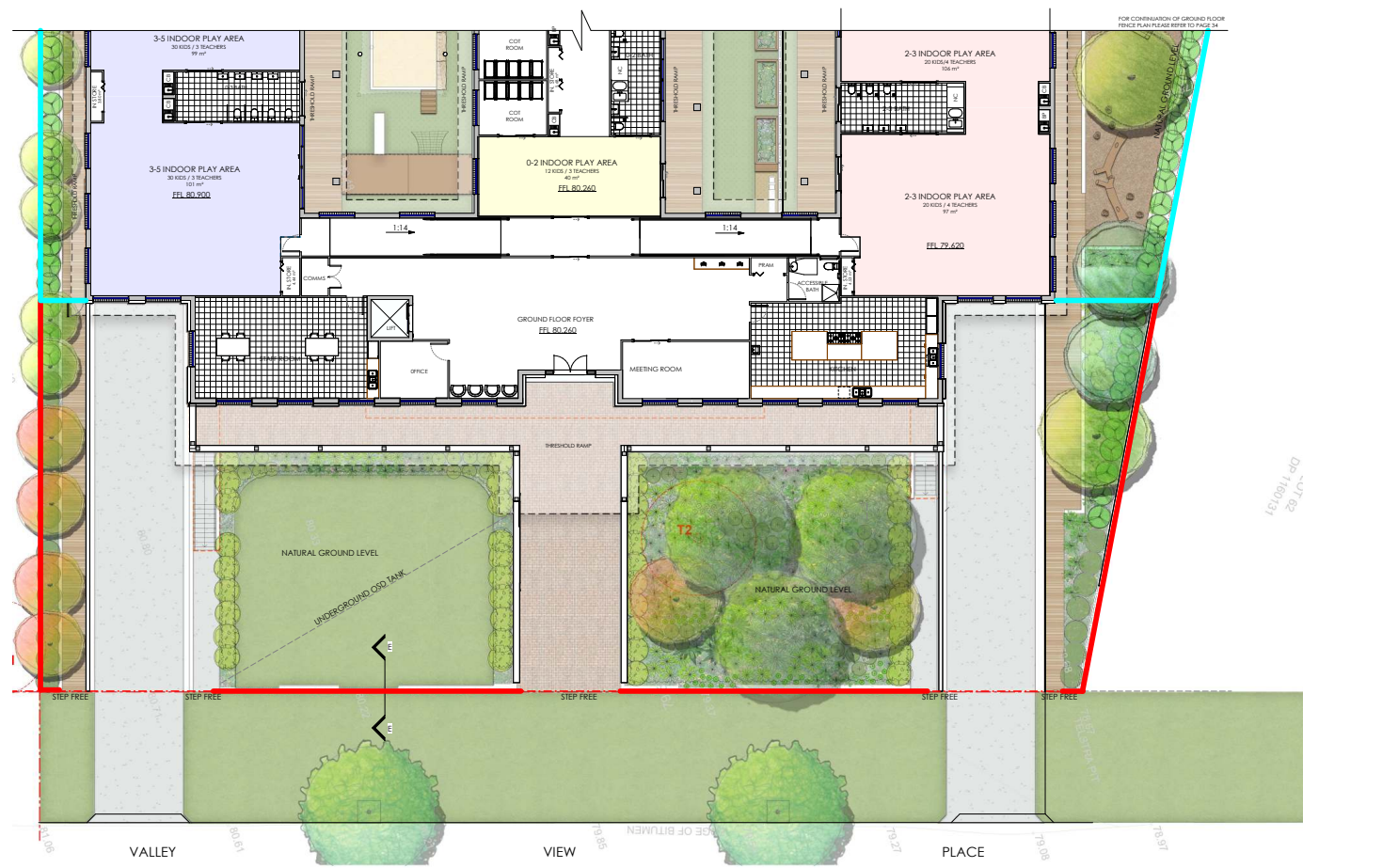
CHECKED BY

CB

23047







1 FENCING PLAN  
1:100

REV	DESCRIPTION	DATE
A	ISSUED FOR DA	18/12/23
B	ISSUED FOR ADDITIONAL INFORMATION	20/02/24
C	LANDSCAPE PLAN AMENDED / ROOF POOL REVISED	20/02/24

- KEY
- 3-5 INDOOR PLAY AREA
  - 2-3 INDOOR PLAY AREA
  - 0-2 INDOOR PLAY AREA

- CIRCULATION SPACE
- DEEP SOIL
- LANDSCAPE

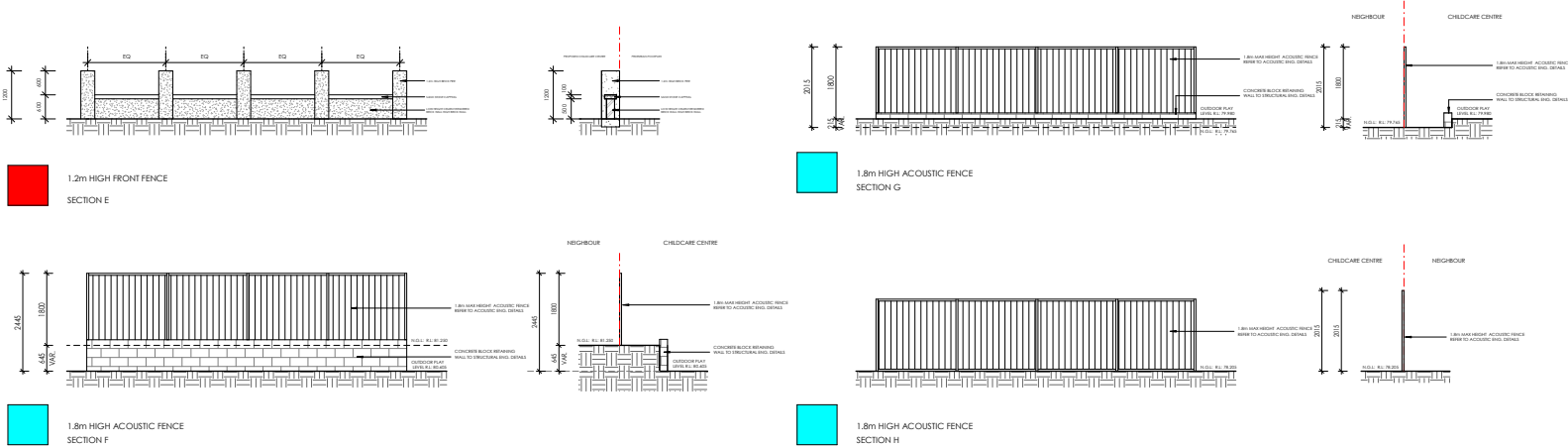
- BUILDING FOOTPRINT
- DEMOLISHED
- SITE BOUNDARY

FENCE LEGEND:  
1.2m HIGH FRONT FENCE  
1.8m HIGH ACOUSTIC FENCE



**baini design**  
bdao  
+61 2 9188 8250  
info@bainidesign.com.au  
18 Villiers St, Parramatta, NSW, 2150  
PO BOX 2402, North Parramatta, NSW, 1750

**FOR DA APPROVAL**  
PROJECT TITLE  
PROPOSED SINGLE STOREY, CHILDCARE CENTRE  
14A FLETCHER STREET NULKABA  
DRAWING TITLE  
GROUND FLOOR FENCE PLAN 2  
PROJECT NUMBER  
23047  
DRAWING NUMBER  
35  
SCALE  
1:100  
DRAWN BY  
JM  
CHECKED BY  
CB



1 FENCING DETAILS  
1:50

REV	DESCRIPTION	DATE
A	ISSUED FOR DA	18/12/23
B	ISSUED FOR ADDITIONAL INFORMATION	19/02/24
C	LANDSCAPE PLAN AMENDED / ROOF PITCH REVISED	20/03/24

KEY

3 - 5 INDOOR PLAY AREA

2 - 3 INDOOR PLAY AREA

0 - 2 INDOOR PLAY AREA

CIRCULATION SPACE

DEEP SOIL

LANDSCAPE

BUILDING FOOTPRINT

DEMOLISHED

SITE BOUNDARY

BAINI DESIGN

CHILD CARE SPECIALISTS

baini design

bdaa

BAINI DESIGN IS A DIVISION OF BAINI DESIGN PTY LTD  
ABN 62 629 123 456

+61 2 9188 8250

info@bainidesign.com.au

18 Villiers St, Parramatta NSW, 2150

PO BOX 3402, North Parramatta, NSW, 1750

FOR DA APPROVAL

PROJECT TITLE

PROPOSED SINGLE STOREY CHILDCARE CENTRE

14A FLETCHER STREET NULKABA

DRAWING TITLE

FENCING DETAILS

PROJECT NUMBER

23047

DRAWING NUMBER

36

DRAWN BY

JM1

CHECKED BY

As indicated CB

SCALE

SCALE: 1:50

THIS DRAWING IS COPYRIGHT AND THE PROPERTY OF BAINI DESIGN. ANY USE OF THIS DRAWING WITHOUT THE WRITTEN PERMISSION OF BAINI DESIGN IS PROHIBITED. THE DRAWING IS FOR INFORMATION ONLY. IT IS NOT TO BE USED FOR CONSTRUCTION. ALL DIMENSIONS TO BE TAKEN FROM THE BUILDING COMMENCEMENT OF WORK. ALL DIMENSIONS TO BE TAKEN TO THE INTERIOR OF THE FENCE.



REFERENCE	ELEMENT	MATERIAL	FINISH / SPECIFICATION
01	EXTERNAL WALL	WEATHERBOARD	DULUX WHITE POLAR QUARTER OR SIMILAR
02	EXTERNAL WALL	BRICKWORK CEMENT RENDER	DULUX SILKWORK
03	FRONT FENCE / TIMBER COLUMNS	BRICK WORK / TIMBER	DULUX WHITE POLAR QUARTER OR SIMILAR
04	WINDOWS / DOORS	GLASS SET IN POWDER COATED ALUMINIUM FRAME	DULUX VIVID WHITE OR SIMILAR
05	ROOF	COLORBOND STEEL SHEETING	COLORBOND SOUTHERLY OR SIMILAR
06	EXTERNAL WALL (WALL CAPPING)	MASONRY	DULUX VIVID WHITE OR SIMILAR

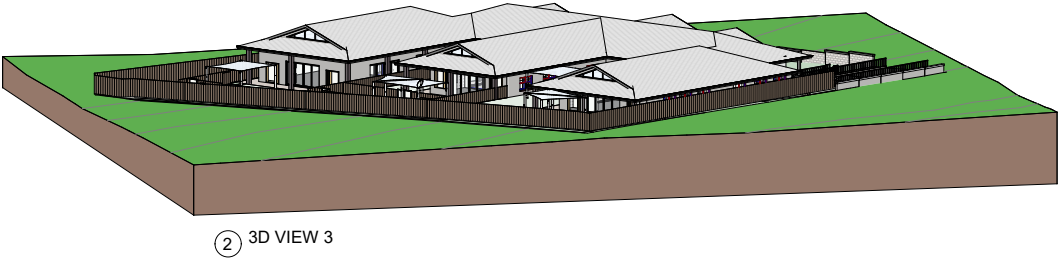
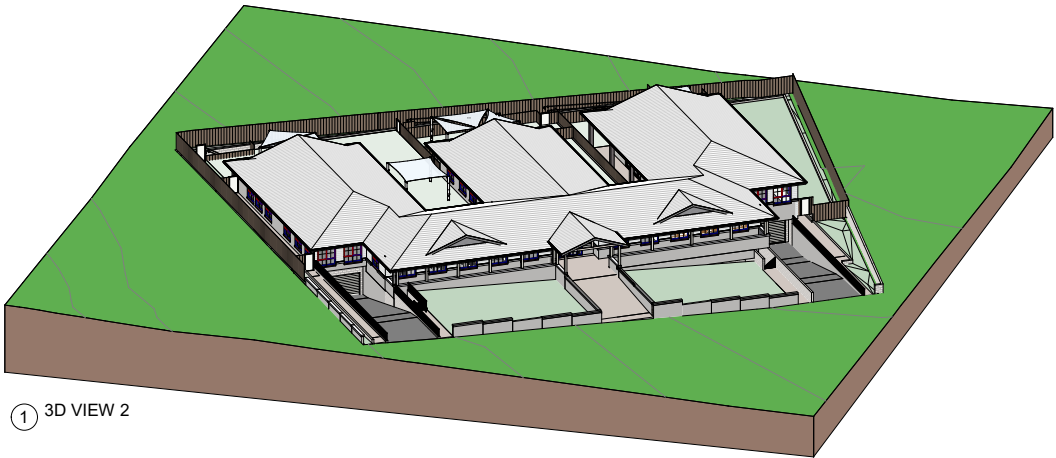
[illegible]

**baini**design  
bdaa BUILDING DESIGNERS ASSOCIATION OF AUSTRALIA  
ACCREDITED NUMBER 4027

+61 2 9188 8250  
baindesign.com.au  
info@baindesign.com.au  
18 Villiers St, Parramatta, NSW, 2150  
PO BOX 2402, North Parramatta, NSW, 1750

PROJECT TITLE  
PROPOSED SINGLE STOREY CHILDCARE CENTRE  
14A FLETCHER STREET NULKABA  
DRAWING TITLE  
BUILDING ELEVATION (EAST) (SEE PLAN) (SEE SECTION)

PROJECT NUMBER	DRAWING NUMBER	DRAWN BY
23047	45	JM
	SCALE @ A1	CHECKED
		CB



REV	DESCRIPTION	DATE
A	ISSUED FOR DA	18/12/23
B	ISSUED FOR ADDITIONAL INFORMATION	10/01/24
C	LANDSCAPE PLAN AMENDED / ROOF PITCH REVISED	30/01/24



**baini design**  
**bdoo**  
DESIGN, ARCHITECTURE AND CONSTRUCTION OF AESTHETIC  
CONTEMPORARY HOMES  
+61 2 9188 8200  
info@baini design.com.au  
18 Wilson St, Parramatta, NSW, 2150  
PO BOX 3402, North Parramatta, NSW, 1750

FOR DA APPROVAL

PROJECT TITLE  
PROPOSED SINGLE STOREY CHILDCARE CENTRE  
14A FLETCHER STREET NULKABA  
DRAWING TITLE  
3D PERSPECTIVES  
PROJECT NUMBER  
23047  
DRAWING NUMBER  
46  
DRAWN BY  
JM  
SCALE @ A1  
CHECKED BY  
CB

THIS DRAWING IS COPYRIGHT AND THE PROPERTY OF BAINI DESIGN. ANY USE OF THIS DRAWING REQUIRES WRITTEN PERMISSION FROM BAINI DESIGN. LARGER SCALE DRAWINGS AND REVISED DRAWINGS ARE PROHIBITED. TO USE THIS DRAWING WITHOUT THE WRITTEN PERMISSION OF BAINI DESIGN IS A BREACH OF THE COPYRIGHT ACT 1968 AND WILL BE PROSECUTED TO THE FULL EXTENT OF THE LAW.





CPS

LEVEL 3  
397 RILEY STREET  
SURREY HILLS NSW 2010  
PO BOX 1074 BROADWAY NSW 2007  
TEL + (611) 2 8039 7441  
INFO@CPSPLANNING.COM.AU  
CPSPLANNING.COM.AU

DIMENSIONS:

All dimensions are in millimetres unless otherwise noted. Do not scale from this drawing.  
Verify all dimensions on site prior to construction.  
CIVIL, STRUCTURAL, HYDRAULIC, ELECTRICAL AND MECHANICAL WATER FEATURE WORKS  
Refer to specialist and consultant drawings for all information contained within these documents meeting to and referenced as specialist and consultant work. Specialist and consultant drawings information contained in the landscape documents are indicative only and not for construction or certification purposes.

Issue/Code/Issue Description

By

CRH

Date

1

CA

FOR DA

12

02

20/08/24

2

CA

FOR DA

12

02

27/08/24

3

CA

FOR DA

12

02

29/08/24

4

CA

FOR DA

12

02

31/08/24

5

CA

FOR DA

12

02

01/09/24

6

CA

FOR DA

12

02

01/09/24

7

CA

FOR DA

12

02

01/09/24

8

CA

FOR DA

12

02

01/09/24

9

CA

FOR DA

12

02

01/09/24

10

CA

FOR DA

12

02

01/09/24

11

CA

FOR DA

12

02

01/09/24

12

CA

FOR DA

12

02

01/09/24

13

CA

FOR DA

12

02

01/09/24

14

CA

FOR DA

12

02

01/09/24

15

CA

FOR DA

12

02

01/09/24

16

CA

FOR DA

12

02

01/09/24

17

CA

FOR DA

12

02

01/09/24

18

CA

FOR DA

12

02

01/09/24

19

CA

FOR DA

12

02

01/09/24

20

CA

FOR DA

12

02

01/09/24

21

CA

FOR DA

12

02

01/09/24

22

CA

FOR DA

12

02

01/09/24

23

CA

FOR DA

12

02

01/09/24

24

CA

FOR DA

12

02

01/09/24

25

CA

FOR DA

12

02

01/09/24

26

CA

FOR DA

12

02

01/09/24

27

CA

FOR DA

12

02

01/09/24

28

CA

FOR DA

12

02

01/09/24

29

CA

FOR DA

12

02

01/09/24

30

CA

FOR DA

12

02

01/09/24

31

CA

FOR DA

12

02

01/09/24

32

CA

FOR DA

12

02

01/09/24

33

CA

FOR DA

12

02

01/09/24

34

CA

FOR DA

12

02

01/09/24

35

CA

FOR DA

12

02

01/09/24

36

CA

FOR DA

12

02

01/09/24

37

CA

FOR DA

12

02

01/09/24

38

CA

FOR DA

12

02

01/09/24

39

CA

FOR DA

12

02

01/09/24

40

CA

FOR DA

12

02

01/09/24

41

CA

FOR DA

12

02

01/09/24

42

CA

FOR DA

12

02

01/09/24

43

CA

FOR DA

12

02

01/09/24

44

CA

FOR DA

12

02

01/09/24

45

CA

FOR DA

12

02

01/09/24

46

CA

FOR DA

12

02

01/09/24

47

CA

FOR DA

12

02

01/09/24

48

CA

FOR DA

12

02

01/09/24

49

CA

FOR DA

12

02

01/09/24

50

CA

FOR DA

12

02

01/09/24

51

CA

FOR DA

12

02

01/09/24

52

CA

FOR DA

12

02

01/09/24

53

CA

FOR DA

12

02

01/09/24

54

CA

FOR DA

12

02

01/09/24

55

CA

FOR DA

12

02

01/09/24

56

CA

FOR DA

12

02

01/09/24

57

CA

FOR DA

12

02

01/09/24

58

CA

FOR DA

12

02

01/09/24

59

CA

FOR DA

12

02

01/09/24

60

CA

FOR DA

12

02

01/09/24

61

CA

FOR DA

12

02

01/09/24

62

CA

FOR DA

12

02

01/09/24

63

CA

FOR DA

12

02

01/09/24

64

CA

FOR DA

12

02

01/09/24

65

CA

FOR DA

12

02

01/09/24

66

CA

FOR DA

12

02

01/09/24

67

CA

FOR DA

12

02

01/09/24

68

CA

FOR DA

12

02

01/09/24

69

CA

FOR DA

12

02

01/09/24

70

CA

FOR DA

12

02

01/09/24

71

CA

FOR DA

12

02

01/09/24

72

CA

FOR DA

12

02

01/09/24

73

CA

FOR DA

12

02

01/09/24

74

CA

FOR DA

12

02

01/09/24

75

CA

FOR DA

12

02

01/09/24

76

CA

FOR DA

12

02

01/09/24

77

CA

FOR DA

12

02

01/09/24

78

CA

FOR DA

12

02

01/09/24

79

CA

FOR DA

12

02

01/09/24

80

CA

FOR DA

12

02

01/09/24

81

CA

FOR DA

12

02

01/09/24

82

CA

FOR DA

12

02

01/09/24

83

CA

FOR DA

12

02

01/09/24

84

CA

FOR DA

12

02

01/09/24

85

CA

FOR DA

12

02

01/09/24

86

CA

FOR DA

12

02

01/09/24

87

CA

FOR DA

12

02

01/09/24

88

CA

FOR DA

12

02

01/09/24

89

CA

FOR DA

12

02

01/09/24

90

CA

FOR DA

12

02

01/09/24

91

CA

FOR DA

12

02

01/09/24

92

CA

FOR DA

12

02

01/09/24

93

CA

FOR DA

12

02

01/09/24

94

CA

FOR DA

12

02

01/09/24

95

CA

FOR DA

12

02

01/09/24

96

CA

FOR DA

12

02

01/09/24

97

CA

FOR DA

12

02

01/09/24

98

CA

FOR DA

12

02

01/09/24

99

CA

FOR DA

12

02

01/09/24

100

CA

FOR DA

12

02

01/09/24

PROJECT

PROPOSED CHILDCARE CENTRE  
14A FLETCHER STREET,  
NULKABA

DRAWING TITLE

LANDSCAPE PLAN  
GROUND FLOOR A

CLIENT

BAINI DESIGN

Drawn : SZ  
Designed : SZ  
Project No. : G032

1:100 @ A1 / 1:200 @ A3  
SHEET NUMBER  
G032\_LP\_01

REVISION  
F



**LEGEND:**

- EXISTING TREE REMOVED, - REFER TO ARBORIST REPORT
- PROPOSED CANOPY PLANTING
- LAWN
- GARDEN BEDS
- CONCRETE SURFACE
- DECKING SURFACE
- BRICK PAVING SURFACE
- G.E GARDEN EDGING
- EXTERNAL GATE
- SITE BOUNDARY - REFER TO ARCH. PLANS
- BASEMENT EXTENTS - REFER TO ARCH. PLANS
- STORMWATER SERVICE - REFER TO ARCH. PLANS

FENCE TYPE 1 - 2.0m(H) BOUNDARY FENCE AS PER ARCHITECTS DETAILS / SPEC.

FENCE TYPE 5 - UPRIGHT BATTEN TO 1.2m (H)

NOTE:  
Unencumbered area: 1105m<sup>2</sup>  
Hardscape area: 438m<sup>2</sup>= 39%  
Softscape area: 315m<sup>2</sup>= 29%  
Turfed area: 352m<sup>2</sup>= 32%  
Shaded area(Structure with trees): 353m<sup>2</sup>= 32%

PLANT SCHEDULE - GROUND FLOOR						
CODE	BOTANICAL NAME	COMMON NAME	HEIGHT	SPACING	POT SIZE	QTY
STREET TREE						
Gt	Gleditsia inaequalis 'Sunburst'	Sunburst Honeylocust	12m	As Shown	45L	2
TREES & PALMS						
Er	Elaeagnus reticulata	Blueberry Ash	8m	As Shown	45L	1
Lc	Lophosolenia confertifolia	Brush Box	15m	As Shown	200L	3
Pc	Pyrus calleryana 'Chanticleer'	Ornamental Pear	10m	As Shown	45L	6
Ti	Tristemonopsis laurina 'Luscious'	Water Gum	6m	As Shown	45L	2
HEDGES AND SCREENING PLANTS						
SaE	Syzygium australe 'Elite'	Elite Lilly Pilly	3m	11m	300mm	21
Vs	Viburnum odoratissimum	Sweet Viburnum	2.5m	11m	300mm	21
LOW SHRUBS & ACCENTS						
De	Dryopteris erecta	Gymea Lily	2m	As Shown	200mm	19
Gaf	Gardenia augusta 'Florida'	Gardenia	1.5m	2m <sup>2</sup>	200mm	44
Wf	Westringia frutescens	Coastal Rosemary	1m	1m <sup>2</sup>	200mm	42

GRASSES, GROUNDCOVERS & CLIMBERS						
Dc	Dianella caerulea	Blue Flax Lily	0.5m	4m <sup>2</sup>	140mm	75
Leg	Liriope muscari 'Evergreen Giant'	Giant Liriope	0.4m	4m <sup>2</sup>	140mm	53
Li	Lomandra longifolia 'Tanka'	Tanka Mat Rush	1m	3m <sup>2</sup>	140mm	44
Pl	Poa labillardieri 'Eskdale'	Tussock Grass	1m	3m <sup>2</sup>	140mm	47
Dr	Dichondra repens 'Silver Falls'	Kidney Weed	Creeping	4m <sup>2</sup>	140mm	35
Myop	Myoporum parvifolium 'Yanena'	Creeping Boobialla	Creeping	4m <sup>2</sup>	140mm	37
LAWN						
Turf	Stenotaphrum secundatum	Palmetto	n/a	n/a	Turf Roll	150m <sup>2</sup>

CPS

LEVEL 3  
397 RILEY STREET  
SURREY HILLS NSW 2010  
PO BOX 1074 BROADWAY NSW 2007  
TEL + (611) 2 8039 7441  
INFO@CPSPLANNING.COM.AU  
CPSPLANNING.COM.AU

**DIMENSIONS:**  
All dimensions are in millimetres unless otherwise noted. Do not scale from this drawing.  
Verify all dimensions on site prior to construction.

**CIVIL, STRUCTURAL, HYDRAULIC, ELECTRICAL AND SPECIALIST WATER FEATURE WORKS:**  
Refer to specialist and consultant drawings for all information contained within these documents relating to and presented as specialist and consultant work. Specialist and consultant drawing information contained in the landscape documents are indicative only and not for construction or certification purposes.

Issue/Code/Issue Description By Date

E	CA	FOR DA	12	02	20	08	24
E	CA	FOR DA	12	02	20	08	24
D	CA	FOR DA	12	02	20	08	24
C	CA	FOR DA	12	02	20	08	24
B	CA	FOR DA	12	02	20	08	24
A	CA	FOR DA	12	02	20	12	25
P	PRE	FOR DA	12	02	20	12	25

PRE - Preliminary CA - Council Approval T - Tender CON - Construction

PROJECT

PROPOSED CHILD CARE CENTRE  
14A FLETCHER STREET,  
NULKABA

DRAWING TITLE

LANDSCAPE PLAN  
GROUND FLOOR B

CLIENT

Drawn : SZ  
Designed : SZ  
Project No. : G032

1:100 @ A1 / 1:200 @ A3

SHEET NUMBER  
G032\_LP\_02

REVISION  
F



### ***Enclosure 3***



CESSNOCK LGA  
2025



# VILLAGES STRATEGY



CESSNOCK CITY COUNCIL





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

## Acknowledgement of Country

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

# Contents

<b>How to read this Strategy</b>	<b>4</b>
Introduction	6
Purpose	6
Relationship to the Planning Framework	7
Consultation informing this Strategy	8
What is local character?	9
 <b>General Actions</b>	 <b>12</b>
 <b>General Planning Actions</b>	 <b>14</b>
 <b>Village Character Statements and Actions</b>	 <b>18</b>
Greta	19
Kearsley	24
Mulbring	28
North Rothbury	32
Wollombi & Laguna Valley	37





# HOW TO READ THIS STRATEGY

# How to read this Strategy

This strategy is structured in the following way:

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

Timeframes for these Actions are as follows:

**Intermediate:** 0–2 Years

**Short Term:** 3–5 Years

**Medium Term:** 5–10 Years

**Long Term:** 10+ Years

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





## Introduction

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

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

## Purpose

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

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

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

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

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

## Relationship to the Planning Framework

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

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

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

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

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

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

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

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

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

### Strategy 8.5

Local strategic planning should consider:

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

### Strategy 9.5

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

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



## Consultation informing this Strategy

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

Consultation activities comprised:

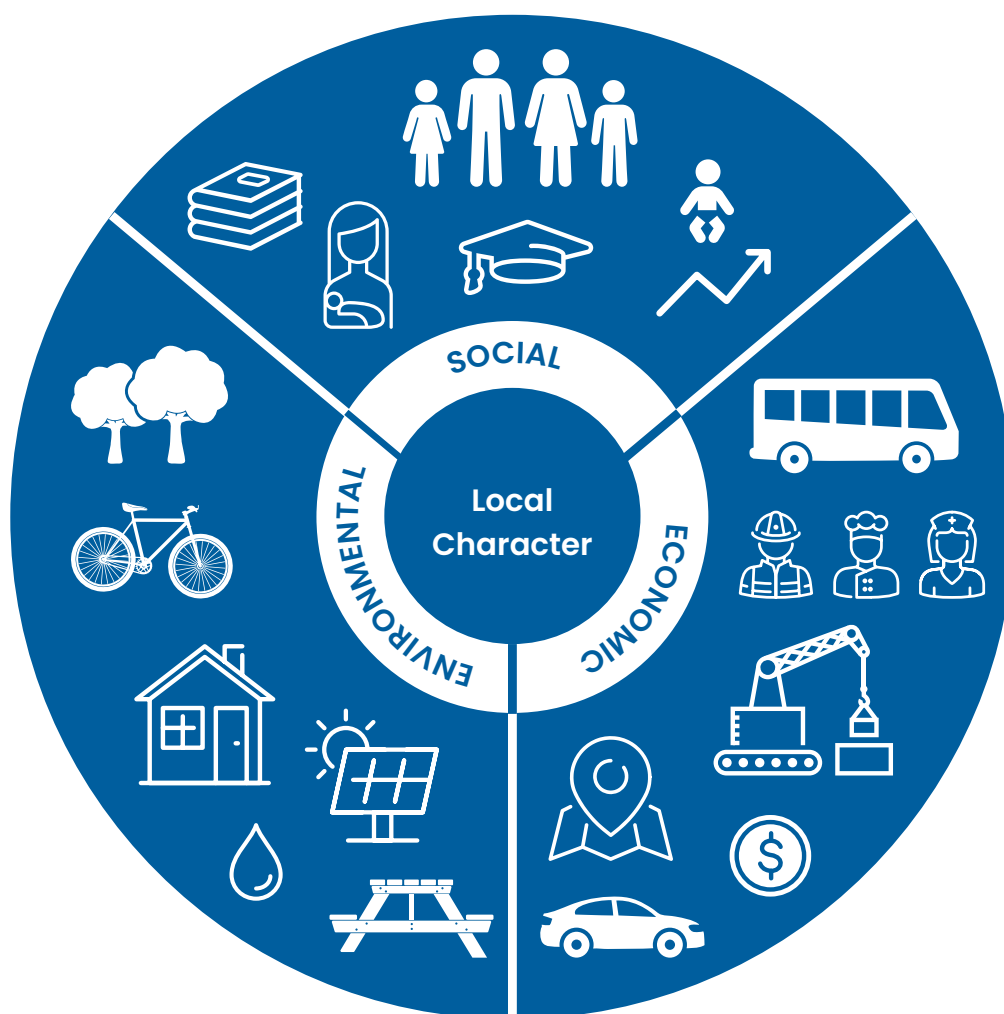
- A project specific page on Council's Have Your Say website;
- A survey, aimed at understanding what residents of villages valued about the place they live;
- Interactive mapping;
- Social media announcements; and
- Drop-in information/feedback sessions in Abermain, Ellalong, Greta, Mulbring and Wollombi.

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

## What is local character?

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

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



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





## Natural and Built Environment

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

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

## Social Environment

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

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

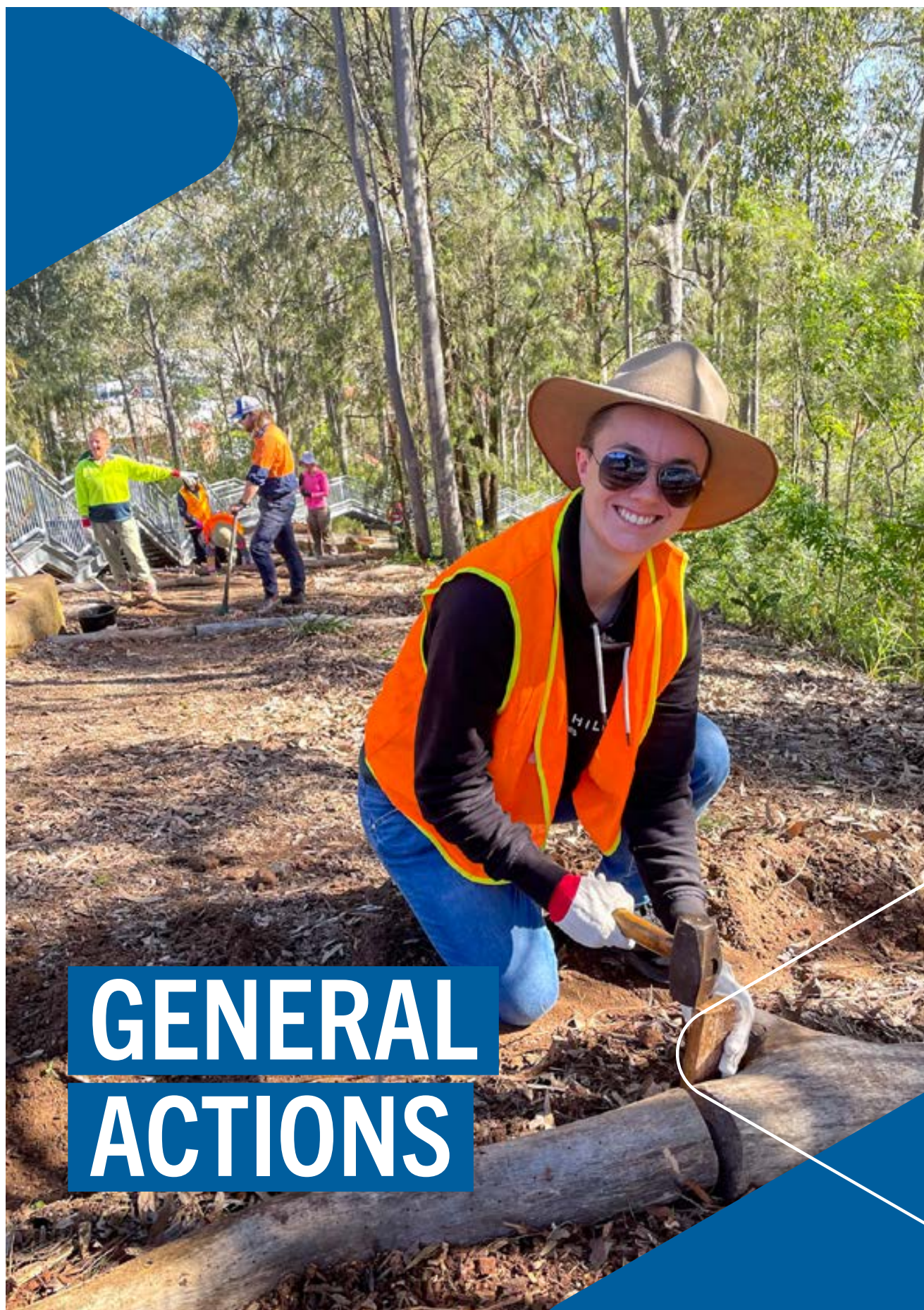


## Economic Environment

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

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





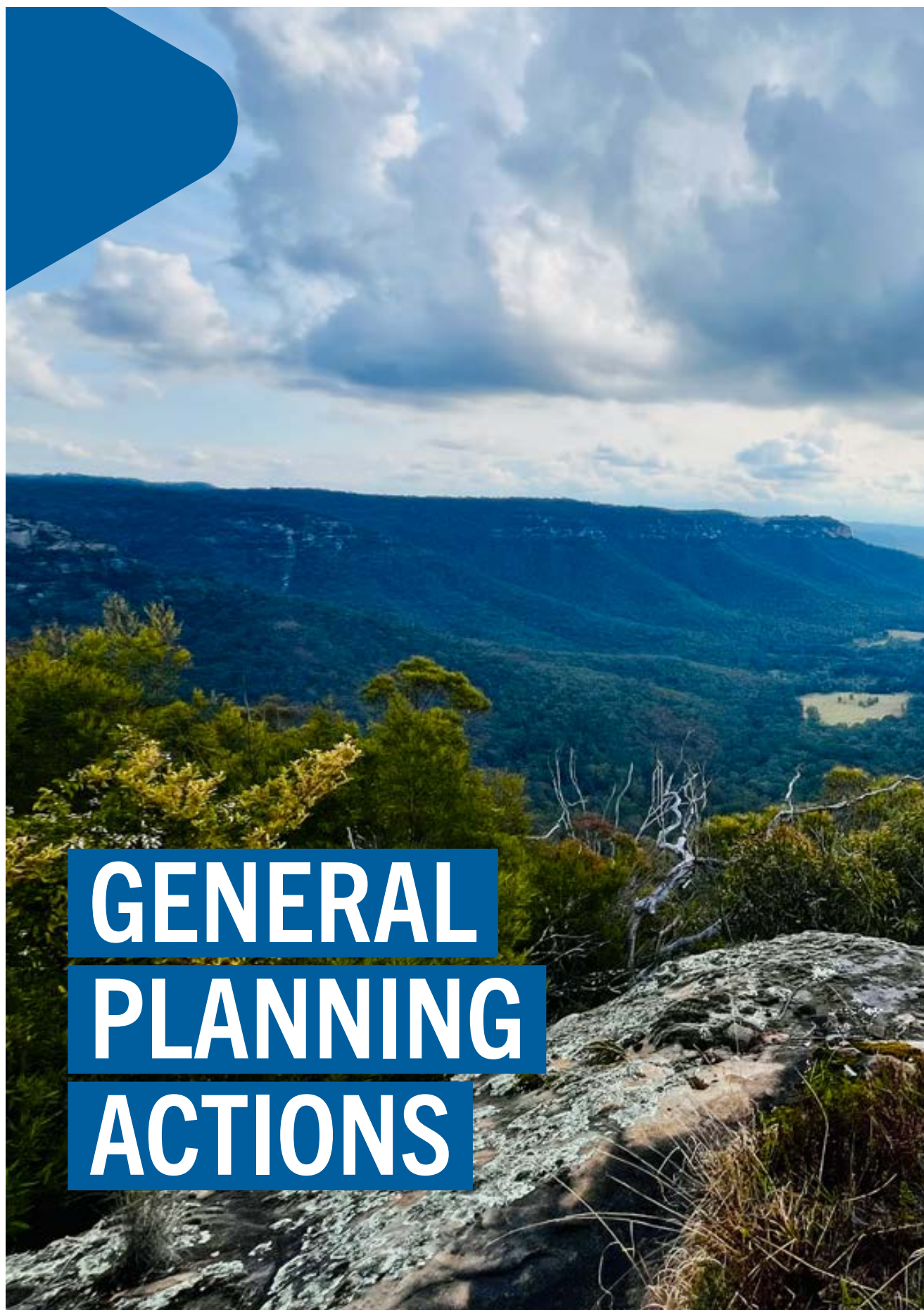
# GENERAL ACTIONS



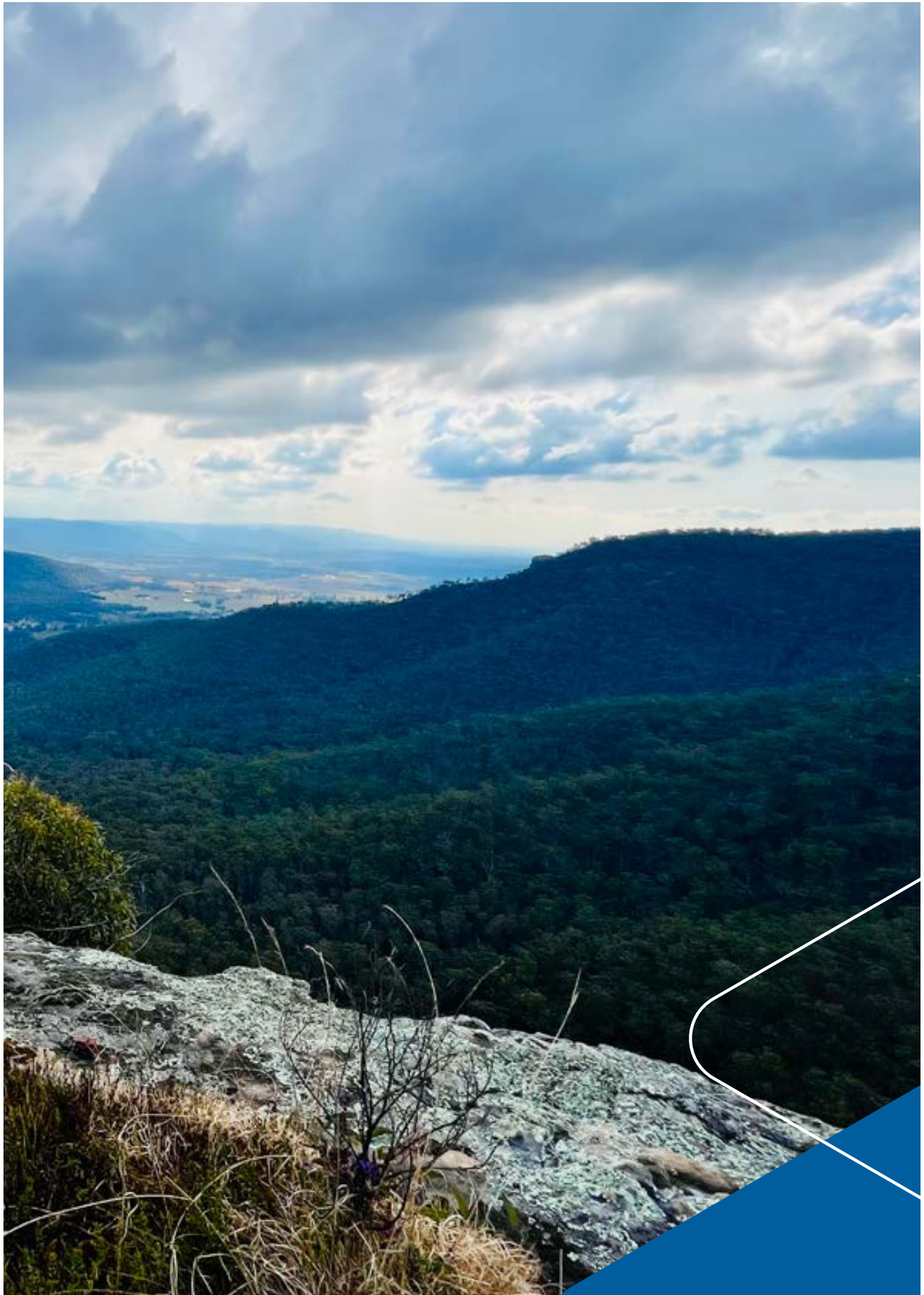
## General Actions

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









# General Planning Actions

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



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



# VILLAGE CHARACTER STATEMENTS AND ACTIONS



# Village Character Statements and Actions

## Greta

### Existing Character

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

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

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

Subdivision pattern and many dwellings within Greta are representative of the era of establishment of the village, particularly around the core of High Street / New England Highway. Allotments are generally grid-like,

being rectangular in shape with modest frontages and deep in length. There are many examples of hipped roof cottages with front verandah. Many cottages have been well maintained, retaining the original façade and features, however modifications, particularly extensions to the rear of dwellings and ancillary structures are common.

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

The village is experiencing some growth, with subdivisions occurring to the north and south of the village core. Subdivisions south of the urban core are in keeping with the existing average lot size of approximately 750 – 800m<sup>2</sup>. Subdivision north of the village core is more contemporary in nature, with lots of approximately 600m<sup>2</sup>. Dwellings in both localities however are generally modern brick and tile project homes.

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

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

## Future Character

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

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

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

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

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





## Planning actions

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



## Other actions

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

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

## Kearsley

### Existing Character

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

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

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

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

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

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

### Future Character

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

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

New dwelling development will be in keeping with existing dwellings, being predominantly single storey in height. Building lines and setbacks will be comparable with existing development. Future subdivision of land within the north-west area may be supported, so long as the rural nature is preserved, and subject to the ability to manage wastewater disposal on site. Lot sizes will not be smaller than 4,000m<sup>2</sup> unless connected to a reticulated sewerage system. Higher density development, such as boarding houses or seniors living are not encouraged, in order to preserve the low-density nature of the village.

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







## Planning actions

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

## Other actions

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

## Mulbring

### Existing Character

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

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

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

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

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

### Future Character

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

Existing landscape views will be preserved.

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

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

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

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







## Other actions

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

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



## North Rothbury

### Existing Character

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

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

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

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

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

### Future Character

The village will remain a discrete entity village from Huntlee, however will incorporate permeability opportunities for pedestrians. There will be improved internal connectivity to Ayrfield Miners Park, and Wine Country Drive.

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

Wide, tree-lined road corridors will be retained.

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







## Other actions

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

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



## Wollombi & Laguna Valley

### Existing Character

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

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

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

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

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

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

There are few residential dwellings within the

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

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

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

### Future Character

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

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

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

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







## Other actions

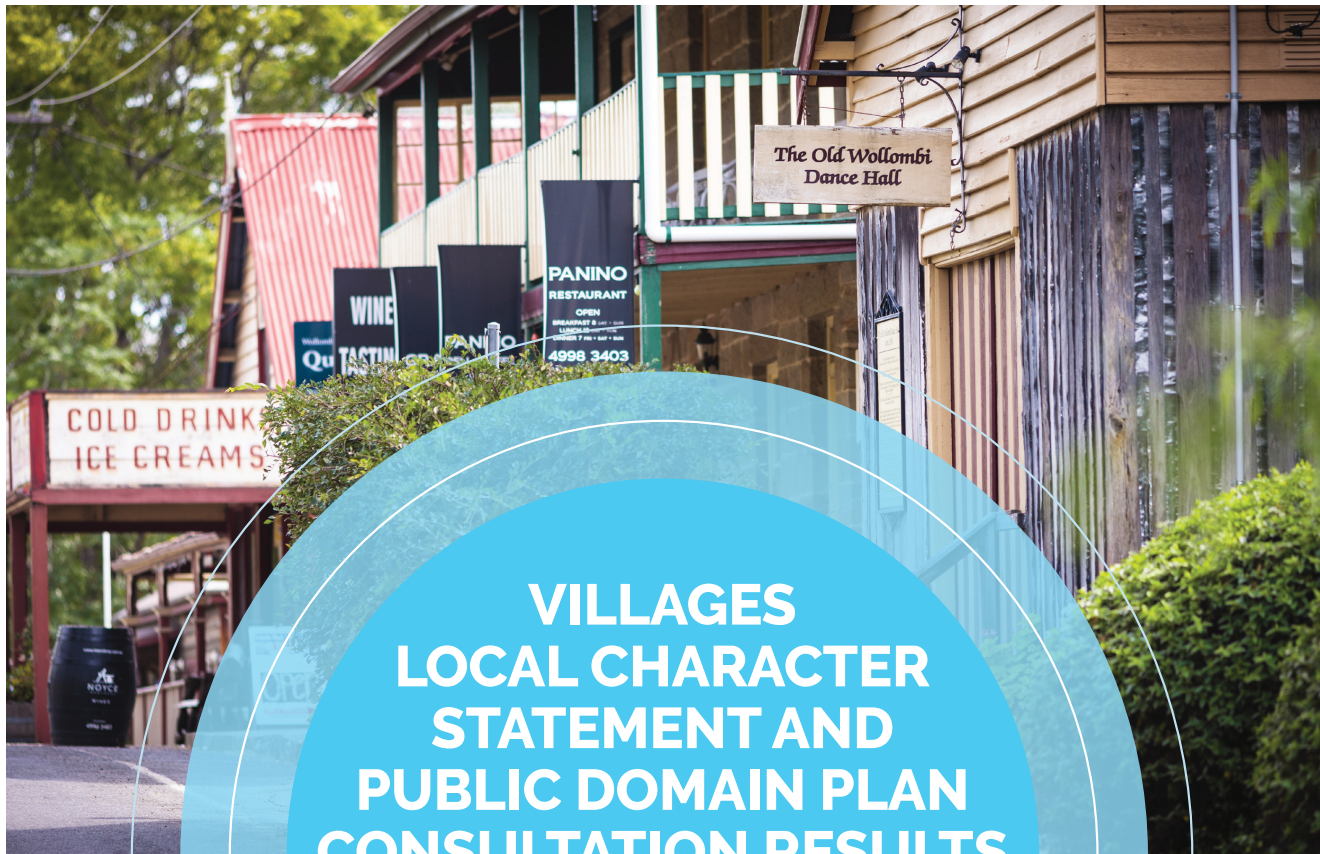
ACTION	DEPENDENCIES	KEY PARTNERS	TIMEFRAME
Support opportunities to provide regular community events.	Plans of management Licencing, approvals and insurances Funding	Community and Cultural Development Communications and Engagement Economic Development Chamber of Commerce / Business Chambers Open Space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





62-78 Vincent Street, Cessnock NSW 2325 | PO Box 152 Cessnock NSW 2325  
02 4993 4100 | [council@cessnock.nsw.gov.au](mailto:council@cessnock.nsw.gov.au) | [www.cessnock.nsw.gov.au](http://www.cessnock.nsw.gov.au)



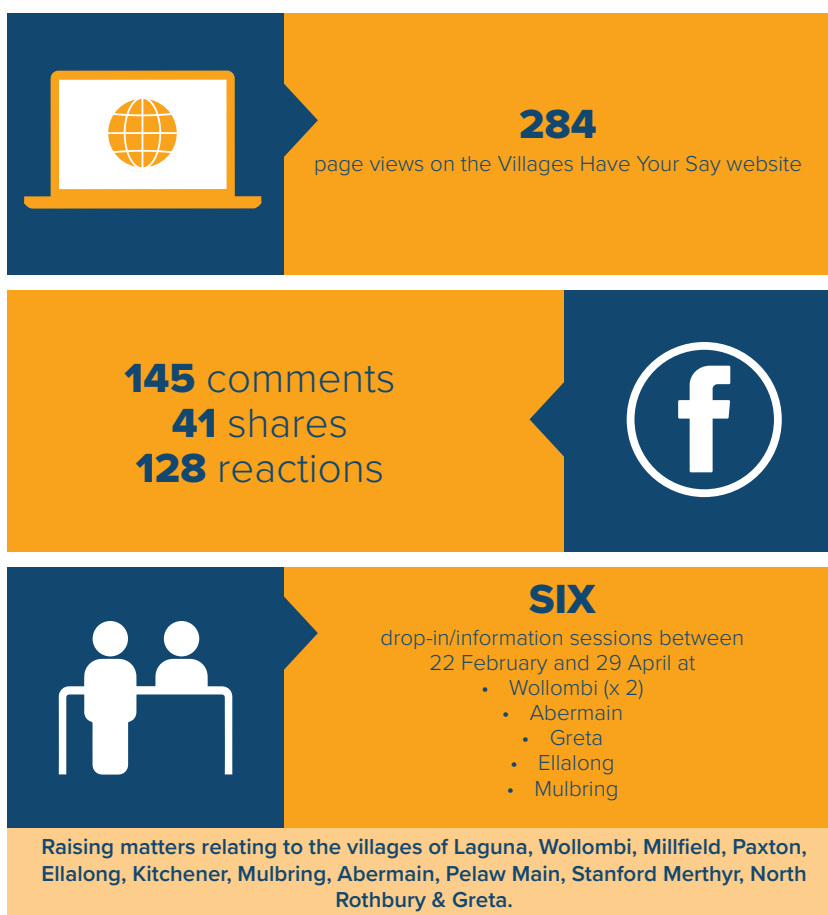


# VILLAGES LOCAL CHARACTER STATEMENT AND PUBLIC DOMAIN PLAN CONSULTATION RESULTS SUMMARY

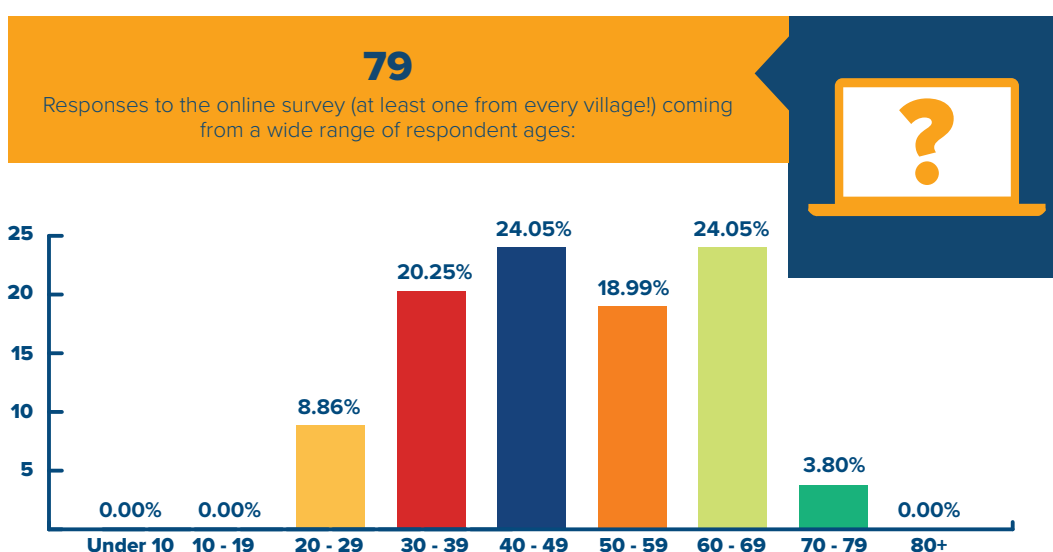
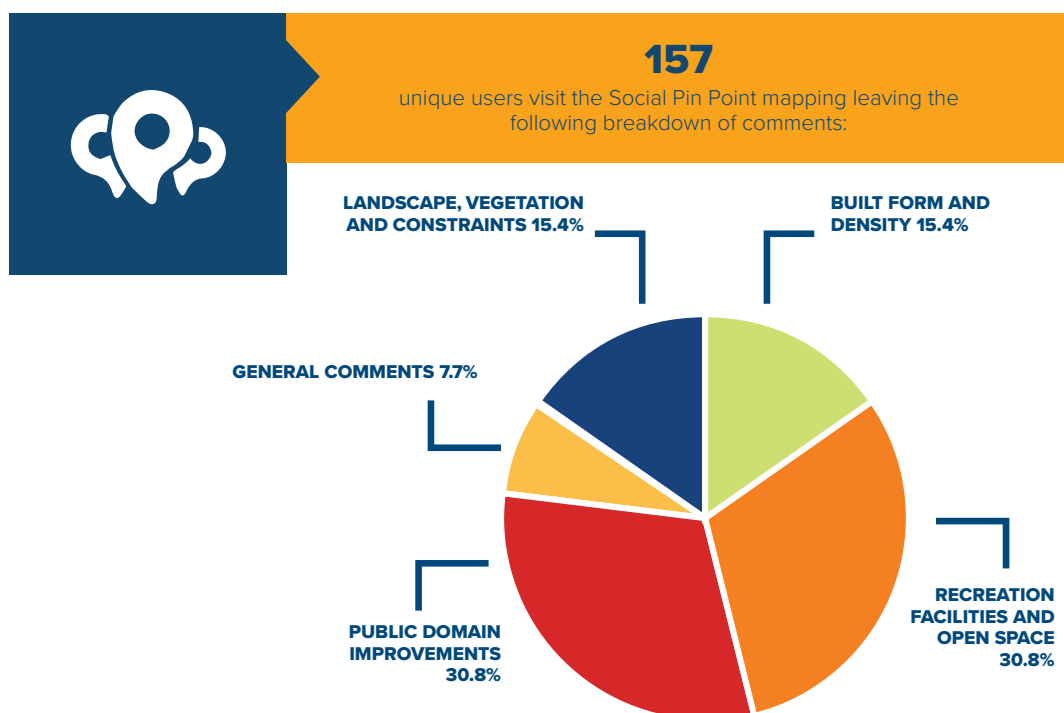
PLANNING FOR OUR PEOPLE  
OUR PLACE OUR FUTURE



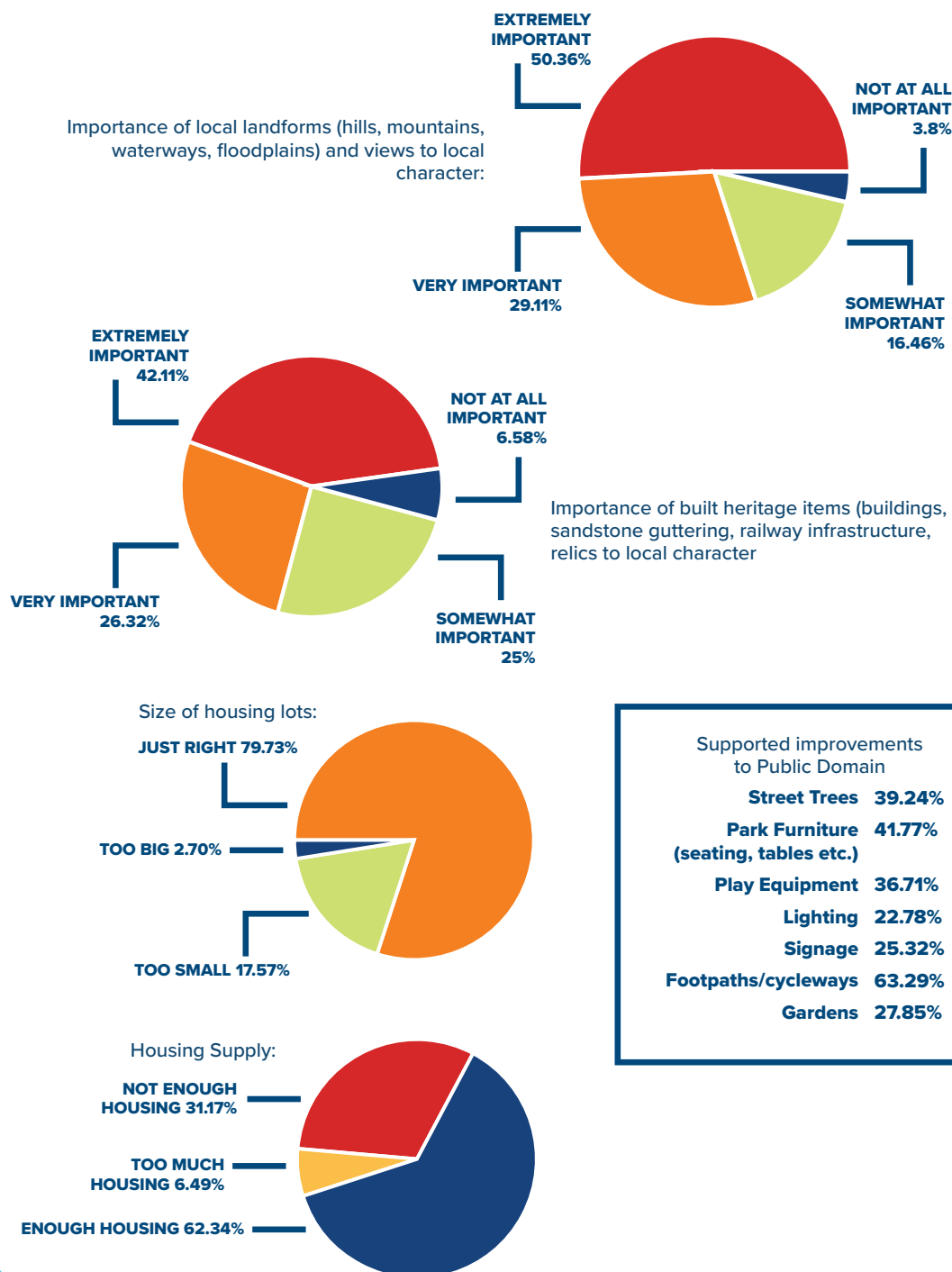
# Discussion Paper Consultation Results Summary



# Discussion Paper Consultation Results Summary



# Discussion Paper Consultation Results Summary



# Discussion Paper Consultation Results Summary


**13**

Written submissions relating to the villages of Ellalong, Kearsley, Abernethy, Millfield Wollombi, Mulbring, Laguna & Greta

## Submission Themes:

### Character

Community culture  
Community pride  
Current character  
Future character  
Village extent

### Heritage

Aboriginal heritage  
Colonial heritage  
Heritage preservation  
Heritage tourism  
War and service personnel

### Infrastructure

Communications  
Infrastructure for population growth  
Kerb and guttering  
Parking  
Roads (condition)  
Roads (safety)  
Signage (directional)  
Signage (place)  
Stormwater management  
Waste management

### Land Use and Development

Commercial / retail opportunities and viability  
Crown land  
Density  
Dwelling mix / typologies  
Illegal land use / development  
Land fragmentation  
Land use permissibility  
Laneways  
Minimum lot size (subdivision)  
Rural residential development opportunity  
Zoning / Rezoning



# Discussion Paper Consultation Results Summary

## Natural Features

Conservation  
Landscape and views  
Lookouts  
Nature trails

## Open Space & Public Spaces

Buildings / amenities  
Connectivity  
Disposal  
Landscaping  
Maintenance  
Pathways  
Public art  
Recreation facilities upgrades / new features  
Shared pathways / active transport (cycleways)  
Sporting fields and multipurpose spaces  
Street trees

## Social Matters

Accessibility  
Cemeteries  
Community facilities  
Education opportunities  
Employment  
Housing affordability  
Population (growth)  
Population (structure)  
Resilience  
Safety  
Security and vandalism



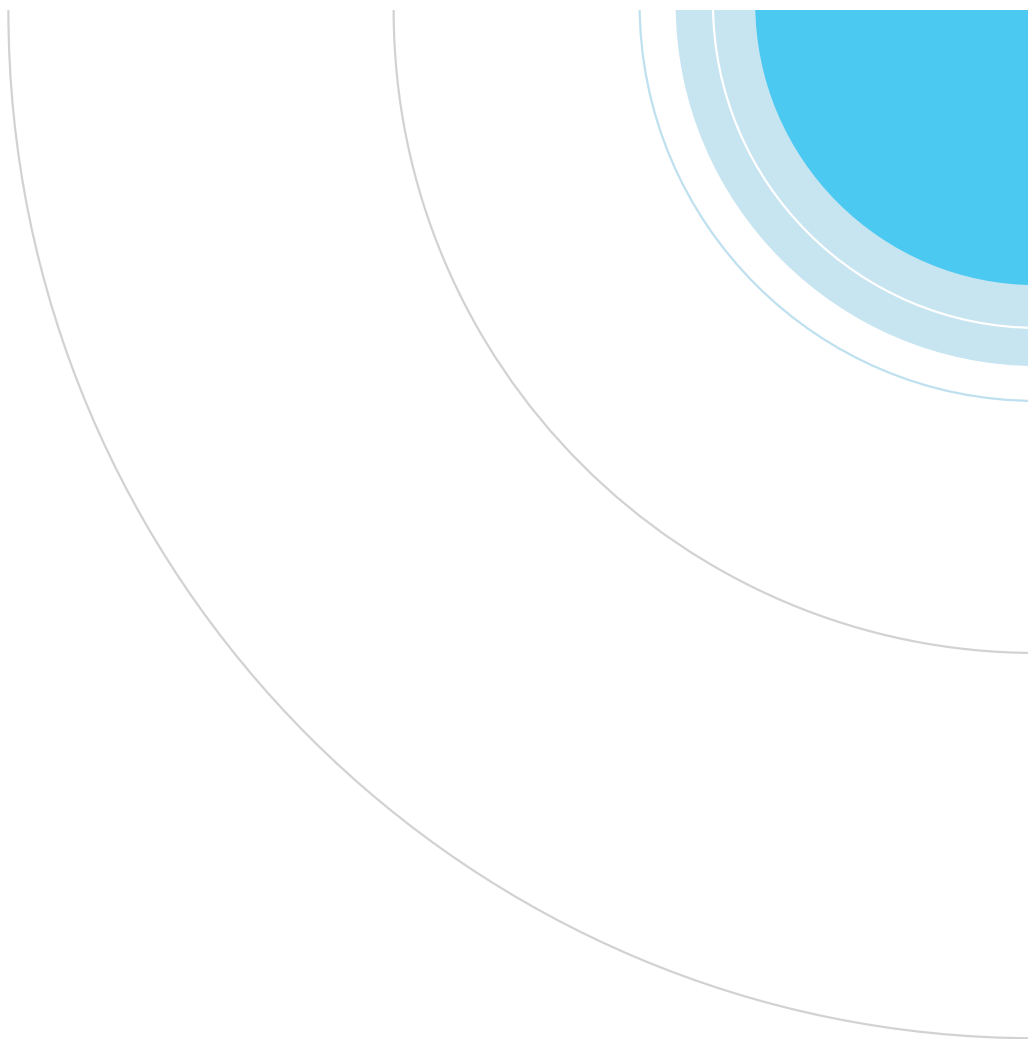
## WHAT'S NEXT?

Project staff are currently analysing the feedback received. This information will be used to:

- determine which villages have the highest priority for introduction of local character statements;
- draft local character statements to define current and desired future villages for the highest priority villages;
- identify any potential changes to land use planning controls or provisions to achieve the desired future vision; and
- identify appropriate public domain improvements;



Villages Local Character Statement And Public Domain Plan Consultation Results Summary – CESSNOCK CITY COUNCIL



**CESSNOCK CITY COUNCIL**



62-78 Vincent Street  
Cessnock, NSW  
Australia



Contact:  
tel:0249934300  
tel:0249934100



Online help:  
[council@cessnock.nsw.gov.au](mailto:council@cessnock.nsw.gov.au)  
<http://www.cessnock.nsw.gov.au>

## Villages Local Character and Public Domain Project – Written Submission Summary

Record Number	Village	Submission Summary	Themes
DOC2022/02688	Ellalong	<ul style="list-style-type: none"> <li>Condition of local road network, including Sandy Creek Road, Campbell Street</li> <li>Contribution by residents for the upgrade of Helena Street</li> <li>Development without necessary infrastructure (kerb and guttering) Improvements recommended</li> <li>Cement cycleway linking Ellalong to Paxton, Millfield, eventually to Wollombi, Rugby Road to Pelton then onto Bellbird/Cessnock and South to Quorrobolong Road – back into Cessnock.</li> <li>Widening of Church Street to accommodate new subdivision on the southern end.</li> <li>Road replacement in Campbell Street</li> <li>Levelling of the multi-purpose, soccer/football field, so when we do have the population demand for a junior sporting team, they aren't puffed out running up hill, getting to the half way mark and tripping over running down the hill.</li> <li>More undercover picnic area within the multi-purpose park with barbeque areas.</li> <li>Beatification of the cemetery - flora, fence and pathways to reflect the areas heritage.</li> <li>Bitumen roads, not spray sealed, done once – done right, providing residents with a safe passage way to their employment.</li> <li>The Ellalong Lagoon would be nice to put to our names, but there is only access at Truro Street and 10 meters of frontage to fish or have access to the Lagoon for watercraft. A floating pontoon or nature walk strip around the Lagoon would be nice, given we pay for maintenance in our rates for Ellalong Lagoon, I only see 10 meters of area to maintain...</li> <li>Consultation with NSW state government, Newcastle port and yourselves to reclaim the lagoon land (Used as a bargaining chip for the fourth coal loader terminal in Newcastle) and given back to the community.</li> <li>CCT cameras fitted on the corner of Rugby and Helena Street to stop the burnouts at 10pm&gt;</li> <li>Street sweepers deployed to beatify the area more frequently (I've seen a street sweeper about 6 times in 17yrs)</li> <li>Kerb and guttering from the bridge / South Street and surrounding streets in Ellalong</li> <li>Sewage no longer release into Millfield brook. Council purchase grey water from hunter water and use on parks and gardens within Cessnock LGA.</li> <li>Tourist information drive map Milligan bridge/South Street</li> <li>Rebates back to the community for recycling that has been collected and recycled by council. Or collection/recycling depot in the park area, where people can cash in their cans and bottles etc. or encouragement to increase recycling bin sizes for the community to recycle more house hold items (And please don't tell me I have to pay for a bigger bin, when you benefit from the recyclable material)</li> </ul>	Roads Shared Pathways Sporting Fields & Multipurpose Open Space Security & Vandalism Tourism Directional Signage Kerb & Guttering Cemetery

DOC2024/086130

1



## Villages Local Character and Public Domain Project – Written Submission Summary

DOC2022/030137	Wollombi	<ul style="list-style-type: none"> <li>▪ Cunneens Bridge</li> <li>▪ listed for demolition on Council's operational plan</li> <li>▪ demolition requires development consent</li> <li>▪ demolition not supported - deleterious and adverse impact on visual qualities, setting and significance of Wollombi Village Heritage Conservation Area</li> <li>▪ consideration should be given to reintroducing pedestrian access over bridge - additional visitor attraction</li> </ul>	Heritage preservation
DOC2022/033021	Kearsley & Abernethy	<ul style="list-style-type: none"> <li>▪ Villages of Kearsley and Abernethy have lengthy and intrinsic links to armed services (approx. 200 pax). with 12 men who died as a result of their service</li> <li>▪ Names are listed on commemorative benches in the grounds of the community Hall</li> <li>▪ Incorporating stories of servicemen and women into the character of the villages would be meaningful.</li> <li>▪ Future housing subdivisions within the localities should utilise the surnames of the 12 local service personnel to preserve local history and heritage.</li> <li>▪ Alternatively, existing laneways in Kearsley and Abernethy could be named in honour of these service people.</li> </ul>	Laneways Service Personnel & War
DOC2022/038612	Millfield	<ul style="list-style-type: none"> <li>▪ Rose Hill Estate, Millfield Rise and future Mount View residential estate should be included within the village extent</li> <li>▪ Council needs to consider/supply infrastructure to support village expansion</li> <li>▪ no public toilets</li> <li>▪ would like to see a small/local scale shops/facilities (not a shopping mall or big box supermarket) possibly opposite side of Wollombi Road - a community square</li> <li>▪ need to reduce reliance on cars and provide shared pathways to connect people within and outside the village to other villages (e.g., Paxton) for elderly and families with children</li> </ul>	Village extent Infrastructure for Population Growth Amenities Commercial/retail opportunities Shared Pathways
DOC2022/037812	Wollombi	<ul style="list-style-type: none"> <li>▪ the vast Aboriginal heritage of our area is outstanding not only for the number of sites across the Wollombi, also the variety and types of art. Our Village name "Wollombi" means in Aboriginal language "the meeting of the waters and the meeting place"</li> <li>▪ the Colonial village centre of Wollombi is unique with its sandstone buildings and convict hewn Great North Road</li> <li>▪ the native flora and fauna</li> <li>▪ the art and sculptures also define our area, particularly from the last forty years, supported by the Laguna P&amp;C Art Exhibition and The Sculpture Festival</li> <li>▪ the strong sense of "community" of people feeling very proud to live in and be a part of the Wollombi Valley</li> <li>▪ the quality of rural life offered to residents with Pony Club, Tennis Club and our local theatre group Valley Artists</li> </ul>	Aboriginal heritage Colonial Heritage Public Art Community Pride Rural Lifestyle

DOC2024/086130

2

## Villages Local Character and Public Domain Project – Written Submission Summary

DOC2022/038101	Millfield	<ul style="list-style-type: none"> <li>wherever you live in the village, there is at least one view of three mountain ranges + natural bushland</li> <li>Subdivision and loss of rural (prime agricultural) land for housing</li> <li>absence of infrastructure to support population growth</li> <li>Visitation to the LGA dependent on vineyards, open space, agriculture and scenic amenity - not housing in inappropriate locations</li> </ul>	Views Land fragmentation Infrastructure for population growth Tourism
DOC2022/044646	Ellalong	<ul style="list-style-type: none"> <li>Establishment of a columbarium at Ellalong Cemetery</li> </ul>	Cemeteries
DOC2022/046765	Mulbring	<ul style="list-style-type: none"> <li>protection from residential subdivision and incompatible development</li> <li>the village cannot be divided into a village with non-village surrounds - character is derived from local landscape, including rural activities and nature refuges/corridors</li> <li>the village is the portal to the Cessnock LGA - topography, biodiversity, small scale farming is a signal that visitors have arrived somewhere special</li> <li>residents have forged custodianship of built environment and natural landscape</li> <li>National Trust of Australia in 1972 as one of only 8 Hunter landscapes deserving of "Scenic Preserve" status (see p.33, National Trust of Australia, 1972, Conservation of Lands and Buildings of National, Historical, Scenic and Recreational Value in the Hunter Region - never been acted on</li> <li>village incorporates a wide range of demographics and built form, catering for aging in place and tree changers</li> <li>village heart remained the sporting fields and adjoining parkland, as well as local community facilities (e.g., school, hall, RFS, churches etc.)</li> <li>Public domain works: <ul style="list-style-type: none"> <li>basic services and infrastructure - road surfaces, kerbs and gutters, sewerage and drainage</li> <li>enhancement of existing community assets - cricket oval and parkland, children's play equipment (which is in urgent need of upgrade including the erection of shading), tennis courts, netball/basketball court, community hall, primary school grounds and facilities</li> <li>facilities and activities targeted at children and teenagers</li> </ul> </li> <li>Protection from vehicular traffic, in particular from high-speed and heavy-vehicle through-traffic especially in accessing Richmond Vale Rd. The imposition and enforcement of appropriate speed limits and load limits is encouraged, from local traffic 'short-cutting' via New St, thereby diminishing this laneway for recreational use by pedestrians, cyclists and horse riders, From illegal motor bike use.</li> <li>Conservation of village and valley landscapes and protection from residential sub-divisions and other inappropriate land uses and activities through appropriate land use zonings and regulations.</li> <li>Active 'greening' programs including: Sympathetic planting of shrubs and trees along footpaths and roadsides, Intervention to prevent unsympathetic pruning of roadside trees such as by Ausgrid and Cessnock City Council.</li> </ul>	Minimum Lot Size (Subdivision) village extent/character Demography & Education Dwelling mix/typologies Infrastructure Open Space Community Facilities

DOC2024/086130

3

## Villages Local Character and Public Domain Project – Written Submission Summary

DOC2022/046783	Mulbring	<ul style="list-style-type: none"> <li>abolish the current LEP in Mulbring - inconsistent with village structure</li> </ul>	Rezoning
DOC2022/47059	Laguna	<ul style="list-style-type: none"> <li>the area would benefit from a greater number of young families</li> <li>tourism based accommodation prevents permanent occupation &amp; high cost</li> <li>the area supports a thriving junior school but lacks a high school.</li> <li>some easing of land size for development to say 20 acres would benefit the area by providing more affordable housing &amp; support greater infrastructure and a thriving younger population.</li> </ul>	Minimum Lot Size Housing Affordability Tourism
DOC2022/048252 DOC2022/049752	Abernethy	<ul style="list-style-type: none"> <li>Installation of a water bubbler in Abernethy Playground (extend to all local playgrounds)</li> <li>Outdoor public art (indigenous and related to coal mining) along trails near village populations for passive surveillance</li> </ul>	Community facilities
DOC2022/052948	Mulbring	<ul style="list-style-type: none"> <li>Lot 1 DP 517397, Lot 2 DP 633160, and Lot 21 DP 1005842, 117 and 123 Mount Vincent Road, Leggetts Drive, Mount Vincent</li> <li>Mulbring has capacity to assist in delivering village lifestyle lots (at southern extent of village) for large lot residential development.</li> <li>Council identified Mulbring has additional potential for this purpose</li> <li>Council's Housing Strategy highlighted community preferences for large and spacious lots.</li> <li>Growth is required to maintain and upgrade existing services</li> <li>Area identified for future investigation should reviewed in addition of above-mentioned land</li> </ul>	Rural Residential development opportunity
SD2022/001287	Greta	<ul style="list-style-type: none"> <li>Summary document states Victoria Park (Lots 1 -21 Sec 29 DP 758474, 35 Water Street) is identified for disposal. Does not reflect Council decision of 19 June 2021 to retain Victoria Park and a park.</li> </ul>	Open Space - Disposal

DOC2024/086130

4



**PLANNING PROPOSAL**  
**AMENDMENT TO THE CESSNOCK LOCAL ENVIRONMENTAL PLAN 2011**

Olivia Lewis-Curnoe

LGA Wide



## TABLE OF CONTENTS

PART 1: OBJECTIVES AND OUTCOMES .....	1
PART 2: EXPLANATION OF PROVISIONS .....	2
PART 3: JUSTIFICATION.....	8
Section A: Need for the Planning Proposal .....	8
Section B: Relationship to Strategic Planning Framework.....	9
Section C: Environmental, Social and Economic Impact .....	13
Section D: Infrastructure (Local, State and Commonwealth) .....	14
Section E: State and Commonwealth Interests .....	15
PART 5: COMMUNITY CONSULTATION.....	16
PART 6: PROJECT TIMELINE .....	17
Appendix 1: Council Support.....	18

## Tables

Table 1: Relevant State Environmental Planning Policies .....	11
Table 2: Relevant Section 117 Ministerial Directions .....	11
Table 3: Indicative project timeline. ....	17

## Appendices

Appendix 1: Council Support.....	18
----------------------------------	----

Planning Proposal – Administrative Amendments - LGA Wide

Version 1.0

26 March 2025

Contact: Olivia Lewis-Curnoe

Strategic Planner

Telephone: 02 4993 4180

Email: [Olivia.lewis-curnoe@cessnock.nsw.gov.au](mailto:Olivia.lewis-curnoe@cessnock.nsw.gov.au)

**Revision History**

Revision	Description	Date
1	Draft for Gateway Determination	20 December 2024
2	Draft for Public Exhibition	29 January 2025
3	Draft for Council Adoption	26 March 2025

File No. 18/2024/3/1

Planning Proposal – Administrative Amendments - LGA Wide

Application No.: 18/2024/3/1  
Proposal: Administrative Amendments  
Parcel: LGA Wide  
Ext Ref: PP-2024-2769  
Proponent: Cessnock City Council

File No. 18/2024/3/1

Planning Proposal – Administrative Amendments - LGA Wide

## **PART 1: OBJECTIVES AND OUTCOMES**

The objective of this planning proposal is to resolve minor amendments within the Cessnock LEP 2011 (CLEP).

This will allow minor anomalies to be resolved and allow for better planning and land use outcomes for land owners.

File No. 18/2024/3/1  
Page 1 of 22



## PART 2: EXPLANATION OF PROVISIONS

List of amendments:

### 1. Employment Lands Reforms

During the Employment Lands reforms in 2023 there was an error in zone transitions.

The Employment Zones reform was mandated by the NSW State Government (the Department) and came in force on the 26<sup>th</sup> April 2023. The employment zones framework consolidated the former B5 Business Development, B6 Enterprise Corridor and B7 Business Park zones to E3 Productivity Support and former IN1 General Industrial and IN2 Light Industrial zones to E4 General Industrial, unless an alternative zone was specifically requested and justification provided to the Department. Council did not request an alternative zone for IN2 and therefore the direct translation was applied.

As part of this transition, it is noted that 'storage premises' has moved from a permissible use under IN2 to a prohibited use under the E4 General Industrial Zone. Schedule 1 of the Standard Instrument LEP Order provides a Savings and Transitional (S&T) Provision. Land uses that were previously permissible under a former Industrial zone but are no longer permitted under an Employment zone remain permissible under the S&T provision until 26 April 2025. The intent of the S&T provision is to enable the continued operation of valid land uses under the former zone as well as giving time for the new zones/land uses to settle in. Where the planning permissibility/controls are not delivering council's strategic intent, the S&T provision provides time for councils to prepare planning proposals for any needed amendments.

The sites that transitioned from IN2 to E4 have lost "storage premises" as a permissible land use, this has had a negative impact on landowners. The S&T Provision will soon be null and void and therefore it is essential "storage premises" is reinserted to the E4 zone to ensure landowners in the E4 zone can retain their land uses. Within the LGA there are currently "storage premises" operating in the E4 zone with landowners showing interest in expanding. To ensure the landowners in the E4 zone can expand operations efficiently, it is essential "storage premises" is inserted into the CLEP 2011 Land Use Table as "Permitted with consent".

### 2. Minimum Lot size should be removed from MU1 and E1 zone in Weston Town Centre

In the Cessnock LEP it is common practice to have no minimum lot size applying to employment zones. The only employment zone that has a minimum lot size is part of the Weston Town Centre. To ensure consistency, the minimum lot size should be removed from the areas zoned MU1 and E1 in the Weston Town Centre. This will ensure planning controls are consistent with the rest of the LGA, such as the areas zoned MU1 and E1 in Cessnock CBD, which do not have a minimum lot size applied. The areas that are highlighted blue and purple in Figure 6 are zoned MU1 Mixed Use and E1 Local Centre.

The minimum lot size is also applied inconsistency within the Weston Town Centre. As seen in Figure 5 the western side of Station Street does not have a minimum lot size applied, despite both sides of Station Street being zone E1 Local Centre.

## Planning Proposal – Administrative Amendments - LGA Wide



Figure 5. Current Minimum Lot Size Map of Weston Town Centre



Figure 6. Current Land Zoning Map of Weston Town Centre

## Planning Proposal – Administrative Amendments - LGA Wide



Figure 7. Proposed Minimum Lot Size

List of sites that will have the Minimum Lot Size removed:

- LOT: 4 SEC: 2 DP: 979187
- LOT: 1 DP: 741048
- LOT: 1 DP: 741818
- LOT: 21 DP: 235852
- LOT: 22 DP: 235852
- LOT: 23 DP: 235852
- LOT: 1 DP: 155121
- LOT: A DP: 529130
- LOT: B DP: 529130
- LOT: 6 SEC: C DP: 5367
- LOT: 25 SEC: C DP: 5367
- LOT: 5 SEC: C DP: 5367
- LOT: 26 SEC: C DP: 5367
- LOT: 1 DP: 313707
- LOT: 2 DP: 313707
- LOT: 1 DP: 304653
- LOT: 2 DP: 304653
- LOT: 2 SEC: C DP: 5367
- LOT: 1 SEC: C DP: 5367
- LOT: 61 DP: 504318
- LOT: 62 DP: 504318
- LOT: 7 DP: 661025
- LOT: 1 DP: 970480c
- LOT: 8 DP: 656586
- LOT: 1 DP: 300141

File No. 18/2024/3/1  
Page 4 of 22



- LOT: A DP: 378736
- LOT: B DP: 378736
- LOT: 4 SEC: B DP: 5366
- LOT: A DP: 313353
- LOT: B DP: 313353
- LOT: 2 SEC: B DP: 5366
- LOT: 1 SEC: B DP: 5366
- LOT: 12 DP: 1097359
- LOT: 11 DP: 1097359

### 3. Amendment to wording of Clause 4.1E of CLEP 2011

Clause 4.1E reads as:

#### 4.1E Subdivision of land not serviced by sewage reticulation system

(1) Development consent must not be granted to the subdivision of land that will not be serviced by a sewage reticulation system following registration of the plan of subdivision unless the consent authority is satisfied—

(a) each resulting lot will be—

(i) 4,000m<sup>2</sup>, or

(ii) if the minimum lot size shown on the [Lot Size Map](#) for the land is more than 4,000m<sup>2</sup>—the minimum lot size shown on the map, and

(b) all resulting lots are suitable for on-site sewage management.

(2) This clause prevails over clauses 4.1, 4.1AA and 4.2B in the case of an inconsistency.

Clause 4.1E part 1 (i) should be edited from “4000m<sup>2</sup>” to read as “not less than 4000m<sup>2</sup>”. This will align it with best practice as the lot does not have to exactly be “4000m<sup>2</sup>” it must be 4000m<sup>2</sup> or larger for the Clause to apply. Therefore Clause 4.1E should read as:

#### 4.1E Subdivision of land not serviced by sewage reticulation system

(1) Development consent must not be granted to the subdivision of land that will not be serviced by a sewage reticulation system following registration of the plan of subdivision unless the consent authority is satisfied—

(a) each resulting lot will be—

(i) not less than 4000m<sup>2</sup>, or

(ii) if the minimum lot size shown on the [Lot Size Map](#) for the land is more than 4,000m<sup>2</sup>—the minimum lot size shown on the map, and

(b) all resulting lots are suitable for on-site sewage management.

(2) This clause prevails over clauses 4.1, 4.1AA and 4.2B in the case of an inconsistency.

### 4. Huntlee New Town Urban Release Area



Planning Proposal – Administrative Amendments - LGA Wide

Areas of the state significant Huntlee New Town site in Rothbury/North Rothbury are not identified as Urban Release Area in the mapping that accompanies the *Cessnock Local Environmental Plan 2011*. It is unclear why these areas, shaded green in Figure 8, have been excluded as they have been identified for (predominantly) residential development. Council is seeking to amend the relevant URA maps to identify these additional areas, associated with Stage 1 and Stage 2 of the development, as URA.

Updating the map will allow future rezonings and subdivisions that align with the approved master plan to run smoothly as it will correlate to the URA Map. This is seen in the larger area to be added to the map in North Rothbury. It is currently zoned SP2 but is proposed to be residential development as per Stage 2 Major Projects Approval for Huntlee. Having all the areas that are included as part of the major projects approval for Huntlee New Town is important for planning consistency for the site.

File No. 18/2024/3/1  
Page 6 of 22

## Planning Proposal – Administrative Amendments - LGA Wide

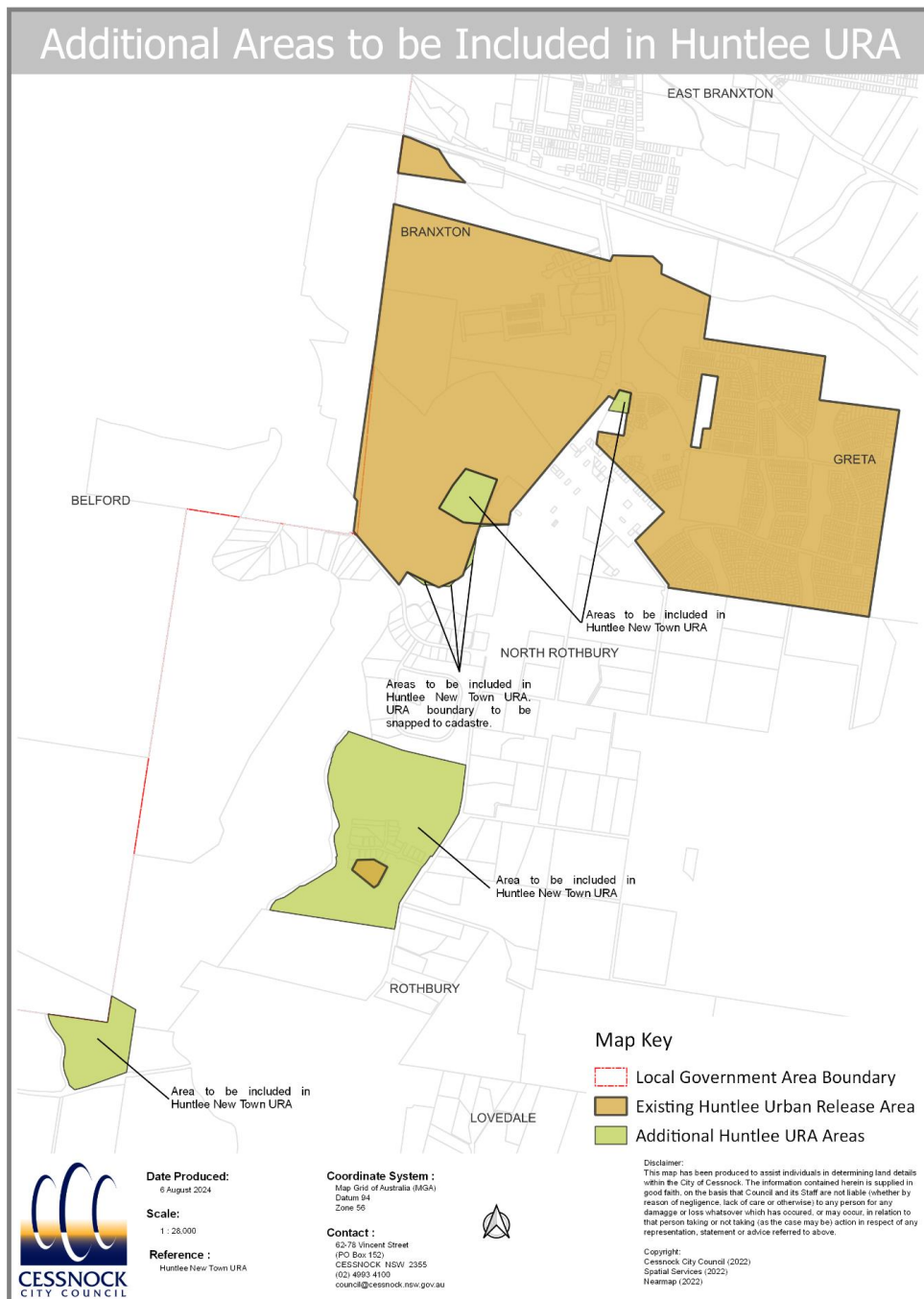


Figure 8. Huntlee New Town URA and additional URA to be included

## PART 3: JUSTIFICATION

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

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

### Section A: Need for the Planning Proposal

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

The Planning Proposal is not the result of an endorsed LSPS, strategic study or report. The Planning Proposal is a result of reviewing Cessnock LEP. The anomalies were found as a result of reviews and feedback from both affected landowners and the strategic planning team.

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

Yes, a Planning Proposal is the only means of making this amendment to Cessnock Local Environment Plan 2011.

## Section B: Relationship to Strategic Planning Framework

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

#### Hunter Regional Plan 2041

The Hunter Regional Plan (HRP) provides the overarching strategic framework to guide development, investment and planning within the Hunter region to 2041. The HRP sets the following regionally focused goals:

- The leading regional economy in Australia
- A biodiversity-rich natural environment
- Thriving communities
- Greater housing choice and jobs
- Infrastructure-first and place-based delivery framework

The Planning Proposal supports the objectives of the HRP 2041 by ensuring the planning controls in Cessnock LGA are consistent and align with current practice. This provides an environment that supports development within the LGA.

#### Greater Newcastle Metropolitan Plan

The Greater Newcastle Metropolitan Plan (GNMP) sets out strategies and actions that will drive sustainable growth across Cessnock City, Lake Macquarie City, Maitland City, Newcastle City and Port Stephens, which together make up Greater Newcastle. The plan also helps to achieve the vision set in the Hunter Regional Plan 2036 for the Hunter to be the leading regional economy in Australia with a vibrant new metropolitan city at its heart.

The Planning Proposal supports the objectives of the Greater Newcastle Metropolitan Plan by ensuring the planning controls in Cessnock LGA are consistent and align with current practice. This provides an environment that supports development within the LGA.

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

#### Cessnock Local Strategic Planning Statement 2036 (LSPS)

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

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

- Planning Priority 3: The character and vitality of our town centres and villages is protected and enhanced.  
Amendment 3: By removing the minimum lot size from Weston town centre it ensures the controls are consistent with other town centres in Cessnock LGA.

Amendment 4: Ensuring the minimum lot size of "Not Less than 4000m<sup>2</sup>" is accurately stated ensures the many isolated villages without reticulated water systems within the LGA have clear and consistent planning controls.



- Planning Priority 6: Rural residential, large lot residential development and environmental living are considered in limited and appropriate locations.  
Ensuring the minimum lot size of “Not Less than 4000m<sup>2</sup>” is consistently stated ensures the many isolated villages without reticulated water systems within the LGA have clear and consistent planning controls.
- Planning Priority 13: Our industrial land is developed in an orderly manner and meets future development needs.  
The planning proposal will support the development and optimal use of employment lands in the LGA.
- Planning Priority 14: Our industrial land fosters economic growth, business diversity, and employment opportunities.  
The planning proposal will support the development and optimal use of employment lands in the LGA.

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

The Cessnock Community Strategic Plan 2036 (CSP) identifies the community’s main priorities and expectations for the future and ways to achieve these goals. The vision of the CSP is:

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

A range of strategic directions are provided which relate to the social, environmental and economic health, sustainability and prosperity of the Cessnock LGA. The Planning Proposal is consistent with the following themes of the CSP:

- 2.1.4 We attract investment and innovation from government, business, and industry. This Planning Proposal creates consistent planning controls which will encourage investment in the LGA.

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

### **A 20-year Economic Vision for Regional NSW**

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

The planning proposal is consistent with the principles of this strategy as the consistent controls will allow for more efficient development related economic growth.

### **State Emergency Management Plan (EMPLAN)**

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

The planning proposal is consistent with the principles of this strategy as the updated planning controls will allow for better planning during emergencies.

## **6 Is the planning proposal consistent with applicable SEPPs?**

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

Table 1: Relevant State Environmental Planning Policies

SEPP	Consistency and Implications
State Environmental Planning Policy (Biodiversity and Conservation) 2021	Not Applicable to the functioning of this SEPP.
State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004	Not Applicable to the functioning of this SEPP.
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008	Not Applicable to the functioning of this SEPP.
State Environmental Planning Policy (Housing) 2021	Not Applicable to the functioning of this SEPP.
State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development	Not Applicable to the functioning of this SEPP.
State Environmental Planning Policy (Planning Systems) 2021	Not Applicable to the functioning of this SEPP.
State Environmental Planning Policy (Primary Production) 2021	Not Applicable to the functioning of this SEPP.
State Environmental Planning Policy (Resilience and Hazards) 2021	Not Applicable to the functioning of this SEPP.
State Environmental Planning Policy (Resources and Energy) 2021	Not Applicable to the functioning of this SEPP.
State Environmental Planning Policy (Transport and Infrastructure) 2021	Not Applicable to the functioning of this SEPP.

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

An assessment of relevant Section 117 Directions against the planning proposal is provided in the table below.

Table 2: Relevant Section 117 Ministerial Directions

Ministerial Direction	Consistency and Implications
Planning Systems	
1.1 Implementation of Regional Plans	Consistent.
1.3 Approval and Referral Requirements	Consistent.
1.4 Site Specific Provisions	Consistent.
Planning Systems – Place-based	
Design and Place	
Biodiversity and Conservation	
3.1 Conservation Zones	Consistent.
3.2 Heritage Conservation	Consistent.
3.5 Recreation Vehicle Areas	Consistent.
Resilience and Hazards	
4.1 Flooding (c) permit development for the purposes of residential accommodation in high hazard areas,	Consistent. Amendment 1: Employment Zones There are areas of the E2 zone that are located within flood prone areas. The planning proposal will add an additional use in this zone. But due to the type of developments that are already permissible in the zone, 'storage

## Planning Proposal – Administrative Amendments - LGA Wide

		premises' is considered consistent with the intensity and type of land uses.
4.2	Coastal Management	Not applicable.
4.3	Planning for Bushfire Protection	Consistent.  Amendment 1: Employment Zones There are areas of the E2 zone that are located within flood prone areas. The planning proposal will add an additional use in this zone. But due to the land uses that are already permissible in the zone, 'storage premises' is considered consistent as it is still permissible under the savings and transitional provision. Additional to this listing the land use as permissible does not automatically mean a development application would be approved. Site specific requirements and hazards would also be considered.
4.4	Remediation of Contaminated Land	Not applicable.
4.5	Acid Sulfate Soils	Not applicable.
4.6	Mine Subsidence and Unstable Land	Consistent. The planning proposal impacts land that is within mine subsidence districts but the amendments will not impact the intensity of land use.
Transport and Infrastructure		
5.1	Integrating Land Use and Transport	Consistent.
5.2	Reserving Land for Public Purposes	This Planning Proposal does not affect the functioning of this direction.
5.3	Development Near Regulated Airports and Defence Airfields	Not applicable.
5.4	Shooting Ranges	Not applicable.
Housing		
6.1	Residential Zones	Consistent.
6.2	Caravan Parks and Manufactured Home Estates	Not applicable.
Industry and Employment		
7.1	Employment Zones	Consistent.
Resources and Energy		
8.1	Mining, Petroleum Production and Extractive Industries	Not applicable.
Primary Production		
9.1	Rural Zones	Not applicable.
9.2	Rural Lands	Consistent.
9.3	Oyster Aquaculture	Not applicable.

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

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

There will be no impact to critical habitat or threatened species populations.

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

There will be no environmental effects as a result of the Planning Proposal.

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

The Planning Proposal will have a positive social and economic effect. The planning proposal will allow “storage premises” to be inserted back into the Land Use Table. Which will allow the optimal economic development of E2 land, especially due to storage premises already functioning within the zone. Allowing the growing consumer demands of the Cessnock LGA to be met.

Making the various other minor amendments will allow for better planning and consistent controls, which will have a positive economic impact when assessing developments on these sites.



Planning Proposal – Administrative Amendments - LGA Wide

## **Section D: Infrastructure (Local, State and Commonwealth)**

### **11 Is there adequate public infrastructure for the planning proposal?**

This Planning Proposal does not require any changes to public infrastructure.

File No. 18/2024/3/1  
Page 14 of 22

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

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

As per the Gateway Determination the Planning Proposal was referred to NSW Crown Lands and NSW Rural Fire Service.

The agencies were given 30 working days to respond from 29 January 2025 to 12 March 2025. Crown Lands are opposed to the rezoning of Lot 328 DP: 755231 at Kurri Kurri Cemetery to C2 Environmental Conservation. Although the lot is not currently used as a cemetery it is set aside for future use as a cemetery. The C2 Zone does not permit cemeteries; due to this, Crown Lands does not support the rezoning. Therefore, it is recommended the zone remains as RU2 and no amendments made to the Minimum Lot Size Map. Lot 328 DP: 755231 at Kurri Kurri Cemetery has been removed from the Planning Proposal.

No response was received from RFS.

Planning Proposal – Administrative Amendments - LGA Wide

## **PART 5: COMMUNITY CONSULTATION**

Community consultation will be conducted in accordance with the NSW Local Environmental Plan Making Guidelines, Cessnock Community Participation Plan and the Gateway Determination.

Community Consultation was conducted from 3 February 2025 to 3 March 2025. With a Have Your Say Webpage and Social Media Post on 10 February 2025.

Two submission was received during public exhibition. One submission supports storage premise as permitted with consent in the E4 General Industrial zone and raises points on the importance of this land use for local businesses. The second supports amendments made to Weston and the Planning Proposal Generally (the full submission can be found in **Appendix 2**).

## PART 6: PROJECT TIMELINE

Table 3: Indicative project timeline.

Stage	Timeframe and/or date
Council Memo	December
Gateway determination	January
Pre-exhibition	February
Commencement and completion of public exhibition period	February-March
Consideration of submissions	March
Post-exhibition review and additional studies	March
Council endorsement	April
Submission to the Department for finalisation (where applicable)	April
Gazettal of LEP amendment	May



## Appendix 1: Council Support

As per Cessnock City Council's Planning Proposal Policy, Planning Proposals supported by the Strategic Planning Team and consistent with the Planning Proposal Policy can be forwarded to the State Planning body without being reported to the Council. Councillors are instead sent a memo and can request the Planning Proposal go to a Council Meeting. Planning Proposals are reported to Council for final consideration post public exhibition to allow Councillors to make an informed decision with community feedback.

Council's Planning Proposal Policy can be found on Council's website at:

<https://www.cessnock.nsw.gov.au/Council/Forms-and-documents/Policies/Planning-Proposal-Policy>

## Response to Submissions Anomalies Planning Proposal 18/2024/3/1

Submission	Response
After reviewing the proposed changes, I believe they are all positive amendments that will improve planning outcomes and land use management in the Cessnock LGA, particularly in Weston. Overall, these amendments address important technical errors and inconsistencies while enhancing flexibility and alignment with the intended land use. I support the proposal and appreciate the council's efforts to improve planning regulations in our community. Thank you for the opportunity to provide feedback.	Noted.
<p>As the owner of Safe 'n' Sound Self Storage, a self storage business operating at 117 Northcote Street, Kurri Kurri NSW 2327, I strongly support the planning proposal to reinstate "storage premises" as a permissible land use within the E4 General Industrial zone. This amendment is crucial for rectifying what we believe was an oversight in the recent employment zone reforms. The inadvertent removal of "storage premises" has created a significant gap in the planning framework, hindering the development and operation of essential self storage services. The demand for self storage, whether from businesses requiring space for inventory, equipment, or records, or from residents needing temporary or long-term storage solutions, is growing.</p> <p>The current situation creates unnecessary challenges and limits the ability of businesses like mine to meet this demand effectively. Reinstating "storage premises" within the E4 zone is not just beneficial for my business; it offers numerous advantages for the entire community:</p> <ul style="list-style-type: none"> <li>• Supports Local Businesses: Many local businesses, particularly SMEs, rely on accessible and affordable storage solutions to manage their operations. The absence of designated "storage premises" creates logistical challenges and can stifle their growth. Reinstating this land use will directly support their needs and contribute to their success.</li> <li>• Provides Essential Services: Self storage facilities like mine provide a vital service to</li> </ul>	Noted.

<p>both businesses and residents. We offer secure and flexible storage options that are essential for managing space and belongings, particularly in a growing community. A clear planning framework that recognises "storage premises" is essential for ensuring the continued availability of these services.</p> <ul style="list-style-type: none"><li>• Promotes Organised Development: Designating "storage premises" within the E4 zone allows for the controlled and appropriate development of storage facilities. This is preferable to unregulated or ad-hoc storage facilities.</li><li>• Reflects the Reality of Industrial Operations: Storage is an integral part of modern industrial activity. Reinstating "storage premises" acknowledges this reality and aligns the planning framework with the actual needs of businesses operating within the E4 zone.</li><li>• Quiet land use: Self Storage prompts quiet land use with minimal noise and traffic impact to neighbouring properties. From my perspective as a local self-storage business owner, the reinstatement of "storage premises" is not just a matter of regulatory compliance; it's about ensuring the continued provision of an essential service to the community and supporting the growth of local businesses. I strongly urge the planning authority to approve this proposal.</li></ul>	
---	--



**CESSNOCK**

## **DEVELOPMENT CONTROL PLAN**

### **PART E: SPECIFIC AREAS**



## **Chapter E2:**

## **The Vintage**

<b>PART E: SPECIFIC AREAS.....</b>	<b>1</b>
<b>AREA BASED PROVISIONS.....</b>	<b>3</b>
<b>The Vintage.....</b>	<b>3</b>
<b>Preamble.....</b>	<b>3</b>
<b>Application .....</b>	<b>3</b>
Design Review Committee.....	3
<b>Development provisions .....</b>	<b>4</b>
Master plan.....	4
Residential Flat Buildings and Serviced Apartments.....	7
Tourist recreation facilities.....	7
Single Residential allotments.....	7
Large lot residential allotments .....	8
Vineyard allotments.....	9
Special Residential Precincts .....	9
Mixed Uses Precincts .....	10
Resort Hotel Precinct.....	11
Vineyard Tourist Accommodation Precinct (Beggars Bridge).....	12
Vehicular Access and Internal Road System.....	12
Servicing.....	13
Public open space.....	14
Tree preservation.....	14
Buffers to Vineyards.....	14

## Figures

Figure 1: Master Plan.....	6
Figure 2: Setback to land not comprising a commercial vineyard .....	16
Figure 3: Setback to existing or commercial vineyard.....	16
Figure 4: Setback to existing or approved commercial vineyard where a minimum 30m vegetated buffer is provided .....	16

## Tables

Table 1: Recommended vegetation species for vegetated chemical spray drift buffers .....	17
--	----



## AREA BASED PROVISIONS

The Cessnock Development Control Plan (CDCP) is comprised of 4 parts. Development applications must address all relevant sections of Part 2, Part 3 and Part 4.

Area-based provisions apply to discrete areas and may include provisions that are different from those in Parts 2 and 3 of the CDCP. Where there is a difference between any development provision/s in Parts 2 or 3 and Part 4, the provision/s in Part 4 prevail for that area.

### The Vintage

#### Preamble

The Vintage is defined as an *integrated tourist development*<sup>1</sup>. The area incorporates a mix of tourist and visitor accommodation, residential accommodation, indoor and outdoor recreation and other uses as outlined by [Clause 7.11A](#), [Schedule 1 – 9 Use of certain land at Wine Country Drive, Palmers Lane and McDonalds Road, Rothbury](#) and [Schedule 1 - 12 Use of certain land at Wine Country Drive and Vintage Drive, Pokolbin](#) of the *Cessnock Local Environmental Plan 2011* (CLEP).

#### Application

This chapter applies to the land known as 'The Vintage' identified in Figure 1: Master Plan. The land is zoned SP3 Tourist under the CLEP and part of the land is subject to the Additional Permitted Use provisions outlined within Schedule 1 of the CLEP.

#### Design Review Committee

All development is required to be submitted to the Design Review Committee (DRC). The DRC is comprised of the following representatives:

1. a representative of the developer;
2. two members nominated from the Residential, Rural Residential, Vineyard lots and Special Residential Precincts; and
3. A representative of council.

The DRC reviews all applications for development to determine whether the design is consistent with the provisions of this chapter and the Vintage [Architectural and Landscape Guidelines](#) prior to any development application being lodged with Council. For the purposes of this chapter, Applications that have been approved by DRC are deemed to be consistent with the [Architectural and Landscape Guidelines](#).

The DRC is also responsible for notifying adjoining landowners within the complex that the Committee is reviewing an application. Any issues raised by these property owners or

<sup>1</sup> *Integrated tourist development* means development that is predominantly tourist and visitor accommodation and tourist facilities in combination with other uses permissible on the land.

interested parties should, wherever possible, be resolved by the DRC prior to any development application being lodged with Council.

Development applications must be consistent with the approval issued by DRC. Development applications must include evidence of the approval including full details of certificates and stamped plans. Any issues/objections raised by adjoining landowners within the complex, or interested parties, which cannot be resolved by the DRC, will be forwarded to Council by the Committee.

Council (as the consent authority) will notify development applications in accordance with the provisions of Council's Community Engagement Strategy and will give due consideration to all submissions received when determining applications.

### **Development provisions**

#### Master plan

Objective/s	Development control/s
To ensure development is carried out in accordance with the Master Plan.	Development is to be consistent with the Master Plan at Figure 1: Master Plan.
To provide guidelines for each specific development component in accordance with the approved Master Plan as follows: <ul style="list-style-type: none"> <li>• Tourist recreation facilities, including: <ul style="list-style-type: none"> <li>– Golf course</li> <li>– Clubhouse</li> <li>– Chapel</li> <li>– Function centre</li> <li>– Recreation and community facilities</li> </ul> </li> <li>• Mixed use precincts including: <ul style="list-style-type: none"> <li>– Tourist and recreation facilities</li> <li>– Commercial development</li> <li>– Residential development</li> </ul> </li> <li>• Vineyard Tourist Accommodation Precinct</li> <li>• Tourist and visitor accommodation</li> </ul>	Development and the Master Plan is consistent with <a href="#">Clause 7.11A Integrated tourist development at Wine Country Drive, Palmers Lane and McDonalds Road, Rothbury</a> and Schedule 1 of the Cessnock LEP 2011 <sup>2</sup> .

<sup>2</sup> This clause stipulates that development consent must not be granted to any development on land to which it applies unless—

- the consent authority is satisfied that the development is integrated tourist development, and
- the total number of dwellings on the land does not exceed 1,022, and
- the total number of serviced apartments and hotel or motel accommodation units used for the purposes of tourist and visitor accommodation on that land does not exceed 995, and
- the total number of residential lots or dwellings does not exceed 822 until at least 344 serviced apartments and hotel or motel accommodation units on the land have been issued with occupation certificates, and
- the total gross floor area of shops on the land, not including neighbourhood shops, will not exceed 1,000 square metres.

Objective/s	Development control/s
<ul style="list-style-type: none"> <li>Residential precincts comprising: <ul style="list-style-type: none"> <li>Single residential lots</li> <li>Vineyards Lots</li> <li>Large lot residential lots</li> <li>Special residential precincts</li> </ul> </li> <li>The proposed Greenway, Great Trail and Major Tourism/Recreation Nodes that may include: <ul style="list-style-type: none"> <li>Recreation facilities (children's play spaces)</li> <li>Food and drink premises</li> <li>Bicycle hire facilities</li> </ul> </li> <li>Areas of orchards and vines.</li> </ul> <p>To encourage tourism development that is compatible with the environment and surrounding viticultural and rural industries.</p> <p>To ensure that the subdivision pattern, site layout, and building design do not detract from the rural character of the locality.</p>	
To allow discrete areas of the Vintage development to be appropriately managed.	Torrens subdivision of development lots may be required prior to the establishment of community title schemes.

## THE VINTAGE | MASTER PLAN



OCTOBER 15TH 2018



0 250m

Figure 1: Master Plan

## Development Components

### *Residential Flat Buildings and Serviced Apartments*

Residential flat buildings are an additional permitted use (APU) on part of the Vintage under [Schedule 1 of the CLEP](#). Residential flat buildings are assessed under the *State Environmental Planning Policy (Housing) 2021* and the *Environmental Planning and Assessment Regulation 2021 (the Regulation)* and the Apartment Design Guide.

Objective/s	Development control/s
<p>To achieve built form that is as compatible with the surrounding landscape, while reflecting the desired aesthetics of buildings and of the streetscapes and the public spaces at The Vintage.</p> <p>To maximise amenity, safety and security for the benefit of its occupants and the wider community.</p> <p>To minimise the consumption of energy from non-renewable resources, to conserve the environment and to reduce greenhouse gas emissions.</p> <p>To contribute to the provision of a variety of dwelling types to meet population growth.</p>	<p>Development for Residential Flat Buildings and Serviced Apartments are assessed under <i>State Environmental Planning Policy (Housing) 2021</i> and the <i>Environmental Planning and Assessment Regulation 2021 (the Regulation)</i> and the Apartment Design Guide.</p>
To ensure development is consistent with Schedule 1 of the CLEP.	Residential flat buildings are limited to 14.0m in height.

### *Tourist recreation facilities*

Objective/s	Development control/s
<p>To provide guidelines for development of land for each specific development component in accordance with the approved Master Plan.</p>	<p>The golf course is constructed in accordance with the Master Plan at Figure 1: Master Plan.</p>
	<p>The clubhouse facilities shall have a distinctive low-scale, rural character, using materials consistent with the <a href="#">Architectural and Landscape Guidelines</a></p>
	<p>A swimming pool and tennis courts will be provided as recreational facilities to the country club.</p>
To enhance the rural character of the overall development.	Landscaped open space shall be provided in accordance with the Master Plan at Figure 1: Master Plan
To establish an integrated visual link with the residential and rural residential components of the project.	Construction of all tourist recreation facilities and tourist precincts shall adhere to the colour schemes, material selections and landscaping as set out in the <a href="#">Architectural and Landscape Guidelines</a>

### *Single Residential allotments*



Objective/s	Development control/s
To provide guidelines for development of land for each specific development component in accordance with the approved Master Plan.	Lot sizes will range between 450m <sup>2</sup> - 1300m <sup>2</sup> .
	Lot frontages are to be between 15 - 22 metres in width.
	Battle-axe lots will include a 4.0 metre wide access handle.
	One dwelling house will be permitted on each allotment.
	The dwelling house may take the form of multiple structures consistent with the cluster style construction of contemporary rural buildings.
	Residential flat buildings, multi-dwelling housing, dual occupancies and other residential land-use typologies are prohibited in the residential allotment area.
	Residential allotments and dwellings are to be consistent with the <a href="#">Architectural and Landscape Guidelines</a>

*Large lot residential allotments*

Objective/s	Development control/s
To provide guidelines for development of land for each specific development component in accordance with the approved Master Plan.	The large lot residential allotments are to be located in accordance with the Figure 1: Master Plan.
	The minimum lot size for large lot residential allotments is 4000m <sup>2</sup> .
	One dwelling house will be permitted on each allotment.
	The dwelling-house may take the form of multiple structures consistent with the cluster style construction of contemporary rural buildings.
	Residential flat buildings, multi-dwelling housing, dual occupancies and other residential land-use typologies are prohibited in the large residential allotment area.
	Driveways are required to be setback a minimum of 4.0 metres from the side property boundary.
	A 3.0 metre landscape transition zone is provided along the front property boundary of all lots.
	Large lot residential allotments and dwellings are consistent with the <a href="#">Architectural and Landscape Guidelines</a> .
	Landscaping plans for large lot residential allotments are consistent the <a href="#">Architectural and Landscape Guidelines</a>

#### *Vineyard allotments*

Objective/s	Development control/s
To provide guidelines for development of land for each specific development component in accordance with the approved Master Plan.	The vineyard allotments are to be located in accordance with Figure 1: Master Plan.
	Only one detached dwelling house will be permitted on each allotment.
	The dwelling house may take the form of multiple structures consistent with the cluster style construction of contemporary rural buildings.
	Residential flat buildings, multi-dwelling housing, dual occupancies and other residential land-use typologies are prohibited in the vineyard allotment precinct.
The existing vineyard is retained and impacts are managed to preserve the amenity of the area and the ongoing function of the vineyard.	The existing vineyard is to be retained and managed to avoid spray drift and noise impacts.

#### *Special Residential Precincts*

Special residential precincts are in locations suitable for higher density accommodation types. These precincts will accommodate small lot housing, villa style developments, or multi-unit dwellings.

Objective/s	Development control/s
To provide guidelines for development of land for each specific development component in accordance with the approved Master Plan.	Within the special residential precincts housing typologies achieve a density of 30–40 units per hectare.
	Accommodation within these precincts may be made up of a combination of detached buildings and serviced apartments comprising standard rooms, one and two-bedroom suites and two, three and four bedroom villas, providing short stay opportunities for a broad range of users.
	The built form and landscaping of these areas to be consistent with the <a href="#">Architectural and Landscape Guidelines</a> .
	Tourist and visitor accommodation and facilities shall adhere to colour schemes, material selections and landscaping that is consistent with the residential and large lot residential precincts.

### Mixed Uses Precincts

There are several mixed use precincts throughout the Vintage development including the resort hotel precinct. These precincts are expected to contain a mixture of tourism, recreation, commercial and residential uses.

Objective/s	Development control/s
To provide guidelines for development of land for each specific development component in accordance with the approved Master Plan.	Residential development in the Mixed Use Precincts will achieve a minimum density of 30 dwellings per hectare.
	The built form should be low-scale and incorporate simple architectural design treatments consistent with the <a href="#">Architectural and Landscape Guidelines</a> .
	A maximum of two storeys is permitted with a maximum building height of 8.5 metres.
	Two storey buildings must have a varied height and mass.
	Roof top observatories, attics and lofts are not permitted.
	Setbacks to development lot boundaries are limited to a minimum of 4.0 metres for buildings and 3.0 metres for verandas, pergolas and terraces.
To create interest to the streetscape.	Staggered building setbacks are required.
To minimise the visual impact of retaining walls from outside the precinct.	Retaining walls that are visible from outside the precinct shall be built within 2.0 metres of development lot boundaries.
To provide a soft interface between properties and the golf course.	A 2.0 metre landscaped transition zone is provided within the property boundary along the golf course frontage for all lots with direct golf course frontage.
	The landscape transition zone and all general landscaped areas must be landscaped with plant species specified in the <a href="#">Architectural and Landscape Guidelines</a> .
To provide recreation facilities within each resort community.	Separate recreation facilities to be provided for each individual resort community.
To provide adequate car parking for the development.	Vehicular parking will be provided at the rate of one space for each unit that has 2 bedrooms or less and two spaces for every unit that has more than 2 bedrooms.
	Visitor parking to be provided at the rate of 1 space for every 5 units.
To minimise the visual impact of waste infrastructure.	Communal garbage collection areas to be incorporated in the design of each individual resort community and include provisions for recycling.
To provide recycling infrastructure within the development.	

*Resort Hotel Precinct*

Objective/s	Development control/s
To provide guidelines for development of the Resort Hotel Precinct in accordance with the approved Master Plan.	The resort hotel precinct is to contain the Resort Hotel Building and may also provide for general resort community accommodation.
To provide short-stay opportunities for a broad range of users.	<p>The resort hotel precinct shall be developed to a maximum density of 40 units per hectare.</p> <p>Development within resort hotel precinct may include: hotel accommodation; suites; as well as serviced apartments and one, two, and three bedroom, single storey villas.</p>
To provide recreation and tourist commercial facilities for the use of the hotel's visitors.	The following facilities are considered appropriate within the within Resort Hotel Precinct: reception area/s; food and drink premises; function centres; shops (tourist); and recreation facilities.
<p>The Resort Hotel Building is to provide a landmark focal point for 'The Vintage'.</p> <p>The Resort Hotel Building site should be the centre of activity within 'The Vintage'.</p>	<p>The resort hotel building to be an architecturally significant building that is compatible with its prominent location on the hill top site overlooking the golf course.</p> <p>The resort hotel building should be constructed with a stepped design with a maximum wall height of 12 metres above the highest point of the Resort Hotel site.</p>
The Resort Hotel apartments, villas and tourist facilities should respond to the topography of the site and overall landscape vision of the golf course and other residential precincts.	<p>A maximum of 2 habitable storeys with a maximum wall height of 10 metres above natural ground is permitted.</p> <p>Buildings are to have a varied height and mass.</p> <p>Roof top observatories, attics and lofts are not permitted.</p>
To add interest to the streetscape.	<p>Setbacks to development lot boundaries are limited to a minimum of 4.0 metres for buildings and 3.0 metres for verandas, pergolas and terraces.</p> <p>A staggered building setback is encouraged.</p>
To provide a soft interface between properties and the golf course.	<p>A 2.0 metre landscape transition zone is provided within the property boundary along the golf course frontage of all developments and lots with direct golf course frontage.</p> <p>This buffer and all general landscaped areas must be landscaped with plant species specified in the <a href="#">Architectural and Landscape Guidelines</a>.</p>

Objective/s	Development control/s
To provide adequate car parking for the development.	Parking for the Resort Hotel and for ancillary tourist related facilities shall be provided in accordance with the <a href="#">Cessnock Development Control Plan: Parking and Access provisions</a> .
To minimise the visual impact of parking from the street.	Parking shall be screened from perimeter access roads by either built form or landscaping consistent with <a href="#">Architectural and Landscape Guidelines</a>

#### *Vineyard Tourist Accommodation Precinct (Beggars Bridge)*

This site is on the corner of McDonalds and Coulson Roads and is anticipated to be a tourist accommodation precinct. All of the existing vineyards and homestead will be retained.

Objective/s	Development control/s
To provide guidelines for development of land for each specific development component in accordance with the approved Master Plan.	No residential development is permitted in the Vineyard Tourist Accommodation Precinct.
	The built form and landscaping of these areas is to be consistent with the <a href="#">Architectural and Landscape Guidelines</a> .
	Tourist and visitor accommodation and facilities to adhere to colour schemes, material selections and landscaping that is consistent with the residential and large lot residential precincts.

#### Vehicular Access and Internal Road System

Objective/s	Development control/s
To provide acceptable levels of access, safety and convenience for all street users while ensuring compatibility within the Vineyard District context.	Access to the development will be at the locations shown on the Master Plan at Figure 1: Master Plan or as may be approved by Council in consultation with the Transport for NSW.
	Transport for NSW and Council will determine the access to Wine Country Drive.
	The relevant standards for road widths and access to McDonalds Road to be in accordance with Council's 'Engineering Requirements for Developments'. Such road widths and design standards shall be determined in conjunction with Council at the engineering design stage.
	Public roads shall be constructed road pavements, with variable width footpaths and landscaped buffer zones.



Objective/s	Development control/s
	<p>Public roads shall be maintained as follows:</p> <ul style="list-style-type: none"> <li>constructed road pavement from rear of kerb to rear of kerb and associated stormwater drainage (up to the point of discharge to an approved outlet point) shall be maintained by Council;</li> <li>all other land within the road reserve comprising variable width footpaths and landscape buffers (within the road reserve and adjoining private lots) are to be maintained by either the Golf Club Proprietor or the Community Association for the scheme in which that road is located;</li> <li>maintenance of the footpath areas / landscape buffer zones shall be undertaken in a manner and at a frequency satisfactory to Council;</li> <li>either the Golf Club Proprietor or the Community Association for the scheme in which drainage lines are located shall maintain all stormwater drainage lines with the exception of those stormwater drainage lines referred to in a) above.</li> </ul>
	Construction of the 200 key hotel on the hilltop will trigger the requirement for the construction of the second entry to The Vintage in accordance with the Master Plan at Figure 1: Master Plan.

#### Servicing

Objective/s	Development control/s
To ensure the provision of adequate infrastructure to 'The Vintage' complex.	A reticulated water supply (including a fire-fighting capacity) and sewerage service shall be provided to all residential lots within the complex to the requirements of the Hunter Water Corporation.
	Electrical and all telecommunication utilities are to be provided to each allotment, by way of underground conduits.
	Provision shall be made for gas supply.

### Public open space

Objective/s	Development control/s
To ensure the provision of adequate public open space to service the needs of tourists and residents.	Public open space is provided in accordance with the Master Plan at Figure 1: Master Plan.
	Public open space <sup>3</sup> on the Vintage Balance Lands is to be augmented with: <ul style="list-style-type: none"> <li>• An under 5's playground with appropriate play equipment</li> <li>• A gymnasium</li> <li>• A 25m (minimum) swimming pool.</li> </ul>
	The 'Great Trail' will provide a multipurpose pathway for cyclists and pedestrians and incorporate various tourism and recreation nodes.
	The Greenway will provide a landscaped corridor that incorporates the 'Great Trail'.
Public open space and facilities are accessible and meet Australian Standards.	Cycleways and pathways will be designed to Australian Standards AS1428 - Design for access and mobility.

### Tree preservation

Objective/s	Development control/s
To maintain existing, native trees that exist on the site.	Mature native trees are retained wherever possible through careful subdivision and building design.
	Every application for development is to be accompanied by a plan accurately describing the location and type of all existing mature trees and indicating those trees for which approval is sought for removal.

### Buffers to Vineyards

Objective/s	Development control/s
To minimise impact on development from aerial spraying.	New public place developments and dwelling-houses are to be setback a minimum of 50 metres from a property boundary where no existing or approved commercial vineyards are adjoining or on adjacent land (Figure 2: Setback to land not comprising a commercial vineyard).

<sup>3</sup> These facilities will be provided for residents of the Vintage.

Objective/s	Development control/s
To minimise the impact on surrounding viticultural/agricultural uses from the development.	Where development adjoins or is adjacent to an existing or approved commercial vineyard, a minimum separation distance of 100 metres is provided (Figure 3: Setback to existing or commercial vineyard).
To ensure development is appropriately sited having regard to the location of neighbouring commercial vineyards	New public place developments and dwelling-houses which incorporate a minimum 30m vegetated chemical spray barrier are to have a minimum separation distance of 80 metres from an existing or approved commercial vineyard on adjoining or adjacent land (Figure 2).
To reduce the potential for impacts associated with chemical spray drift from both the ground and aerial application of chemicals.	A vegetated chemical spray drift buffer and any associated fencing must be established prior to occupation of the premises.
To incorporate the use of vegetation to capture chemical spray drift and reduce the required separation distance between commercial vineyards and specified developments.	A detailed landscaping plan for vegetated buffers indicating the extent of the buffer area, the location and spacing of trees and shrubs and a list of tree and shrub species will be required.
	The vegetated buffer is to: <ul style="list-style-type: none"> <li>contain random plantings of a variety of tree and shrub species of differing growth habits, at spacings of 4.0 to 5.0 metres;</li> <li>include species which have long, thin and rough foliage which facilitates the more efficient capture of spray droplets (Table 1: Recommended vegetation species for vegetated chemical spray drift buffers); and</li> <li>provide a permeable barrier which allows air to pass through the buffer (at least 50% of the buffer should be open space).</li> </ul>
	The landscaping plan shall also contain details demonstrating how the buffer is to be maintained.
	Where development is separated from vacant land by a public road the width of the road reserve can be included in the calculation of the setback.

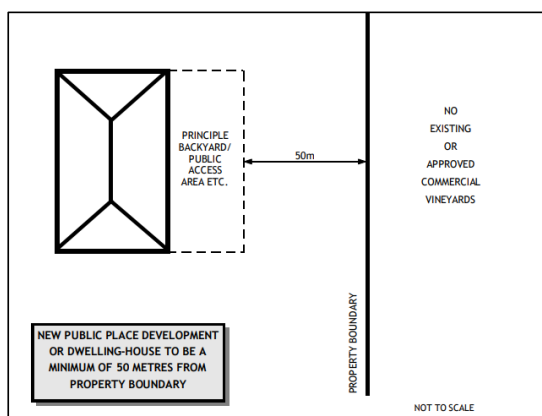


Figure 2: Setback to land not comprising a commercial vineyard

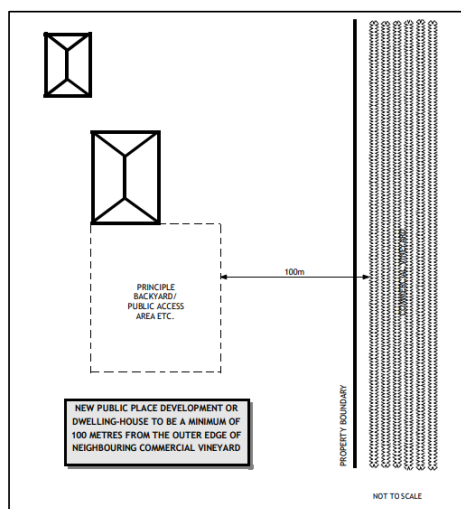


Figure 3: Setback to existing or commercial vineyard

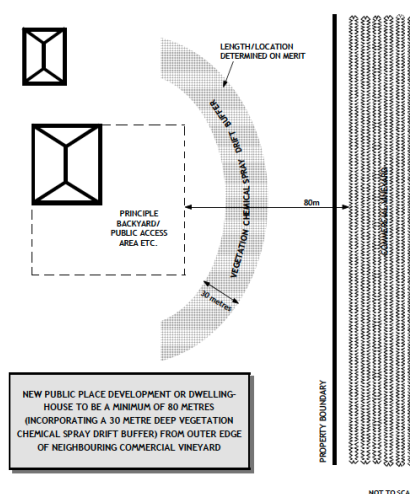


Figure 4: Setback to existing or approved commercial vineyard where a minimum 30m vegetated buffer is provided

#### Vegetated buffer species list

Broadleaved Hickory <i>Acacia falciformis</i>	Silver Stemmed Wattle- <i>Acacia parvipinnula</i>	River Oak <i>Casuarina Cunninghamiana</i>	Lemon Scented Tea Tree- <i>Leptospermum Petersonii</i>
Fern Leaf Wattle <i>Acacia filicifolia</i>	Black Oak <i>Allocasuarina littoralis</i>	Swamp Oak <i>Casuarina glauca</i>	Paperbark Tea Tree <i>Leptospermum Petersonii</i>

Fringed Wattle <i>Acacia fimbriata</i>	Forest Oak <i>Allocasuarina torulosa</i>	Tuckeroo <i>Cupaniopsis</i> <i>Anacardioides</i>	Broad Leaved Paperbark- <i>Melaleuca</i> <i>quinquenervia</i>
Sydney Golden Wattle <i>Acacia longifolia</i>	Honeysuckle <i>Banksia integrifolia</i>	Hop Bush <i>Dodonaea triquetra</i>	Prickly Leaved Paperbark- <i>Melaleuca</i> <i>stypelioides</i>
Blackwood <i>Acacia melanoxylon</i>	White Bottlebrush <i>Callistemon salignus</i>	Red Bloodwood <i>Eucalyptus gummifera</i>	Sticky Daisy Bush <i>Olearia eliptica</i>
Parramatta Green Wattle <i>Acacia parramattensis</i>	White Cyprus <i>Callitris columellaris</i>	Willow Leaf Hakea <i>Hakea salicifolia</i>	

Table 1: Recommended vegetation species for vegetated chemical spray drift buffers



## **Tender Evaluation Methodology**

### **T2025-10 Background Studies and Structure Plan for Anambah to Branxton RSGA**

#### **Evaluation of Tenders**

##### **1. Tender Evaluation Team:**

In accordance with *CCC Procurement Guidelines*, a Tender Evaluation Team (TET) was formed with the following members:

- Procurement Coordinator (Observer)
- Procurement Administration Officer (Observer)
- Principal Strategic Planner
- Senior Strategic Planner
- Senior Strategic Planner (Maitland City Council)

##### **2. Evaluation Process:**

The evaluation was conducted according to the following process:

1. Assessment of receipt
2. Assessment of conformance
3. Price
4. Due diligence checks on preferred tenderers (PWA Preferred Supplier list)
5. Determine evaluation result
6. Independent review of the tender selection process

The evaluation criteria and their weightings were documented in the agreement with Public Works Advisory reviewed by the Principal Stormwater Engineer prior to tenders being invited.

##### **3. Assessment of Receipt**

Tenders were received and assessed against the following criteria:

Threshold Criteria	
Criterion 1	Submission on time

The following tenders were received and are listed in alphabetical order.

Tender	Tenderer	Business Address	Criterion 1
1	App Corporation Pty Limited	Level 14, 10 Spring Street Sydney NSW 2000	On time
2	Arcadis Australia Pacific Pty Ltd	Level 16, 580 George Street Sydney NSW 2000	On time
3	Arup Australia Pty Ltd	Level 6, 77 Castlereagh Street Sydney NSW 2000	On time

Tender	Tenderer	Business Address	Criterion 1
4	GHD	Level 15, 133-145 Castlereagh Street Sydney NSW 2000	On time
5	Gyde Consulting	Level 6, 120 Sussex Street Sydney NSW 2000	On time
6	Urbis Ltd	Level 8, 123 Pitt Street Sydney NSW 2000	On time

#### **4. Assessment of Conformance**

The tenders were then assessed for conformance with the remaining threshold criteria:

Threshold Criteria	
Criterion 2	Conformance with the Request for Tender documents
Criterion 3	Demonstrated capacity to manage the works, including satisfactory safety, environmental and quality management system
Criterion 4	Satisfactory financial capacity.

At the end of post tender communication, all six tenders had submissions that were conforming with threshold Criteria 2 and 3 and could progress to tender assessment, subject to the later confirmation of financial capacity of tenderers, as per Criterion 4.

#### **5. Shortlisting**

As the six tenders received were competitive, shortlisting was not considered necessary at this initial stage and all tenders were progressed for tender evaluation.

#### **6. Weighted Evaluation**

Tenders were evaluated using the following weighted evaluation criteria:

Threshold Criteria	
Criterion 5	The Lump Sum Tender Amount
Criterion 6	Experience and past performance
Criterion 7	Capacity to deliver project within the timeframes allocated for completion
Criterion 8	Methodology
Criterion 9	Quality Management
Criterion 10	Sub contractors/technical streams
Criterion 11	Referees

An initial evaluation against Criteria 5 to 10 resulting in shortlisting the higher scoring tenders competitive enough for their ranking to be influenced by the weighting of Criterion 11. Hence, referee checks were only required for two tenders to finalise the tender evaluation. The Assessment Matrix is provided as confidential **Enclosure 1**.

## **7. Due Diligence**

Referees, nominated by the preferred tenderer, were contacted and positive comment on past performance was received. Performance on other known work of a similar nature were also considered.

Equifax Australasia Credit Ratings Pty Ltd was engaged to independently assess the preferred tenderers' financial capacity. The assessment confirmed conformance with threshold Criterion 4, having current financial capacity to satisfactorily complete the work.

## **8. Evaluation Result**

Tender 6 from Urbis Ltd had the highest total score for the weighted criteria, and meets the allocated budget under the Commonwealth Housing Support Program grant funding Council has available for the contract. Tender 6 from Urbis Ltd was therefore identified as the preferred tender.

## **9. Independent Review**

The evaluation process and recommendations were reviewed by the TAP and determined to be in accordance with relevant documents and legislation:

- *Cessnock City Council Procurement Policy,*
- *Cessnock City Council Procurement Guidelines,*
- *Local Government Act 1993, and*
- *Local Government (General) Regulation 2021.*
- *Procurement Act 1912.*

## **10. TIME FRAME**

Start Date 1 May 2025

Time for Completion: 52 Weeks

## **11. LOCAL CONTENT**

N/A

# Placeholder for Enclosure 1

Corporate and Community No. CC18/2025

Community Strategic Plan - Provided Under Separate  
Cover

## Placeholder for Enclosure 2

Corporate and Community No. CC18/2025

Long Term Financial Plan - Provided Under Separate  
Cover



## Placeholder for Enclosure 3

Corporate and Community No. CC18/2025

Asset Management Strategy - Provided Under Separate  
Cover

## Placeholder for Enclosure 4

Corporate and Community No. CC18/2025

Workforce Management Strategy - Provided Under  
Separate Cover

## Placeholder for Enclosure 5

Corporate and Community No. CC18/2025

Delivery Program incorporating the Operational Plan -  
Provided Under Separate Cover

## Placeholder for Enclosure 6

Corporate and Community No. CC18/2025

Fees and Charges - Provided Under Separate Cover

<div>Division: Ordinary Council</div> <div>Committee:</div> <div>Officer:</div>					<div>Date From:</div> <div>Date To:</div>	
Action Sheets Report					Printed: Wednesday, 9 April 2025 7:55:09 AM	
Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
CC3/2025	Ordinary Council 19/02/2025	Varghese, Arun	Corporate and Community	Credit Card Policy	19/03/2025	
93 MOTION 93 RESOLVED	Moved:	Maginnity, Robert Councillor Lea	Seconded:	Councillor Palmowski		
That Council adopts the reviewed Corporate Credit Card Policy.						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
CC73/2024	Ordinary Council 11/12/2024	Elliott, Jessica	Corporate and Community	Minutes of the Council Initiated Awards Committee Meeting held 7 November 2024	30/04/2025	
72 <b>MOTION</b> 72 <b>RESOLVED</b>	<b>Moved:</b>	Maginnity, Robert Councillor Pascoe	<b>Seconded:</b>	Councillor Hill		
<ol style="list-style-type: none"> <li>That Council notes the minutes of the Council Initiated Awards Committee Meeting held on 7 November 2024 include recommendations to offer opportunities for induction into the City of Cessnock Hall of Fame and Freeman of the City.</li> <li>That Council adopts the minutes of the Council Initiated Awards Committee Meeting held on 7 November 2024.</li> <li>That the City of Cessnock Hall of Fame Guidelines be amended with the following changes: <ol style="list-style-type: none"> <li>Removal of reference to 'Nominations to the Hall of Fame will be called for every two years' and replace with 'Nominations can be submitted at any time'.</li> <li>Removal of reference to 'Community Engagement Awards and Grants Committee' and replace with 'Council Initiated Awards Committee'.</li> </ol> </li> <li>That the amended City of Cessnock Hall of Fame Guidelines be adopted.</li> </ol> <p>13 Dec 2024 12:14pm Drage, Natalie - Reallocation Action reassigned to Elliott, Jessica by Drage, Natalie - Referred to Community Development Officer for implementation of the resolutions.</p> <p>23 Jan 2025 3:13pm Anderson, India - Target Date Revision Target date changed by Anderson, India from 08 January 2025 to 28 February 2025 - Changes have been discussed and are with Communications &amp; Engagement team for finalisation.</p> <p>27 Feb 2025 12:04pm Elliott, Jessica - Target Date Revision Target date changed by Elliott, Jessica from 28 February 2025 to 30 April 2025 - Awaiting completion.</p>						



<a href="#">Action Sheets Report</a>	<b>Division:</b>	Ordinary Council	<b>Date From:</b>
	<b>Committee:</b>		<b>Date To:</b>
	<b>Officer:</b>		<b>Printed: Wednesday, 9 April 2025 7:55:09 AM</b>

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
CC10/2025	Ordinary Council 19/03/2025	Waghorn, Peter	Corporate and Community	Land Acquisition - South Cessnock Bund Wall	30/06/2025	
<a href="#">114</a> <b>MOTION</b> 114 <b>RESOLVED</b>	<b>Moved:</b>	Maginnity, Robert Councillor Lea	<b>Seconded:</b>	Councillor Harrington		
<ol style="list-style-type: none"> <li>That Council acquires by voluntary agreement of Austar Coal Mine Pty Ltd land and easement rights, being portions of lots 34, 35 and 36 in DP 755215, required for the South Cessnock Flood Mitigation Scheme Bund Wall project.</li> <li>That Council delegates authority to the General Manager to acquire the land at the assessed market value for the sum of \$43,300 and compensate the landowner for reasonably incurred valuation and legal costs on presentation of paid invoices in accordance with the <i>Land Acquisition (Just Terms Compensation) Act 1991</i>.</li> <li>That Council authorise the General Manager to execute all documents relating to the acquisition and/or documents relating to any application to the Office of Local Government for the approval of the Minister and the Governor for compulsory acquisition if required.</li> <li>That Council authorise the General Manager in the event of failure to acquire by agreement to make any application to the Office of Local Government for the approval of the Minister and the Governor for compulsory acquisition.</li> <li>That on transfer of ownership, Council resolves to classify the land being portions of lots 34, 35 and 36 in DP 755215 as operational land.</li> </ol> <p><b>26 Mar 2025 10:40am Anderson, India - Reallocation</b> Action reassigned to Waghorn, Peter by Anderson, India - Whitney on leave</p> <p><b>26 Mar 2025 1:43pm Waghorn, Peter - Target Date Revision</b> Target date changed by Waghorn, Peter from 16 April 2025 to 30 June 2025 - Verbal acceptance of Council's purchase offer was voluntarily agreed and a formal letter of offer has been sent. It is anticipated contracts will exchange no later than 31 March and be finally settled in four to six weeks.</p>						

<b>Action Sheets Report</b>	<b>Division:</b>	Ordinary Council	<b>Date From:</b>	<b>Printed: Wednesday, 9 April 2025 7:55:09 AM</b>
	<b>Committee:</b>		<b>Date To:</b>	
	<b>Officer:</b>			

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
CC16/2025	Ordinary Council 19/03/2025	Waghorn, Peter	Corporate and Community	Authorisation to Purchase Property adjacent to Council Facility	30/05/2025	
<a href="#">128</a> <b>MOTION</b> 128 <b>RESOLVED</b>	<b>Moved:</b>	Maginnity, Robert Councillor Suvaal	<b>Seconded:</b>	Councillor Hill		
<ol style="list-style-type: none"> <li>That Council delegate to the General Manager authority to purchase Lot: 4 DP: 835450, known as 69 Vincent Street, Cessnock to facilitate the future expansion of the Cessnock Library Building.</li> <li>That Council delegate to the General Manager authority to enter negotiations for purchase of the property within 10% of the recommendation associated with this report + GST.</li> <li>That Council authorises the General Manager authority to execute the Transfer documentation of the purchase between Cessnock City Council and the private property owner.</li> <li>That the Council authorises use of funds from the Development Contributions Plan for purchase and fit out of the property.</li> <li>That on transfer of ownership, Council resolves to classify the land being Lot: 4 DP: 835450, as operational land.</li> </ol>						
<b>26 Mar 2025 1:46pm Waghorn, Peter - Target Date Revision</b> Target date changed by Waghorn, Peter from 16 April 2025 to 30 May 2025 - The property owner's managing agent has been advised of Council's authorisation of the proposed purchase and a formal letter of offer was issued 25 March 2025.						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
CC12/2025	Ordinary Council 19/03/2025	Plumridge, Matthew	Corporate and Community	Authorisation to Borrow	16/04/2025	
<a href="#">117</a> <b>MOTION</b> 117 <b>RESOLVED</b>	<b>Moved:</b>	Maginnity, Robert Councillor Hill	<b>Seconded:</b>	Councillor King		
<ol style="list-style-type: none"> <li>That Council applies for a loan facility in the amount of \$13,600,000 for a maximum period of twenty (20) years for the following projects:               <ol style="list-style-type: none"> <li>\$10,000,000 towards construction of the new Waste Facility</li> <li>\$1,400,000 for the Bridge Replacement Program</li> <li>\$1,000,000 towards Shared Pathways Program</li> <li>\$1,200,000 towards South Cessnock Flood Mitigation</li> </ol> </li> <li>That Council delegates the General Manager to negotiate the terms of the loan including tenure, rate and repayment periods.</li> <li>That Council authorise the Mayor and General Manager to execute the documents relating to the Loan Agreement including affixing of the Council Seal if required.</li> </ol>						

<b>Action Sheets Report</b>	<b>Division:</b> <b>Committee:</b> Ordinary Council <b>Officer:</b>	<b>Date From:</b> <b>Date To:</b> <b>Printed: Wednesday, 9 April 2025 7:55:09 AM</b>
-----------------------------	---	--

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
CC32/2024	Ordinary Council 15/05/2024	Plumridge, Matthew	Corporate and Community	Minutes of the Confidential Strategic Property & Community Facilities Committee meeting held on 1 May 2024	25/03/2025	
<a href="#">763</a> <b>MOTION</b> 763 <b>RESOLVED</b>	<b>Moved:</b>	Maginnity, Robert Councillor Hill	<b>Seconded:</b>	Councillor Paynter		
<p>That Council:</p> <ol style="list-style-type: none"> <li>Undertakes an Expression of Interest process to determine potential uses for lot 31 DP 594396 and lot 2 DP 716009, being Council-owned operational land comprising the former Richmond Main Colliery land and buildings, that outlines the community benefit of the future proposed use of the site.</li> <li>Requests the Expression of Interest results be provided to the Strategic Property and Community Facilities Committee for consideration and advice to Council.</li> </ol> <p>12 Jun 2024 11:50am Anderson, India - Target Date Revision Target date changed by Anderson, India from 12 June 2024 to 31 December 2024 - The EOI process has commenced.</p> <p>29 Jul 2024 2:42pm Hooper, Carolyn Initial planning commenced on EOI process.</p> <p>13 Feb 2025 3:11pm Anderson, India - Target Date Revision Target date changed by Anderson, India from 31 December 2024 to 25 March 2025 - The EOI is currently on exhibition and closes on 25 Feb 2025.</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
W12/2021	Ordinary Council 17/02/2021	Waghorn, Peter	Works and Infrastructure	Sale of Land to Bellbird Bowling Club	31/03/2025	
<a href="#">1571</a> <b>MOTION</b> 1571 <b>RESOLVED</b>	<b>Moved:</b>	Maginnity, Robert Councillor Dunn	<b>Seconded:</b>	Councillor Fitzgibbon		
<ol style="list-style-type: none"> <li>That Council authorises the General Manager to undertake the process to reclassify the seven metre strip of land along the southern boundary of the Bellbird Park Bowling Club from Community to Operational.</li> <li>That Council agrees to sell the subject parcel of land once reclassified to Bellbird Park Bowling Club at the nominal cost of one dollar (\$1.00) provided the Bellbird Park Bowling Club fund associated costs for the land transfer.</li> <li>That Council authorises the General Manager to execute documents related to the reclassification and transfer of land between Cessnock City Council and the Bellbird Park Bowling Club.</li> </ol> <p>04 Mar 2021 11:58am Benson, Nicole - Reallocation Action reassigned to Rathborne, Michael by Benson, Nicole - Michael please commence the actions as per the resolution. Liaise with my team if required. Thanks</p> <p>24 Mar 2021 4:49pm Keegan, Robyn - Target Date Revision Target date changed by Keegan, Robyn from 17 March 2021 to 30 June 2021 - Information sent to surveyor for the club to prepare and lodge forms,</p>						

Action Sheets Report	Division: Committee: Officer:	Ordinary Council	Date From: Date To:
	Printed: Wednesday, 9 April 2025 7:55:09 AM		
<div><div>29 Mar 2021 4:04pm Rathborne, Michael - Target Date Revision</div><div>Target date changed by Rathborne, Michael from 30 June 2021 to 30 August 2021 - Surveyor preparing documents for registration.</div><div>28 Apr 2021 10:33am Rathborne, Michael - Target Date Revision</div><div>Target date changed by Rathborne, Michael from 30 June 2021 to 30 September 2021 - Pending survey and documentation being prepared by surveyor.</div><div>25 Jun 2021 12:30pm Keegan, Robyn - Target Date Revision</div><div>Target date changed by Keegan, Robyn from 30 September 2021 to 31 December 2021 - Bellbird Park Bowling Club has taken responsibility for survey registration. Further work by Council Property Services to effect the transfer of land is deferred pending Strategic Property obtaining Council approval for a site-specific planning proposal to reclassify the land.</div><div>02 Sep 2021 3:11pm Keegan, Robyn - Target Date Revision</div><div>Target date changed by Keegan, Robyn from 31 December 2021 to 31 December 2021 - Peter Waghorn advised that there is no further update.</div><div>26 Oct 2021 2:19pm Keegan, Robyn - Target Date Revision</div><div>Target date changed by Keegan, Robyn from 31 December 2021 to 21 January 2022 - Advised by Chief Financial &amp; Administration Officer no update was available but will investigate.</div><div>25 Jan 2022 10:12am Waghorn, Peter</div><div>In accordance with the resolution, Bellbird Park Bowling Club management are responsible for organising and registering the survey of land to be acquired but are yet to do so. A registered plan and reclassification of the land are required before the land transfer can be transacted.</div><div>29 Mar 2022 7:55am Boughton-Ingham, Petra</div><div>28 Mar 2022 Peter Waghorn, [Confidential]: BPBC's Secretary Manager was contacted with an offer of assistance and advised that the club had not sought quotes for land survey work to date due to their financial situation. As the cost of a partial survey is not anticipated to be high, Council Officers contacted a local surveyor on the club's behalf and was told that the previous Board had engaged Marshall Scott Surveyors to prepare a plan and the draft was sent to the club last year. MSS is following up directly with club management.</div><div>12 Apr 2022 10:21am Keegan, Robyn - Target Date Revision</div><div>Target date changed by Keegan, Robyn from 21 January 2022 to 15 June 2022 - The Bellbird Park Bowling Club Secretary Manager was contacted with an offer of assistance and advised that the club had not sought quotes for land survey work due to a recent change of voluntary board membership. Council Officers contacted a local surveyor on the club's behalf and were advised that the previous Board had engaged Marshall Scott Surveyors to prepare a plan and the draft was sent to the club last year. Principal of Marshall Scott Surveyors is following up with the new club management directly.</div><div>28 Apr 2022 3:32pm Waghorn, Peter</div><div>Mark Scott of Marshall Scott Surveyors is still following up with the new club Secretary Manager regarding a survey plan previously prepared and sent to the Club in draft for their review.</div><div>26 May 2022 9:22am Waghorn, Peter</div><div>Bellbird Park Bowling Club officials have confirmed that Marshall Scott Surveyors were engaged by the previous Board to prepare a plan of acquisition. Once the draft plan is provided to Council for review and verification, the process to reclassify the identified portion of Bellbird Park can be commenced. Transfer of the land to the Club can only be effected on gazettal of the reclassification.</div><div>26 May 2022 9:50am Waghorn, Peter - Target Date Revision</div><div>Target date changed by Waghorn, Peter from 15 June 2022 to 30 December 2022 - The planning proposal to amend the LEP and reclassify a portion of Bellbird Park is a lengthy process and yet to be commenced. Transferring ownership to the Club is deferred pending gazettal of the land reclassification for Community to Operational land.</div><div>30 Jun 2022 3:12pm Waghorn, Peter</div><div>An LEP amendment request to reclassify the portion of Bellbird Park the Club requires has been scheduled with Strategic Planning.</div><div>28 Jul 2022 2:49pm Waghorn, Peter</div><div>A survey plan prepared by Marshall Scott Surveyors on behalf of Bellbird Park Bowling Club has been provided to Strategic Planning. A planning proposal requesting amendment of the Cessnock LEP land classification of the nominated portion of Bellbird Park is in progress.</div><div>31 Aug 2022 4:46pm Keegan, Robyn</div><div>Further updates are subject to progression of a planning proposal to amend the Cessnock LEP and change the community land classification of the nominated portion of Bellbird Park.</div><div>25 Nov 2022 3:47pm Waghorn, Peter</div><div>Internal Property staff followed up with Marshall Scott Surveyors 24/11/2022 and were advised that the survey plan detailing the area to be acquired by the club and prepared by their firm on behalf of Bellbird Park Bowling Club is yet to be lodged with Land Registry Services for assessment. Council staff actions are deferred pending plan registration and gazettal of the proposed land reclassification.</div><div>16 Jan 2023 12:12pm Waghorn, Peter</div><div>Property staff visited BPBC on 4/1/2023 to enquire with management as to the status of survey plan approval and were advised that they will follow up with Marshall Scott Surveyors. As at 16/1/2023, Mark Scott of MSS has not been contacted by BPBC.</div><div>16 Jan 2023 12:21pm Waghorn, Peter - Target Date Revision</div><div>Target date changed by Waghorn, Peter from 30 December 2022 to 31 March 2023 - Delayed pending Bellbird Park Bowling Club approval of draft survey plan of acquisition and the outcome of a Council request to reclassify the relevant portion of Carmichael Park to be acquired</div></div>			

<b>Division:</b>	Ordinary Council	<b>Date From:</b>	
<b>Committee:</b>		<b>Date To:</b>	
<b>Officer:</b>		<b>Printed:</b>	Wednesday, 9 April 2025 7:55:09 AM
<b>Action Sheets Report</b>			

**03 Apr 2023 10:44am Waghorn, Peter**

The Strategic Planning unit has scheduled a report seeking approval to submit the LEP amendment required to reclassify the portion of Bellbird Park the Club requires. Reclassification to operational land is required to facilitate any transfer of council community land. The report will be considered at the April 2023 Ordinary Council Meeting. .

**03 Apr 2023 11:11am Waghorn, Peter - Target Date Revision**

Target date changed by Waghorn, Peter from 31 March 2023 to 30 June 2023 - The report seeking approval to submit an LEP amendment to reclassify the required portion of Bellbird Park is scheduled for the April 2023 OCM. Reclassifications necessarily involve state planning departments and completion of that process cannot be accurately determined at this time.

**26 May 2023 3:16pm Waghorn, Peter - Target Date Revision**

Target date changed by Waghorn, Peter from 30 June 2023 to 31 March 2024 - A planning proposal to amend the Cessnock LEP community land classification of a portion of Carmichael Oval adjoining Bellbird Park Bowling Club was approved for submission to Dept. of Planning & Environment (DPE) on 19 April 2023. Subject to obtaining a DPE Gateway determination to reclassify the land from community to operational use, consultation will be undertaken with public authorities and the community. Unresolved objections must be submitted to Council for consideration before DPE is requested to make the Plan and publish LEP changes in the Government Gazette. This process is anticipated to take six to nine months. On completion, Property staff will prepare contract documentation to transfer the required land.

**25 Sep 2023 3:37pm Waghorn, Peter - Email**

On 15 September, Officers arranged for surveyors to attend and mark the site, allowing a partially installed fence to be completed along the new boundary with a lockable pedestrian access. Illegal private vehicular use of CCC community land is understood to have been occurring and neighbouring residents will be notified prior to erection of the final stage of fencing. Formal transfer of the land portion to BPBC is subject to land reclassification and the revised target date is still projected as March 2024.

**24 Nov 2023 9:41am Waghorn, Peter**

No further updates from Property Services pending completion of land reclassification process and subsequent land transfer

**28 Mar 2024 11:17am Waghorn, Peter - Target Date Revision**

Target date changed by Waghorn, Peter from 31 March 2024 to 30 May 2024 - Council's Strategic Planning unit advise the planning proposal seeking to amend the LEP land classification is currently being reviewed by the relevant state government planning department

**25 Jun 2024 10:52am Waghorn, Peter - Target Date Revision**

Target date changed by Waghorn, Peter from 30 May 2024 to 29 November 2024 - On 29/5/2024 Council's Strategic Planner advised Planning proposal PP-2023-1296 to amend Cessnock Local Environmental Plan 2011 (LEP) has received Gateway determination. The advice refers to issues remaining to be addressed and requires the amending LEP to be finalised on or before 6 months of the Gateway determination date.

**27 Nov 2024 4:33pm Waghorn, Peter - Target Date Revision**

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

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

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

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
PE5/2025	Ordinary Council 19/03/2025	Rush, Iain	Planning and Environment	Exhibition of Draft Infrastructure Contributions Plans	30/06/2025	
<a href="#">111</a> <b>MOTION</b> 111 <b>RESOLVED</b>	<b>Moved:</b>	Chrystal, Peter Councillor Hill	<b>Seconded:</b>	Councillor Pascoe		
1.	That Council place the Draft Cessnock City Wide s.7.11 Infrastructure Contributions Plan and Draft Cessnock City Wide s.7.12 Infrastructure Contributions Plan on public exhibition for a minimum period of 40 days.					
2.	That Council endorse an application to apply for a Ministerial Direction to increase the contribution cap from \$20,000 to \$30,000 per lot for the Loxford and Huntlee local catchments.					
3.	That Council receive a further report following public exhibition of the draft infrastructure contributions plans.					



<b>Action Sheets Report</b>	<b>Division:</b>	Ordinary Council	<b>Date From:</b>
	<b>Committee:</b>		<b>Date To:</b>
	<b>Officer:</b>		<b>Printed: Wednesday, 9 April 2025 7:55:09 AM</b>

**01 Apr 2025 12:56pm Rush, Iain - Target Date Revision**

Target date changed by Rush, Iain from 16 April 2025 to 30 June 2025 - Target date extended to allow time to publicly exhibit the draft documents, respond to submissions and report the final plans to Council for adoption.

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
PE6/2025	Ordinary Council 19/03/2025	Worthing, Alex	Planning and Environment	Exhibition of Draft Cessnock Development Control Plan chapters - 'Tourist Accommodation on Rural and Conservation Lands' and 'Signage and Outdoor Advertising'.	1/12/2025	
<a href="#">112</a> <b>MOTION</b> 112 <b>RESOLVED</b>	<b>Moved:</b>	Chrystal, Peter Councillor King	<b>Seconded:</b>	Councillor Jurd		
<ol style="list-style-type: none"> <li>That Council place the Draft Tourist and Visitor Accommodation on Rural and Conservation Lands Development Control Plan chapter on public exhibition for a period of 28 days.</li> <li>That Council place the Draft Signage and Outdoor Advertising Development Control Plan chapter on public exhibition for a period of 28 days.</li> <li>That Council receive a further report following public exhibition of the Draft Development Control Plan chapters if unresolved objections are received or significant amendment to the Draft Development Control Plan Chapters are made post exhibition. Where there are no unresolved objections nor significant amendments proposed post exhibition, the Draft Development Control Plan Chapters be adopted by Council pursuant to the <i>Environmental Planning and Assessment Regulation 2001</i>.</li> </ol>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
PE24/2024	Ordinary Council 20/11/2024	Lewis-Curnoe, Olivia	Planning and Environment	Planning Proposal 18 2022 6 1 - Reclassification and Rezoning of Council Land - Post exhibition	10/05/2025	
<a href="#">50</a> <b>MOTION</b> 50 <b>RESOLVED</b>	<b>Moved:</b>	Chrystal, Peter Councillor Hill	<b>Seconded:</b>	Councillor Pascoe		
<ol style="list-style-type: none"> <li>That Council note the outcomes of community consultation for Planning Proposal 18/2022/6/1 - Reclassification and Rezoning of Land at Bellbird and Abermain.</li> <li>That Council forwards the Planning Proposal for Reclassification and Rezoning of Council Land to the Minister for Planning and Public Spaces with a recommendation that the plan be made pursuant to Section 3.36 of the <i>Environmental Planning and Assessment Act 1979</i>.</li> <li>That Council remove the Public Reserve Status from Part of Lot 3 DP 624793.</li> </ol>						
<b>26 Nov 2024 9:43am Lewis-Curnoe, Olivia - Target Date Revision</b> Target date changed by Lewis-Curnoe, Olivia from 18 December 2024 to 15 January 2025 - Liaising with PC for finalisation.						
<b>24 Jan 2025 1:42pm Lewis-Curnoe, Olivia - Target Date Revision</b> Target date changed by Lewis-Curnoe, Olivia from 15 January 2025 to 31 March 2025 - Liaising with DPHI to finalise the Planning Proposal.						
<b>01 Apr 2025 9:03am Lewis-Curnoe, Olivia - Target Date Revision</b> Target date changed by Lewis-Curnoe, Olivia from 31 March 2025 to 10 May 2025 - DPHI is the plan making authority. The Planning Proposal is with DPHI for finalisation.						

<b>Action Sheets Report</b>	<b>Division:</b>	Ordinary Council	<b>Date From:</b>
	<b>Committee:</b>		<b>Date To:</b>
	<b>Officer:</b>		<b>Printed: Wednesday, 9 April 2025 7:55:09 AM</b>

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
PE26/2023	Ordinary Council 19/07/2023	Worthing, Alex	Planning and Environment	Comprehensive DCP Review - Tourist Accommodation on Rural and Environmental Lands - Draft for Exhibition	26/06/2025	
<b>528 MOTION 528 RESOLVED</b>	<b>Moved:</b>	Chrystal, Peter Councillor Hill	<b>Seconded:</b>	Councillor Grine		
<p>1. That Council exhibits the draft DCP Chapter: 'Tourist and Visitor Accommodation in Rural and Environmental Lands' in accordance with clause 13 of the Environmental Planning and Assessment Regulation 2021 and for a period of 28 days.</p> <p>2. That a further report is brought to Council for determination after the exhibition period is concluded.</p> <p><b>26 Jul 2023 12:33pm Corken, Robert - Target Date Revision</b> Target date changed by Corken, Robert from 16 August 2023 to 16 November 2023 - Exhibition will be undertaken in August.</p> <p><b>18 Aug 2023 1:48pm Blake, Yvonne - Reallocation</b> Action reassigned to Mewing, Jenny by Blake, Yvonne - Officer resigned from Council. Transferred to Acting Principal Strategic Planner for re-allocation to another Strategic Planning Officer.</p> <p><b>31 Aug 2023 2:15pm Blake, Yvonne - Reallocation</b> Action reassigned to Worthing, Alex by Blake, Yvonne - Transferred to officer as original officer has resigned.</p> <p><b>08 Sep 2023 3:32pm Worthing, Alex - Target Date Revision</b> Target date changed by Worthing, Alex from 16 November 2023 to 04 October 2023 - Preparing post exhibition report for Council</p> <p><b>26 Oct 2023 11:16am Blake, Yvonne - Target Date Revision</b> Target date changed by Blake, Yvonne from 04 October 2023 to 22 December 2023 - Report to be tabled at December Council meeting.</p> <p><b>18 Dec 2023 3:18pm Worthing, Alex - Target Date Revision</b> Target date changed by Worthing, Alex from 22 December 2023 to 20 June 2024 - On hold pending Vineyards project with DPE</p> <p><b>26 Jun 2024 1:35pm Brown, Keren - Target Date Revision</b> Target date changed by Brown, Keren from 20 June 2024 to 01 December 2024 - On hold pending Vineyards project with DPE. The DCP and the Vineyards project should be exhibited concurrently</p> <p><b>30 Oct 2024 3:37pm Worthing, Alex - Target Date Revision</b> Target date changed by Worthing, Alex from 01 December 2024 to 20 December 2024 - This chapter is being revised with other DCP chapters to finalise at the same time. Dependent on completion of all</p> <p><b>20 Jan 2025 7:33am Worthing, Alex - Target Date Revision</b> Target date changed by Worthing, Alex from 20 December 2024 to 24 March 2025 - Delayed pending completion of associated DCP chapters</p> <p><b>26 Mar 2025 1:06pm Worthing, Alex</b> Endorsed for exhibition at March Council Meeting. Arranging exhibition material with our Communications team - 40 day period.</p> <p><b>26 Mar 2025 1:10pm Worthing, Alex - Target Date Revision</b> Target date changed by Worthing, Alex from 24 March 2025 to 26 June 2025 - 40 day public exhibition period is currently being arranged with communications team.</p>						

<b>Action Sheets Report</b>		<b>Division:</b> <b>Committee:</b> Ordinary Council <b>Officer:</b>	<b>Date From:</b> <b>Date To:</b> <b>Printed: Wednesday, 9 April 2025 7:55:09 AM</b>
-----------------------------	--	---	--

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
PE4/2025	Ordinary Council 19/03/2025	Rush, Iain	Planning and Environment	Exhibition of the Draft Cessnock Vineyards District Place Strategy and the Draft Vineyards District Development Control Plan	30/06/2025	
<a href="#">109</a> <b>MOTION</b> 110 <b>RESOLVED</b>	<b>Moved:</b>	Chrystal, Peter Councillor Pascoe	<b>Seconded:</b>	Councillor Lea		
<p>1. That Council place the Draft Cessnock Vineyards District Place Strategy and Draft Vineyards District Development Control Plan chapter on public exhibition for a period of 40 days.</p> <p>2. That Council receive a further report following public exhibition of the Draft Vineyards District Place Strategy and Draft Vineyards District Development Control Plan chapter.</p> <p><b>01 Apr 2025 12:56pm Rush, Iain - Target Date Revision</b>  Target date changed by Rush, Iain from 16 April 2025 to 30 June 2025 - Target date extended to allow time to publicly exhibit the draft documents, respond to submissions and report the final plans to Council for adoption.</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
PE26/2024	Ordinary Council 20/11/2024	Worthing, Alex	Planning and Environment	Planning Proposal 18 2024 6 1 - Reclassification of part Lot 312 DP 566724 Old Maitland Road Cessnock	27/05/2025	
<a href="#">52</a> <b>MOTION</b> 52 <b>RESOLVED</b>	<b>Moved:</b>	Chrystal, Peter Councillor Harrington	<b>Seconded:</b>	Councillor Hill		
<p>1. That Council resolves to reclassify part Lot 312 DP 566724 (Old Maitland Road, Cessnock) from Community Land to Operational Land pursuant to Section 30 of the <i>Local Government Act, 1993</i>;</p> <p>2. That Council requests a Gateway determination for a Planning Proposal from the NSW Department of Planning, Housing and Infrastructure pursuant to Section 3.34 of the <i>Environmental Planning and Assessment Act 1979</i> to Reclassify part of Lot 312 DP 566724 (Old Maitland Road, Cessnock) from Community Land to Operational land;</p> <p>3. That Council requests authorisation under Section 3.31 of the <i>Environmental Planning and Assessment Act 1979</i> to act as the local plan-making authority to make the Local Environmental Plan;</p> <p>4. That Council undertakes consultation with public authorities and the community as determined by the Gateway Determination;</p> <p>5. That Council undertake the necessary Public Hearing and public notification requirements for the proposed reclassification of Council owned land, pursuant to the provisions of Sections 29 and 34 of the <i>Local Government Act, 1993, and</i>;</p> <p>6. That Council receives a report back on the outcomes of the community consultation and findings of the Public Hearing and any submissions received in response to the notification of the reclassifications.</p> <p><b>22 Nov 2024 9:54am Worthing, Alex</b>  Reclassification Planning Proposal submitted to the Planning Portal 21/11/2024. DPHI ref# PP-2024-2550. Awaiting response</p>						

<b>Action Sheets Report</b>	<b>Division:</b>	Ordinary Council	<b>Date From:</b>	
	<b>Committee:</b>		<b>Date To:</b>	
	<b>Officer:</b>		<b>Printed:</b> Wednesday, 9 April 2025 7:55:09 AM	

**20 Jan 2025 7:35am Worthing, Alex - Target Date Revision**

Target date changed by Worthing, Alex from 18 December 2024 to 22 September 2025 - Timeline in accordance with DPHI assessment timeframes. Gateway determination has been issued by the DPHI. Public exhibition commencing February.

**26 Mar 2025 1:07pm Worthing, Alex**

Pending outcome of Public Hearing, booked for April 3. Outcome of public exhibition and Public Hearing will be reported together.

**26 Mar 2025 1:11pm Worthing, Alex - Target Date Revision**

Target date changed by Worthing, Alex from 22 September 2025 to 27 May 2025 - Pending outcome of Public Hearing report to be provided by independent facilitator

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
BN2/2025	Ordinary Council 19/02/2025	Johnson, Martin	Business With Notice	State Significant Developments - Community Concerns	19/03/2025	
<a href="#">100</a> <b>MOTION</b> 100 <b>RESOLVED</b>	<b>Moved:</b>	Chrystal, Peter Councillor Hill	<b>Seconded:</b>	Councillor Lea		
<ol style="list-style-type: none"> <li>That Council make submissions to the State Significant Developments for Weston Aluminium (SSD-79012238) and Recycle Central (SSD-71547218) noting community concern surrounding the expansion of these existing developments and the possible impacts.</li> <li>The submissions should note concerns surrounding the expansion of waste disposal and possible environmental contamination close to residential properties, as well as the impact of increased heavy vehicle movements on the local road network.</li> <li>That Council calls on both proponents to conduct meaningful community consultation alongside the relevant regulatory agencies to ensure community confidence in the proposals.</li> </ol>						
<b>26 Feb 2025 12:23pm Lorenzen, Cherie - Reallocation</b> Action reassigned to Johnson, Martin by Lorenzen, Cherie - Reallocated to Acting Director Planning & Environment to review and action.						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
BN6/2025	Ordinary Council 19/03/2025	McNally, Kate	Business With Notice	Investigation for Opportunities to Reduce Vandalism in Public Spaces	16/04/2025	
<a href="#">123</a> <b>MOTION</b> 123 <b>RESOLVED</b>	<b>Moved:</b>	McLachlan, Paul Councillor King	<b>Seconded:</b>	Councillor Jurd		
That Council reconvene to further consider options available to help address impacts of crime within the Cessnock LGA after further consultation is undertaken between Cessnock Councillors and NSW Police.						

<b>Action Sheets Report</b>	<b>Division:</b>	Ordinary Council	<b>Date From:</b>
	<b>Committee:</b>		<b>Date To:</b>
	<b>Officer:</b>		<b>Printed: Wednesday, 9 April 2025 7:55:09 AM</b>

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
WI75/2022	Ordinary Council 14/12/2022	Dennis, Johanna	Works and Infrastructure	Cessnock LGA Hall Booking/Management	30/06/2025	
<b>383</b> <b>MOTION</b> <b>383</b> <b>RESOLVED</b>	<b>Moved:</b>	McLachlan, Paul Councillor Watton	<b>Seconded:</b>	Councillor Burke		
<p>1. That Council notes the information contained within the report with regard to the implications and resourcing requirements required to overhaul the current practices has adopted relating to hall bookings, maintenance and potential promotions;</p> <p>2. That Council completes a hall booking trial using the Bookeasy system at four community halls; and</p> <p>3. That if the hall booking trial is successful, that Council implements the Bookeasy system at all community halls in consultation with the s355 volunteer management committees as resources allow.</p> <p><b>16 Jan 2023 4:28pm Eveleigh, Nathan - Target Date Revision</b> Target date changed by Eveleigh, Nathan from 11 January 2023 to 30 June 2023 - Test webpage and platform completed for Bellbird Hall. Officers liaising with BookEasy on some minor amendments required for regular bookings., Additional halls will come online after testing is completed with Bellbird Community Hall as per the Council report.</p> <p><b>02 Mar 2023 9:41am Eveleigh, Nathan</b> BookEasy set-up in final testing phase for Bellbird Community Hall before going live.</p> <p><b>27 Mar 2023 11:56am Eveleigh, Nathan</b> Bellbird Community Hall Bookeasy portal went live on 20/3/2023. Will roll out 3 additional facilities following initial trials and feedback.</p> <p><b>28 Jun 2023 11:36am Eveleigh, Nathan</b> Hunter Valley VIC staff have commenced work on Ellalong &amp; Millfield Community Halls following successful roll-out of the BookEasy online bookings at Bellbird Community Hall for 3 months.</p> <p><b>28 Jun 2023 11:40am Eveleigh, Nathan - Target Date Revision</b> Target date changed by Eveleigh, Nathan from 30 June 2023 to 30 September 2023 - 2 additional halls being set-up. A 4th hall will be added once these two halls are online in the coming months.</p> <p><b>25 Aug 2023 8:36am Eveleigh, Nathan - Target Date Revision</b> Target date changed by Eveleigh, Nathan from 30 September 2023 to 20 December 2023 - VIC staff working on 2nd &amp; 3rd hall in consultation with open Space staff and s355 committee's.</p> <p><b>01 Mar 2024 11:29am McNally, Kate</b> 1. Noted, 2. The Bookeasy system is in place for Bellbird Hall. Ellalong and Millfield Hall are ready to go live following training and engagement with the s355 committees., 3. To be completed after item 2.</p> <p><b>01 Mar 2024 11:31am McNally, Kate - Target Date Revision</b> Target date changed by Harris, Kate from 30 April 2024 to 28 June 2024 - Training must be undertaken with S355 Committee members prior to online bookings progressing.</p> <p><b>24 Jun 2024 1:26pm McNally, Kate</b> 1. Noted, 2. The Bookeasy system is in place for Bellbird Hall with Millfield Hall coming on line by the end of July 2024. Ellalong Hall will be the next facility to provide online bookings., 3. To be completed after item 2.</p> <p><b>24 Jun 2024 1:29pm McNally, Kate - Target Date Revision</b> Target date changed by Harris, Kate from 28 June 2024 to 30 August 2024 - Council Officers are in the process of transitioning community halls to the online booking system. Millfield Hall will be complete by the end of July and then moving to Ellalong Hall.</p> <p><b>30 Oct 2024 1:00pm Dennis, Johanna</b> Council staff undertook system training with Millfield Hall s355 committee volunteers in August and the booking system has been set up and will go live in November.</p> <p><b>30 Oct 2024 1:05pm Dennis, Johanna - Target Date Revision</b> Target date changed by Dennis, Johanna from 30 August 2024 to 31 December 2024 - AGM being held for Ellalong s355 Committee 18 November. New committee will be trained on booking system before implementation.</p>						



<b>Action Sheets Report</b>	<b>Division:</b> <b>Committee:</b> Ordinary Council <b>Officer:</b>	<b>Date From:</b> <b>Date To:</b> <b>Printed: Wednesday, 9 April 2025 7:55:09 AM</b>
-----------------------------	---	--

**02 Dec 2024 12:24pm Dennis, Johanna**

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

**03 Feb 2025 1:36pm Dennis, Johanna**

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

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

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

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
BN7/2025	Ordinary Council 19/03/2025	Martin, Cam	Business With Notice	Report on Unsealed Roads and Costs	30/06/2025	
<a href="#">124</a> <b>MOTION</b> 124 <b>RESOLVED</b>	<b>Moved:</b>	McLachlan, Paul Councillor Hill	<b>Seconded:</b>	Councillor Suvaal		
1.	That the General Manager provide a report to Council on the unsealed road network review, including information on Unsealed Road Maintenance Schedule, Council's Asset Management Framework and budget in line with the Long Term Financial Plan.					
2.	Currently what grants are available to help with our unsealed road program.					

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
WI27/2024	Ordinary Council 11/12/2024	Pople, Alena	Works and Infrastructure	Naming of Averys Rise Park	30/06/2025	
<a href="#">79</a> <b>MOTION</b> 79 <b>RESOLVED</b>	<b>Moved:</b>	McLachlan, Paul Councillor Hill	<b>Seconded:</b>	Councillor Palmowski		
1.	That Council endorses naming the new park and playground Averys Rise Park.					
2.	That Council supports a naming proposal be submitted to the NSW Geographical Names Board for consideration and gazettal.					
3.	That signage be updated following the gazettal of the Place Naming Proposal by the NSW Geographical Names Board (subject to approval).					
<b>03 Feb 2025 1:08pm Pople, Alena</b> An application for naming has been submitted to the Geographical Names Board. The GNB have requested further information on the Avery family, then more specifically birth and death dates of William Avery, his occupation and any time served on Council which is currently being researched by the Library historian and will be provided to the GNB.						
<b>26 Feb 2025 11:31am Pople, Alena</b> All historical information has been provided to the GNB. The proposal for Averys Rise Park will be considered by the NSW Geographical Names Board (the Board) at a forthcoming meeting. , Council will be notified of the Board's resolution after the meeting.						
<b>27 Feb 2025 9:24am Pople, Alena - Target Date Revision</b> Target date changed by Pople, Alena from 19 March 2025 to 30 June 2025 - Awaiting approval of name from Geographical Names Board						

<b>Action Sheets Report</b>	<b>Division:</b> <b>Committee:</b> Ordinary Council <b>Officer:</b>	<b>Date From:</b> <b>Date To:</b> <b>Printed: Wednesday, 9 April 2025 7:55:09 AM</b>
-----------------------------	---	--

**26 Mar 2025 10:54am Pople, Alena**

The proposal for Averys Rise Park will be advertised for public comment in the Hunter Valley News, Branxton-Greta Vineyard News and Hunter River Times on 04 April 2025. , The Geographical Names Board will be accepting submissions on its website from 04 April 2025 until 04 May 2025. Council will be advised if any objections are received.

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
BN6/2024	Ordinary Council 19/06/2024	Donnelly, Patricia	Business With Notice	Bin Collection	27/06/2025	
<b>784</b> <b>MOTION</b> <b>784</b> <b>RESOLVED</b>	<b>Moved:</b>	McLachlan, Paul Councillor Hawkins	<b>Seconded:</b>	Councillor Grine		
<ol style="list-style-type: none"> <li>That Council bring forward the review/update of the Waste and Resources Recovery Strategy 2020–2025 and that the updated Strategy be endorsed by the elected Council prior to the implementation of the State Government Mandated FOGO Scheme, expected in 2025.</li> <li>That Council prioritise the review of options for standard collections in Part 3.4 of Section 6 Action Plan of the Strategy and report back to Council on the benefits and costs.</li> <li>That existing collection services remain unchanged until the newly elected Council endorse the updated Waste and Resources Strategy and State Government mandated FOGO services are potentially introduced in 2025.</li> </ol>						
<p><b>24 Jun 2024 4:58pm Donnelly, Patricia</b>  Review of Waste and Resource Recovery Strategy 2020-25 has been moved forward into 2024-25 Operational Plan. Gathering of bin data and community engagement on service levels will be undertaken in October 2024. A Briefing to Council on options for waste bin collection post FOGO will be held in November 2024. The draft 2026-30 Waste and Resource Recovery Strategy will then be developed for community exhibition in February 2025 for adoption by Council in March 2024.</p> <p><b>24 Jun 2024 5:00pm Donnelly, Patricia - Target Date Revision</b>  As per notes including timeframes required to prepare this.</p> <p><b>03 Feb 2025 1:08pm Donnelly, Patricia</b>  Council briefing on this booked for 12 February with draft Strategy to go to Council 12 March.</p> <p><b>03 Feb 2025 1:11pm Donnelly, Patricia - Target Date Revision</b>  Due to delay of report will now be reported to council on 21 May for adoption</p> <p><b>28 Mar 2025 10:39am Donnelly, Patricia</b>  Draft Waste Strategy reported to Council on 19 March and approved for community exhibition. Exhibition period will end on 2 May 2025 with report due back to Council in June.</p> <p><b>28 Mar 2025 10:43am Donnelly, Patricia - Target Date Revision</b>  Target date changed by Donnelly, Patricia from 30 May 2025 to 27 June 2025 - Extended community exhibition period requested by Council</p>						

<a href="#">Action Sheets Report</a>	<b>Division:</b> <b>Committee:</b> Ordinary Council <b>Officer:</b>	<b>Date From:</b> <b>Date To:</b> <b>Printed: Wednesday, 9 April 2025 7:55:09 AM</b>
--------------------------------------	---	--

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
WI2/2025	Ordinary Council 19/03/2025	Donnelly, Patricia	Works and Infrastructure	Draft Waste and Resource Recovery Strategy 2026-31	27/06/2025	
<a href="#">121</a> <b>MOTION</b> 121 <b>RESOLVED</b>	<b>Moved:</b>	McLachlan, Paul Councillor Lea	<b>Seconded:</b>	Councillor Hill		
<p>1. That Council place the draft Waste and Resource Recovery Strategy 2026-31 on public exhibition for a minimum period of 42 days.</p> <p>2. That Council adopt the draft Waste and Resource Recovery Strategy 2026-2031 in the event there are no unresolved objections nor significant amendments proposed post exhibition</p> <p><b>28 Mar 2025 10:44am Donnelly, Patricia - Target Date Revision</b>  Target date changed by Donnelly, Patricia from 30 May 2025 to 27 June 2025 - Extended exhibition period requested by Council</p> <p><b>28 Mar 2025 10:44am Donnelly, Patricia</b>  Community Exhibition commenced and will close on 2 May 2025</p>						







<b>Action Sheets Report</b>	<b>Division:</b> <b>Committee:</b> Ordinary Council <b>Officer:</b>	<b>Date From:</b> <b>Date To:</b> <b>Printed: Wednesday, 9 April 2025 7:53:55 AM</b>
-----------------------------	---	--

**20 Jan 2025 8:28am Rush, Iain**

Draft contributions plans prepared in accordance with the Council resolution. Draft plans scheduled to be reported to Council in February 2025 for public exhibition.

**30 Jan 2025 3:54pm Rush, Iain - Target Date Revision**

Target date changed by Rush, Iain from 28 February 2025 to 31 March 2025 - Draft contributions plans prepared in accordance with the Council resolution. Draft plans scheduled to be reported to Council in March 2025 for public exhibition.

**01 Apr 2025 12:54pm Rush, Iain - Completion**

Completed by Rush, Iain (action officer) on 01 April 2025 at 12:54:46 PM - Draft infrastructure contributions plans reported to meeting of Council on 19 March 2025 for exhibition.

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
	Ordinary Council 19/03/2025	Porter, Kerry	Development Application No. 8/2023/298/1 for a food and drink premises comprising a pub and ancillary brewery, restaurant / café and associated car parking and on-site effluent disposal	16/04/2025	24/03/2025	26/03/2025
PE3/2025 <a href="#">108</a>		Chrystal, Peter	5439 George Downes Drive Bucketty			
<b>26 Mar 2025 9:40am Blake, Yvonne - Completion</b> Completed by Blake, Yvonne on behalf of Porter, Kerry (action officer) on 26 March 2025 at 9:40:43 AM - Council approval at Ordinary Council Meeting held 19 March 2025.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
	Ordinary Council 20/11/2024	Lewis-Curnoe, Olivia	Planning Proposal 18 2024 1 1 - Huntlee Local Water Centre 2 - Post Exhibition	31/03/2025	22/11/2024	1/04/2025
PE25/2024 <a href="#">51</a>		Chrystal, Peter				
<b>26 Nov 2024 9:43am Lewis-Curnoe, Olivia - Target Date Revision</b> Target date changed by Lewis-Curnoe, Olivia from 18 December 2024 to 15 January 2025 - Liaising with PC for finalisation.						
<b>24 Jan 2025 1:42pm Lewis-Curnoe, Olivia - Target Date Revision</b> Target date changed by Lewis-Curnoe, Olivia from 15 January 2025 to 31 March 2025 - Liaising with DPHI to finalise the Planning Proposal.						
<b>01 Apr 2025 9:01am Lewis-Curnoe, Olivia - Completion</b> Completed by Lewis-Curnoe, Olivia (action officer) on 01 April 2025 at 9:01:25 AM - Gazetted on 07/02/2025						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
	Ordinary Council 19/02/2025	Porter, Kerry	Development Application No. 8/2023/298/1 for a food and drink premises comprising a pub and ancillary brewery, restaurant / café and associated car parking and on-site effluent disposal	19/03/2025		25/03/2025
PE1/2025 <a href="#">88</a>		Chrystal, Peter	5439 George Downes Drive Bucketty			
<b>24 Mar 2025 1:05pm Porter, Kerry</b> Business Support requested to prepare the consent						
<b>25 Mar 2025 11:30am Blake, Yvonne - Completion</b> Completed by Blake, Yvonne on behalf of Porter, Kerry (action officer) on 25 March 2025 at 11:30:23 AM - Consent determined at the Ordinary Council Meeting held 19 March 2025.						

