



Mr Stephen Glen
Interim General Manager
Cessnock City Council
PO Box 152
CESSNOCK NSW 2325

Our ref: PP_2012_CESSN_002_00
PP_2013_CESSN_002_00

Att: Louise Gee

Dear Mr Glen,

Planning Proposals – Golden Bear and Vintage Balance

I refer to the above planning proposals and multiple meetings that the Department has attended with Council and the proponents to progress them. These meetings have been constructive in clarifying the Gateway Determinations, planning controls and additional justification required by the Department prior to finalisation. A copy of the Department's drafting notes for the proposed SP3 zone and associated planning provisions is attached for your information. As you are aware, further changes may be necessary when Council requests the legal drafting of the planning proposal.

As identified in the Gateway Determinations and discussed at previous meetings, the final planning proposals need to adequately justify the strategic merits of the proposals. In particular considering the Lower Hunter Regional Strategy, Upper Hunter Strategic Regional Land Use Plan, Minister's S117 Directions and the outcomes of the Planning Assessment Commission report (PAC 2009). Specifically, the PAC did not support the permanent residential development and suggested that it may prejudice the future viability of the vineyards area as a tourist development. A copy of the PAC assessment is attached.

It is understood that Council and the proponents are currently working to finalise all the necessary additional information, prior to consultation. Given the substantial progress that has been made, it is unnecessary for the Department to attend future meetings. We continue however to be happy to provide ongoing advice and if you require any further clarification or advice, please contact the undersigned on 4904 2716.

Yours sincerely,

Trent Wink 7/11/13
A/Team Leader
Hunter & Central Coast Region
Planning Operations and Regional Delivery

CC HDB Town Planning & Design
Insite Planning

ATTACHMENT - GOLDEN BEAR AND VINTAGE BALANCE LANDS PLANNING PROVISIONS

Jack Nicklaus Golf Course

Adoption of SP3 Tourism zone – Land uses considered consistent with the zone objectives (version 8 -30 Sept 13). The final draft also permits the following land uses which are currently permissible in the RU4 or the Vintage Balance Schedule 1 additional permitted uses:-

- Building identification signs Business identification signs, Cellar Door premises, Child care centres, Entertainment facilities, Environmental facilities, Exhibition homes, Function centres, Home businesses, Home industries, Horticulture, Information and educational facilities, Registered club, Respite day care centres, Viticulture

Any significant vegetation identified by the flora and fauna assessments should be zoned E2 Environmental Conservation. Zoning plan needs to be exhibited.

SP3 zone objective allows for integrated tourist development. The local clause defines the “integrated tourist development” and limits the amount of tourism accommodation and number of residential dwellings.

No lot size will be exhibited on the Minimum Lot Size map – Subdivision will require consent under clause 2.6. This will allow the subdivision of development precincts before it is subdivided under a strata or community schemes.

The subject land needs to be mapped as Urban Release Area – Satisfactory arrangements and DCP requirements.

The future development of the land will be controlled by the land use table, local clause and the DCP, which needs to be prepared before any development application is determined.

Vintage Balance Lands

Adoption of SP3 Tourism zone for the entire Vintage development – Land uses considered consistent with the zone objectives. The final draft also permits the following land uses which are currently permissible in the RU4 or the Vintage Balance Schedule 1 additional permitted uses:-

- Building identification signs Business identification signs, Cellar Door premises, Child care centres, Entertainment facilities, Environmental facilities, Exhibition homes, Function centres, Home businesses, Home industries, Horticulture, Information and educational facilities, Registered club, Respite day care centres, Viticulture

SP3 zone objective allows for integrated tourist development. The local clause needs to define the “integrated tourist development” so that it covers the entire Vintage development site.

The local clause will also permit the development of dual occupancies, multi dwelling housing and residential flat buildings to maintain the status quo of Sch 1 additional permitted uses. Schedule 1 (part 7) will be removed from the Cessnock LEP 2011.

No lot size will be exhibited on the Minimum Lot Size map – Subdivision will require consent under clause 2.6. This will allow the subdivision of development precincts before it is further subdivided under a strata or community schemes.

The subject land needs to be mapped as Urban Release Area – Satisfactory arrangements and DCP requirements.

The future development of the land will be controlled by the land use table, local clause and the DCP which needs to be prepared before any development application is determined.