



PLANNING PROPOSAL
AMENDMENT TO THE CESSNOCK LOCAL
ENVIRONMENTAL PLAN 2011

Land Reclassification and Rezoning

Bellbird and Abermain

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Version 2.0

22 July 2024

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Strategic Planner

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Revision History

Revision	Description	Date
1	Draft for Council Endorsement	19 April 2023
2	Draft for Gateway request	12 July 2023
3	Draft for Agency Consultation	6 June 2024
4	Draft for community consultation	22 July 2024

PART 1: OBJECTIVES AND OUTCOMES

This proposal seeks to:

- Amend the Cessnock LEP 2011 (CLEP) to rezone land to appropriately reflect their current use.
- Amend the CLEP to reclassify land at Site 1 (portion of Carmichael Park, Bellbird) from Community to Operational, in accordance with resolution adopted by the elected Council, this will be done separately to this Planning Proposal, in line with the provisions of the Local Government Act;

PART 2: EXPLANATION of PROVISIONS

This proposal will achieve the intended outcomes by amending Cessnock LEP 2011 as below:

Site 1: Portion of Lot 3 DP 624793, Carmichael Park, Bellbird

Site 1 (**Figure 1**) is an approximate 6-metre-wide portion of land adjoining Bellbird Park Bowling Club.

The Planning Proposal seeks to reclassify site 1, which makes up a portion of Carmichael Park, from Community to Operational land under Schedule 4 of CLEP 2011, in accordance with the council resolution made at the Council meeting of 17 February 2021.

The Planning Proposal also seeks to rezone this same portion of land from RE1 Public Recreation to RE2 Private Recreation consistent with the adjoining site owned by Bellbird Park Bowling Club.



Figure 1: Site 1 Locality Plan

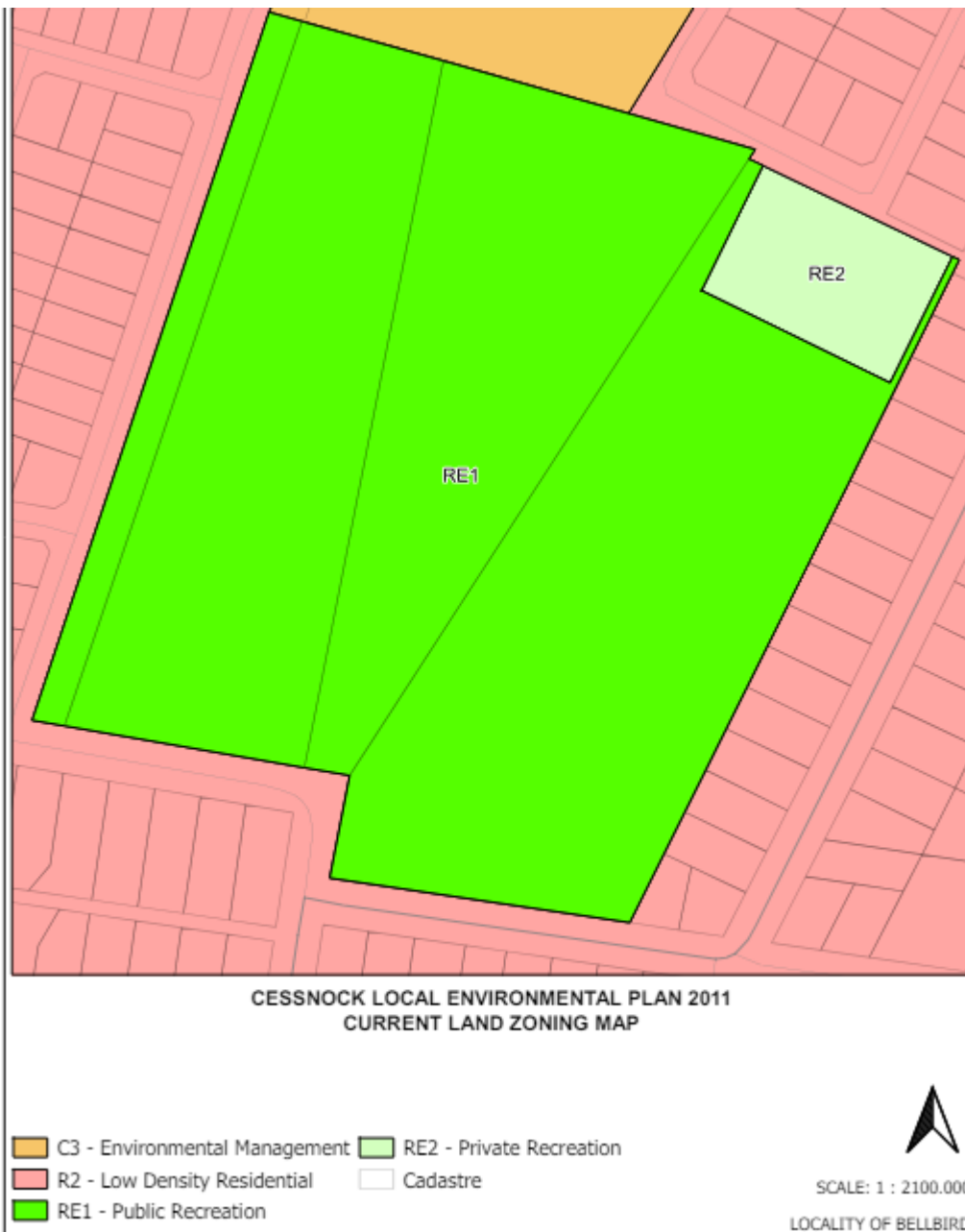


Figure 2: Current Land Zoning

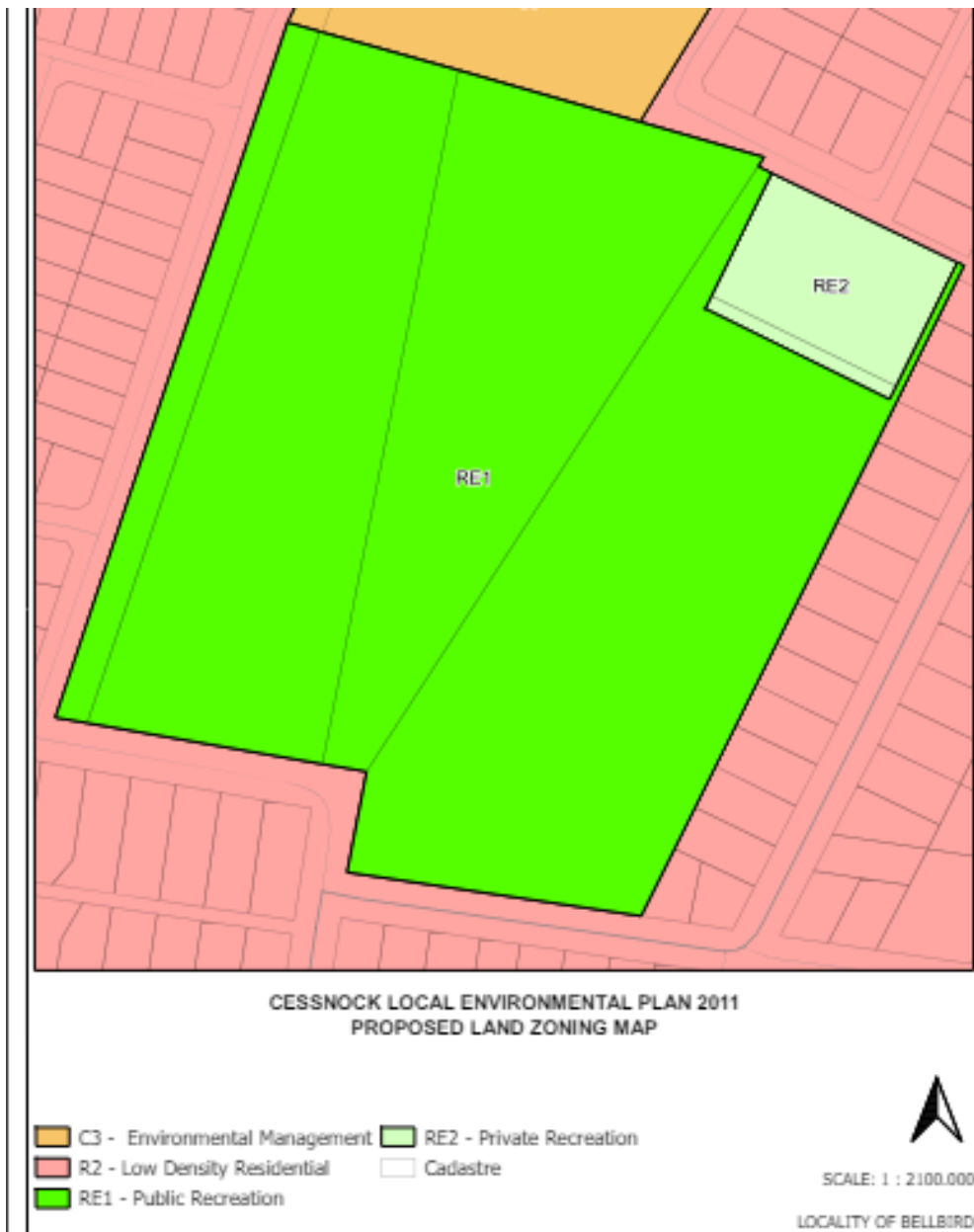


Figure 3: Proposed Land Zoning

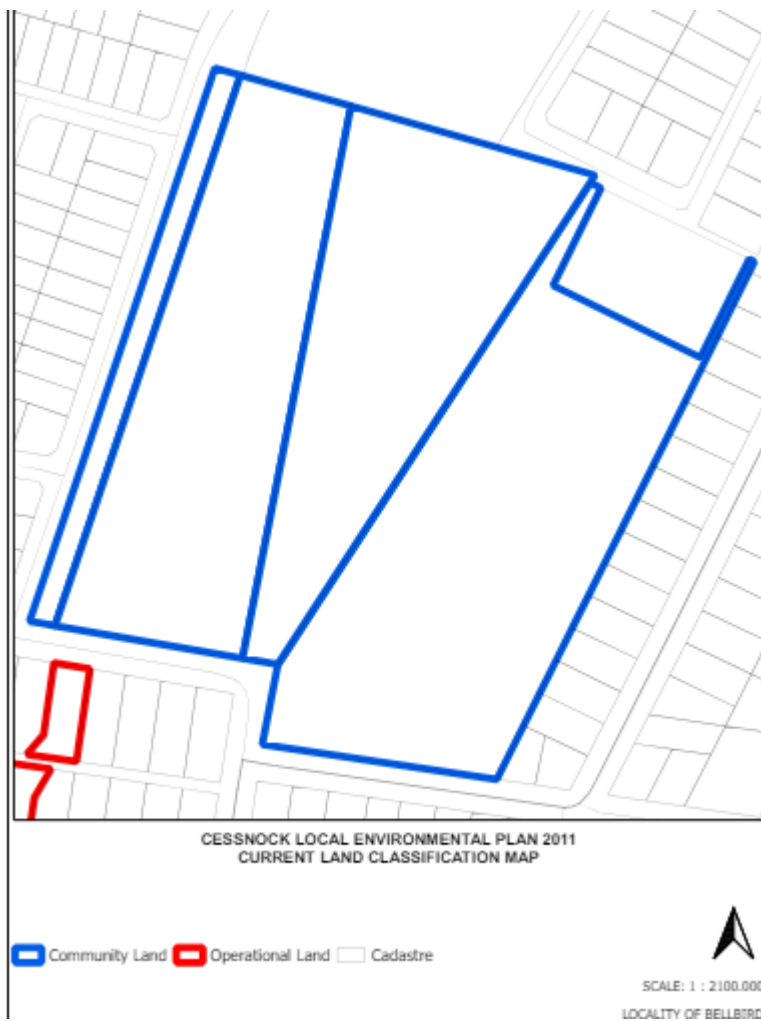


Figure 4: Current Land Reclassification Map

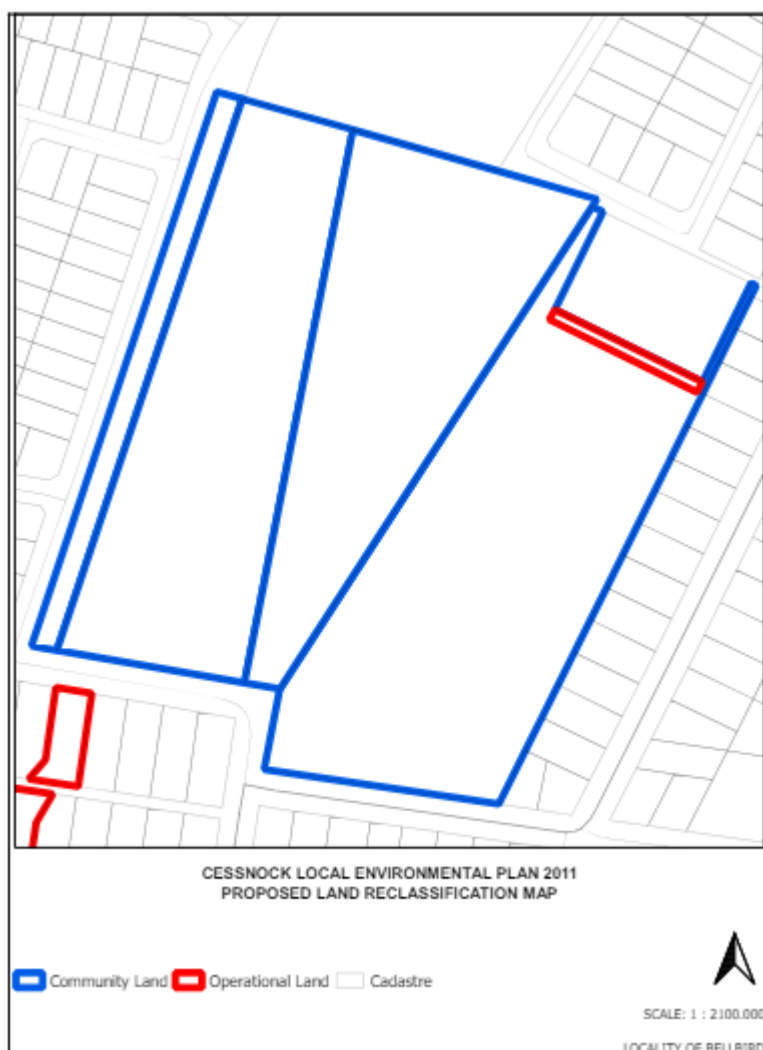


Figure 5: Proposed Land Reclassification Map

Reclassifying the site to operational will allow this approximate 6-metre-wide portion of land to be sold to the adjacent Bellbird Park Bowling Club to address the following issues:

- Fencing and extension of the bowling club's boundary at the southern end to allow vehicular access for club patrons and deliveries; and
- Fencing of the western boundary to formalise the site and stop vehicular access from the bowling club through Carmichael Park.

Site 2: Lot 11 Section B DP 4748, 94 Harle Street (playground), Abermain

Site 2 (**Figure 6**) comprises an area of approximately 8.11 hectares. The land forms part of the Harle Street playground and includes embellishments in the form of play equipment. Despite being used for a park the site is currently Zoned R2 Low Density Residential. The Planning Proposal seeks to amend CLEP 2011 mapping to rezone a portion of land forming part of Harle Street Playground, Abermain from R2 Low Density Residential Zone to RE1 Public Recreation Zone. This will reflect the current and ongoing use of this land as a park, consistent with the remainder of this park zoned RE1 Public Recreation. The Minimum Lot Size Map is to be updated to have a nil minimum lot size to align with the updated zoning.



Figure 6: Site 2 Locality Plan

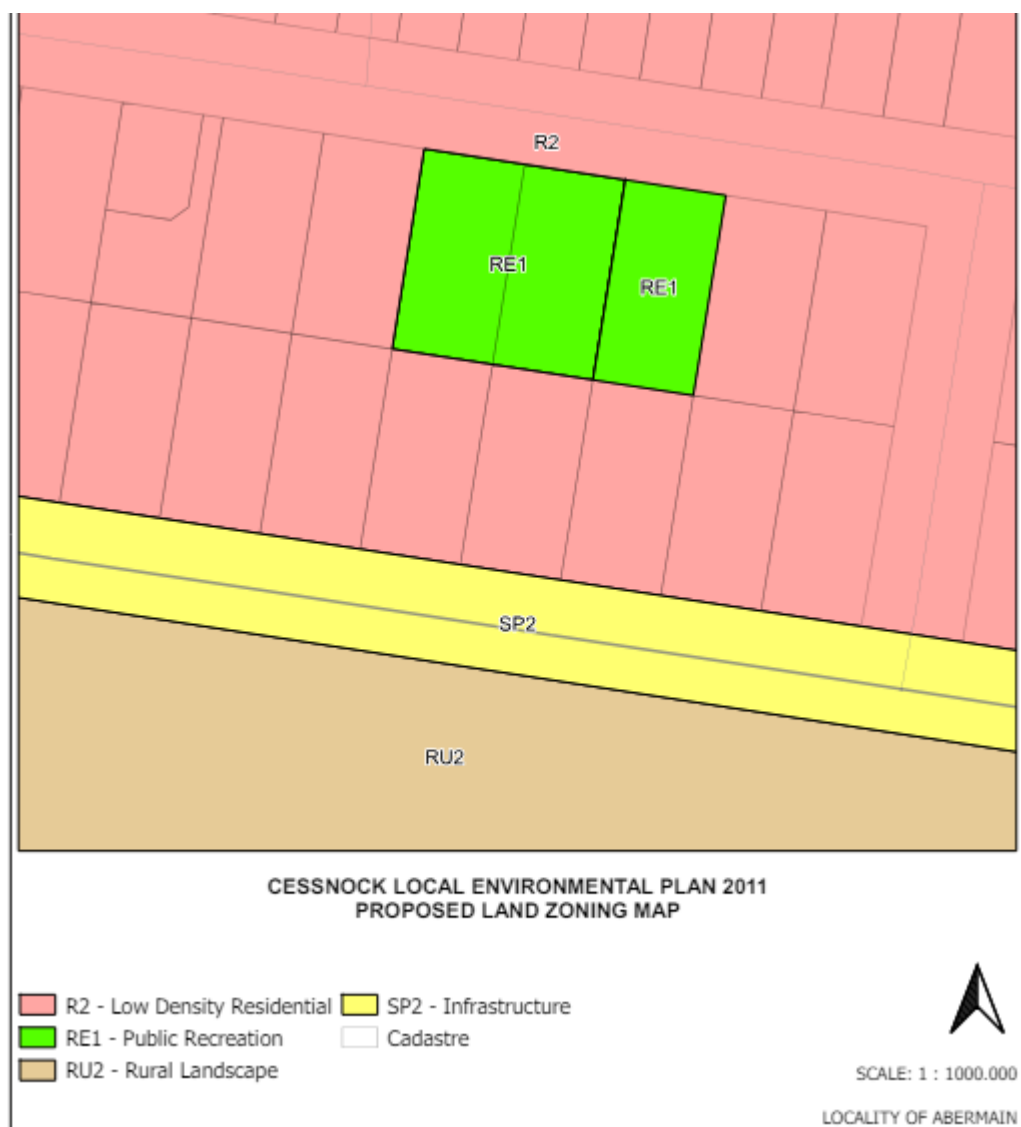


Figure 7: Proposed Rezoning Map

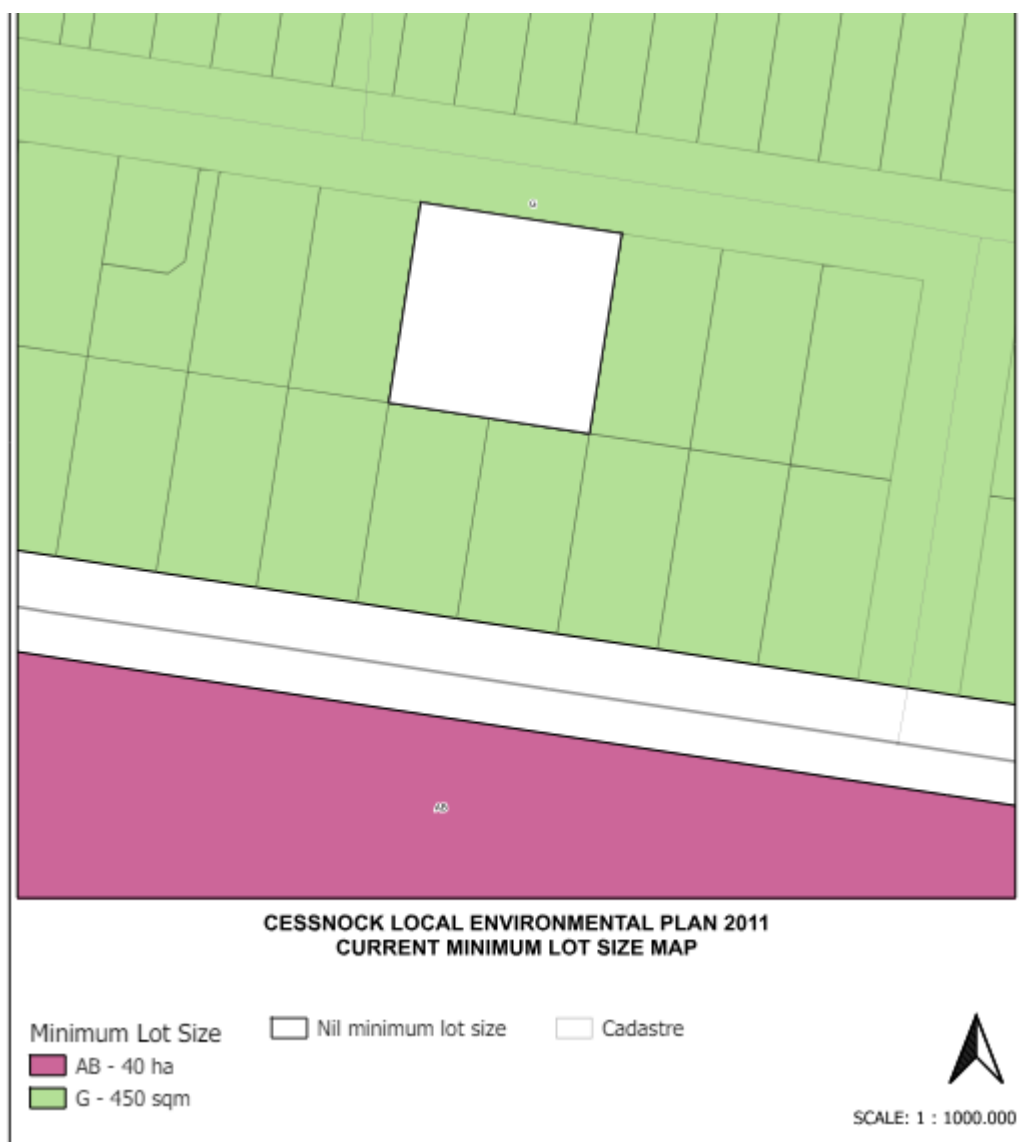


Figure 8: Current Minimum Lot Size Map

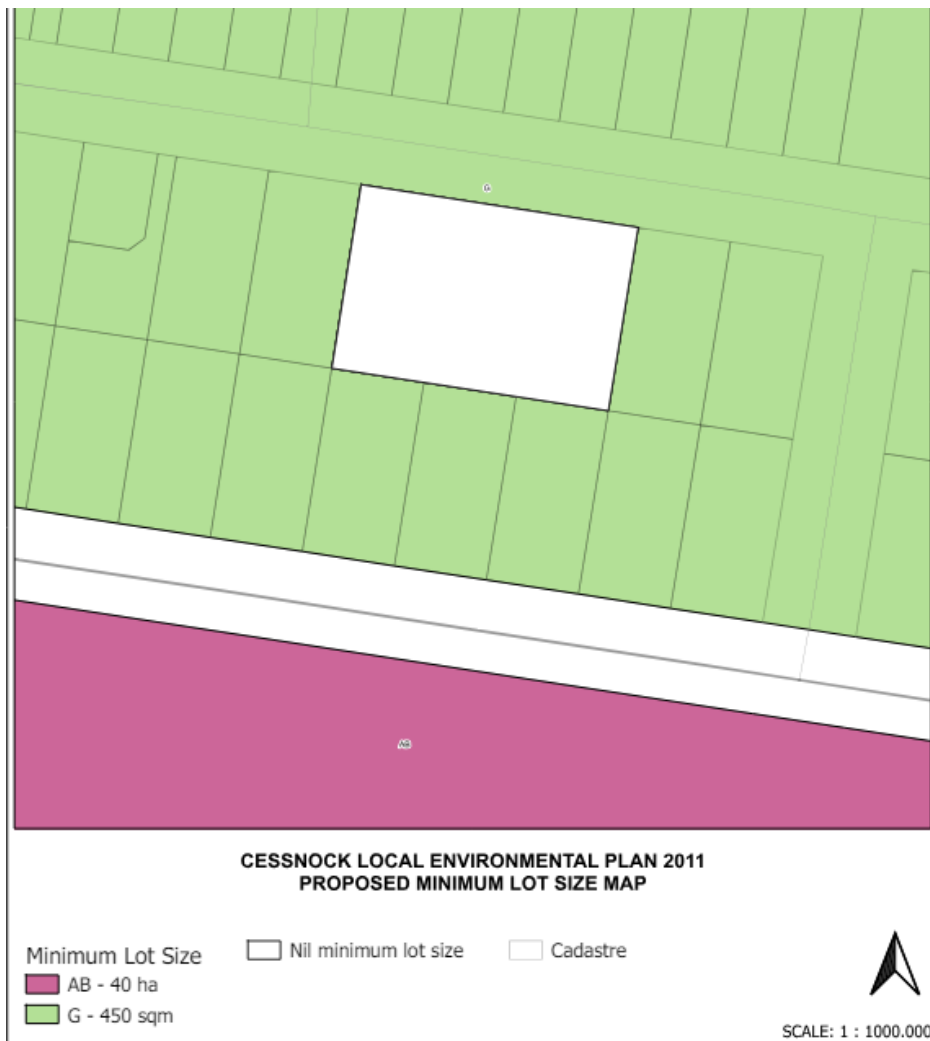


Figure 9: Proposed Minimum Lot Size Map

The reclassification of this this land from Operational land to Community land is also proposed via a Council resolution.

This is an administrative amendment to correct a mapping and classification anomaly identified by Council's Open Space and Community Facilities team. This will allow the correct zone to be applied to a portion of Harle Street Park that is, and continues to be used as public open space as identified in the Cessnock Recreation and Open Space Strategic Plan.

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;
- Section D: Infrastructure (Local, State and Commonwealth); and
- Section E: 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?

This Planning Proposal seeks to implement resolutions of the elected Cessnock City Council and correct anomalies in the Cessnock Local Environmental Plan 2011 mapping:

Site 1, Carmichael Park: At Ordinary Council meeting held 17 February 2021, the elected Council resolved to reclassify a portion of Carmichael Park from Community to Operational. This furthers the actions of the Carmichael Park Masterplan that includes works in regards to the Bellbird Park Bowling Club (BPBC) to address the following issues:

- Fencing and extension of the bowling club's boundary at the southern end to allow vehicular access for club patrons and deliveries etc; and
- Fencing of the western boundary to formalise the site and stop vehicular access from the bowling club through Carmichael Park.

The masterplan and discussions with the BPBC identified the BPBC requires a strip of land along the southern boundary (adjacent to the main football field) to formalise access historically gained using Council land. This will facilitate clear and separate vehicular access to the rear of BPBC and separate this from users of Carmichael Park. Once the land is classified as operational council is able to sell the site.

Site 2, Harle Street Playground: The Cessnock Recreation & Open Space Strategic Plan (2019) was developed to provide a long-term strategic direction for the future provision and management of recreation facilities, programs and services in the Cessnock LGA. The Plan identifies the recreational needs of the community, the opportunities which currently exist and appropriate actions to meet identified gaps and improve current provision. The Plan identified **Site 2** as a Local Park being of recreational value. The outcome of this planning proposal will be that an appropriate RE1 Public Recreation zoning will replace the current portion zoned R2 Low Density Residential, which has been identified as an anomaly. RE1 Public Recreation zone will then apply to the entire Harle Street playground.

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 way to reclassify the subject land from community to operational and amend mapping within Cessnock LEP.

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 is consistent with the HRP.

Objective 3: Create 15-minute neighbourhoods to support mixed, multi-modal, inclusive and vibrant communities

Performance outcomes:

3. Neighbourhoods provide local access to education, jobs, services, open space and community activities

4. Neighbourhoods encourage healthy lifestyles with opportunities to experience and engage in the cultural, entertainment, sport and recreation, and educational and activities.

5. Neighbourhoods establish or reinforce local identity.

6. Public spaces are designed to invite community interactions and economic, social and cultural activity. They enable a sense of social inclusion, wellbeing, comfort and belonging.

The Planning Proposal allows for the continued and improved use of recreation facilities that are important to the local community, aligning it to Objective 3.

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 2041 for the Hunter to be the leading regional economy in Australia with a vibrant new metropolitan city at its heart.

The Planning Proposal is consistent with the Greater Newcastle Metropolitan Plan.

Outcome 2: Enhance environment, amenity and resilience for quality of life

Bellbird Bowling Club and Harle Street are important recreation sites that enhance the quality of life for residents, this PP will allow for these sites to be maintained and improved.

Outcome 4: Improve connections to jobs, services and recreation

The recreation facilities in this PP will be able to be better maintained due to the PP.

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.

- Action 17 Continue to implement Council's adopted plans for access and mobility, recreation and open space, traffic and transport and community

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

The Cessnock Community Strategic Plan 2036 (CSP) was prepared in 2022 and 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:

- Objective 5.3.3 Our Council is financially sustainable

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.

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.

NSW Department of Planning and Environment Practice Note: PN 16-001
Classification and reclassification of public land through a local environmental plan:

The following response is provided for PN16-001, with respect to the proposed reclassification of Site 1, **Portion of Lot 3 DP 624793, Carmichael Park, Bellbird**:

The current and proposed classification of the land	As outlined in the Planning Proposal, the site is currently classified as community land. The proposal is to reclassify the site to operational and remove the public reserve status from the portion of land identified as Site 1 in Part 2 of the Planning Proposal. The remainder of Carmichael Park will remain community land.
Whether the land is a public reserve	The Planning Proposal intends to remove the public reserve status from this portion of land
the strategic and site-specific merits of the reclassification and evidence to support this	This is outlined throughout the Planning Proposal. Specifically, Section A Part 1 of the Planning Proposal outlines the history of the proposal.
whether the planning proposal is the result of a strategic study or report	Refer to Section A Part 1 of the Planning Proposal.
whether the planning proposal is consistent with council's community plan or other local strategic plan	Refer to Section B Part 3 and 4 of the Planning Proposal.
A summary of council's interests in the land, including: - how and when the land was first acquired (e.g., was it dedicated, donated, provided as part of a subdivision for public open space or other purpose, or a developer contribution) - if council does not own the land, the land owner's consent; - the nature of any trusts, dedications etc;	The site is vested to Council as a public reserve. This was resumed (acquired) by the former Kearsley Shire Council for Recreation Purposes, by notice published in Government Gazette No. 52, March 23 rd 1934, provided in Appendix 3.
whether an interest in land is proposed to be discharged, and if so, an explanation of the reasons why;	The public reserve status for this portion of land is proposed to be discharged as the intention of this reclassification is to dispose of the land via sale to Bellbird Park Bowling Club, as described in Part 3 Section A of the Planning Proposal.
the effect of the reclassification (including, the loss of public open space, the land ceases to be a public reserve or particular interests will be discharged);	The loss of public open space will be negligible. If this land were to be sold to the adjacent bowling club, the result would be a reduction of approximately 650 square metres from the existing holding of more than 87,000 square metres at Carmichael Park. This change is supported by the Carmichael Park Masterplan, adopted by Council in 2020.
evidence of public reserve status or relevant interests, or lack thereof applying to the land (e.g., electronic title searches, notice in a Government Gazette, trust documents);	A title search for the land is provided in Appendix 2.

current use(s) of the land, and whether uses are authorised or unauthorised;	The site is currently owned by Council and used as Carmichael Park. Carmichael Park is a Regional Sportsground that provides open space and sporting facilities which serve communities surrounding the site.
current or proposed lease or agreements applying to the land, together with their duration, terms and controls;	The site is currently owned by Council. Council has a number of existing agreements for the use of the recreational facilities at Carmichael Park with sporting groups and schools. These arrangements do not relate to the subject portion of land and will not be affected by the proposal.
current or proposed business dealings (e.g., agreement for the sale or lease of the land, the basic details of any such agreement and if relevant, when council intends to realise its asset, either immediately after rezoning/reclassification or at a later time)	Council resolved at Ordinary Council meeting held 17th February 2021 to sell the subject portion of land to the adjacent land holder, Bellbird Park Bowling Club pending reclassification of the land. Council plans to initiate sale of this land immediately after the rezoning/reclassification.
any rezoning associated with the reclassification (if yes, need to demonstrate consistency with an endorsed Plan of Management or strategy)	As outlined in section A of the Planning Proposal, Council is seeking to rezone the subject 6-metre-wide portion of land from RE1 Public Recreation to RE2 Private Recreation zone. This is consistent with the Carmichael Park Masterplan.
how council may or will benefit financially, and how these funds will be used;	The subject land portion will be sold for a nominal amount.
how council will ensure funds remain available to fund proposed open space sites or improvements referred to in justifying the reclassification, if relevant to the proposal	N/A
Land Reclassification (part lots) Map, in accordance with any standard technical requirements for spatial datasets and maps, if land to be reclassified does not apply to the whole lot; and	Land Reclassification (part lots) Map will be created, as described in Part 4 of the Planning Proposal.
Preliminary comments by a relevant government agency, including an agency that dedicated the land to council, if applicable.	Consultation with government agencies has not been undertaken yet. This will be undertaken in accordance with the Gateway determination.

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	Nothing in this Planning Proposal impacts on the operation of this SEPP

SEPP	Consistency and Implications
State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004	Nothing in this Planning Proposal impacts on the operation of this SEPP
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008	Nothing in this Planning Proposal impacts on the operation of this SEPP
State Environmental Planning Policy (Housing) 2021	Nothing in this Planning Proposal impacts on the operation of this SEPP
State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development	Nothing in this Planning Proposal impacts on the operation of this SEPP
State Environmental Planning Policy (Planning Systems) 2021	Nothing in this Planning Proposal impacts on the operation of this SEPP
State Environmental Planning Policy (Primary Production) 2021	Nothing in this Planning Proposal impacts on the operation of this SEPP
State Environmental Planning Policy (Resilience and Hazards) 2021	Nothing in this Planning Proposal impacts on the operation of this SEPP
State Environmental Planning Policy (Resources and Energy) 2021	Nothing in this Planning Proposal impacts on the operation of this SEPP
State Environmental Planning Policy (Transport and Infrastructure) 2021	State Environmental Planning Policy (Transport and Infrastructure) 2021

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

An assessment of relevant Section 9.1 Directions against the planning proposal is provided in the table below.

Table 2: Relevant Section 9.1 Ministerial Directions

Ministerial Direction		Consistency and Implications
Planning Systems		
1.1	Implementation of Regional Plans	Consistent. The PP aligns with creating 15-minute neighbourhoods to support mixed, multi-modal, inclusive and vibrant communities.
1.2	Development of Aboriginal Land Council Land	N/A
1.3	Approval and Referral Requirements	Consistent. This PP has had efficient and appropriate assessment of the development.
1.4	Site Specific Provisions	Consistent. There are no site-specific Planning Controls for the site.
Planning Systems – Place-based		
Design and Place		
Biodiversity and Conservation		
3.1	Conservation Zones	Consistent. The PP will not impact environmentally sensitive areas.
3.2	Heritage Conservation	Consistent. The amendments do not propose to change any requirements relating to this

		direction. There are no heritage items on the sites, or in close proximity.
3.5	Recreation Vehicle Areas	Consistent. The amendments do not propose to change any requirements relating to this direction. There is no Recreation Vehicle Areas on the Sites.
Resilience and Hazards		
4.1	Flooding	Consistent. There is a small amount of flooding on the Bellbird site lot, but that does not cover any of the area being rezoned. The site at Aberdare has no flood data covering the site.
4.2	Coastal Management	N/A
4.3	Planning for Bushfire Protection	Consistent. The PP does not allow incompatible land uses in a bush fire prone area. There is no Bushfire Prone Land on Site 1. Site 2, Harley Street Playground, has about a third of the site identified as 'buffer'. But due to the rezoning aligning the site to its existing use the Planning Proposal does not propose any development on fire prone land.
4.4	Remediation of Contaminated Land	Consistent. The amendments do not propose to change any requirements relating to this direction. There is no contaminated land on the sites.
4.5	Acid Sulphate Soils	N/A
4.6	Mine Subsidence and Unstable Land	Consistent. The Harle Street Playground Site is within Tomalpin Mine Subsidence district but the PP does not propose any new development on the site, therefore it is consistent.
Transport and Infrastructure		
5.1	Integrating Land Use and Transport	Consistent. The amendments do not propose to change any requirements relating to this direction. The R2 Low Density Residential Zone is being removed from the site to be aligned with its current RE1 use, therefore no impacts to transport will be made.
5.2	Reserving Land for Public Purposes	Consistent, pending the approval of the relevant public authority and the Planning Secretary. Under Ministerial Direction 5.2 Reserving Land for Public Purposes, this Planning Proposal seeks the approval of the Planning Secretary.
5.3	Development Near Regulated Airports and Defence Airfields	N/A
5.4	Shooting Ranges	N/A
Housing		
6.1	Residential Zones	Consistent. The amendments do not propose to change any requirements relating to this direction. The residential zone being removed from the site is of minor significance as it is an administrative update.

6.2	Caravan Parks and Manufactured Home Estates	Consistent. The amendments do not propose to change any requirements relating to this direction. No caravans' parks and manufactured home estates are proposed as part of this Planning Proposal.
Industry and Employment		
7.1	Business and Industrial Zones	N/A
Resources and Energy		
8.1	Mining, Petroleum Production and Extractive Industries	N/A
Primary Production		
9.1	Rural Zones	N/A
9.2	Rural Lands	N/A
9.3	Oyster Aquaculture	N/A

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?

No. The planning proposal will not alter any other development controls in a manner that could have adverse impacts on threatened species, populations, or ecological communities. Further to this, the sites subject of this planning proposal is not identified as comprising critical habitat, threatened species, populations or ecological communities or their habitats.

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

No.

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

Rezoning and reclassifying Site 1, Bellbird Bowling Club will have a positive social impact, as the club has cited safety issues and continual damage to the club-maintained carpark due to access through the bowling club site by Carmichael Park.

It will provide positive economic benefits to the club as access to the club's rear loading dock and parts of the rear of the building have been constrained by the need to cross Council land to access this space.

Rezoning and reclassifying the lot at Harle Street Playground will have a positive social impact as it will ensure the functioning of the site as a park. The financial cost will be negligible as Council already maintains the lot as it is part of the existing park site.

Section D: Infrastructure (Local, State and Commonwealth)

11 Is there adequate public infrastructure for the planning proposal?

This planning proposal will not create additional demand for public infrastructure.

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?

The gateway determination required the proposal to be referred to Subsidence Advisory NSW and NSW Rural Fire Service. Subsidence Advisory advised that they have no objection to the proposal. Any future Development applications would need to meet the requirement of subsidence advisory at the time of lodgement.

Subsidence Advisory



Our Ref: EOTH24-00168
16 July 2024

Attention: Olivia Lewis Curnoe
Via email: olivia.lewis-curnoe@cessnock.nsw.gov.au

Lot/Sec/DP: 3// 624793 (Site 1) and 11/B/4748 (site 2)
Address: 32 Sparke Street Bellbird (Site 1) and 94 Harle Street Abermain (Site 2)

Dear Olivia Lewis Curnoe,

Thank you for referring Planning Proposal PP-2023-1296 via the NSW Planning Portal for the above locations.

Site 1: 32 Sparke Street Bellbird

Site 1 of the proposal is not within a declared Mine Subsidence District. Approval from Subsidence Advisory NSW is not required for proposed development at this location under the *Coal Mine Subsidence Compensation Act 2017* (the Act).

Please note Mine Subsidence Districts may change over time. All changes are published on the NSW Planning Portal. For more information, please visit www.nsw.gov.au/subsidence-advisory/districts.

Site 2: 94 Harle Street Abermain

It is understood that the proposal is to:

- Rezone a portion of land forming part of Harle Street Playground, Abermain from R2 Low Density Residential Zone to RE1 Public Recreation Zone, to reflect the current and ongoing use of this land as a park.

Site 2 of the proposal is located within a declared Mine Subsidence District and assigned surface development Guideline 1 (pothole risk).

Development applications are assessed in accordance with the Surface Development Guidelines and Merit Assessment Policy available at nsw.gov.au/subsidence-advisory/development

Future development will require approval from Subsidence Advisory NSW.

As no additional development is detailed in the proposal for the site, Subsidence Advisory has no specific requirements in relation to the proposal.

RFS raised no objection, the RFS response is below.



RFS



Cessnock City Council
PO Box 152
CESSNOCK NSW 2325

Your reference: (REF-2937) PP-2023-1296
Our reference: SPI20240612000097

ATTENTION: Olivia Lewis-Curnoe

Date: Tuesday 2 July 2024

Dear Sir/Madam,

**Strategic Planning Instrument
Rezoning - Planning Proposal**

Reclassification and rezoning of various sites in Bellbird and Abermain

I refer to your correspondence dated 06/06/2024 inviting the NSW Rural Fire Service (NSW RFS) to comment on the above Strategic Planning document.

The NSW RFS has considered the information submitted and provides the following comments.

Based on a review of the planning proposal for reclassification and rezoning of Portion of Lot 3 DP 624793, Carmichael Park, Bellbird; and Lot 11 Section B DP 4748, 94 Harle Street, Abermain, the NSW RFS has no specific comments in relation to bush fire protection.

For any queries regarding this correspondence, please contact [REDACTED] on 1300 NSW RFS.

Yours sincerely,

[REDACTED]
**Supervisor Development Assessment & Plan
Built & Natural Environment**

PART 4: MAPS

Cessnock LEP 2011 Map sheets are proposed to be amended (further details and site identification provided in Part 2 Explanation of Provisions, above):

- LZN_006C is proposed to be amended in relation to the rezoning of **Site 1, portion of Carmichael Park, Bellbird** from RE1 Public Recreation to RE2 Private Recreation
- LZN_009A is proposed to be amended in relation to the rezoning of **Site 2, portion of Harle St Playground, Abermain** from R2 Low Density Residential to RE1 Public Recreation
- RPL_006 Land Reclassification (part lots) Map is proposed to be created to identify the portion of Site 1 reclassified from Community to Operational land.

PART 5: COMMUNITY CONSULTATION

Community consultation will be undertaken in accordance with a Gateway determination, Cessnock Community Participation Plan and the public hearing requirements of the *Local Government Act, 1993*.

Significant engagement was held with internal and external stakeholders through the Master planning process for Carmichael Park. Carmichael Park Master Plan was adopted on 18 November 2020.

PART 6: PROJECT TIMELINE

Table 3: Indicative project timeline.

Stage	Timeframe and/or date
Consideration by council	April 2023
Gateway determination	May 2024
Agency Consultation	June/July 2024
Commencement and completion of public exhibition period, including public hearing	July/August 2024
Post-exhibition review	August/September 2024
Submission to the Department for finalisation (where applicable)	November 2024
Gazettal of LEP amendment	January 2025

Appendix 1: Council Report and Minutes (dates)

Report to Ordinary Meeting of Council – 19 April 2023

Minutes of Ordinary Meeting of Council – 19 April 2023

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

Appendix 2: Title search, Carmichael Park Bellbird



NEW SOUTH WALES LAND REGISTRY SERVICES - TITLE SEARCH

FOLIO: 3/624793

SEARCH DATE	TIME	EDITION NO	DATE
24/3/2023	2:27 PM	-	-

VOL 14774 FOL 118 IS THE CURRENT CERTIFICATE OF TITLE

LAND

LOT 3 IN DEPOSITED PLAN 624793
AT BELLBIRD
LOCAL GOVERNMENT AREA CESSNOCK
PARISH OF CESSNOCK COUNTY OF NORTHUMBERLAND
TITLE DIAGRAM DP624793

FIRST SCHEDULE

THE COUNCIL OF THE CITY OF GREATER CESSNOCK

SECOND SCHEDULE (2 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 LAND EXCLUDES MINERALS (S.141 PUBLIC WORKS ACT, 1912)

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

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Appendix 3: Land Acquisition Gazettal Notice

LOCAL GOVERNMENT ACT, 1919.

NOTIFICATION OF RESUMPTION OF LAND FOR RECREATION PURPOSES—KEARSLEY SHIRE COUNCIL.

IN pursuance of section 536 (4) of the Local Government Act, 1919, and under Division I, Part V, of the Public Works Act, 1912, I notify that so much of the land hereunder described as is Crown land is hereby appropriated and so much thereof as is private property is hereby resumed for recreation purposes; and I further notify that the said land is hereby vested in the Council of the Shire of Kearsley.

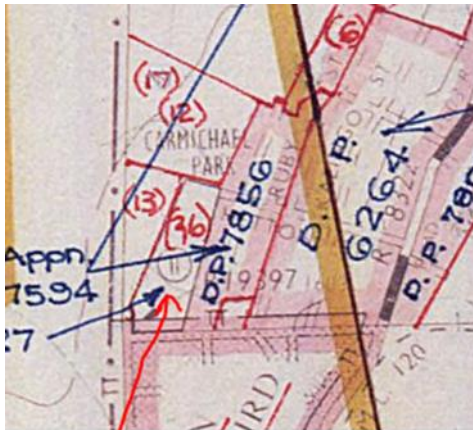
Dated this 14th day of March, 1934.

R. W. D. WEAVER, Minister for Public Works.

DESCRIPTION.

All that piece or parcel of land situate in the Shire of Kearsley, parish of Cessnock, county of Northumberland, and State of New South Wales, being part of portion 2 comprised in Certificates of Title, volume 2,491, folio 29, and volume 4,454, folio 181: Commencing at the south-eastern corner of land comprised in the said Certificate of Title, volume 4,454, folio 181 on the northern side of Sparke-street; and bounded thence on the south by that side of that street bearing 269 degrees 54 minutes 30 seconds 6 chains 53.7 links; on the west and north-west by lines bearing 2 degrees 40 minutes 2 chains 27.2 links, and 24 degrees 30 minutes 40 seconds 16 chains 11.4 links respectively; on the north-east by a line bearing 108 degrees 3 minutes 5 chains 0.2 link to the north-western extremity of Hetton-street; and on the south-east by part of that extremity and the north-western boundary of lots 1 to 15, section E, deposited plan 7,856, being a line bearing 198 degrees 3 minutes 16 chains 16.7 links to the point of commencement,—having an area of 10 acres 1 rood 0½ perch or thereabouts, and said to be in the possession of L. G. Cruckshank, A. W. H. Eckford and P. A. Jones.

(Misc. 34-742) (1204)



REFERENCE NOTES		
Numbers shown in circles on map		
No.	Loc.	Details
1	B4, B5	Easements for Hunter District Water Board Purposes Ms. 3891 Md. Ms. 3462 Md.R Ms. 3889 Md.R D.P. 501156
2	B4	Purchased for Pumping Station 1796 m ² Ms. 3363 Md.
3	B4	Easements for Drainage Purposes Ms. 4162 Md.
4	Diag D	Pt. R.83677 for Drainage Notified 12th January, 1962 and 31st October, 1969.
5	C5	Cessnock State Forest No.874 Extension No.8 Dedicated 20th November, 1959.
6	B4	Easement for Stormwater Channel Ms. 4077 Md.R
7	B4	Easement for Stormwater Channel Ms. 4075 Md.R.
8	B4	Resumed for Reservoir Site Gaz. 2nd September, 1908 1619 m ² Ms. 1294 Md.
9	B4	R.1908 from Occup. under any M.R. or B.L. Notified 3rd February, 1933. R.1909 m from the leasing provisions of Mining Act, 1906. Gaz. 3rd February, 1933.
10	B4	Resumed for Stormwater Channel. Gaz. 22nd November, 1957 1385 m ² Ms. 6210 Md.
11	A3	Resumed for Recreation Purposes Gaz. 23rd March 1934. 4.150 ha. Ms. 3671 Md.
12	B4	Easement for Stormwater Channel. Ms. 4590 Md.
13	Diag A	R.78309 for Future Public Requirements Notified 3rd February, 1956.
14	B4	Easement for Stormwater Channel. Ms. 4507 Md.
15	D3	W. & C.R. 50044 Notified 1st July, 1914
16	B4	Acquired for Postal Purposes Comm'th. Gaz. 21st October, 1948. 3130 m ²
17	C4, C5	R.85471 for Future Public Requirements Notified 1st October, 1965.