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AREA-BASED PROVISIONS

Cessnock Vineyards District

Preamble

This document is both a Local Character Statement and Development Control Plan (DCP) for the Cessnock Vineyards District. A DCP is a guide for development and typically includes a set of overall objectives and development controls. A Local Character Statement is defined by the Department of Planning and Environment (DPE) in its document titled '[Local Character and Place Guideline](#)' as a document that provides "... a statement of an area's existing and desired character"¹.

The Cessnock Vineyards District has a number of unique features and land uses which present challenges when using traditional planning tools, such as the Local Environmental Plan (LEP) and DCP alone. A Local Character Statement is in addition to the traditional LEP and DCP standards and controls, and allows for a more detailed description of the future character that is desired for specific areas of the Cessnock Vineyards District.

Application

This Local Character Statement and area-based provisions apply to the Cessnock Vineyards District, as described in **Figure 1**. However, they do not apply to development within the Special Activities Node (comprising The Vintage and Golden Bear developments) or Cessnock Airport. These developments and land are subject to separate development control plan chapters or, in the case of Golden Bear, a concept masterplan.

When assessing and determining a development application for development in the Cessnock Vineyards District, Council will consider the application against the:

1. Cessnock Vineyards District Vision and Key Development Principles,
2. Future desired character of the area in which the development is proposed, and
3. Relevant development objectives and controls.

Cessnock Vineyards District Vision and Key Development Principles

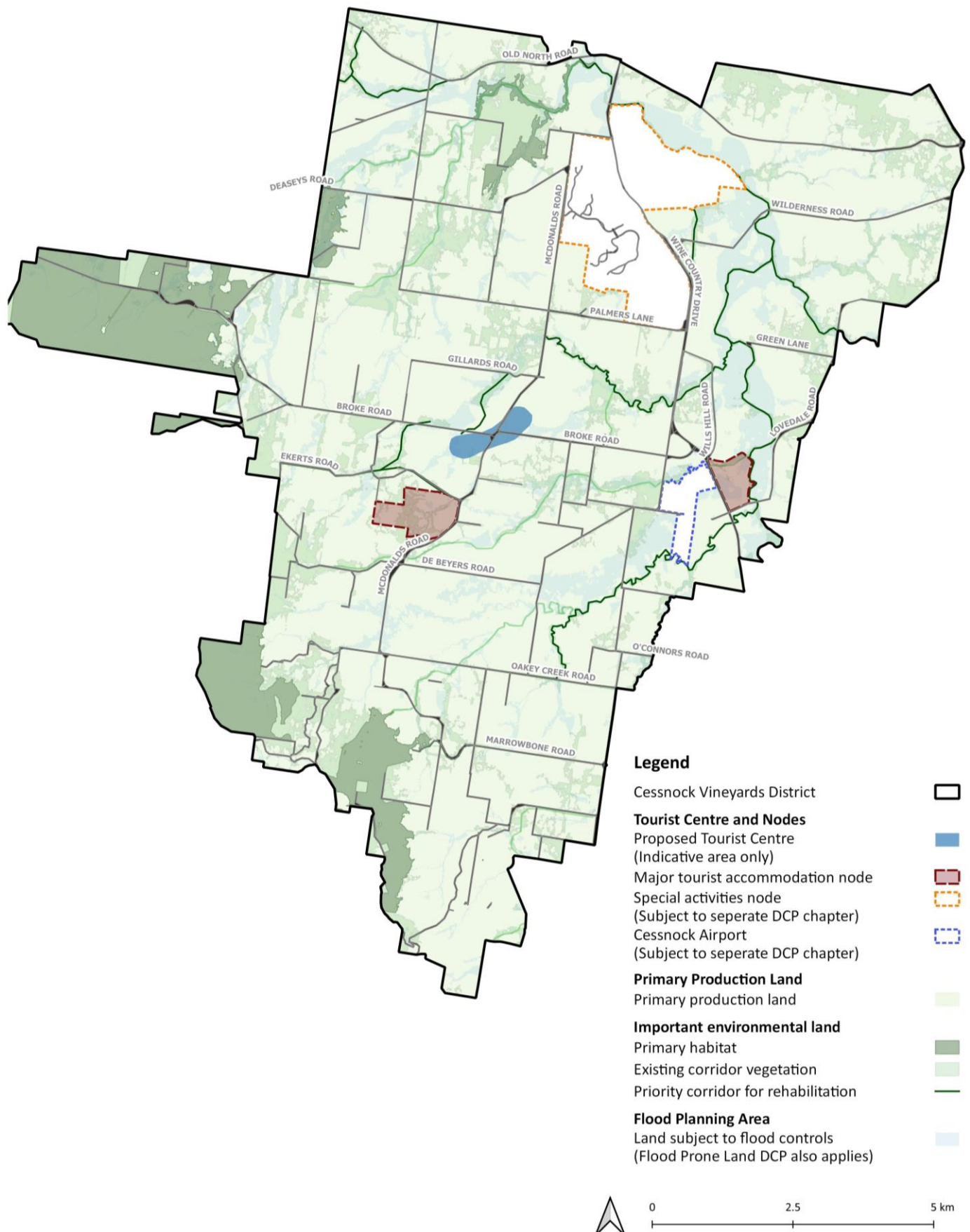
The overarching vision for the Cessnock Vineyards District is, 'The leading wine and tourism region in Australia.' Key principles for development are set out below.

Development:

- recognises and protects the primacy of the viticulture land use;
- maintains and enhances the rural amenity, character and scenic vistas of the region for future generations to enjoy; and
- allows and fosters a mix of complementary business, accommodation and employment options.

¹ NSW Department of Planning and Environment. (2019). *Local Character and Place Guideline*. Sydney NSW State Government

Figure 1: Land Application and Overview Map



Definitions

All terms used in this Local Character Statement and DCP chapter have the same meaning as defined in the *Cessnock Local Environmental Plan 2011*, with the exception of the following.

<i>Primary production land</i>	means land where agriculture is the principal land use. The extent of primary production land is identified in Figure 3.
<i>Open landscape</i>	means land that is predominantly cleared of trees and on which development is highly visible when viewed from a public place or road.
<i>Public place</i>	means any park, garden, playing field or place, which the public is permitted to enter, but excludes roads and travelling stock reserves.
<i>Small tourist accommodation facility</i>	<p>means a single building or buildings, each building containing a maximum of 4 bedrooms that provide temporary or short-term accommodation to tourists or visitors on a commercial basis. The maximum density of a small tourist accommodation facility is 2 rooms per 1 whole hectare of the size of the property up to a maximum of 30 rooms, contained in no more than 10 buildings.</p> <p>Note – A small tourist accommodation facility is considered to be a small scale or boutique form of <i>tourist and visitor accommodation</i>. <i>Tourist and visitor accommodation</i> is defined in the <i>Cessnock Local Environmental Plan 2011</i>.</p>
<i>Visually sensitive land</i>	means land that is highly valued for its visual and/or cultural aesthetics, or is open landscape.

Cessnock Vineyards District Local Character Statement

Local Character

Local character is what makes an area distinctive and defines the identity of a place. It includes the way that it looks and feels and it is created by a combination of land, people, the built and natural environment, history, culture and tradition. It is how these elements interact to create the distinctive character of an area².

Local Character of the Vineyards District

The Cessnock Vineyards District is the major component of the broader Hunter Valley Wine Region, which is the nation's oldest, continuous wine producing area and is internationally recognised for its premium wines.

The Cessnock Vineyards District local character is made up of a number of elements, including:

- land use, including vineyards, cattle grazing, cellar doors, restaurants and other tourist uses;
- topography and water ways;
- vegetation on private land as well as in road reserves;
- views from public places and roads over private land;
- landscape setting;
- public and private spaces;
- the people who live, work and visit the Vineyards District;
- Aboriginal and European heritage; and
- built form, such as wineries, farm buildings, accommodation, restaurants, fences, etc.

The Cessnock Vineyards District has a unique combination of land uses, native vegetation, topography and waterways, which combine to create a landscape setting which is the main reason for people visiting the vineyards. It is the combination of these elements that make up the local character.

The topography of the Cessnock Vineyards District is one of low-rolling hills in the north and east, increasing to steep land of the Broken Back Range in the west to Mount View in the south. It is the interplay of the low hills set amongst the backdrop of the Broken Back Range which gives the area such a distinctive landscape setting.

The local character of the Cessnock Vineyards District can be separated into four strategic areas, as follows:

1. the Cessnock Vineyards District primary production land;
2. biodiversity, important vegetation and corridors;
3. visually sensitive land; and
4. Tourist Centre and major tourist accommodation nodes.

The Vintage and Golden Bear developments together form a large 'special activities node' to the north of the Tourist Centre. The special activities node contains, or is likely to contain, integrated tourism and residential development. The special activities node is excluded from this chapter as it is addressed elsewhere in the DCP (The Vintage), or approved concept masterplan (Golden Bear).

² NSW Department of Planning and Environment. (2019). *Local Character and Place Guideline*. Sydney NSW State Government

Primary Production Land

Primary production is fundamental to the overall identity of the Cessnock Vineyards District. The density of operational vineyards makes the Cessnock Vineyards District distinct to other rural land in the region.

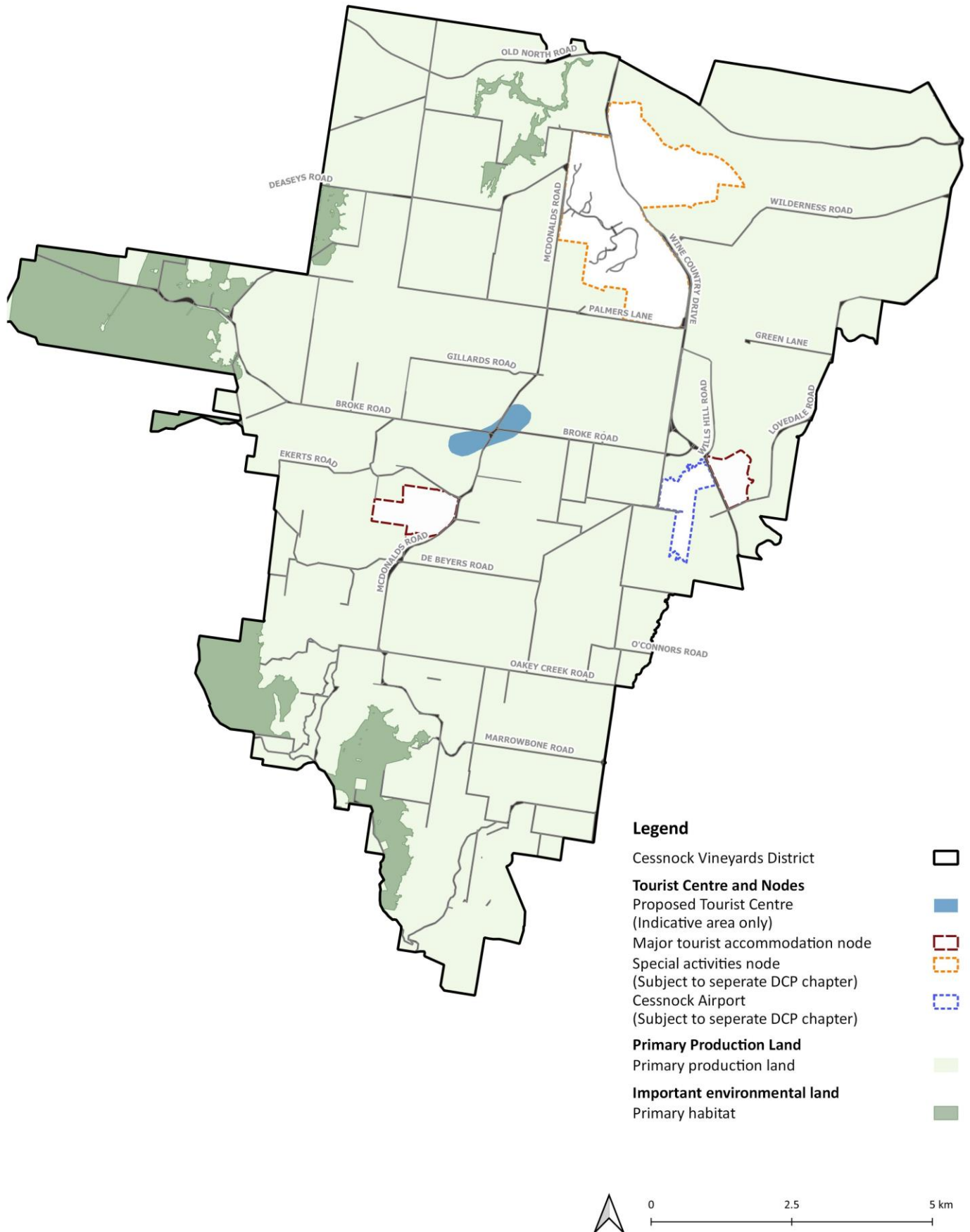
The images of vines in the foreground and Broken Back Range in the background are iconic and immediately identifiable as the Cessnock Vineyards District, an example of which can be seen in **Figure 2**. **Figure 3** shows the extent of the Cessnock Vineyards District primary production land.

Existing character	Future desired character
<p>The history of European land use in the Cessnock Vineyards District has resulted in a layering of uses primarily centred on viticulture, wine production and the scenic qualities of the region.</p> <p>The imprint of early occupation of the land can still be experienced in the ordered pattern of narrow carriageways, vines and pastures. It is also clearly demonstrated in undulating land that has been extensively cleared for agricultural and viticultural activities.</p> <p>The Cessnock Vineyards District primary production land is dominated by vineyards, which are a mixture of production vineyards and vineyards which have cellar doors and restaurants located on them. Some vineyards have smaller scale tourist uses, such as a small tourist accommodation facility, artisan food and drink premises, farm gate premises and/or gardens. Smaller scale tourist land uses are vital to the overall economic viability of agriculture, which occurs on the primary production land.</p>	<p>Agriculture on primary production land is supported by farm-gate premises, artisan food and drink industries and/or small tourist accommodation facility. The land uses provide opportunities to celebrate the character and amenity of the Cessnock Vineyards District and locally produced food and goods.</p> <p>New development strengthens the integrity of the Cessnock Vineyards District for the production of grapes, wine and other agricultural and horticultural activities and produce. Tourist focused land-uses, such as cellar doors, artisan food and drink premises, gardens and small tourist accommodation facilities are sited, designed and operated in a manner that protects and strengthens the existing viticultural and agricultural land-uses that occur on the land, or within the broader Vineyards District. Non-agricultural development is carefully sited to avoid conflict with primary production.</p> <p>New development reinforces the area of existing grape vines, primary habitat and vegetation corridors occurring on the property. Importantly, existing trees and grape vines are retained when siting new buildings, driveways or other structures.</p>

Figure 2: The vineyards are a vital and enduring quality of the vineyards district.



Figure 3: The Vineyards District Primary Production Land



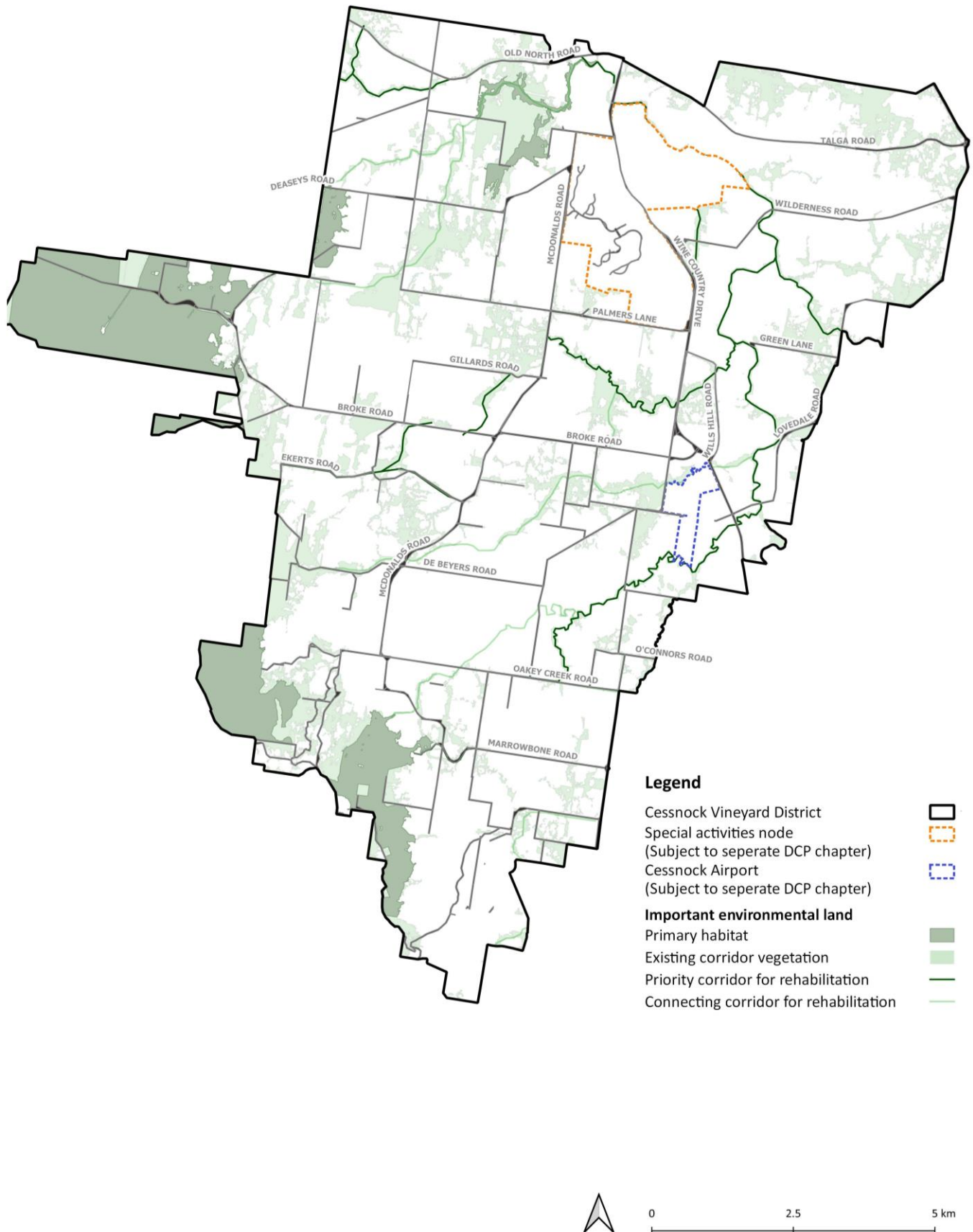
Biodiversity, Important Vegetation and Corridors

Existing character	Future desired character
<p>Native vegetation is one of the key characteristics that contributes to the distinctiveness of the Cessnock Vineyards District. The significant vegetated area of the Broken Back Range provides a dramatic backdrop and other higher treed areas of the district, such as Mount View, contribute to the landscape.</p> <p>The extensive network of tree-lined local roads also contributes to identity and amenity of the Cessnock Vineyards District and makes an important contribution to the biodiversity of the area.</p> <p>Other pockets of vegetation exist throughout the Cessnock Vineyards District, but most are disconnected from each other and other important biodiversity assets like Werataka National Park and Pokolbin State Forest.</p> <p>There are several waterways that traverse the Cessnock Vineyards District that are in varying levels of health, function and aesthetic value, but are nonetheless important for biodiversity. Figure 5 shows the extent of the biodiversity, important vegetation and corridors and areas identified for rehabilitation.</p>	<p>Development in the Cessnock Vineyard District does not obstruct or depreciate the dramatic backdrop provided by the Broken Back Range when viewed from public places and roads.</p> <p>Important environmental land, which comprises primary habitat and existing corridor vegetation, is enhanced by additional planting and restoration. Particular attention is given to rehabilitating priority corridors of native vegetation and connecting corridors for rehabilitation (Figure 5).</p> <p>New development achieves positive environmental outcomes. Additional plantings of native and endemic species on areas of private land not used for agriculture, increases primary habitat, the integrity of corridors and biodiversity. This additional planting has begun to connect disparate vegetation communities throughout the Cessnock Vineyards District and beyond.</p> <p>Particular priority has been given to improving biodiversity within the Black Creek riparian area and its tributaries, with resultant improvement in water quality.</p> <p>Corridors of native vegetation linking primary habitat in the Pokolbin State Forest to the Werakata National Park is rehabilitated and enhanced. Where development has resulted in the loss of roadside vegetation, compensatory tree planting has been provided.</p>



Figure 4: Roadside Vegetation

Figure 5: Important Vegetation and Fauna Corridors

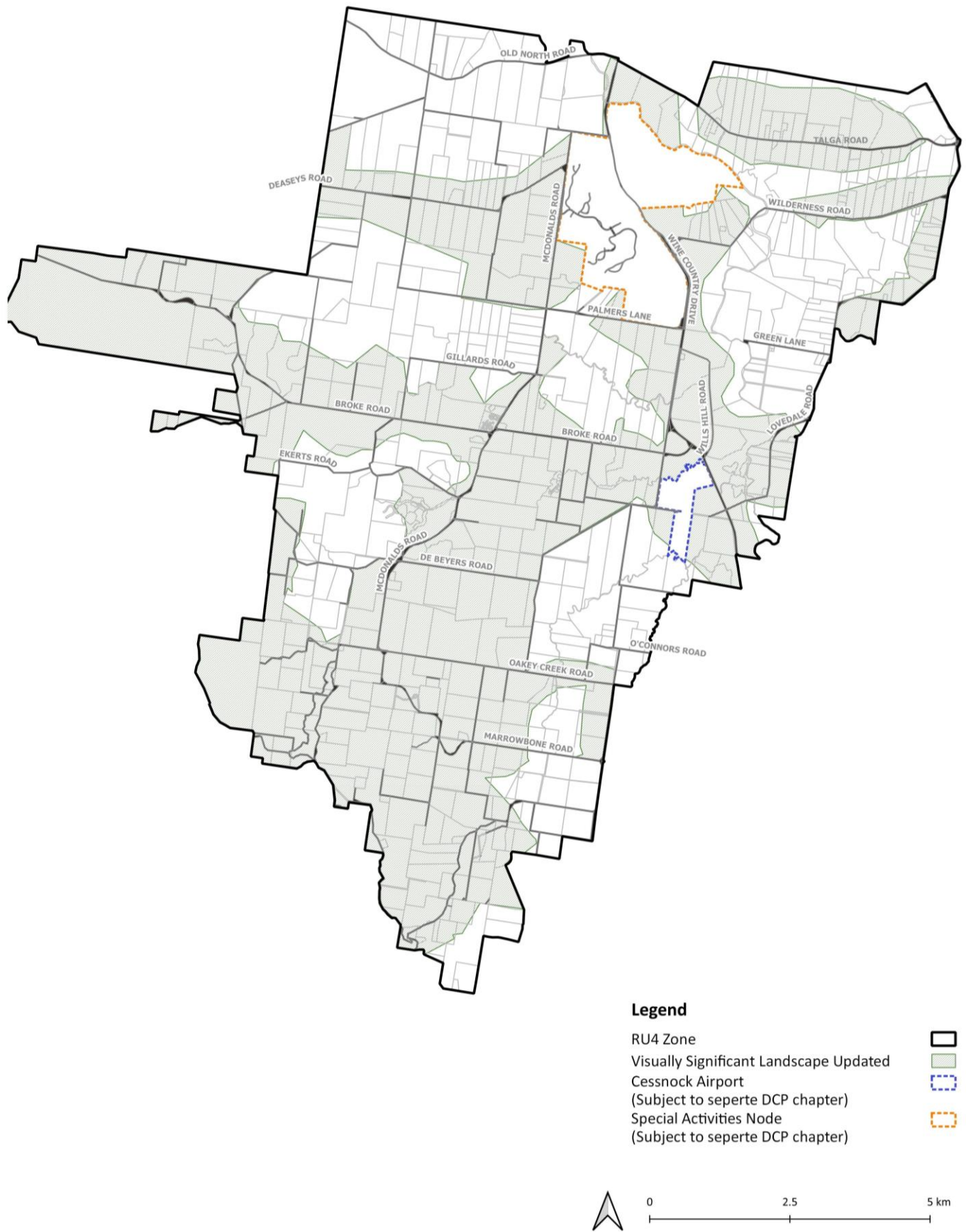


Visually Sensitive Land

The visually sensitive land of the Cessnock Vineyards District is composed of the topography, the agricultural land, the native vegetation, the dramatic and iconic ranges, but also includes the mix of historic and modern buildings and structures. These elements collectively create the established and evolving identity of the area.

Existing character	Future desired character
<p>The natural environment has changed significantly since European settlement with the conversion of forested land to cleared rural land with pockets of remanent vegetation. Views into, across and through the landscape to the dramatic backdrop of the Broken Back Range from public places and roads is fundamental to the identity of the Cessnock Vineyards District. Figure 8 shows the landscape south of De Beyers Road.</p> <p>Architecture and built form in the Cessnock Vineyards District has evolved over time with contemporary architecture often inspired by European viticultural styles. Increased tourist visitation has attracted smaller-scale tourist development, such as cellar door sales, boutique wineries and small tourist accommodation facilities. Larger scale accommodation and recreation developments also occur within the Tourist Centre, major tourist accommodation nodes and special activities node in the Cessnock Vineyards District.</p> <p>The built form in the Cessnock Vineyards District is a mixture ranging from small dwelling houses to small and large wineries and cellar doors to more densely occupied development such as that which occurs in the Tourist Centre and major tourist accommodation nodes. This built form is set into the landscape and, on the whole, does not dominate it. It should be noted however, that some of the larger resorts do dominate the landscape and it could be said tend to detract from it. Figure 6 shows the extent of the visually sensitive land.</p>	<p>Developments on visually sensitive land do not obstruct or undermine the dramatic backdrop provided by the Broken Back Range from public places and roads.</p> <p>Buildings and structures are located sensitively on properties, are 'built into' the natural environment, and are designed to ensure they do not dominate open landscapes or views from public places and roads. View sheds to the ranges beyond are unobstructed. Materials used are non-reflective and complimentary to the tones that exist in the immediate natural environment.</p> <p>Buildings of the early to mid-1800s, which are usually associated with mixed farming, remain and are important reminders of early settlement and vineyards. These buildings are of increasing interest to visitors and the community alike and are also important landmark structures throughout the Cessnock Vineyards District.</p> <p>Historic architectural buildings and structures are retained, adapted, reused and celebrated.</p> <p>New keystone buildings such as cellar doors and tourist and visitor accommodation are architecturally designed and continue to be innovative, evocative and unique.</p> <p>Landscaping adopts a native palette where possible, or uses plant species whose foliage is consistent with the immediate environment.</p>

Figure 6: Visually Sensitive Land



Tourist Centre and Major Tourist Accommodation Nodes

The Tourist Centre has evolved organically over time at the corner of Broke and McDonalds roads. The uses occurring in the Tourist Centre are predominantly tourist oriented with major accommodation establishments, shops, restaurants and cafés, a pub, wineries and some vineyards (see **Figure 9**). It also houses major entertainment events at Hope and Roche Estates. While it was not planned to be a centre in its own right, the density of tourist uses and the scale of tourist accommodation supports the Tourist Centre being categorised as a centre and managed accordingly.

In addition to the Tourist Centre, there are a number of other major tourist accommodation nodes throughout the Vineyards District that have emerged, including Crowne Plaza (see **Figure 10**) and Cypress Lakes. This DCP does not anticipate any significant change for these tourist accommodation nodes; however, any future centre-based use, such as large-scale tourist accommodation or entertainment venue should reinforce the primacy of the Tourist Centre or the existing commercial centres peripheral to the Cessnock Vineyards District.

The Vintage and Golden Bear developments together form a large ‘special activities node’ to the north of the Tourist Centre. The special activities node contains, or is likely to contain, integrated tourism and residential development. The special activities node is excluded from this chapter as it is addressed elsewhere in the DCP (The Vintage), or approved concept masterplan (Golden Bear).

Existing character	Future desired character
<p>The Tourist Centre has emerged as the major tourist, accommodation and entertainment node within the broader Cessnock Vineyards District. The scale of the existing tourist development in the Tourist Centre is one of relatively low-scale buildings that generally blend in with the landscape of the surrounding land.</p> <p>The dominant height of buildings in the Tourist Centre is two storeys, with some buildings within developments reaching three storeys.</p> <p>The low scale of the buildings combined with generous setback adds to the appeal of the developments, allows for vegetation screening, and reduces the impact of these built forms on the landscape and streetscape.</p> <p>There are a number of car parks at the front of the developments and are located within the setback and are well screened by landscaping.</p>	<p>The Tourist Centre remains the focus for larger scale tourist accommodation and entertainment facilities in the Cessnock Vineyards District. Development in this area reinforces the primacy of the Tourist Centre for tourist development and the built form respects the established pattern and scale of development. No development is above 14 metres in height.</p> <p>A diversity of land uses that contribute to the tourist experience has been provided in the Tourist Centre.</p> <p>Development does not detract from the landscape setting, but enhances it. Buildings are of low scale when viewed from a public place or road, do not visually intrude or dominate open landscapes and are sensitively screened from public places and roads. The colours of the buildings are of earthy, muted tones and have non-reflective roofs.</p> <p>Public road infrastructure in the Tourist Centre retains its rural, tree lined appeal.</p>

Figure 7: Tourist Centre and Nodes

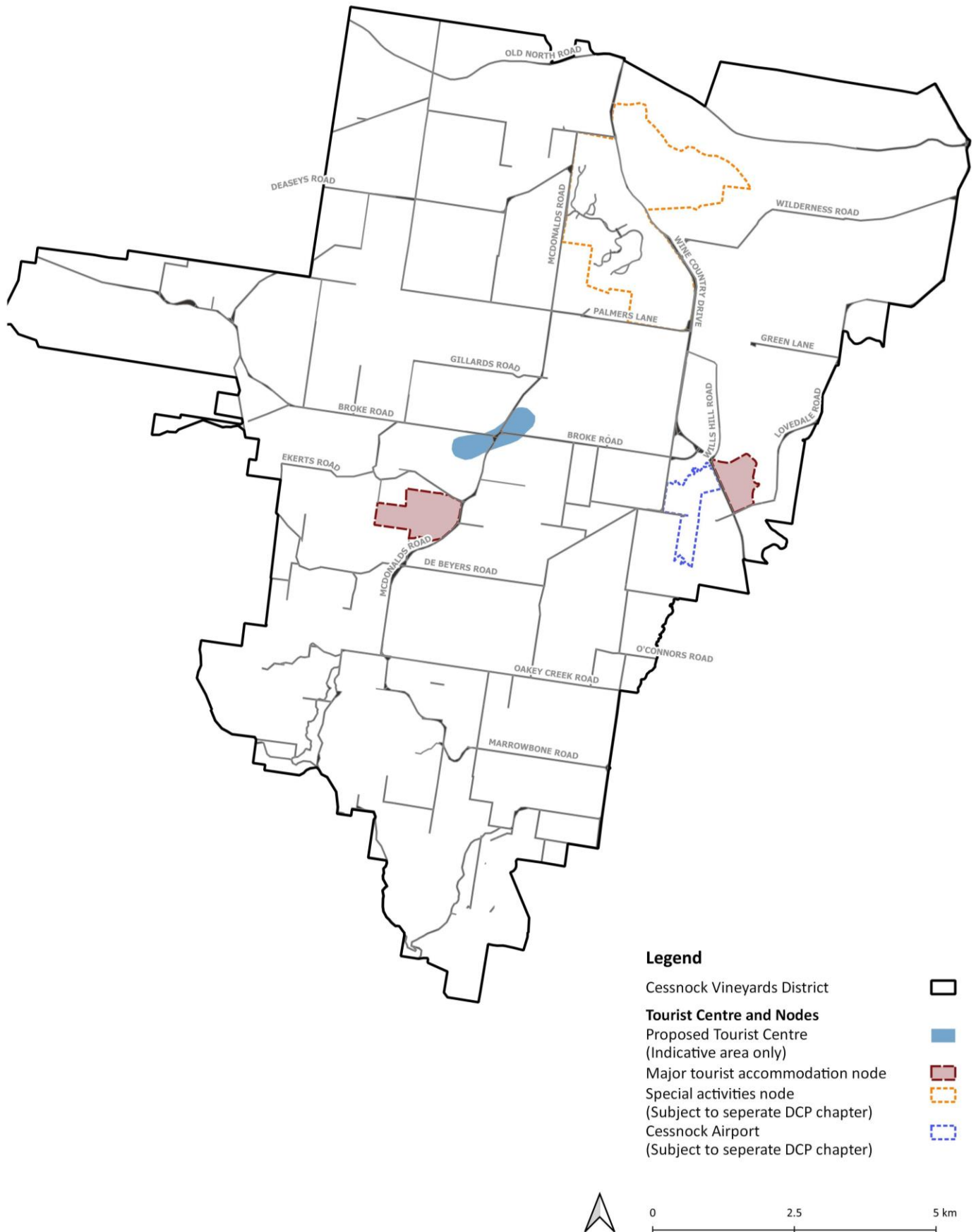




Figure 8: Visually Significant Landscape to the South of De Beyers Road



Figure 9: Tourist Centre



Figure 10: Crowne Plaza Hunter Valley

Development Provisions

Buildings and structures are a major component of the Vineyards District local character and there is a need to ensure that new development does not detract from that character.

The following table classifies permitted land uses according to their potential risk of land use conflict. Some of the development controls outlined in this section only apply to land uses in a particular risk category.

Potential Risk of Land Use Conflict

Low Risk	Medium Risk	High Risk
Building identification signage Bed and breakfast accommodation Dwelling houses Extensive agriculture Environmental protection works Farm experience premises Flood mitigation works Home business Home industry Home occupation Horticulture Secondary dwellings Viticulture	Artisan food or drink premises Business identification signage Cellar door premises Community facilities Emergency services facilities Environmental facilities Farm buildings Farm gate premises Farm stay accommodation Home-based child care Information and education facilities Recreation areas [#] Roadside stalls	Agricultural produce industries Aquaculture Early education and care facilities [#] Electricity generating works Entertainment facilities [#] Food and drink premises [#] Function centres Health services facilities Hotel or motel accommodation [#] Plant nurseries Restaurants or cafes Roads Neighbourhood shops [#] Serviced apartments [#] Tourist and visitor accommodation

Development permissible in Tourist Centre only

Compatibility of Development with the Cessnock Vineyards District Local Character Statement

The following controls apply to all development in the Cessnock Vineyards District, unless otherwise indicated.

Objectives	Development Controls
To ensure development is compatible with the existing landscape of the Cessnock Vineyards District.	Development is consistent with the Cessnock Vineyards District Local Character Statement.
To minimise the impact of development on primary production land and important vegetation and fauna corridors.	Development located on primary production land (see Figure 3) must be accompanied by an assessment justifying that the site chosen for the development is the most appropriate having regard to the following constraints of the land: <ul style="list-style-type: none"> • waterways; • native vegetation, including roadside vegetation; • topography; • land subject to natural hazards; • existing buildings; • the distance to vineyards on adjoining land; • the distance to agricultural produce industries or cellar door premises on adjoining land; • the distance from the development site to the property boundaries; and • location of any existing vineyards within the land.

To minimise the impact of development on visually sensitive land.	If <i>Medium</i> or <i>High Risk</i> development is proposed on Visually Sensitive Land (see Figure 6) it is to be accompanied by a Visual Impact Analysis prepared by a suitably qualified professional.
	<p>The Visual Impact Analysis will assess the impact of the development, primarily when viewed from public places and roads. The analysis will justify the compatibility of the development with the visually sensitive landscape. The Visual Impact Analysis must also include:</p> <ul style="list-style-type: none"> • a photomontage showing the development within its visual setting; • the location of access roads; • the clustering of buildings; • the use of landscaping; and • relationship to the slope of the land.
	Views to significant landmarks, such as the Broken Back Range remain unobscured.

Siting and Design of Buildings and Structures in Open Landscapes

Development in open landscapes has the potential for higher visual impact as it is more likely to be seen from public places, roads, travelling stock reserves and over long distances. Development in open landscapes must be carefully designed to ensure it does not impact the rural landscape appeal.

The following controls apply to all development in the Cessnock Vineyards District, unless otherwise indicated.

Objectives	Development Controls
Buildings and structures are sited and designed so as to maintain a sense of openness of the landscape that allow middle and long distance views.	Buildings and structures in open landscapes are sited and designed to complement and not dominate the rural landscape, particularly when viewed from public places and roads.
	Clustering of buildings or structures associated with <i>Medium</i> or <i>High Risk</i> development occurs in locations on the property where development is least likely to be seen from public places and roads.
	Buildings and structures are finished in earthy, muted tones and screened by planting or otherwise merged into their environment, where visible from public places or roads.
	The design of buildings responds to environmental factors such as views and outlook, protection from sun, rain and wind, and the use of traditional materials such as timber, stone, rammed earth (or other sustainable material) and corrugated iron.

Large Buildings and Structures, or Clusters of Buildings and Structures

Buildings or structures with a footprint greater than 350m² are considered large in a rural context. The rural landscape may be adversely affected by large buildings and structures, or clusters of two or more buildings and/or structures. These forms of development have the potential to intrude into the visually sensitive landscape of the Cessnock Vineyards District.

The following controls apply to large buildings or structures and clusters of buildings and/or structures in the Cessnock Vineyards District.

Objectives	Development Controls
<p>Large buildings, structures and/or clusters of buildings are sympathetic to the rural context and blend into the landscape in terms of scale, mass, roof form and external materials.</p> <p>The siting of a building, structure and/or clusters of buildings on a property has regard to the relationship between the size of the development and its location in the landscape when viewed from a public place or road.</p>	Large buildings, structures and/or clusters of buildings are designed to complement their setting and reinforce the rural character of the landscape.
	Building design and materials reflect the rural and viticultural landscape and the traditions of rural buildings.
	Fixed plant and equipment (such as water tanks, wine storage tanks, air conditioning units, telecommunication structures and related infrastructure) do not visually intrude into the landscape.
	Buildings and structures are finished in earthy, muted tones and screened by planting or otherwise merged into their environment, where visible from public places or roads.
	Large buildings, structures and/or clusters of buildings are sited and oriented to minimise their visual bulk when viewed from public places and roads.
	Buildings and structures are designed and sited to create a harmonious development and setting, and reinforce the rural landscape.

Front Boundary Fencing and Gates

Front boundary fencing and gates are of modest appearance, in keeping with the character of the remainder of the property boundary fence and the broader character of the Cessnock Vineyards District.

The following controls apply to all development in the Cessnock Vineyards District.

Objectives	Development Controls
<p>Front fences, boundary walls and entrance gates and structures do not dominate the road environment or use materials which are out of character with the broader Cessnock Vineyards District.</p>	Property fences along road frontages and associated entry gateways are in scale and character with the local road environment.
	Materials, height, lighting and other elements complement rather than dominate the existing character of the roadside environment.

	The sense of spaciousness and openness of the landscape along rural roads are not compromised by buildings and front fences that are suburban in character and siting.
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Building Materials

Colours of external materials should be muted to avoid the building being an intrusive element in the landscape.

The following controls apply to all development in the Cessnock Vineyards District.

Objectives	Development Controls
External building materials are appropriate to the rural landscape and reinforce the viticultural character of the area.	The use of timber, stone, rammed earth (or other sustainable material) and corrugated iron is encouraged. Bricks and rendered surfaces are not encouraged and should only be used only as minor elements of a building's exterior. Roofs are to be of corrugated iron or slate; terracotta tiles are discouraged.
	Fences and gate posts at entries to properties are to use traditional materials, such as painted or natural timber, or stone.
	The colours of the buildings and structures are of earthy, muted tones and have non-reflective roofs.

Signage

Rural roads in the Vineyards District are important elements of the landscape. Where there is a demonstrated need for signage, consideration needs to be given to the balance between the visibility of the signage, the information it needs to provide and visual intrusiveness of the signage.

The following controls apply to all signage development in the Cessnock Vineyards District.

Objectives	Development Controls
Business identification signage does not detract from the visual amenity of the roadside environment. Signage enhances the amenity of the area and reinforces the local character.	Signage is to be located within the property boundary.
	Signage is to be consistent with recommendations contained in the ‘Hunter Valley Wine Country Signage Strategy’ .
	Property identification signs are a recessive and unobtrusive element of the development and complement the local character, in size, style and design, rather than dominating the visual environment.
	With the exception of up or down lighting, illuminated signage is not permitted.

Driveways and Internal Access Roads

Driveways and access roads, especially those cut into sloping land and those whose surface contrasts with the adjacent ground colour, can have a visual impact on the rural landscape.

The following controls apply to all development in the Cessnock Vineyards District.

Objectives	Development Controls
Driveways and internal access roads on private properties do not reduce the visual amenity of the landscape.	Internal road alignments and surface materials are as unobtrusive as practicable. This involves siting internal roads to: <ul style="list-style-type: none"> - achieve the shortest, safest route; - follow contours in the landscape; and/or - provide screening with trees.
	Driveway crossovers require Council approval under the <i>Roads Act 1993</i> .

Heritage

Heritage contributes to the local character of the Cessnock Vineyards District. Retaining and celebrating items of heritage helps provide a sense of continuity in areas subject to development change.

The following controls apply to all development on land in the Cessnock Vineyards District that contains a listed heritage item.

Objectives	Development Controls
New development complements and does not detract from the character, appearance and significance of heritage items.	Advice is to be sought from Council's Heritage Advisor at an early stage in the design process and addressed in the development application.
	Development that relates to, or has the potential to impact, a heritage item is carried out in a way that respects the design, appearance and significance of the heritage item.

Landscaping

The capacity of new planting to enhance the visual character of the Cessnock Vineyards District is an important consideration for property owners, particularly in preparing landscape plans for new developments.

The following controls apply to all development in the Cessnock Vineyards District.

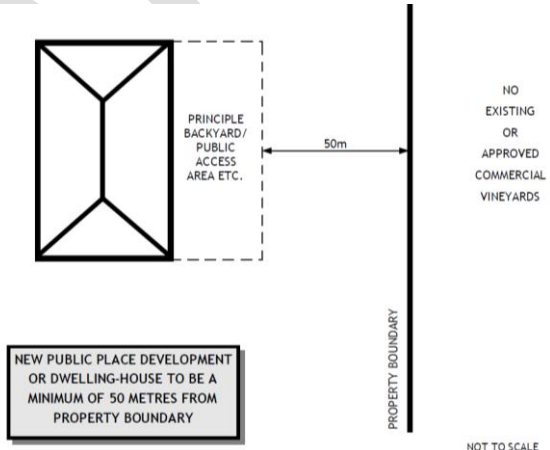
Objectives	Development Controls
Landscaping in new developments should contribute positively to the landscape character of the Vineyards District.	New buildings, driveways and other structures are sited to avoid existing stands of native trees and grape vines.
	The area of grape vines within a property is reinforced by new development, subject to other considerations, such as economic viability.

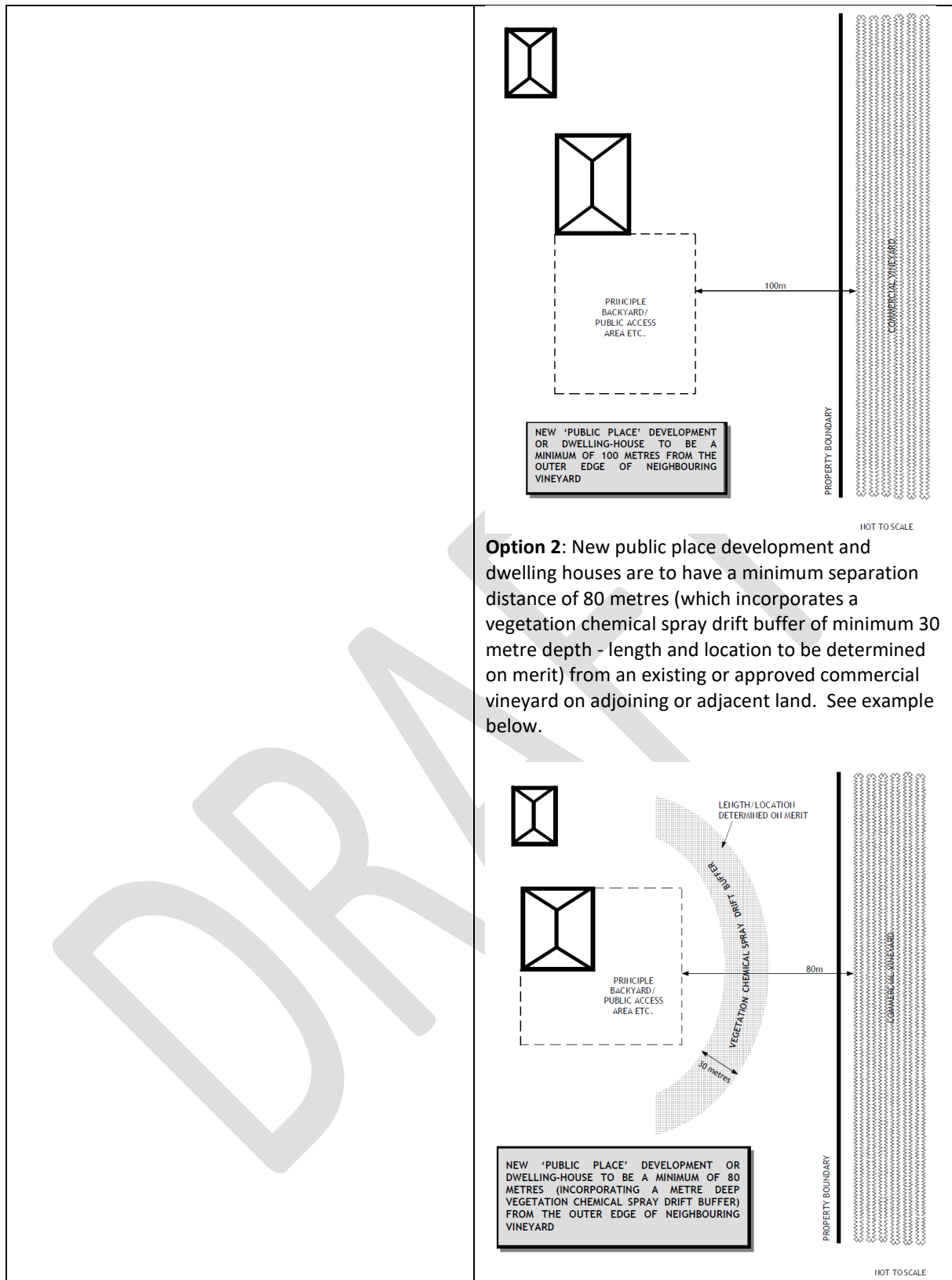
	Development reinforces important vegetation corridors and areas of remnant native vegetation, identified in Figure 5 .
	The area of native trees on the public road property boundary is reinforced by new development, subject to other considerations, such as the potential for bushfire risk.

Agricultural Spray Drift

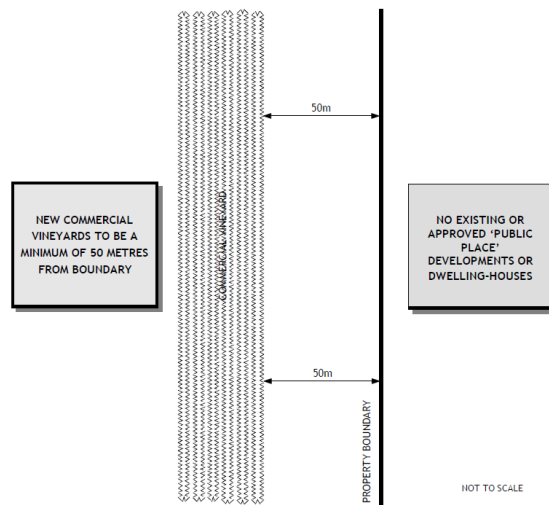
Council is seeking to reduce the incidence of land use conflict between properties with vineyards and those with developments having habitable components. It is important to ensure that vineyard operators are not forced to modify their practices due to complaints received from surrounding occupants. Similarly, it is equally important to ensure that surrounding occupants and their livelihood are not at risk from either the perceived or real impacts associated with chemical spray drift.

The following controls apply to all development in the Cessnock Vineyards District.

Objectives	Development Controls
<p>To ensure that new development is appropriately sited having regard to the location of neighbouring vineyards, reducing the potential for impacts associated with chemical spray drift from both the ground and aerial application of chemicals.</p> <p>To ensure that new or expanded vineyards are appropriately sited having regard to the location of existing neighbouring developments, reducing the potential for impacts associated with chemical spray drift from both the ground and aerial application of chemicals.</p> <p>To incorporate the use of vegetation chemical spray drift buffers as a means to capture chemical spray drift and reduce the required separation distance between vineyards and development.</p> <p>To encourage both the physical separation of vineyards and specified developments within a property and the establishment of vegetation chemical spray drift buffers between vineyards and specified developments to reduce the potential for chemical spray drift and noise impacts within that property.</p>	<p>New public place development and dwelling-houses are to be set back a minimum of 50 metres from a property boundary where there are no existing or approved vineyards on adjoining or adjacent land. See example below.</p>  <p>The diagram illustrates a property boundary (vertical line) with a 50m setback from a new public place development or dwelling-house (represented by a rectangle with a diagonal line). The setback is labeled '50m'. To the right of the property boundary, it states 'NO EXISTING OR APPROVED COMMERCIAL VINEYARDS'. A box below the diagram states: 'NEW PUBLIC PLACE DEVELOPMENT OR DWELLING-HOUSE TO BE A MINIMUM OF 50 METRES FROM PROPERTY BOUNDARY'. The text 'NOT TO SCALE' is at the bottom right.</p> <p>New public place development and dwelling houses are to be separated from existing or approved vineyards on adjoining or adjacent land.</p> <p>There are two options for providing the required separation distance.</p> <p>Option 1: New public place developments and dwelling houses are to have a minimum separation distance of 100 metres from an existing or approved vineyard on adjoining or adjacent land. See example below.</p>

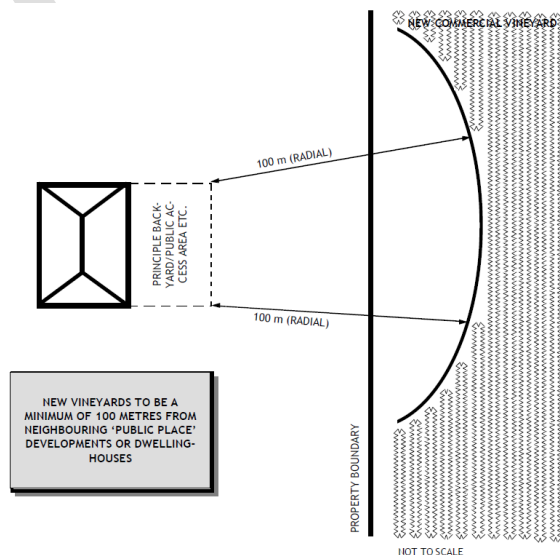


New vineyards are to be set back a minimum of 50 metres from a property boundary where no existing or approved public place development or dwelling houses are located on adjoining or adjacent land. See example below.

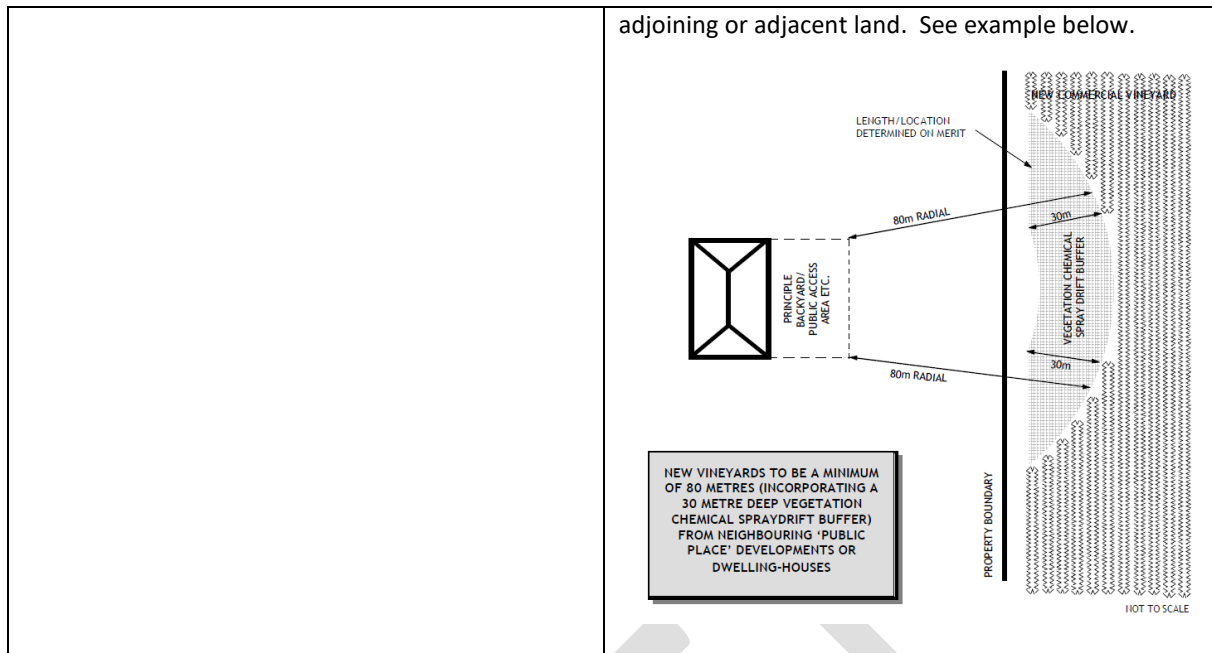


New vineyards are to be separated from existing or approved public access development and dwelling houses on adjoining or adjacent land. There are two options for providing the required separation distance.

Option 1: New vineyards are to have a minimum separation distance of 100 metres from an existing or approved public access development and dwelling houses on adjoining or adjacent land. See example below.



Option 2: New vineyards are to have a minimum separation distance of 80 metres (which incorporates a vegetation chemical spray drift buffer of minimum 30 metre depth - length and location to be determined on merit) from an existing or approved public place development and dwelling houses on



Noise and Odour Impacts

The following controls apply to all development in the Cessnock Vineyards District.

Objectives	Development Controls
To reduce the potential for land use conflict by appropriately siting developments that contain habitable components.	A report from a qualified odour consultant and noise consultant is required for any habitable development that will adjoin, or will be adjacent to, properties containing wineries.
To reinforce the need to separate vineyards and developments with habitable components to reduce the potential for noise, odour or lighting impacts.	Applications for wineries are required to give consideration to surrounding land uses and will be sited such that they do not adversely impact surrounding developments that have habitable components.
To require the provision of noise attenuation measures in building design in certain circumstances.	

Environmental Sustainability

Some developments that occur in the Vineyards District are larger scale and have the potential to consume significant amounts of energy. It is important that new development is designed to minimise energy use.

The following controls apply to all *medium* or *high risk* development in the Cessnock Vineyards District.

Objectives	Development Controls
Development adopts best practice environmentally sustainable development principles.	New buildings are designed for energy efficiency, considering solar access and utilising sustainable energy and construction techniques.
	Buildings are designed to allow for adaptive re-use in the future.

	Sites are developed to maximise retention of existing vegetation and landscape design that assists in passive solar heating/cooling.
	New development incorporates water sensitive urban design techniques.

Additional Controls for Development outside the Tourist Centre

The following additional controls apply to development outside the Tourist Centre.

Objectives	Development Controls
To ensure that the height of buildings is appropriate to the scale of the site.	The maximum building height is 8.5m (from existing ground level), except for buildings associated with wine production.
	The highest point of a building or alterations and additions to an existing building must be at least 5m below the highest ridgeline of any hill within 100m of the building or alteration.
To preserve the established character and setting of the Cessnock Vineyards District.	Where development results in the loss of existing vegetation, compensatory tree planting will be provided.
To ensure buildings are appropriately sited and are not visually prominent when viewed from public places or roads.	Buildings and structures are setback a minimum of 75m from road frontages ³ .
	Buildings and structures are setback a minimum of 50m from side and rear property boundaries ⁴ .
	Buildings and structures are to be designed and orientated in a manner that minimises their bulk and scale when viewed from a public place, including a road.
The visual impact of access roads and car parking is to be kept to a minimum.	Concrete or bitumen sealed access roads are to follow contours and not be built directly up or down a slope.
	Car parking areas are to be screened from view of public roads either by vegetation or buildings/structures.
To ensure that tourist and visitor accommodation is of an appropriate scale.	<p>The maximum density of tourist and visitor accommodation is 2 rooms per 1 whole hectare of the size of the property up to a maximum of 30 rooms, contained in no more than 10 buildings.</p> <p>Note: Buildings may be clustered in accordance with the provisions of this DCP.</p>

³ Applications which propose to vary setback requirements must be clearly justified, including through a visual impact analysis and with regard to the particular qualities of the site, for example, the existence of vineyards, stands of vegetation, existing site development, topography and servicing, etc.

Objectives	Development Controls
To ensure that adequate infrastructure is available for tourist development.	An application for a tourist development must demonstrate that the following is provided on the site: <ul style="list-style-type: none"> - water supply - effluent disposal - access for two wheel drive vehicles - all weather parking areas
To reduce the impact of development on when viewed from public places or roads.	Fencing is to be of either post and rail or post and wire.
To minimise the impact development may have on the existing character and productive capacity of the Cessnock Vineyards District.	New development is sited to avoid existing stands of native trees and grape vines.

Additional Controls for Development in the Tourist Centre

The following controls apply to all development in the Tourist Centre, unless otherwise stated.

Objectives	Development Controls
To ensure that the height of buildings is appropriate to the scale of the site.	The maximum building height is to be 14 metres (from existing ground level).
To ensure buildings are appropriately sited and are not visually prominent when viewed from public places or roads.	Buildings and structures are setback a minimum of 75m from property boundaries ⁴ .
To ensure that concerts and events do not have a significant impact on the surrounding land uses and local infrastructure.	Applications for concerts and events are to be accompanied by a Plan of Management, detailing the provision of adequate services and facilities, including, but not limited to: <ul style="list-style-type: none"> • water and wastewater; • traffic management, including opportunities for park-and-ride and the need for approval under Part 8 of the <i>Roads Act 1993</i>; • public transport to and from the site; • consideration of other scheduled concerts and events in the area; and • crowd management.
To preserve the established character and setting of the Cessnock Vineyards District.	<i>High Risk</i> development is to be accompanied by a Traffic Impact Assessment, prepared by a suitably qualified professional. Note: The Traffic Impact Assessment will make recommendation regarding necessary road upgrades to be undertaken in accordance with applicable standards guidelines and technical directions.

⁴ Applications which propose to vary setback requirements must be clearly justified, including through a visual impact analysis and with regard to the particular qualities of the site, for example, the existence of vineyards, stands of vegetation, existing site development, topography and servicing, etc.

Objectives	Development Controls
	Where development results in the loss of existing roadside vegetation, compensatory tree planting will be provided.
Landscaping reinforces the identity of the Cessnock Vineyards District.	<i>Medium or High Risk</i> development is to be accompanied by a Landscape Plan, prepared by a suitably qualified professional.
	Building mass is softened with landscaping.
	Planting around buildings is to be clumped and not planted in rows.
	New plantings shall comprise native species, endemic to the region.
Buildings complement the predominant building form in the area and are of high architectural quality.	Buildings and structures respect and reinforce the form, scale and height of existing buildings in the Tourist Centre.
	New developments are designed and sited to complement the specific context in which they are sited and take account of existing landform, vegetation and historic character and amenity of the Cessnock Vineyards District.
	Building facades comprise an appropriate scale, rhythm and proportion which respond to the building's use and the desired future character of the area as set out in the local character statement.
	Buildings and structures utilise materials of low reflectivity.
<ul style="list-style-type: none"> On-site car parking areas are located and designed to reduce their visual impact from public places or roads. Design of parking and access is safe, practical and visually unobtrusive. Car parking areas provide convenient, safe and efficient vehicle movements and connections within the development and the rural road network. 	On-site parking for vehicles is located to have minimal visual impact when viewed from roads and other public spaces.
	The number of vehicular access points to the property are minimised.
	All car park lighting is unobtrusive and light spill beyond the car park should not occur.
	Landscape finger planting is incorporated into the design of open air car parks to provide shade.