

Media release



Planning &
Infrastructure



Friday, 23 December 2011

New housing and updated planning controls for Cessnock

The Cessnock Local Environmental Plan 2011 has been approved today by the NSW Government, updating planning controls that have been in place for more than 20 years

The Cessnock Development Control Plan (2010) also comes into force today.

This means that all Development Applications submitted on or after 23 December 2011 will be assessed under the new Local Environmental Plan (LEP) and Development Control Plan (2010) controls. Development Applications that were submitted prior to that date will continue to be assessed under the old LEP 1989 provisions and the old DCP, with due consideration of the new LEP.

“Like all NSW councils, Cessnock was required to prepare a new comprehensive Local Environmental Plan in accordance with a standard format set by the NSW Government,” the Mayor of Cessnock, Councillor Alison Davey said.

“The preparation of this new LEP involved an extensive consultation process and has taken almost five years to reach gazettal. Its finalisation is most welcome.”

General Manager of Cessnock City Council, Lea Rosser, said the gazettal of the LEP would provide certainty for the community in relation to future planning in Cessnock.

The LEP was approved by the Department of Planning and Infrastructure, under delegation.

The department’s Deputy Director General Tom Gellibrand said the LEP would provide for growth in Cessnock and replaces the previous LEP that has been in place since 1989.

“The LEP will provide more than 1,000 additional residential lots at eight sites across the Cessnock local government area including Cessnock, Nulkaba, Heddon Greta, Millfield and Paxton,” Mr Gellibrand said.

“In addition the LEP zones new employment land, known as Cessnock Civic, to encourage job creation in close proximity to the existing centre of Cessnock, while protecting the environmental values of the site.

“We have worked with Council to resolve a number of complex issues and I would like to thank Council for its co-operation.”

Council’s Group Leader Strategy and Sustainability, Louise Gee, said changes made by the NSW Government meant the final version of the Cessnock LEP has some differences to

earlier versions exhibited and adopted by Council, including deferring areas that were the subject of the Environmentally Significant Areas (ESA) overlay.

The LEP also identifies that planning controls for the Huntlee development site are included in the State Environmental Planning Policy (Major Development).

Residents and property owners who have received advice in the past on what they may or may not be able to do under the new LEP are encouraged to have a look at the new LEP and check they have up-to-date advice. Enquiries regarding the new LEP should be directed to Council on 4993 4300.

The Cessnock Local Environmental Plan 2011 and associated maps can be viewed by visiting the NSW Legislation website at www.legislation.nsw.gov.au and the Plan will be available in the new year on Cessnock City Council's website at www.cessnock.nsw.gov.au. The Plan will also be available to view at Council's Administration Centre from January.

Council's Development Control Plan (2010) will be available on the Council website in January.

A land use matrix has also been prepared as a quick checklist to determine whether a specific land use is permissible within a zone, and this will also be available on Council's website in January.

SECTION 149 CERTIFICATES ON HOLD

Group Leader Built and Natural Environment, Gareth Curtis said that due to the gazettal of the Cessnock Local Environmental Plan 2011, Council will be suspending the production of Section 149(2) and 149(5) Planning Certificates for approximately three weeks, to allow for necessary computer system updates to be carried out.

Section 149 Certificates are issued under the *Environmental Planning and Assessment Act 1979*. They contain information on how a property may be used and any restrictions there may be on development. A person may request a 149 Certificate to obtain information about his or her own property but generally a 149 Certificate will be requested when a property is to be redeveloped or sold. When land is bought or sold, the *Conveyancing Act 1919* requires that a Section 149 Certificate be attached to the contract for sale.

Cessnock City Council's suspension of providing Section 149 Certificates will commence on Friday 23 December 2011 and Council is aiming to recommence production by 16 January 2011. Please note this period includes the closure of Council's Administration Centre between Christmas and the New Year.

Council apologises for any inconvenience caused during this necessary maintenance period.

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