



9 July 2015

Department of Planning and Environment
Josephine Wing
Director Planning Frameworks
Via: planspolices.planning.nsw.gov.au

Contact: Bo Moshage
Our Ref: DOC2015/033243
Your Ref:

Attention: Laurise Yousif

Dear Madam

RE: Cessnock City Council Comments on SEPP Review 2015

Thank you for providing Council with the opportunity to provide feedback on the Department of Planning and Environment review of the State Environmental Planning Policies.

General

The proposal to simplify the planning system in NSW is generally supported and Council is making this submission in response to the Explanation of Intended Effects supporting the SEPP review.

Of the seventeen (17) SEPPs under review, three (3) have direct relevance to Cessnock City Council and comments on each of these are provided.

SEPP 32 – Urban Consolidation (Redevelopment of Urban Land)

The Urban Consolidation State Environmental Planning Policy has in reality been replaced by policy and programs to facilitate urban renewal including the Urban Renewal SEPP, Priority Precincts Program, particularly in and around Sydney, and the Lower Hunter Regional Strategy.

At the Cessnock Council level, the aims and objectives of this SEPP to provide for the re-development of urban land suitable for multi-unit housing and related development have in large been incorporated into the Cessnock Local Environmental Plan 2011 through the establishment of a residential hierarchy.

Table 1 outlines Council's residential hierarchy of land use zones and permissible uses, which differentiates between the various forms of housing types to reflect the intended residential densities suitable given locality and supporting infrastructure considerations.

In this regard, Council believes that the aim and objectives of this SEPP have been transferred and are being managed at the local council level.

Land Use Zone	Dwelling density	Permissible Dwelling Types
B4 Mixed Use	Medium – High	Residential flat buildings and shoptop housing
B3 Commercial Core	Medium-High	Shoptop housing
B2 Local Centre	Medium – High	Shoptop housing
R3 Medium Density Residential	Medium	Dwelling-house; dual occupancies; multi dwelling housing
R2 Low Density Residential	Low	Dwelling-house, dual occupancy
RU5 Village	Low	Dwelling-house
R5 Large Lot Residential	Low	Dwelling-house; dual occupancy
Urban release areas (LHRS)	Mixed	Designed on "Neighbourhood Planning Principles"

Table 1: Residential hierarchy of land use zones and permissible uses

Hunter REP 1989 (Heritage)

Schedule 5 of the Cessnock LEP 2011 contains 254 individual sites and landscapes and group items representing national, state and local historical themes and 2 heritage conservation areas covering the Wollombi Village and the landscape of the Great North Road.

Attachment 1 outlines Council's response to the list of twenty (20) items the Department have inquired as not being transferred to the Cessnock LEP 2011 and/or requiring further investigations.

A review of the Cessnock LGA Wide Heritage Study will be undertaken as part of the recent \$50,000.00 grant from the Minister for Heritage, which will review the City of Cessnock Heritage Study prepared by Penelope Pike, Meredith Waker and Associates in 1994.

The review will also identify the heritage items listed in the Hunter REP identified in Attachment 1 that were not transferred into the Cessnock LEP 2011 and provide recommendations to amend the Cessnock LEP 2011 accordingly thereby helping to preserve the uniqueness of the Cessnock Council Area through its heritage.

SEPP 15 – Rural Landsharing Communities

The proposed change of the provisions in the Rural Landsharing Communities which allows collective ownership of a single parcel of land will be changed to an optional locally specific clause in each local environmental plan is supported.

While it is noted that this SEPP applies to the Cessnock LGA, it has not been used to facilitate multiple occupancy development, subject to a list of criteria in the policy with Council consent, in any rural and non-urban zones in the City.

Notwithstanding, Council through an impending City Wide Planning Strategy, will be investigating rural land use across the City, including zoning, lot sizes, dwelling entitlement and conservation outcomes.

In this regard, Council believes that the aim of this SEPP can be transferred and managed at the local council level, while still preserving the intent of the policy.

Conclusion

Council trusts that the observations and the clarifications provided will be seen as constructive and adding value to the Department of Planning and Environment initiatives to review the State's Environmental Planning Policies.

If you require any further information, please do not hesitate to contact Council's Coordinator Strategic Land Use Planer, Bo Moshage on telephone 4993 4241 or me on Telephone 4993 4229

Yours faithfully



Martin Johnson
Strategic Land Use Planning Manager