



New South Wales

Cessnock Local Environmental Plan 2011 (Amendment No 18)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*.

BRETT WHITWORTH

As delegate for the Minister for Planning

Cessnock Local Environmental Plan 2011 (Amendment No 18)

under the

Environmental Planning and Assessment Act 1979

1 Name of Plan

This Plan is *Cessnock Local Environmental Plan 2011 (Amendment No 18)*.

2 Commencement

This Plan commences on the day on which it is published on the NSW legislation website.

3 Land to which Plan applies

This Plan applies to the following land:

- (a) Lot 2411, DP 1060722, McDonalds Road, Rothbury,
- (b) Lot D, DP 182933, Palmers Lane, Rothbury,
- (c) Lot 106, DP 1038043, Lots 1–48 and 50–103, DP 270293, Lots 1–23 and 25–30, DP 270292, Lots 1–38 and 40–48, DP 270295, Lots 1–44 and 46–60, DP 270343, Lots 1–39, 42–67 and 69–86, DP 270372, Lots 1–10, DP 270384, Lots 1–3, DP 270340, Lots 1–11, DP 270479, SP 76654, Lots 1–24, DP 270459, Lots 1–4, DP 270636, Lots 1–17, DP 270688, Lots 1–10, DP 270721, Lots 1–38, DP 270929, Lots 1601, 1603 and 1605, DP 1142579, Lots 1503, 1504 and 1506, DP 1110274, Lot 2151, DP 1185744, Lot 12, DP 1187633, Lot 2202, DP 1167247, Lot 12, DP 1187663, Lots 1901–1904, DP 1202101 and Lots 21–23, DP 1044459, Wine Country Drive, Rothbury.

4 Maps

The maps adopted by *Cessnock Local Environmental Plan 2011* are amended or replaced, as the case requires, by the maps approved by the Minister on the making of this Plan.

Schedule 1 Amendment of Cessnock Local Environmental Plan 2011

[1] Clause 7.11A

Insert after clause 7.11:

7.11A Integrated tourist development at Wine Country Drive, Palmers Lane and McDonalds Road, Rothbury

- (1) This clause applies to the following land:
 - (a) Lot 2411, DP 1060722, McDonalds Road, Rothbury,
 - (b) Lot D, DP 182933, Palmers Lane, Rothbury,
 - (c) Lot 106, DP 1038043, Lots 1–48 and 50–103, DP 270293, Lots 1–23 and 25–30, DP 270292, Lots 1–38 and 40–48, DP 270295, Lots 1–44 and 46–60, DP 270343, Lots 1–39, 42–67 and 69–86, DP 270372, Lots 1–10, DP 270384, Lots 1–3, DP 270340, Lots 1–11, DP 270479, SP 76654, Lots 1–24, DP 270459, Lots 1–4, DP 270636, Lots 1–17, DP 270688, Lots 1–10, DP 270721, Lots 1–38, DP 270929, Lots 1601, 1603 and 1605, DP 1142579, Lots 1503, 1504 and 1506, DP 1110274, Lot 2151, DP 1185744, Lot 12, DP 1187633, Lot 2202, DP 1167247, Lot 12, DP 1187663, Lots 1901–1904, DP 1202101 and Lots 21–23, DP 1044459, Wine Country Drive, Rothbury.
- (2) Development consent must not be granted to any development on land to which this clause applies unless:
 - (a) the consent authority is satisfied that the development is integrated tourist development, and
 - (b) the total number of dwellings on the land does not exceed 1,022, and
 - (c) the total number of serviced apartments and hotel or motel accommodation units used for the purposes of tourist and visitor accommodation on that land does not exceed 995, and
 - (d) the total number of residential lots or dwellings does not exceed 822 until at least 344 serviced apartments and hotel or motel accommodation units on the land have been issued with occupation certificates, and
 - (e) the total gross floor area of shops on the land, not including neighbourhood shops, will not exceed 1,000 square metres.
- (3) In this clause:

integrated tourist development means development that is predominantly tourist and visitor accommodation and tourist facilities in combination with other uses permissible on the land.

[2] Schedule 1 Additional permitted uses

Omit clause 9. Insert instead:

9 Use of certain land at Wine Country Drive, Palmers Lane and McDonalds Road, Rothbury

- (1) This clause applies to the following land:
 - (a) Lot 2411, DP 1060722, McDonalds Road, Rothbury.
 - (b) Lot D, DP 182933, Palmers Lane, Rothbury,

- (c) Lot 106, DP 1038043, Lots 1–48 and 50–103, DP 270293, Lots 1–23 and 25–30, DP 270292, Lots 1–38 and 40–48, DP 270295, Lots 1–44 and 46–60, DP 270343, Lots 1–39, 42–67 and 69–86, DP 270372, Lots 1–10, DP 270384, Lots 1–3, DP 270340, Lots 1–11, DP 270479, SP 76654, Lots 1–24, DP 270459, Lots 1–4, DP 270636, Lots 1–17, DP 270688, Lots 1–10, DP 270721, Lots 1–38, DP 270929, Lots 1601, 1603 and 1605, DP 1142579, Lots 1503, 1504 and 1506, DP 1110274, Lot 2151, DP 1185744, Lot 12, DP 1187633, Lot 2202, DP 1167247, Lot 12, DP 1187663, Lots 1901–1904, DP 1202101 and Lots 21–23, DP 1044459, Wine Country Drive, Rothbury.
- (2) Development for the following purposes is permitted with development consent:
 - (a) dual occupancies,
 - (b) exhibition villages,
 - (c) health services facilities,
 - (d) multi dwelling housing,
 - (e) places of public worship,
 - (f) shops.