

## Amended E3 Zone and Heritage Conservation Area

When city folk rediscovered Wollombi Valley in the 1960's the wheel had turned full circle.

Following construction of the Great North Road by 1831, closer settlement was encouraged and surveyed Crown Portions were taken up by soldier settlers, ticket of leave men and British immigrants. These were mainly small holdings as wheat was the main crop and 30 acres was considered as much as one man could handle, so that with a few pigs, cows and fowls the farmer was practically self supporting. Demand for land increased such that public schools were built at Watagan, Dairy Arm and Murray's Run (as well as Laguna and Wollombi) to cater for the education of the settlers' children.

Over one hundred years later a new breed of settlers purchased the same Portions but this time for week-enders and hobby farms. At that time a dwelling-house could be erected on any existing Crown Portion, regardless of area. However, Town Planning legislation had been introduced in NSW in 1945 and in 1964 planning responsibilities were taken over by Local Councils. At Cessnock, the Health & Building Department was given responsibility for planning – subsequently transferred to the Engineering Dept. in 1970 and Council appointed its first full time planner in 1975.

The Dept. of Primary Industries (as it now called) perceived this change in use as 'residential' with subsequent detrimental impact on agricultural pursuits. In fact the Wollombi Valley had long lost any reputation it might have previously enjoyed as a prime agricultural district and perhaps authorities were more concerned that the new breed of 'peasants' would soon demand improvements in services, especially roads. As witnessed by this true story – 'a new Owner in the district (no longer here) decided he would front up to Council's Engineer at that time to inquire when he could expect some improvement to the Broke (Payne's X) Road - in pretty horrible condition then. The Engineer, a straight shooter, didn't mince words – 'If you were silly enough to buy property out there that's your business but don't expect Council to spend money on bloody roads at Wollombi'.

The situation now is that entitlements to erect dwellings in the Rural 1(a) zone Cessnock Local Government Area have been progressively eroded to the point now proposed by Cessnock LEP 2008 that, upon gazettal, the LEP (as adopted by Cessnock Council and presently with the Dept. of Planning for rubber stamping prior to public exhibition) will provide for future sub division of land in the 1(a) zone in Wollombi Valley (to be renamed E3 Environmental Management) only into lots not less than 40 ha each in area and also remove current dwelling entitlements which have attached to vacant land less than 40ha (so called 'whole of an existing holding') previously provided for in LEP 1989. Other rights previously enjoyed by long term Owners to excise a so called 2ha 'concessional allotment' (one only with a maximum of two from a holding greater than 80ha) were repealed in 2007 following repeated requests (demands?) from DoP to Cessnock Council on the grounds that the Dept. was opposed to 'dispersed development'.

In addition existing potential to erect tourist cabins on lots not less than 10ha in area will no longer be available to land in the E3 Environmental Management zone but HEY it's not all bad news you will be able to have a 'bed & breakfast' (subject to Council consent, of course). At least that might contribute to the sale of bacon and eggs at the local general store. What it won't do is result in more enrolments at the local schools or generate any surge in local business.

Furthermore, a huge area from Bucketty in the south to Paynes Crossing to the north-west and just short of Millfield to the north-east covering an area of some 120 sq. Kms approx. taking in the valley floor and up to the ridgeline as far as can be seen from the Main Road, will be included in a Heritage Conservation Area. Apparently Wollombi Valley was the only district considered worthy to be so

classified. Not even Pokolbin, the jewel in the crown of Cessnock, or any part of the historic vineyard landscape was considered important enough, heritage-wise, to be a Heritage Conservation Area.

At first blush the objectives of this zone sound reasonable enough but the devil is in the detail and for Owners wishing to carry out even minor development of their property have the potential to become an expensive minefield.

For most people, the present ambience of the Wollombi Valley is very attractive. No doubt there are examples of past development that some would say have detracted from that visual ambience but of course that is the case in most districts. By way of comparison however, have a look at old photos of the Wollombi Village skyline and realise that there are also other locations in the Valley as well which are now well timbered which were pretty bare and barren 60 or 70 years ago and the landscape not as appealing as now. This was achieved in no small measure by the newcomers referred to above, not a Heritage Conservation Plan. Very often more is achieved in this direction by advice and encouragement to land owners, rather than by loading more bureaucratic restrictions and intervention onto them (and inevitably more expense).

At the ordinary meeting of the Cessnock City Council 10 December 2003, Stage 1 City Wide Settlement Strategy was adopted. The Department of Infrastructure, Planning and Natural Resources (now DoP) was so advised by letter 11 December 2003. The Dept. wrote back by letter dated 17 December 2003 congratulating Council on the adoption of Stage 1.

Resolution 6 of the motion adopting the Strategy stated – ‘Council hold further discussions with members of the Wollombi Valley Progress Association to discuss issues relating to the provision of additional population in the Wollombi Village and Valley’. Must have been ‘taken on board’ and subsequently overlooked.

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