

PRECIS OF PLANNING RURAL 'A' ZONE WOLLOMBI VALLEY OVER PAST 30 YEARS (approx)

August 1981 Northumberland Local Environmental Plan No. 1 gazetted applying to all land in the City of Greater Cessnock, City of Newcastle and Municipality of Lake Macquarie. Subdivision of land zoned Rural 'A' (known then as Non-Urban 'A') required minimum area of lots created to be 40 ha each, and the minimum area of any lot on which a dwelling could be erected be 40 ha. Also provision for a dwelling entitlement on the 'whole of an existing holding' which essentially meant that if an owner's holding as at 21 August 1981 was less than 40 ha (and on which no dwelling was already erected) then whether it was comprised of one lot or more than one adjoining or adjacent lots, then only one dwelling could be erected on the aggregation of the area of those lots.

In prior years subdivision in to 10 ha lots were permitted, upon each of which a dwelling could be erected (hence the major development known as Bucketty Estates carried out by Len Thorpe – he also did another at Watagan Creek Road of 20 or so 10 ha lots and as each lot complied with the definition of 'existing holding' when the axe fell in 1981, dwellings could have since been erected on each of those lots.

Before LEP 1 application to Council could be made to erect a dwelling on any existing lot, portion or parcel, regardless of area. Obviously those Owners whose property was comprised of a number of small lots (generally portions in Crown subdivisions carried out in the 1800's) stood to lose considerable value of their land.

Following LEP 1 a good deal of confusion ensued with several more LEP's prepared, deputations to the Minister etc. and eventually Cessnock LEP 1989 gazetted which provided that 31 December 1984 was nominated as the prescribed day to establish an Owner's 'existing holding', also allowing Council to consent to the creation of an allotment of not more than 2 ha in area intended to be used primarily for the purpose of a dwelling house if the allotment is to be excised from an existing holding which is, and has remained, in the same ownership as it was prior to 31 December 1984. An Owner was entitled to excise one such allotment from an existing holding of not less than 10 ha or two such allotments if he was lucky enough to have at least 80 ha. These were termed 'concessional' allotments, obviously conceding that it was some measure of compensation available to those Owners who in many cases had suffered considerable reduction in value to their property as a result of losing dwelling entitlements. The entitlement to concessional allotments has now been repealed from Cessnock LEP 1989.

In 1984 innovative town planning resulted in the development of the Hungry Creek dirt bike track and conveniences in Murray's Run Road in to some 37 small acre lots (known as Burralong Valley). Despite the success of this venture, both economically and visually, any further such similar development elsewhere in the Wollombi Valley is apparently out of the question.