

Modification of Development Consent

Section 4.55(1A) of the *Environmental Planning and Assessment Act 1979*

As delegate of the Minister for Planning and Public Spaces, I approve the modification of the development consent referred to in Schedule 1, subject to the conditions in Schedule 2.



Brendon Roberts
A/Director
Regional Assessments

Sydney 15 July 2020

SCHEDULE 1

Development consent:	MP 10_0137 granted by the Planning Assessment Commission on 24 April 2013
For the following:	Huntlee Stage 1, including: • site preparation works; • internal and external road works; • subdivision to create 1,473 residential allotments; • 14 super lots; • 1 allotment for a primary school; • drainage; and • open space and reserves.
Applicant:	Huntlee Pty Ltd
Consent Authority:	Minister for Planning and Public Spaces
The Land:	Huntlee New Town Stage 1
Modification:	MP 10_0137 MOD 13: the modification seeks to remove seven lots within residential stages 5 and 6.

SCHEDULE 2

The consent (MP 10_0137) is modified as follows:

- (a) Schedule 2 Part A – Administrative Conditions, condition A1 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~bold and struckout~~ words/numbers as follows:

A1. Development Description

Approval is granted only to carrying out the development described in detail below:

Subdivision of Stage 1 of the Huntlee New Town site including:

- subdivision to create ~~1,626~~ **1,619** residential allotments, 7 super lots, 1 allotment for a school; landscaped areas,
- drainage, public open space and recreation areas;
- associated bulk earthworks; and
- infrastructure including roads, drainage works and utility services provision.

- (b) Schedule 2 Part A – Administrative Conditions, condition A2 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~struckout~~ words/numbers as follows:

A2. Development in Accordance with Plans and Documentation

- A) The development will be undertaken in accordance with the Project Application – Environmental Assessment Report – Huntlee Stage 1 Subdivision and Infrastructure Works (by JBA March 2011) and associated appendices as amended by:
- Project Application – Preferred Project Report – Huntlee Stage 1 Subdivision and Works (by JBA September 2012) and its associated appendices;
 - Statement of Commitments in aforementioned Preferred Project Report (by JBA Planning 2012);
 - Amended subdivision plan “121129 Overall Lot Plan_1 to 3000” (Roberts Day Dec 2012) as to be amended in line with the additional amended subdivision concept plan “Huntlee – Stage 1 Concept Master Plan dwg UD4-401 01.02.13” (Roberts Day Feb 2013).
- B) and as amended by:
- MOD 1 Application – Section 75W Modification MP_10_1037 Huntlee (by JBA Planning 2014), including; and
 - Amended subdivision plans “PP DP1197581 sheets 1 and 2”, “PP DP1197586 sheets 1 to 5”, “PP DP 1197589 sheets 1 to 5” and “PP DP 1199264 sheets 1 to 4”, prepared by Andrew David McNamara.
- C) and as amended by:
- MOD 2 Application – Section 75W Modification MP10_0137 Huntlee, submitted by JBA Planning, dated 30 October 2014 including;
 - Bushfire Threat Assessment, Huntlee Residential Development, 75W Modification Stage 1 Precincts 1-6, prepared by RPS dated 4 September 2014;
 - Response to Submissions – Response to Issues – MP_10_0137 Stage 1 S.75W Modification 2, Huntlee, prepared by JBA Planning, dated 17 December 2014.

- D) and as amended by:
- MOD 3 Application – Section 75W Modification to Huntlee Major Project Approval MP_10_0137 Huntlee New Town, prepared by JBA Planning, dated 24 March 2015 and supporting documents, including;
 - Amended subdivision plans "PP DP1199264 sheets 1 and 3 By Andrew David McNamara; and
 - Bushfire Threat Assessment – Lot 12 DP729973, Lot 36 DP755211 and Lot 37 DP755211 Huntlee Residential Development, Stages 2-5 Eastern Precinct, prepared by RPS Australia East Pty Ltd, dated 10 March 2015;
 - Amended Landscape Masterplan prepared by AECOM Issue B dated 16 July 2015;
 - Response to Submissions – Planning Advice, Huntlee New Town MP_10_0137 Modification 3 prepared by JBA, dated 15 May 2015 and accompanying Stormwater Advice from Northrop, dated 14 May 2015.
 - Additional Information prepared by JBA, dated 20 July 2015 and accompanying documents.
- E) and as amended by:
- MOD 4 Application – Section 75W Modification to Huntlee Major Project Approval MP_10_0137 Huntlee New Town, prepared by JBA Planning, dated 2 September 2015 including supporting documentation; and
 - Amended Subdivision Plan 20406(2)-1 to 3000 (MOD4) Sheet 1 of 1 Master Plan prepared by Daly Smith Pty Ltd 2015 dated 17/08/2015.
- F) and as amended by:
- MOD 5 Application – Section 75W Modification to Huntlee Major Project Approval MP_1-0137 Huntlee New Town, prepared by JBA Planning, dated 2 May 2016 including supporting documentation;
 - Amended Subdivision Plan 20406-1 TO 3000 (MOD5) Sheet 1 of 1 Master Plan prepared by Daly Smith Pty Ltd 2016 dated 26/02/2016;
 - Amended Staging Plan prepared by Daly Smith Pty Ltd and JBA dated 26/02/2016;
 - Amended Precinct 2 Street Hierarchy (Dwg No. RD1 309 Rev H) prepared by LWP and dated 16/04/2016;
 - Bushfire Threat Assessment, Huntlee Residential Development – Stage 10, prepared by RPS and dated March 2016; and
 - Letters from Huntlee dated 14 June offering to amend Voluntary Planning Agreements.
- G) and as amended by:
- MOD 6 Application – Section 75W Modification to Huntlee Major Project Approval MP_1-0137 Huntlee New Town, prepared by JBA Planning, dated 31 August 2016 including supporting documentation;
 - Intersection and Road Upgrade Threshold Analysis Review, prepared by Better Transport Futures, dated 12 August 2016;
 - Amended Subdivision Plan 20406-1 TO 3000 (MOD 6) Sheet 1 of 1 Master Plan prepared by Daly Smith dated 11/08/2016
- H) and as amended by:
- MOD 7 Application – Section 75W Modification to Huntlee Major Project Approval MP 10- 0137 Huntlee New Town, prepared by JBA, dated 30 January 2017, including supporting documentation.
- I) and as amended by:
- MOD 8 Application – Section 75W Modification to Huntlee Major Project Approval MP 10- 0137 Huntlee New Town, prepared by JBA, dated 30 January 2017,

Response to Submissions prepared by Ethos Urban, dated 2 August 2017 and supplementary information prepared by Ethos Urban, dated 7 December 2017 and 15 February 2018.

J) and as amended by:

- MOD 10 Application – Section 4.55(1A) Modification to Huntlee Major Project Approval MP 10- 0137 Huntlee New Town, prepared by Ethos Urban, dated 26 September 2018, Response to Submissions prepared by Huntlee Pty Ltd, dated 21 February 2019 and supplementary information prepared by Ethos Urban, dated 27 March 2019.

K) and as amended by:

- MOD 9 Application – Section 4.55(2) Modification to Huntlee Major Project Approval MP 10- 0137 Huntlee New Town, prepared by Ethos Urban, dated 15 October 2018, Response to Submissions prepared by Ethos Urban, dated 22 January 2019 and supplementary information prepared by Ethos Urban, dated 12 June 2019, 14 August 2019 and 22 August 2019.

L) and as amended by:

- MOD 11 Application - Section 4.55(1A) Modification to Huntlee Major Project Approval MP 10_0137 Huntlee New Town, prepared by Ethos Urban, dated 3 September 2019, including supporting documentation and Response to Request for Further Information dated 26 February 2020 and 3 April 2020.

M) and as amended by:

- **MOD 13 Application - Section 4.55(1A) Modification to Huntlee Major Project Approval MP 10 0137 Huntlee New Town, prepared by Ethos Urban, dated 21 February 2020, including supporting documentation and supplementary information dated 3 June 2020.**

Except as modified by conditions of this approval.

If there is any inconsistency between the above plans and documentation the more recent documents shall prevail to the extent of the inconsistency.

- (c) Schedule 2 Part A – Administrative Conditions, condition A6 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~truckout~~ words/numbers as follows:

A6. Staging Plan

- a) Development should be carried out in accordance with the amended Staging Plan 20406-1 to 3000 (MOD ~~11-13~~) Issue ~~8~~ **3** prepared by Daly Smith Pty Ltd dated ~~3/04/20~~ **3/06/2020**.
- b) The Staging Plan can be varied with written consent of the Secretary of the Department of Planning, **Industry and Environment Infrastructure**, or his nominee.

C9. Landscape Plan modifications

- a) Detailed landscape plans are to be prepared in consultation with Cessnock Council prior to the issue of the first construction certificate for each sub stage, and are to be generally in accordance with the “Huntlee Landscape Concept Report” Hassell August 2012 as amended by the:
- Amended Landscape Masterplan prepared by AECOM Issue B dated 16 July 2015 (relating to Stages 2 to 5)
 - Landscape and Public Open Space report prepared by AECOM Issue C dated 5

December 2017 (relating to Stages 6 to 13)

- Landscape masterplan – 20406-1 to 3000 (MOD ~~11~~ **13**) – Public Embellishments prepared by Daly Smith dated ~~3 April 2020~~ **3 June 2020**.

The Landscaping plans shall be subject to the following amendments:

- (i) Provide details of car parking for each recreation area, including a sealed car park with a minimum of 35 car spaces and 10 bicycle spaces at each of the two main sports field areas
 - (ii) Ensure the additional 2.8 ha of active open space is shown consistent with the approved subdivision layout plan.
 - (iii) Ensure the area between Wine Country Drive road reserve and the internal road of the large lot subdivision that runs alongside the Wine Country Drive road reserve is landscaped to provide a visual and noise buffer to residential lots
- b) The detailed landscape plans should provide details regarding proposed landscaping and embellishment of the open space, recreation facilities, drainage and riparian areas for the sub stage.
 - c) The Landscape plans should clearly outline the proposed open space in the north east corner of the large lot area and consider the appropriate conservation of the existing *Persoonia pauciflora* plants in consultation with OEH and taking into account the recovery plan for the species prepared by OEH, outlining measures to protect the endangered species, including the required 30m buffer and habitat protection.
 - d) Prior to the release of a construction certificate for any works approved under Modification 9 the Landscape Plans shall be updated to the satisfaction of Council to show all detention basins and stormwater infrastructure. This infrastructure shall not be included in the overall area calculations for the formalised parks (local sports facility, district parks, local parks, urban square/plaza).

End of modification

(MP 10_0137 MOD 13)