

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.



Erin Murphy
Team Leader
Regional Assessments

Sydney

9 June 2026

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

The Land: Huntlee New Town, Stage 1

Modification: MP 10_0137 Mod 25

Changes to make several design changes to the lot configuration and to conditions of consent relating to administrative matters and the subsidence management plan, local Planning Agreement and road network upgrades.

SCHEDULE 2

The consent MP10_137 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 ~~struckout~~ words/numbers as follows:

A1. Development Description

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

- subdivision to create ~~2273~~ **2272** residential allotments, 123 Large Lot Residential Allotments, ~~94~~ **94** infrastructure, community, commercial, and mixed-use allotments, 2 allotments for a primary school and a high 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 following documentation:

- 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); 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” (By Andrew David McNamara).

C) and as amended by:

- MOD 2 Application – Section 75W Modification MP 10_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

F) and as amended by:

- MOD 5 Application – Section 75W Modification to Huntlee Major Project Approval MP_10_0137 Huntlee New Town, prepared by JBA Planning, dated 2 May 2016 including supporting documentation;
- Amended Subdivision Plan 20406 –1 TO 3000 (MOD 5) 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 26/02/16;
- 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_10_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 26 May 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 and 14 March 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 (and accompanying plans) dated 12 June 2019, 14 August 2019 and 22 August 2019 and 22 October 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.

N) and as amended by:

- MOD 15 Application – Section 4.55(1A) Modification to Huntlee Major Project Approval MP_10_0137, prepared by Ethos Urban, dated 2 October 2020, including supporting documentation.

O) and as amended by:

- MOD 16 Application- Section 4.55(1A) Modification to Huntlee Major Project Approval MP 10_0137, prepared by Ethos Urban, dated 23 December 2020, including supporting documentation and Response to Submissions dated 24 March 2021 and additional information dated: 14 April 2021, 3 May 2021, 22 July 2021 and 29 July 2021.

P) and as amended by:

- MOD 17 Application- Section 1.55(1A) Modification to Huntlee Major Project Approval MP 10_0137, prepared by Ethos Urban, dated 22 December 2020, including supporting documentation and Response to Submissions dated 13 April 2021 and 28 May 2021.

Q) and as amended by:

- MOD 20 Application – Section 4.55(2) Modification to Huntlee Major Project Approval MP 10-0137 Huntlee New Town, prepared by Ethos Urban, dated 18 February 2022, including supporting documentation, and Response to Submissions dated 1 July 2022 and additional information dated 30 August 2022.
- Excluding any modifications to substage 5 (large lot), including any modifications to the open space or lot layout. and

R) and as amended by:

- Mod 21 Application – Section 4.55(2) Modification to Huntlee Major Project Approval MP 10-0137 Huntlee New Town, prepared by Ethos Urban dated 2 November 2022, including supporting documentation and response to Submissions dated 11 July 2023 and 12 September 2023

S) and as amended by:

- Mod 22 Application – Section 4.55(1A) Modification to Huntlee Major Project Approval MP10_0137 Huntlee New Town, Prepared by Ethos Urban dated 8 March 2024, including Response to Submissions dated 8 May 2024

T) and as amended by:

- Mod 23 Application – Section 4.55(1A) Modification to Huntlee Major Project Approval MP 10-0137 Huntlee New Town, prepared by Ethos Urban dated 4 October 2024, including Response to Submissions prepared by Ethos Urban dated 18 December 2024.

U) and as amended by:

- Mod 24 Application – Section 4.55(1A) Modification to Huntlee Major Project Approval MP 10-0137 Huntlee New Town, prepared by Ethos Urban dated 3 December 2024, including Response to Submissions prepared by Ethos Urban dated 21 February 2025.

V) and as amended by:

- **Mod 25 Application – Section 4.55(1A) Modification to Huntlee Major Project Approval MP 10-0137 Huntlee New Town, prepared by Colliers Urban Planning dated 16 December 2025, including supporting documentation.**

Except as modified by the 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 ~~struckout~~ words/numbers as follows:

A6. Staging

- a) Development should be carried out in accordance with the amended Staging Plan 20406-1 to 3000 (MOD 24 **25**) Issue 2 **1** prepared by Daly Smith Pty Ltd dated ~~20/03/2025~~ **08/05/2025**.

- (d) Schedule 2 Part B – Modifications, Condition B3. is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~struckout~~ words/numbers as follows:

B3. Residual Land in Substage 16

A future modification(s) to this consent to facilitate further subdivision for development lots within the residual (unnumbered) land along the eastern side of the riparian corridor in substage 16 as identified in the staging plan 20406-1 to 3000(MOD 24 **25**) Issue 2 **1** prepared by Daly Smith Pty Ltd dated ~~20/03/2025~~ **08/05/2025**, shall include flooding information (including the Flood Planning Levels) to demonstrate that future development of the lots is not subject to flooding impacts.

- (e) Schedule 2 Part B – Modifications, Condition B4A. is added by the insertion of the **bold and underlined words** as follows:

B4A. Public embellishment plan

Within 2 months of the fourth variation to the Local Voluntary Planning Agreement (VPA) with Cessnock City Council being executed the Applicant must submit to the Planning Secretary a revised public embellishment plan that reflects the type and amount of open space negotiated under the VPA.

- (f) Schedule 2 Part C – Prior to issue of a construction certificate, Condition C4. is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~struckout~~ words/numbers as follows:

C4. Subsidence

- a) ~~A Subsidence Management Plan (SMP) shall be prepared prior to development for areas with less than 50m cover (including areas within town centre super lots 4, 5, 6, 7 and 8 and Village 1 lots adjacent to Main Roads 2 and 11) and submitted to and approved by the Mine Subsidence Board (MSB) prior to issue of the relevant construction certificate.~~
- b) ~~Remediation (such as excavation and backfill) is to be undertaken prior to development in areas with less than 25m cover in the town centre and eastern~~

~~edge of the site and in accordance with the Subsidence Management Plan (SMP) approved under Condition C4(a) to the satisfaction of the Certifying Authority.~~

Any proposed Subdivision or Building/Infrastructure Development within the Branxton Mine Subsidence District will require application and approval through Subsidence Advisory NSW and the relevant Surface Development Guidelines will apply as advised by SANSW. This may require remediation such as grouting or excavation and backfill in areas above shallow workings (less than 50m cover) depending on the type of development proposed and the relevant Geotechnical Assessment as advised by SANSW.

- (g) Schedule 2 Part C – Prior to issue of a construction certificate, Condition C9. is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~struckout~~ words/numbers as follows:

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 ~~24~~ **25**) Issue ~~2~~ **0** prepared by Daly Smith Pty Ltd – Public Embellishments prepared by Daly Smith dated ~~20/03/2025~~ **28/11/2025**
 - Pedestrian and Cycleway Masterplan – 1947 Issue ~~D~~ **E** prepared by Michael White Landscape Architecture dated 13/12/21 23/10/25
 - Street Tree Masterplan – 1947 Sheets 1 to 3 Issue C prepared by Michael White Landscape Architecture dated 18/07/22
- (h) Schedule 2 Part C – Prior to issue of a construction certificate, Condition C15. is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~struckout~~ words/numbers as follows:

C15. Bushfire Protection

The proponent shall comply with the following requirements of the NSW Rural Fire Service:

- a) During construction of each sub-stage and until the next stage or sub-stage has begun, temporary concentric APZs shall be required to be provided around each release area where they face a fire hazard. Details of temporary APZs to be provided to the satisfaction of the Certifying Authority prior to issue of each sub stage construction certificate.
- b) Public road access, provision of services, landscaping and open space and future development are to comply with the Rural Fire Service’s “Planning for Bushfire Protection 2006.”

- c) For all perimeter lots directly adjoining the site boundary (i.e. where no perimeter road is provided), no dwellings shall be constructed within the APZ.
- d) A comparison plan showing setbacks required under PBP 2006 and PBP 2019 demonstrating that BAL 29 or lower construction can be achieved for all lots modified by MOD 11 shall be submitted to the certifying authority prior to the release of a construction certificate for each stage amended by MOD 11.

Modification 25:

APZs

- a) **A temporary APZ of 100m must be established to the south, south-east and south-west of Modification 25 bushfire boundary between active or completed development stages and the future Huntlee New Town Stage 2 development area.**

Services

- b) **Services for the subdivision design shall comply with the requirements of Table 5.3c the Planning for Bushfire Protection 2019. The site must:**
 - (i) **be connected to the reticulated water and recycled supply, and**
 - (ii) **be connected to power from the existing service available within Huntlee. This shall be extended and augmented within the site.**
 - c) **Fire hydrant spacing, design and sizing must comply with the relevant clauses of AS 2419.1:2005 or as updated by AS2419.1:2021 as required by Planning for Bushfire Protection, Addendum Nov 2022.**
- (i) Schedule 2 Part C – Prior to issue of a construction certificate, Condition C17. is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~struckout~~ words/numbers as follows:

C17. Riparian Corridor and Open Space Management Plan

The proponent must submit a Management Plan for any public open spaces and riparian corridors **that are** not included in the local VPA with Council **or not within an approved Development area subject to a S7.11 contributions plan.** The Riparian Corridor and Open Space Management Plans must:

- a) be submitted to and approved by the Secretary within six months of any variation to the local VPA being executed
- b) be prepared in consultation with the Council and the landowner
- c) provide the response actions and contingency actions that will be taken by the landowner and the proponent to ensure the Management Plan is complied with
- d) for riparian corridors:
 - i. provide for the protection, enhancement and restoration of these riparian corridors, their associated ecosystems, ecological processes and biological diversity and their water quality; and
 - ii. demonstrate compliance with the 'Guidelines for riparian corridors on waterfront land' (Department of Primary Industry, Office of Water), including how environmental management performance will be monitored and reported;
 - iii. demonstrate how bushfire risk will be managed, and how any adverse impacts on the watercourse will be mitigated.

- (j) Schedule 2 Part E – Prior to the issue of a subdivision certificate, Condition E3A. is added by the insertion of the **bold and underlined words** as follows:

E3A. Dedication of community hub land

Prior to the issue of a Subdivision Certificate for the land identified as Lot 1193 (intended to accommodate the future community hub) and its dedication to Council, the applicant must demonstrate that the recommendations in Section 11 of the Preliminary Site Investigation report, prepared by Stantec and dated July 2025 have been implemented.

The cost of any remediation works is to be borne by the applicant.

- (k) Schedule 2 Part E – Prior to issue of a subdivision certificate, Condition E7. is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~struckout~~ words/numbers as follows:

E7. Road Network

a) Road Infrastructure Requirements

The following road infrastructure shall be provided by the proponent during the development of Stage 1 Huntlee.

- i) The interim Wine Country Drive / Village 1 intersection shall be designed and constructed as an Austroads Type CHR/CHL intersection or seagull, as determined by RMS. This intersection is required prior to the issue of any Occupation Certificate for any of the 124 lots within Precinct 1 and Precinct 2, and prior to any Subdivision Certificate for any further development.
- ii) Wine Country Drive shall be upgraded to 4 through lanes (2 lanes in each direction with central median) in accordance with the Huntlee Stage 2 – Wine Country Drive Upgrade Plans by Northrop, dated 11 November 2016, job number NL151628, Revision 6. These works shall be completed prior to 725 dwellings for which a subdivision certificate has been issued, or 1 June 2018, whichever occurs first.
- iii) The Wine Country Drive / HEx Link Road (A-1) intersection shall be upgraded, to a 2 lane circulating roundabout prior to 1,500 dwellings for which a subdivision certificate has been issued, or 1 December 2023, whichever occurs first.
- iv) RMS requires that the proponent undertake a further traffic impact assessment prior to the subdivision certificate of more than 1500 lots (dwellings), based on actual counts at the time and 10 year projections, to the satisfaction of RMS.
- v) The Wine Country Drive / Main Street (A-3) intersection shall be traffic signal controlled, generally in accordance with the layout shown in the Addendum report dated August 2012. These works shall be completed prior to the construction of any development (besides subdivision) west of Wine Country Drive, with the exception of the sales office, and are to be constructed concurrently with the upgrade of Wine Country Drive to 4 lanes 2 way (as described in Condition E7a(ii)).

Note: The design and construction of an Austroads Urban Type BAR / BAL intersection to be used as an interim access to the proposed sales office only until the ultimate intersection is constructed.

- vi) The Wine Country Drive / Anvil Creek Regional Park intersection shall be a Type CHR / CHL intersection (protected right and left turn bay) and shall be restricted to left in / left out / right in movements. (Prior to opening of the park).
- vii) The Wine Country Drive / Village Access 1 (A-5) shall be traffic signal controlled. This intersection would be required prior to 1350 dwellings for which a subdivision certificate has been issued). The fourth leg of the intersection (Link Road 1) IS NOT TO BE constructed and operational prior to the intersection being traffic signal controlled and operational. The capacity of this intersection is to be tested again prior to 1,500 dwellings for which a subdivision certificate has been issued.
- viii) The Wine Country Drive / Large Lot access (A-9) shall be upgraded to an Austroads Type CHR / CHL intersection or seagull (Prior to any dwelling in R5 zone west of Wine Country Drive)
- ix) HEx Link Road / Village 1 North access (A-6) intersection and link road shall be constructed during Stage 1. The intersection shall be a 2 lane circulating roundabout or traffic signals (intersection type to be determined by RMS). Further modelling will be required to provide the best outcome for the future operation of this intersection. The link road shall be one lane in each direction, allowing for a future additional one lane in each direction.

(Required prior to the subdivision certificate of more than 2350 **2,525** residential lots in Stage 1).

An interim intersection specifically a left-in/left-out is to be constructed prior to June 2023 however this will be subject to upgrade to a roundabout of traffic signal controlled intersection prior to the subdivision certificate of more than 2350 **2,525** residential lots **across the combined Huntlee Stage 1 and Stage 2 developments** in Stage 1 unless otherwise agreed with RMS TfNSW.

- x) The HEx Branxton interchange (A-11) shall be upgraded to include:
 - A continuous left turn slip lane / ramp from the northbound off ramp onto HEx Link Road.

(Prior to the release of the subdivision certificate for the 2350th **2,525th** residential lot **across the combined Huntlee Stage 1 and Stage 2 developments**.)

- xi) The HEx Link Road shall be upgraded to 4 lanes (2 in each direction) between Wine Country Drive and the HEx interchange. (Prior to the release of the subdivision certificate for the 2350th **2,525th** residential lot **across the combined Huntlee Stage 1 and Stage 2 developments** in Stage 4).

b) General Requirements

- i) All intersections and road works shall be designed and constructed in accordance with the Austroads Guide to Road Design 2009 (with RMS supplements), RMS Traffic Signal Design 2008 and the relevant Australian

Standards, to the satisfaction of RMS.

- ii) All traffic signal controlled intersections shall be designed and constructed to accommodate on-road cyclists unless specified otherwise by RMS. If cyclists cannot be accommodated on road due to site constraints, and subject to agreement by RMS, adequate provision shall be made off-road.
- iii) All traffic lanes on State roads and at traffic signal controlled intersections shall be 3.5 metres in width or as determined by RMS.
- iv) Coordination and linking of all traffic control signals is required at full cost to the developer to RMS requirements. Appropriate pedestrian and cyclist facilities, foot/cycle paths and ramps, connecting to traffic signal controlled intersections shall be provided to the satisfaction of RMS and Council.
- v) Pedestrian fencing may be required in certain areas. This will be identified as part of the design review process. Street lighting shall be provided at all intersections and pedestrian crossings to the relevant Australian Standards, or as determined by RMS.
- vi) The proponent shall ensure that there is sufficient road reserve width provided along Wine Country Drive to accommodate the ultimate cross section and intersection auxiliary lanes.
- vii) As road works are required on State roads and traffic signals, RMS will require the developer to enter into a Works Authorisation Deed (WAD) with RMS.
- viii) Prior to the Certifying Authority issuing a construction certificate for each element(s) of the Road Improvement Works set out in condition E6(a), the developer shall enter into a WAD with RMS. The proponent shall achieve practical completion of all works under the WAD in accordance with the timing referred to in condition E8 and the WAD.
- ix) A Construction Traffic Management Plan (CTMP) shall be prepared and include a Vehicle Movement Plan and Traffic Control Plans. It shall be prepared with the intention of having minimal impact to the operation of the road network during the construction of the proposed development. The CTMP shall be submitted to RMS and the Department of Planning and Infrastructure for review and approval prior to any construction activities occurring on-site.
- x) All works associated with the proposed development shall be at full cost to the developer and at no cost to RMS or Council, to RMS requirements.
- xi) All roads to be used for bus services must comply with following:
 - Transit lane widths of 3.5m
 - 3.0m width reserved for stopping/parking
 - Turning movements to accommodate 14.5m buses with no centre line crossing.
- xii) Cross-sections must be provided in future design iterations where a road does not meet the requirements of the DCP, detailing the number of lanes,

intersection improvements (including traffic control devices) and use of road space to balance needs for all modes, and be consistent with TfNSW's *Guidelines for Public Transport Capable Infrastructure in Greenfield Sites*.

- xiii) A Works Authorisation Deed (WAD) shall be entered into with TfNSW for the HEx Link Road (MR220) due to the proposed interim Leftin/Left-out intersection. All road works under the WAD shall be completed prior to the issue of a subdivision certificate for the 1500th lot and shall be undertaken at full cost to the developer and at no cost to TfNSW or Council, and in accordance with TfNSW requirements.

All local roads that are to be dedicated to Council shall be designed to meet published Council standards.

- (l) Schedule 2 Part E – Prior to issue of a subdivision certificate, Condition E10A. is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~struckout~~ words/numbers as follows:

E10A. Local Voluntary Planning Agreement

The local Voluntary Planning Agreement with Cessnock City Council, shall be amended (in accordance with the letter from the Proponent to Council dated 14 June 2016) to include the land to which MOD 5 applies.

The Planning Agreement shall be amended prior to the release of a subdivision certificate for the lots approved under MOD 5 with sub-stage 3.

The Planning Agreement shall be amended prior to the release of a Subdivision Certificate for the 301st lot within sub-stages 8,9 and 11.

The Planning Agreement shall be amended to reflect the changes approved under Mod 20 prior to the release of a Subdivision Certificate for the 101st lot within substages 13, 14, 15 and 16.

The Planning Agreement shall be amended to reflect the changes approved under Mod 21 and 22 prior to the release of the subdivision certificate for the 300th residential lot within the TC6 area. The amendment is not required to include residential lots or open space within TC6 except for the local park determined under Mod 24. **A Heads of Agreement between the Applicant and Cessnock City Council, executed in accordance with Cessnock Council's Planning Agreement Policy, or an alternate arrangement agreed with the Planning Secretary will satisfy this condition.**

- (m) Schedule 2 Part E – Prior to the issue of a subdivision certificate, Condition E12A. is added by the insertion of the **bold and underlined words** as follows:

E12A. Bushfire protection – Modification 25

Upon release of the Subdivision Certificate:

- a) **the temporary APZ must be managed by the applicant for the life of development or until such time as the future Huntlee New Town Stage 2**

development is completed.

A suitable mechanism, such as a s88B instrument in accordance with the Conveyancing Act 1919, or an adopted Council Plan of Management, must be in place over the land to ensure its ongoing management to an inner protection area standard in accordance with Appendix 4 of Planning for Bush Fire Protection 2019. Details of the mechanism must be provided with the application for a Subdivision Certificate

- b) ongoing fuel management across the site must consider the guidance contained in Appendix 4 APZ Requirements of Planning for Bushfire Protection 2019
- c) future fencing and gates to the site must be consistent with the requirements of section 7.6 of Planning for Bushfire Protection 2019, and
- d) future dwellings within the site must achieve the Bushfire Attack Level (BAL) detailed in Chapter 3, Section 3.2 of the Bushfire Threat Assessment report prepared by MJD Environmental and dated September 2025.

End of modification

(MP10_137 - MOD 25)