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Attention: Antony

**S.75W MODIFICATION TO HUNTLEE MAJOR PROJECT APPROVALMP_10_0137
HUNTLEE NEW TOWN**

We write to you on behalf of Huntlee Pty Ltd requesting that the Department initiate amendments to Project Approval MP10_0137 pursuant to Section 75W and Clause 12 of Schedule 6A of the *Environmental Planning and Assessment Act 1979* (EP&A Act). Specifically the modification to the Stage 1 Project Approval seeks to amend the residential subdivision layout of sub-stages 3-5.

This application identifies the consent proposed to be modified, describes the proposed modifications and provides a planning assessment of the relevant matters for consideration contained in section 75W of Schedule 6 of the EP&A Act. It should be read in conjunction with the Environmental Assessment Report (EAR) dated March 2011 and the Preferred Project Report (PPR) dated September 2012. This application is accompanied by:

- Section 75W application form;
- Modified Sub-stage 1 residential subdivision plans, prepared by Daly.Smith Pty Ltd (**Appendix A**); and
- Amended Road Hierarchy plan prepared by Roberts Day (**Appendix B**).

1.0 CONSENT PROPOSED TO BE MODIFIED

Project Approval MP10_0137 was granted by the Planning and Assessment Commission (PAC) on the 24th April 2013 for Stage 1 of the Huntlee New Town, comprising residential subdivision of 1,473 lots, 14 super lots, a primary school allotment and the creation of drainage and open space reserves, site preparation works and internal and external road works.

The Huntlee New Town Site was previously listed under clause 27 of Schedule 3 in the *State Environmental planning Policy (Major Development) 2005* (MD SEPP) as a State Significant Site, refer to **Section 3.1** for further discussion. The progression of the Huntlee New Town and the detailed design of the residential precincts within the Stage 1 approval have provided the impetus for a number of minor modifications to the approval, as it currently stands.

This application seeks consent to modify the Project Approval MP10_0137, the modifications outlined within this report are of a nature that is generally consistent with the Project Approval and are described in detail in **Section 2** of this letter.

1.1 Previous Modifications to the Project Approval

As stated, the progression of the Huntlee New Town and the detailed design of the various residential precincts within Stage 1 have provided the impetus for a number of minor modifications to the Project Approval. Three previous modifications have been approved by the Department of Planning and Environment (DoPE) and the Planning and Assessment Commission (PAC), and are outlined below:

- MP10_0137 MOD 1 – Comprised the minor alterations to the approved residential lot layout and subdivision pattern within the Stage 1 Entry Village precinct and the amendment of associated conditions to reflect the plans of subdivision. The modification was approved on 20 January 2015;
- MP10_0137 MOD 2 – Comprised the modification of the super lot layout within the Town Centre precinct and the addition of two laneways. The modification also included minor alterations to the Stage 1 Approval boundary to accommodate riparian and water basin detention works as well as the relocation of open space and amendment of Consent Conditions. The modification was approved by the PAC on 2 April 2015; and
- MP10_0137 MOD3 – Comprised the redesign of the residential lots and road layout within sub-stages 2-5 as well as minor amendments to lots in sub-stage 1. The modification included the reconfiguration of the open space layout and the relocation of a sporting oval. The modification was approved by the PAC on 17 August 2015.

1.2 Supporting Documents

The supporting material provided with this modification application is outlined below:

- A modified site Masterplan is provided at **Attachment A** to demonstrate the proposed modifications to the lot configuration; and
- A revised Road Hierarchy Plan is provided at **Attachment B** to demonstrate that the modified road layout within sub-stages 2-5 is able to comply with the Huntlee DCP.

2.0 PROPOSED MODIFICATIONS TO CONSENT

The proposed modifications to the Stage 1 Project Approval include minor modifications to the residential subdivision layout in sub-stages 3-5. The modifications relate to the more detailed design of the allotments and street alignment. The proposed modifications are described in more detail below.

2.1 Amendments to the sub-stage 3-5 residential allotments

The modification seeks to make minor alterations to the residential lot layout within sub-stages 3-5. This land was the subject of Modification 3 to the Project Approval. The proposed modifications relate to the residential lot layout and access paths as well as the addition of a vehicular laneway. The proposed modifications are a result of the continual design improvement of Huntlee. The residential sub-stages 3-5 are identified below in **Figure 1**.

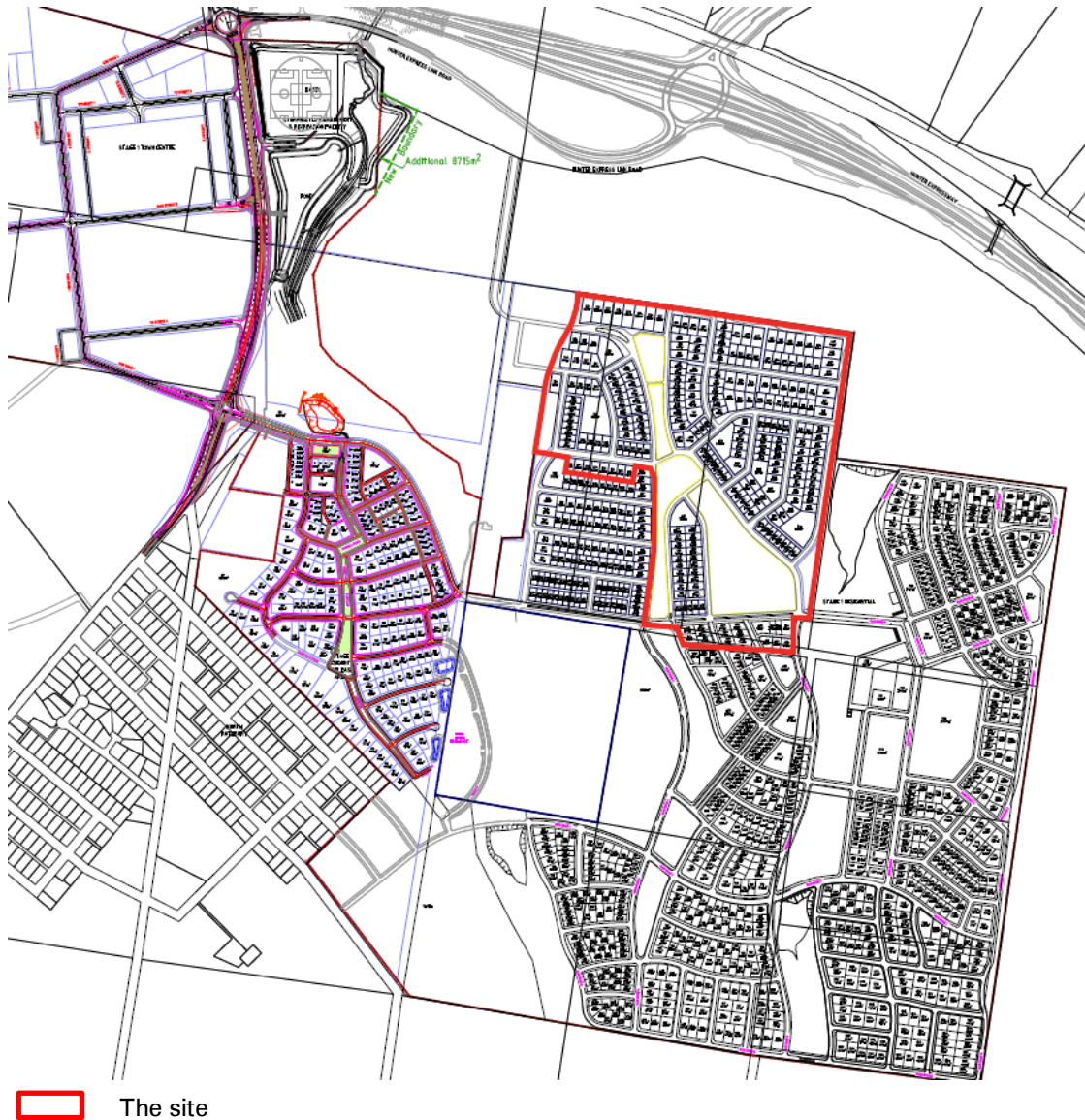


Figure 1 – Proposed location of sub-stages to be amended
Source: Roberts Day

The proposed amendments to the lot layout generally comprise amendments to lot frontage widths to improve the street scape character and amenity of the allotments and are generally a consequential result of the amended pedestrian lanes. The proposed modifications to the lots, addition of a laneway and alignment of the pedestrian lanes are minor and do not result in any substantial changes to the subdivision pattern approved under Modification 3. Notwithstanding this, in order to commence the construction of the sub-stages, the amendments must form part of the Project Application approval prior to the issue of a Construction Certificate. The modified lot layout is shown in **Figure 2** below and a site wide Masterplan is provided at **Attachment A**.

Specifically, the modification seeks the following amendments:

- Amend the boundary of Lot 439/438 to respond to the corner location of the lot and strengthen the appearance of the residential allotments from the street and public domain;
- Increase the street frontage length of lot 532 (decrease the frontage of 530-531 and 533-536) to 30m to align with the DCP control for residential flat building lot frontages. Note that the lots with reduced frontages remain in accordance with the relevant DCP lot width controls;

- The addition of one (1) lot in the row of lots 538-542 to create a row of traditional lots with rear pedestrian access;
- Addition of a rear access laneway to lots 538-542 to improve vehicular access and circulation and improve linkages through the street block;
- Increase the width of lots 550 and 551 by 1m to better align with the amended lot widths of lot 531 and 532 to the rear. Subsequent reduction in the width of lot 549;
- Widening of the pedestrian access path between lots 520 and 521 to improve the legibility of the access path and enhance view corridors and the public domain safety in this area;
- Relocating the pedestrian access way on the northern side of lots 450 and 461 further to the north to better align with the local street to the east. The relocation of the pedestrian laneway results in a subsequent reduction in the width of lots 458-460 and 453-452 by a minor amount; and
- Increase the width of lot 446 by 1m and lots 443-445 and lot 447 by 0.5m.

The proposed amendments to the lot layout generally respond to the alterations to the road and pedestrian access layout which are sought in order to improve permeability, streetscape character and sight lines and safety. The modifications to the lot layouts do not result in the reduction of any lot frontages that cause non-compliance with the *Huntlee Development Control Plan 2013* Section 4.5.2 minimum lot dimensions.

The modified lot layout does not cause any substantial changes to the lot layout approved under Modification 3 with larger lots at the precinct boundaries, particularly to the north of sub-stage 3, where longer lots are proposed to enable appropriate space for the inclusion of Asset Protection Zones (APZ) as well as dwellings. The amended lot layout increases the number of pedestrian and vehicular access routes within close proximity to areas of open space which facilitates the addition of one extra allotment.

The proposed reconfiguration of sub-stages 3-5 will include 269 residential allotments, being one (1) more than previously approved under Modification 3. This number is clearly commensurate with the existing approved number of allotments.

2.2 Revised Road and street layout

The modification seeks to make minor amendments to the pedestrian access layout within sub-stages 3-5. The amendments to the access arrangements are shown in the site wide Masterplan (**Attachment A**) and the updated road hierarchy plan provided at **Attachment B**. The modifications comprise the widening of a pedestrian access route, the relocation of pedestrian route to better align with a local road and the addition of a rear access lane to the rear of lots 538-542. The addition of the laneway will improve access to lots 538-542 and will better articulate the street block.

The proposed modifications to the pedestrian access arrangements are a result of the continual design improvement of Huntlee and represent positive changes in the permeability and access provisions within sub-stages 3-5. The pedestrian access routes will improve sight lines within the precinct, ultimately resulting in improved safety for the public domain.

2.3 Reconciliation of sub-stage lot numbers and open space

When determined on 24 April 2013, the Stage 1 Project Application Conditions of Approval allowed for a maximum of 1,473 lots within Stage 1. As a result of the amended lot layout sought under Modification 3 to the Project Approval, determined on 17 August 2015, the total number of residential allotments referenced in Condition A1 was reduced to 1,438.

This modification seeks consent for the addition of one (1) lot into sub-stage 4 and hence will increase the total number of residential allotments within Stage 1 to 1,439. **Table 1** below provides an overview of the changes to the number of residential lots approved in each sub-stage and

reconciles the changes to the number of lots proposed under previous modifications. The table demonstrates that the distribution of lots within the sub-stages is consistent with the scheme approved under MP_10_0137 and provides a tracking total against the total approved number of residential lots for Stage 1.

Table 1 – Approved and modified residential and superlot tracking table

sub-stage name	No. of lots approved under MP10_0137	lots changed under MOD 1	lots changed under MOD 2	Lots changed under MOD 3	Total No. lots proposed under MOD 3	Difference (between MP10_0137 and MOD3)
1	208	+3 (211)	-	209		+1
2	98	-	-	107		+9
3	94	-	-	82		-12
4	91	-	-9 (82)	122	+1 (123)	+32
5	111	-	-	64		- 47
5 (Large lot)	120			120		
6	60	-	-	60	-	-
7	147	-	-	147	-	-
8	106	-	-	89		-17
9	130	-	-	130	-	-
10	81	-	-	81	-	-
11	118	-	-	118	-	-
12	109	-	-	109	-	-
13 (super lot)	1	-	-	1	-	-
14 (super lot)	1	-	-	1	-	-
15 (super lot)	1	-	-	1	-	-
'Lot 34'	1	-	-	1	-	-
Town centre super lots	11	-	-	11	-	-
Total residential lots	1473	-	-	1438	1439	- 34
Total super lots	14	-	-	14	14	14

As demonstrated in **Table 1** above, the total number of lots proposed within Stage 1 has decreased by 34 lots from that originally approved under the Project Approval. The addition of one lot into sub-stage 4 is not anticipated to have any significant adverse impacts on the residential density or traffic conditions in this area.

It is anticipated that future modifications to the Project Approval will seek to further reconcile the total number and distribution of lots, in accordance with the original determination.

2.4 Modification to Conditions

The proposed modifications described above necessitate amendments to the consent conditions which are identified below. Words proposed to be deleted are shown in **~~bold-strike-through~~** and words to be inserted are shown in ***bold italics***.

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 ~~1438~~ ***1439*** residential allotments, 14 super lots, 1 allotment for a primary school; landscaped areas,

- drainage, public open space and recreation areas;
- associated bulk earthworks; and
- infrastructure including roads, drainage works and utility services provision.

A2. Development in Accordance with Plans and Documentation

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_ 1037 Huntlee (by JBA Planning 2014); and
- Amended Subdivision Plan 20406 (6) – Stage 1 - 1 to 3000 Master Plan prepared by Daly.Smith Pty Ltd 2014 dated 16/12/2014;

D) and as amended by

- MOD 3 Application Section 75W Modification MP_ 10_ 1037 Huntlee (by JBA Planning 2015) and supporting documents; and
- ~~Amended Subdivision Plan 20406 (12) – Stage 1 – 1 to 3000 Master Plan prepared by Daly.Smith Pty Ltd 2015 dated 08/07/2015;~~
- Amended subdivision plans "PP DP1199264 sheets 1 and 3 By Andrew David McNamara; and
- Amended Staging Plan prepared by Daly.Smith Pty Ltd and JBA dated 08/07/2015.

E) as amended by

- MOD 4 Application Section 75W Modification MP_ 10_ 1037 Huntlee (by JBA 2015) and supporting documents; 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;

Except as modified by the conditions of this approval If there is any inconsistency between the above documents the more recent document shall prevail to the extent of the inconsistency.

3.0 PLANNING ASSESSMENT

This section demonstrates that the proposed modifications outlined in **Section 2** do not compromise the merits of the Stage 1 approval or provide any significant additional environmental impacts.

3.1 Compliance with Statutory Plans and Policies

Consistency with Stage 1 Major Project Approval

The proposed modifications are considered to be generally consistent with the Huntlee Stage 1 Major Project Approval. The modifications do not result in any significant increase in density or number of residential allotments within Stage 1. The modification seeks to include one additional lot within sub-stage 4, the total number of lots within Stage 1 remains less than that originally approved under the Project Application.

A summary of the changes to the Stage 1 consent as proposed by this modification is provided below:

- **Masterplan and lot layout** – the modification seeks to make minor amendments to the lot layout within sub-stages 3-5. The modifications to the lot layout generally comprise alterations to the lot widths and are proposed to improve compliance with the Huntlee DCP and accommodate alterations to the pedestrian access arrangements.
- **Pedestrian access lanes** – the modification seeks to make minor amendments to two existing pedestrian lanes to improve sight lines and permeability.
- **Vehicular laneway** - A new vehicular access lane is proposed to improve access to residential allotments and provide better circulation within the street block and local road network.

The proposed modification is considered to be generally consistent with the Project Approval, as outlined below:

- The modification remains within the extent of the Stage 1 Approval boundary and will not breach the concept plan approval for the broader Huntlee site or the approved State Significant Development (SSD) Site;
- The total number of residential allotments and dwellings will not exceed the number originally approved under the Major Project Approval on 24 April 2013;
- The proposed modification does not change the capacity of the roads or the entrance/exit points into the sub-stage 2-5 precinct and, as such, will not create any adverse traffic impacts;
- The design of the residential subdivision is generally consistent with the Huntlee DCP and consistent with that approved under Modification 3;
- The modification does not seek to reduce the total area of approved public open space or provision of embellishments, as shown in **Table 2** below;
- The proposed road hierarchy is consistent with the Huntlee DCP; and
- The modification does not create any adverse Bushfire impacts.

Table 2 below reconciles the various modifications to the provision of open space and the changes to the extent of the Stage 1 approval boundary as sought through the various modifications to the Major Project Application consent.

Table 2 – Changes to open space and extent of Stage 1 boundary

Development Component	Master Plan Approval	Modification 1	Modification 2	Modification 3	Modification 4	Total
Stage 1 Site Area	355.8Ha	No change	Addition of 8,715m ²	No change	No change	356.67Ha (8,715m ² additional)
Open Space Area	82.5Ha	No change	Increase by 0.5Ha	Decrease by 0.5Ha	No change	82.5Ha (no change)

State Environmental Planning Policy Major Development 2005

The Site was formerly listed under clause 27 of Schedule 3 in the *State Environmental Planning Policy (Major Development) 2005* (MD SEPP) as a State Significant Site. On 5 March 2015, the relevant controls that applied to the Huntlee New Town (Section 25 of Schedule 3 in the MD SEPP) were transferred into the *Cessnock Local Environmental Plan 2011* (Cessnock LEP 2011) and *Singleton Local Environmental Plan 2013* (Singleton LEP 2013) respectively. These changes will not affect the existing Project Approval or subsequent modifications to this approval.

3.2 Huntlee Development Control Plan

The proposed modifications to the Stage 1 Approval, as outlined in **Section 2**, are considered to be generally consistent with the Huntlee DCP, as outlined below.

Section 4 Subdivision

The modification has been assessed against Section 4 of the DCP, which provides controls for Subdivision Design. The modification is generally consistent with the subdivision controls as outlined below:

- The proposed pedestrian access lanes as well as the proposed vehicular access lane are shown on the revised street hierarchy drawing prepared by Roberts Day and provided at **Attachment B**. The street hierarchy drawing demonstrates that a high level of permeability and circulation is achieved by network of vehicular and pedestrian access paths. The proposed amendments to the street hierarchy plan do not create any areas of non-compliance with the Huntlee DCP that were not addressed under Modification 3. The proposed vehicular laneway is 6m in width and complies with DCP Figure 25, residential laneway.
- The modification does not compromise any required road or intersection upgrades identified in the DCP;
- The proposed pedestrian access lanes are in accordance with DCP section 4.2(6) – footpath width, providing 1.5m wide footpaths;
- The modification will not affect the provision of compliant pedestrian or cyclist networks, as shown in DCP Figure 30;
- As shown in the Road Hierarchy Drawing (**Attachment B**) the proposed road network accommodates a bus route along a collector street that is consistent with the DCP Figure 31;
- The proposed modification will not alter the provision of open space, in accordance with DCP Figure 13; and
- The proposed modification will not restrict the provision of utilities and services.

The modification does not seek any changes that will alter the development's compliance with DCP *Section 4.5, Residential Neighbourhoods*, as outlined below the modification:

- Does not seek any substantial changes to the length of street blocks and includes additional laneways to improve circulation and articulate the street block;
- Does not alter the general alignment of lots approved under Modification 3;
- Provides a mix of lot sizes in appropriate locations and includes lots in accordance with the orientation and design principles outlined in Figure 32 and 33 and does not propose any battle-axe lots;

- The proposed amendments to the 'Traditional Lots' (lots 443-447, 439, 451-453, 458-460, 520-521, 531-532, 534-542 and 549-550) ensure that all lots are provided in excess of the required minimum lot size of 250m² and 12m lot frontage width.

3.3 Residential Subdivision and Urban Design

As stated in **Section 3.2**, the proposed modification to sub-stages 3-5 is generally consistent with the DCP controls. Sub-stages 3-5 will provide 269 lots which is commensurate with the 266 lots shown in the *amended staging plan* approved under Modification 3 and referenced in condition A.6. While the layout of some lots within the staging plan will change under this modification, the intention of the staging plan is to provide an outline of the construction staging, rather than a detailed subdivision plan. The amended Stage 1 cap of 1,438 lots will be increased by one (1) lot under the modification. This will not exceed the 1,473 lots originally approved under the Project Application in 2013.

The proposed amendments to the subdivision layout are generally sub-sequential to the alterations to the pedestrian laneways. The addition of a vehicular laneway to lots 538-542 will improve circulation and access and will break up the street block. Two pedestrian laneways are amended to improve sight lines and encourage passive surveillance of streets and laneways. As shown in **Figure 2** below, the alterations to the laneways will better align with the adjoining local streets.

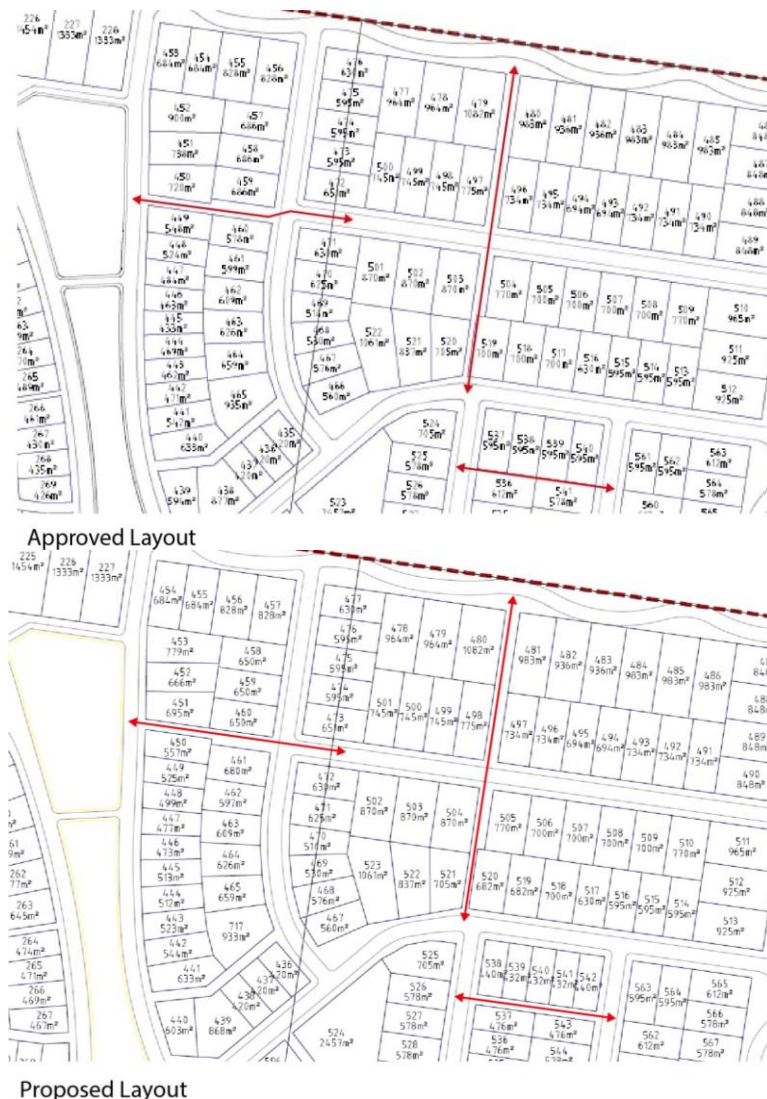


Figure 2 – Passive surveillance view lines
Source: JBA

3.4 Traffic

The modified lot layout will not have any noticeable impacts on traffic as the vehicular entrance and exit points to the precinct are maintained. While the proposal will increase the total number of lots within sub-stage 4 by one (1) allotment, the total number of lots within sub-stage 2-5 is less than that originally approved on 24 April 2013. Accordingly, the proposed modification is not anticipated to have any adverse impacts on the capacity of the local road network.

3.5 Services

The modification only seeks to amend the internal laneway and allotment layout and therefore will not impact on the water and sewer networks which are pressurised systems. The proposed modification will not have an adverse impact on the infrastructure services provided to the residential allotments.

4.0 CONCLUSION

The proposed amendments to the Huntlee Stage 1 Major Project Approval (MP10_0137), as outlined in **Section 2** of this letter, are a result of the continual refinement and improved detailed design of the residential sub-stages of the Huntlee New Town. The proposed modification relates to minor amendments of residential allotments and access lanes within sub-stages 3-5.

The modified subdivision layout will improve the permeability of the precinct and will provide an improved urban design outcome. The modified design will also improve access and permeability throughout the precinct and will improve view corridors.

The modification is considered to be generally consistent with that of the Major Project Approval and will not result in any significant adverse environmental impacts in regard to urban design or traffic impacts. The modification is consistent with the objectives and Controls in the Huntlee DCP and will result in improved residential amenity and safety.

In light of the above and significant merits, we therefore recommend that the proposed modification is supported. We trust that this information is sufficient to enable a prompt assessment of the proposed modification. Should you have any queries in relation to the above, please do not hesitate to contact me on 9956 6962 or gkirkby@jbaurban.com.au

Yours faithfully



Gordon Kirkby
Director