

Notice of decision – Huntlee New Town Stage 1 – MP 10_0137 Modification 9

Section 2.22 and clause 20 of Schedule 1 of the *Environmental Planning and Assessment Act 1979*

Application type	Modification to State significant development consent
Application number and project name	MP 10_0137 Mod 9 – Huntlee New Town Stage 1
Applicant	Huntlee Pty Ltd
Consent Authority	Minister for Planning

Decision

The Executive Director under delegation from the Minister for Planning has, under 4.55(2) of the *Environmental Planning and Assessment Act 1979* (**the Act**) modified the consent subject to the recommended conditions.

A copy of the instrument of modification and conditions is available [here](#).

A copy of the Department of Planning & Environment's assessment report is available [here](#).

Date of decision

13 December 2019

Reasons for decision

The following matters were taken into consideration in making this decision:

- the relevant matters listed in section 4.15 and section 4.55(2) of the Act and any additional matters listed in the statutory context section of the Department's Assessment Report;
- the prescribed matters under the *Environmental Planning and Assessment Regulation 2000*;
- all information submitted to the Department during the assessment of the modification application and any additional information considered in the Department's Assessment Report;
- the findings and recommendations in the Department's Assessment Report; and
- the views of the community about the project (see Attachment 1).

The findings and recommendations set out in the Department's Assessment Report were accepted and adopted as the reasons for making this decision.

The decision maker was satisfied that the development to which the consent as modified relates is substantially the same development as the development authorised by the consent.

The key reasons for granting the modification are as follows:

- the expanded development footprint was identified in the broader Huntlee New Town precinct and is consistent with the broader strategic planning framework established for the site
- the expanded footprint is suitable for future urban development because new development can be provided outside the flood and bushfire risk zones, and the land is appropriately zoned for urban uses
- the additional development footprint can be appropriately serviced and any environmental risks are managed through conditions or the detailed design of future development applications
- the proposed school site is suitable because it facilitates sharing of regional and community facilities identified in future stages of the Huntlee New Town development to achieve the Department of Education's requirements
- the subdivision of lots within the town centre are consistent with the Huntlee DCP
- the open space plan amendments protect riparian corridors
- environmental constraints can be mitigated through recommended conditions of approval and would be further assessed during future development applications seeking approval to further subdivide or develop the land
- council no longer object to the modification, and concerns raised by agencies have been addressed through amendments to the proposal or conditions.

Overall, the Department considers the proposal is consistent with the broader planning objectives for the site and it would provide positive social and economic benefits to the region, and can be approved.

Attachment 1 – Consideration of Community Views

The Department exhibited the modification from 18 October 2018 until 1 November 2018 and received nine submissions, including seven from NSW Government agencies, one from Cessnock Council and one public submission (objection).

The key issue raised by the objector and considered in the Department's Assessment Report relates to a reduction in the size of the buffer zone between existing residents to the north and the Huntlee Stage 1 subdivision.