



24 January 2025

The Department of Planning, Housing
and Infrastructure
Attention: Mr Chris Eldred

Contact: Julia Ryl
Our Ref: DA 52/2025/1/1
Your Ref: SSD MODIFICATION TO
(MP10_0137-MOD24)

Dear Mr Eldred

Request for Council Comment
State Significant Development: Huntlee New Town Stage 1 - Modification 24

I refer to notice received by Cessnock City Council in respect to the above State Significant Development, requesting Council's comments for Modification 24 to Stage 1 of Huntlee Hew Town.

It is understood that Modification 24 proposes the following:

- Amend MP10_0137 to subdivide one lot within Town Centre Sub-stage 6 (TC6).
- Amend a number of conditions to allow land dedication and contributions arrangements to be facilitated by a Section 7.11 Contributions Plan rather than the existing Voluntary Planning Agreement (VPA) between Cessnock City Council and Huntlee Pty Ltd (Huntlee).

Cessnock City Council (Council) provides the following comments in regard to the modifications proposed:

Town Centre Sub-stage 6

Council supports the creation of a variety of allotment sizes within the Huntlee Town Centre which are capable of providing the required built form to provide facilities to support residents.

Section 7.11 Contributions Plan rather than the VPA between Council and Huntlee and proposed Land Dedication to Council

Council and the Huntlee developer are currently negotiating a forth deed of variation to the Huntlee Local Voluntary Planning Agreement (VPA).

Council is currently preparing an amended s.7.11 contribution plan that will include a new charging area relating to the balance of the Huntlee development. The proposed Huntlee charging area includes the Huntlee Stage 1 extension area approved by Modification 21 to the Huntlee Major Project.

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The proposed per lot figure being proposed has been done so on the basis of a quantity surveyor's report relating to the outstanding infrastructure associated with the Huntlee development:

1. balance of cost for district sports fields 1 & 2;
2. balance of cost for District Park 3;
3. balance of cost for the Huntlee Community Hub; and
4. the cost for two local parks within Stage 2 of the Huntlee development and land acquisition.

As a result the proposed s.7.11 contribution rate for the Huntlee charging area is \$24,755.41 per lot/dwelling. Council is also currently seeking an increase to the contribution cap for the new s.7.11 Huntlee charging area, from \$20,000 to \$30,000 to accommodate the proposed rate.

The amended s.7.11 Contribution Plan is scheduled to be reported to the elected Council for public exhibition in February 2025.

Council will not accept the dedication of land to Council, unless that land is identified in a planning agreement or a works schedule in an adopted s.7.11 or s.7.12 contributions plan, except as outlined in point 3.3.

Council has engaged a planning consultancy to prepare a Land Dedication Policy, outlining Council's position regarding land dedication, including land that is proposed to be dedicated, but is excess to Council's strategic requirements. At the time of writing, it is uncertain when Council's Draft Land Dedication Policy will be reported to Council.

Council may accept the dedication of land not currently included in a planning agreement or works schedule of an adopted s.7.11 or s.7.12 contributions plan, if the land is proposed to be dedicated in accordance with Council's forthcoming Land Dedication Policy, including through a planning agreement.

If Council and the developer are unable to negotiate an amendment to the existing Huntlee VPA, it is Council's position that Modification 24 not be approved by the NSW Department of Planning, Housing and Infrastructure until Council's amended s.7.11 Contributions Plan and Land Dedication Policy are adopted.

If the NSW Department of Planning, Housing and Infrastructure, are of a mind to approve Modification 24 to Huntlee New Town Stage 1 - Major Project, Council requires that the proposed s.7.11 contribution rate for the proposed Huntlee charging area, which is \$24,722.75, be applied to the modified consent, instead of the existing contribution plan rate for Branxton-Greta, \$15,725.15. Applying the lesser rate will result in a further shortfall in funds to support the delivery of critical local infrastructure required by the new population. The lesser rate also has no nexus to the Huntlee development.

Council thanks you for the opportunity to provide comments in relation to proposed Modification 24 to Huntlee New Town – Stage 1. Council reserves the right to make further comments in relation to the modifications proposed.

If you require any further information, please do not hesitate to contact me on telephone 02 4993 4218 or via julia.ryl@cessnock.nsw.gov.au .

Yours faithfully

A handwritten signature in blue ink, appearing to read 'Julia Ryl', with a large, stylized initial 'J'.

Julia Ryl
Senior Planning Assessment Officer