



19 June 2017

Emma Butcher  
Planning Officer, Modification Assessments  
NSW Department of Planning &  
Environment  
GPO Box 39  
SYDNEY NSW 2001

Contact: Scott Christie  
Our Ref: DOC2017/040549  
Your Ref:

Dear Ms Butcher

**Notification of Section 75W Modification Request  
Huntlee Stage 1 (MP 10\_0137 MOD 8)**

I refer to your invitation for Cessnock City Council to comment on Modification 8 (Mod 8) to the Stage 1 Project Approval (MP 10\_0137) for Huntlee New Town. The proposal seeks approval for the modification to the layout of sub stages 6 to 13, involving:

- A revised street layout;
- A revised residential subdivision layout;
- A revised open space layout;
- Relocation of the school site;
- A revised staging plan; and
- Change to timing of an intersection upgrade.

Cessnock City Council has reviewed the documentation and raises the following issues:

***Modification to Conditions:***

Section 2.8 of the S75W Report proposes to amend the condition of consent to reflect the total number of dwellings rather than the total number of residential allotments. The original Major Project Approval for Huntlee Stage 1 (MP 10\_0317) involving subdivision and infrastructure works, not the construction of dwellings, approved 1,473 residential allotments. Each allotment, under the Cessnock Local Environmental Plan 2011, permits more than one dwelling per allotment with consent, or in some cases, multiple dwellings depending on the size and zoning of the allotment.

MP 10\_0317 does not consider the approval of dwellings, dual occupancy developments, or multi-dwelling developments (amongst other permissible developments such as group homes and residential flat buildings). Reference to a subdivision creating a maximum number of dwellings would generate a significant administrative burden as each individual site would need to be constrained to a maximum development density.

Unless the applicant can provide adequate justification, Cessnock City Council does not support the amendment to the condition of consent to reflect a total number of dwellings rather than a total number of allotments.

***Huntlee Stage 1 Local Infrastructure Planning Agreement:***

It is noted that Mod 8 proposes two amendments that have potential to impact on the Huntlee Stage 1 Local Infrastructure Planning Agreement (Huntlee Local Planning Agreement) between *Cessnock City Council* and *Huntlee Pty Ltd in its capacity as trustee of the Relevant Partnership* including:

1. 3.58ha of additional public open space; and
2. 30 additional residential allotments.

Although both of the abovementioned amendments are considered to be relatively insignificant, Council brings these to the attention of the Department of Planning and Environment to ensure that they are mindful of any accumulative impacts generated as a consequence of multiple modifications to MP 10\_0317.

3.58ha of open space is relatively insignificant in relation to the originally approved 82.5ha. Council raises concern over the burden placed on Council to maintain such a significant total amount of open space in perpetuity. Preliminary cost estimates in a report to Council's Ordinary Meeting held 17 July 2013 notes that maintaining the open space land originally approved for MP 10\_0317 would cost Council approximately \$630,000 per annum in excess of the funds available through rates. An additional 3.58ha would increase the financial burden on Council.

The Huntlee Local Planning Agreement includes Works-In-Kind, land dedication and monetary contributions relating to the approval for MP 10\_0317. Any changes to the overall development yield, open space provisions or community infrastructure provisions have a potential impact on the Planning Agreement, Council and the future community of Huntlee.

With the exception of the proposed amendment to the condition of consent relating to dwellings numbers rather than allotment numbers, Council supports the amendments made to Major Project Approval MP 10\_0317, and notes that they are relatively consistent with the original approval.

If you require any further information, please do not hesitate to contact Council's Strategic Land Use Planner, Scott Christie on telephone 02 4993 4168.

Yours faithfully

A handwritten signature in black ink, appearing to read 'MJ', with a long horizontal flourish extending to the right.

Martin Johnson  
Strategic Land Use Planning Manager