



14289  
30 October 2014

Chris Ritchie  
Team Leader: Industry Key Site and Social Projects  
Department of Planning and Environment  
23-33 Bridge Street  
SYDNEY 2000

Attention: Chris Ritchie

Dear Chris

## **SECTION 75W APPLICATION MP10\_0137 HUNTLÉE**

We write to you on behalf of Huntlee Pty Ltd requesting that Planning and Infrastructure 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 following amendments to the Project Approval are sought:

- Modification and subdivision of the town centre super lots;
- Modification of condition A2 to reflect the amended subdivision plans;
- Extension of the Stage 1 Approval boundary;
- Include the Bushfire Threat Assessment Prepared by RPS as part of the approval documents;
- Modification of various conditions to delete reference to 'Ausgrid'; and
- Modification of Condition E7 (i) to permit the construction and use of a temporary intersection on Wine Country Drive to facilitate construction access within the Stage 1 Precinct 1 and 2.

Plans showing the above mentioned super lot subdivision are included at **Attachment A**.

This application identifies the consent, describes the proposed modifications and provides a planning assessment of the relevant matters for consideration contained in Section 75W 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. The application is accompanied by:

- Section 75W application form and fee;
- Revised plans of Subdivision prepared by Worley Parsons (**Attachment A**);
- A copy of the notice of determination for MP10\_0137 (**Attachment B**);
- Proposed modifications of conditions of consent (**Attachment C**);
- Bushfire Threat Assessment, prepared by RPS (**Attachment D**); and

### **1.0 BACKGROUND**

Project Approval MP10\_0137 was granted by the Planning and Assessment Commission (PAC) on the 24<sup>th</sup> April 2013 for Stage 1 of the Huntlee New Town, comprising residential subdivision of 1473 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. A copy of the Notice of Determination is included at **Attachment B**.

The Huntlee New Town Site is listed under clause 27 of Schedule 3 in the *State Environmental planning Policy (Major Development) 2005* (MD SEPP) as a State Significant Site. The progression of the Huntlee New Town and the detailed design of the residential and town centre precincts within the Stage 1 approval have provided the impetus for a number of minor modifications to the approval, as it currently stands. The modifications are of a nature that is generally consistent with the approval and are a result of the more detailed design of various elements of the development.

A separate Section 75W application has been submitted to the Department which seeks to reconfigure lot boundaries within the Stage 1 Entry Village precinct. The proposed lot reconfigurations, as detailed within the separate s.75W, have been included in the subdivision plans provided at **Attachment A** and Consent Condition A2 has been further modified to reflect the previous application.

## 2.0 PROPOSED MODIFICATIONS TO CONSENT

The proposed modifications to the consent (MP10\_137) are outlined below.

### 2.1 Subdivision of super lots

During the stage 1 project application, 14 super lots were created to accommodate future infrastructure, town facilities and commercial uses. At the time of the major project application, the intended future use of the super lots was guided by a structure plan which provided a general lot lay out for the town centre. More recent discussions with potential retail developers have identified the need to refine the lot and road layout in order to accommodate the servicing and operational needs of the first stage of the Town Centre. The modifications include the addition of laneway 2 and Laneway 3, both parallel to Wine Country Drive to facilitate smaller retail stores and greater access to the future Supermarket and supporting retail premises.

A proposed plan of subdivision has been prepared by Worley Parsons and is provided at **Attachment A**. The plan identifies the approved layout under stage 1 and identifies the proposed modifications under this application.

### 2.2 Extension of the Stage 1 Approval Boundary

It is proposed to reconfigure the boundary of the Stage 1 Approval to accommodate amendments to the Town Centre Lake and the surrounding landscaping works. The modifications to the lake consist of an extension to the riparian corridor and footpath on the eastern side of the lake, as shown in the Subdivision plans (**Attachment A**). The proposed works will improve the quality of water runoff in accordance with Water Sensitive Urban Design (WSUD) Principles.

### 2.3 Bushfire Assessment Report

An amended Bushfire Threat Assessment has been prepared by RPS (**Attachment C**) for the Stage 1 precincts 1-6. The Bushfire Threat Assessment prepared under the Stage 1 approval did not have regard for the annexation of Lot 34 in DP 755211 nor the detailed subdivision and Asset Protection Zones (APZ) required within Stage 1. The amended Bushfire Threat Assessment provides a more detailed level of assessment for the Stage 1 residential subdivision in regards to the Bushfire Attack Level construction standards and the required APZ within precincts 1-6. The assessment also provides recommendations for the construction of roads in accordance with the Planning for Bushfire Protection Guidelines 2006 and provides guidelines in regards to vegetation and bushfire fuel management.

### 2.4 Modification of Lots

The proposal seeks to remove eight single dwelling lots and one multi-housing lot from within Stage 4, as shown in **Figure 1 and 2** below, to provide open space for a local sports ground in accordance with Cessnock Council's requirements, as outlined in Council's Recreation Strategy. The lots are proposed to be replaced with the expansion of a local sporting field and associated car parking. The applicant has engaged in ongoing discussions with Cessnock Council to ensure that the provision of infrastructure and open space is in accordance with the relevant contributions requirements proposed for the local Voluntary Planning Agreement currently being negotiated with Cessnock Council.

It is noted that each stage of Huntlee has caps on the maximum number of dwellings. As such, the proposed lots to be removed under this modification will likely be relocated within the stage at a later time whilst maintaining compliance with the overall dwelling targets.



**Figure 1 – Stage 1 approved lot layout**  
Source: JBA and Roberts Day



**Figure 2 – Proposed modification**  
Source: JBA and Daly Smith

## 2.5 Modification of conditions of Consent

The proposal seeks to implement a number of amendments to the project application (MP\_10\_0137) conditions of approval. The modifications entail the removal of any references to Ausgrid in order to maintain the flexibility of the potential future energy providers for the town.

As detailed in the Major Development SEPP amendment submitted in June 2014, Huntlee Pty Ltd is investigating options to develop off-the- grid renewable energy technologies to provide a sustainable alternative energy system for the generation and distribution of electricity and heat within the town.

The proposed network will be owned and managed by a new utility company, with equity potentially also being held by the residents of Huntlee. In order to maintain flexibility within the existing approval

it is proposed to remove all reference to Ausgrid within the conditions and replace with 'the relevant energy provider' to allow Huntlee to pursue alternative means of energy generation in the future.

The amendments to Condition E7 (i) have been recommended by the RMS to facilitate the construction of temporary access to the Stage 1, Precincts 1 and 2 and reflect the realignment of Wine Country Drive. Temporary access is required to facilitate the construction of the residential allotments and dwellings as well as the 34 display dwellings. The amended conditions are provided at **Attachment C** and require that the intersection is constructed in accordance with RMS standards and does not permit the issue of any occupation certificate or subdivision certificate for further development within Precinct 1 or 2 to ensure that the temporary intersection only facilitates construction access.

### 3.0 ENVIRONMENTAL 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 Consistency with Stage 1 Approval

The proposed modifications are considered to be generally consistent with the Huntlee Stage 1 approval. The modifications do not result in any increase in density or total number of residential allotments, traffic generation or development outside of the approved State Significant Development (SSD) Site. It is noted that the proposed extension of the Stage 1 boundary remains within the existing Lot and B4 zoned area under the MD SEPP. The proposed extension does not entail any significant development nor will it have the potential to provide any significant environmental impacts on the flora or fauna in the area.

#### 3.2 Town Centre Super Lots

The proposed subdivision of the Town Centre Super Lots and the modification of the road layout are not considered to have any adverse impacts on traffic movements or traffic generation within the local road environment. The Town Centre precinct maintains four road connections to Wine Country Drive and maintains primary access through proposed 'Main Street 2'. The inclusion of Laneway 2 and 3 will not have an adverse impact on traffic flow; rather facilitate a greater spread of vehicle movements within the Town Centre precinct.

#### 3.3 Consistency with Huntlee DCP

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.

The proposed lot and road orientation will facilitate future buildings to face the street frontage to increase surveillance, in accordance with Section 4.6 of the DCP. The proposed lot layout will facilitate a traffic hierarchy through road alignments as well as sight lines and solar efficiency.

Section 6 of the DCP prescribes controls for the Town and Village Centres. The proposed modification will not prevent future development from achieving compliance with the DCP controls. The inclusion of Laneway 2 and 3 into the road network will facilitate smaller retail development and will therefore enhance street level activation as well as pedestrian activity, as prescribed in the DCP. The subdivision of the super lots will not prevent future development from providing retail sleeving and active frontages to large format retail facilities such as supermarkets.

The modified town centre layout is generally consistent with Figure 46 and 47 of the DCP which identify the desired road and lot layout. The proposed modification is consistent with the town centre DCP objectives, as it:

- Will facilitate the creation of a vibrant Town Centre that provides a high level of amenity;
- Facilitates the coordination of the detailed design of the town centre as it is a response to the detailed requirements of future supermarket tenants;
- Will enable the creation of a sense of place through the relationship of the Town Centre to the landscape;
- Will promote a pedestrian friendly main street through the Town Centre;

- Does not change the location of the Town Centre within the Huntlee Development;
- Will not affect the servicing of the Town Centre by Public transport or pedestrian or cyclist accessibility; and
- Will facilitate a financially viable and easily staged Town Centre with a good range of retail and commercial services.

#### 4.0 CONCLUSION

The proposed amendments to the Huntlee Stage 1 Approval, as outlined in **Section 2**, are a result of the continual refinement and detailed design of the residential and commercial components of the development. The modifications are considered to be minor and are generally consistent with that of the Concept Plan approval. The nature of the modifications will ensure that there are no significant environmental impacts or adverse impacts on amenity.

In light of the above listed reasons we don't anticipate that the modification requires notification or public exhibition. Should you have any queries about this matter, please do not hesitate to contact me on 99566962 or [gkirkby@jbaurban.com.au](mailto:gkirkby@jbaurban.com.au).

Yours faithfully,

A handwritten signature in blue ink, appearing to read 'Gordon Kirkby', with a stylized, cursive script.

Gordon Kirkby  
Director