



29 April 2022

Att: Chris Eldred  
Department of Planning and Environment

Contact: Mrs S M Hyatt  
Our Ref: 52 2022 3 1  
Your Ref: MP10\_0137-Mod-20

Via email:  
[christopher.eldred@planning.nsw.gov.au](mailto:christopher.eldred@planning.nsw.gov.au)

Dear Chris,

**Request for comments – State Significant Development**  
**Description of Development – Modification 20: Subdivision of Town Centre and**  
**Substages 13-16**  
**Property: Huntlee**

I refer to notice received by Cessnock City Council in relation to Modification 20 to the State Significant Development approval for 'Huntlee'.

Council understands that the modification includes the following:

- Subdivision of approved large lots in Town Centre creating 185 residential lots,
- Subdivision of approved lots in Town Centre Stages TC1 and TC5,
- Relocation of the existing open space,
- Amendment of substage boundaries between TC1, TC2, TC3 and TC5,
- Lot boundary adjustment within substage 13, resulting in a net decrease of 8 residential allotments,
- Subdivision of approved lots within substage 14 to provide for 86 residential allotments,
- Subdivision of approved lots within substage 15 to provide for 83 residential allotments,
- Adjustment to lot layout in substage 1 to accommodate the road network into substage 15 with a reduction of 1 lot,
- Subdivision of approved lots within substage 16 to provide for 56 residential allotments,
- Minor lot layout and size adjustments to existing residential allotments in substage 16,
- Reduction of 21.88ha of open space, and
- Minor boundary adjustments.

The following comments are provided. These comments are based on Council's preliminary review of the documentation, it is anticipated that the Department and relevant external agencies will undertake a full assessment of these matters. Council reserve the right to provide additional comments should there be amendments made to the proposal.

#### Substantially the same development

Concern is raised in relation to the ability of the modification to adequately address the requirements of Section 4.55 of the *Environmental Planning and Assessment Act 1979* (the Act) in relation to the development being substantially the same development as that originally approved. In this regard, it is considered that a detailed assessment should be undertaken in relation to the quantitative and qualitative aspects of the development.

#### Traffic, Access and Parking

The following general comments are provided which should be considered during the assessment:

- Assessment should ensure that the Traffic Impact Assessment adequately addresses traffic generation confirming a positive level of service for all key intersections,
- Lot configurations should ensure that connectivity is maintained to adjoining land,
- Consideration needs to be given to the requirements of the Development Control Plan to ensure that road hierarchy is consistent, and
- Consideration of access and parking arrangements for lots created within the commercial precinct.

#### Ecology

The impact of the development on existing vegetation has been satisfactorily addressed. It is; however, recommended that prior to clearing of any native regrowth onsite, a preclearance survey be performed by an experienced ecologist. This is to ensure that if any threatened species are present, namely flora species, the appropriate measures can be taken.

#### Voluntary Planning Agreement

An additional 286 dwellings have been included within Stage 1 of the development since the original approval, representing an increase of 12% dwelling yield in Huntlee Stage 1. The local VPA was negotiated based on the original dwelling yield of 2,345 dwellings, and caps contributions for certain works in kind on this basis. In light of the increase in dwelling yield over successive modifications to the Major Project Approval, the VPA should be amended to remove reference to the contributions cap.

Table 6 on Page 20 of the SoEE states that:

- (a) The number of district sports fields will be reduced from 2 to 1. However, this is inconsistent with the current Huntlee VPA and VPA currently being negotiated, which both require 2 district sports fields.
- (b) The area of land dedication for the 2 district parks will be reduced from 8.28ha to 4.79ha. However, this is inconsistent with the VPA currently being negotiated, in which a total area of 6.08ha will be dedicated for district parks.
- (c) The area of land dedication for the 7 local parks will be reduced from 4.83ha to 3.44ha. However, this is inconsistent with the VPA currently being negotiated, in which a total area of 3.54ha will be dedicated for local parks

### Public Embellishment

The Public Embellishments Plan that has been submitted with Modification 20 identifies open space that will be dedicated to Council. The shape and configuration of some of that open space may result in it being unfit for its intended purpose. Further consultation with Council is required to ensure the shape and configuration of open space is fit for purpose.

The Cycleway and Recreation Master Plan does show that a shared path and recreational trails will be positioned in areas of park and open space. Any additional impacts on native vegetation and watercourses (proposed creek crossings and culverts) as a result of these features must be considered in the modification.

### Amendments to Substage 16

In relation to the proposed amendments to Substage 16 the following comments are made:

- The applicant is to ensure that the 'batter slope area' associated with the adjacent seniors living development will not identified within open space to be dedicated to Council.
- The dedication of additional public open space in Substage 16 has not yet been agreed to by Council in the current VPA negotiations with the developer.

### Huntlee DCP

The Huntlee DCP will need to be amended to account for the new form of residential accommodation in the Town Centre and the additional "Town Centre Lane road types", referenced on Page 3 of the SoEE for Modification 20.

Thank you for the opportunity to comment on the proposed modification. Should you have any further enquiries please contact me directly on telephone 02 4993 4219 or via email [sarah.hyatt@cessnock.nsw.gov.au](mailto:sarah.hyatt@cessnock.nsw.gov.au).

Yours faithfully



Sarah Hyatt  
Principal Development Planner