

# Preferred Project Report

## Huntlee New Town

Submitted to  
Department of Planning  
On Huntlee Holdings Pty Ltd

April 2008 ■ 07020

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## 1.0 Introduction

An Environmental Assessment Report (EAR) for the Huntlee New Town Concept and associated State Significant Site Study were publicly exhibited for a period of 8 weeks between 12 December 2007 and 15 February 2008. In response to the public exhibition, the Department of Planning has advised that it has received 226 submissions.

The proponent, Huntlee Holdings Pty Ltd and its specialist consultant team have reviewed and considered the submissions and, in accordance with clause 75H(6) of the *Environmental Planning and Assessment Act 1979*, this Preferred Project Report sets out Huntlee Holding's Pty Ltd's response to the issues raised, provides an update on the progress of a number of on-going planning, environmental and infrastructure studies and provides a revised Statement of Commitments.

### Submissions (Appendices A & B)

Submissions in response to the public exhibition of the Concept Plan documents were received from Councils, State Government agencies and authorities and the general public. The source of submissions is summarised as:

▪ State Authorities and agencies	12
▪ Commonwealth Agencies	1
▪ Local Councils	3
▪ Members of the public	209

The agency submissions, while generally acknowledging that Huntlee is a key urban release area in the Lower Hunter Regional Strategy, required clarification on a number of matters including traffic and transport assumptions, infrastructure provision and funding and the environmental offset strategy.

In terms of Local Government, the submissions focused on issues regarding the future provision and funding of community infrastructure and equity between Councils, zoning and development controls, traffic management and appropriate road design standards. Public submissions raised a variety of issues including the loss of amenity for existing residents of the locality, infrastructure provision, traffic, biodiversity, sustainability and the suitability of former mining areas for development.

Overall the key issues raised in the submissions have been grouped in the following categories:

- Consistency of the Concept Plan and Draft SEPP amendment with relevant strategic and statutory plans;
- Traffic and transportation;
- Biodiversity and Conservation offsets;
- Infrastructure provision and funding;
- Mine rehabilitation and contaminated land;
- Riparian corridors;

- Ecologically Sustainable Development;
- Residential amenity and character;
- Heritage Conservation.

Huntlee Holdings Pty Ltd's response to these key issues is provided at Section 2 of this Report. A detailed summary of issues raised by public authorities and Councils (together with Huntlee Holdings response) is at **Appendix A**. **Appendix B** addresses in detail the issues raised by the community.

### Project update (Section 3.0)

Subsequent to the lodgement of the EAR and SSS, Huntlee Holdings Pty Ltd has been undertaking detailed planning of the Stage 1 areas of the project. Stage 1 covers:

- Subdivision associated with the first residential neighbourhood and town centre residential (Village 1) to accommodate 2000 dwellings;
- Subdivision associated with the first stage of the employment lands (15.1 ha);
- Subdivision for the two (2) large lot residential developments into 300 lots; and
- Site preparation, infrastructure, road works and open space associated with the above.

### Stage 1 Project Application

A Part 3A Project Application and environmental assessment, consistent with the Concept Plan has been submitted with the Department of Planning and is expected to be publicly exhibited in April / May 2008. The issues raised in the submissions to the concept plan have been considered in the Stage 1 Project Application.

In addition to Stage 1, there has been on-going consultation, planning and environmental studies associated with the concept plan including, further studies relating to the rehabilitation of former mining areas, traffic modelling, infrastructure provision and funding and cultural and heritage management

A full project update is provided in **Section 3** of this report.

### Revised Statement of Commitments (Section 4.0)

In response to the issues raised in submissions, the draft Statement of Commitments has been revised to clarify and strengthen future planning and management actions. The revised Statement of Commitments is in Section 4.0 of this report.

### Land Owner's Consent (Appendix D)

At the time of lodgement of the EAR, a number of properties included in the concept plan area were not owned by Huntlee Holdings Pty Ltd. In the intervening period, Huntlee Holdings has purchased a number of the outstanding

properties or come to agreement with regard to purchase. A revised land ownership table and land owner's consent letters is included in **Appendix D**.

## 2.0 Response to Key Issues

This section provides a summary of the key issues raised in the submissions and a general response to those issues. Detailed responses to each of the issues raised in the submissions is presented in table format in Appendices A and B.

The key issues raised in submissions are as follows:

- Consistency of the Concept Plan and Draft SEPP amendment with relevant strategic and statutory plans;
- Traffic and transportation;
- Biodiversity and Conservation offsets;
- Infrastructure provision and funding;
- Mine rehabilitation and contaminated land;
- Riparian corridors;
- Ecologically Sustainable Development;
- Residential amenity and character;
- Heritage Conservation.

### 2.1 Consistency with relevant strategic and statutory plans

#### 2.1.1 Lower Hunter Regional Strategy

##### Issue – Strategic Justification for the Huntlee New Town

The Sweetwater Action Group (SWAG) and Maitland City Council both objected to the proposed development on the basis that the proposal is not justified in terms of the Lower Hunter Regional Strategy.

The SWAG raised the issue of consistency between the Concept Plan and local strategies including the draft Cessnock City Wide Settlement Strategy and the Maitland Urban Settlement Strategy. This issue is addressed in Section 3.0 of the Concept Plan EAR. Huntlee is specifically nominated in the Lower Hunter Regional Strategy. The LHRS is a regional strategic plan and has precedence over the local strategies. With regard to the Singleton Settlement Strategy, released after the Regional Strategy, the strategy states that *“Planning and development... is not expected to significantly impact on growth and demand projections for Singleton identified in this strategy”*.

##### Response

Huntlee is identified as an urban release area in the Lower Hunter Regional Strategy. The strategy proposes that Huntlee accommodate 7200 dwellings. The Concept Plan is consistent with this objective.



## 2.1.2 Zoning and land use controls

### Issue – General zoning provisions

Submissions from Cessnock and Singleton Councils made recommendations regarding the proposed SEPP amendment applying to the overall development, in particular proposed land use zones. Both Councils recommended that the proposed zoning controls in the SEPP Amendment be consistent with their LEP controls; in the case of Cessnock with draft Cessnock LEP 2008 and in the case of Singleton with Singleton LEP 1996.

### Response

Huntlee Holdings Pty Ltd considers it important that there is consistency of zones and planning controls across the Huntlee New town development. To adopt the existing planning controls for each LGA would not achieve this aim.

In terms of the Draft Cessnock LEP 2008, this document was not publicly available at the time the concept plan was prepared and submitted for exhibition, therefore the proposed zoning controls were not known. Huntlee Holdings, at a meeting with Council on 23 August 2007, raised the issue of a consistent approach to zones with the draft LEP however was advised that it was too late for the draft LEP to incorporate or recognise Huntlee and that the Major Project SEPP approach was preferred.

In terms of Singleton, the current Singleton LEP 1996 pre-dates the Standard Template Format and as such its provisions could not be used in the SEPP amendment.

The proposed zoning for the Huntlee New Town is considered appropriate to facilitate the on-going planning and development process for the new town. The proposed R1 General Residential Zone provides for a broad range of compatible land uses including a range of residential densities, open space and neighbourhood retail and community uses. The broad zone enables flexibility, allowing appropriate land uses to be planned as part of each detailed stage project applications in the future. The Business zones are also considered appropriate as they facilitate a range of uses and provide flexibility for detailed staged planning.

Huntlee Holdings is of the view that the SEPP amendment should not be required to mandate minimum lot sizes, for reasons of housing affordability, diversity in housing stock and sound modern design principles.

The SEPP amendment is attached at **Appendix C**.

### Issue – Zoning of conservation offset areas

Cessnock City Council proposed that the dedicated conservation areas may be more appropriately zoned E2 – Environmental Conservation, although did not specify why.

The Department of Primary Industries considered that, given the potential for future gas exploration within the project area, gas extraction should be a permissible use within the zoning adopted for the conservation area.

## Response

It is proposed to zone the conservation areas within the Concept Plan area E1 – National Parks and Nature Reserves. These areas are to be dedicated to the Minister for the Environment in accordance with the Deed of Agreement between Hardie Holdings Pty Ltd and the NSW Government. Only uses authorised under the *National Parks and Wildlife Act 1974* are permissible in this zone.

## Issue – Exempt and Complying Development

Cessnock City Council has recommended that Council's draft Cessnock Local Environmental Plan 2008, Schedules 2 & 3: Exempt and Complying Development, be adopted to maintain consistency for the Cessnock LGA.

## Response

The Exempt and Complying provisions in Cessnock's draft LEP have not yet been publicly exhibited and are not yet in force. It needs to also be acknowledged that sections of the proposed new town are also within the Singleton LGA. It is now proposed to remove the exempt and complying provisions from the proposed draft SEPP amendment and to request that the Minister enact and exempt and complying regime through an Order under section 75P(2)(d) of the EP&A Act as part of the approval for each staged project application for subdivision and infrastructure works. This would enable the exempt and complying provisions to incorporate the precinct specific urban design guidelines as well as any Council provisions in draft or in force at that time.

## 2.2 Traffic and Transportation

### 2.2.1 Traffic management

#### Issue – mode split assumptions

The Roads and Traffic Authority (RTA) and the Ministry of Transport (MOT) both questioned the assumptions which supported the modal split of 70-30 which underpins the traffic and transport impact assessment in the EAR.

#### Response

The 70:30 mode split is entirely consistent with achieving the desired outcomes of various State Government planning and policy documents that promote integrated land use and transport planning.

Huntlee is not seeking to replicate the existing Hunter Valley mode share as planning for a 95-5 mode split (as suggested by State Government) becomes a self fulfilling prophesy particularly having regard to current traffic constraints. Put

simply, Huntlee New Town is not seeking to follow existing demographic trends but redefine them through staged implementation of the Concept Plan.

The Concept Plan's 25+ year time frame provides an opportunity to implement this project, and at each stage, reinforce and promote the preferred modal split. To achieve this, the Concept Plan proposal is designed to minimise car trips (and encourage a higher modal split) by:

- Maximising employment containment;
- Provision of up front public transport provision
- Locate public transport within easy access of all residences; and
- Provision of pedestrian / cycleways.

Future project applications will need to satisfy these principles, as well as consider (and where relevant) augment public transport infrastructure. At each detailed staged project application, the traffic assessment will be undertaken in the context of the contemporary traffic network situation. Notably, this has already been done for the Stage 1 Project Application which is currently with the Department of Planning. The detailed traffic assessment for the Stage 1 Project Application is attached at **Appendix E**.

Further, the Regional VPA provides for significant contributions to be paid by Huntlee Holdings towards public transport works and upgrades, including Branxton Rail Station (see Section 2.4 of this Report).

Furthermore, Huntlee Holdings has reached an agreement with both the RTA and MoT to prepare an additional Technical Paper to demonstrate the justification and assumptions for the reduced modal splits. The Paper will cover modal splits in more detail and will review of NSW Government strategy on alternate transport, provide comparisons to other communities where higher alternate transport use have been achieved (including examples from interstate and overseas), and review and assess current MoT and RTA technical documentation in relation to land use and transport integration strategies. The Technical Paper will be submitted for review prior to determination of any future project application

## Issue – F3 Alternate Link

The Department of Planning raised concern with the exhibited Concept Plan identifying two potential locations for the F3 Extension and its associated corridor (refer **Figure 1**).

## Response

Identification of the two locations in the Concept Plan followed discussions between Huntlee Holdings Pty Ltd and the RTA regarding the potential for a revised route and design for the F3 Extension to be considered by the Huntlee Concept Plan.

Since exhibition of the Concept Plan, the RTA has reiterated its preference for the Huntlee Concept Plan to provide enough flexibility for the revised F3 route and design to be pursued by the RTA should it wish to do so.

On this basis, the Huntlee Concept Plan layout is designed around the RTA approved route (represented by the olive shading in **Figure 1**). However, a new Statement of Commitment has been drafted which commits Huntlee Holdings to requesting the Director General approve the alternative F3 route upon a written request from the RTA. To provide a level of certainty for all relevant stakeholders, the request can only be made within 10 years of the Concept Plan approval and is limited to the alternate route only. Further, pursuance of the Commitment can only be triggered if the RTA can demonstrate an approval for the alternate route has been obtained, or satisfactory arrangements are in place that provide for the alternate route to be pursued.



**Figure 1 – Approved and alternate F3 Extension Route (note: olive represents the current reserve, pink represents the proposed realignment)**

The 10 year timeframe is considered appropriate as it provides Huntlee Holdings with an adequate time period within which to finalise detailed planning for the Town Centre and Village 3 and should enable the RTA to secure any necessary in-house and external endorsement for realignment of the proposed link

The new Statement of Commitment reads as follows:

*“If within 10 years of Concept Plan approval, the Roads and Traffic Authority confirms in writing that it will pursue the alternate F3 extension route identified in Figure 23 of the Huntlee Concept Plan Study and Environmental Assessment (prepared by JBA Urban Planning Consultants and dated October 2007), Huntlee Holdings will seek endorsement / agreement of the alternate extension route from the Director General of the Department of Planning.*

*Such a request will only be pursued by Huntlee Holdings, if the Roads and Traffic Authority can demonstrate that planning approval or similar arrangements have been obtained for the alternate extension route”.*

Ensuring such flexibility is considered appropriate as the proposed minor variations to the alignment (if pursued), will mean the F3 can follow natural ground levels

and cross the rail line while it is in cut, significantly reducing the cost and engineering of the road in this location. Also, narrowing of the freeway corridor through the locality and the use of cut rather than embankments, will limit the noise impacts associated with the freeway on the new community and reduce the amount of land sterilised.

### Issue – Provisions of bus services

The MoT is not convinced that public transport infrastructure has been adequately addressed by the VPA and has recommended provision be made for a subsidy towards on-going bus services, and provision of bus interchange facilities to be located centrally within the new town centre. MoT has also requested Huntlee Holdings provide a package of specific travel demand management measures to achieve longer term mode shift to public transport up to a notional value of \$350,000.

### Response

Following a meeting between Huntlee Holdings and MoT on 12 February 2008, Huntlee Holdings has offered a subsidy to MoT for buses equating to \$1000/dwelling (\$7.5m) and provide bus interchange facilities in the town centre (\$350,000).

The VPA has been revised to reflect these commitments.

MoT's request for specific travel demand management measures has been addressed through the revised VPA and will continue to be addressed and refined through the detailed project applications and the Technical Paper referred to above.

## 2.3 Biodiversity and Conservation Offsets

### 2.3.1 Conservation offset lands

#### Issue – Future management of conservation offset lands

A number of submissions, including those from Cessnock City Council, Singleton Council, the Commonwealth Government and individual members of the community raised concern that the EAR did not provide adequate details of the proposed future management of the conservation offset lands and the interface between those areas and the proposed urban areas.

### Response

The Deed of Agreement between Hardie Holdings and the NSW Government will see the proposed conservation areas transferred to the Department of Environment and Climate Change (DECC). DECC will take over responsibility for the future management of those lands. The lands are mapped in detail at **Appendix F**.

Huntlee Holdings is committed to entering into a Memorandum of Understanding with DECC which will formalise the process and methodologies required to

prepare a Plan of Management for the offset lands. The Plan of Management will be prepared in consultation with DECC and the local community.

With regard to the interface between those lands and the urban areas, the proponent has included a commitment to prepare a Conservation Areas Interface Management Plan, in consultation with DECC, to address issues including pest and weed management, bushfire management, domestic pests and the functioning of habitat corridors and linkages.

## Issue – The ecological attributes of the conservation offset lands

A number of submissions questioned the value of the conservation offsets scheme as outlined in the EAR and their ecological attributes. The Commonwealth Department of Water, Heritage and the Arts (DEWHA) raised concern that the offsets would not adequately mitigate against the impact the development was having on Matters of National Environmental Significance, in particular the Swift parrot and the North Rothbury *Persoonia*, and requested clarification on where the information on the ecological values of the conservation offset lands in the ECMP was obtained.

## Response

This issue is addressed in Section 7.3 of the EAR, and specifically within Section 5.6 of the Ecological Constraints Master Plan (ECMP) for Huntlee (Appendix K) prepared by RPS Harper Somers O’Sullivan. In total 876 hectares at Huntlee and 4,988 hectares elsewhere in the Lower Hunter will be dedicated to offset the development. These offsets have been agreed to by the DECC in the Deed of Agreement, dated 22 December 2006.

The impacts of the proposal have been addressed in relation to the Concept Plan within the ECMP in Section 5 – Ecological Implications of the Huntlee Development, including detailed development / conservation outcomes tables for all threatened species and vegetation communities.

The information presented within the ECMP, proposes a National Park and ‘*Persoonia* Park’ for the Huntlee site. When viewed holistically the combined conservation measures, both on and off site will result in strong outcomes for biodiversity values within the region.

In terms of the Matters of National Environmental Significance, several of the offset land parcels provide suitable habitat for the Swift Parrot. In particular the offsets lands at Huntlee (876ha) and at Elderslie (499ha). The additional offset lands provide some habitat opportunities, albeit on a less preferred basis than that offered at Huntlee and Elderslie.

The Huntlee lands provide known habitat for *Persoonia* within the 17ha *Persoonia* Park, and potential habitat to the south of Black Creek within the proposed conservation areas. In addition, areas along the creek line north of Hanwood Estate provide suitable habitat for *Persoonia pauciflora*.



The information presented on Pages 54 and 55 of the ECMP was established from a number of sources, including:

- Regional vegetation & soils mapping
- DECC NSW Wildlife Atlas Database
- DEWHA online database
- Hunter Bird Observers Club (HBOC) records
- Flora and Fauna Appraisal Report prepared for Cedar Creek / Pokolbin State Forest (see **Appendix G**)
- Vegetation Report prepared for Howes Valley (see **Appendix H**)
- The Native Vegetation of the Yengo and Parr Reserves and surrounds (DECC 2007)
- Local knowledge of RPS HSO ecologists

### 2.3.2 *Persoonia pauciflora*

#### Issue - *Persoonia pauciflora* management

Submissions from DEHWA, the Hunter Central Rivers CMA, the Sweetwater Action Group and community members questioned the proposed arrangements with regard to the future conservation and management of *Persoonia pauciflora*.

#### Response

The largest concentration of *Persoonia pauciflora* individuals in the whole Huntlee land area is located along the creek bed north of the Hanwood estate (as shown in **Figure 2**) with some plants located adjacent to Wine Country Drive. The Concept Plan proposal ensures that those plants are protected and will remain in situ.

Future management of this species is addressed in the Deed of Agreement with the NSW Government funding for research and propagation. This Agreement also provides that Hardie Holdings will undertake the following land management actions with respect to the land area that will be known as Persoonia Reserve:

- Management of the land in accordance with an interim land management agreement to be negotiated with the NSW Department of Environment and Conservation (now DECC).
- Exclusion of stock from the land, prohibition of slashing of any vegetation on the land and cessation of any activities that will have a negative impact on *P. pauciflora*.
- Trial measures that could potentially increase the number of *P. pauciflora* as agreed with members of the NSW Department of Environment and Conservation (now DECC).
- Huntlee Holdings will contribute \$80,000 over five years to the Minister for the Environment to enable the NSW Department of Environment and Conservation (now DECC) and the Commonwealth Department of Environment and Heritage (now DEWHA) to develop reliable propagation

techniques that can be used to help re-establish *P. pauciflora* on suitable habitat across what is believed to be its normal range. Notably, this sum has already been paid to DECC

- Protection of all in-situ occurrences of *P. pauciflora* within the Schedule 1 and Schedule 2 lands for up to 5 years. Protection will consist of the following measures:
  - Development of a 30m diameter buffer surrounding each plant on the Sweetwater site;
  - Collection of seeds and cuttings with the view to achieving successful propagation; and
  - Plants to be translocated within 5 years of the date of the Deed of Agreement by DECC.

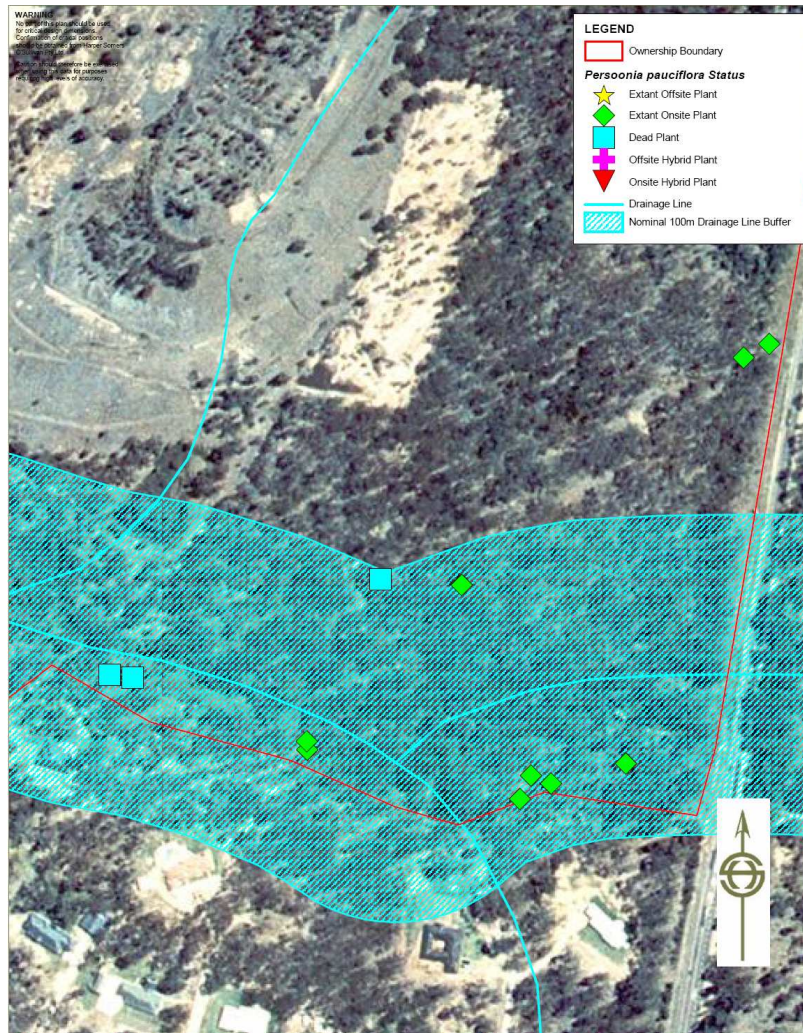


Figure 2 – Creek line north of Hanwood Estate

Since the signing of the Deed of Agreement, Hardie Holdings has undertaken several of the measures outlined with the Deed of Agreement. These measures include the following:



- Continued monitoring the health and condition of *Persoonia pauciflora* throughout the Huntlee Holdings land holdings;
- Removal of stock from Persoonia Park;
- Cessation of slashing; and
- Protection of all insitu *Persoonia pauciflora* plants.

**Appendix I** is an updated version of the Huntlee Persoonia report, detailing all plants within the study area as at August 2007. As shown by the findings of this report, the ongoing status of *Persoonia pauciflora* within the site needs to be considered, given the likelihood of changing population numbers and micro-distribution over time. As an example, the follow up reconnaissance surveys of the plants have revealed some natural attrition in the northern occurrences.

### Issue – measures if translocation and propagation fail

DEWHA requested information on the proposed contingency measures should the translocation and propagation program for *persoonia pauciflora* fail.

### Response

The proponent has agreed to a range of commitments as outlined above in relation to Persoonia and the establishment of Persoonia Park. Of particular relevance to this point are the following:

- Work with members of the NSW Department of Environment and Conservation (now DECC).
- Huntlee Holdings has contributed \$80,000 to the Minister for the Environment to enable the NSW Department of Environment and Conservation (now DECC) and the Commonwealth Department of Environment and Heritage (now DEHWA) to develop reliable propagation techniques that can be used to help re-establish *P. pauciflora* on suitable habitat across what is believed to be its normal range.

It is recognised by DECC that there are no certainties associated with translocation and propagation of this species. The commitment by the proponent provides a willingness to fully explore and understand the species, hopefully leading to long term benefits.

### Issue – modifications to conservation offset areas to enhance protection of *persoonia pauciflora*

DECC and DEWHA both raised the possibility of amending the boundaries of the conservation area north of the Hanwood Estate to widen the corridor to include more identified *persoonia pauciflora* plants.

### Response

Modifications to the proposed conservation area north of Hanwood Estate as suggested, do not provide significant additional conservation outcomes to warrant a redesign of boundaries. The retention of a drainage line along the boundary north of Hanwood Estate provides suitable protection for the *Persoonia pauciflora*

specimens occurring in this area. Widening this area will not capture or protect any additional specimens.

A plan showing the location of the boundaries, creek line, buffers and occurrences of *Persoonia* is presented in **Figure 2**.

### 2.3.3 Groundwater dependent ecosystems

#### Issue – Groundwater dependent ecosystems

The Department of Water and Energy (DWE) and the CMA both raised the issue of the likely presence of and impact on groundwater dependent ecosystems.

#### Response

The Dept of Natural Resources has a register of Groundwater Dependant Ecosystems (GDE's). None have been identified on Huntlee in this register. However, it is considered likely that the riparian areas and related vegetation communities would be considered GDE's. Assessment and subsequent registration of a GDE may show it as having moderate or high value. The nature of the vegetation communities at Huntlee is such that none of the vegetation proposed to be cleared, to accommodate development, would be likely to register as high value. The most valuable GDE's on the site are associated with the Black Creek riparian system, which is proposed to be retained intact and improved via a Plan of Management.

In principle, the policy is designed to protect the most vulnerable and valuable ecosystems that depend on groundwater from threats related to:

- over extraction of groundwater (particularly coastal areas)
- contamination of groundwater

Particular threats include urban development, contamination by industry, intensive irrigation, salinisation, vegetation clearing, and filling/draining wetlands. As the proposal is for urban development, appropriate implementation of Water Sensitive Urban Design (WSUD) principles will need to occur to minimise any issue associated with GDE decline.

### 2.3.4 Ramsar Wetlands

#### Issue – potential impacts on Ramsar Wetlands, particularly the Hunter Estuary Wetland

The DEWHA considered that the EAR failed to adequately address the impact of the Huntlee New Town on the water quality of the Hunter Estuary Wetlands which are located some 40km downstream of the site. In particular DEWHA raised concern regarding the potential pathway for contaminants reaching the site.

## Response

Ramsar Wetlands are located in the Lower Hunter Estuary, including the areas of Kooragang Nature Reserve and Shortland Wetlands Centre, with the closest area of Ramsar Wetland to the site, being over 40km away.

Any impacts resulting from the Huntlee development will be indirect, distant, and subject to a high distance dilution factor. Whilst Black and Anvil Creeks are largely permanent flow creek lines, they are a very small component of the overall Hunter River Catchment area. With the proposed stormwater management (consistent with the principles outlined in the Catchment Action Plan, and the planned remediation of currently uncontrolled contaminated lands on the site), it is considered that there will be no effect on RAMSAR wetlands in the Hunter Catchment.

### 2.3.5 Riparian Corridors

#### Issue – Location and protection of riparian corridors and associated buffer distances

Hunter – Central Rivers Catchment Management Authority (CMA) and the Department of Water Energy questioned the proposed treatment and management of riparian corridors within the site. DWE recommended the proposed corridors consider and be assessed against DWE's Guidelines for Controlled Activities – Riparian Corridors (February 2008).

## Response

Riparian buffers will be defined as part of detailed project applications for each stage. Such buffers will be defined and located according to site specific characteristics, ecological factors, and stormwater engineering considerations and will be generally consistent with DWE's Guidelines for Controlled Activities - Riparian Corridors (February 2008) and associated Core Riparian Zones (CRZ) widths. The fundamental aim of water management within the development will be consistent with the aims and objectives of the Catchment Action Plan prepared for the area (as evidenced by the assessment undertaken by Harper Somers O' Sullivan at **Appendix J**).

It is Huntlee Holdings' view that any vegetation within streams not proposed for retention is accounted for in the offset agreement as part of the Deed of Agreement with the NSW Government. The offset agreement is a fundamental component of the LHRS and Draft Lower Hunter Regional Conservation Plan (LHRCP), which are both founded on achieving a regional 'improve or maintain' outcome.

Notwithstanding this, Huntlee Holdings has committed to the preparation of a Salinity Risk & Management Plan within the Statement of Commitments. The Plan will address the regeneration of native riparian vegetation in key drainage lines within the development site (amongst other matters) and will be finalised prior to the determination of any relevant development application / project application.

The holistic outcome achieved at a regional level by the LHRS, Draft LHRCP and Statements of Commitment provide a suitable platform for the Huntlee Concept Plan approval.

## 2.4 Infrastructure Provision and Funding

### 2.4.1 Regional Infrastructure funding

#### Issue – Funding for regional infrastructure

The Roads and Traffic Authority, Ministry of Transport and Railcorp emphasised the need for clear arrangements for the provision and funding of regional infrastructure. There were also concerns raised in community submissions regarding a perceived lack of infrastructure in the area to accommodate the proposed development.

#### Response

The EAR commits to a Voluntary Planning Agreement (VPA) process with the Minister for Planning, on behalf of the NSW Government to address funding and delivery of regional infrastructure for the Huntlee New Town development. The Regional VPA is currently under negotiation between Huntlee Holdings and the Minister for Planning.

The principal contributions will be via a combination of land, material benefit and monetary contributions towards upgrading regional infrastructure.

Overall the Regional VPA provides for the following contributions to regional infrastructure provision:

**Table 1 – Regional VPA Infrastructure Contributions**

Item	Works	Total Value of Contribution
Regional Road	<ul style="list-style-type: none"> <li>▪ Upgrade of Wine Country Drive (MR 220) and extension to New England Highway</li> </ul>	\$6,000,000
	<ul style="list-style-type: none"> <li>▪ Associated works to regional road network</li> </ul>	\$20,250,000
Open Space Recreation	<ul style="list-style-type: none"> <li>▪ Regional open space</li> </ul>	\$42,000,000
	<ul style="list-style-type: none"> <li>▪ Town park</li> </ul>	\$3,000,000
Education	<ul style="list-style-type: none"> <li>▪ provision of two fully serviced primary school sites within neighbourhood centres</li> </ul>	\$18,000,000
	<ul style="list-style-type: none"> <li>▪ provision of a fully serviced combined primary school, high school and special education school site in the town centre</li> </ul>	\$33,000,000
	<ul style="list-style-type: none"> <li>▪ three Gov pre-school sites and</li> </ul>	\$2,700,000

	monetary contributions	
Health	Community health centre site	\$600,000
Emergency Services	▪ Police station site	\$300,000
	▪ Fire station site	\$600,000
	▪ Ambulance station site	\$600,000
Transport	▪ Bus service subsidy at \$1000/dwelling	\$7,500,000
	▪ Interchange facilities	\$350,000
	▪ Pedestrian overbridge at Branxton Station	\$1,000,000
Environmental	<ul style="list-style-type: none"> <li>▪ Environmental works across the site including:                             <ul style="list-style-type: none"> <li>- Remediation of Black Creek</li> <li>- Huntlee conservation areas</li> <li>- Former Ayrfield Colliery</li> <li>- Persoonia Park</li> </ul> </li> </ul>	\$4,500,000
Water and wastewater upgrades	▪ Regional works	\$42,570,000
<b>Total</b>	Over development period	<b>\$182,970,000</b> <b>\$24,396 / lot</b>

The tables to the VPA specify set contribution amounts or items that require payment at specified stages of the project.

## 2.4.2 Local Infrastructure funding

### Issue – Funding for local infrastructure

Both Cessnock and Singleton Councils raised the issue of the provision of adequate local community infrastructure, its timely provision and funding. Singleton Council raised particular concern that the provision and on going costs associated with maintaining the infrastructure needed to be consistent and equitable across the Huntlee New Town.

### Response

A Local VPA is being negotiated between Huntlee Holdings and Cessnock and Singleton Councils to address local infrastructure. A joint VPA with both Councils is considered a more appropriate framework than using Council section 94 Contributions Plans as these plans and contribution rates vary between the two Councils and would lead to inconsistency between developments in the same community. The joint VPA approach will also ensure that there is equitable funding of community facilities across the development and avoid facilities in one

Council area being utilised but not paid for by residents of the other Council area.  
The local VPA provides the following contributions:

Table 2 – Local VPA Infrastructure Contributions

Item	Works	Total Value of Contribution
Community Facilities	▪ Neighbourhood centre x 2	\$5,250,000
	▪ Multi-function centre – library/cultural centre/youth centre/aquatic centre	\$6,260,000
	▪ Community hall x 2	\$2,200,000
	▪ Cemetery Columbarium Wall	\$16,000
Recreation	▪ Neighbourhood parks (incl landscape and maintenance for 3 years)	\$78,394,000
	▪ Public open space and cycleways	\$20,100,000
	▪ Shelters, benches, BBQs	\$200,000
	▪ Tennis/netball courts	\$740,000
	▪ Off leash dog areas	\$20,000
	▪ BMX track & skate park	\$120,000
	▪ Indoor basketball courts	\$2,000,000
	▪ Contribution to Miller Park – tennis courts	\$50,000
Local Roads	▪ Contribution to upgrade Old North Road (10% or to a max of \$400,000)	\$400,000
	▪ Contribution to new bridge over Black Creek (20% or to a maximum of \$400,000)	\$400,000
	▪ Upgrade Rothbury Street	\$770,000
<b>Total</b>	Over the development period	<b>\$116,920,000</b> <b>\$15,589 / lot</b>

The total value of contributions proposed in the two VPAs is \$299,890,000.  
This equates to around \$40,000 per lot.

## 2.5 Residential Amenity and Character

### Issue – Loss of existing rural character

The community and local Councils are concerned that the proposal will destroy the existing character of the area; impact on the community's existing lifestyle and place added pressure on local services and facilities.

### Response

Huntlee is identified as a land release area in the Lower Hunter Regional Strategy and includes significant areas of high conservation value that will be dedicated to the Government as part of the project (876 hectares in Huntlee and a further 4,988ha of conservation land in a number of locations in the Lower Hunter Valley Region).

The urban design concept responds to the site's existing rural character through the creation of 'villages', larger rural residential lots and significant areas of open space and landscaping. It is proposed for the development to be a self-contained new town, with limited impact on the surrounding area and one which will provide benefits for local residents in terms of employment, retail and recreation opportunities.

The location and layout of urban development is underpinned by key urban design principles that collectively seek to:

- Create a well connected street pattern that responds to the site's topography;
- Provide streets that generally terminate on an open space;
- Linked open space areas that preserve ridges, hilltops and significant areas of vegetation;
- Locate open spaces surrounded by public streets;
- Plan neighbourhoods where residents can easily walk or cycle to the neighbourhood core, a local shop, community centre, open space or school generally within 400 metres; and
- Provide a mixture of housing options to create diversity in the built form and accommodation choice.

Detailed Urban Design Guidelines and a Landscape Strategy will be prepared for individual applications which will address:

- building form;
- heights;
- road widths;
- streetscape character;
- civic spaces;
- landscape treatment;
- Water sensitive urban design;
- Energy efficiency; and

If the Huntlee development does not happen, considerable pressure will be placed on other parts of the Lower Hunter Region which will increase pressure upon

more environmentally sensitive areas and restrict the orderly and efficient delivery of community infrastructure in a coordinated and cohesive manner.

## 2.6 Mine Rehabilitation and Contaminated Land

### Issue – remediation of former colliery and landfill areas

DECC considered that the development of the Huntlee New town is only acceptable if the former mine site is rehabilitated to a standard suitable for its final use. DECC proposed two principal actions to ensure that its issues of concern in relation to contamination are addressed:

- Identification of the nature and extent of contamination on the landfill site and on the Ayrfield Colliery Site
- Development of management/remediation plans for all identified contamination sources to ensure that the site is suitable for the proposed development.

DECC recommended a process for development of a remediation action plan for the affected areas.

### Response

Huntlee Holdings Pty Ltd has included a commitment to undertake the appropriate level of investigation and prepare a Strategic Management Plan in accordance with DECC Guidelines.

Huntlee Holdings Pty Ltd are currently carrying out groundwater monitoring, sampling and analysis in accordance with the requirements of Environment Protection Authority Notice of Preventative Action.

## 2.7 Sustainability

### Issue – ESD Principles

Cessnock City Council was concerned that the EAR did not adequately consider ESD principles.

### Response

Section 3 of the Sustainability Strategy, and Sustainable Built Environment's (SBE) Appendix Y address ESD principles. SBE's report in particular addresses the five ESD principles as follows:

- Integration Principle – the social and economic benefits of the proposal are well documented. The significant employment, social and environmental outcomes collectively satisfy this Principle;
- Precautionary Principle – all supporting technical reports combined with the Statements of Commitment demonstrate that the environmental impacts of the proposal can be managed;



- Inter-Generational Principle – satisfied through employment generation and opportunities; creation of a safe, healthy and high quality environment; delivery of biodiversity outcomes;
- Biodiversity Principle – satisfied through protection of significant habitat; dedication of conservation lands; dedication of offset lands; creation of Persoonia Park; habitat preservation and creation; and provision of wildlife corridors;
- Valuation Principle – the Concept Plan proposes provision of new residential development (including significant infrastructure, town centre and employment lands) within an area identified for urban growth. The proposal seeks to maximise and expand existing infrastructure enabling residents to live near work, leisure and other opportunities. This means the proposal will provide relatively affordable residential properties within a future urban area.

### Issue – Greenhouse gas emissions

Sweet Water Action Group criticised the EAR’s lack of a comprehensive greenhouse gas emissions assessment.

### Response

Section 3 of the Sustainability Strategy, and Appendix Y, clearly address greenhouse gas emissions. Whilst there is no official methodology for calculating the predicted greenhouse gas emissions at the concept plan stage of a development, the AGO Factors and Methods Workbook 2006 outlines a methodology for reporting the greenhouse gas emissions of existing operations and is not an appropriate methodology for predicting the greenhouse gas emissions of proposed land uses. AGO’s standards and statistics have been applied to the Huntlee New Town proposal to calculate the predicted greenhouse gas emissions that could be attributed to the proposed Huntlee New Town development (as set out in Section 7.12.1 of the EA). The predicted CO<sub>2</sub> emissions for residential and employment lands for Huntlee is summarised in **Tables 3 and 4:**

Table 3– Predicted CO<sub>2</sub> residential emissions, over a 40yr period

Operational Energy	Predicted CO <sub>2</sub> emissions
Based on:	- No. dwellings x Average dwelling size x Av energy use
- 7,500 dwellings	- 7,500 x 215 x 8t CO <sub>2</sub> /m <sup>2</sup> /year =
- Average dwelling size 215m <sup>2</sup>	12,900,000t CO <sub>2</sub> /yr
- Average energy use/household at 8 tonnes CO <sub>2</sub> <sup>3</sup> (per year)	12,900,000t CO <sub>2</sub> /yr x 40 yrs = 516,000,000t CO <sub>2</sub>
<b>Total Residential CO<sub>2</sub> emissions</b>	<b>516,000,000t CO<sub>2</sub></b>

Table 4 – Predicted 40 year CO<sub>2</sub> employment lands emissions

CO <sub>2</sub> Generator	Significance*	Predicted CO <sub>2</sub> emissions
Embodied energy of construction materials	(moderate impact) Approx. 0.5 – 2t CO <sub>2</sub> /m <sup>2</sup> . Average is 1.25t CO <sub>2</sub> /m <sup>2</sup>	100,000 (NLA) x 1.25t CO <sub>2</sub> /m <sup>2</sup> = 125,000t CO <sub>2</sub>
On-site construction energy	(low impact) Approx. 10% of embodied energy. Therefore 0.05-0.2t CO <sub>2</sub> /m <sup>2</sup> . Average is 0.125t CO <sub>2</sub> /m <sup>2</sup>	100,000 (NLA) x 1.25t CO <sub>2</sub> /m <sup>2</sup> = 125,000t CO <sub>2</sub>
Operational energy	(moderate to large impact) Approx 0.3t CO <sub>2</sub> /m <sup>2</sup> /yr for an average office building	100,000 (NLA) x 0.3t CO <sub>2</sub> /m <sup>2</sup> /yr = 30,000t CO <sub>2</sub> /yr Assuming a buildings lifespan is 40yrs = 1,200,000t CO <sub>2</sub>
Total Employment Lands CO <sub>2</sub> emission		1,337,500t CO <sub>2</sub>

\* Source: "Major greenhouse emission issues associated with commercial and industrial buildings"

The Sustainability Strategy for Huntlee will be subject to on-going development through the staged planning process set up by the Concept Plan. Elements of the Sustainability Strategy have been incorporated into the Urban Design Guidelines and Landscape Strategy. Further, Huntlee Holdings Pty Ltd commits to the further development and implementation of the Sustainability Strategy and its integration into the future planning and design of the Huntlee New Town.

## 2.8 Heritage

### Issue – Heritage conservation and interpretation

The NSW Heritage Office’s and community’s key concerns related to:

- The perceived lack of detail submitted in the Concept Plan EAR regarding the protection of Aboriginal and European sites and areas;
- Proposed deferment of the North Rothbury Colliery Conservation Management Plan post Concept Plan approval;
- Lack of detail regarding future interpretation of significant items;
- Necessity for further investigation into heritage views, landscape and cultural impacts.

### Response

Section 7.9 and Appendix T of the EAR address Huntlee’s heritage significance and the impacts of the development. Notably, the exhibited documentation states that there are no structures or sites identified across Huntlee are currently

identified as heritage items on the State Heritage Register, State Heritage Inventory, or City of Cessnock and Singleton LEPs. Notwithstanding this, Huntlee Holdings has committed to conserving items of significant heritage value, such as the Rothbury Mine.

The early stages of the Huntlee New Town proposal (including the Stage 1 Project Application currently with the Department of Planning) contain no areas of heritage significance. In fact the significant heritage areas are located within Stage 5 of the staging program which is several years away from detailed planning. On this basis, finalisation of a conservation management plan (which will also address views, landscaping, etc) prior to Concept Plan approval is not warranted.

Upper Hunter Wonnarua Land Council are currently preparing the Cultural Heritage Management Plan CHMP in collaboration with the Huntlee Aboriginal Reference Group established in October 2007. Heritage impacts will be addressed during detailed planning and will be realised through Huntlee Holdings' commitment to prepare and lodge an Aboriginal Cultural Heritage Management Plan and Conservation Management Plan(s) prior to lodgement of relevant future projects.

## 3.0 Preferred Project

On the basis of the submissions received and consultation with the Department of Planning and other government agencies, the following amendments have been made to the project to minimise any potential environmental impacts.

Accordingly, the Environmental Assessment Report and amendment to the State Environmental Planning Policy (Major Projects) 2005 (both as exhibited), together with the amendments discussed below, comprise the Preferred Project.

The revised SEPP Amendment is at **Appendix C**. The Concept Plan remains unchanged from the exhibited scheme, with the exception of the revised Statement of Commitments at **Section 4.0** of this Report.

## 4.0 Statement of Commitments

The following commitments have been compiled based on the environmental assessment undertaken in the preparation of this report and following review and consideration of issues raised in agency and community submissions. They provide a commitment by Huntlee Holdings Pty Ltd indicating the responsibilities and timing to implement measures to prevent potential environmental impacts that have been identified through assessment to ensure that the project is environmentally, socially and economically sustainable, and to outline a program of works to take forward the staged development of the Huntlee site under future project applications.

Subject	Commitments	Approved by Whom	Timing
Regional Planning Agreements	A Voluntary Planning Agreement will be executed between Huntlee Holdings and the Minister for Planning to provide for the timely delivery of regional infrastructure.	Minister for Planning	The Voluntary Planning Agreement will be executed at the time the project application for Stage 1 subdivision and works is determined.
Local Planning Agreement	A Voluntary Planning Agreement will be executed between Huntlee Holdings and Cessnock and Singleton Councils to provide for the timely delivery of local infrastructure and community services.	Cessnock and Singleton Councils	The Voluntary Planning Agreement will be executed at the time the project application for Stage 1 subdivision and works is determined.
Development Staging Plan	<p>A Development Staging Plan will be submitted prior to the application for Stage 1 subdivision and infrastructure works and revised prior to each subsequent Stage. The Staging Plan will address:</p> <ul style="list-style-type: none"> <li>▪ Total lots approved and outstanding balance</li> <li>▪ Lots proposed for each subsequent stage and any minor revisions from the concept plan approval or previous staging plan</li> <li>▪ Average lots sizes and areas</li> </ul>	Minister for Planning or delegate	With the application for Stage 1 subdivision and infrastructure works and with each subsequent stage application for subdivision and infrastructure works.

Subject	Commitments	Approved by Whom	Timing
<p>Urban Design Guidelines</p>	<p>Urban Design Guidelines will be developed to ensure design excellence is achieved in the architecture of private buildings and the public domain (streets, parks and squares). This will include building designs and standards.</p> <p>The detailed urban design guidelines will be provided as part of project or development applications for subdivision and infrastructure works for each of the neighbourhood stages and the Town Centre. The guidelines will address the following:</p> <ul style="list-style-type: none"> <li>▪ building form;</li> <li>▪ heights;</li> <li>▪ road widths;</li> <li>▪ streetscape character;</li> <li>▪ civic spaces;</li> <li>▪ parking provision;</li> <li>▪ lighting;</li> <li>▪ Water sensitive urban design;</li> <li>▪ Energy efficiency; and</li> <li>▪ Materials and colours.</li> </ul> <p>These guidelines will be submitted with project or development applications for subdivision and infrastructure works.</p> <p>The guidelines will address CPTED principles and Safer by Design best practice models. All future project or development applications will need to be in accordance with these guidelines.</p>	<p>Director General of Department of Planning</p>	<p>With the application for Stage 1 subdivision and infrastructure works. Specific urban design details for each subsequent neighbourhood will be added to the Guidelines with the application for subdivision and works for that stage.</p>
<p>Landscape and Public Domain Strategy</p>	<p>A Landscape and Public Domain Strategy for the urban areas will be prepared. The Strategy will address:</p> <ul style="list-style-type: none"> <li>▪ Recreational needs</li> <li>▪ open space functions and linkage;</li> </ul>	<p>Director General of Department of Planning</p>	<p>With the application for Stage 1 subdivision and infrastructure works. Specific Landscape and Public Domain design</p>

Subject	Commitments	Approved by Whom	Timing
	<ul style="list-style-type: none"> <li>▪ landscaping;</li> <li>▪ public domain furniture;</li> <li>▪ habitat corridors;</li> <li>▪ the interface with conservation areas;</li> <li>▪ appropriate plant species</li> <li>▪ pedestrian and cycle movement;</li> <li>▪ site interpretation.</li> </ul>		<p>details for each subsequent neighbourhood will be added to the Strategy with the application for subdivision and works for that stage.</p>
<p>Conservation Areas Plan of Management</p>	<p>A Memorandum of Understanding will be executed with the Department of Environment and Climate Change which will formalise the process and methodologies required to prepare a Plan of Management for the offset lands.</p> <p>The Plan of Management will be prepared in consultation with DECC and the local community.</p>	<p>Director General of Department of Planning</p>	<p>Prior to the determination of any development application/project application for development adjoining conservation areas.</p>
<p>Conservation Areas Interface Management</p>	<p>A separate management plan will be prepared to address the interface of the urban areas with those areas proposed to be dedicated to the NSW Government for conservation purposes. The plan will address:</p> <ul style="list-style-type: none"> <li>▪ pest and weed management;</li> <li>▪ bushfire management;</li> <li>▪ domestic pets;</li> <li>▪ habitat corridors and linkages;</li> </ul> <p>This plan will be prepared in consultation with the Department of Environment and Climate Change</p>	<p>Director General of Department of Planning</p>	<p>Prior to the determination of any development application/project application for development adjoining conservation areas.</p>
<p>Riparian Corridors</p>	<p>Riparian buffers will be defined as part of detailed project applications for each stage. Such buffers will be defined and located according to site specific characteristics, ecological factors, and stormwater engineering considerations and will be generally consistent with DWE's Guidelines for Controlled Activities - Riparian Corridors (February 2008) and associated Core Riparian Zones (CRZ) widths.</p>	<p>Consent authority</p>	<p>With the application for Stage 1 subdivision and infrastructure works and reviewed and revised with each subsequent stage application for subdivision</p>

Subject	Commitments	Approved by Whom	Timing
			and infrastructure works.
Salinity Risk & Management Plan	A Salinity Risk & Management Plan will be prepared that addresses the regeneration of native riparian vegetation in key drainage lines within the development site (amongst other matters).	Consent authority	Finalised prior to the determination of any relevant development application / project application
Infrastructure Delivery Plan	<p>A staged Infrastructure Delivery Plan which identifies the infrastructure, community, cultural and recreational facilities requirements for the new urban area will be prepared. This plan will include associated costing, apportionment of funds and delivery timeframes. The plan will be the delivery mechanism for the Voluntary Planning Agreements.</p> <p>The Infrastructure Delivery Plan will also describe the provision and timing of infrastructure such as:</p> <ul style="list-style-type: none"> <li>▪ water supply;</li> <li>▪ sewerage;</li> <li>▪ wastewater re-use;</li> <li>▪ telecommunications;</li> <li>▪ energy;</li> <li>▪ Social Facilities (community halls, childcare centres, early learning centres)</li> <li>▪ Education – The number Schools required and delivery timeframes</li> </ul> <p>The plan will submitted with the project application for subdivision and infrastructure works for the First Stage Neighbourhood and associated areas. The plan will be subsequently reviewed prior to the applications for subdivision and works for each subsequent stage.</p>	Director General of Department of Planning	With the application for Stage 1 subdivision and infrastructure works and reviewed and revised with each subsequent stage application for subdivision and infrastructure works.
Stormwater Management Plan	A Water Sensitive Urban Design (WSUD) Strategy will be prepared. The WSUD Strategy will conform to statutory, Council and DECC guidelines. This will provide detailed strategies for the management of stormwater, water detention and retention within urban area and include on-going monitoring of water quality in the Black and	Consent Authority	With the application for Stage 1 subdivision and infrastructure works and reviewed and revised with



Subject	Commitments	Approved by Whom	Timing
	Anvil Creek catchments.		each subsequent stage application for subdivision and infrastructure works.
Flooding	A more detailed flood modelling assessment will be undertaken on the tributaries of Black and Anvil Creeks within the site as part of the submission of future applications for subdivision and works to determine the full extent of flooding.	Consent Authority	With the application for Stage 1 subdivision and infrastructure works and reviewed and revised with each subsequent stage application for subdivision and infrastructure works.
Modal Split Technical Paper	<p>Consistent with the Agreement reached with the Roads and Traffic Authority and Ministry of Transport, Huntlee Holdings will prepare a Technical Paper that demonstrate the justification and assumptions for the reduced modal splits proposed by the Huntlee Concept Plan. The Paper will:</p> <ul style="list-style-type: none"> <li>▪ review the NSW Government strategy on alternate transport;</li> <li>▪ provide comparisons to other communities where higher alternate transport use have been achieved (including examples from interstate and overseas); and</li> <li>▪ review and assess current MoT and RTA technical documentation in relation to land use and transport integration strategies.</li> </ul>	Director General of the Department of Planning	Prior to the determination of the Stage 1 Project Application for subdivision and infrastructure works
F3 Extension Route	<p>If within 10 years of Concept Plan approval, the Roads and Traffic Authority confirms in writing that it will pursue the alternate F3 extension route identified in Figure 23 of the Huntlee Concept Plan Study and Environmental Assessment (prepared by JBA Urban Planning Consultants and dated October 2007), Huntlee Holdings will seek endorsement / agreement of the alternate extension route from the Director General of the Department of Planning.</p> <p>Such a request will only be pursued by Huntlee Holdings, if the Roads and Traffic Authority can demonstrate that planning approval or similar arrangements have been obtained for the alternate extension route.</p>	Director General of the Department of Planning	Within 10 years of Concept Plan approval and prior to lodgement of the detailed Project Application for Village 3

Subject	Commitments	Approved by Whom	Timing
Sustainability Strategy	A Sustainability Strategy will be developed and include a refinement of the Indicative Sustainability Targets into quantifiable targets with appropriate timeframes.	Director General of the Department of Planning	Prior to the lodgement of any Project Application, other than for demolition or early/site preparation works
Former Ayrfield Colliery Remediation and Rehabilitation Plan	<p>A Remediation and Rehabilitation Plan for the former Ayrfield Colliery areas will be prepared in consultation with relevant Government Authorities. The Plan will address the following:</p> <ul style="list-style-type: none"> <li>▪ Remediation of coarse reject emplacement areas</li> <li>▪ Rehabilitation of fine reject emplacement areas</li> <li>▪ More detailed investigations of mine subsidence and stabilisation requirements;</li> <li>▪ A Remediation Action Plan for the former landfill area</li> </ul> <p>The Plan will include comprehensive long term monitoring programs.</p>	Director General of the Department of Planning	Within six months of Concept Plan approval.
Contamination	<p>A Remediation Action Plan, following detailed site investigations, will be prepared for those areas identified in the Concept Plan assessment as having known or potential site contamination issues. The RAP will be submitted with the relevant application for subdivision and works for those particular stages of development.</p> <p>Management and monitoring measures in accordance with the Remediation notice of Preventative Action will continue in the interim.</p>	Consent Authority	On-going and to accompany applications for subdivision and works for the stage relating to the affected areas.
Acoustic Assessments	For Project Applications for residential development an Acoustic Assessment will be prepared in accordance with the EPA's Industrial Noise Policy (INP) for any project applications/development applications in proximity to identified sensitive noise receptors or any project applications proposing any significant noise generators on the site.	Consent Authority	To accompany Project Applications for each relevant stage.
Indigenous Heritage	The proponent will prepare an Aboriginal Cultural Heritage Management Plan that will address the conservation and interpretation of sites and localities of Aboriginal Cultural Heritage across the site and the future involvement of the local Aboriginal	Department of Environment and Conservation	On-going

Subject	Commitments	Approved by Whom	Timing
	community in the management of such sites.		
European Heritage	<p>The proponent recognises the recommendations of the European Heritage and Archaeology Report prepared by Hunter development Brokerage (2007) and will use this document to inform the process of developing specific Conservation Management Plans for conservation zones.</p> <p>This will also include:</p> <ul style="list-style-type: none"> <li>▪ The engagement of an appropriately experienced and qualified heritage practitioner to prepare an Interpretation Plan for the site in accordance with the NSW Heritage Office Heritage Interpretation Policy.</li> <li>▪ The proponent will undertake an Archival Recording of the site prior to works being undertaken. The archival recording is to be prepared in accordance with NSW Heritage Office Guidelines.</li> </ul> <p>The proponent will undertake Conservation Management Plans and Statements of Heritage Impact Studies when works may impact heritage items. The Conservation Management and Statement of Heritage Impact Studies are to be prepared in accordance with NSW Heritage Office Guidelines</p>	Director General of the Department of Planning / Heritage Office	Prior to the lodgement of any Project Application affecting areas identified in the Concept plan as being of heritage significance.
Bushfire Management Plan	The recommendations of the Bushfire Threat Assessment prepared by HDB Town Planning and Design will be implemented. Specific Bushfire Threat Assessments will be undertaken for each stage of the development and be submitted with applications for subdivision and works.	Minister for Planning	To accompany relevant Project Applications.

## 5.0 Conclusion

The amendments proposed in this Preferred Project Report to the State Significant Site Study and Environmental Assessment Report (EAR) for the Concept Plan for the Huntlee New Town have occurred following the consideration of submissions from the agencies, Councils and the local community.

Given the findings in the previous sections of this report, the proposed Concept Plans and State Significant Site listing for Huntlee are justified for the reasons given below.

Section 1.0 of this report outlines the process undertaken to date including public exhibition of the Concept Plan, review and consideration of all Government and community submissions, and an update on the project's status. This Section also outlines the progress of the Stage 1 Project Application, the revised Statements of Commitment and addresses landowners consent issues.

Section 2.0 provides a summary of the key issues raised in the submissions and a general response to those issues. Detailed responses to each of the issues raised in the submissions is presented in table format in Appendices A and B.

Section 2.0 demonstrates that Concept Plan approval should not be delayed any longer on the basis that:

- The proposal is specifically identified in the Lower Hunter Regional Strategy as a major urban release area able to accommodate up to 7,200 residential dwellings as part of the proposed Urban Development Program for the region;
- The Concept Plan and Draft SEPP amendment are consistent with relevant strategic and statutory plans, including the Lower Hunter Regional Strategy;
- Strategic and ongoing traffic investigations demonstrate that Huntlee New Town can provide appropriate improved modal splits;
- The VPA commitments by Huntlee Holdings to relevant State transport agencies will provide bus services within the development from Day 1;
- Flexibility has been built into the Concept Plan to reflect on-going discussions with the RTA regarding an alternative route and design of the F3 Extension. Huntlee Holdings acknowledges the benefits of retaining a streamlined option to assist the Government in delivering this significant piece of infrastructure;
- Detailed Plans of Management for the proposed conservation lands will be prepared in consultation with DECC and the local community;
- The ecological attributes of the proposal have been well documented and will be protected and enhanced through dedicated of the conservation offset lands;
- The proposal's response to managing impacts on the *Persoonia pauciflora* is addressed through the conservation offsets agreement, protection of all in-situ occurrences for up to 5 years, revised Statement of Commitments, and recent payment of \$80,000 by Huntlee Holdings to develop translocation and propagation techniques;

- Further investigations have confirmed there are no groundwater dependant ecosystems located on the site;
- Huntlee Holdings has committed to detailed project applications complying with the Department of Water and Energy's Guidelines for Controlled Activities – Riparian Corridors (February 2008);
- The Environmental Assessment and this Preferred Project Report comprehensively analyse the potential environmental impacts of the Concept Plan Development and provide a detailed justification for the development including land use, urban design principles and the proposed development staging framework;
- The assessment of the Huntlee proposal has considered potential greenhouse gas emissions from the quantum of the development including embodied energy of construction materials, construction impacts and operational energy; and
- The principles of Ecologically Sustainable Development have also been considered through a Sustainability Strategy that includes a range of targets to address all aspects of the development including energy, water, material and waste, transport, land and biodiversity, emissions and social equity. Freeway infrastructure.

The measures outlined in the comprehensive revised Statement of Commitments (Section 4.0) describe the range of strategies, guidelines and plans that will be prepared to inform the detailed design of each stage of the development and manage construction and on-going environmental impacts. Concept Plan approval is therefore clearly warranted without further delay.