



NSW GOVERNMENT  
**Department of Planning**

Contact: David Gibson  
Phone: 02 9228 6589  
Fax: 02 9228 6570  
Email: [david.gibson@planning.nsw.gov.au](mailto:david.gibson@planning.nsw.gov.au)

Our ref: S07/01260  
MP 07\_0116  
Y07/2460

Mr Gordon Kirkby  
Associate  
JBA Urban Planning Consultants  
Level 7, 77 Berry Street  
NORTH SYDNEY NSW 2060

Dear Mr Kirkby,

**Subject: Huntlee New Town Director General's Requirements – Stage 1 Project Application**

I refer to your letter and Preliminary Assessment dated 13 August 2007 for the Huntlee New Town site and your request for Director-General's environmental assessment requirements for the preparation of an environmental assessment to support the Project Application for Stage 1 of the development.

The Director-General's environmental assessment requirements were developed from information provided with your application. Section 75F(3) of the Act permits subsequent modification of the Director-General's requirements and may be invoked to address hitherto unidentified environmental impacts. If these powers are used, you will be formally notified of changes to the Director-General's requirements.

The Director-General's environmental assessment requirements are attached. The requirements have primarily been developed in light of preliminary consultation with key stakeholders and a review of the preliminary environmental assessment.

The Department acknowledges that some issues contained within this documentation may be more appropriately addressed as part of subsequent project or development applications. Nonetheless, it would be prudent to address all the requirements either within the Project Application's environmental assessment and/or the statement of commitments. To that end, all issues and requirements relevant to the Project Application should be addressed at this stage.

Once you have lodged the environmental assessment, the Department (in consultation with other agencies) will undertake a "test of adequacy" of the submitted documentation. Following that review, the environmental assessment (together with the Director-General's environmental assessment requirements) will be publicly exhibited for a minimum period of 30 days.

You should keep the contact officer for this project up to date with the preparation of the environmental assessment and, where relevant, any emerging issues. The officer, David Gibson is available during business hours on (02) 9228 6589 or via return email to [david.gibson@planning.nsw.gov.au](mailto:david.gibson@planning.nsw.gov.au).

Yours sincerely

Jason Perica  
**Executive Director**  
**Strategic Sites & Urban Renewal**

10/10/07

# Director-General's Requirements

## Section 75F of the *Environmental Planning and Assessment Act 1979*

<b>Application No.</b>	MP 07_0116
<b>Project Description</b>	<p><b>Project Application</b> approval for Stage 1 of the Huntlee New Town development, comprising:</p> <ul style="list-style-type: none"> <li>• subdivision for up to 2000 residential lots, open space and community facilities;</li> <li>• works associated with the creation of the Persoonia Park;</li> <li>• subdivision for the first stage of the employment lands;</li> <li>• subdivision for 300 rural-residential lots;</li> <li>• construction of associated community infrastructure including landscaping, open space, and recreation areas; and</li> <li>• construction of associated physical infrastructure (both on and off site) including: roads and associated intersections; stormwater management; and water supply and sewerage.</li> </ul>
<b>CIV</b>	\$80 million
<b>Site</b>	Huntlee New Town, Branxton
<b>Proponent</b>	JBA Urban Planning Consultants Pty Ltd (on behalf of Huntlee Holdings Pty Ltd)
<b>Date of Issue</b>	10 October 2007
<b>Date of Expiration</b>	10 October 2009 (2 years from date of issue)
<b>Special Provision</b>	The Minister for Planning formed the opinion pursuant to clause 6 of <i>State Environmental Planning Policy (Major Projects) 2005</i> (MP SEPP) that the project is a Major Project under Part 3A of the <i>Environmental Planning and Assessment Act 1979</i> on 1 March 2007.
<b>General requirements</b>	<p>The Environmental Assessment (EA) for the <b>Project Application</b> must include:</p> <ol style="list-style-type: none"> <li>(1) An executive summary.</li> <li>(2) A description of the proposal including: <ul style="list-style-type: none"> <li>- a thorough site analysis and description of the existing environment;</li> <li>- suitability of the site for the proposed development;</li> <li>- likely environmental impacts; and</li> <li>- justification for undertaking the project, taking into consideration the environmental impacts of the proposal, the suitability of the site and whether or not the project is in the public interest.</li> </ul> </li> <li>(3) A consideration of the following with any variations to be justified: <ol style="list-style-type: none"> <li>(a) any approved part 3A concept plan;</li> <li>(b) all relevant State Environmental Planning Policies;</li> <li>(c) applicable local planning instruments, including Cessnock LEP 1989 and Singleton LEP 1996 and relevant legislation and policies, including the Lower Hunter Regional Strategy; and</li> <li>(d) Commonwealth <i>Environment Protection and Biodiversity Conservation Act 1999</i>.</li> </ol> </li> <li>(4) A draft Statement of Commitments, outlining commitments to the project's management, provision / contribution towards infrastructure, mitigation and monitoring measures with a clear identification of who is responsible for these measures.</li> <li>(5) A conclusion justifying the project, taking into consideration the environmental and construction impacts of the proposal, mitigation measures to address these impacts, the cumulative impacts of the proposal, the suitability of the site, and whether or not the project is in the public interest.</li> <li>(6) Following consultation with relevant agencies and Councils: <ol style="list-style-type: none"> <li>(a) identify the development contributions or works in kind applicable to the site</li> </ol> </li> </ol>

	<p>or within the LGA including regional and local infrastructure, public transport, social infrastructure and community facilities (including open space); and</p> <p>(b) identify any public benefits to be provided by the development and their consistency with any current development contribution plans.</p> <p>(7) A draft Voluntary Planning Agreement (VPA) for regional infrastructure in terms acceptable to the State.</p> <p>(8) A signed statement from the author of the EA certifying that the information contained in the report is neither false nor misleading.</p> <p>(9) A report from a quantity surveyor identifying the capital investment value for the project application.</p>
<b>Key Assessment Requirements</b>	<p>The EA is to address issues raised by the Department and other agencies, summarised as follows:</p> <p><b>EPBC Act</b></p> <p>(1) Impacts on species listed under Section 18 and 18A of the <i>Environment Protection and Biodiversity Conservation Act 1999</i>;</p> <p>(2) Impacts on other threatened species, populations or ecological communities, critical habitat (including riparian habitat) and native vegetation generally;</p> <p>(3) Impacts on migratory species listed under the <i>Environment Protection and Biodiversity Conservation Act 1999</i>;</p> <p>(4) Any relevant State and Commonwealth Government Technical and policy guidelines, including the NSW Department of Planning's <i>Commonwealth Environmental Protection and Biodiversity Conservation Act 1999: Guide to implementation in NSW</i> (May 2007); and</p> <p>(5) Proposed offset measures to avoid or mitigate impacts on matters of national environmental significance.</p> <p><b>Biodiversity</b></p> <p>(1) Address the impact of the development on existing native flora and fauna and their habitats, including identified threatened species, having regard to the Threatened Species Assessment Guidelines and recommend offset measures to avoid or mitigate impacts on threatened species and their habitat.</p> <p>(2) Discuss the development of ecological corridors to link flora and fauna corridors both on and adjoining the site.</p> <p>(3) Identify the ecological attributes of the lands proposed for dedication and how the environmental land offsets scheme will mitigate the impacts of the development.</p> <p>(4) Discuss impacts of residential development on neighbouring conservation zones, including treatment of buffer areas.</p> <p>(5) Assess any potential impact on any surrounding waterways in terms of water quality and aquatic ecosystems. This should include but not be limited to:</p> <p>(a) Onsite pollution such as accidental spills and sewer overflows;</p> <p>(b) Risks such as weed invasion, encroachment and litter; and</p> <p>(c) Vegetated buffer zones.</p> <p><b>Urban Design &amp; Subdivision</b></p> <p>(1) The methodology and justification for selecting the configuration of the proposal, mix of land uses and the density of development should be outlined.</p> <p>(2) Justify residential mix in terms of lot size, dwelling density and staging.</p> <p>(3) Provide detail of how the development will incorporate the site's setting, landscape, landmark elements, view and vistas.</p> <p><b>Open Space and Conservation</b></p> <p>(1) Outline the long-term management and maintenance of any areas of open space or conservation (including off-set areas) or both, including the ownership and control, management and maintenance of funding public access revegetation and rehabilitation works and bushfire management.</p> <p>(2) Outline the timing and delivery of any conservation lands, relevant to development in Stage 1.</p> <p><b>Hydrology, Water Management &amp; Geotechnical</b></p> <p>(1) Identify the impacts of the development on the existing hydrology, hydrogeology and geology of the site.</p>

- (2) Provide a description of the design features to be incorporated into the development to guard against long term actual and potential environmental disturbances, particularly in respect of maintaining the natural hydrological regime and sediment movement patterns.
- (3) Identify the implications for development of slope stability, rehabilitation (compaction) and the presence of potential and actual acid sulfate soils if any. Outline actions, management and mitigation measures required.

#### **Traffic & Transport**

- (1) Prepare a Traffic Study in accordance with RTA's *Guide Traffic Generating Developments* that includes (but is not limited to) the following:
  - (a) Identify all relevant vehicular traffic routes and intersection for access and egress;
  - (b) Current traffic counts for all of the above traffic routes and intersections;
  - (c) The anticipated vehicular traffic generated from the proposed lots;
  - (d) Consideration of the traffic impact on the existing intersections and the capacity of the local and regional road network to safely and efficiently cater for the additional vehicular traffic generated;
  - (e) An analysis of the cumulative traffic and transport impacts of this development on the existing township and taking into consideration other proposed developments; and
  - (f) Proposed pedestrian and cycle access within and to the site that connects to all relevant transport services and key off-site locations and measures to promote the use of these.
- (2) Demonstrate compliance with any Concept Plan TMAP recommendations.

#### **Ecologically Sustainable Development (ESD) & Greenhouse Gas Emissions**

- (1) The EA should demonstrate that all aspects of the Project Application satisfy the principles of ESD including compliance with BASIX, and address the issue of provision of a sustainable water supply for the proposed development.
- (2) A comprehensive assessment of and report on the project's predicted greenhouse gas emissions is to be provided, including a report on the feasibility of measures to reduce emissions.
- (3) An Energy Savings Action Plan is to be prepared in accordance with the requirements of the DWE and the *Guidelines for Energy Savings Action Plans*, DEUS 2005.

#### **Drainage and Stormwater Management**

- (1) The EA should address drainage and stormwater management issues, including: on site detention of stormwater; water sensitive urban design (WSUD); and drainage infrastructure.

#### **Heritage**

- (1) A heritage impact statement should be prepared in accordance with NSW Heritage Office guidelines. The statement should assess the impacts of the application on the area and any significant components of the site, including the area's remnant mining heritage. The heritage significance of the area and any impacts the proposed development may have upon this significance is to be assessed.
- (2) The EA is to address the requirements set out in the draft *"Guidelines for Aboriginal Cultural Heritage Impact Assessment and Community Consultation"*.

#### **Contamination, Resources & Subsidence**

- (1) Contamination and geotechnical issues associated with the proposal should be identified and addressed in accordance with SEPP55 and other relevant legislation and guidance, particularly with regard to previous mining uses.
- (2) An appropriate buffer to the North Rothbury Quarry should be established to ensure that continued operation of the quarry is not affected by incompatible adjacent development.
- (3) A comprehensive management plan for areas that are affected by mine subsidence is to be provided.

#### **Bushfire Risk Assessment**

- (1) Provide an assessment against *Planning for Bush Fire Protection 2006*.

	<p>(2) The EA is to identify the ongoing management arrangements of any proposed APZs, in accordance with <i>Planning for Bush Fire Protection 2006</i> and the RFS document 'Standards for asset protection zones'.</p> <p><b>Utilities Infrastructure</b></p> <p>(1) Prepare a utility and infrastructure servicing strategy that includes supply of water, sewerage, stormwater, gas, electricity and telephone services.</p> <p>(2) Consideration should be given to technologies which may reduce the demand or need for servicing or provide for the supply of sustainable services.</p> <p><b>Development Staging</b></p> <p>(1) The issue of development staging should be clearly addressed in detail.</p>
<b>Consultation Requirements</b>	<p>You are to undertake an appropriate and justified level of consultation with relevant following parties during the preparation of the Environmental Assessment:</p> <ul style="list-style-type: none"> <li>• <u>Agencies</u> <ul style="list-style-type: none"> <li>(a) Singleton, Cessnock and Maitland Councils</li> <li>(b) Commonwealth Department of Environment and Water Resources</li> <li>(c) Transport Agencies, including: RTA; Ministry of Transport and RailCorp</li> <li>(d) Department of Environment and Climate Change</li> <li>(e) Department of Water and Energy</li> <li>(f) Hunter Water Corporation</li> <li>(g) NSW Rural Fire Service</li> <li>(h) Hunter-Central Rivers Catchment Management Authority</li> <li>(i) Department of Primary Industries</li> <li>(j) NSW Heritage Office</li> <li>(k) Mine Subsidence Board</li> <li>(l) Utilities and Emergency Services, including: NSW Police Service; NSW Fire Brigades; NSW Ambulance Service; Energy Australia; and Telstra</li> </ul> </li> <li>• <u>Public</u> <ul style="list-style-type: none"> <li>▪ Any relevant community groups already established and meetings timetabled; and</li> <li>▪ Any additional meetings proposed by the local member or other relevant group.</li> </ul> </li> <li>• The environmental assessment should document all community consultation undertaken to date or discuss the proposed strategy for undertaking community consultation. This should include any contingencies for addressing any issues arising from the community consultation and an effective communications strategy.</li> </ul>
<b>Deemed refusal period</b>	<p>120 days (see Clause 8E of the Environmental Planning &amp; Assessment Regulation)</p>
<b>Landowners Information</b>	<p>The consent of the landowner is to be provided in accordance with s8F of the <i>Environmental Planning and Assessment Regulation 2000</i>.</p>