



24 November 2021

«ownername»
«ownerpostal1»
«ownerpostal2»
«ownerpostal3»

Contact: Mr Peter Giannopoulos
Our Ref: DA 8/2018/539/1
Your Ref: -

Dear «ownername»

DESIGNATED AND INTEGRATED DEVELOPMENT

Proposal: The subdivision of land to create 38 industrial lots, 1 environmental conservation lot and 1 substation lot, to be delivered in six stages, the remediation of the site and removal of vegetation to ensure that the site is suitable for future occupation for industrial use

Property: 1134 John Renshaw Drive,

Lot: 1 DP: 1260203, Lot 13 DP 1097621 & Lot: 119 DP: 1154904, Black Hill

Applicant: Broaden Management P/L

Application No. 8/2018/539/1

Consent Authority: Land and Environment Court

(Note: an appeal to the Land & Environment Court has been commenced against the determination of the development application by the Regional Planning Panel. The Land & Environment Court will therefore now determine the development application)

Background to development proposal

The above development proposal was originally proposed as the subdivision of land to create 39 industrial lots and 1 environmental conservation lot to be delivered in six stages, including the remediation of the site and removal of vegetation to ensure that the site is suitable for future occupation for industrial use.

The proposal was initially exhibited to the public between 13 February 2019 and 15 March 2019, and then re-exhibited following amendments to the development application between 25 May 2019 and 29 June 2019.

The proposed development is Designated Development as defined under Schedule 3 of the *Environmental Planning and Assessment Regulation 2000*.

The proposed development is also Integrated Development as defined under Section 4.46 of the *Environmental Planning and Assessment Act 1979*. This means that additional approvals are required under other legislation. The other approvals are as follows:

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ABN 60 919 148 928

| Additional Approvals Required as an Integrated Development | |
|--|--|
| Type of Approval | Approval Agency |
| Scheduled Activities Section 43 – Environment Protection Licence, <i>Protection of the Environment Operations Act 1997</i> | Environmental Protection Authority |
| Controlled Activity Approval Section 91, <i>Water Management Act 2000</i> | Natural Resources Access Regulator |
| Aboriginal Heritage Impact Permit Section 90, <i>National Parks and Wildlife Act 1974</i> | Heritage NSW Department of Premier and Cabinet |
| Section 22 Approval, <i>Coal Mine Subsidence Compensation Act 2017</i> | Subsidence Advisory |
| Section 100B, <i>Rural Fires Act 1997</i> | NSW Rural Fire Service |

The development application was determined by the Hunter and Central Coast Region Regional Planning Panel (Panel) on the 15 October 2020 by way of refusal.

The applicant lodged an appeal with the Land and Environment Court against the Panel's refusal of the development application on 20 November 2020. The application is still before the Court for determination and is listed for hearing from 21 February 2022 to 25 February 2022.

Amendment to development proposal

On 4 November 2021 the Land and Environment Court granted leave to an amendment of the above development application.

The amendments to the development application include:

- a. Amended eastern intersection, including relocation of the intersection approximately 230 metres west along John Renshaw Drive, from where it was originally proposed on the eastern boundary of the site
- b. Reconfiguration of Lots and roads (including the provision of 2 additional roads) in Stages 1, 2 and part Stage 3 to facilitate the updated eastern intersection access and the proposed roads which have been approved on the land to the east. A comparison of the updated lot sizes are shown in Table 1.
- c. Amended western intersection, including no works proposed to Donaldson Mine land at lot 1392 in DP 1126633.
- d. Amended Landscape Plan..

For your convenience a locality map, details of the amended development proposal and documents accompanying the amended application can be accessed by utilising Council's online enquiry system, called 'Application Tracker'.

'Application Tracker' can be accessed through Council's website on <http://datracker.cessnock.nsw.gov.au> and using the above application number and then clicking on the "Documents" view link; or alternatively utilising free internet to view electronic documents at Cessnock and Kurri Kurri Libraries.

Making of submissions on development proposal

Council is inviting the public to make a submission in relation to the development proposal. The exhibition period commences on 1 December 2021 and will conclude on 19 January 2022.

Where a submission is made by way of an objection, the objection must be in writing and the grounds for objection must be clearly specified.

The views expressed in written submissions will be considered by the Land & Environment Court. If you lodge (or have previously lodged) a submission to the development proposal, Council's legal representatives will correspond with you separately about the hearing of the appeal and the opportunity for you to make submissions to the Land & Environment Court orally at the hearing of the matter.

All comments or objections should be made by utilising Council's 'Application Tracker' "Make a Submission" link which is located under the "Exhibition Details/Make a Submission" Tab. Once you have submitted your submission you will automatically receive a confirmation and copy of your submission via reply email.

Submissions are NOT kept confidential. Council releases submissions when a request is made in accordance with privacy laws and the relevant provisions under the *Government Information (Public Access) Act 2009*. When a submission is released by law, Council routinely withholds contact numbers, email addresses and signatures. Should you wish for all personal details or any information that may identify you to be withheld from the public, please advise Council of this in your submission.

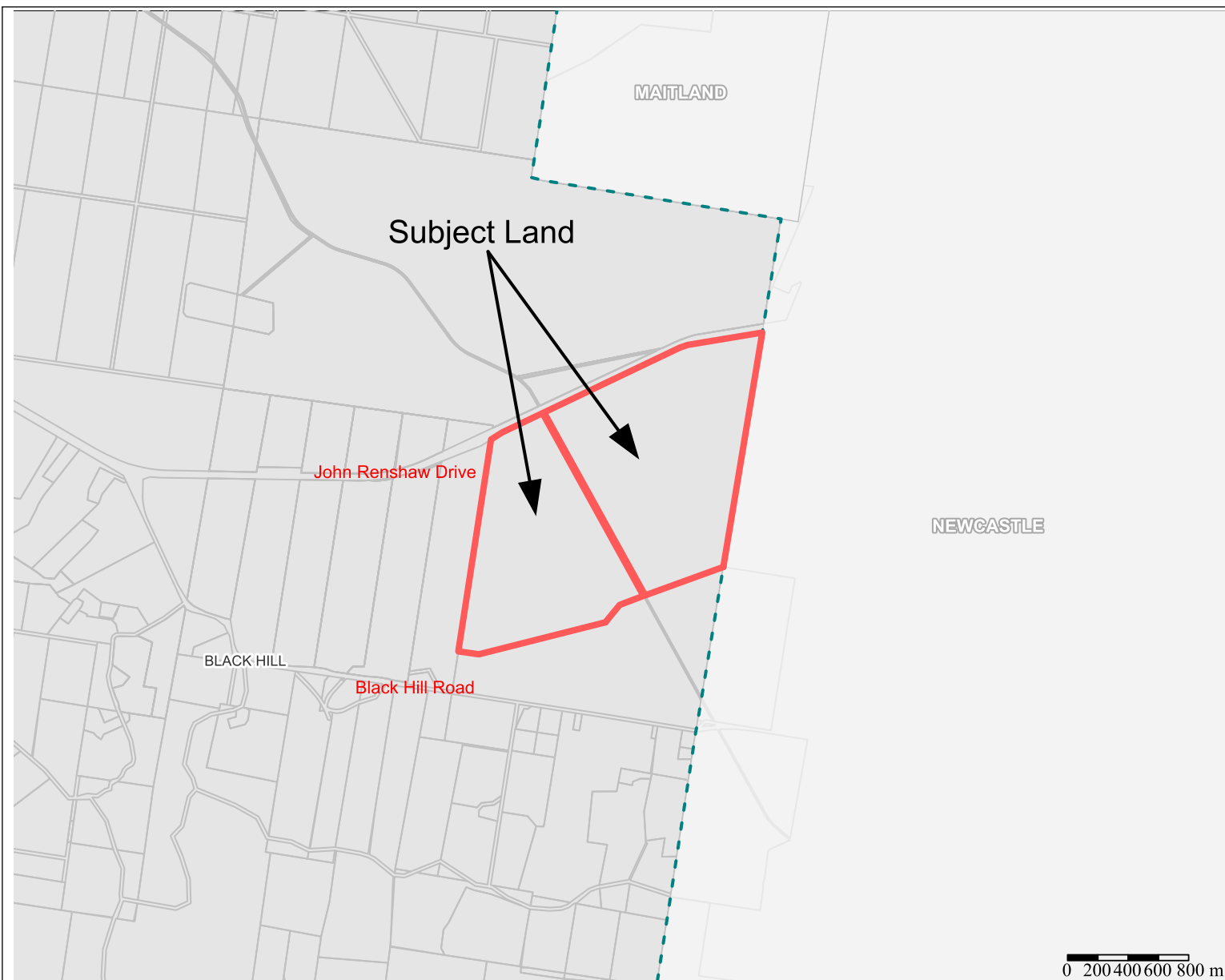
For further information, please contact Mr Peter Giannopoulos of Council's Planning and Environment department on telephone 02 4993 4112.

In light of the current COVID-19 circumstances, face to face meetings with Council Officers are not available.

Yours faithfully

A handwritten signature in blue ink, appearing to read 'P. Giannopoulos', with a stylized flourish at the end.

Peter Giannopoulos
Team Leader Development Services



Property

| | |
|-------------------------|------------------------------------|
| Parcel No | 514270 |
| Title | LOT: 1 DP: 1260203 |
| Property Address | 1134 John Renshaw Drive BLACK HILL |

Cessnock City Council
 62 – 78 Vincent Street
 Cessnock NSW 2325
 Telephone: 02 4493 4100
 Email:
council@cessnock.nsw.gov.au



Important Notice!
 This map is not a precise survey document. Accurate locations can only be determined by a survey on the ground.

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Projection: GDA94 / MGA zone 56

Date: 21/09/2021

Drawn By: Susan Parry

Subject Land Map

Map Scale: 1:36112 at A4



Property

Parcel No 514270
Title LOT: 1 DP: 1260203
Property Name
Property Address 1134 John Renshaw Drive BLACK HILL

Cessnock City Council
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Projection: GDA94 / MGA zone 56

Date: 24/11/2021

Drawn By: Whitney Walker

Map Scale: 1:36112 at A4