



PLANNING PROPOSAL
AMENDMENT TO THE CESSNOCK LOCAL ENVIRONMENTAL PLAN 2011

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1823 Wine Country Drive, North Rothbury, part Lot 245 DP 1271509

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Revision History

Revision	Description	Date
1	Submission for Gateway determination	10/07/2024
2	Planning Proposal for Public Exhibition	07/08/2024

Application No.: 18/2024/1/1
Proposal: SP2 Infrastructure - Sewerage System Local Water Centre
Parcel: 517450
Ext Ref: PP-2024-868
Proponent: Huntlee Pty Ltd

PART 1: OBJECTIVES AND OUTCOMES

Objectives

The objective of the Planning Proposal is to amend the Cessnock LEP 2011 to rezone approximately 7,800m² of land zoned R1 General Residential and MU1 Mixed Use to SP2 Infrastructure – Sewerage System to establish a local water centre (LWC) (also known as a wastewater treatment plant). The LWC will provide essential future services to support the subdivision associated with the Stage 1 Project Approval for the Huntlee New Town development.

Intended Outcomes

The intended outcomes of the Planning Proposal are:

- To provide for the delivery of an essential utility for the wider Huntlee New Town development;
- To increase the efficiency and integration of land utilisation; and
- To reduce the burden on existing wastewater infrastructure that supports the established Huntlee New Town areas.

Site Location and Context

The site is located within Lot 245 DP 1271509, addressed 1823 Wine Country Drive, North Rothbury within the Huntlee New Town. The site is positioned approximately 1.3km from the intersection between Wine Country Drive and the Hunter Expressway. The Planning Proposal was submitted by Ethos Urban on behalf of the landowners Huntlee Pty Ltd (the Proponent).

The Huntlee New Town straddles Wine Country Drive which links Cessnock in the south with the New England Highway at Branxton in the north. The site is generally bound to the north and east by the Main North Railway line (Hunter Line) and Hunter Expressway, to the south by the village of North Rothbury and to the west by Black Creek.

The subject site is outlined in Figure 1 & 2.

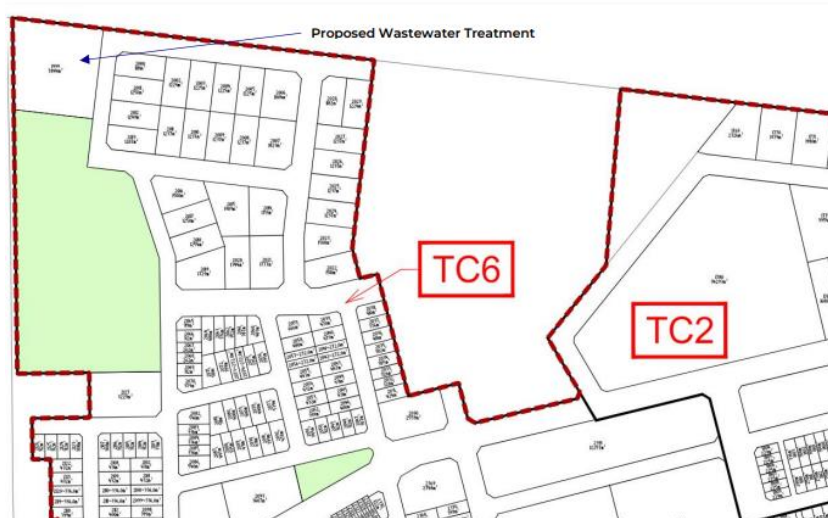


Figure 1. Subject Site in Context of Modification 21



Figure 2. Site Aerial Map

Existing Development

The existing site is devoid of any significant development and is predominantly characterised by a mix of undulating areas of woodland. The site is unaffected by any former mining and associated activities that occurred elsewhere within the overall Huntlee New Town area. However, under Mod 21 the site was categorised as an 'infrastructure, community and education' lot with roads on three sides and the surrounding lots identified as 'commercial/mixed use', open space and vacant bushland. As part of the Stage 2 Huntlee State Significant Development residential lots are proposed on the western side which is separated from the site by a road. See appendix K and L For the full lot layout and categorisation.

It is noted that the existing Huntlee LWC wastewater treatment plant operating within the existing Stage 1 sits directly adjoining existing residential properties, near Triton Boulevard and Harkin Road, and also went through a similar rezoning process to enable its delivery at the time. A map illustrating the location of the existing LWC is provided at Figure 3.

Topography

The topography of the site is characterised by an undulating terrain that falls from an east to west direction. The site is situated at a height of approximately 55-60m AHD. It is also located in proximity to the catchments of Anvil Creek and Black Creek.

Vegetation and Bushfire Hazard

The site is currently vegetated with trees. The site is located on Bushfire Prone Land and contains Category 1 Vegetation. [See appendix M for the Huntlee Stage 1 Bushfire Ratings Map.](#)

Surrounding Development

To the North

The site's northern boundary adjoins vacant vegetated land identified as a TfNSW reserve adjoining the M15 Hunter Expressway and land for Stage 2 of the Huntlee

development (SSD-54836993), which is proposed to have approximately 5,000 dwellings and associated service infrastructure. The Stage 2 development is currently under assessment.

To the East

The site's eastern boundary adjoins the currently vegetated vacant land approved for the Huntlee town centre, a mixed use land that predominantly comprises retail commercial use such as supermarkets and restaurants. .

To the South

To the south of the site is currently vacant vegetated land that is part of the Stage 1 Huntlee New Town development. This is proposed to be open space as part of the Stage 1 Development.

To the West

The site's western boundary adjoins the Huntlee Stage 2 development (SSD-54836993), which is proposed for 612 hectares of land that includes up to 5,000 dwellings, 200 large residential lots, up to 200 hectare of employment land and associated service infrastructure. The Stage 2 development is currently under assessment with the state government.

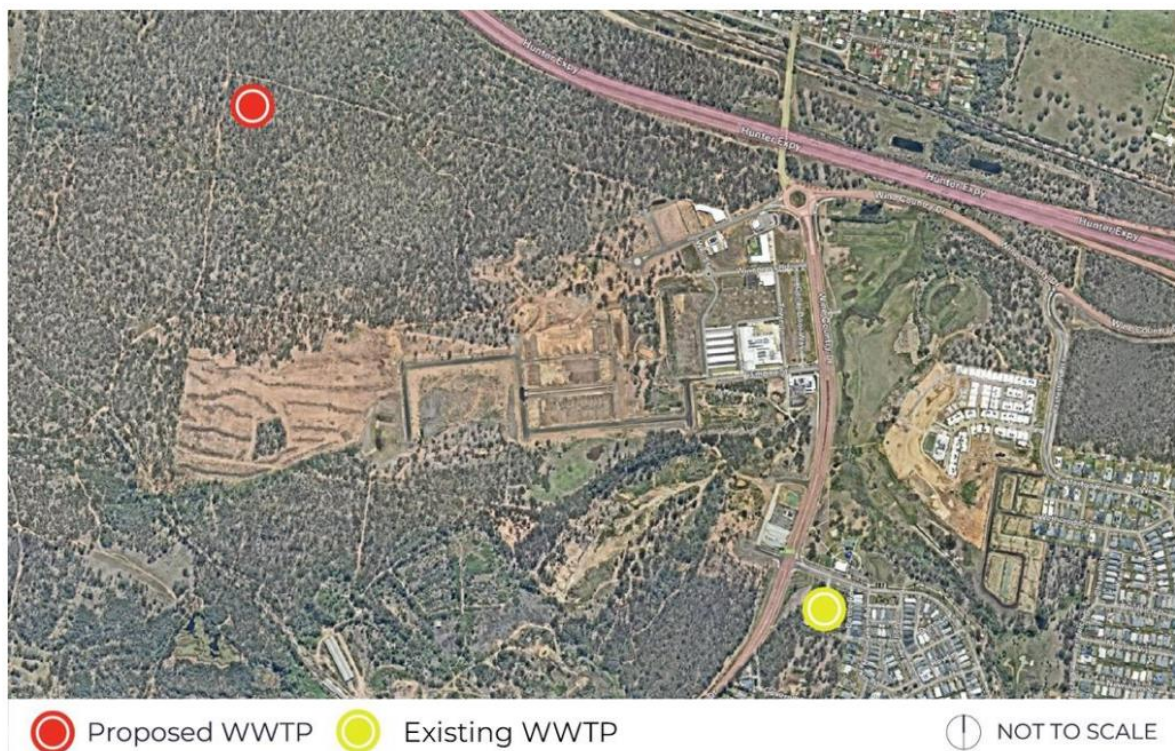


Figure 3. Existing Huntlee Local Water Centre

Indicative Reference Design

The site of the proposed rezoning is intended to facilitate the second LWC in Huntlee, which will be an extension of the existing essential services to support the ongoing subdivision of the land associated with the Stage 1 of the Huntlee New Town development. Its main functions would be to receive sewage from the reticulated sewage

system within surrounding development and then produce recycled water for reticulation to lots within the development. An indicative reference design is shown at [Figure 4](#).

It generally reflects the design of the existing LWC in Huntlee, in that it would be fully enclosed, housing plant and equipment for the treatment process. It would provide 240 m² of treatment space and a roof height ranging from 3.5 – 6.1m across its width. A second separate building would be aligned with the treatment plant, housing the treatment tanks and construction of concrete slip form panels. This building would be approximately 364m² in area and 5m in height. The site would also accommodate two large tanks to be used for storage of recycled water of 1.2 million litre capacity, approximately 5m high and 20m diameter. Further tanks would be sited to store chemicals required for operation of the facility. A hardstand area would be provided for vehicular access, delivery, landscaping and maintenance purposes.



Figure 4. Indicative Reference Design

This additional LWC would mimic the scale and operational impacts of the existing Local Water Centre. It would be designed to be scalable and would allow supply to increase in line with the anticipated residential development of Huntlee and the volume of waste to be treated at Huntlee LWC.

The operation of the additional Local Water Centre would be undertaken by Altogether Group, with the following operational characteristics:

- The facility would operate 24 hours a day, 7 days per week.
- The goods to be stored are recycled water and drinking water, which are transported by pipe system to the customers.
- Raw sewage would be stored in the interim flow balance tanks before collection within 24 hours during the interim servicing period.
- Chemicals used for treatment and dosing would be stored on site.

Once operational, the anticipated plant and equipment used in the facility would include:

-
- Screens.
 - Pumps.
 - Blowers.
 - Mixers.
 - Compressors.
 - Chemical dosing systems.
 - Tanks.
 - Electrical cabinets.
 - Instrumentation.
 - Valves and pipe work.
 - Back-up generator.

PART 2: EXPLANATION OF PROVISIONS

Explanation of provisions

Amendments to Cessnock LEP 2011

Amendments to the Cessnock LEP 2011 are sought under this Planning Proposal.

Existing Planning

The Cessnock Local Environmental Plan 2011 (Cessnock LEP 2011) is the principal environmental planning instrument applying to the Site. The existing key planning controls that apply under Cessnock LEP 2011 are outlined in Table 3 below.

Table 1. Current Cessnock LEP 2011 Key Controls

Clause	Provision / Standard
Clause 2.2 – Zoning of Land to which Plan applies	R1 General Residential MU1 Mixed Use
Clause 2.3 – Zone objective and Land Use Table	There are no archaeological, general or landscape heritage items on the site. The site is located in proximity to a number of heritage items around the Hunter Expressway and the Conservation Area in Branxton.
Clause 5.10 – Heritage Conservation	There are no archaeological, general or landscape heritage items on the site. The site is located in proximity to a number of heritage items around the Hunter Expressway and the Conservation Area in Branxton.

Land Use Zoning

This Planning Proposal seeks to amend the Cessnock LEP 2011 to rezone the site from R1 General Residential and MU1 Mixed Use to SP2 Infrastructure – Sewerage System to enable the delivery of a second LWC wastewater treatment plant at the Huntlee New Town development.

The proposed SP2 zone is a prescribed zone under Clause 2.125 of State Environmental Planning Policy (Transport and Infrastructure) 2021 and therefore would allow a LWC development as development without consent under Part 5 of the EP&A Act by Huntlee Water as a WICA licence holder.

To facilitate the proposed amendment, this Planning Proposal seeks to amend the following maps of the Cessnock LEP 2011:

- Land Zoning Map – Sheet LZN_005A.

The existing land zoning map is shown at Figure 5. The proposed land zoning map is provided at [Appendix A](#) and in Figure 6.

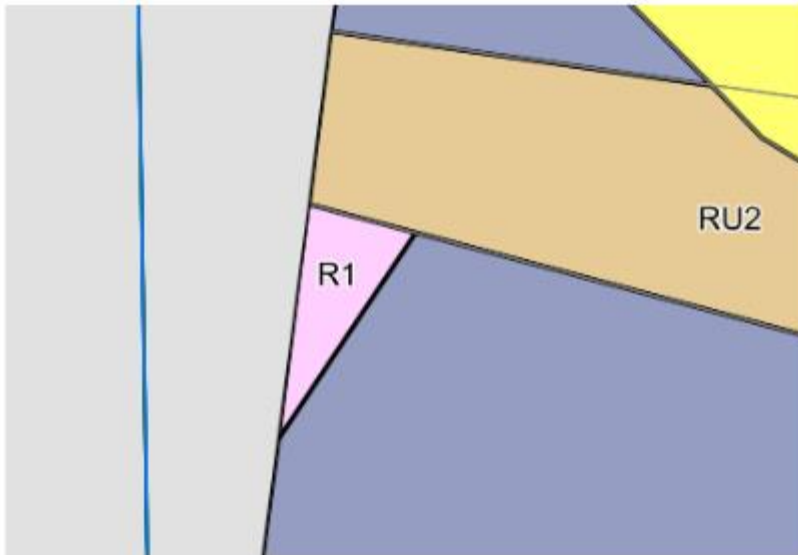


Figure 5. Existing Cessnock LEP 2011 Land Zoning Map

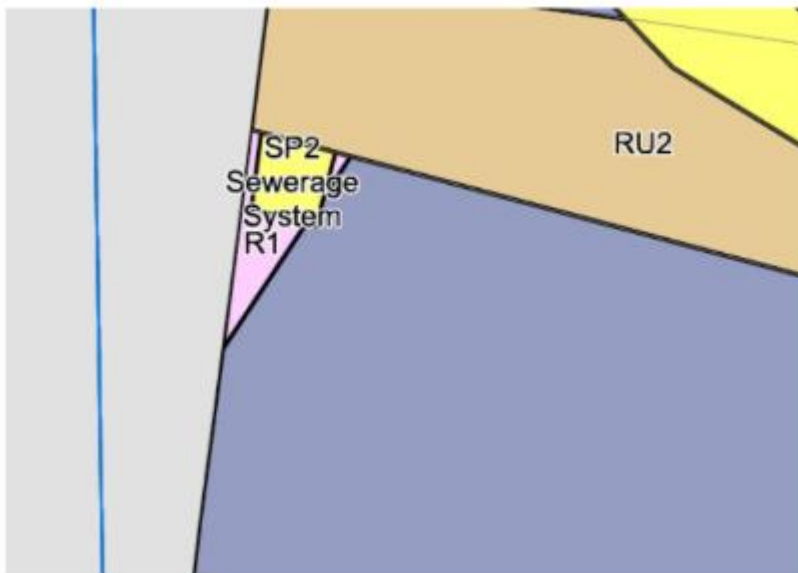


Figure 6. Proposed Amendment to Cessnock LEP 2011 Land Zoning Map (Sheet LZN_005A)

PART 3: JUSTIFICATION

The justification sets out the case for changing the zones and/or development controls on the land affected by the proposed LEP. Within the justification there are a number of specific questions that must be discussed with reasons explained.

In accordance with the Department of Planning and Environment's "Guide to Preparing Planning Proposals", this section provides a response to the following issues:

- Section A: Need for Proposal;
- Section B: Relationship to Strategic Planning Framework;
- Section C: Environmental, Social and Economic Impact; and
- Section D: State and Commonwealth Interests

Section A: Need for the Planning Proposal

1 Is the planning proposal a result of an endorsed LSPS, strategic study or report?

The Planning Proposal is not the result of a strategic study or report, although it supports the goals found within:

- Cessnock Local Strategic Planning Statement
- Hunter Regional Plan 2041
- Cessnock Housing Strategy; and
- Cessnock Jobs Strategy.

The Cessnock Local Strategic Planning Statement (LSPS) outlines planning priorities and principles to support the projected additional 6,350 dwellings by 2036 and the infrastructure and services that appropriately complement the land uses in Cessnock LGA. The LSPS also identifies Huntlee as an emerging town centre with permeability for flexible land uses to support significant projected growth in the area.

The Planning Proposal seeks to amend land zoning in accordance with approved subdivisions from Modification 21 to enable the appropriate provision of essential wastewater infrastructure that is critical for servicing the future residential development in the area. While the proposed SP2 – Sewerage System zone will slightly reduce the size and availability of existing R1 General Residential and MU1 Mixed Use zoned land, this will not affect the ability for the approved site to continue to achieve the delivery of 2,631 dwellings in the overall Huntlee Stage 1 site.

2 Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Yes. The Planning Proposal is the best means of enabling the development of a local water centre, to which the land has been approved to be subdivided for such purpose. A LWC is prohibited in the R1 and MU1 zones.

While amending the Cessnock LEP 2011 to include an additional permitted use on the site is an option, the rezoning of the site to SP2 Infrastructure – Sewerage System is the best means of ensuring the development and ongoing provision of the future water infrastructure and services to the exclusion of all other land uses, to support the demands of approved dwellings, shops and school in the Huntlee Stage 1 site.

Section B: Relationship to Strategic Planning Framework

3 Will the planning proposal give effect to the objectives and actions of the applicable regional or district plan or strategy (including any exhibited draft plans or strategies)?

Hunter Regional Plan 2041

The Hunter Regional Plan (HRP) provides the overarching strategic framework to guide development, investment and planning within the Hunter region to 2041. The HRP sets the following regionally focused goals:

- The leading regional economy in Australia
- A biodiversity-rich natural environment
- Thriving communities
- Greater housing choice and jobs
- Infrastructure-first and place-based delivery framework

The Planning Proposal responds to the relevant priorities of the HRP as it facilitates a coordinated delivery of essential water infrastructure to service the overall Huntlee Stage 1 housing development. Overall, the amendments to the Cessnock LEP 2011 will facilitate the ongoing delivery and operation of Huntlee New Town which is consistent with the requirements of the growing community.

The planning proposal site is located within the Anambah to Branxton regionally significant growth corridor. Huntlee is identified within the Hunter Regional Plan 2041 as part of this growth area and to be able to ensure the infrastructure requirements are met for the growing area a second Local Water Centre has been requested by Huntlee Pty Ltd.

The Planning Proposal is consistent with the following directions and/or actions of the HRP:

PLANNING PRIORITY 1: Create housing diversity and sequenced development.

To ensure the sequenced development of Huntlee the Local Water Centre will allow for planned stages of development based on expected infrastructure that will be provided by the Local Water Centre.

OBJECTIVE 7: Reach net zero and increase resilience and sustainable infrastructure.

Huntlee Local Water Centre 2 will continue to recycle waste water at Huntlee and provide Huntlee properties with recycled water.

Greater Newcastle Metropolitan Plan

The Greater Newcastle Metropolitan Plan (GNMP) sets out strategies and actions that will drive sustainable growth across Cessnock City, Lake Macquarie City, Maitland City, Newcastle City and Port Stephens, which together make up Greater Newcastle. The plan also helps to achieve the vision set in the Hunter Regional Plan 2041 for the Hunter to be the leading regional economy in Australia with a vibrant new metropolitan city at its heart.

The Planning Proposal is consistent with the following strategies and/or actions of the Greater Newcastle Metropolitan Plan:

- Strategy 17: Unlock housing supply through infrastructure coordination and delivery.
The Planning Proposal will facilitate the infrastructure coordination process to deliver essential water infrastructure and service in alignment with housing delivery at the Huntlee Stage 1 site to support residential operational needs.

4 Is the planning proposal consistent with a council LSPS that has been endorsed by the Planning Secretary or GSC, or another endorsed local strategy or strategic plan?

Cessnock Local Strategic Planning Statement 2036 (LSPS)

The Cessnock Local Strategic Planning Statement 2036 (LSPS) establishes a 20-year vision for land use planning in the Cessnock LGA. The LSPS sets out the important character and values, which are to be preserved and establishes planning principles to manage land use planning in the future.

Table 2. The following planning priorities and principles are relevant to the proposal.

Planning Priority and Principle	Consistency with Planning Priority
Planning Priority 5: Infrastructure and services meet the needs of our community and area appropriately funded	
5.1. Infrastructure for new development is appropriately planned and funded	The Planning Proposal indicates a local water infrastructure that has been identified as part of a coordinated planning process with the overall Huntlee Stage 1 site, as specified in Modification 21, which is critical to delivering essential water infrastructure and services as means to enable a well-serviced greenfield housing development.
5.4. Rezoning land for urban purposes will be prioritised in areas where existing infrastructure capacity exists	The rezoning of R1 General Residential and MU1 Mixed Use land to SP2 Infrastructure –Sewerage System has been identified as necessary to deliver essential water infrastructure that is appropriate in relevance to the future surrounding housing, retail and community development.
Planning Priority 11: Our City has a defined hierarchy of commercial centres	
11.1. Our centres exist in a logical hierarchy that reflects the catchment that they serve	The rezoning of MU1 Mixed Use land to SP2 Infrastructure – Sewerage System for the purpose of essential water infrastructure is necessitated due to the future demands of water treatment services in Huntlee New Town. The coordinated delivery of housing, commercial and essential service infrastructure (i.e. the LWC) will not

	reduce the capacity of future commercial opportunities for existing MU1 land.
Planning Priority 15: Key infrastructure is leveraged to support economic growth	
15.3. Land-use and infrastructure planning are aligned to maximise the use and capacity of existing infrastructure and development is appropriately sequenced	The Planning Proposal represents a coordinated planning process with the rest of Huntlee Stage 1 development that responds to the demand for additional local water infrastructure which is required to improve and maximise use and capacity of future residential land use at Huntlee New Town.

Community Strategic Plan - Our People, Our Place, Our Future

The Cessnock Community Strategic Plan 2036 (CSP) identifies the community's main priorities and expectations for the future and ways to achieve these goals. The vision of the CSP is:

Cessnock will be a cohesive and welcoming community living in an attractive and sustainable rural environment with a diversity of business and employment opportunities supported by accessible infrastructure and services which effectively meet community needs.

A range of strategic directions are provided which relate to the social, environmental and economic health, sustainability and prosperity of the Cessnock LGA. The Planning Proposal is consistent with the following themes of the CSP:

2.1.3 We have adequate industrial and employment lands and thriving commercial precincts

The Planning Proposal will support the functioning of employment lands within Huntlee.

3.3.1 We divert more of our waste for recycling or re-processing

3.3.2 We promote waste avoidance

The LWC will reduce waste in Cessnock LGA by creating recycled water for use within Huntlee.

Cessnock Urban Growth Management Plan (UGMP)

The Cessnock Urban Growth Management Plan (UGMP) was adopted by Council on 17 March 2021. The plan quantifies the amount of land available for residential development across Cessnock LGA, identifies future investigation areas and defines how and when these investigation areas will be brought forward. The UGMP also considers future reserves of commercial and industrial land. The plan includes a set of eight values that guide Council's assessment for future planning need to be satisfied in order for an investigation area to be progressed. The Plan references the residential potential of Huntlee and how the new neighbourhood centre of Huntlee will be established to 'serve the needs of the future population'. The planning proposal will permit the development of a LWC which will facilitate the release of housing on land indented for residential development.

Cessnock Housing Strategy

The Cessnock Housing Strategy (CHS) was adopted by Cessnock City Council on 19 May 2021 and provides a strategic framework to determine roles, directions and outcomes for housing needs of Cessnock LGA. The CHS aims to achieve between 6,350 and 11,000 additional residential dwellings in proximity to work, community and recreational facilities in Cessnock LGA by 2036.

Generally, the Planning Proposal supports the delivery of diverse housing in proximity to commercial, retail and recreational facilities at Huntlee by providing essential water infrastructure and service that provides high amenity and capacity for diverse housing in the region.

Cessnock Jobs Strategy

The Cessnock Jobs Strategy (CJS) provides a series of strategies to promote productivity, investment, employment opportunity diversity and innovation, and sustainable economy in Cessnock LGA for the next 15 years. The CJS supports aims to strengthen local employment as means to position Cessnock as a desired place of residence, visitation and employment. The Planning Proposal responds to the productivity strategy to provide infrastructure that supports economic development. The planning proposal will facilitate provision of essential water infrastructure, a form of foundational facility, that will increase the capacity of services for wastewater removal to enable the appropriate and potential increase to operations of commercial activities in the Huntlee New Town area.

5 Is the planning proposal consistent with any other applicable State and regional studies or strategies?

A 20-year Economic Vision for Regional NSW

The Economic Vision for Regional NSW seeks to drive sustainable, long term economic growth in regional NSW

The planning proposal is consistent with the principles of this strategy, notably:

- The Hunter is identified as a metro satellite town, the planning proposal is supporting growth and infrastructure of the Hunter.

State Emergency Management Plan (EMPLAN)

The State Emergency Management Plan (EMPLAN) provides a coordinated and comprehensive approach to emergency management in NSW. The Plan identifies the importance of land use planning in prevention of impacts of hazards on the community.

The planning proposal has considered bushfire and flooding hazards as part of the assessment. As the site is located within a Category 1 bushfire zone the Planning Proposal will be referred to RFS for comment and will also have a full bushfire assessment at the DA stage. This will ensure the site is well located for a local water centre and reduce the risk of damage in future emergencies.

The zoning will also allow for a second local water centre to be built which will help to manage Huntlee residents access to water and sewage services in times of emergency.

6 Is the planning proposal consistent with applicable SEPPs?

An assessment of relevant SEPPs against the planning proposal is provided in the table below.

Table 3. Relevant State Environmental Planning Policies

SEPP	Consistency and Implications
State Environmental Planning Policy (Biodiversity and Conservation) 2021	Not relevant to the proposed LEP amendment.
State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004	This alignment with this SEPP can be assessed at the DA stage.
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008	Not relevant to the proposed LEP amendment. Notwithstanding, future development on the site may be classified as exempt or complying development.
State Environmental Planning Policy (Housing) 2021	Not relevant to the proposed LEP amendment.
State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development	Not relevant to the proposed LEP amendment.
State Environmental Planning Policy (Planning Systems) 2021	Not relevant to the proposed LEP amendment.
State Environmental Planning Policy (Primary Production) 2021	Not relevant to the proposed LEP amendment.
State Environmental Planning Policy (Resilience and Hazards) 2021	Consistent. The previous rezoning of the site to the R1 and MU1 zone in 2015 considered contamination of the site. The site's rezoning confirms that the site is suitable for residential use. As such, the site is also considered suitable for use as a wastewater infrastructure.
State Environmental Planning Policy (Resources and Energy) 2021	Not relevant to the proposed LEP amendment.
State Environmental Planning Policy (Transport and Infrastructure) 2021	Consistent. The proposed SP2 infrastructure zone is a prescribed zone under Section 2.125 of State Environmental Planning Policy (Transport and Infrastructure) 2021 and therefore would allow the local water centre development as a Part 5 activity under the EP&A Act by Huntlee Water as a WICA licence holder.

7 Is the planning proposal consistent with applicable Ministerial Directions (section 9.1 Directions)?

An assessment of relevant Section 117 Directions against the planning proposal is provided in the table below.

Table 4. Relevant Section 117 Ministerial Directions

Ministerial Direction		Consistency and Implications
Planning Systems		
1.1	Implementation of Regional Plans	Consistent. The Planning Proposal is consistent with Hunter Regional Plan

		2041 in that it will enable the delivery of essential infrastructure to support new housing development.
1.3	Approval and Referral Requirements	Not relevant to the proposed LEP amendment.
1.4	Site Specific Provisions	Not relevant to the proposed LEP amendment.
Planning Systems – Place-based		
Design and Place		
Biodiversity and Conservation		
3.1	Conservation Zones	Not relevant to the proposed LEP amendment.
3.2	Heritage Conservation	Not relevant to the proposed LEP amendment.
3.5	Recreation Vehicle Areas	Not relevant to the proposed LEP amendment.
Resilience and Hazards		
4.1	Flooding	Not relevant to the proposed LEP amendment.
4.2	Coastal Management	Not relevant to the proposed LEP amendment.
4.3	Planning for Bushfire Protection	Consistent. The site is located within 'Category 1' Bushfire Prone Land. A Bushfire Threat Assessment was prepared by MJD Environmental as part of Modification 21 of the Huntlee Major Project Approval which recommended design considerations in accordance with Planning for Bushfire Protection 2019 including for the site. These recommendations are considered for the location of the site proposed to be rezoned. Future development of the local water centre must incorporate the recommendations of the Bushfire Threat Assessment provided in Modification 21. Due to the site's location on the north-western boundary of Stage 1 of Huntlee New Town, the site is subject to a temporary 100m Asset Protection Zone buffer to the west and a variable APZ to 29m on the northern boundary. See appendix F for the Bushfire Threat Assessment. Details on the final design will be provided at the development assessment stage.
4.4	Remediation of Contaminated Land	Consistent. The previous rezoning of the site to the R1 and MU1 zone in 2015 considered contamination of the site. The site's rezoning confirms that the site is suitable for residential use. As such, the site is also considered suitable for use as a wastewater infrastructure.
4.5	Acid Sulfate Soils	Not relevant to the proposed LEP amendment.

4.6	Mine Subsidence and Unstable Land	Not relevant to the proposed LEP amendment.
Transport and Infrastructure		
5.1	Integrating Land Use and Transport	Not relevant to the proposed LEP amendment.
5.2	Reserving Land for Public Purposes	Not relevant to the proposed LEP amendment.
5.3	Development Near Regulated Airports and Defence Airfields	Not relevant to the proposed LEP amendment.
5.4	Shooting Ranges	Not relevant to the proposed LEP amendment.
Housing		
6.1	Residential Zones	Consistent. While the area of land zoned for residential development is proposed to be reduced. The Planning Proposal will ensure that future housing will be adequately serviced.
6.2	Caravan Parks and Manufactured Home Estates	Not relevant to the proposed LEP amendment.
Industry and Employment		
7.1	Business and Industrial Zones	Consistent. While employment land is proposed to be slightly reduced, the Planning Proposal promotes the objective of this direction to support the viability of identified centres, by providing the necessary wastewater infrastructure required to service future mixed-use development.
Resources and Energy		
8.1	Mining, Petroleum Production and Extractive Industries	Not relevant to the proposed LEP amendment.
Primary Production		
9.1	Rural Zones	Not relevant to the proposed LEP amendment.
9.2	Rural Lands	Not relevant to the proposed LEP amendment.
9.3	Oyster Aquaculture	Not relevant to the proposed LEP amendment.

Section C: Environmental, Social and Economic Impact

8 Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected because of the proposal?

Modification 21 to Huntlee State Significant Development approved the clearing of the site and concluded that the site clearing would not result in any biodiversity impacts. The site is currently occupied by and surrounded by bushland, however the broader Huntlee New Town development including the site, is certified under Clause 34A(4) of the Biodiversity Conservation (Savings and Transitional) Regulation 2017, with a Biodiversity Exemption Certificate granted by the Office of Environment and Heritage on 25 October 2018, which certified that:

-
- the Huntlee New Town Development is part of a relevant planning arrangement for which the biodiversity impacts of the proposed development have been satisfactorily assessed before 25 August 2017, and
 - conservation measures to offset the residual impact of the proposed development on biodiversity values after the measures required to be taken to avoid or minimise those impacts have been secured into the future.

Therefore, all impacts from the approved clearing of the site have been adequately considered. Refer to the Ecological Assessment prepared (Appendix G).

9 Are there any other likely environmental effects of the planning proposal and how are they proposed to be managed?

A detailed assessment of the environmental effects as a result of this proposal is identified in Section 7.0. Relevant management measures are identified where appropriate and, on this basis, no unacceptable impacts are likely to result from this rezoning request or future development on the site.

Design of Huntlee LWC 2 will be the same as that of Huntlee LWC 1 which has been operating for at least 5 years. It should be noted that there have been no complaints regarding odour from Huntlee LWC 1 since commencement of operation.

SLR conducted a series of odour intensity surveys, as part of an Odour Impact Assessment, to provide information on the current odour levels (intensity and characteristics) in the vicinity of Huntlee LWC 1.

During operations, the main risk to local air quality would be odour emissions from the plant from the following sources:

- Odour Control Unity (OCU) stack.
- Membrane Tanks.
- Bioreactors.
- Pre- and Post- Anoxic Tanks.

The membrane tanks, bioreactors and pre and post anoxic tanks are enclosed within the structure of the LWC building and pose little threat to the external environment.

Based on the maximum extent of the odour emissions detected in the vicinity of Huntlee LWC 1, the prevailing wind directions and the location of the future sensitive receptors, potential odour impacts from the operation of Huntlee LWC 2 are summarised as follows:

“Slightly adverse” – that is, odour impacts are considered to be acceptable or tolerable at the future sensitive receptors within 100 m of the OCU Stack. The Odour Impact Assessment concluded that whilst odours from the Huntlee LWC 2 may occasionally be detected up to approximately 100 m downwind of the site, it is unlikely that they would be for a duration or magnitude such that significant nuisance impacts would be experienced.

10 Has the planning proposal adequately addressed any social and economic effects?

Yes. While there will be short term socioeconomic impacts arising from construction impact and associated traffic impact, it is noted that the local water centre will be constructed prior to the completion of new dwellings in Town Centre 6. Therefore, a limited population, if any, will be exposed to these short term socioeconomic construction impacts.

In the long term, the Planning Proposal will result in positive socioeconomic benefits for the local community and businesses as it will enable the provision of essential future water infrastructure and services to support the approved dwellings, shops and school in Stage 1 of Huntlee. These include the approved subdivision in Modification 21 including 355 residential lots, 26 commercial mixed-use lots, 1 infrastructure lot and 5.67 ha of public open space. Moreover, the local water centre will provide reticulated recycled water to properties in Huntlee, which will contribute to the maintenance of green open spaces.

Overall, the socio-economic impacts of the Planning Proposal are considered to be positive.

Section D: Infrastructure (Local, State and Commonwealth)

11 Is there adequate public infrastructure for the planning proposal?

The Planning Proposal does not generate the need for increased public infrastructure. Rather, the Planning Proposal will provide public infrastructure for the Huntlee New Town development to meet and support its projected infrastructure needs.

Wine Country Drive provides the main connection between North Rothbury and Cessnock. The carriageway comprises two sealed lanes and operates as a tourist road for the Hunter Valley Wineries. Major upgrades to Wine Country Drive are currently being undertaken as part of the Stage 1 approval for Huntlee. The upgrades include a realignment of the road carriageway and the installation of new intersections.

The roads directly surrounding the site have not been built but the road design can be seen in the Huntlee Road Hierarchy Appendix N.

Section E: State and Commonwealth Interests

12 What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway determination?

At the pre-planning proposal stage the scoping paper was referred to Hunter Water, The Department of Planning and Environment, Biodiversity and Conservation Division and NSW Rural Fire Service.

Where necessary, further consultation with relevant authorities will be undertaken as required in accordance with the Gateway Determination. State and Commonwealth authorities will have the opportunity to provide comment on the planning proposal as part of its formal exhibition.

PART 4: MAPS

PART 5: COMMUNITY CONSULTATION

This part of the planning proposal should outline the community consultation that is to be undertaken in respect of the proposal, having regard the requirements set out in the guide.

Community consultation will be conducted in accordance with the NSW Local Environmental Plan Making Guidelines, Cessnock Community Participation Plan and the Gateway Determination.

PART 6: PROJECT TIMELINE

The project timeline is to assist with tracking the progress of the Planning Proposal through the various stages of the consultation and approval process. A completion date is to be added.

Table 5. Indicative project timeline.

Stage	Timeframe and/or date
Consideration by council	June
Seek Gateway Determination	July
Gateway determination	August
Pre-exhibition	August-September
Commencement and completion of public exhibition period	September
Consideration of submissions	October
Post-exhibition review and additional studies	November
Council Meeting	November
Submission to the Department for finalisation (where applicable)	November
Gazettal of LEP amendment	December

Appendices

[Appendix A: Proposed Land Zoning Map - Sheet LZN 005A PP-2024-868](#)

[Appendix B: Survey Plan PP-2024-868](#)

[Appendix C: Indicative Reference Scheme PP-2024-868](#)

[Appendix D: Supporting Information for a Planning Proposal to Rezone to SP2 PP-2024-868](#)

[Appendix E: Stormwater Management Strategy \(Modification 21\) PP-2024-868](#)

[Appendix F: Bushfire Threat Assessment \(Modification 21\) PP-2024-868](#)

[Appendix G: Ecological Assessment \(Modification 21\) PP-2024-868](#)

[Appendix H: Traffic Impact Assessment \(Modification 21\) PP-2024-868](#)

[Appendix I: Phase 1 Environmental Site Assessment PP-2024-868](#)

[Appendix J: Aboriginal Objective Due Diligence Assessment \(Modification 21\) PP-2024-868](#)

[Appendix K: MOD22 R3 - LOT COUNTS](#)

[Appendix L: Huntlee Stage 2 Concept Plan](#)

[Appendix M: Bushfire Ratings Huntlee Stage 1](#)

[Appendix N: MOD21 ROAD HIERARCHY](#)

[Appendix O: Council Report and Minutes](#)

As per Cessnock City Council's Planning Proposal Policy, Planning Proposals supported by the Strategic Planning Team can be forwarded to the State Planning body without being reported to the Council. Councillors are instead sent a memo and can request the Planning Proposal go to a Council Meeting.

Council's Planning Proposal Policy can be found on Council's website at:

<https://www.cessnock.nsw.gov.au/Council/Forms-and-documents/Policies/Planning-Proposal-Policy>

