

Additional copies
to P + E.



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1st Floor, 44 Church Street
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ABN 35 078 017 508

T (02) 4933 6682

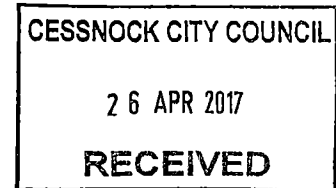
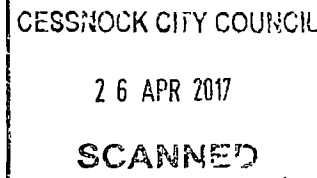
F (02) 4933 6683

W hdb.com.au

File Ref: 15/29

24 April 2017

General Manager
PO Box 152
Cessnock NSW 2325



Attention: Sarah Hyatt

Subject: Request for additional information DA-8/2016/557/1
Staged Consent for Integrated Tourist, Golf & Residential Development

I refer to your email to Mathew Egan, dated 30th March 2017, regarding a request for additional information on the abovementioned development application, and provide our response below.

1. General

It should be noted that this DA seeks staged consent for proposed Concept Masterplan in accordance with Sec 83B of *EP&A Act 1979*, as such; the staged development application itself satisfies the requirements of a development control plan (Sec 83C).

The DA also seeks consent for *Stage 01* of the development being Community Title Subdivision of the subject site into 4 super lots, to establish boundaries for future stages of the proposal. No works are proposed within *Stage 01*.

Please find enclosed **Attachment 01 Revised Concept Masterplan** in response to comments made by the Council and relevant referral authorities. All plans proposed in the abovementioned DA will be adjusted in accordance with this revised masterplan, however, staging remains same as originally proposed. Amended plans will be submitted to the Council upon receiving formal approval for this *revised masterplan* from Council and referral authorities.

2. Rural Fire Services

Please note that HDB submitted a formal response to Rural Fire Services in response to these comments with a letter from *Mrs. Leena Sebastian*, dated 06 Apr 2017. Please find enclosed **Attachment 02** for a copy of this letter.

3. DPI Water guidelines for controlled activity approvals

Comments from *DPI Water* are noted, and taken into consideration in developing the revised concept masterplan.



4. Water licensing requirements

It is noted that the site currently holds 100 Mega Liter allocations from the Hunter Valley Wine Country Private Irrigation District. There is no intention to seek an additional WAL as a part of this proposal

5. Road closure (existing unnamed road)

Duggan Mather Surveyors (DMS) has been engaged to carry out works for a road closure application with *Land & Property Information NSW*. Please refer to enclosed **Attachment 03** for written evidence provided by *DMS* on current status of this application. Outcome of this application will be notified to the Council, when available.

6. Concept subdivision plan (4 lot community title super lot subdivision)

Requirement of a subdivision plan for proposed *Stage 01* is noted. Please refer to enclosed **Attachment 04** subdivision plans in accordance with the *revised concept masterplan*. All residential lots and road reserves have sufficient dimensions to support future stages of the development, in accordance with Council DCP requirements.

However, it should be noted that all proposed roads will be managed under a community title, in accordance with the proposed staged development application, as such; DCP subdivision guidelines do not apply in this instance

7. Draft community management statement

Please refer to **Appendix S** of the SEE lodged as a part of the abovementioned DA for a copy of the *Draft Community Management Statement*.

8. Detailed dimensioned plan for Riparian corridor widths

Please refer to enclosed **Appendix 01 & 04** for dimension plans indicating details of riparian corridor widths in accordance with *DPI Water guidelines for riparian corridors on waterfront land*.

9. Further flood assessment for proposed Lots 304 & 305

Proposed lots 304 and 305 are serviced by 'Road section 1' as indicated by **Appendix 05 Road layout plans**. Reference is made to 'Road 1- long section' that indicates flood (1:100 year event) free access can be provided to these lots.

10. Concept engineering designs for internal roads

Please find enclosed **Appendix 05** - concept engineering plans for proposed roads, including road long sections.

11. Aligning boundaries with 'The Vintage' development

Concept engineering designs provided under **Appendix 05** align with the intersection (road section) approved within 'The Vintage' Development. Please refer to enclosed **Appendix 06** for an extract from approved plan of subdivision for 'The Vintage'.

12. Authority over proposed roads

All roads proposed within the concept masterplan and stage01 will be privately owned and operated under a community title.

I trust this will address the requirements with regard to the above issues, and that the assessment of this DA will proceed efficiently



Please be advised that in addition to the abovementioned issues, *The Department of Planning and Environment* advised us that a 'Secretary's Certificate' for satisfactory arrangement of designated state infrastructure, has been issued for the subject DA on 18th Apr 2017. Enclosed **Attachment 07** contains a copy of this certificate for your reference.

Should you require further assistance or clarification on these matters, please don't hesitate to contact me.

Thank you.

Yours sincerely

HDB Town Planning & Design



Kanishka Guluwita

Planner/ Urban Designer

Enc:

<i>Attachment 01 – Revised Concept Masterplan (Rev B)</i>	x 6 copies
<i>Attachment 02 – Copy of the letter responding to RFS comments</i>	x 1 copy
<i>Attachment 03 – Written evidence on road closure application</i>	x 1 copy
<i>Attachment 04 – Revised plan of subdivision (Rev B)</i>	x 6 copies
<i>Attachment 05 – Concept engineering plans for road sections</i>	x 6 copies
<i>Attachment 06 – An extract from approved plan for 'The Vintage'</i>	x 1 copy
<i>Attachment 07 – Copy of 'Secretary's certificate' for SIC arrangement</i>	x 1 copy



ATTACHMENT 01

REVISED CONCEPT MASTERPLAN

ATTACHMENT 02

COPY OF THE LETTER RESPONDING TO RFS COMMENTS

File Ref: 15/029

6 April 2017

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Sarah Hyatt
Senior Planning Assessment Officer
Cessnock City Council
PO Box 152
CESSNOCK NSW 2325

Attention: Sarah Hyatt

**Response to RFS's comments on Integrated Residential and Tourist
Development at Lots 2-4 DP 869651 and Lot 11 DP 1187663, Wine Country
Drive, Lovedale (DA 8/2016/557/1)**

Dear Sarah,

I refer your email dated 30/3/2017 requiring us to address the comments from Rural Fire Service (RFS) on the proposed Integrated Residential and Tourist Development on Wine Country Drive and provide the following information for further assessment. Each of RFS' comments is listed below in italics followed by the response.

1. Details of the mechanisms proposed to be implemented at Stage 1 to ensure the ongoing management of land / provision of Asset Protection Zones (APZ) required within the recreation lot (Lot 2) for future residential and community / tourist sites within Lots 3 and 4.

At Stage 1 of the proposal four superlots of sizes ranging from 7 ha to 161 ha will be created. This is essentially a paper subdivision to facilitate further development of the site into the proposed golf course, residential and tourist components and provisioning of the required infrastructure. While it is essential to demonstrate the capability of these lots to accommodate the required APZs in Stage 1, its implementation is not considered necessary at this stage as the resultant lots will not have any active use that warrants bushfire management.

The mapping provided in Appendix B of the Bushfire Threat Assessment shows that the clearing required for the establishment of APZs for the entire development lies within the recreation lot (Lot 2) created in Stage 2 where the



Golf Course is proposed. Therefore the APZs for the proposal will be established with the development of the Golf Course (Lot 2) in Stage 2. Although the future ownership and management of proposed Lot 2 is not known at this stage to provide details of the ongoing management mechanism for the APZ, it should be noted that the Golf Course will be constructed and managed to international standards. This provides assurance on the involvement of a premier management company in the management / maintenance of the APZ in conjunction with the golf course maintenance

1. Consideration of the need for the provision of Asset Protection Zones along the proposed access roads where woodland areas abut the road network.

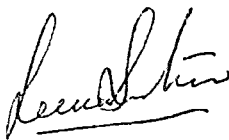
The clearing proposed as part of development will significantly reduce the woodland assemblage in the vicinity of the proposed access roads to areas of low threat vegetation. Refer to the enclosed drawing BTA 102 and Section 5.1 and Appendix B (Drawing No BTA101) of the Bushfire Threat Assessment report. Some of these fuel reduced areas will be less than 1 ha and hence fall under the exclusions in section 2.2.3.2 of AS3959-2009. There will be adequate fire break between the proposed access road and the larger areas of vegetation that are retained on the site.

The extent of identified threat will be considerably reduced with the construction of access roads and establishment of the golf course. The proposed access roads will not be adjoined by expansive areas of vegetation that provides connectivity to other identified threats. The proposed road network will therefore be able to ensure the safe entry / exit of fire fighters and occupants without the need for any APZ.

I trust this information satisfactorily addresses the concerns raised in RFS' letter dated 11th January 2017 and I would welcome the opportunity to discuss further should there be any concerns.

Yours sincerely

HDB Town Planning & Design



Leena Sebastian

Town Planner

Enc: Details of vegetation in the vicinity of the proposed access roads - Drawing No. BTA 102





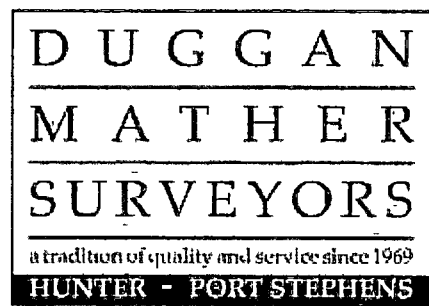
ATTACHMENT 03

WRITTEN EVIDENCE ON ROAD CLOSURE APPLICATION

Our Ref

2016201 CCC 2017 04 20

20 April 2017



The General Manager
Cessnock City Council
PO Box 152
CESSNOCK NSW 2325

Attention **Planning & Development**

Dear Sir/Madam

Re **Proposed Development within Lots 2 & 3 DP 869651 & Lot 11 DP 1187663**
Wine Country Drive, North Rothbury

We have been engaged by HDB Town Planning & Design to complete the following works.

- 1 Preparation of Plan For First Title Creation And Road Closing Under The Roads Act 1993, reference 2016201 DP1 (attached)
- 2 Preparation of a Compiled Plan consolidating Lot 11 DP1187663, Lots 2-4 DP869651 and road closed in item 1

The plan for the road closure in item 1 has been finalised and arrangements being made for endorsement by the registered proprietors. Following this the plan will be lodged for registration at LPI.

The Compiled Plan will be lodged with LPI shortly after the registration of the road closure plan. Depending on how long it takes to arrange endorsement we expect the road to be consolidated with the adjoining parcels around July 2017.

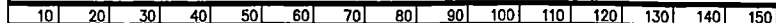
Should you require further clarification or information please do not hesitate to contact our office.

We thank you for your consideration in the above matter.

Yours faithfully

DUGGAN MATHER SURVEYORS

Brenton Hanckel
Registered Surveyor





Department
of Industry
Lands

File Reference: 16/06720
Your Reference: 15/29

Date	29 / 8 / 16	File	15 / 29
Action To	KG	Folio	40267
Task			
Due		Completed	
/ /		Date / /	

PO Box 2215, DANGAR NSW 2309
Phone: 1300 886 235
Fax (02) 4925 3517
maitland.crownlands@crowland.nsw.gov.au
www.crownland.nsw.gov.au

26 August 2016

HDB Town Planning & Design
PO Box 40
MAITLAND NSW 2320

Dear Kanishka Guluwita

Re: Search Results (Third Party Search Road at Lot 11 DP 1187663 and Lots 2-4 DP 869651 Wine Country Drive, Lovedale)

I refer to your letter dated 4 August 2016 requesting a status search of the above mentioned road. A desktop analysis and search of office records has been undertaken which indicates the road in question is not a Crown Road.

You may wish to undertake further investigations with land & Property Information as the land in question may possibly be residual land of the original subdivision.

Contact details for Land & Property Information are as shown below:

1 Prince Albert Road
Queens Square
Sydney NSW 2000
1300 052 637 - cost of local call Australia wide
+61 2 9228 6666 - international
GeneralEnquiry@lpi.nsw.gov.au

Should you have any further questions regarding this matter please do not hesitate to contact our office.

Yours faithfully

Melissa Grainger
Property Services Officer
Department of Industry - Lands

1 Prince Albert Road
Queens Square
Sydney NSW 2000

GPO Box 15
Sydney NSW 2001
DX17 Sydney

T 61 2 9228 6666
www.lpi.nsw.gov.au

KANISHKA GULUWITA

Your Reference: Reserved Road

Our Reference: 2016M7100(1262)

Thursday, 6 October 2016

Re: Reserved Road shown in DP869651

I refer to your email of 30 August 2016 and advise that you need to seek the services of a legal searching company who would be able to search the LPI records to ascertain the correct status of the reserved road you are inquiring about.

If you require any further information in regard to this matter please contact Peter Tesoriero on telephone (02) 9228 6817.

Des Mooney

Registrar General

ATTACHMENT 04

REVISED PLAN OF SUBDIVISION

ATTACHMENT 05

CONCEPT ENGINEERING PLANS FOR ROAD SECTIONS

ATTACHMENT 06

AN EXTRACT FROM APPROVED PLAN FOR 'THE VINTAGE'

APPENDIX 07

COPY OF 'SECRETARY'S CERTIFICATE' FOR SIC ARRANGEMENT



Mr Stephen Glen
General Manager
Cessnock City Council
PO Box 152
CESSNOCK NSW 2325

Dear Mr Glen

**Re: Satisfactory Arrangements Certificate – DA 8/2016/557/1 – 1054, 1058 & 1184
Wine Country Drive, Lovedale - (Lots 2-4 DP 869651, Lot 11 DP 1187663)**

I write in relation to development application DA 8/2016/557/1 which proposes the development of an Integrated Tourist Development in Seven (7) Stages, including an 18 Hole Golf Course, 50 Room Hotel, 250 Serviced Apartments, 300 Residential Lots and Ancillary Function Centre & Aboriginal Heritage Centre, Retail & Food Outlet and Spa & Recreation Facilities - Masterplan Approval and Stage 1 - Four (4) Lot Community Title Subdivision.

The Department has assessed your request for satisfactory arrangements in relation to DA 8/2016/557/1 and I hereby confirm that satisfactory arrangements are in place for contributions for state infrastructure.

Please find attached a satisfactory arrangements certificate for DA 8/2016/557/1.

Please note, any future development application to further subdivide the subject land will require a separate satisfactory arrangements certificate.

Should you have any further enquiries, please contact Alan Ngo at the Department of Planning and Environment on (02) 9274 6538.

Yours sincerely

Brendan Nelson 18/4/17
Deputy Secretary
Growth, Design and Programs

Encl: Satisfactory Arrangements Certificate – DA 8/2016/557/1

Secretary's Certificate

Satisfactory Arrangements for designated State public infrastructure

Development Application DA 8/2016/557/1

In accordance with the provisions of clause 6.1 in the *Cessnock Local Environmental Plan 2011*, I, Brendan Nelson, Deputy Secretary, Growth, Design and Programs, as delegate for the Secretary of the Department of Planning and Environment, certify that satisfactory arrangements have been made to contribute to the provision of designated State public infrastructure in relation to:

Development application number:	DA 8/2016/557/1
Address:	1054, 1058 and 1184 Wine Country Dr, Lovedale 2325 NSW
Development application description:	Staged Development - Integrated Tourist Development in Seven (7) Stages Proposing an 18 Hole Golf Course, 50 Room Hotel, 250 Serviced Apartments, 300 Residential Lots and Ancillary Function Centre & Aboriginal Heritage Centre, Retail & Food Outlet and Spa & Recreation Facilities - Masterplan Approval and Stage 1 - Four (4) Lot Community Title Subdivision
Map at Attachment A:	Yes



Brendan Nelson
Deputy Secretary
Growth, Design and Programs

Date: 18/4/17

(as delegate for the Secretary)

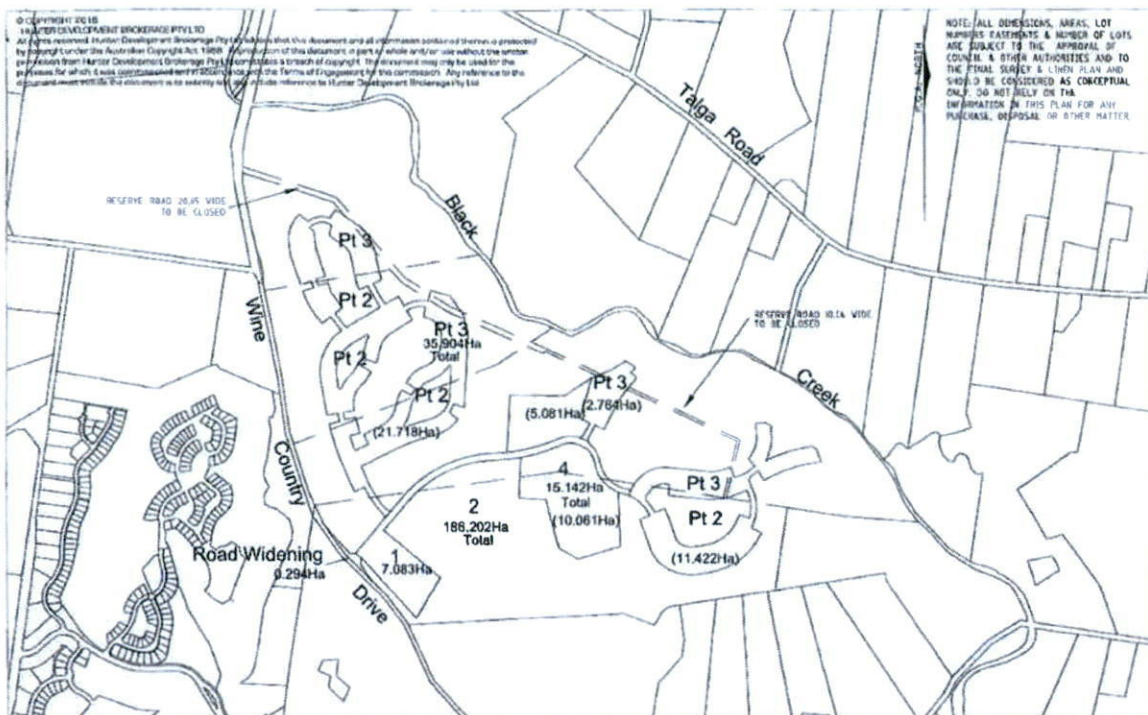
**the satisfactory arrangements certificate is being issued in relation to the above development application only and any future development application to subdivide the subject land will require a separate satisfactory arrangements certificate.*

Secretary's Certificate

Satisfactory Arrangements for designated State public infrastructure

Development Application DA 8/2016/557/1

Attachment A



Drawn: AOB
Date: 19/7/2016
HDB Job No. 15/029
Scale: 1:10000 @ A3

Proposed Plan of Subdivision
Lot 11 DP 1187663 & Lot 2 - 4 DP 869651
Wine Country Drive
Lovedale

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