

COUNCIL ASSESSMENT REPORT

HUNTER AND CENTRAL COAST REGIONAL PLANNING PANEL

PANEL REFERENCE & DA NUMBER	PPSHCC-373 – DA 8/2025/424/1
PROPOSAL	Commercial Premises (Woolworths Supermarket, Liquor Outlet, and a Kiosk) and Nine (9) Commercial Premises
ADDRESS	LOT: 296 DP: 1240825 11 Empire Street, NORTH ROTHBURY LOT: 1096 DP: 1299003 1823 Wine Country Drive, NORTH ROTHBURY
APPLICANT	FABCOT Pty Ltd
OWNER	Huntlee Pty Ltd
DA LODGEMENT DATE	17.07.2025
APPLICATION TYPE	Integrated Development (<i>Coal Mine Subsidence Compensation Act 2017</i>)
REGIONALLY SIGNIFICANT CRITERIA	Section 2.19(1) and Schedule 6 (Section 2) of <i>State Environmental Planning Policy (Planning Systems) 2021</i> , declares the proposal regionally significant development as: <ul style="list-style-type: none"> Development that has an estimated development cost of more than \$30 million.
EDC	\$53,439,638 (excluding GST) \$58,783,602 (including GST)
CLAUSE 4.6 REQUESTS	N/A
KEY SEPP/LEP	<ul style="list-style-type: none"> <i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i>; <i>State Environmental Planning Policy (Industry and Employment) 2021</i> <i>State Environmental Planning Policy (Planning Systems) 2021</i>; <i>State Environmental Planning Policy (Resilience and Hazards) 2021</i>; <i>State Environmental Planning Policy (Sustainable Buildings) 2022</i> <i>Cessnock Local Environmental Plan 2011</i>.
TOTAL & UNIQUE SUBMISSIONS ISSUES SUBMISSIONS UNIQUE KEY IN	Nil

<p>DOCUMENTS SUBMITTED FOR CONSIDERATION</p>	<ul style="list-style-type: none"> • <i>Statement of Environmental Effects (Issue: C, dated 7.08.2025)</i> • <i>Architectural Plans (Rev: B; dated 2.10.2025)</i> • <i>Landscape Plan (Rev: 07; dated 7.10.2025)</i> • <i>Civil Engineering Plan (Rev: C; dated 1.10.2025)</i> • <i>Traffic Report (Ref: 12455/2; dated June 2025)</i> • <i>Acoustic Report (Rev: 3; dated 12.06.2025)</i> • <i>Preliminary Site Investigation Report (Rev: V02, dated 12.06.2025)</i> • <i>Waste Management Plan (Ver: F01, dated 5.06.2025)</i> • <i>Cost Estimate Report (dated 12.06.2025)</i> • <i>Update to final documents being relied upon for determination</i>
<p>SPECIAL INFRASTRUCTURE CONTRIBUTIONS (S7.24)</p>	<p>N/A</p>
<p>RECOMMENDATION</p>	<p>Approval</p>
<p>DRAFT CONDITIONS TO APPLICANT</p>	<p>YES</p>
<p>SCHEDULED MEETING DATE</p>	<p>19 May 2026</p>
<p>PLAN VERSION</p>	<p>Variable as per above</p>
<p>PREPARED BY</p>	<p>Hamish Mackinnon, Senior Planning Assessment Officer (Cessnock City Council)</p>
<p>DATE OF REPORT</p>	<p>4 May 2026</p>

EXECUTIVE SUMMARY

Development Application No. 8/2025/424/1 seeks approval to establish Commercial Premises (Woolworths Supermarket, Liquor Outlet, and a Kiosk) and Nine (9) Commercial Premises. Specifically the application includes the following:

- Woolworths supermarket, including direct to boot and home delivery facility;
- Liquor outlet;
- Nine (9) commercial premises;
- A Kiosk;
- Associated earthworks, carparking and landscaping.

The site is located within the MU1 Mixed Use zone pursuant to Section 2.3 of the Cessnock Local Environmental Plan (CLEP) 2011.

According to the definitions in Section 4 (contained in the Dictionary), the proposal satisfies the definition of a commercial premise which is a permissible use with consent in the MU1 zone.

The land currently comprises two (2) parcels, one large irregular super lot known as Lot 1096 DP 1299003 and a rectangular lot known as Lot 296 DP 1240825. The larger lot has an approximate area of 107.9 hectares, with the smaller lot being approximately 0.27 hectares.

It is noted that the development footprint of the proposed development has already been cleared and bulk-earthworks have been undertaken as part of the Huntlee Major Project Approval (MP10_0137(as amended)),

Also, as part of MP10_0137(as amended), a new road will be constructed along the southern boundary of the site (Grocers Lane) which connects to Town Lane and Bakehouse Road, with Bakehouse Road to be extended to Wine Country Drive.

No new roads are proposed as part of this development.

The site is located within the establishing/expanding town centre area and will provide additional options for the local community.

Pursuant to Section 4.46 of the *Environmental Planning and Assessment Act 1979* ('EP&A Act') the application is integrated development with the following agency required to be consulted:

- *Subsidence Advisory NSW (s22 Coal Mine Subsidence Compensation Act 2017)* – Approval to alter or erect improvements, or to subdivide land, within a mine subsidence district, General Terms of Approval have been issued, dated 3 March 2026.

The application was placed on public exhibition in accordance with Council's Community Participation Plan from 18 August 2025 until 1 September 2025, with no submissions being received as a result of the public notification.

The application is referred to the Hunter and Central Coast Regional Planning Panel ('the Panel') as the development is 'regionally significant development', pursuant to Section 2.19(1)

and Schedule 6 (Section 2) of *State Environmental Planning Policy (Planning Systems) 2021* which identifies the development as regionally significant given it is '*Development that has an estimated development cost of more than \$30 million*'.

It is considered that the site is suitably located for the proposed development, as it is within the establishing Huntlee town centre (MP10_0137 (as amended)).

The development as proposed is consistent with the public interest as it is considered that the public interest is served by the approval of the application for a new supermarket complex, containing a Woolworths Supermarket and additional vacant commercial premises.

The proposed development is recommended for approval as the development is generally consistent with applicable EPIs, and development controls and is a planned outcome for the development site and the locality in general.

Following assessment of the matters for consideration under Section 4.15(1) of the EP&A Act, the provisions of the relevant State Environmental Planning Policies, the proposal can be supported.

Following a detailed assessment of the proposal, pursuant to Section 4.16(1)(b) of the EP&A Act, DA 8/2025/424/1 is recommended for approval subject to the draft conditions contained at **Attachment A** of this report.

1. THE SITE AND LOCALITY

1.1 The Site

- The land currently comprises two (2) parcels, one large irregular super lot known as Lot 1096 DP 1299003 and a rectangular lot known as Lot 296 DP 1240825. The larger lot has an approximate area of 107.9 hectares, with the smaller lot being approximately 0.27 hectares.
- The proposed development is part of the Huntlee New Town, which was rezoned in December 2010. The Major Project Approval (MP10_0137 (as amended)) Stage 1 of Huntlee was approved by the Planning Assessment Commission on the 24 April 2013.
- The subject site has main frontage to Empire Street, with secondary frontages to Bakehouse Road, Grocers Land and Town Lane.
- The site is located in close proximity to the existing development within the town centre area, which will improve the existing streetscape.
- The topography of the site is such that the land falls towards the east from the west, with a high point at Bakehouse Road of RL 52.7m falling to a of RL 43.30m at Town Lane, which is a height change of approximately 9.5m.
- The site does not contain any existing vegetation and earthworks have been conducted on the site in relation to the Major Projects Approval.
- The site is partially mapped as being within a Mine Subsidence District (Branxton Mine Subsidence District); the development has been assessed by Subsidence Advisory NSW as integrated development in accordance with s22 of the *Coal Mine Subsidence Compensation Act 2017*, with General Terms of Approval issued.

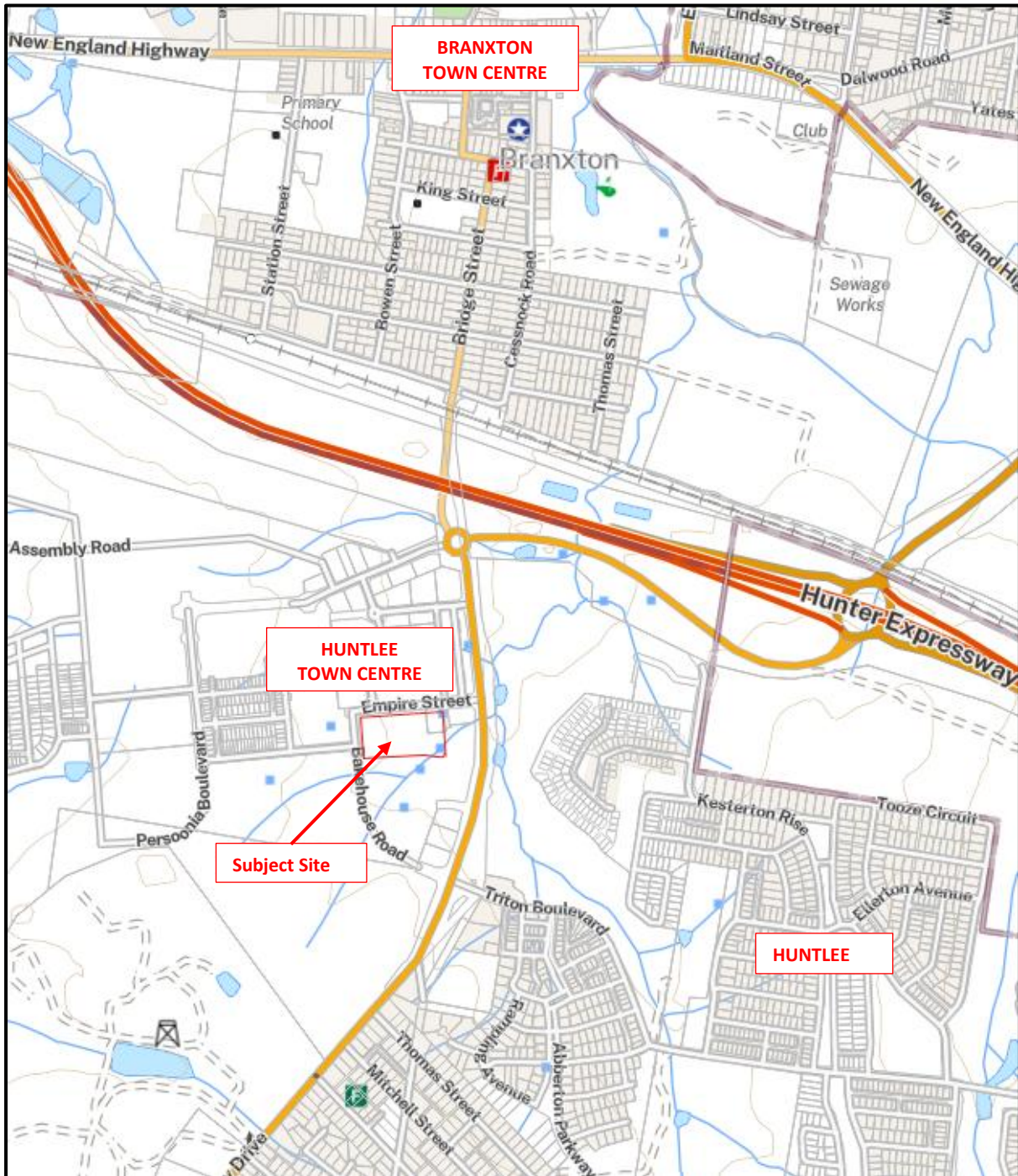


Figure 1: Location Map



Figure 2: Aerial Photograph

Site Photographs (28 April 2026)



Figure 3: Looking South at the site from Town Lane



Figure 4: Looking West at the site from Town Lane



Figure 5: Looking South at the site from the corner of Town Lane and Empire Street



Figure 6: Looking South-west at the site from Empire Lane (new roundabout)



Figure 7: Looking East down Empire Lane (towards new roundabout)



Figure 8: Looking South-west at the site from Empire Lane (Well Street intersection)



Figure 9: Looking East at the site from Bakehouse Road



Figure 10: Existing substation on Bakehouse Road



Figure 11: Looking North-east at the site from corner of Bakehouse Road and Grocers Lane



Figure 12: Looking south along Bakehouse Road towards Grocers Lane intersection (and location of Bakehouse Road future extension.

1.2 The Locality

- Adjoining development consists of a mixed-use supermarket complex and a hotel. Development within the locality is predominately mixed-use commercial uses (of similar bulk and scale) and single dwelling residential development.
- The site is located within an expanding new town centre area, which is to cater for the growing residential population within the locality.
- The proposed development of the Huntlee New Town identified within Council's Development Control Plan.
- The subject development is within close proximity to enable connection to existing services. The nearest bus stop in proximity to the site is identified as being located on the eastern side of Wine Country Drive.

2. THE PROPOSAL AND BACKGROUND

2.1 The Proposal

Development Application No. 8/2025/424/1 seeks approval to establish a Woolworths supermarket development comprising the following elements:

- Woolworths supermarket, including direct to boot and home delivery facility;
- Liquor outlet;
- Nine (9) commercial premises;
- A Kiosk; and
- Associated earthworks, carparking and landscaping.

Details of each building are provided below:

Ground Level

The ground level of the proposed development incorporates the following:

- Vehicular access off Empire Street via a roundabout (constructed completed by the Huntlee developer in accordance with MP10_0137 (as amended)), for use by staff and visitors;
- A second vehicular access point off Grocers Lane at the south of the site (Grocers Lane to be delivered by the developer in accordance with MP10_0137 (as amended));
- A loading dock accessed off Grocers Lane;
- At grade pedestrian access to and through the site provided in multiple locations along Empire Street as well as Grocers Lane to the south;
- At grade carparking area on the eastern side of the site providing 404 car spaces (inclusive of 6 EV spaces and 8 accessible spaces), 8 motorcycle spaces, 26 bicycle spaces and loading bays. Trolley bays are provided at regular locations throughout the carpark. The car park is proposed to be treated with shade sails and canopy trees throughout; and
- Areas of feature landscaping provided adjacent to the site entrance off Empire Street.

Building A

Building A is a two (2) storey building positioned on the western side of the site. Building A has frontage to Empire Street, Bakehouse Road and the future Grocers Lane. Building A includes the following:

- Mall area adjacent to the western side of the carpark which provides high amenity pedestrian access to the proposed commercial premises;
- Liquor store and Woolworths supermarket on the western side of the car parking area;
- A 42m² kiosk within the mall area;
- A 331m² commercial premise fronting Empire Street and the proposed mall area;

- A 742m² commercial premise with associated outdoor dining area which is centrally positioned and presents to the Empire Street entry, the car parking area and mall;
- A 492m² commercial premise on the southern side of the site, with pedestrian access off the carparking area and mall;
- A 206m² commercial premise adjoining Woolworths and fronting the mall area;
- A 592m² commercial premise with pedestrian access off Bakehouse Road and ground level lobby at Empire Street.
- Amenities facilities;
- A 3,444m² full line Woolworths supermarket including associated receiving and services rooms and team room;
- 175m² liquor outlet;
- A 528m² Woolworths direct to boot and fleet delivery facility to the Woolworths supermarket. Direct to boot car parking spaces are provided adjacent to the facility;
- Loading dock in the south-western corner of the site, with access off Grocers Lane; trolley store, waste room, commercial loading dock and truck waiting bay;
- Lobby area to first floor commercial at Empire Street;
- Plant room;
- Services rooms; and
- Condenser deck.

Building B

Building B is a single storey building, positioned central to the site at the Empire Street frontage. Building B is a 187m² commercial premise.

Building C

Building C is a two (2) storey building located at the corner of Empire Street and Town Lane. Building C comprises the following:

- A 618m² commercial premise in the north-eastern corner of the site which presents to Empire Street;
- A 160m² commercial premise with frontage to Town Lane and Empire Street, including associated future outdoor dining area adjacent to Town Lane;
- Electrical services node; and
- Services and hydraulic pump room

Key features of the landscape design include:

- Feature landscaping at the site entry off Empire Street which incorporates:
 - Feature tree planting with associated lighting;
 - Bench seating integrated with planting;
 - Feature pot plants;

- Integrated tables which encourage visitor usage;
- Sandstone boulder features; and
- Textured feature paving
- A landscape feature delineating the pedestrian entry to the mall area from the carpark, comprising feature paving and tree planting;
- Landscaped setback off Bakehouse Road which provides opportunities for layer landscaping, including the planting of trees;
- Border landscaping along the northern boundary of the site;
- The use of climbers and groundcovers adjacent to the proposed eastern retaining wall; and
- Canopy tree planting at the southern end of the proposed carpark.

Proposed signage includes:

- A freestanding pylon sign at the Empire Street vehicular entry to the site;
- Cantilevered pylon signs at the Empire Street frontage;
- Façade, blade and canopy tenant signage across the site;
- Various Woolworths façade signs;
- Direct to boot façade signage; and
- Trolley bay parking.

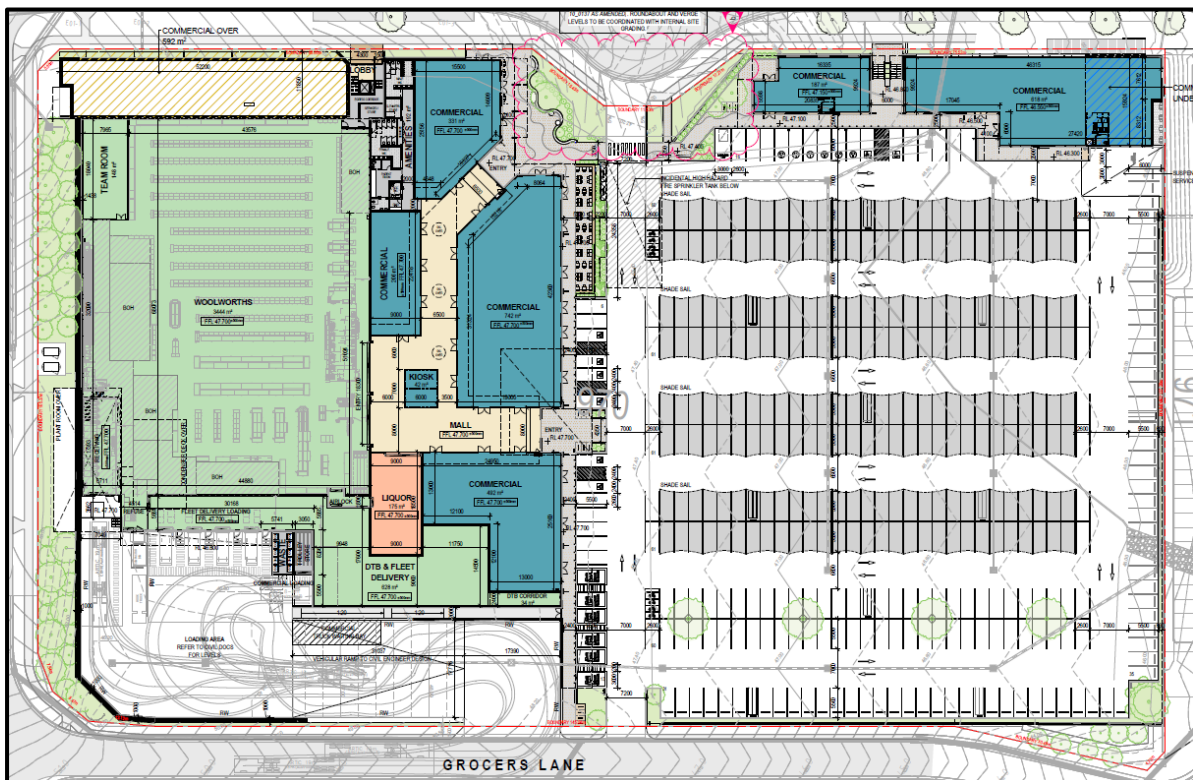


Figure 13: Proposed development

A pre-lodgement meeting was held prior to the lodgement of the application on 14 March 2025 where various issues were discussed and the proposal (as presented at the meeting) appeared satisfactory with regards to compliance with the provisions of the Act and Council policies, Council were generally supportive of the concept presented.

The following additional considerations were to be implemented within the final proposal to be submitted to Council:

- Demonstrated pedestrian access in relation to the proposed roundabout and adjacent developments.
- Consider the Huntlee DCP requirements in relation to:
 - Parking; and
 - Street activation
- The proposed development is located within a mine subsidence district and as such Subsidence Advisory NSW should be consulted before the application is lodged, or Council will undertake a referral to them as part of the application.

Following a review of the application the above have been addressed to the satisfaction of Council.

The development application was lodged on **17 July 2025**. A chronology of the development application since lodgement is outlined below:

Table 1: Chronology of the DA

<i>Date</i>	<i>Event</i>
17 July 2025	DA lodged
30 July 2025	Request for Information from Council to applicant based on outcome of preliminary assessment.
31 July 2025	Internal referrals undertaken: <ul style="list-style-type: none"> • Development Engineering • Contributions
4 August 2025	Internal referral complete: <ul style="list-style-type: none"> • Contributions – Conditions provided
7 August 2025	Applicant submits requested additional information
8 August 2025	Application referred to Subsidence Advisory (SA) NSW via the NSW Planning Portal
8 August 2025	Application referred to Planning Panel via NSW Planning Portal assigned PPSHCC-373
12 August 2025	Applicant provided update in relation to roundabout issues
12 August 2025	Application referred to NSW Police via email – No response
13 August 2025	Internal referral complete: <ul style="list-style-type: none"> • Development Engineering – RFI

18 August 2025	Public exhibition of the application for 14 days
28 August 2025	SA NSW requests additional information
28 August 2025	Assessing officer contacts applicant to advise that SA NSW has requested additional information
3 September 2025	Discussed roundabout and SA NSW issues with applicant
29 September 2025	Assessing officer contacted applicant requesting update in relation to issues relating to the roundabout design
1 October 2025	Applicant provided update regarding roundabout issue
10 October 2025	Additional plans submitted relating to the change to the proposed roundabout design
13 October 2025	Assessing officer requested that all plans submitted are to reflect the change to the proposed roundabout design
17 October 2025	Amended plans submitted as requested
24 October 2025	Follow-up referral sent to NSW Police – No response
24 October 2025	Internal referrals undertaken: <ul style="list-style-type: none"> • Development Engineering (RFI response) • Community Planner
7 November 2025	Internal referral complete: <ul style="list-style-type: none"> • Development Engineering – Conditions provided
13 November 2025	Internal referral complete: <ul style="list-style-type: none"> • Community Planner – Conditions provided
18 November 2025	Follow up applicant regarding information required by SA NSW
21 November 2025	Applicant provided update regarding progress of providing information required by SA NSW
12 December 2025	Applicant provided update in relation to providing the required SA NSW information
23 January 2026	Applicant provided further update in relation to providing the required SA NSW information
13 February 2026	Applicant submitted information in relation to SA NSW request
4 March 2026	SA NSW provided GTAs and stamped plans
31 March 2026	SA NSW provided a response that confirmed that the plans are substantially the same and that new plans do not need to be stamped
1 May 2026	Assessment Report complete
19 May 2026	Panel briefing

2.2 Site History

Historical Use of the Site

The subject site was historically utilised for agricultural purposes, which was generally limited to grazing.

The site was predominantly characterised by regrowth woodland, following logging associated with the former Ayrfield No. 3 Colliery activities in the 19th and 20th centuries.

Some dwellings were located on the land, however have since been demolished.

Rezoning

Huntlee was rezoned in December 2010 by the then former Minister for Planning. The decision to rezone the subject land was overturned by the Land and Environment Court following a challenge of the decision on 7 July 2011. Ultimately, the NSW Court of Appeal overturned the Land and Environment Court's decision on 8 December 2011. The rezoning of the Huntlee New Town Site comprises approximately 1,702 hectares for the purpose of a large-scale residential and mixed-use development.

Huntlee Major Project Approval

The Planning Assessment Commission approved Major Project Approval MP10_0137 Stage 1 of the Huntlee New Town on the 24 April 2013. Specifically, the approval granted consent to the carrying out of the following:

Subdivision of Stage 1 of the Huntlee New Town site including:

- subdivision to create 1473 residential allotments, 14 super lots, 1 allotment for a primary school; landscaped areas, drainage, public open space and recreation areas;
- associated bulk earthworks; and
- infrastructure including roads, drainage works and utility services provision.

'Stage 1' of Huntlee is located entirely within the Cessnock Local Government Area (LGA) and encompasses approximately 355 hectares.

It is noted that the development footprint of the proposed development has already been cleared and bulk-earthworks have been undertaken as part of the Major Projects Approval. The current proposal does not involve any additional clearing of native vegetation and will be constructed wholly within the prepared, disturbed footprint.

Roads surrounding the proposed development is also under construction (with some already constructed) as part of the existing subdivision consent to facilitate the required access to the proposed development.

- The following applications have been lodged over the subject land:
 - SSD-70748466 – Huntlee New Town – Stage 2 is currently under assessment.

- Development Application 8/2025/811/1 (PAN-574401) – Extension to Huntlee Tavern (Sixty-One (61) Bedroom Hotel / Motel and Carparking) and Associated Works, which is also located on LOT: 1096 DP: 1299003 (1823 Wine Country Drive, NORTH ROTHBURY) was approved by Council on the 10 March 2026.

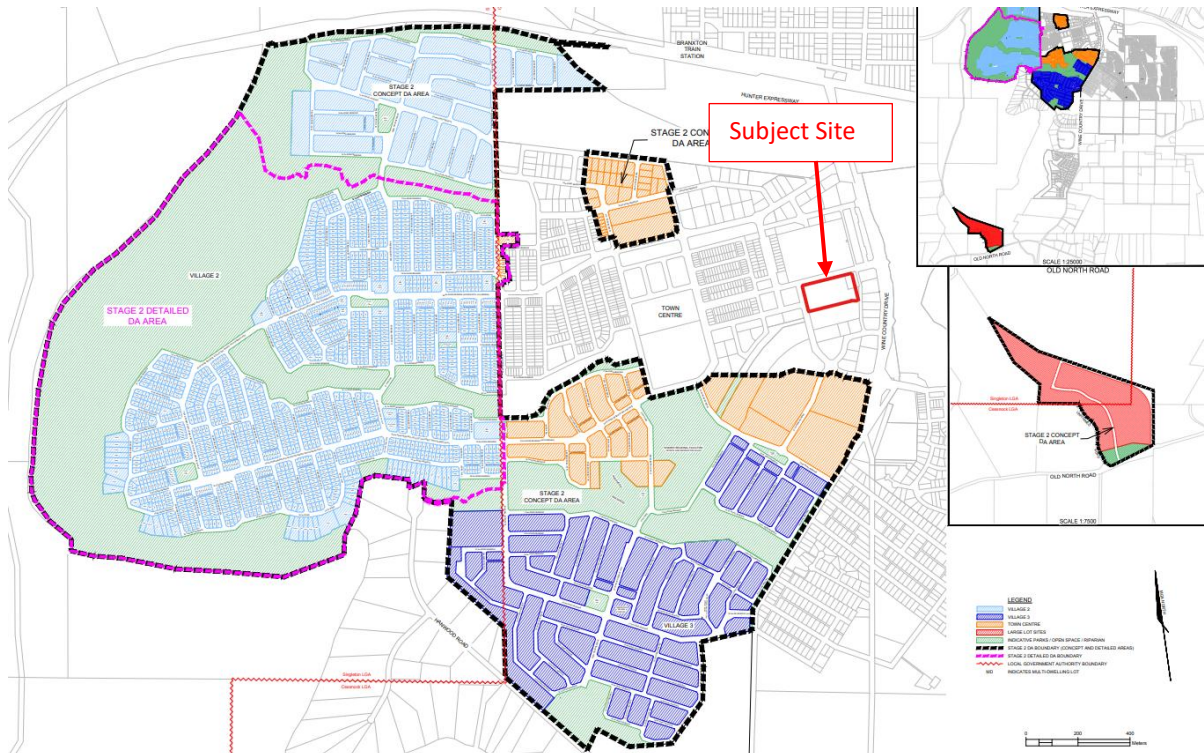


Figure 14: Huntlee Town Centre – Stage 2 Concept Subdivision Plan

- There is a concurrent application currently being considered on an adjoining lot, being Lot 2503 DP1296432 (11 Well Street, NORTH ROTHBURY) – DA 8/2025/1078/1.
 - Staged Development: Stage 1 – Torrens Title Subdivision (One (1) Lot into Two (2) Lots) and Centre-Based Childcare Centre (137 places)
 - Stage 2 – Food and Drink Premises, Commercial Premises, Medical Centre and an Indoor Recreation Facility, with Ancillary Signage

3. STATUTORY CONSIDERATIONS

When determining a development application, the consent authority must take into consideration the matters outlined in Section 4.15(1) of the *Environmental Planning and Assessment Act 1979* ('EP&A Act'). These matters as are of relevance to the development application include the following:

- (a) *the provisions of any environmental planning instrument, proposed instrument, development control plan, planning agreement and the regulations*
 - (i) *any environmental planning instrument, and*

- (ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and*
 - (iii) any development control plan, and*
 - (iiia) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and*
 - (iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph),
that apply to the land to which the development application relates,*
- (b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,*
 - (c) the suitability of the site for the development,*
 - (d) any submissions made in accordance with this Act or the regulations,*
 - (e) the public interest.*

These matters are further considered below.

It is noted that the proposal is considered to be (which are considered further in this report):

- Integrated Development (s4.46)

3.1 Environmental Planning Instruments, proposed instrument, development control plan, planning agreement and the regulations

The relevant environmental planning instruments, proposed instruments, development control plans, planning agreements and the matters for consideration under the Regulation are considered below.

(a) Section 4.15(1)(a)(i) - Provisions of Environmental Planning Instruments

The following Environmental Planning Instruments are relevant to this application:

- *State Environmental Planning Policy (Biodiversity and Conservation) 2021;*
- *State Environmental Planning Policy (Industry and Employment) 2021*
- *State Environmental Planning Policy (Planning Systems) 2021;*
- *State Environmental Planning Policy (Resilience and Hazards) 2021;*
- *State Environmental Planning Policy (Sustainable Buildings) 2022*
- *Cessnock Local Environmental Plan 2011.*

A summary of the key matters for consideration arising from these State Environmental Planning Policies are outlined in **Table 2** and considered in more detail below.

Table 2: Summary of Applicable Environmental Planning Instruments

<i>EPI</i>	<i>Matters for Consideration</i>	<i>Comply (Y/N)</i>
<i>State Environmental Planning Policy (Biodiversity & Conservation) 2021</i>	<p>The Major Project Approval (MP10_0137 (as amended)) includes approval for the removal of vegetation in association with Stage 1.</p> <p>Any required clearing is to be undertaken in accordance with the Major Project Approval.</p> <p>No further assessment of the impacts has been undertaken given the approval issued in association with the Major Project Approval granted approval for the clearing of vegetation.</p>	Y
<i>State Environmental Planning Policy (Industry and Employment) 2021</i>	<p>Chapter 3: Advertising and Signage</p> <p>Section 3.6 applies to the proposal:</p> <p><i>3.6 Granting of consent to signage</i> <i>A consent authority must not grant development consent to an application to display signage unless the consent authority is satisfied—</i></p> <p><i>(a) that the signage is consistent with the objectives of this Chapter as set out in section 3.1(1)(a), and</i> <i>(b) that the signage the subject of the application satisfies the assessment criteria specified in Schedule 5.</i></p> <p>It is considered that the signage is consistent with the relevant objectives, and Schedule 5 as noted below.</p>	Y
<i>State Environmental Planning Policy (Planning Systems) 2021</i>	<p>Chapter 2: State and Regional Development</p> <ul style="list-style-type: none"> • Section 2.19(1) declares the proposal regionally significant development pursuant to Schedule 6 (Section 2) as the development is: <ul style="list-style-type: none"> ○ Development that has an estimated development cost of more than \$30 million. 	Y
<i>SEPP (Resilience & Hazards) 2021</i>	<p>Chapter 4: Remediation of Land</p> <ul style="list-style-type: none"> • Section 4.6 – Contamination has been considered in the Contamination Report (PSI) and the proposal is considered to be satisfactory subject to precautionary conditions, with no further investigation required. 	Y
<i>State Environmental Planning Policy (Sustainable Buildings) 2022</i>	<p>The information submitted meets the requirements in regards to energy, water and thermal performance. If the development is undertaken in accordance with this information, it will be consistent with this SEPP.</p>	Y

<i>Proposed Instruments</i>	Nil Applicable	
<i>Cessnock Local Environmental Plan 2011</i>	The proposal is consistent with the aims and relevant provisions contained within <i>Cessnock Local Environmental Plan 2011</i> .	Y

Further consideration of the relevant SEPPs is outlined below:

State Environmental Planning Policy (Biodiversity and Conservation) 2021

The Major Project Approval includes approval for the removal of vegetation in association with Stage 1. Any required clearing is to be undertaken in accordance with the Major Project Approval.

No further assessment of the impacts has been undertaken.

State Environmental Planning Policy (Industry and Employment) 2021

Chapter 3: Advertising and signage

The aim of Chapter 3 of the policy is to ensure that signage is compatible with the desired amenity and visual character of an area and is of a high quality design and finish.

The proposed signage (comprising building/business identification signage and directional/way-finding signage) is considered consistent with the objectives noting that is compatible with the commercial zoning of the site and its location within the Huntlee town centre; is of a high-quality design and finish; and effectively communicates the specific components of the proposed development with future users.

The application proposes the erection/installation of signage throughout the site, as detailed in Drawing No. DA7.1, DA7.2 & DA7.3; reproduced below.

In summary, a mixture of building/business identification signage and directional/way-finding signage is proposed on the external elevations of the buildings and throughout the site.

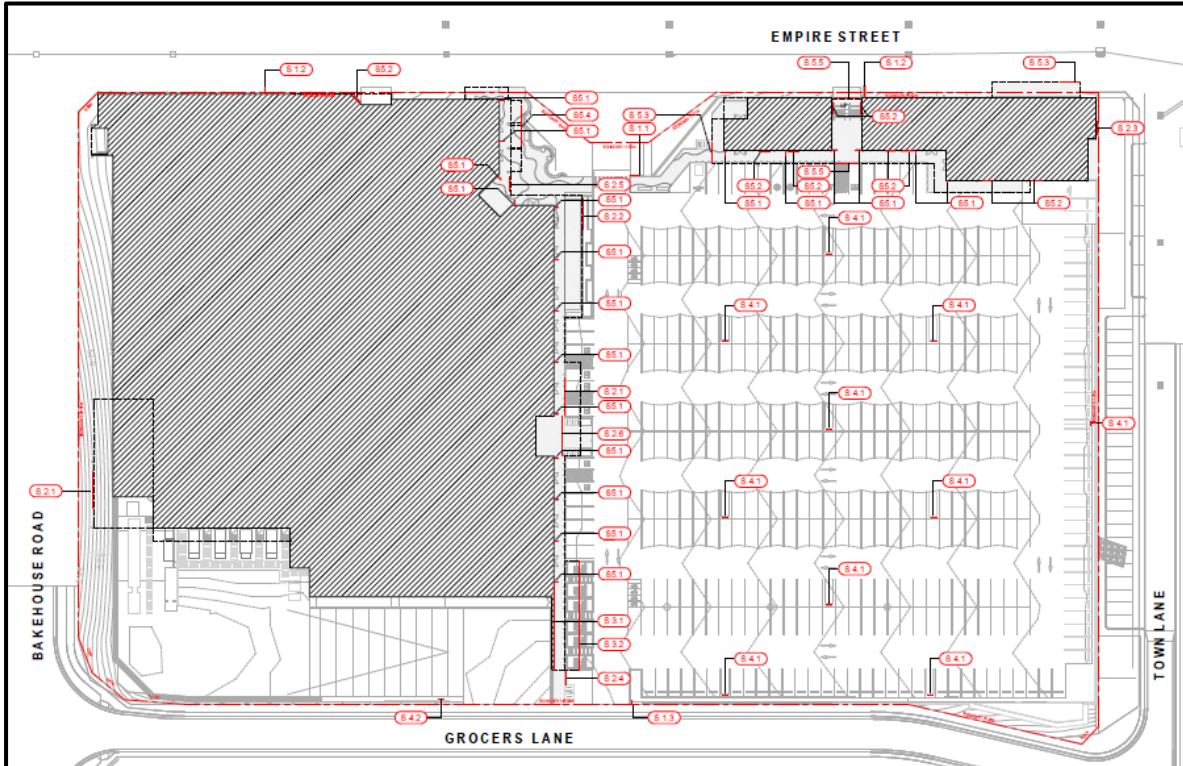


Figure 15: External Signage Plan – Overall

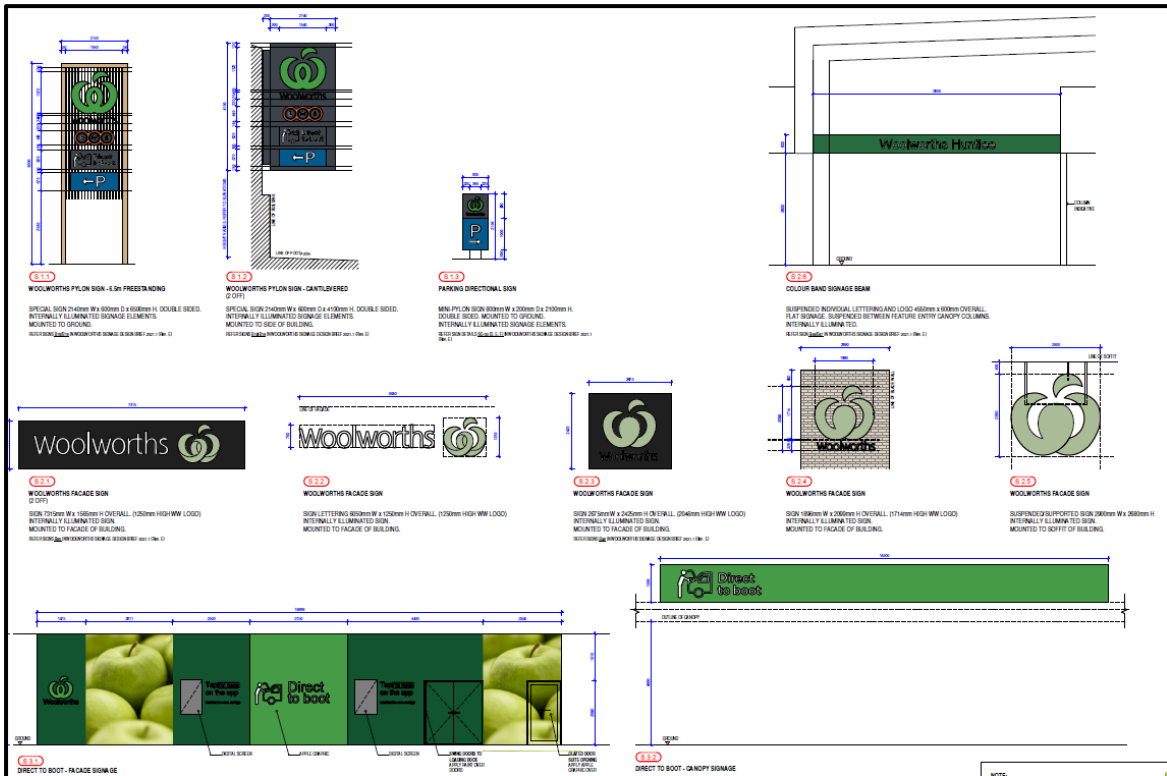


Figure 16: External Signage Detail Part 1

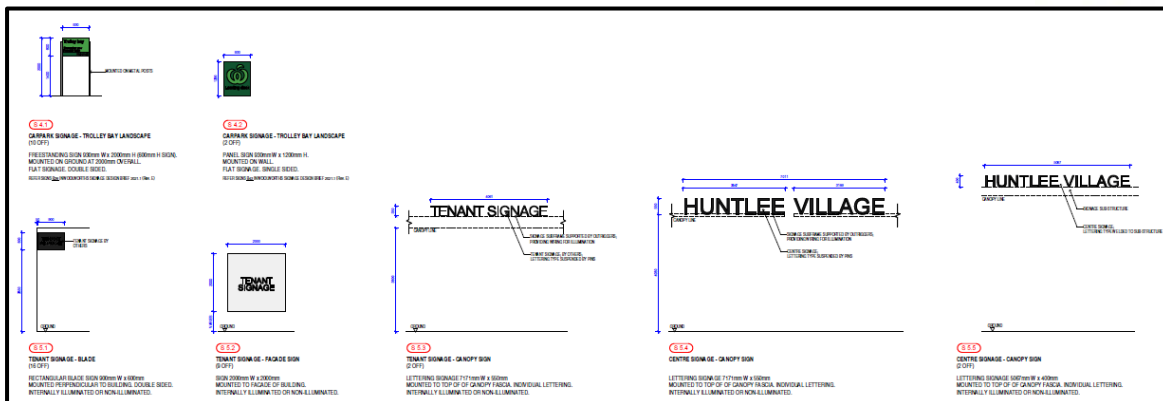


Figure 17: External Signage Detail Part 2



Figure 18: Artists impression of main entry

This policy is applicable in this instance and consideration of the requirements as specified in Part 3.2; Section 3.4 is required. Specifically, Section 3.6(1) and Schedule 5 of the SEPP are relevant. Consideration of these is provided in the following table.

Schedule 5 Assessment Criteria (of SEPP)	Yes	No
1 Character of the area		
Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located? Comment: The proposed signage is compatible with the existing and desired future character of the area considering the site's location within the Huntlee town centre.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Is the proposal consistent with a particular theme for outdoor advertising in the area or locality? Comment: The proposed signage is consistent with an existing theme for outdoor advertising within the Huntlee town centre and nearby employment areas.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2 Special areas		



<p>Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?</p> <p>Comment:</p> <p>The proposed signage does not detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>3 Views and vistas</p>		
<p>Does the proposal obscure or compromise important views?</p> <p>Comment:</p> <p>The proposed signage does not obscure or comprise important views.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Does the proposal dominate the skyline and reduce the quality of vistas?</p> <p>Comment:</p> <p>The proposed signage does not dominate the skyline.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Does the proposal respect the viewing rights of other advertisers?</p> <p>Comment:</p> <p>The proposed signage does not impact the viewing rights of other advertisers.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>4 Streetscape, setting and landscape</p>		
<p>Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?</p> <p>Comment:</p> <p>The scale, size and location of the proposed signage is considered acceptable taking into account the site's location within the Huntlee town centre.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Does the proposal contribute to the visual interest of the streetscape, setting or landscape?</p> <p>Comment:</p> <p>The proposed signage will provide visual interest in the streetscape, which due to the variety and high quality of the signage. Landscaping will also provide complimentary interest to the streetscape.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Does the proposal reduce clutter by rationalising and simplifying existing advertising?</p> <p>Comment:</p> <p>Not Applicable, there is no existing advertising/signage.</p>		
<p>Does the proposal screen unsightliness?</p> <p>Comment:</p> <p>Not Applicable, the proposed signs are not required to screen unsightliness.</p>		

<p>Does the proposal protrude above buildings, structures or tree canopies in the area or locality?</p> <p>Comment:</p> <p>No, the signage will not protrude above buildings or tree canopies within the area.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Does the proposal require ongoing vegetation management?</p> <p>Comment:</p> <p>The proposed development includes landscaping to the throughout which will provide an attractive appearance for the development. The development is proposed to operate under a plan of management and the development incorporates areas of landscaping within the site. The maintenance of the landscaping is incorporated into the plan of management for the site.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>5 Siting and building</p>		
<p>Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?</p> <p>Comment:</p> <p>The proposed signage is compatible with the characteristics of the proposed development. As previously outlined, the signage is not dissimilar from existing signs within the Huntlee area.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Does the proposal respect important features of the site or building, or both?</p> <p>Comment:</p> <p>As outlined above, the proposed signage is compatible with the scale and proportion of the proposed development.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Does the proposal show innovation and imagination in its relationship to the site or building, or both?</p> <p>Comment:</p> <p>The signage is designed to provide identification and wayfinding purposes and opportunities for innovation and imagination are limited as the proposed development has a set company logo and design style. The incorporation of various building materials in conjunction with the signage compliments the proposed signage.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>6 Associated devices and logos with advertisements and advertising structures</p>		
<p>Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?</p> <p>Comment:</p> <p>The 'Woolworths' logo has been incorporated into the proposed signage and forms an integral component of the signs.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

7 Illumination		
<p>Would illumination result in unacceptable glare? Comment: It is not anticipated that illumination of the signage will result in unacceptable glare, having consideration for the signage elements to be utilised.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Would illumination affect safety for pedestrians, vehicles or aircraft? Comment: The signage is within a commercial centre where significant lighting from signage already exists, as such it is not anticipated that the proposed illuminated signs will impact the public's safety.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Would illumination detract from the amenity of any residence or other form of accommodation? Comment: The lighting will not detract from the amenity of any residence or other form of accommodation.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Can the intensity of the illumination be adjusted, if necessary? Comment: The appropriate level of intensity will be determined upon installation of the signage, a condition of consent has been imposed to ensure that the illuminated signs comply with AS 4282:2023 Control of the Obtrusive Effects of Outdoor Lighting.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Is the illumination subject to a curfew? Comment: Given the absence of impacts associated with illumination, a curfew on illumination is not considered warranted. Notwithstanding, signage will operate in accordance with the approved hours of operation of the proposed development.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8 Safety		
<p>Would the proposal reduce the safety for any public road? Comment: The proposed signage will assist with wayfinding to the site and provide appropriate building and business identification without impacting the safety of traffic on surrounding public roads.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Would the proposal reduce the safety for pedestrians or bicyclists? Comment: No. The proposed signage will not reduce the safety of pedestrians or cyclists.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas? Comment:</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

No. The proposed signage will not reduce safety or obscure any sightlines from public areas.

State Environmental Planning Policy (Planning Systems) 2021

Chapter 2: State and Regional Development

The proposal is *regionally significant development* pursuant to Section 2.19(1) as it satisfies the criteria in Section 2 of Schedule 6 of the Planning Systems SEPP as the proposal has an estimated development cost over \$30 million.

Accordingly, the Hunter & Central Coast Planning Panel is the consent authority for the application. The proposal is consistent with this Policy.

State Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 4: Remediation of Land

The provisions of Chapter 4 of *State Environmental Planning Policy (Resilience and Hazards) 2021* (*the Resilience and Hazards SEPP*) have been considered in the assessment of the development application. Section 4.6 of Resilience and Hazards SEPP requires consent authorities to consider whether the land is contaminated, and if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out.

The subject site is being delivered following the Huntlee New Town Stage 1 Major Project Approval (MP10_0137(as amended)), under which contamination was suitably addressed.

Notwithstanding the above, a Preliminary Site Investigation ('PSI') has been prepared for the site.

"The PSI involved a desktop review of publicly available environmental databases, historical aerial imagery, and relevant geological and hydrogeological information to characterise the site setting and identify any potentially contaminating activities, either on the site or originating from surrounding land uses. This process was undertaken to assess the likelihood of contamination and inform the site's suitability for the proposed development.

The findings of the PSI include:

- The subject site was historically greenfield land, comprising mostly vegetated terrain with no evidence of intensive land use until progressive clearing and minor dam construction began in the late 20th century.*
- The surrounding area has a mixed rural and industrial history; however, no activities were identified nearby that are considered likely to pose a contamination risk to the site.*
- The site was included in a Preliminary Site Investigation (PSI) conducted by AECOM in 2012 for the broader Huntlee Master Plan area to support Project Application MP10_0137. The PSI concluded that the wider area, including the*

subject site, presented a low to very low risk of contamination, with no specific contaminating activities identified on the site.

- *Since 2014, the site has undergone significant disturbance associated with the Huntlee Stage 1 Development, including dam infilling, excavation, and stockpiling of fill materials. It is assumed materials imported and stockpiled onsite were compliant with development approval conditions.*
- *In 2025 Council advised that the issue of contamination was addressed under the original major project approval.*

Based on the available evidence and reasonable assumptions regarding recent site development activities, there is no indication the land has been contaminated. As such, no further investigation is considered necessary.”

In addition to the above, significant earthworks have been undertaken in accordance with Major Project Approval since the lodgement of the application, as a result there have been no issues raised in relation to contamination of the site and as such the site is considered to be suitable for the proposed development.

State Environmental Planning Policy (Sustainable Buildings) 2022

The aim of this policy is to encourage the development of sustainable buildings (residential and non-residential).

Chapter 3: Standards for non-residential development

Non-residential:

This Chapter applies to development, other than development for the purposes of residential accommodation, that involves—

- the erection of a new building, if the development has an estimated development cost of \$5 million or more, or
- alterations, enlargement or extension of an existing building, if the development has an estimated development cost of \$10 million or more.

Does the proposed development fall under either of the above criteria relevant to this chapter?
Yes

Does the proposed development consider how the building will meet the general sustainability requirements? **Yes**

Has a NABERS Embodied Emissions Materials Form been completed? **Yes**

The information submitted meets the requirements in regards to energy, water and thermal performance. If the development is undertaken in accordance with this information it will be consistent with this SEPP.

Cessnock Local Environmental Plan 2011

The relevant local environmental plan applying to the site is the *Cessnock Local Environmental Plan 2011* ('the LEP'). The aims of the LEP are as follows:

- (aa) *to protect and promote the use and development of land for arts and cultural activity, including music and other performance arts,*
- (a) *to strengthen and protect a high quality, sustainable lifestyle for Cessnock's residents and visitors,*
- (b) *to conserve and enhance, for current and future generations, the ecological integrity, environmental heritage and environmental significance of Cessnock,*
- (c) *to encourage development for employment purposes in appropriate locations having regard to proximity to appropriate infrastructure, to ensure the efficient use of land and services, to provide walkable urban environments and to reduce dependency on the use of private vehicles,*
- (d) *to provide opportunities for a range of new housing and housing choice in locations that have good access to public transport, community facilities and services, retail and commercial services and employment opportunities, including opportunities for the provision of adaptable and affordable housing,*
- (e) *to recognise and protect the historical, cultural and economic values of the vineyards district in relation to agricultural production and associated flow on effects, including tourism.*

The proposal is consistent with these aims. Development proposed is of a high quality and sustainable design and provides employment opportunities in a location (Huntlee) that is in close proximity to appropriate infrastructure and services, which are also walkable from the surrounding area.

General Controls (Part 2)

Zoning and Permissibility

The site is located within the MU1 Mixed Use Zone pursuant to Section 2.3 of the LEP.

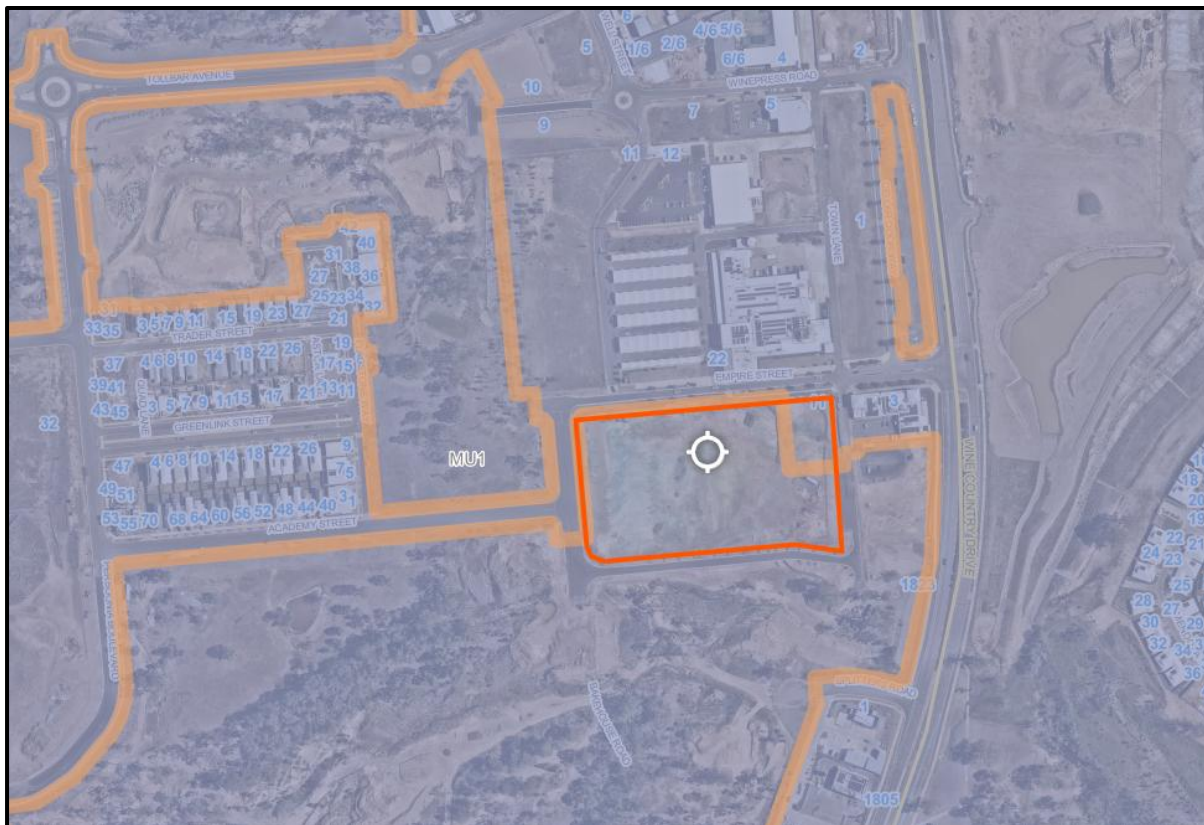


Figure 19: LEP – Land zoning over subject land and surrounding locality

According to the definitions in Section 4 (contained in the Dictionary), the proposal satisfies the definition of commercial premises which are a permissible use with consent in the Land Use Table in Section 2.3.

retail premises means a building or place used for the purpose of selling items by retail, or hiring or displaying items for the purpose of selling them or hiring them out, whether the items are goods or materials (or whether also sold by wholesale), and includes any of the following—

- (a), (b) (Repealed)
- (c) food and drink premises,
- (d) garden centres,
- (e) hardware and building supplies,
- (f) kiosks,
- (g) landscaping material supplies,
- (h) markets,
- (i) plant nurseries,

- (j) roadside stalls,
- (k) rural supplies,
- (l) shops,
- (la) specialised retail premises,
- (m) timber yards,
- (n) vehicle sales or hire premises,

but does not include farm gate premises, highway service centres, service stations, industrial retail outlets or restricted premises.

Note.

Retail premises are a type of commercial premises—see the definition of that term in this Dictionary.

commercial premises means any of the following—

- (a) business premises,
- (b) office premises,
- (c) retail premises.

The zone objectives include the following (pursuant to the Land Use Table in Section 2.3):

- (a) *To encourage a diversity of business, retail, office and light industrial land uses that generate employment opportunities.*
- (b) *To ensure that new development provides diverse and active street frontages to attract pedestrian traffic and to contribute to vibrant, diverse and functional streets and public spaces.*
- (c) *To minimise conflict between land uses within this zone and land uses within adjoining zones.*
- (d) *To encourage business, retail, community and other non-residential land uses on the ground floor of buildings.*

The proposal is considered to be consistent with these objectives for the following reasons:

- The development provides a diverse range of land uses in the area which will encourage further growth and with that employment opportunities for people in the locality.
- The development places the majority of the built form along the street frontages to promote an active street, while also providing ‘outdoor dining’ opportunities within the site.
- The site is well removed from the existing residential uses within the MU1 zone .
- The development entrances are located on the ground floor of all buildings.

Development Standards (Parts 2, 4, 5 and 6)

The LEP also contains controls relating to development standards, miscellaneous provisions and local provisions. The controls relevant to the proposal are considered in **Table 4** below.

Table 3: Consideration of the LEP Controls

Control	Requirement	Proposal	Comply
<p><i>Additional Permitted Uses for Particular Land (Section 2.5)</i></p>	<p><i>Schedule 1 describes land on which development consent may be granted for a particular use as specified within Schedule 1.</i></p> <p><i>The subject land is identified in Schedule 1:</i></p> <p>3 Use of certain land at Wine Country Drive, Branxton (Huntlee New Town Site)</p> <p><i>(1) This clause applies to land at Wine Country Drive, Branxton (Huntlee New Town Site) identified as “Area B” on the Additional Permitted Uses Map.</i></p> <p><i>(2) Development on land in Zone MU1 Mixed Use for the purposes of dual occupancies, dwelling houses, exhibition homes, exhibition villages, highway service centres, light industries, recreation facilities (outdoor) and secondary dwellings is permitted with development consent.</i></p>	<p>The development application proposes a use which is permissible within the MU1 zone without reliance on the additional permitted uses granted by Section 2.5.</p>	<p>Yes</p>
<p><i>Flood Planning (Section 5.21)</i></p>	<p><i>(2) Development consent must not be granted to development on land the consent authority considers to be within the flood planning area unless the consent authority is satisfied the development—</i></p> <p><i>(a) is compatible with the flood function and behaviour on the land, and</i></p> <p><i>(b) will not adversely affect flood behaviour in a way that results in detrimental</i></p>	<p>There are mapped watercourses shown in the south-eastern corner of the subject site. Council’s mapping system shows flooding along these watercourses in a 1% AEP storm event. However, as part of Huntlee development, these watercourses will be piped as part of subdivision works associated with MP10_0137 (as amended).</p> <p>The flood studies conducted as part of MP10_0137 (as amended) by Worley Parson demonstrate</p>	<p>Yes</p>

	<p><i>increases in the potential flood affectation of other development or properties, and</i></p> <p><i>(c) will not adversely affect the safe occupation and efficient evacuation of people or exceed the capacity of existing evacuation routes for the surrounding area in the event of a flood, and</i></p> <p><i>(d) incorporates appropriate measures to manage risk to life in the event of a flood, and</i></p> <p><i>(e) will not adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses.</i></p> <p><i>(3) In deciding whether to grant development consent on land to which this clause applies, the consent authority must consider the following matters—</i></p> <p><i>(a) the impact of the development on projected changes to flood behaviour as a result of climate change,</i></p> <p><i>(b) the intended design and scale of buildings resulting from the development,</i></p> <p><i>(c) whether the development incorporates measures to minimise the risk to life and ensure the safe evacuation of people in the event of a flood,</i></p> <p><i>(d) the potential to modify, relocate or remove buildings resulting from development if the surrounding area is impacted by flooding or coastal erosion.</i></p>	<p>that the site is not inundated in 1% AEP storm and not located within the flood planning area.</p>	
<p><i>Urban Release Areas (Section 6.2 & 6.3)</i></p>	<p>Whilst the site is located within an Urban Release Area, the development is not proposing subdivision of land within the Urban Release Area and as such there are no additional considerations to be made.</p>	<p>Yes</p>	

	The application has demonstrated that essential services are available to the site.		
<i>Earthworks (Section 7.1)</i>	<p>Before granting development consent for earthworks (or for development involving ancillary earthworks), the consent authority must consider the following matters—</p> <ul style="list-style-type: none"> the likely disruption of, or any detrimental effect on, drainage patterns and soil stability in the locality of the development, the effect of the development on the likely future use or redevelopment of the land, the quality of the fill or the soil to be excavated, or both, the effect of the development on the existing and likely amenity of adjoining properties, the source of any fill material and the destination of any excavated material, the likelihood of disturbing relics, the proximity to, and potential for adverse impacts on, any waterway, drinking water catchment or environmentally sensitive area, any measures proposed to avoid, minimise or mitigate the impacts referred to in paragraph (g). 	<p>The development proposal has been supported by a proposed cut and fill plan.</p> <p>The works will enable the development of the Lot for the intended purpose with minimal requirements for further earthworks to accommodate future development.</p> <p>Across the site approximate bulk earthworks volumes of:</p> <ul style="list-style-type: none"> Total Cut – 17,600m³ Total Fill – 8,550m³ Total Balance – 9,050m³ (export) <p>The proposed building along Bakehouse Road will act as retaining with a maximum height of approximately 5 metres. The majority of frontage of Bakehouse Road is made up of buildings which conceals the cut, with the remainder consisting of a drop protected with a 2.1 metre boundary fence.</p> <p>The south-east frontage of Grocers Lane and the eastern frontage of Town Lane, both have boundary retaining walls which will have an approximate maximum height of 3.9 metres. These boundary retaining walls will incorporate an 800mm high crash barrier and a 600mm high balustrade for public safety will include lattice for planting to improve the streetscape.</p> <p>The proposed development incorporates suitable stormwater management and retaining arrangements to ensure that there will be no adverse impacts on drainage patterns and soil stability.</p> <p>The import or export of material within the site will occur in</p>	Yes

		<p>accordance with relevant guidelines and policies.</p> <p>The proposed earthworks will not result in amenity related impacts to adjoining properties.</p> <p>Impacts on waterways, drinking water catchments or environmentally sensitive areas are not expected.</p> <p>The site is heavily disturbed with the likelihood of relics being disturbed as low and the earthworks are not to be undertaken in the location of any know relics.</p> <p>Council have reviewed the submitted earthworks and stormwater plans and determined that the development proposal is unlikely to result in any adverse impacts on any waterways in the locality. Conditions will ensure that sediment and erosion controls are in place and maintained through the construction stages of the development.</p>	
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The proposal is considered to be generally consistent with the LEP.

(b) Section 4.15 (1)(a)(ii) – Provisions of any Proposed Instruments

There are no proposed instruments which have been the subject of public consultation under the EP&A Act, which are relevant to the proposal.

(c) Section 4.15(1)(a)(iii) – Provisions of any Development Control Plan

The following Development Control Plan is relevant to this application:

- *Cessnock Development Control Plan 2010* ('the DCP')

The following chapters are relevant to the application:

Chapter C.1 Parking and Access

This is addressed within Cessnock DCP 2010 Part E: Specific Areas Chapter E.17 – Huntlee.

Chapter C.3 Contaminated Lands

As the DCP has been prepared in accordance with the requirements of the SEPP, the proposed development is consistent with the requirements of this chapter as per discussed above (refer to consideration of the SEPP).

Chapter C.5 Waste Management

A comprehensive waste management plan has been submitted which addresses the requirements of the DCP chapter, with a summary provided below:

Generated supermarket waste would be stored within the refuse area located within the onsite loading bay. Commercial waste would be stored in the ground level waste storage area.

Waste generated from the supermarket and commercial areas would be stored and managed separately.

Supermarket waste would be collected by a private contractor as follows;

- 2 x 4,500L garbage bins collected three times per week;
- 1 x 3,000L organics recycling bins collected five times per week;
- 1 x cardboard compactor collected on an as required basis; and
- Baled plastics collected on an as required basis.

Commercial waste would be collected by private contractor as follows:

- 3 x 1,100L garbage bin collected three times per week;
- 2 x 1,100L commingled recycling bin collected four times per week;
- 10 x 240L commingled recycling bin collected five times per week; and
- 2 x 1,100L cardboard/paper recycling bin collected four times per week.

All waste collection vehicles would enter the subject site via Grocers Lane to travel safely in a forward motion towards either the supermarket refuse area or commercial waste storage area located within the site loading bay.

Vehicle operators would park safely at the relevant bin storage location to perform waste collections and return the appropriate bins/equipment to the bin storage area as required, before exiting the subject site in a forward motion towards Grocers Lane.

Chapter C.8 Social Impact Assessment and Crime Prevention through Environmental Design Guidelines (CPTED) for Proposed Development

The Social Impact Assessment, submitted in support of the application has been prepared mostly in accordance with the requirements of Chapter C.8.

Community Planner conclusion:

Whilst the proposed development has been subject to some engagement, it is anticipated that as a result of the notification period there should be no great concerns from the Huntlee Community. The construction of a new development brings about the opportunity to incorporate design, management, landscaping, and security features to mitigate the risk of anti-social behaviors from occurring in relation to the operation of the site

The information is considered satisfactory, subject to the inclusion specific requirements within the conditions of consent in relation to the above matters.

Chapter D.5 Signage and Outdoor Advertising

This is addressed within Cessnock DCP 2010 Part E: Specific Areas Chapter E.17 – Huntlee.

Chapter E.17 Huntlee

<i>Control</i>	<i>Requirement</i>	<i>Proposal</i>	<i>Comply</i>
2.4 Indicative Layout Plan and Staging	<p>(1) Development Applications for subdivision and infrastructure are to be generally in accordance with the Indicative Layout and Staging Plan in Figure 3.</p> <p>(2) When assessing development applications, Council will consider the extent to which the proposed development is consistent with the Indicative Layout and Staging Plan.</p> <p>(3) Any proposed variations to the general arrangement of the Indicative Layout and Staging Plan must be demonstrated by the applicant, to Council's satisfaction, to be consistent with the Design Principles in Section 2.3.</p> <p>(4) Any proposed variation to the order of staging of development in the Indicative Layout and Staging Plan must be justified, to Council's satisfaction.</p> <p>(5) The overall residential yield of land subject to this DCP must not exceed 7,300 dwellings.</p>	<p>The proposal does not involve subdivision or residential uses, it proposes commercial development on land created within Stage 1 of MP_0137 (as amended).</p> <p>It is noted the overall development in the area is generally consistent with Figure 3 Indicative layout (with regard to proposed land use).</p>	Yes
3.1 Riparian Corridors	<p>(1) Riparian corridors are to be provided generally in accordance with Section 3 Hydrology of Appendix 1 and designed in accordance with the controls below and generally comply with the 'Guidelines for Riparian Corridors on Waterfront land' (DPI-Office of Water, 2012).</p> <p>(2) The vegetated riparian zone (VRZ) setbacks should generally comply with the 'Guidelines for Riparian Corridors on Waterfront land' (DPI-Office of Water, 2012).</p> <p>(3) Infrastructure services, stormwater infrastructure, water quality treatment ponds, flood</p>	Not located near any riparian corridors	N/A

	<p>compatible activities (i.e. playing fields), pedestrian paths and cycleways, and asset protection zones are to be located outside of the VRZ unless otherwise allowed for in the aforementioned guidelines.</p> <p>(4) The location of access ways to and within a riparian buffer is not to compromise the ecological integrity of any existing riparian vegetation, the streambed or bank stability.</p> <p>(5) The impact of pedestrian paths and cycleways, general access points to riparian corridors and road crossings is to be minimised by using ecologically informed design principles (for example, elevated accessways that allow sunlight to penetrate and vegetation to grow beneath).</p> <p>(6) The impact of salinity on the landscape and watercourses shall be managed.</p> <p>(7) All VRZs are to be rehabilitated and revegetated with appropriate native vegetation having regard to its drainage function and vegetation management for bushfire protection.</p> <p>(8) Where wetlands are proposed, a management strategy outlining ownership, ongoing management, annual maintenance costs and initial development costs shall be prepared.</p>		
<p>3.2 Flooding and Water Cycle Management</p>	<p>There are mapped watercourses shown in the south-eastern corner of the subject site. Council's mapping system shows flooding along these watercourses in a 1% AEP storm event. However, as part of Huntlee development, these watercourses were piped as part of subdivision works associated with MP10_0137 (as amended).</p> <p>The flood studies conducted as part of MP10_0137 (as amended) by Worley Parson demonstrate that the site is not inundated in 1% AEP storm and as such the site is not located within the flood planning area.</p>		<p>N/A</p>
<p>3.3 Biodiversity</p>	<p>(1) Riparian buffers are to be established through future applications for subdivision and infrastructure works in accordance</p>	<p>The subject land has been created by MP10_1037 (as amended) which included approval for clearing of</p>	<p>N/A</p>

	<p>with the Water Management Act and guidelines.</p> <p>(2) Existing significant trees, in particular large hollow bearing trees, are to be retained wherever practicable within public and community parks, streetscapes and riparian corridors.</p> <p>(3) Existing <i>Persoonia pauciflora</i> plants are to be conserved in situ with a 30m curtilage of existing native vegetation and incorporated into public open space networks and riparian corridors and not within private property.</p> <p>(4) Native vegetation (canopy level) shall be provided, where appropriate for biodiversity outcomes, within pocket parks, riparian corridors and street verges to create a 'stepping-stone corridor' for terrestrial bio-diversity.</p> <p>(5) Where development is located within or close to a known biodiversity corridor, fencing shall be sympathetic to that passage of native fauna.</p> <p>(6) Ensure provision and maintenance of wildlife corridors and connectivity with adjoining Office for Environment and Heritage (OEH) managed conservation land (such as <i>Persoonia</i> Park and the proposed addition to the National Park).</p> <p>(7) Development that adjoins conservation land managed by the OEH should address the relevant requirements within the 'Guidelines for developments adjoining land and water managed by Department of Environment, Climate Change and Water' (DECCW 2010).</p>	<p>vegetation, which has already been undertaken.</p>	
<p>3.4 Salinity and Water Management</p>	<p>(1) All development must incorporate soil conservation measures to minimise soil erosion, siltation and salinity impacts during construction and following completion of development. Soil and Water Management Plans, prepared in accordance with</p>	<p>The application is accompanied by a sediment and erosion control plan.</p> <p>The development has been accompanied by a concept stormwater management plan.</p>	<p>Yes</p>

	<p>Managing Urban Stormwater - Soils and Construction (NSW Department of Housing 3rd Edition March 2004 ('The Blue Book')) are to be submitted prior to construction.</p> <p>(2) All sediment and erosion controls are to be installed prior to the commencement of any construction works and maintained throughout the course of construction until disturbed areas have been revegetated/established. The applicant will be required to present certification to this effect, to be lodged with Council prior to construction.</p> <p>(3) Vegetation cover, including groundcover, should be retained on highly erodible soils to keep them stable and minimise risk of erosion.</p> <p>(4) Groundwater recharge is to be minimised, and preferably maintained at predevelopment levels, by:</p> <ul style="list-style-type: none"> • directing runoff from paved areas (roads, car parks, domestic paving etc) into lined stormwater drains rather than along grassed channels as necessary, • lining or locating any pondages higher in the landscape to avoid recharge where proximity to the water table is likely to create groundwater mounding, • encouraging on site detention of roof runoff and use of low water demanding plants, and • encouraging tree planting especially adjacent to watercourses. 	<p>A standard condition will be applied to ensure that requirements with standards are met.</p>	
<p>3.5 Aboriginal Heritage</p>	<p>(1) Development shall not proceed within areas known to contain Aboriginal objects without appropriate investigation and consultation with the relevant local Aboriginal groups. The investigations are to identify, where required, conservation areas for the protection and</p>	<p>The subject site has been highly disturbed by the works associated with MP10_1037 (as amended) (Huntlee New Town Stage 1) development.</p> <p>Any impacts have been assessed in the assessment of MP10_1037 (as amended).</p>	<p>Yes</p>

	<p>management of archaeological deposits.</p> <p>(2) A Plan of Management is to be prepared to address the ongoing protection and management of the archaeological deposits. Any DA for development which affects Aboriginal objects is to be accompanied by an Aboriginal Archaeological Report that is supported by the comments of the local Aboriginal groups.</p> <p>(3) Where development impacts upon on Aboriginal sites previously not identified, Consent to Destroy Permits will need to be sought under Section 90 of the NSW National Parks & Wildlife Act 1974.</p> <p>(4) Interpretive signage, that provides information on the history and heritage significance of the sites, is to be provided within the public domain areas. Where possible, such signage should be provided in close proximity to the site of any relics or remains that have been uncovered.</p>	<p>The potential for impacts to items of Aboriginal Heritage is minimal.</p>	
<p>3.6 European Heritage</p>	<p>(1) Prior to any development that affects relics associated with the Rothbury Mine or the site of the Rothbury Riot, a detailed assessment of heritage significance is to be undertaken which addresses the significance assessment criteria contained in the NSW Heritage Manual.</p> <p>(2) Any proposed development that affects the identified heritage sites must respond to any identified archaeological constraints. If any relics are to be retained in situ, an applicant is to outline all management measures to ensure ongoing protection of the relics.</p>	<p>There are no known European Heritage items listed within the immediate vicinity of the site.</p>	<p>Yes</p>
<p>3.7 Bushfire Hazard Management</p>	<p>The site is not bushfire prone land.</p>		<p>N/A</p>
<p>3.8 Contamination Management</p>	<p>(1) Development Applications for development in areas identified in Figure 4 shall be accompanied by</p>	<p>Site contamination has been addressed in the assessment of MP10_1037 (as amended)</p>	<p>Yes</p>

	<p>a Stage 2 Detailed Site Investigation.</p> <p>(2) A Remediation Action Plan (RAP) will be required for areas identified as contaminated land in the Stage 2 Site Investigation.</p> <p>(3) When redevelopment is proposed on a site where Council suspects that contamination may be present or for applications proposing a change of use to a more sensitive land use (e.g. residential, education, public recreation facility etc), Council may request a Stage 1 Preliminary Site Contamination Investigation.</p> <p>(4) All investigation, reporting and identified remediation works must be in accordance with the protocols of the NSW EPA's (now OEH) Guidelines for Consultants Reporting on Contaminated Sites and SEPP 55 – Contaminated Land.</p>	<p>and subsequent works associated with the approval.</p> <p>Notwithstanding the above, a Preliminary Site Investigation ('PSI') has been prepared for the site, which determined that the site was deemed suitable with no further investigation required.</p> <p>Significant earthworks have been undertaken in accordance with MP10_0137 (as amended) since the lodgement of the application, as a result there have been no issues raised in relation to contamination of the site and as such the site is considered to be suitable for the proposed development.</p>	
<p>3.9 Mine Subsidence Management</p>	<p>(1) Areas of potential mine subsidence are shown in Section 6 Mine subsidence of Appendix 1 and the following lots are affected (as at March 2013):</p> <ul style="list-style-type: none"> a. Lot 200 DP828486 b. Lot 240 DP 1105591 c. Lot 2 DP 1211767 d. Lot 1 DP 1211767 e. Lot 231 DP 879198 <p>(2) Prior to any development applications for structures within these lots, the applicant must undertake and submit further geotechnical assessment to verify the depth of cover to mine workings in the location of the proposed development.</p> <p>(3) As there are mine workings beneath part of the site (where the coal seams dip steeply and the shallow mined areas have a history of mine subsidence potholes), the following restrictions on residential development should be applied:</p>	<p>The site is partially mapped as being within the Branxton Mine Subsidence District.</p> <p>The application was referred to Subsidence Advisory NSW for assessment as an integrated development, with stamped plans and GTAs issued.</p>	

	<ul style="list-style-type: none"> • Where there is less than 25m of cover to the mine workings, structures are not permitted unless the risk of mine subsidence is removed. • Between 25m to 50m depth of cover to mine workings, further geotechnical assessment would be required. Building restrictions would apply and this may limit the type and density of structures. • Between 50m and 75m of cover to mine workings, residential structures not to exceed two storey brick veneer with a maximum length of 30m. • Where the depth of cover to mine workings is greater than 75m, there would be no restrictions, provided structures do not exceed two storey brick veneer and the upper storey is limited to length of 30m. • Shafts and mine entries are to be identified and sealed off as required by the Department of Trade and Investment – Minerals and Energy Division. Structures should not be built over these locations. <p>(4) Infrastructure, such as main pipelines, transmission cables and telecommunications, should not be located over shallow workings unless the risk of mine subsidence has been eliminated and/or specific design is implemented to prevent damage.</p> <p>(5) Large, higher density structures within the town centre, should be located away from shallow mined areas unless the risk of subsidence has been removed.</p> <p>(6) The proponent should prepare a long term management plan to deal with the risks associated with the development of potholes and cracks across the site and consider isolating these areas from development.</p>		
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6 Town and Village Centres			
<p>6.1.1 Active Street Frontages</p>	<p>(1) Active frontage uses are defined as any of the following at street level:</p> <ul style="list-style-type: none"> • entrance to retail, • shop front, • glazed entries to commercial and residential lobbies, • café or restaurant if accompanied by an entry from the street, • active office uses, such as reception, if visible from the street, and/or • public building if accompanied by an entry. • Alfresco dining areas visible from the street <p>(2) Active street fronts, built to the street alignment, are required on the ground level of all retail and commercial development</p> <p>(3) Large format retail such as supermarkets and parking areas are to be sleeved or hidden by retail and commercial uses as shown in Figure 37.</p> <p>(4) Ground floor residential uses (other than entries to lobbies to residential uses above ground level) are not permitted along Empire Street in the retail core area.</p> <p>(5) Restaurants, cafes and the like are to consider providing openable shop fronts.</p> <p>(6) Only open grill or transparent security shutters (at least 50% visually transparent) are permitted to retail and commercial frontages.</p> <p>(7) On corner sites, shop fronts are to wrap around the corner.</p> <p>(8) Entrances are to be visible to the street and well lit.</p>	<p>Active street frontages are provided both externally and internally within the site. The proposal has been designed to include outdoor dining which promotes an active street while also allowing passive surveillance.</p>	
<p>6.1.2 Awnings</p>	<p>(1) Provide street frontage awnings to all new commercial and retail developments within the</p>	<p>Awnings have been provided to all buildings where access to the street is proposed, this</p>	

	<p>town centre and village centres of varying styles.</p> <p>(2) Wrap awnings around corners on street corner buildings.</p> <p>(3) Cantilever awnings from buildings are to have a minimum soffit height of 3.2m and a maximum of 4.5m.</p> <p>(4) Low profile awnings with slim vertical fascias and/or eaves (not to exceed 300 mm) are encouraged.</p> <p>(5) Awnings are to be a minimum of 2.5m deep (dependant on street width) and setback from the kerb a minimum of 500mm to allow clearance for street furniture, trees etc.</p> <p>(6) Steps for design articulation or to accommodate sloping streets are to be integrated with the building design and should not exceed 700mm.</p> <p>(7) Provide under awning lighting to facilitate night use as well as improve public safety. Lighting is to be recessed into the soffit of the awning, or wall mounted onto the building.</p> <p>(8) Any under awning signage is to maintain a minimum clearance of 2.7m from the level of the pavement.</p>	<p>also includes internally within the site.</p> <p>The proposed awnings are located over 3.5m from the proposed finished floor level and meets the minimum width.</p>	
<p>6.1.3 Signage</p>	<p><u>General Signage</u></p> <p>(1) Signage must be integrated into the building façade and achieve a high degree of compatibility with the architectural design of the supporting building having regard to its composition, fenestration, materials, finishes, and colours. Architectural features of the building are not to be obscured.</p> <p>(2) One under-awning sign is permitted on each shop or commercial premises.</p> <p>(3) Signs including real estate signs and temporary signs are not</p>	<p>Signage details have been provided as part of this application, with the size and location of the proposed signage considered to be satisfactory and in line with the character of the area and the use of the site.</p> <p>The proposed signage for the Woolworths supermarket is compliant with the Huntlee DCP and is in line with other developments of the same nature within the area and the LGA as a whole.</p> <p>The proposed signs will not impact road safety.</p>	

	<p>allowed to stand on the top of awnings.</p> <p>(4) The total area of all signs is not to exceed 1m² of advertising area per 1m of shop frontage. This includes signs painted on blinds or windows.</p> <p>(5) Signs that contain additional advertising promoting products or services not related to the approved use of the premises or site (such as the logos of brands or products) are not permitted.</p> <p>(6) Signs painted on or applied to the roof are not permitted.</p> <p>(7) Directional signage and public notices are to have a coordinated appearance and help to establish the town centre as a unique destination and place.</p> <p><u>Illuminated Signs</u></p> <p>(1) Illumination (including cabling) of signs is to be</p> <ul style="list-style-type: none"> • concealed, or • integral with the sign, or • provided by means of carefully designed and located remote or spot lighting. <p>(2) Restricted hours shall be imposed on the operation of illuminated signs where continuous illumination is considered to impact adversely on the amenity of residential buildings, serviced apartments or other visitor accommodation, or have other adverse environmental effects.</p> <p>(3) Up-lighting of signs is prohibited. Any external lighting of signs is to be downward pointing and focused directly on the sign and is to prevent or minimise the escape of light beyond the sign.</p> <p><u>Signage and Road Safety</u></p> <p>(1) Signs are regarded as prejudicial to the safety of road users if they:</p>		
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	<ul style="list-style-type: none"> • are to obscure or interfere with road traffic signs and signals or with the view of a road hazard, oncoming vehicles, or any other vehicle or person, or an obstruction which should be visible to drivers or other road users, • give instructions to traffic by use of the word 'stop' or other directions, which could be confused with traffic signs, • are of such a design or arrangement that any variable messages or intensity of lighting impairs drivers' vision or distracts drivers' attention, and • are situated at locations where the demands on drivers' concentration due to road conditions are high such as at major intersections or merging and diverging lanes. 		
<p>6.1.4 Parking</p>	<p>(1) On-site car and bicycle parking for commercial and retail premises is to be provided in accordance with the standards set out in Table 12 and Table 13.</p> <p>(2) The parking area per vehicle is to be in accordance with Australian Standard AS 2890:1.</p> <p>(3) All outdoor parking areas shall be appropriately screened by planting and/or fencing.</p> <p>(4) At grade car parks shall provide landscaping and tree planting and consider providing weather protection.</p> <p>(5) Basement parking must not to be raised more than 1m above ground level.</p> <p>(6) In the Core retail precinct, town centre and all village centres, parking is not permitted within the front setback. Parking and servicing is to be located to the rear of buildings, or below grade, to minimise impacts on the streetscape and pedestrian amenity.</p>	<p>As per the DCP, 1 space per 25m² GFA for supermarkets and 1 space per 50m² GFA for commercial uses is required.</p> <p>Considering the above a total of 242 parking spaces are required.</p> <p>The plans demonstrate a total of 404 car parking spaces (including 8 accessible spaces & 6 EV parking spaces).</p> <p>Capacity is provided for 26 bicycles and 8 motorbike parks.</p> <p>Although there is shortfall of 12 bicycle spaces, there is space available on the site to accommodate additional spaces.</p> <p>The development is supported by detailed landscaping plans which demonstrates that it will contribute to reduce the visual impacts associated with car parking areas.</p>	

	<p>(7) Rear lanes should be utilised where possible to access parking areas.</p> <p>(8) All bicycle parking is to be in secure and accessible locations. Bicycle parking for employees is to have weather protection.</p>		
6.1.5 Site Servicing	<p>(1) Garbage, mail box structures, service meters, air conditioners and the like are to be integrated with the overall design of the buildings and/or landscaping. Garbage storage areas are not permitted along the primary and / or secondary street frontage.</p> <p>(2) Provide adequate space within any new development for the unloading and loading of service vehicles.</p> <p>(3) Loading facilities must be located to the rear of each development.</p> <p>(4) Ventilation stacks are to be utilised wherever possible to vent shops and basements.</p> <p>(5) All service areas are to be screened from existing developments.</p> <p>(6) Service access is permitted from rear lanes, side streets or right of ways.</p> <p>(7) Vehicles must be able to enter/exit in a forward direction.</p> <p>(8) Provide truck turning facilities.</p>	<p>The integration of services into the design of buildings will minimise their presence on the site.</p> <p>Suitable levels of screening to the public are proposed.</p> <p>The application has demonstrated that vehicles are capable of entering and exiting the site in a forward direction.</p>	
6.2 Town Centre	<p>(1) The Town Centre and its various land use types are to be located generally in accordance with Figure 40. An indicative layout plan of the Town Centre core retail area is shown at Figure 41.</p> <p>(2) Any departure from Figure 40 or Figure 41 must demonstrate that the objectives for the Town Centre can be met, and show how the residual lots can be developed in the future.</p> <p>(3) The Town Centre is to be consistent with the following principles:</p>	<p>The proposed commercial use is consistent with the zoning of the land.</p> <p>The proposed development will serve the needs of the wider community including Branxton, Huntlee and North Rothbury.</p> <p>The built form of the proposed development is considered appropriate given the location within the town centre and takes into account view lines of adjacent development.</p>	

	<p><u>Function and uses</u></p> <p>(1) Incorporate a range of retail, commercial and community uses to serve the needs of the community.</p> <p>(2) Incorporate higher density housing and mixed use development.</p> <p>(3) Concentrate intensive retail uses along and fronting Empire Street.</p> <p>(4) Provide a mix of uses that promote an active and vibrant town centre.</p> <p><u>Built form</u></p> <p>(1) Provide a range of building heights, up to a maximum of six storeys with a transition in heights to surrounding residential areas.</p> <p>(2) Relate building heights to street widths and functions to promote a comfortable urban scale of development.</p> <p>(3) Define streets and open spaces with buildings that are generally built to the street edge, have a consistent street wall height and provide a continuous street frontage along all key streets.</p> <p>(4) Sleeve all large format retail premises and decked parking areas with active uses. Blank walls visible from the public domain are to be avoided.</p> <p>(5) Promote diversity and activity along the main street with a variety of frontage widths for retail shops.</p> <p>(6) Building heights are to take into account view lines and solar access to the public domain.</p> <p>(7) A high quality built form and energy efficient architectural design that promotes a 'sense of place' and modern character for the Town Centre.</p> <p>(8) Waste storage and collection areas are to be accommodated and designed appropriately to</p>	<p>Walls on the street facing sides of the development will be visible from the public domain, and as such the applicant has implemented various treatments to reduce the overall bulk of the design.</p> <p>The proposed development promotes a sense of place in a modern built form.</p> <p>Unightly components of commercial development, i.e. waste storage, have been designed to minimise impacts on other existing and future potential developments.</p> <p>Access to customer parking is provided by two proposed accesses (one off Empire Street and the other Grocers Lane).</p> <p>The car parking is proposed to be provided at grade towards the centre of the lot and will be screened by the proposed development as well as landscaping.</p> <p>CPTED Principles have been incorporated into the design of the development and additional consideration has been given to the management process for the removal of any graffiti which may occur.</p> <p>Detailed landscaping is proposed for the site.</p>	
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	<p>minimise impacts, in particular within mixed use development.</p> <p><u>Parking and access</u></p> <p>(1) Access to parking, loading docks and waste collection areas must not be provided from Main Street frontages.</p> <p>(2) At grade parking areas are to be generally located behind building lines and within the centre of street blocks away from street corners.</p> <p>(3) On-street parking is to be provided on all streets within the Town Centre to contribute to street life and surveillance.</p> <p>(4) Allowance should be made for potential direct pedestrian access to the train station from the town centre core retail area. Pedestrian access paths should be incorporated into the road layout for the service industry area north of the core retail area.</p> <p><u>Public domain</u></p> <p>(1) Parks and plazas are to act as a focal point for the Town Centre and community activities and are to be designed to ensure adaptability and flexibility in use and function over time.</p> <p>(2) Incorporate a town square/civic plaza, adjacent to the main street which provides an urban landscape setting and a civic focus for the community.</p> <p>(3) Provide high amenity, pedestrian streets with generous footpath widths.</p> <p>(4) Incorporate the principles of 'Crime Prevention Through Environmental Design' and 'Safer by Design' into all development within the Town Centre.</p> <p>(5) Weather protection for pedestrians is to be provided in key locations.</p> <p>(6) Provide a high quality landscape design including a co-ordinated package of street</p>		
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	<p>furniture and lighting that enhances the character of the Town Centre.</p> <p>(7) Provide street tree and open space planting that establishes generous shade for pedestrians.</p> <p>(8) Design all signage and advertising in a co-ordinated manner.</p> <p>(9) Site servicing and loading facilities, waste storage and other infrastructure are to be designed to minimise visual impact on the public domain and impacts on neighbours.</p>		
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Subdivision 3 Local Infrastructure Contributions

The following contributions plans are relevant pursuant to Section 7.18 of the EP&A Act and have been considered in the recommended conditions (notwithstanding Contributions plans are not DCPs they are required to be considered):

- *Cessnock City Wide S7.12 Infrastructure Contributions Plan 2017*

This Contributions Plan was originally adopted on 13 December 2017, (with revisions adopted on the 5 February 2019 and 3 November 2025), S7.12 contributions are applicable to developments over \$100,000 and have been considered and included in the recommended draft consent conditions.

The following contributions are applicable to the total of the development proposed:

The cost of works is taken to be \$58,061,961.10 (incl. GST).

Therefore, a total monetary contribution of **\$580,619.61** is to be paid to Council, pursuant to Section 7.12 of the EP&A Act.

Subdivision 3 Housing and Productivity Contributions

The following contributions are relevant pursuant to Section 7.28 of the EP&A Act and have been considered in the recommended conditions, with a total of **\$200,818.78** to payable:

Applicable proposed development to this plan

Development	Total	Unit of charge	Indexed Rate	Indexed payable amount
Restaurant or cafe	902	SQM of GFA	32.437	\$29,258.37
Retail Premise	1,845	SQM of GFA	32.437	\$59,846.66
Shop	3,444	SQM of GFA	32.437	\$111,713.76

Total amount for proposed uses

\$200,818.78

(d) Section 4.15(1)(a)(iia) – Planning agreements under Section 7.4 of the EP&A Act

There are no active planning agreements or draft planning agreements that apply to the site or proposed development.

(e) Section 4.15(1)(a)(iv) – Provisions of Regulations

There are no provisions contained within the *Environmental Planning & Assessment Regulation 2021* which are relevant to the proposed development.

(f) Section 4.15(1)(b) – Significant Likely Impacts of Development

The significant likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality must be considered. In this regard, potential impacts related to the proposal have been considered in response to SEPPs, LEP and DCP controls outlined above.

The proposed development is not expected to result in any significant likely impacts to the natural and built environment, or detrimental social or economic impacts in the locality. The proposal is consistent with the establishing development pattern in the area and is an expected development type in an urban release area.

The consideration of impacts on the natural and built environments includes the following:

- Context and setting – The proposal is considered to be generally consistent with the desired character of the area, in that the proposed development is appropriate in the regional and local context of the master-planned nature of the Huntlee New Town in the locality. The surrounding locality Character and amenity of the locality and streetscape, scale, mass, form, character etc of surrounding development, potential impacts on adjoining properties (discussed in key issues if significant), previous and existing land uses.
- Access and traffic – The proposed development is not expected to have any adverse impact on the existing road network and traffic condition. Additionally, the overall traffic effects of the development have been assessed in previous studies for the Huntlee New Town.

As part of the Huntlee Major Project Approval (MP10_0137(as amended)), a new road will be constructed along the southern boundary of the site (Grocers Lane) which connects to Town Lane and Bakehouse Road, with Bakehouse Road to be extended to Wine Country Drive. The new road will provide one traffic lane in each direction within a seven wide metre wide carriageway with no kerbside parking. Town Lane will be extended adjacent to the eastern boundary of the site as part of the Huntlee Major Project Approval (MP10_0137 (as amended)).

The proposed carpark is shown to gain access from Empire Street (via a new roundabout) and future Grocers Lane via a 7.2m wide access driveway. The car park access is designed in accordance with AS 2890.1 allowing for two-way movements.

No new roads are proposed as part of the development.

Turning path diagrams for a B99, 6.4m small rigid, 8.8m MR, 12.5m HR and 19m AV vehicles is provided. They demonstrate that all movements are satisfactory in/out of the car park and loading dock. Access to the loading dock is only from Grocers Lane. Access to this area should be from Bakehouse Road (south) as the new roundabout on Empire St is not designed for large AV vehicles. Pedestrian safety at the loading bay entry/exit driveway crossing and Grocers Lane interface should be considered during the road design.

Note: As part of the ongoing delivery of the Huntlee development (MP10_0137 (as amended)) a roundabout will be constructed on Empire Street, opposite the access of the Coles Huntlee Shopping Centre.). The roundabout will provide access to the site and has been completed.

- Public Domain – The proposed development will add to the expansion of the establishing town centre of the Huntlee New Town, and will improve the existing streetscape of the area.
- Utilities – All utilities are available to the site which were established as part of MP10_0137(as amended).

The application has also demonstrated that stormwater infrastructure is also capable of being provided to manage this in an appropriate manner

- Safety, security and crime prevention – The proposed development will incorporate adequate CPTED and crime mitigation measures which will be included as conditions of consent.
- Economic impact – The proposed development will provide additional opportunities for employment and business development within the developing area.
- Construction – The potential impacts from construction are to be adequately mitigated in conditions including, limitation of permitted work hours and requirement for sediment and erosion control and traffic management control measures to be implemented and maintained during construction works.
- Cumulative impacts – The proposed development is generally consistent with MP10_0137(as amended). The outcomes of the proposed development are not considered to result in contributing to cumulative impacts, environmentally, socially or economically, other than what is expect when establishing a new town.

Accordingly, it is considered that the proposal will not result in any significant adverse impacts in the locality as outlined above.

(g) Section 4.15(1)(c) – Suitability of the site

The site is suitably located for the proposed development, in that it is within the establishing/established Huntlee New Town (MP10_0137 (as amended)).

(h) Section 4.15(1)(d) – Public Submissions

No submissions were received as a result of the public notification.

(i) Section 4.15(1)(e) – Public interest

The public interest is served through the detailed assessment of this Development Application under the *Environmental Planning and Assessment Act 1979*, Environmental Planning Instruments and Council Plans and Policies.

Based on the above assessment, it is considered that the public interest is served by the approval of the application for and new supermarket complex, containing a Woolworths Supermarket and the surrounding commercial premises.

4. REFERRALS AND SUBMISSIONS

4.1 Agency Referrals and Concurrence

The development application has been referred to various agencies for comment/concurrence/referral as required by the EP&A Act and outlined below in Table 4.

Table 4: Concurrence and Referrals to agencies

<i>Agency</i>	<i>Concurrence/referral trigger</i>	<i>Comments (Issue, resolution, conditions)</i>	<i>Resolved</i>
Concurrence Requirements (s4.13 of EP&A Act)			
N/A			
Referral/Consultation Agencies			
N/A			
Integrated Development (S 4.46 of the EP&A Act)			
Subsidence Advisory NSW	22 – <i>Coal Mine Subsidence Compensation Act 2017</i>	General Terms of Approval and Schedule of Plans and Documents to be consistent with provided, dated 26 November 2025.	Y

4.2 Council Officer Referrals

The development application has been referred to various Council officers for technical review as outlined Table 5.

Table 5: Consideration of Council Referrals

<i>Officer</i>	<i>Comments</i>	<i>Resolved</i>
Engineering	Council's Development Engineering Officer has reviewed the application and considers it to be satisfactory subject to conditions.	Yes (conditions)

Contributions	Council's Contributions Planner has reviewed the application and has calculated the required 7.12 Contributions required to be levied.	Yes (conditions)
Community Planner	Council's Community Planner has reviewed the application and supports the application subject to conditions.	Yes (conditions)

4.3 Other Referrals

The development application has been referred to other external bodies for comment as outlined Table 6.

Table 6: Consideration of Council Referrals

<i>Agency</i>	<i>Comments</i>	<i>Resolved</i>
NSW Police	<p>NSW Police were referred the application information at the time of lodgement in accordance with an agreement between Council and NSW Police, in relation to new liquor premises.</p> <p>NSW Police were followed up a number times for comment on the application, no response has been received in the required timeframe.</p> <p>As such it is concluded that they do not object to the proposed development.</p>	No response

4.4 Community Consultation

The proposal was notified in accordance with the Council's Community Participation Plan from 18 August 2025 until 1 September 2025. The notification included the following:

- Notification letters sent to adjoining and adjacent properties (Sixteen (16) letters sent);
- Notification on the Council's website via the Application Tracker.

The Council received no submissions as a result of the public notification.

5. KEY ISSUES

There are no other key issues other than what has been discussed throughout the assessment report.

6. CONCLUSION

This development application has been considered in accordance with the requirements of the EP&A Act and the Regulations as outlined in this report. Following a thorough assessment of the relevant planning controls, issues raised in submissions and the key issues identified in this report, it is considered that the application can be supported.

It is considered that the any issues as outlined throughout the assessment report have been resolved satisfactorily through amendments to the proposal and/or in the recommended draft conditions at **Attachment A**.

7. RECOMMENDATION

That the Development Application 8/2025/424/1 for Commercial Premises (Woolworths Supermarket, Liquor Outlet, and a Kiosk) and Nine (9) Commercial Premises at 11 Empire Street & 1823 Wine Country Drive, North Rothbury, NSW, 2335 be APPROVED pursuant to Section 4.16(1)(a) of the *Environmental Planning and Assessment Act 1979* subject to the draft conditions of consent / reasons for refusal attached to this report at Attachment A.

The following attachments are provided:

- Attachment A: Draft Conditions of consent
- Attachment B: Approved Plans and Documents
- Attachment C: General Terms of Approval (Subsidence Advisory NSW)