

Explanatory Note
Minister administering the *Environmental Planning and Assessment Act 1979* (ABN 20 770 707 468)
and
Stevens Holdings Pty Limited (ACN 002 386 450)
and
Transnational Pastoral Pty Limited (ACN 003 121 882)
Draft Planning Agreement

Introduction

The purpose of this explanatory note is to provide a plain English summary to support the notification of the draft planning agreement (the **Planning Agreement**) prepared under Subdivision 2 of Division 7.1 of Part 7 of the *Environmental Planning and Assessment Act 1979* (the **Act**).

This explanatory note has been prepared having regard to the Planning Agreements Practice Note and its contents have been agreed by the parties.

Parties to the Planning Agreement

The parties to the Planning Agreement are the Minister administering the *Environmental Planning and Assessment Act 1979* (ABN 20 770 707 468) (the **Minister**) and Stevens Holdings Pty Limited (ACN 002 386 450) and Transnational Pastoral Pty Limited (ACN 003 121 882) (known together as the **Developer**).

Description of the Subject Land

The Planning Agreement applies to the following land:

- Lot A in Deposited Plan 396415;
- Lot 36 in Deposited Plan 755249;
- Lot 41 in Deposited Plan 123953;
- Lot 1 in Deposited Plan 554423;
- Lot 1 in Deposited Plan 229971;
- Lot 101 in Deposited Plan 604655;
- Lot 1 in Deposited Plan 120512; and
- Lot 1 in Deposited Plan 229970,

known as 414 Old Maitland Road, Mardi (**Subject Land**).

Description of the Proposed Development

The Developer is seeking to:

- initially subdivide the Subject Land into two (2) lots – the first lot to contain the land zoned C2 Environmental Conservation and the subject of a stewardship agreement,

and the second lot to contain land zoned C3 Environmental Management and R5 Large Lot Residential (**Development Lot**);

- then subdivide the Development Lot to create community association property and five (5) development lots for further subdivision;
- subdivide the five (5) development lots from above under community title legislation to create approximately 219 residential lots in five (5) stages, and undertake associated works including servicing, roadworks, earthworks, filling and flood mitigation works, demolition, vegetation removal and landscaping,

generally in accordance with Development Application DA/765/2021 which has been lodged with Central Coast Council (**Proposed Development**). The Developer has made an offer to the Minister to enter into the Planning Agreement in connection with the Proposed Development.

An indicative plan of the Proposed Development is at the end of this explanatory note.

Summary of Objectives, Nature and Effect of the Planning Agreement

The Planning Agreement provides that the Developer will make a monetary contribution of \$91,250 per hectare of net developable area (subject to indexation in accordance with the Planning Agreement) (**Development Contribution**) for the purposes of the provision of designated State public infrastructure within the meaning of clause 6.1 of *Wyang Local Environmental Plan 2013 (LEP)*.

An instalment of the Development Contribution will be payable prior to the issue of each relevant subdivision certificate in accordance with Schedule 4 to the Planning Agreement.

The Developer is required to provide a \$200,000 bank guarantee in accordance with Schedule 5 to the Planning Agreement.

The objective of the Planning Agreement is to facilitate the delivery of the Developer's contributions towards the provision of designated State public infrastructure referred to in clause 6.1 of the LEP.

No relevant capital works program by the Minister is associated with the Planning Agreement.

Assessment of Merits of Planning Agreement

The Public Purpose of the Planning Agreement

In accordance with section 7.4(2) of the Act, the Planning Agreement has the following public purpose:

- the provision of (or the recoupment of the cost of providing) public amenities or public services;
- the provision of (or the recoupment of the cost of providing) transport or other infrastructure relating to land.

The Minister and the Developer have assessed the Planning Agreement and both hold the view that the provisions of the Planning Agreement provide a reasonable means of achieving the public purpose set out above. This is because it will ensure that the Developer makes an appropriate contribution towards the provision of infrastructure, facilities and services.

How the Planning Agreement Promotes the Public Interest

The Planning Agreement promotes the public interest by ensuring that an appropriate contribution is made towards the provision of infrastructure, facilities and services to satisfy needs that arise from development of the Subject Land.

The Developer's offer to contribute towards the provision of designated State public infrastructure will have a positive impact on the public who will ultimately use it.

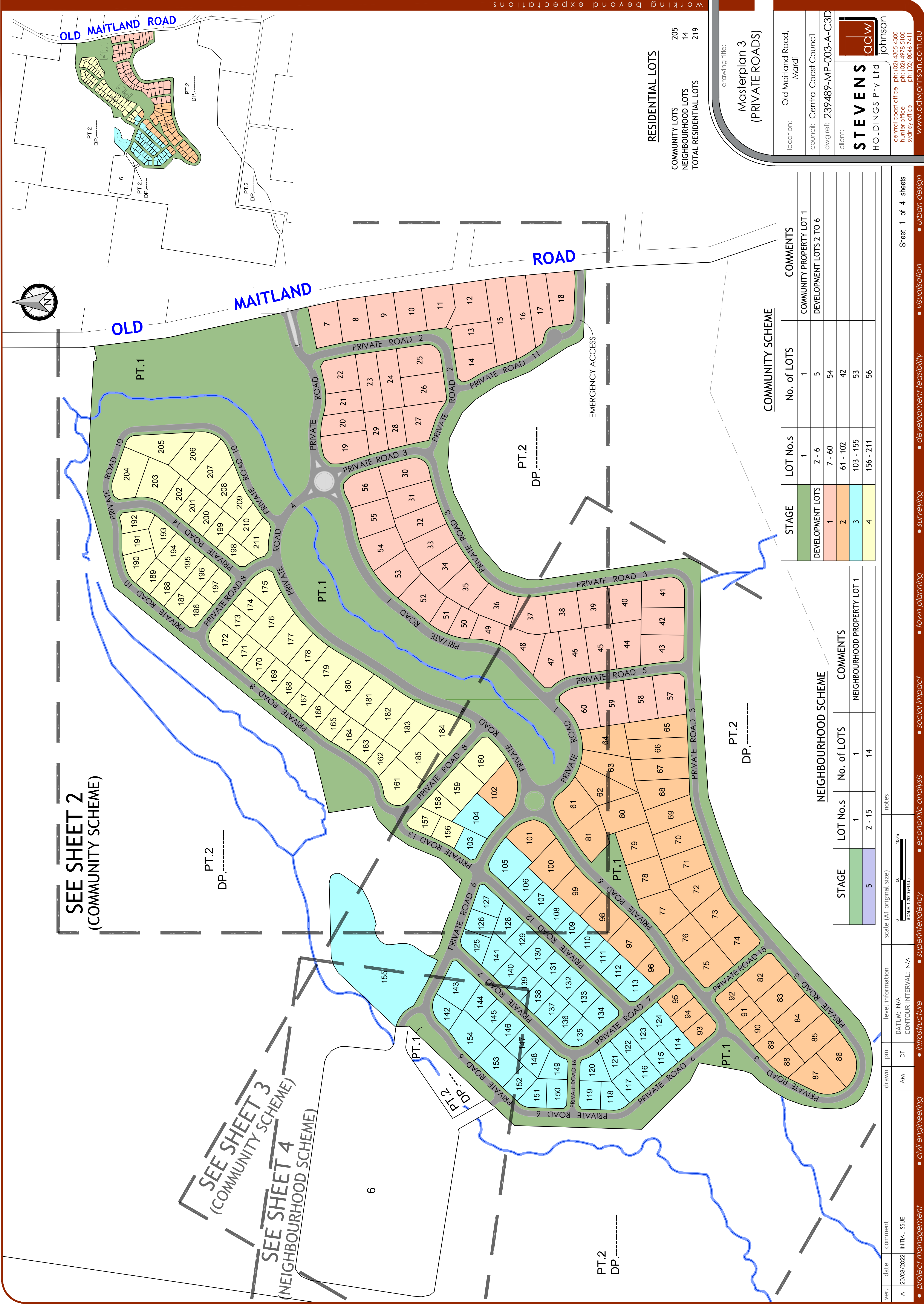
Requirements relating to Construction, Occupation and Subdivision Certificates

The Planning Agreement does not specify requirements that must be complied with prior to the issue of a construction certificate or an occupation certificate.

The Planning Agreement requires an instalment of the Development Contribution to be paid prior to the issue of the relevant subdivision certificate and therefore contains a restriction on the issue of a subdivision certificate within the meaning of section 6.15(1)(d) of the Act.

Indicative Plan of the Proposed Development

See following page.



SEE SHEET 2
(COMMUNITY SCHEME)

SEE SHEET 3
(COMMUNITY SCHEME)

SEE SHEET 4
(NEIGHBOURHOOD SCHEME)

RESIDENTIAL LOTS

COMMUNITY LOTS	205
NEIGHBOURHOOD LOTS	14
TOTAL RESIDENTIAL LOTS	219

drawing title:
Masterplan 3
(PRIVATE ROADS)

STAGE	LOT No.s	No. of LOTS	COMMENTS
DEVELOPMENT LOTS	2 - 6	5	COMMUNITY PROPERTY LOT 1
1	7 - 60	54	DEVELOPMENT LOTS 2 TO 6
2	61 - 102	42	
3	103 - 155	53	
4	156 - 211	56	

NEIGHBOURHOOD SCHEME

STAGE	LOT No.s	No. of LOTS	COMMENTS
1	1	1	NEIGHBOURHOOD PROPERTY LOT 1
2 - 15	14		

ver.	date	comment	drawn	pm	level information	notes
A	20/08/2022	INITIAL ISSUE	AM	DT	DATUM: N/A CONTOUR INTERVAL: N/A	scale (A1 original size) 0 50 100m SCALE: 1:2000 (FULL)
Sheet 1 of 4 sheets						

• project management

• civil engineering

• infrastructure

• superintendency

• economic analysis

• social impact

• town planning

• surveying

• development feasibility

• visualisation

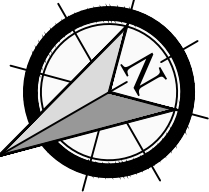
• urban design



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COMMUNITY SCHEME

SHEET 2 of 2 SHEETS

PT.2
DP.-----

SEE

2

SHEET

PT.2
DP.-----

155

1.212 ha.

PT.1
(0.154 ha.)

6
4.926 ha.

PT.2
DP.-----

PT.2
DP.-----

PT.2
DP.-----

(C) POSITIVE COVENANT FOR ASSET PROTECTION ZONE
(D) EASEMENT FOR DRAINAGE OF WATER 6 WIDE

COMMUNITY SCHEME

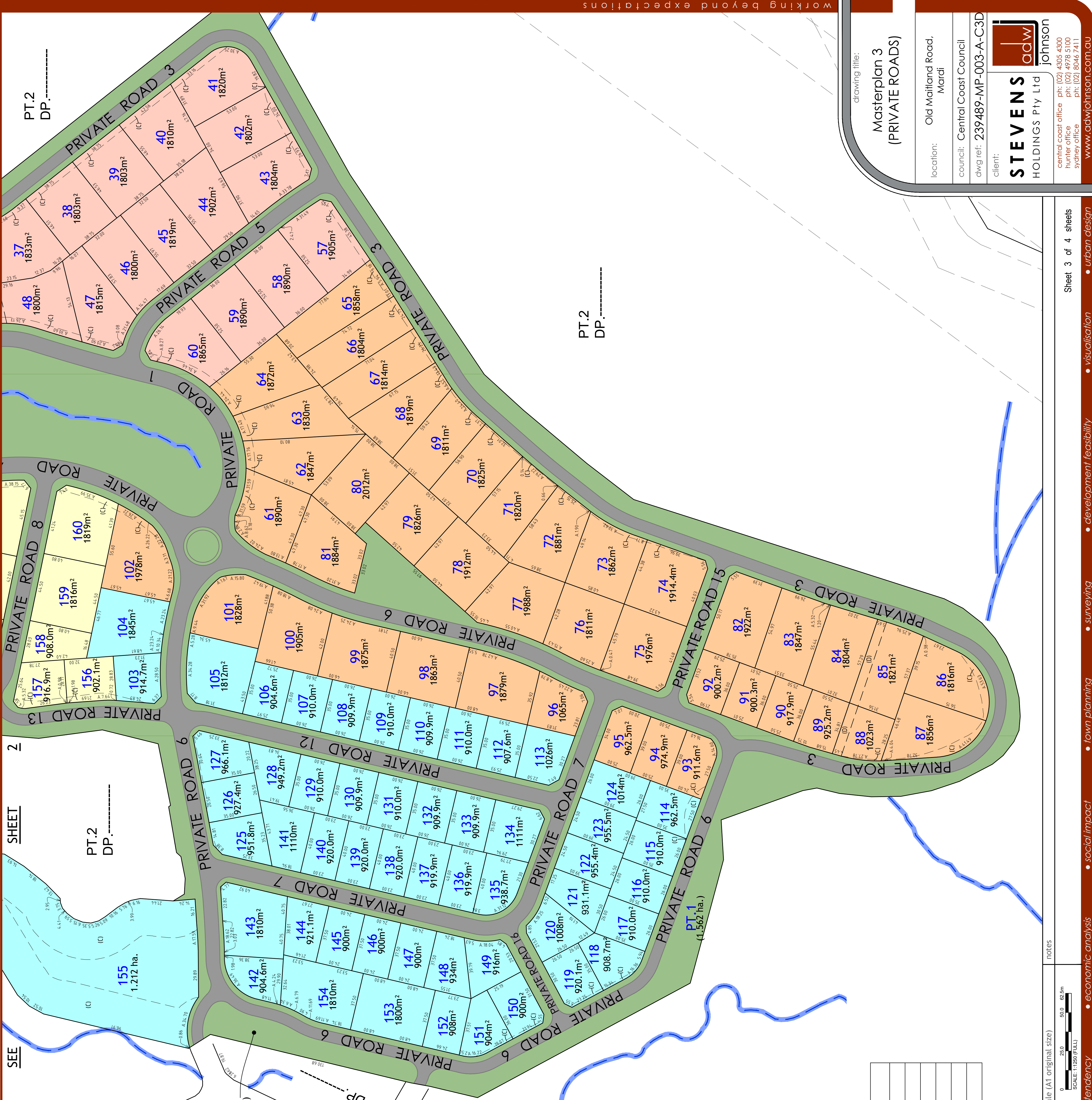
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ver.	date	comment	drawn	pm	level information	scale (A1 original size)	notes
A	20/08/2022	INITIAL ISSUE	AM	DT	DATUM: N/A CONTOUR INTERVAL: N/A	0 250 500 82.5m SCALE: 1:1250 (FULL)	

- project management
- civil engineering
- infrastructure
- superintendency
- economic analysis
- social impact
- town planning
- surveying
- development feasibility
- visualisation
- urban design

Sheet 3 of 4 sheets

- urban design



drawing title:

Masterplan 3
(PRIVATE ROADS)

location: Old Maitland Road,
Mardi

council: Central Coast Council

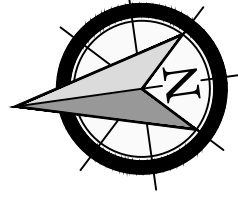
dwg ref: 239489-MP-003-A-C3D

client:

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PT.2

DP.---

PT.2

DP.

(C) POSITIVE COVENANT FOR ASSET PROTECTION ZONE

NEIGHBOURHOOD SCHEME

STAGE	LOT No.s	No. of LOTS	COMMENTS
	1	1	NEIGHBOURHOOD PROPERTY LOT 1
5	2 - 15	14	

ver.	date	comment	drawn	pm	level information	sta
A	20/09/2022	INITIAL ISSUE	AM	DT	DATUM: N/A CONTOUR INTERVAL: N/A	

• *civil engineering*
 • *infrastructure*
 • *superim*

project management

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