

Explanatory Note
Minister administering the *Environmental Planning and Assessment Act 1979* (ABN 20 770 707 468)
and
Euca Valley Pty Ltd (ACN 637 395 754)
and
Hazcorp Property Group Pty Ltd (ACN 630 141 132)
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 Euca Valley Pty Ltd (ACN 637 395 754) and Hazcorp Property Group Pty Ltd (ACN 630 141 132) (together, the **Developer**).

Description of the Subject Land

The Planning Agreement applies to Lot 61 in Deposited Plan 1252146, Lot 101 in Deposited Plan 1266464 and Lot 8 in Deposited Plan 1170882 together known as 327 – 443 and 461A Kolodong Road, Taree (**Subject Land**).

Description of the Proposed Development

The Developer is seeking to subdivide

- Lot 101 DP 1266464 and Lot 61 DP 1252146 in stages into approximately 478 residential lots with associated civil and landscaping works, boundary adjustments and car park generally in accordance with the plan in Schedule 6 to the Planning Agreement and DA2021/1593 lodged with Mid Coast Council; and
- Lot 8 DP 1170882 into approximately 40 residential lots in accordance with any future Development Application (**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 \$658 per residential lot (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 *Greater Taree Local Environmental Plan 2010 (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 \$20,000 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




















LOT YIELD	
STAGE ID	NUMBER OF LOTS
STAGE 1	27
STAGE 2	20
STAGE 3	6
STAGE 4	18
STAGE 5	12
STAGE 6	18
STAGE 7	16
STAGE 8	17
STAGE 9	33
STAGE 10	23
STAGE 11	33
STAGE 12	23
STAGE 13	17
STAGE 14	24
STAGE 15	28
STAGE 16	33
STAGE 17	19
STAGE 18	29
STAGE 19	21
STAGE 20	35
STAGE 21	26
TOTAL NUMBER OF LOTS	478

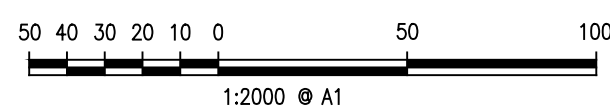
EUCA VALLEY


TAREE



LEGEND - MASTER PLAN

- | | | | |
|---|---|---|--|
|  | EXISTING WATER BODIES - TO BE RETAINED AND RECONSTRUCTED AS WET OSD BASINS |  | PROPOSED GROSS POLLUTANT SEDIMENT REMOVAL DEVICE |
|  | WILD LIFE CORRIDOR WITH MANAGEMENT PLAN TO BENEFIT COUNCIL | 4-8-4 | PROPOSED VERGE AND CARRIAGEWAY WIDTHS |
|  | OPEN SPACE - TO BE DEDICATED TO COUNCIL | | - SEE LANDSCAPE PLAN BY TERRAS CONSULTING DATED XX/XX/XXXX |
|  | PROPOSED VEGETATED RIPARIAN ZONE | | - SEE STORMWATER REPORT BY MID COAST ENGINEERS DATED XX/XX/XXXX |
|  | EXISTING DAMS TO BE REMOVED | | - SEE SEWER AND WATER SUPPLY STRATEGIES BY CRAIG AND RHODES DATED XX/XX/XXXX |
|  | TREES TO BE REMOVED (SEE ECOLOGICAL REPORT) | | - ALL DIMENSIONS, AREAS, EASEMENTS ARE SUBJECT TO FINAL CIVIL ENGINEERING DESIGN, CONSTRUCTION OF SERVICES & FINAL SERVICE |
|  | EXISTING CONTOURS - 0.5m INTERVALS | | |
|  | APPROXIMATE 1% FLOOD EXTENT OF OSD BASINS | | - ALL KERB AND PROFILES TO BE STANDARD BARRIER KERB EXCEPT FOR ALL 4-8-4, 4-8-3, 6-8-3 TO BE MODIFIED NEWTON LAYBACK KERB |
|  | EXISTING POWERLINES | | |
|  | PROPOSED SEWER | | |
|  | PROPOSED OVERHEAD POWERLINE EASEMENT 30 WIDE | | |
|  | PROPOSED OVERHEAD POWERLINE EASEMENT 20 WIDE | | |
| | PROPOSED INDICITIVE BIO-RETENTION AND SEDIMENT BASINS UNTIL 80% BUILT (SUBJECT TO FINAL DESIGN) | | |
|  | PROPOSED DRY OSD BASIN (RETAINS EXISTING WATERCOURSE) | | |
|  | EASEMENT FOR PUBLIC ACCESS 8 WIDE (NO FENCES) | | |
|  | APPROXIMATE LOCATION OF FUTURE ELECTRICAL PADMOUNT SUBSTATIONS | | |
|  | APPROXIMATE PROPOSED FOOTPATH (DUAL USE-CYCLE & PEDESTRIAN) | | |



MODEL_REF						LGA MIDCOAST	LOCALITY KOLODONG	Drawn	AF/LD	 <div>McGlashan & Crisp SURVEYORS</div>	117 VICTORIA STREET, TAREE 2430 Ph:02 65521566 e: admin@mcglashanncrisp.com.au	CLIENT	EUCA VALLEY PTY. LTD	TITLE	PROPOSED SUB DIVISION OF LOTS 101 & 102 DP1266464, LOT 61 DP1252146 AND LOT 521042462
								Checked	GAC			PROJECT	EUCA VALLEY	KOLDONGS ROAD, TAREE BEING SUBDIVISION OF PROPOSED LOT 1001 AND 1004 IN PROCEDURAL SUBDIVISION	
01	AS PER CLIENT REVIEW		21.09.21					DATUM	AZIMUTH MGA						Date
Rev.	Revision Description		Date					Scale	1:2000						