

EXPLANATORY NOTES

1. This Voluntary Planning Agreement ("the VPA") relates to the Land set out in the Schedule hereto ("the Land"), which Land adjoins the existing residential development at the Cliftleigh Village. The VPA is to be entered into pursuant to Section 93F of the Environmental Planning & Assessment Act 1979 (NSW).
2. The Land is presently zoned 1(a) Rural under the Cessnock City Council Local Environmental Plan 1989.
3. Under the Cessnock City Council Urban Settlement Strategy the Land is shown as scheduled for future residential subdivision.
4. Winten (No 23) Pty. Limited ("Winten") has requested Council to prepare a Local Environmental Plan to rezone the Land partly 2(a) and partly 6(a) and the Council have prepared Local Environmental Plan 1989 (Amendment No. 120).
5. Winten have or will lodge Development Applications to subdivide the major part of the Land into approximately 977 residential allotments.
6. The public within the Council area will benefit by the additional number of residential allotments for residential accommodation within the Council area and in particular the Kurri Kurri and Cliftleigh area.
7. Winten and the Council have negotiated the terms of the VPA to provide Contributions for the increased use of the existing public facilities and infrastructure within the local area and the provision of new public facilities within the Land to be subdivided. The provisions of the Contributions as set out in the VPA are in lieu of the Council preparing a Plan under Section 94 of the Environmental Planning & Assessment Act.
8. The details of the Contributions which total in value \$14,836,000.00 are set out in the Schedule hereto but they comprise by way of summary:-
 - (a) Provision of certain public facilities which include construction/rehabilitation works and maintenance of the existing Tester Hollow Area;
 - (b) Provision of a neighbourhood community centre;

- (c) Provision of a neighbourhood childcare centre;
- (d) Provision of neighbourhood recreation facilities;
- (e) Local Park embellishment.

9. In regard to the provisions of the various Public Facilities referred to in paragraph (8) the land on which those facilities are constructed is to be dedicated to the Council.
10. Cash contribution totaling \$6,316,000.00 will be made to assist in maintenance of existing services and improvement and provision of new services and infrastructure details of which are as set out in the Schedule hereto.
11. The proposed rehabilitation of Testers Hollow provides an opportunity to transform a degraded landscape into an important environmental and recreational resource of local and regional significance. Despite being a highly disturbed rural landscape and floodplain, Testers Hollow is identified as a wetland of regional significance in the 1989 Hunter Regional Environmental Plan. The rehabilitation of the wetland and surrounds is an integral part of the open space recreational and environmental objectives for the new Clifftleigh Masterplanned Residential Community.

Land and capital works contributions for Testers Hollow under the VPA will be fundamental in the provision of the following benefits for the local and regional community:

- Rehabilitation of an Endangered Ecological Community.
- Establishment of viable aquatic and terrestrial habitats.
- Significant improvements to water quality and hydrology.
- Provision of passive and active recreational opportunities.
- Environmental education and interpretation
- Community facilities.
- Enhanced scenic values.
- Provide an Open Space Buffer between the planned residential development and surrounding rural areas.

SCHEDULE

LAND

Lot No	Deposited Plan	Street
61	1076974	Main Road Clifleigh
62	1076974	Main Road Clifleigh
23	607899	Main Road Clifleigh
61	785115	Main Road Clifleigh
62	785115	Main Road Clifleigh
3	1039042	Main Road Clifleigh
1	1072276	Main Road Clifleigh
2	1072111	Main Road Clifleigh
22	607899	Main Road Clifleigh
1	1039042	Main Road Clifleigh

CONTRIBUTIONS

Table 1 Item	Facility	Details	Indicative Value
1	Testers Hollow Wetlands Construction	Civil works & erosion control	1,400,000
2	Testers Hollow Rehabilitation Works	Planting macrophyte & littoral zones	700,000
3	Testers Hollow Maintenance - 5 years		250,000
4	Neighbourhood Community Centre		650,000
5	Neighbourhood Childcare Centre	Provision for min. 30 place facility	1,600,000
6	Neighbourhood Recreation Facilities		1,500,000
7	Local Park embellishment		300,000
			6,400,000

Table 2	Schedule of Land Dedication		
8	Testers Hollow Open Space	468400sq.m @ \$2/sqm	937,000
9	Neighbourhood Community Centre	200sp.m @ \$180/sq.m	360,000
10	Neighbourhood Recreation Facilities	22600sq.m @ \$8/sq.m	180,000
11	Local Park - Hilltop	3900sq.m @ \$75sq.m	293,000
11.1	Open Space	7266sq.m @\$75/sq/m	350,000
			2,120,000

Table 3	Schedule of Cash Contributions	
12	Library Services	605,000
13	Kurri Kurri Aquatic Centre	189,000
14	External Cycleway	150,000
15	Cycle Link to Kurri Kurri	98,000
16	Pedestrian Refuges	41,000
17	Rationalise Main Road Access	273,000
18	Roads/Streetscape/Parking	400,000
19	District Roads and Bridges	4,560,000
		6,316,000
		14,836,000