

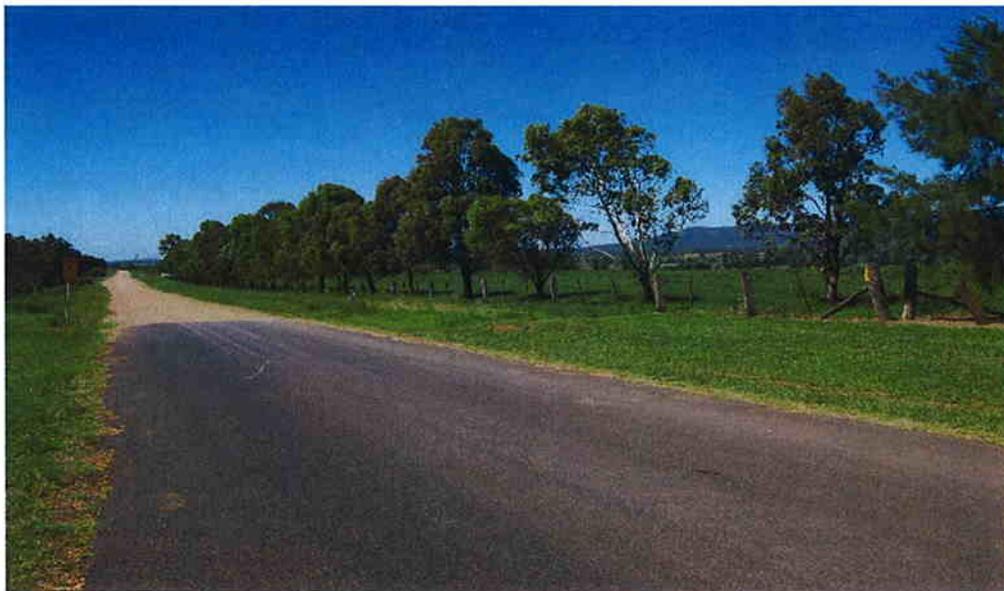
'CONINGSBY'

**112 CLIFTLANDS ROAD
SCONE 2337**

**LOCAL PLAN – PLANNING PROPOSAL
FOR
REZONING AND SUBSEQUENT SUBDIVISION
TO
SCONE LOCAL ENVIRONMENTAL PLAN
1986**

**FROM 1 (i) INTENSIVE AGRICULTURE (PART)
TO
1 (c) RURAL SMALL HOLDINGS**

**EIGHT (8) LOTS @ APPROX 1 Ha each
For: RC & MA JACOBSON**



**PREPARED IN ACCORDANCE WITH N.S.W DEPARTMENT
GUIDE OF PLANNING DOCUMENTS – JULY 2009 PUBLICATION
No DOP-09-004B**

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1.0 INTRODUCTION

'Coningsby' is a small rural property of approximately 76 Ha located West of the Scone township in the Upper Hunter Shire Council local government area of a developing rural environment.

This planning proposal seeks to rezone a small area of this property under the present Shire Council existing local environment plan of 1986 for rural small holdings 1 (c) from 1(i) intensive agriculture. The area is approximately 8 hectares.

Attached to this planning proposal are references made to various reports and investigated studies that relate to the development of a concept design for these small holdings.

It is considered that the content and references within this planning proposal supports the guide lines to a gateway determination for this proposal and to the N.S.W Government Department Planning fact sheet and publication No DOP-09-004B.

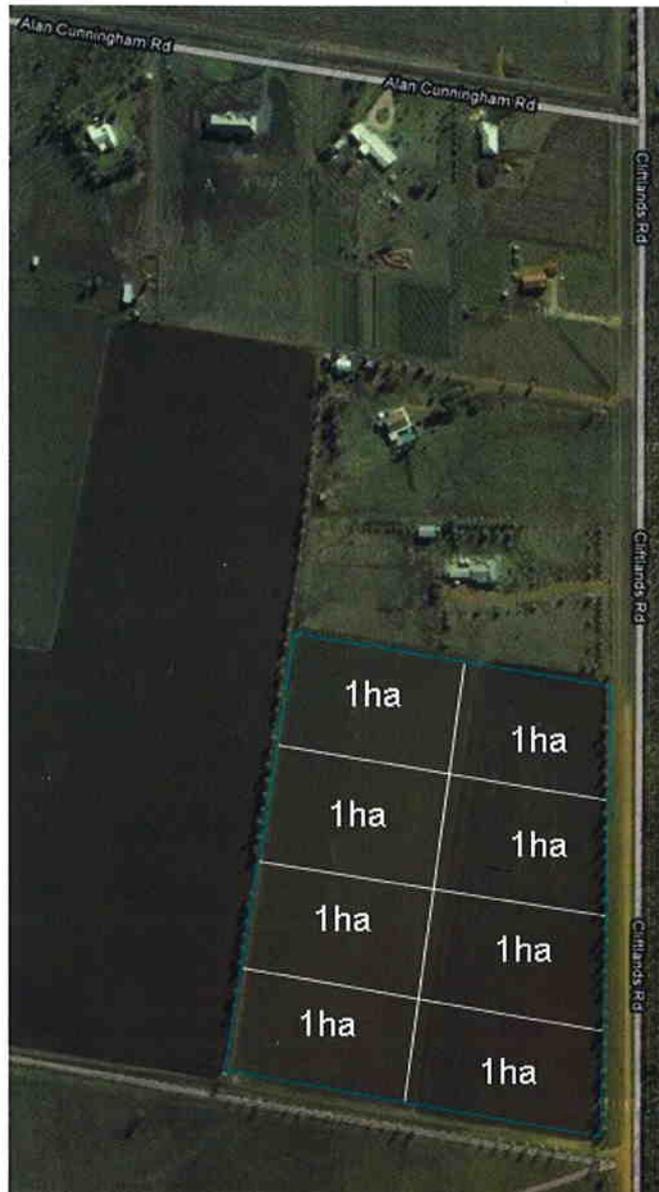
2.0 PART 1 - OBJECTIVES OR INTENDED OUTCOMES

The objective of this LOCAL PLANNING PROPOSAL is to enable the development of eight (8) rural small holdings each of approximately one (1) hectare. The property joins an existing rural small holdings subdivision.

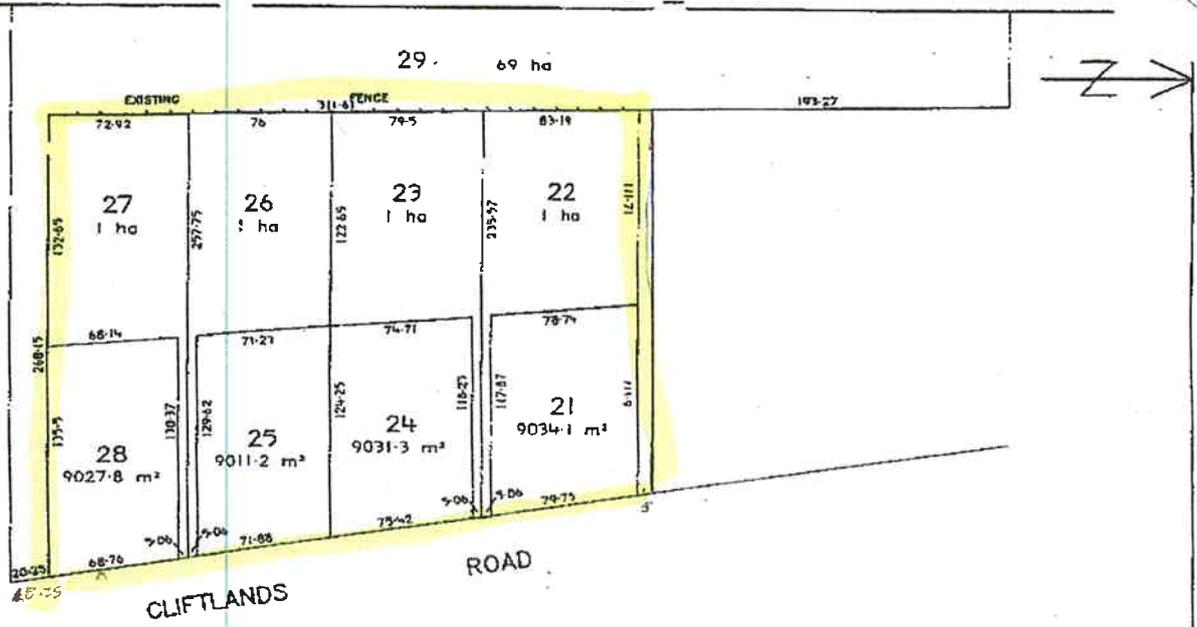
The subject land is strategically located in close proximity to all of Scones infrastructure and service facilities and is an extension of an existing small holdings subdivision adjacent to the property.

This subdivision will address the growing demand for rural lifestyle blocks. Currently there is a short supply of land in the Scone area. This proposal will provide growth to the Scone area and prevent the loss of population to other Hunter towns.

Indicative Concept Plan of Proposed Subdivision



Indicative Concept Plan of Proposed Subdivision – Continued



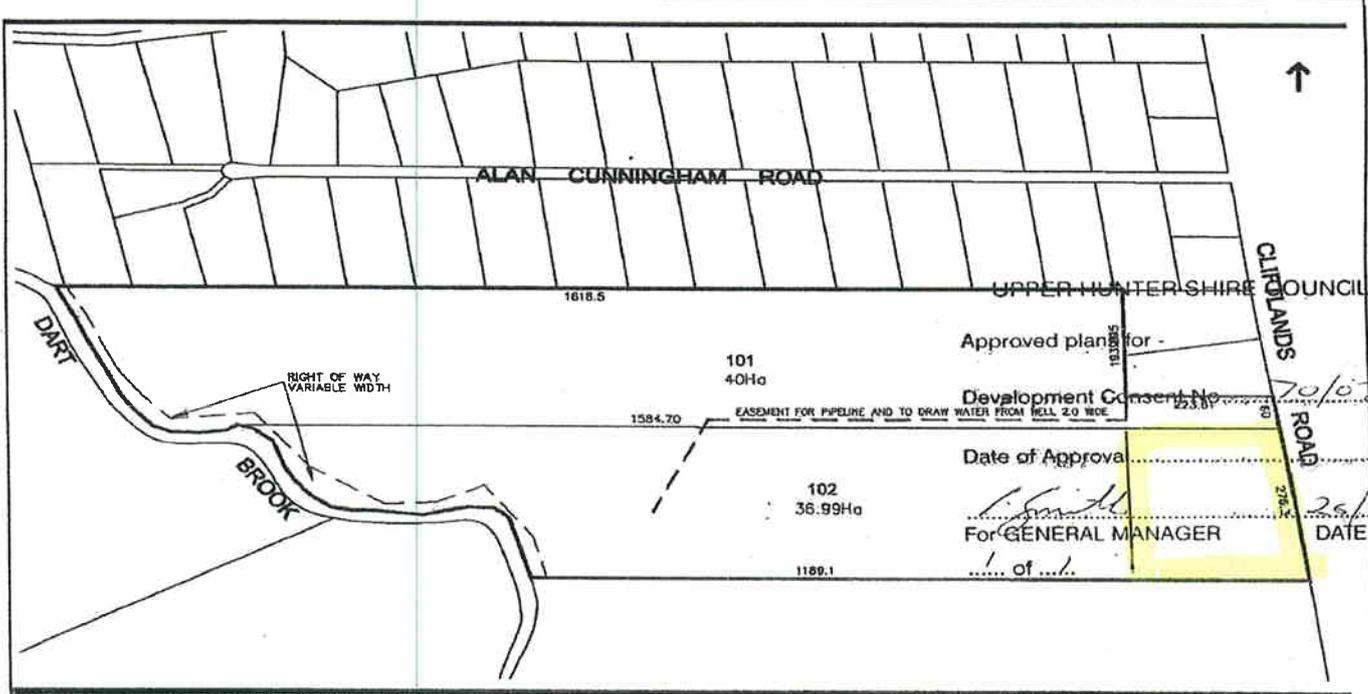
PLAN OF PROPOSED RE-ZONING AND SUBDIVISION
LOT 610 IN DEPOSITED PLAN 777251
CLIFTLANDS ROAD SCONE

ALL AREAS AND DIMENSIONS ARE APPROXIMATE ONLY
AND ARE SUBJECT TO FINAL SURVEY

Job: 236 Description: SUBD: CLIFTLANDS RD SCONE Plot: 2C Origin east: 2390 north: 3040 Rotation: 90°00'00" Reduction ratio 1:2000	SURVEY BY :	K. F. MURPHY & ASSOCIATES REGISTERED SURVEYORS 117 LIVERPOOL STREET SCONE N.S.W. 2337 PH (02) 6545 9092 FAX (02) 6545 3306
	DRAWN BY : K.F.M.	
A3	CHECKED BY :	DATUM : SCALE : 1:2000 SHEET : 1 DATE : 18 FEBRUARY 2002 REFERENCE : 22/236

The indicative concept Plan proposed for the eight (8) one (1) hectare blocks has been prepared to show the layout of the blocks of land and the manner of access to each from Clifflands Road which connects onto the East-West Moobi Road.

Indicative Concept Plan of Proposed Subdivision - Continued



**CONCEPT SUBDIVISION LAYOUT
LOT 610 DP 77251
CLIFFLANDS ROAD, SCONE**

RC and MA Jacobson
STATEMENT OF ENVIRONMENTAL EFFECTS WITH A SEPARATE OBJECTION
19 March 2007

This layout illustrates the adjoining subdivisions showing the proximity to other similar 1 Hectare lots.



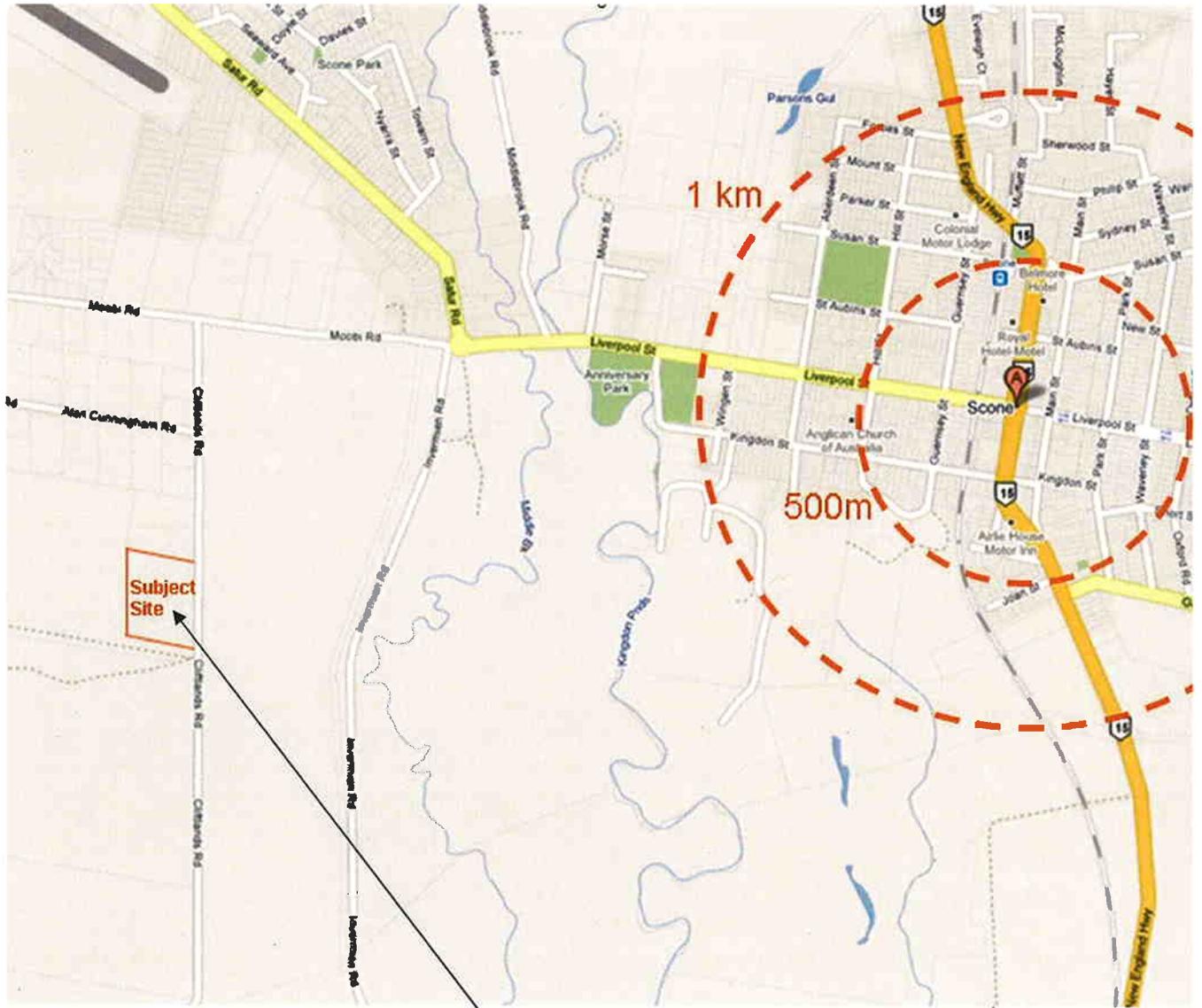
Subject Site

This layout illustrates the adjoining subdivisions showing the proximity to other similar 1 Hectare lots.



Subject Site

Location plan in relation to Scone CBD



Subject Site

The proposed site is considered to be flat but elevated with a slight fall towards the West of the holding from the frontage to Clifflands Road.

The land within the defined boundary of the holding is cleared of trees except along the front boundary facing Clifflands Road.

Site Plan

←
Continuation of existing adjoining Rural Residential Small Holding Lots



→
Existing adjoining Rural Residential Small Holding Lots

→
Subject Site

3.0 PART 2 – EXPLANATION OF PROVISIONS

The objective of this planning proposal is to be achieved by re-zoning the subject site of approximately eight (8) hectares to enable the site to become a rural small holdings development.

The existing Scone Local Environmental Plan 1986 (SLEP 1986) is the relevant Environment Planning Instrument applying to the subject land.

The Upper Hunter Shire Council is in the process of preparing a new Shire wide LEP under the State Planning guidelines and it is proposed that this development is seeking amendment to the Shire Councils existing LEP-1986.

Currently the property is gazetted as zone No 1. (i) Intensive agriculture applying under SLEP 1986.

Therefore, this proposal development of the eight (8) one (1) hectares would become zone No1 (c) Rural small holdings and the balance of the property would remain zone No 1 (i) intensive agriculture.

Given the permissibility constraints with the existing zones, it is proposed that the SLEP 1986 zoning map be amended to apply to zone No 1 (c) rural small holdings, which is an existing zone in the L.E.P of 1986.

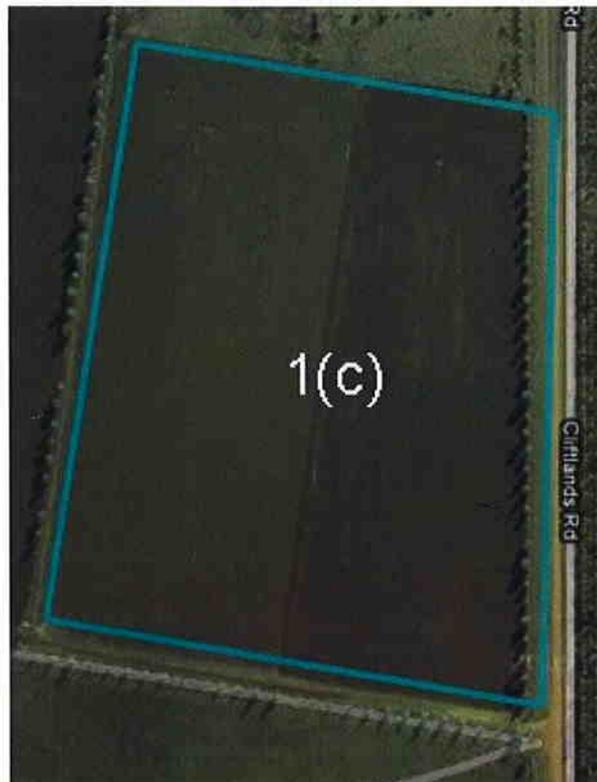
The proposed amendments to the zone maps are on the **next page**.

Proposed Zone Map Amendments

Existing Zoning - 1 (i) Intensive Agriculture



Proposed Zoning - 1 (c) Rural Small Holdings



The existing zone provisions in SLEP 1986 for the zone No1 (c) RURAL SMALL HOLDINGS are appropriate to enable the development. The zone objectives and development control table are as follows:

Zone No1 (c) (RURAL SMALL HOLDINGS)

1. Objectives of zone

To limit the development of land for the purposes of dwelling-houses, duplex flats, maisonettes and semi-detached cottages and other purposes which have a minimal impact on the amenity of low density residential environments.

2. Without development consent

Dwelling-houses

3. Only with development consent

Any purpose other than those included in item 2 or 4.

4. Prohibited

Abattoirs; advertising structure; aerodromes; animal boarding; breeding or training establishments; automotive uses; bulk stores; caravan parks; car repair stations; cemeteries and crematoria; clubs; commercial premises; extractive industries; funeral parlours; generating works; gas holders; hotels; industries (other than home industries); institutions; junk yards, liquid fuel depots; mines; motels; motor showrooms; places of assembly; public buildings; refreshment rooms; residential flat buildings (other than Class "A" or units of two storey construction for aged persons); retail plant nurseries; roadside stalls; road transport terminals; sawmills; service stations; shops; stock and sale yards; warehouses; wholesale markets.

The 1 (c) zone is specifically focused at enabling development for rural small holding areas and associated uses. Accordingly, the objectives and provisions in the SLEP 1986 do not require any amendment.

A Development Control Plan (DCP) is to be prepared in association with the preparation of the comprehensive LEP following the Gateway Determination. The DCP is to consider the following matters:

1. Vision and development objectives for the proposal for rural small holding lots
2. Access and movement to the rural small holding lots
3. Rural small subdivision design
4. Landscaping Strategy
5. Set backs, dwelling height and siting
6. Garages and site access
7. Fencing
8. Type of building materials and design
9. Value of building – main structure
10. Appropriate building standards and requirements set by the Upper Hunter Shire Council

4.0 PART 3 – JUSTIFICATION

Section A – Need for the planning proposal

1. Is the planning proposal a result of any strategic study or report?

This Local Planning Proposal is the result of the Upper Hunter Land Use Strategy, which has been approved by Upper Hunter Shire Council and is awaiting endorsement by the Department of Planning. The relationship of the Upper Hunter Land Use Strategy with the Planning Proposal is discussed in greater detail under Question 5.

There have been investigation studies prepared to support the rural small holdings design and development of the site. The site investigation studies include:

- Surrounding land use
- Existing land use and activities
- Topography and Hydrology
- Vegetation
- Access
- Agricultural land value or capability
- Environmental Hazards
- Established urban Structure
- Servicing

The findings from the above studies have been used as a basis for the Concept Plan design. Where necessary, more detailed site investigation and supporting studies will be undertaken in accordance with the Gateway Determination.

2. Is the planning proposal the best means of achieving the objectives or intended outcome, or is there a better way?

A change of zone is the proper and best means of achieving the objectives and intended outcomes in this Planning Proposal. The proposed development outcome in this Planning Proposal cannot be achieved without changing the zoning in Council's LEP from a intensive agricultural to a rural small holdings, except under Part 3A of the Environmental Planning and Assessment Act. The Part 3A is not considered an appropriate means of achieving the objectives and intended outcomes.

3. Is there a net community benefit?

As suggested in the Department's Local Plan-Making Guidelines, the Evaluations Criteria to undertake a Net Community Benefit analysis have been adapted from the Draft Centres Policy (April 2009). In some cases the Evaluation Criteria have been modified or removed to ensure the criteria are meaningful to this Planning Proposal.

**Evaluation Criteria
TABLE 'A'**

Net Community Benefit Evaluation Criteria	Response
Is the LEP located in a global/regional city, strategic centre or corridor nominated within the Metropolitan Strategy or other region/subregional strategy?	The subject site for the Planning Proposal is not within an area affected by regional/subregional strategy.
Is the LEP likely to create a precedent or create or change the expectations of the landowner or other landholders?	The Planning Proposal is in accordance with the established local planning framework, which has been approved by Council and awaiting endorsement by the Department of Planning. Therefore, it is not likely to set an undesirable precedent.
Have the cumulative effects of other spot rezoning proposals in the locality been considered? What was the outcome of these considerations?	The Planning Proposals is consistent with the local strategic planning requirements and considerations. Accordingly, any cumulative effect of similar spot rezoning proposals would need to adhere to the local strategic planning policies, which includes the strategic growth of Scone in the Upper Hunter Land Use Strategy.
Will the LEP facilitate a permanent employment generating activity or result in a loss of employment?	There will be no impact or loss of employment lands resulting from the proposal.
Will the LEP impact upon the supply of residential land and therefore housing supply and affordability?	This Planning Proposal will increase rural small holdings land supply in Scone and therefore have a positive impact on affordability and diversity.
Is the existing public infrastructure (roads, rail, utilities) capable of servicing the proposed site? Is there good pedestrian and cycling access? Is public transport currently available or is there infrastructure capacity to support future public transport?	The subject site fronts a minor road and can connect with pedestrian and cycling networks within Scone. Scone contains a passenger station for intra and interstate rail services. Including nearby air services and school bus services
Are there significant Government investments in infrastructure or services in the area whose patronage will be affected by the proposal? If so, what is the expected impact?	The Government has finalised plans to augment the water supply from Glenbawn Dam. Augmentation of the supply is to enable further growth within the Upper Hunter region. Therefore, no significant impact on the water supply is anticipated. Power supplies have been upgraded.

3. Is there a net community benefit? - Continued

Net Community Benefit Evaluation Criteria	Response
<p>Will the proposal impact on land that the Government has identified a need to protect (e.g. land with high biodiversity values) or have other environmental impacts? Is the land constrained by environmental factors such as flooding?</p>	<p>The land does not contain any areas with high biodiversity values and any flood affected areas.</p>
<p>Will the LEP be compatible/complementary with surrounding land uses? What is the impact on amenity in the location and wider community? Will the public domain improve?</p>	<p>This Planning Proposal is compatible and complementary with adjacent land uses. Residential development exists on the north and west and rural land to the south and east. In addition, there will be no adverse impact on the broader community and the provision of rural small holdings will increase rural families.</p>
<p>What are the public interest reasons for preparing the draft plan? What are the implications of not proceeding at that time?</p>	<p>There are five main public interest reasons for progressing this Planning Proposal, which cannot be realised without finalising a change to the zoning to rural small holdings.</p> <ol style="list-style-type: none"> 1. The rural small holdings land supply in Scone will be increased, which will result in increased competition from other town areas. 2. Will promote a greater rural family demand i.e. Supports the Scone school agricultural programmes and local businesses. 3. Bring in younger families having the use of larger areas to have pets etc. 4. Supporting families away from mining areas. Environmental (Dust & Noise) 5. Short term and permanent employment generation for the district.

The details contained in TABLE 'A' provide the "REAL" net community benefit resulting from this Planning Proposal, however the following BROAD LOCATION CRITERIA, TABLE 'B' outlines a full presentation of the submission offered to the Draft Upper Hunter Land use strategy for the proposed re-zoning and subdivision.



Adjoining small rural holdings with water tank in background supplying existing subdivision on Allan Cunningham Road and Clifflands Road



Adjoining neighbour of a small rural holding Clifflands Road which was originally part of the "Coningsby" land holding

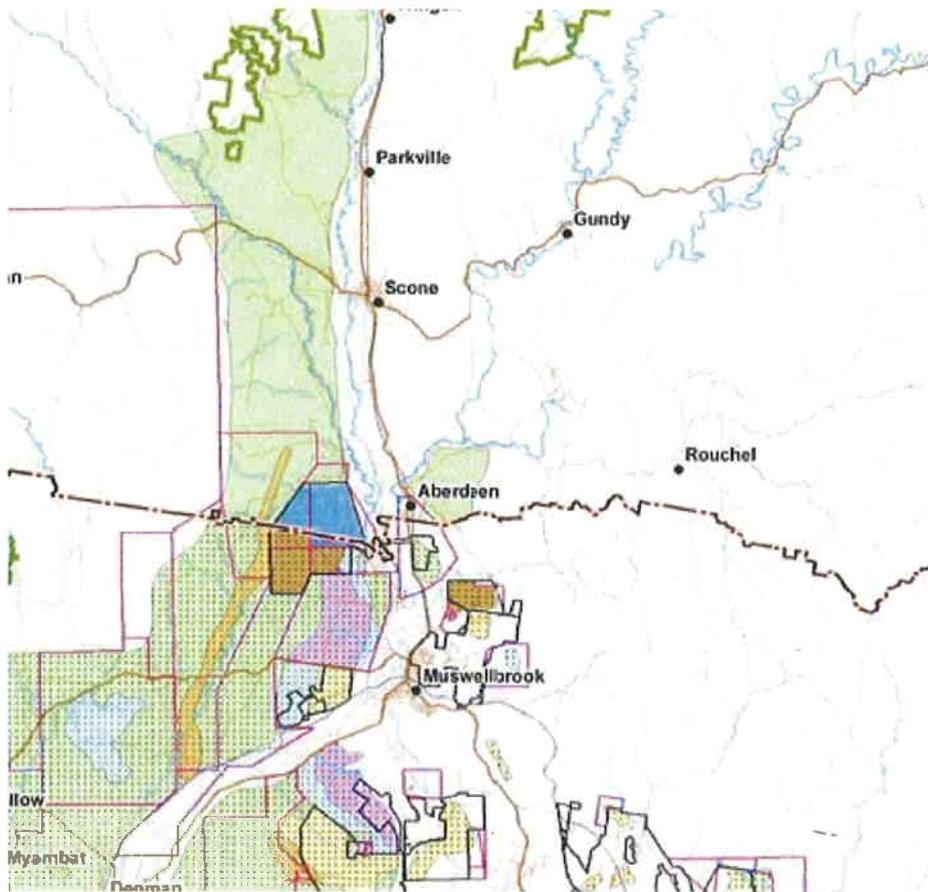
Section B – Relationship to strategic planning framework

4. Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

There are no regional and sub-regional strategies applying to the subject site. There is however a regional strategic assessment titled 'Coal Mining Potential in the Upper Hunter Valley – Strategic Assessment', dated December 2005 and produced by the Department of Planning. This is the only strategy of regional significance in the regional planning framework.

The subject site is not located within an area identified as having Coal Resource Development Potential.

Coal Resource Development Potential Plan



The subject site, Scone and land surrounding the townsite is not identified as existing of future coal resource potential. In addition, there are no exploration licences or tenements affecting the site.

The Planning Proposal is consistent with the regional/sub-regional strategic planning framework for this development.

5. Is the planning proposal consistent with the local council's Community Strategic Plan, or other local strategic plan?

The Upper Hunter Shire Council has prepared a Land Use Strategy to inform the preparation of its new Standard Template LEP. This Planning Proposal is consistent with the Upper Hunter Land Use Strategy (LUS). The LUS identifies potential urban and rural growth areas throughout the Upper Hunter Local Government Area, including Scone.

6. Is the planning proposal consistent with applicable state environmental planning policies?

The State Environmental Planning Policies (SEPPs) that are relevant to this Planning Proposal are identified below.

Relevant SEPP/Deemed SEPP	Consistency of Planning Proposal
SEPP No 1 – Development Standards	The provision under SEPP No 1 will continue to apply in Scone LEP 1986.
SEPP No 55 – Remediation of Land	Potential for contamination can be investigated as part of the site investigation
SEPP (Building Sustainability Index: BASIX) 2004	BASIX will continue to apply to the construction of all residential dwellings
SEPP (Rural Lands) 2008	All changes to rural zones and land use will be consistent with the SEPP
Hunter Regional Environmental Plan 1989 (Heritage)	All Heritage considerations will be in accordance with the Hunter REP

7. Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?

Each s117 Ministerial Direction is listed below with a reason stating whether it is relevant to this Planning Proposal and confirming its consistency. Refer to **Evaluation Criteria TABLE 'B'**. See next page.

**Evaluation Criteria
TABLE B**

s.117 Direction Title	Applies	Consistency of Planning proposal
1.1 Business and Industrial Zones	NA	Not Applicable
1.2 Rural Zones	Y	Planning proposal is consistent with this Ministerial Direction. The Planning Proposal is consistent with the strategic growth policy framework identified for Scone and has minimal significance on the availability of agricultural land in the locality.
1.3 Mining, Petroleum Production and Extractive Industries	Y	Planning proposal is consistent with this Ministerial Direction. The subject site is not within an identified resource area and therefore is of minor significance.
1.4 Oyster Aquaculture	NA	Not Applicable
1.5 Rural Lands	Y	Planning proposal is consistent with this Ministerial Direction. The Planning Proposal is consistent with the strategic growth policy framework identified for Scone and has minimal significance on the availability of agricultural land in the locality.
2.1 Environment Protection Zones	NA	Not Applicable
2.2 Coastal Protection	NA	Not Applicable
2.3 Heritage Conservation	NA	Not Applicable
2.4 Recreation Vehicle Areas	NA	Not Applicable
3.1 Residential Zones	Y	Planning proposal is consistent with this Ministerial Direction. This Planning Proposal is consistent with the strategic growth policy framework identified for Scone.
3.2 Caravan Parks and Manufactured Home Estates	NA	Not Applicable
3.3 Home Occupations	NA	Not Applicable
3.4 Integrating Land use and Transport	Y	Planning proposal is consistent with this Ministerial Direction. Land uses will be located to ensure access to transport networks is provided via appropriate road, cycling and pedestrian linkages.
3.5 Development Near Licensed Aerodromes	NA	Not Applicable
4.1 Acid Sulfate Solis	Y	Planning proposal is consistent with this Ministerial Direction.
4.2 Mine Subsidence and Unstable Land	NA	Not Applicable

Evaluation Criteria
TABLE B - Continued

4.3 Flood Prone Land	NA	Not Applicable
4.4 Planning for Bushfire Protection	NA	Not Applicable
5.1 Implementation of Regional Strategies	NA	Not Applicable
5.2 Sydney Drinking Water Catchments	NA	Not Applicable
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	NA	Not Applicable
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	NA	Not Applicable
5.6 Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA)	NA	Not Applicable
5.9 Second Sydney Airport Badgerys Creek	NA	Not Applicable
6.1 Approval and Referral Requirements	NA	Not Applicable
6.2 Reserving Land for Public Purposes	NA	Not Applicable
6.3 Site Specific Provisions	NA	Not Applicable



Photo showing land with part bitumen, part gravel road in front of proposed development. Proposed lots to be accessed from this road.



Photo showing land with adjoining subdivision residents of rural small holdings.

Section C – Environmental, Social and Economic Impact

8. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

No, Refer to TABLE 'C' (**Broad Location Criteria**) for various headings.

There would be no clearing required for any future subdivision. It is therefore considered that there would be no impact on the flora and fauna on this site.

The land contains no critical habitat within the meaning of the Threatened Species Conservation Act, 1995 or the Fisheries Management Act, 1994.

Vegetation on the site consists of seasonal cultivation.

It is considered that the subject land meets the criteria with regard to contamination land.

9. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

No, Refer to TABLE 'C' (**Broad location criteria**) for various headings.

**Evaluation Criteria
TABLE C**

Lot 610 – Eight (8) Lots

Broad Location Criteria	Comment	Compliance of Subject Land
Distance from town	Land should be within reasonable distance/ time from the centre of an urban area (e.g. 10km or 10 minutes from Scone, Aberdeen or Merriwa.	The subject lots are approximately 3km from Scone CBD. Comment It is considered that the subject land meets the criteria with regard to distance from town.

Continued next page

**Evaluation Criteria
TABLE C – Continued**

Broad Location Criteria	Comment	Compliance of Subject Land
Provisions of services	Provide reticulated water, electricity, telecommunications, bushfire services and sealed road access, plus reticulated sewer for smaller lots.	<p>The site has access to telecommunications and electricity services.</p> <p>Water and wastewater services are not available on the subject site, however, it is considered that the site would be serviced in the same manner as the 1 (c) zoned land adjoining directly to the north.</p> <p>Comment <i>It is considered that the subject land would be in a similar position with regard to the provision of services as the Rural Residential Area and therefore would be able to address the criteria with regard to the provision of services.</i></p>
Location	Avoid "stand alone" rural residential development unless it is a logical extension of an existing significant rural residential subdivision area that will contribute to achieving a critical mass to support the provision of basic services.	<p>The land directly adjoins a rural residential subdivision to the north and there are existing residential buildings on adjoining lots and boundaries.</p> <p>Comment <i>It is considered that the subject land meets the criteria with regard to location. It would not be a stand alone development, as it directly adjoins the existing 1 (c) zoned land to the north.</i></p>
Capacity for onsite water storage	The ability to provide supplementary water supply shall be required for larger lot rural residential development that does not have a reticulated water supply.	<p>The site would be serviced in the same manner as the 1 (c) zoned land adjoining directly to the north.</p> <p>Comment <i>It is considered that the subject land meets the criteria with regard to onsite water storage and would have a capacity similar to that of the existing 1 (c) zoned land to the north.</i></p>

**Evaluation Criteria
TABLE C – Continued**

Broad Location Criteria	Comment	Compliance of Subject Land
Minimal impact on existing infrastructure	Sufficient reserve capacity should exist in power, school bus and telecommunications and other services	
Good sealed road access	Efficient use needs to be made of the existing road network. In general existing road services are adequate.	<p>The land directly fronts Clifflands Road, which is fully constructed public road under the care and control of the Upper Hunter Shire Council. Although at this time, the road is unsealed in this location, it is considered that the road would be sealed at the time of any future subdivision of the subject site. The proposed subdivision will therefore, have minimal impact on the local road network.</p> <p>Comment <i>It is considered that the subject land meets the criteria with regard to road access.</i></p>
Avoid prime agricultural land, or adjoining land.	Impact on nearby agricultural land and activities need to be considered. Prime agricultural land (suitability classes 1 to 3) is not to be zoned for rural residential purposes, unless there are adjoining areas with advantageous locational attributes for this type of development.	<p>Currently the subject lot is used for intensive agriculture (minimal) however, as a result of a recent Subdivision Application the site may be Subdivided into two smaller lots, each with an area of approximately 40 Ha.</p> <p>There have also been several properties, adjoining the adjacent to the subject site that have been subdivided into rural residential lots. This would indicate a trend away from intensive agriculture housing in the vicinity of the subject lot.</p> <p>Comment <i>It is considered that although the subject site is zoned for intensive agricultural, the recent subdivision trends in the area would indicate that this area may be better suited to the provision of rural residential landing close proximity to town services and infrastructure.</i></p>

Evaluation Criteria
TABLE C – Continued

Broad Location Criteria	Comment	Compliance of Subject Land
Excluded Environmentally sensitive land	Desired rural residential land often has good visual outlook, vegetation and privacy all of which are in demand. Avoid rural residential development of areas with potentially high visual impact (e.g. along highways or tourist routes, along or adjacent to ridges)	<p>The land directly adjoins a rural residential subdivision to the north. The site displays no greater visual impact than the 1 (c) land directly adjoining to the north.</p> <p>Comment <i>It is considered that the subject land meets the criteria with regard to the exclusion of environmentally sensitive land.</i></p>
Excluded areas of high bushfire hazard	Avoid locating rural residential development in areas of high bushfire hazard.	<p>The land is not located in a Bushfire Prone Area. Property already inspected and associated fees have been paid.</p> <p>Comment <i>It is considered that the subject land meets the criteria with regard to the exclusion of bushfire prone land.</i></p>
Exclude known mineral and extractive resources	Ensure appropriate buffers to mines, extractive industries and other non-compatible land uses.	<p>The subject land is not within a proclaimed Mine Subsidence District.</p> <p>Comment <i>It is considered that the subject land meets the criteria with regard to mineral and extractive resources.</i></p>
Exclude areas near non-compatible land uses	Provide appropriate buffers to users such as sewage treatment works etc.	<p>The land directly adjoins a rural residential subdivision to the north and there are existing residential buildings on adjoining lots. Adjoining properties to the north are used for predominately rural lifestyle with associated dwellings varying in size between 1 and 2 hectares. Land to the south, west and east of the site are used for intensive agriculture.</p> <p>Comment <i>It is considered that the subject land meets the criteria with regard to non-compatible land uses.</i></p>

**Evaluation Criteria
TABLE C - Continued**

Broad Location Criteria	Comment	Compliance of Subject Land
Exclude water supply catchment land	Locate development to avoid contamination from onsite treatment systems. May also relate to water access rights and usage.	<p>The site is not within a water catchment area.</p> <p>Comment <i>It is considered that the subject land meets the criteria with regard to the exclusion of water catchment land.</i></p>
Avoid areas with threatened species or endangered ecological communities	Vegetated land is often preferred for rural residential amenity, and privacy. This land is also likely to have high values, and presence of endangered ecological communities and threatened species. Ensure that these values are taken into account.	<p>There would be no clearing required for any future subdivision. It is therefore considered that there would be no impact on the flora and fauna of this site. The land contains no critical habitat within the meaning of the Threatened Species Conservation Act, 1995 or the Fisheries Management Act, 1994. Vegetation on the site consists of seasonal cultivation.</p> <p>Comment <i>It is considered that the subject land meets the criteria with regard to contaminated land.</i></p>
Avoid saline land and areas with soils unsuitable for onsite effluent disposal	Although not an absolute constraint, development of these lands would require alternative treatment systems and building design.	<p>The site would be serviced in the same manner as the 1 (c) zoned lands adjoining directly to the north.</p> <p>Comment <i>It is considered that the subject land meets the criteria with regard to suitable onsite effluent disposal.</i></p>
Avoid flood prone land	Acceptable only if flood free access, building sites and waste disposal areas are available.	<p>Land is elevated.</p> <p>Comment <i>It is considered that the subject land meets the criteria with regard to flood free areas.</i></p>

**Evaluation Criteria
TABLE C – Continued**

1

Broad Location Criteria	Comment	Compliance of Subject Land
<p>Avoid Aboriginal and European heritage areas and sites.</p>	<p>Examples include the cartilage surroundings historic dwellings.</p>	<p>The land does not contain an item of environmental heritage and it is not located within a Heritage Conservation Zone.</p> <p><u>Comment</u> <i>It is considered that the subject land meets the criteria with regard to heritage sites.</i></p>
<p>Avoid areas with high ground water tables or shallow soils</p>	<p>Land capacity limitations may result in problems with onsite waste disposal</p>	<p>The site would be serviced in the same manner as the 1 (c) zoned land adjoining directly to the north.</p> <p><u>Comment</u> <i>It is considered that the subject land meets the criteria with regard to suitable onsite effluent disposal.</i></p>

Proposed Inclusion in Draft Strategy Plan

The proposed site is considered to have qualities which are valuable to both the built future and the environmental quality of Scone.

In more recent years, a new type of demand has emerged. Residents are choosing a more rural lifestyle choice, away from the city environment, but within close commuting distance to necessary services, facilities and employment areas. The favoured rural residential locations appear to be in areas where commuting time is less than 30 minutes to employment and business districts and within close proximity to existing transport infrastructure.

Lot 610 is located within a rural residential area, with existing residential buildings on adjoining lots, is well located to Scone, has access and can be fully serviced. There are no major hazards which would preclude this land from being used for rural residential purposes.

Coupled with this, is the evidence of a diminishing supply of all forms of land in close proximity to Scone and the economic impacts that result in a short supply resulting in the effect of pushing up land prices within the locality. If sufficient land resources are not available when required, valuable residential growth may be lost to other centres in the region significantly disadvantaging Scone's continual growth and sustainability.

New Industries or the expansion of existing industries bring growth to an area and affect the level of demand for housing. There are two large Mining projects that are currently being assessed for approval in the Upper Hunter LGA, these are the Bickham and Castlerock Coal Mining Projects.

The Bickham Coal Mine would employ 99 people directly and generate a further 200 jobs indirectly in mine related and non mine related services. The Castlerock Mine is anticipated to employ 87 people directly and generate a further 150 jobs indirectly. (*Reference: NSW Department of Planning 2005*).

If all these jobs were filled through migration to the area and the township, demand for housing will rise sharply.

While it is accepted that the mine will not create a further 299 households in Scone, as some of the workforce will come from existing residents and people living within a convenient commuting distance to the mines such as Muswellbrook. What's important to recognise are the potential positive impacts that the mines will have on demand for housing and the potential that the mines will have in reducing or reversing the area's decline in population.

Sufficient land must be available to the market to take advantage of this potential demand for residential housing and residential lots should it occur. If sufficient land is not available to the market, potential residents will need to look for other housing opportunities in markets which can supply their demand.

Proposed Inclusion in Draft Strategy Plan - Continued

The Hunter's Equine Industry is also expanding, with a growth in the number of people it employs and the number horses owned by studs. This can also impact on the demand levels for residential lots within the Upper Hunter.

Previous studies undertaken by 'HDB Town Planning and Design' in relation to the supply and demand for land within Scone has revealed the following. At present population growth in Scone appears static, but there is a strong land market possibly driven by reducing household size and rental accommodation servicing the mining and equine industry.

There are limited suppliers of residential land and controlled land releases to the market. This lack of competition is not desirable as the market does not have land in reserve to meet unexpected fluctuations and create a competitive market place. Scone has potential future growth particularly in the mining and equine industry and if a parcel of land is not available to the market when required potential residents may be lost to other areas.

Land will run out before the consolidated LEP is finalized and in addition, the supply of land is insufficient to cater for peak demand should it occur. To secure Scone short term growth potential further residential land needs to be available to the market.

It is therefore considered that the consideration of Lot 610 eight (8) lots would be a logical expansion of the existing rural residential use adjoining the existing lots along Cliftlands Road.

10. Upper Hunter Shire Strategic Plan

Scone rural residential development opportunities and requirements were considered in the '**Scone Rural Lands Study**' which commented as follows:

'As with most attractive rural areas relatively close to major population centres, Scone does and will continue to face pressure for the provision of rural lifestyle allotments.

Such development has considerable potential to contribute to the diversity of housing opportunities, to help revitalise rural communities and add positively to the local economy. As mentioned above, there is also potential for some occupants to contribute to the agricultural production of the region.

At the same time however, rural residential development brings with it the potential to contribute to the loss and/or fragmentation of agricultural damage, land use conflict with agriculture and the generation of unreasonable demands on services.

Given these potential issues, and the apparent demand for some level of this form of development, it would seem appropriate and reasonable to provide opportunities for small and medium sized holdings where the potential environmental and agricultural downside can be eliminated or at least controlled.' (Carey Young 1997)

The Draft Upper Hunter Regional Strategy recognises the need to provide additional land within the LGA to cater for rural residential purposes. It also states that there are a number of areas zoned rural residential around Scone which are currently undeveloped and require review. The strategy determines additional areas that should be zoned for rural residential development and the preferred staging and infrastructure servicing requirements for these areas. The Strategy indicates that there is a limited supply of vacant rural land existing around Scone.

Section D – State and Commonwealth Interests

11. Is there adequate public infrastructure for the planning proposal?

The local water supply is in the process of being upgraded to accommodate the planned growth of Scone and a new potable water supply infrastructure is to be located on the northern side of Gundy Road.

A new electrical zone substation was recently constructed immediately north of the subject site. Power supplies to the eight (8) lots will be surveyed by energy supply.

Telephone services are available adjacent to lots and water is connected to adjoining property.

12. What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?

This section of the planning proposal is to be completed following consultation with the State and Commonwealth Public Authorities identified in the Gateway Determination. There has been no consultation with State and Commonwealth public authorities other than the NSW Department of Planning (DoP).

Public authorities and associated issues where further consultation may be required:

Public Authority	Issue(s)
NSW Department of Planning	Strategic Planning
Office of Water, NSW Department of Environment, Climate change and Water	Riparian Corridors
NSW Department of Environment, Climate Change and Water	Ecological Communities
National Parks Branch, NSW Department of Environment, Climate Change and Water	Aboriginal Heritage
NSW Roads and Traffic Authority	Roads and Traffic
NSW Rural Fires Services	Bush Fire Protection
NSW Department Primary Industries	Mining and Resources

5.0 PART 4 – COMMUNITY CONSULTATION

This Planning Proposal is not considered to be a "high" impact development and has already been submitted to council and has been given public exhibition of the Planning Proposal including in writing to adjoining landowners of subdivision of the eight (8) lots. Refer to Scone Shire Council ordinary meeting agenda dated 22nd April 2002 – File No 38/1D.C.

6.0 REFERENCE DOCUMENTS TO SUPPORT THIS PLANNING PROPOSAL

- Subdivision Plan
- Real estate agents letters
- Agricultural report of agronomist
- Development feasibility Assessment
- Submission to draft LEP subdivision
- Available on request if necessary