



Planning Proposal

Property: 612 Gresford Road, Sedgefield
Lot: 69 & 70 DP: 752488



SINGLETON
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EXECUTIVE SUMMARY

Local Government Area:	Singleton Council (SC)
Name of the Draft Local Environmental Plan (LEP):	Singleton Local Environmental Plan (SLEP) 2013 – Gresford Road, Sedgefield
Subject land:	612 Gresford Road, Sedgefield Lot 69 and Lot 70 DP 752488
Land owner(s):	Mrs M & Mr S Bailey C/o – Orbit Planning PO Box 28 SINGLETON NSW 2330
Applicant:	Orbit Planning Pty. Ltd
Council file reference:	PP1/2018
CM9 document reference:	18/6806
NSW Department of Planning & Environment (DP&E) reference:	PP_2017_SINGL_002_00
Version:	1.2 (Post Gateway Determination)
Date:	14/02/2018
Officer:	Rean Lourens
Coordinator:	Sarah Hyatt
Manager:	Mary-Anne Crawford

PART 1 – OBJECTIVES OF THE PLANNING PROPOSAL

The objective of the planning proposal is to amend *Singleton Local Environmental Plan 2013* (SLEP 2013) to rezone Lot 69 and Lot 70, DP 752488, 612 Gresford Road, Sedgefield (the Site) from *RU1 Primary Production Zone* to *E4 Environmental Living Zone* and amend the minimum lot size requirement for subdivision from 40 hectares to 5 hectares (Refer to Figure 3: Current Lot Size Map in Attachment A).

This would enable future subdivision of the land to create one additional lot for low impact residential purposes, consistent with the environmental living zone (Refer to Figure 1: Site Identification Map and Figure 2: Current Zoning Map in Attachment A).

PART 2 – EXPLANATION OF THE PROVISIONS

The proposed objectives of the planning proposal will be achieved by amending the SLEP 2013 as outlined below:

Item no.	Explanation of provisions
1	<u>Amend the Land Zoning Map</u> <ul style="list-style-type: none">Amend Land Zoning Map Sheet LZN_014 from <i>RU1 Primary Production Zone</i> for Lot 69 and Lot 70 DP752488 and identify the lots as being zoned <i>E4 Environmental Living Zone</i>.
2	<u>Amend Lot Size Map</u> <ul style="list-style-type: none">Amend Lot Size Map Sheet LSZ_014 to apply a 5 hectare minimum lot size requirement for subdivision for Lot 69 and Lot 70 DP752488.

PART 3 – JUSTIFICATION OF THE PROVISIONS

SECTION A: NEED FOR THE PLANNING PROPOSAL

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

The planning proposal is the result of a series of strategic plans. Providing additional land supply for rural residential development was considered the key focus for identifying suitable developable land within close proximity to Singleton City, to meet future housing needs (Refer to Figure 2 Site Locality Map). The *Sedgefield Candidate Area* (SCA) was identified as a "Short Term Potential – Candidate Area for rural residential development under the *Singleton Rural Residential Development Strategy 2005* (the Strategy was endorsed by the Department of Planning: July 2006). The site is located within the SCA. The Singleton Land Use Strategy (SLUS) 2008 determined the candidate areas that were suitable for rural residential development and any associated infrastructure requirements for those areas. The SLUS was endorsed by the NSW State Government on 8 June 2008 and identified Sedgefield as a proposed rural residential candidate area. It was recommended that rezoning of the land should not proceed until the area was adequately master planned. Detailed studies were prepared in 2008/9 to justify the selection of Sedgefield (including the Site) as a Candidate Area.

The *Sedgefield Structure Plan (SSP) 2009* was subsequently completed and applies to the SCA. The SSP provides for a minimum average lot size of 5 hectares and absolute minimum lot size of 2 hectares (Refer to Attachment E).

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

Rezoning for the Site for rural residential purposes, in conjunction with appropriate design controls in Council's DCP, is considered to be the most appropriate method for managing subdivision and land use on the site. This method is supported by the adopted SCA and SLUS and is consistent with the method of managing land use for similar proposals in the Singleton LGA.

Given site characteristics and potential infrastructure limitations, it is considered appropriate to determine the zoning and minimum lot size requirements.

SECTION B: RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK

1. Is the planning proposal consistent with the objectives and actions contained within the applicable regional, subregional or district strategy (including exhibited draft strategies)?

The *Hunter Regional Plan (HRP) 2036* and *Upper Hunter Strategic Regional Land Use Plan (UHSRLUP) (2014)* apply to the Upper Hunter and Hunter Region, which includes the Singleton Local Government Area (LGA). State Government strategic framework is discussed below.

Hunter Regional Plan (HRP) 2036:

The directions from the HRP that apply to the site are:

Direction 10 - Protect and enhance agricultural productivity

Currently the site is being used for residential accommodation and minor grazing. The site is located within the SCA, which was identified as a candidate area for rural residential development under the provisions of the SLUS (endorsed by the Department 8 June 2008). The SSP recommended the land should be zoned *E4 Environmental Living* to accommodate existing low impact residential development, maintain aesthetic values of the SCA and rural amenity of the broader area (Refer to Attachment E). Given the site is located within the SCA and the combined total area of the site is approximately 16.99 hectares, it is unlikely the land could sustainably accommodate agricultural enterprises over the long-term. During preparation of the Rural Residential Development Strategy, the (then) NSW Agriculture provided advice on minimum lot size requirements for sustainable agriculture during preparation of the Rural Residential Development Strategy. It advised that *"a minimum lot size 20-40ha is required for environmental sustainability. For sustainable returns from grazing enterprises significantly larger property sizes are required to provide access to a balance of land types and natural resources"*. NSW Agriculture considered that *"clustering rural residential growth in targeted areas increases the scope for achieving infrastructure improvements (water supply, sewerage, electricity and fixed phone line reliability as well as mobile phone/ television coverage, data quality). It also enables a better standard of service*

to be provided at reduced cost that if residential growth is disperses across broad areas” (NSW Agriculture, Singleton Rural Residential Strategy, 4 September 2001). Given the site is 16.99 hectares in total combined area, it is not considered capable of providing long-term opportunity for large scale productive agriculture. Surrounding properties are also being used predominantly for rural lifestyle/ residential purposes, given the area’s close proximity to Singleton City (Refer to Figure 1 Site Identification Map, Figure 2 Site Locality Map, Figure 3 Current Zoning Map and Figure 7 Sedgefield Candidate Area). The Candidate Area was identified as being capable of providing sustainable rural residential development, suitable for environmental living within access to existing infrastructure.

It is therefore considered that the proposal is consistent with Direction 10 of the HRP.

Direction 13 – Plan for greater land use compatibility

The proposal is consistent with Direction 13 as the proposal seeks to provide for low impact residential accommodation in a location defined as a candidate area for such development. While it is fundamental to protect important agricultural land, it is also important to facilitate development for residential expansion, in areas where co-location of like land uses reduce land use conflict. Given the site is located within the SCA, the most appropriate land use is considered to be low impact residential accommodation and associated rural lifestyle activities.

Direction 14 – Protect and connect natural areas

Rezoning the site *E4 Environmental Living* would provide for existing and future low impact residential development. Appropriate building envelopes and site design, could help conserve a small stand of *Swamp Oak Floodplain Forest – Endangered Ecological Community* located in the north-eastern corner of the site (approximately 3614.42m² in area, with a perimeter 269.86m) (Refer to Figure 8 Site Aerial View). Application of the E4 zone would maintain and protect important ecological values of the site, which would benefit the environment. The proposal takes account of the sites rural location and ecological values. Any future subdivision and development of the site would need to ensure site design and building envelopes are appropriate to minimise/ mitigate and manage the ecological attributes of the site.

The proposal is considered consistent with Direction 14 of the HRP.

Direction 22 – Promote housing diversity

Application of the E4 zone would accommodate the existing residence and associated infrastructure located on the site (Refer to Figure 8 Site Aerial View). It would provide some additional opportunity for low impact environmental living development, which would promote housing diversity opportunities for people seeking alternate lifestyle options in the LGA. Any future development of the site would be in accordance with the SLUS 2008 and SSP.

Upper Hunter Strategic Regional Land Use Plan (UHSRLUP) 2012

Housing and settlement is referred to in Chapter 6 of the UHSRLUP, which refers to facilitating a range of housing types through land use zoning. The UHSRLUP recognises the need to provide a mix of housing to cater for population growth and ongoing demand. The proposal would provide opportunity for a limited amount of environmental living lots (i.e. subdivide two

lots into three) and low-impact residential development (i.e. two additional dwelling houses), subject to detailed investigation of land capabilities and sustainability criteria. This would help maintain the ecological and aesthetic values of the site.

2. Is the planning proposal consistent with the local Council's Community Strategic Plan or other local strategic plan?

Singleton Land Use Strategy (2008)

The planning proposal seeks to rezone the site, which is located within the SCA (Refer to Figure 7 Sedgefield Candidate Area). The SCA was created as a new release area under the (then) *Singleton Rural Residential Development Strategy 2005*. It was further investigated and consequently included in the SLUS as a proposed rural residential candidate area. Appendix F provides details on the Department of Planning's endorsement of the SLUS 2008 and agency comments.

Sedgefield Structure Plan (2009)

The SSP was prepared specifically to determine land use planning requirements and provide broad-level master planning for the SCA (Refer to Attachment E). Land within the SCA was zoned 1(a) Rural under the provisions of the *Singleton Local Environmental Plan 1996*. The SSP proposed the SCA be zoned *E4 Environmental Living* under the provisions of the *Singleton Local Environmental Plan 2013*.

When prepared, the SSP identified Lot 69 and 70 as individual (separate) lots. Each lot was identified as being a fully developed holding, less than 10 hectares in area. Lot 69 is approximately 8.9 hectares and Lot 70 is approximately 8.09 hectares, respectively. Combined the site area is approximately 16.99 hectares, which could if subdivided, potentially yield 3 lots in total (one additional lot) (Refer to Figure 7 Sedgefield Candidate Area). Section 5.4 of the SSP outlines "*there is potential for small lots to be combined with adjoining properties to achieve acceptable subdivision design*" (battle-axe blocks are not encouraged). The proposal seeks to rezone the site *E4 Environmental Living*, provides for "*low-impact residential development in areas of special ecological, scientific or aesthetic values*", which equates to rural lifestyle/ rural residential development.

Singleton Community Strategic Plan (2017-2027)

The planning proposal would be generally consistent with pillar; *Our Places* of the *Singleton Community Strategic Plan* (SCSP). This pillar seeks to ensure that "*Singleton is a well-planned, sustainable, accessible and safe community with vibrant places and spaces*". Part of its strategy is to "*facilitate land use planning and development outcomes, which respect and contribute in a positive way to the environment and community*". Development of the site for future low impact residential purposes would facilitate land use planning and development outcomes in accordance with the E4 zone. The objectives of the zone ensure that land with special ecological, scientific or aesthetic values is not adversely affected by residential development. As the land is identified as a candidate area in the SSP, any future subdivision and development of the site should be well planned, environmentally sympathetic, attractive and liveable for those members of the community that seek alternate lifestyle options. The site's location within close proximity to Singleton CBD and services (health, education,

commercial, employment etc.) also provides opportunity for local interaction with people and place, and growth within the community (Refer to Figure 2 Site Locality Map).

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

Appendix A contains an assessment of consistency with applicable State Environmental Planning Policies (SEPPs). SEPPs relevant to this proposal are discussed in more detail below:

SEPP (Rural Lands) 2008

SEPP (Rural Lands) 2008 applies to the site. The planning proposal is consistent with the planning principles and subdivision principles of the SEPP (Refer to Attachment H). The site was identified as a Candidate Area suitable for rural residential development under the Singleton Rural Residential Development Strategy 2005 and later under the SLUS. On the 8 June 2008, the (then) Department of Planning endorsed the SLUS and recommended that consideration be given to the SEPP (Rural Lands) 2008 and that it would not support average lot size provisions for rural residential zones (Refer to Attachment F). Attachment H provides assessment of the proposal against the SEPP subdivision principles.

Average lot size provisions are not proposed for the site. The proposal would rezone the site E4 Environmental Living and apply a 5 hectare minimum lot size provision to the site. Land within the SCA is highly fragmented and is generally being used for rural lifestyle purposes. A significant portion of the SCA is already zoned E4, with a minimum lot size of 5 hectares, as such the proposal fits within the desired environmental living character of the Sedgefield area (Refer to Figure 3, 4, 5, 6 and 7). The site is also located within 6km of Singleton, which is identified as a Strategic Centre under the Hunter Regional Plan 2036 (Refer to Figure 2).

The site is relatively unconstrained (Refer to Section C). Given the site has been used for rural land uses including rural lifestyle, vegetation on the site is predominantly cleared grassland with scattered trees. A small stand of Swamp Oak Floodplain Forest – EEC (approximately 3614.42m² with a perimeter of 269.386m) and dam are located in the north-eastern corner of the site. Any future building envelopes should be designed and sited away from the EEC and dam. According to Council's Flooding Prone and Bushfire Prone Land Mapping, the site is not subject to flooding or bushfire. Sewer and water services are not provided to the site or broader SCA. Section 4 of the SSP recommends that "effluent disposal would be by way of a suitable on-site system". The SSP notes that "further geotechnical assessment may be required to determine the soil composition of the locations of the effluent disposal areas for each individual site". Rainwater collection tanks would be used to collect rainwater for domestic water purposes. Section 4 of the SSP identifies that any future rainwater collection for domestic water supply "water supply will be subject to individual development applications".

SEPP (Mining, Petroleum Production and Extractive Industries) 2007

The Mining SEPP applies to land throughout the State including the site.

According the SSP, the Department of Primary Industries proposed a buffer zone to a prospective open cut coal reserve sterilises all lots with frontage to Roughit Lane (i.e. from the intersections of Gresford and Mirannie Roads). The buffer zone is no longer applicable to the site.

The (then) Department of Primary Industries – Division of Mineral Resources and Energy (DRE) (23 October, 2015) recommended that the eastern boundary of the SCA be moved further to the west, away from areas under coal. Following further detailed consultation, "the DRE have reviewed the location and nature of this proposal, and the site geology and other

characteristics. DRE no longer believes that a change to the eastern boundary is required, and has no further objection” (Refer to Attachment G).

The LGA forms part of the study area for the Queensland Hunter Gas Pipeline route. An alignment route for the pipeline has been proposed within the LGA. Although the pipeline corridor does pass through the LGA, The site does not appear to be within the corridor.

SEPP (Vegetation in Non-Rural Areas) 2017

SEPP (Vegetation in Non-Rural Areas) does not apply to rural areas. The site is zoned RU1 Primary Production. As proposed, the site would be zoned E4 Environmental Living and the SEPP would generally be applicable to environmental zones. This site is identified as being part of the SCA. The SSP is applicable to the SCA. Vegetation and vegetation linkage/ corridors and corridor management are addressed as part of the SSP. The site is 16.99ha in total area. It does contain a small (approximately 3614m² in area), highly degraded stand of Swamp Oak Floodplain Forest with no undergrowth. Should the site require assessment, with respect to the SEPP, the proposal has the capacity to be undertaken in accordance with the provisions of the SEPP. Refer to Attachment E SSP, Section 4.1 and 5.2 for details on Biodiversity and Vegetation and Vegetation Linkages/ Corridors.

4. Is the planning proposal consistent with applicable s117 Ministerial Directions?

Appendix B contains an assessment of consistency with applicable s117 Ministerial Directions. Directions relevant to this proposal are discussed in more detail below:

Direction 1.3 Mining, Petroleum Production and Extractive Industries

“The objective of this direction is to ensure that the future of extraction of State and regionally significant reserves of coal, other minerals, petroleum and extractive materials are not compromised by inappropriate development”.

Refer to Part 3: B, for discussion around consistency with SEPP (Mining, Petroleum Production and Extractive Industries) 2007.

Direction 1.5 Rural Lands

“The objectives of the direction are “to protect the agricultural value and facilitate the orderly and economic development of rural land for rural purposes”.

The proposal would be consistent with the Rural Planning Principles of State Environmental Planning Policy (Rural Lands) 2008. Refer to Part 3: B, for consistency around SEPP (Rural Lands).

The proposal is considered to be consistent with the requirements of Direction 1.5. Any perceived inconsistency is considered to be of minor significance and justified by the SLUS 2008.

Direction 3.3 Home Occupation

“The objective of this direction is to encourage the carrying out of low-impact small businesses in dwelling houses”.

Home occupation is permissible under the proposed E4 Environmental Living Zone, without development consent in accordance with the Singleton Local Environmental Plan 2013. The proposal has capacity to be consistent with Direction 3.3.

Direction 5.10 Implementation of Regional Plans

The Hunter Regional Environmental Plan 2036 applies to the planning proposal. The relevant Directions that apply to the site has been addressed previously in the assessment.

SECTION C: ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACT

1. 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?

A small stand of *Swamp Oak Floodplain Forest – Endangered Ecological Community* (EEC) is located in the north eastern corner of the site. A biodiversity assessment report has not been prepared to assess impacts on the EEC. As proposed, future subdivision of the site would create one additional lot (i.e. two lots into three). Subdivision layout with appropriate building envelope siting would reduce risk on the ecological values of the EEC, particularly as the majority of the site is grassland, with a few scatter trees (Refer to Figure 8 Site Aerial View). An assessment of significance may be required for future development of the land.

According to Singleton Council's Mapping based on the NSW Wildlife Atlas, and NSW Office Environmental and Heritage conservation project database, the following species have been identified on land outside the site:

- Black-necked Stork (*Ephippiorhynchus asiaticus*)(Endangered);
- Grey-crowned Babbler (eastern species) (*Pomatostomus temporalis temporalis*) (Vulnerable);
- Speckled Warbler (*Chthonicola sagittata*)(Vulnerable); and
- Brush-tailed Phascogale (*Phascogale tapoatafa*) (Vulnerable).

No known threatened fauna species have been identified on the site.

Based on known attributes and constraints of the site, flora, avifauna and fauna are unlikely to be adversely affects by the small scale the proposal.

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

Surface water

An intermittent watercourse flows diagonally across the site from south-west to north-east. It feeds into a small dam located predominantly on Lot 70 then drains into First Creek located towards the north eastern corner of the site (Refer to Figure 1 Site Identification Map). A surface water assessment has not been prepared for the planning proposal. Any likely environmental effects as a result of the proposal are unknown. Future development of the site would need to ensure that lots can adequately dispose of stormwater and does not contribute to downstream stormwater impacts. A wastewater management strategy/ plan would be required for any future development of the site. Refer to SSP, Section 4 for assessment and response to key opportunities and constraints within the SCA.

Groundwater

A groundwater assessment has not been prepared for the planning proposal. Any likely environmental effects are unknown. Future development of the site would need to ensure there are no adverse impacts on groundwater resources. Refer to SSP, Section 4 for assessment and response to key opportunities and constraints within the SCA.

Heritage (Aboriginal and European)

There are no known items, buildings, works, relics, objects or places of Aboriginal or European cultural heritage on the site. Historically the site has been used for residential and grazing purposes. Given the amount of disturbance to the site as a result of historic and current land practices, adverse heritage (Aboriginal and European) impacts are unlikely.

According to the *Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW* (NSW Department of Environment, Heritage and Water, 2010), a due diligence assessment is not required because harm to an object that may be present, could be avoided. Future applications to develop lots within the site may need to apply for an Aboriginal Heritage Impact Permit where it is determined that such a development would impact upon items or places of Aboriginal Cultural Heritage.

The potential disturbance of Aboriginal artefacts within the site is considered low. Conversely, should artefacts be identified during future excavation of the site at the development stage, An Aboriginal Cultural Heritage Management Plan (ACHMP) could be prepared to mitigate, manage or salvage identified items. Heritage sites could be recorded and items collected for safe keeping in accordance with the ACHMP.

The proposal is not expected to result in any impacts upon items or places of Aboriginal or European Heritage Significance. Refer to SSP, Section 4.4 for assessment of Aboriginal Archaeology in the SCA.

Bushfire

A bushfire assessment has not been prepared for the planning proposal. The site has not been identified as being bushfire prone land on Council's Bushfire Prone Vegetation Map (Refer to Figure 9: Bush Prone Land Map).

Soils, land and agriculture capability

A soil, land and agricultural capability assessment have not been prepared for the planning proposal. The site forms part of the SCA and the SSP applies to land within the SCA. Soil, land and agriculture capabilities assessment formed part of the SSP process. Section 4.2 of the SSP indicates that land within the SCA was considered to be suitable for future urban development. The SSP has broad application and site specific environmental characteristics are unknown. Any future subdivision and development of the site would need to undertake further site specific investigation. *Singleton Development Control Plan 2014* provides guidance around the appropriate environmental outcomes for development to avoid any adverse impacts on the environment.

Traffic and transport, including public transport

A detailed traffic assessment has not been prepared for the proposal. The site is located approximately 6km from Singleton CBD (Refer to Map 2 Site Locality Map). Gresford Road is a fully sealed, well maintained Council road that provides direct access to the site. Roughit Lane is also a fully sealed Council maintained road, located off the site's western boundary. Section 4.5 Traffic and Transport (SSP) states that "...the Sedgefield Candidate Area is well located in terms of road access". The SSP further states "...that both present and future projected flows on existing roads within and surrounding the Sedgefield Candidate Area would be reasonably balanced between the local roads".

No public transport is provided to the SCA or site, other than local school bus services that transports children to local schools. Residents within the SCA rely on private transport to make the short journey to Singleton CBD.

There are currently no provisions for passive forms of transport (walking, cycling).

As the proposal seeks to rezone and subdivide two lots into three (creating one additional lot), has direct access to Gresford Road and is within close proximity to a major centre, traffic and transport are not considered major impediments for future development of the site. For safety purposes, there should be no further direct access from the site to Gresford Road. Future development should be designed and located to provide access from Roughit Lane to any newly created lots.

Visual amenity

Overall character associated with the site and surrounds is rural, low impact residential holdings with ancillary agriculture activities (grazing) (Refer to Figure 1 Site Identification Map, Figure 2 Site Locality Map and Figure 7 Sedgefield Candidate Area). The site is gently elevated and enjoys rural views. As potential lot yield from development is low (i.e. two lots into three, creating one additional lot), future development of the site has capacity to be designed, with suitably located building envelopes to contribute positively to the rural context.

Singleton DCP provisions require that any future development of the site achieves good design outcomes to ensure views and visual amenity is preserved.

Flooding

According to Singleton LEP 2013 Flood Planning Map, the site is not subject to flooding.

Air quality

An air quality assessment has not been prepared for the site and air quality associated with the site is unknown. As the site is located within a rural context, air quality should be acceptable but could be influenced by seasonal weather changes that cause pollens and small particulates to become air born. Wood fired heaters produce omissions during cooler months Singleton LGA also has a number of open cut coal mines that have potential to impact on air quality.

Noise

A noise impact assessment has not been prepared for the site. Likely noise generating activities associated with the site would relate to existing rural and general residential activities. As the site has direct access to Gresford Road, a main road that accesses Singleton from the western approach, some noise generation would be expected from vehicular movement along that road, particularly at peak times. The site is located within a rural context and rural related activities would be expected to contribute somewhat to the acoustic environment of the area. Any future development of the site would also generate minor noise disturbance during construction phase. Overall, noise impacts are expected to relate to residential lifestyle activities.

3. Has the planning proposal adequately addressed any social and economic effects?

A detailed social and economic assessment has not been prepared for the proposal. The site is located within 6km of Singleton CBD, which has social and community infrastructure and services (Refer to Map 2 Site Locality Map). While unknown and essentially unquantifiable, adverse social and economic effects are considered unlikely, particularly given the small scale of development potential generated by the proposal. The proposal may contribute positively to the social and economic equity of Sedgefield and Singleton, by providing opportunity for those interested in alternate lifestyles to relocate to a rural environment, within close proximity to employment, education, health, business, retail and community services.

SECTION D: STATE AND COMMONWEALTH INTERESTS

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

Local and State road network

Sedgefield and the site are accessed by a good local road network. Gresford Road provides direct access to the site. Roughit Lane forms the western boundary of the site, respectively. Should the proposal be approved, no additional direct access should be provided from Gresford Road for any newly created lots. Any future subdivision and development of the site

could be adequately designed to utilise Roughit Lane for access, given the Lane, is sealed, maintained and appears to have adequate sight distances. Roughit Lane intersects with Gresford Road and could provide safe access for future residents. Further detailed traffic assessment in accordance with Singleton DCP provisions for access to public road, would be required during the development application process, should the proposal be approved.

Electricity supply

Electricity supplies are provided to the site. Any future development of the site has capacity to connect to existing supplies at the expense of the site owner. Connection would be subject to the requirements of the owner of that infrastructure.

Gas supply

Gas supply is not currently available within the SCA or to the site.

Telecommunications, including national broadband

Telecommunication is provided to the site. Supply could be provided to any future lots created by the rezoning and subsequent development of the site at the owner's expense. National broadband is not currently available to the site, SCA or Singleton LGA. The availability of broadband is unknown.

Reticulated water supply

The site is not serviced by reticulate water supplies. Existing residents rely on on-site rainwater storage tanks for all potable water requirements. Any future development of the site would also need to ensure that adequate rainwater storage tanks are provided in accordance with Singleton DCP requirements.

Sewer

The site is not serviced by reticulated sewer. Existing residents use an on-site sewage management system for effluent dispersal. Future subdivision of the site and proposed 5 hectare minimum lot size could provide sufficient dispersal area for newly created lots to cater for wastewater dispersal. Any further details of effluent dispersal would be subject to development application and the requirements of Singleton DCP 2014. Refer to Section C above for further discussion about on-site waste management.

Waste management services

Singleton Council provides fortnightly kerbside waste bin collection to the Sedgefield area and site, respectively. Any future development of the site would have access to waste management services at the individual owners' expense.

Health, education and other public services

Health, education and public services are not located in the SCA. The site is within approximately 6km of Singleton City. All related services are easily accessible to existing and future residents of the site (Refer to Figure 2 Site Locality Map).

Emergency services

The site is located some 6km to the west, north/west of Singleton City. Police, Ambulance, Fire and State Emergency Services are with close proximity to the site and can provide good response if required (Refer to Figure 1 and 2 Site Locality Map).

2. What are the views of the State and Commonwealth public authorities proposed to be consulted following the gateway determination?

As the planning proposal is subject to Gateway determination from the NSW Department of Planning and Environment, the views of relevant State and Commonwealth public authorities are unknown.

Gateway Determination was issued by the Department of Planning and Environment on 25 January 2018. Condition 2 of that determination required consultation with the Office of Environment and Heritage (OEH) under section 3.34(2) (d) of the Environmental Planning and Assessment Act, 1979, prior to exhibition of the Planning Proposal (Refer to Attachment J – Gateway Determination).

Council referred the proposal to OEH 6 December 2017. OEH provided the following recommendations:

- *There is a small patch of endangered ecological community (Swamp Oak Floodplain Forest) on the site. However, most of the site is cleared and OEH is of the opinion that biodiversity issues can be assessed at the development application stage.*
- *It is noted that no Aboriginal cultural heritage assessment has been carried out. OEH recommends that prior to any development proceeding that the proponent undertake a due diligence process as outlined in OEH guidelines: <https://www.daa.wa.gov.au/globalassets/pdf-files/ddg>; and*
- *a due diligence assessment is not appropriate to inform a planning proposal and a Aboriginal Cultural Heritage Assessment should be undertaken in accordance with our guidelines.*

The Planning Proposal is consistent with the recommendations of OEH (Refer to Attachment K – Public Authority Consultation - OEH).

It should be noted that comment from the (then) NSW Agriculture and DPI – Mineral Resources and Energy were provided during the preparation of the SSP. These comments were used in the assessment of this proposal. (Refer Attachments G and H)

PART 4 – MAPPING

Part 2 of this planning proposal describes the effect of the proposal in terms of LEP mapping. Maps showing the site context and proposed LEP map changes are contained in **Appendix C**. Copies of the draft technical LEP maps for the amendment are contained in **Appendix D**.

PART 5 – COMMUNITY CONSULTATION

The planning proposal is considered to be low impact and should be exhibited for a period of not less than 14 days. Community consultation details are outlined in Table 4.

Community Consultation		
Task	Required? Yes/No	Explanation
Notice of exhibition on Council's Corporate website	Yes	Planning proposal exhibitions are advertised on Council's website.
Newspaper notice	Yes	The site is within an area of circulation of the Singleton Argus newspaper. A notice of exhibition was placed in the Singleton Argus. It is also intended to place a notice of exhibition in the Hunter Valley News.
Notification letters	Yes	Notification letters was sent to landowners of the site, adjoining and adjacent to the boundaries of the site.

Table 4: Community Consultation Schedule

Public exhibition was undertaken between 28 February 2018 and 14 March 2018 and, as described above.

During this period two (2) submissions were received from local residents. The issues identified primarily focussed on the potential traffic issues resulting from the creation of an additional lot.

This included the potential upgrade of the Gresford Road / Roughit Lane intersection to improve road safety. It is considered that the intersection is currently functioning within capacity and that no upgrades will be necessitated by the addition of one dwelling entitlement.

The submissions also identified that traffic travelling towards this intersection along Roughit Lane is currently controlled a double solid line. This leaves approximately 200m to provide access to the new allotments. It is considered that the future lot layout would be resolved during the development application stage. It is however noted that various configuration could be pursued that would not impact on the current traffic controls, which would limit accesses in close proximity to the Gresford Road / Roughit Lane intersection.

PART 6 – PROJECT TIMELINE

Anticipated timeframes for Gateway Determination and making of the amendment to Singleton LEP 2013 are outlined below:

Task	Timeline
Anticipated commencement date (date of Gateway determination)	22/01/2018
Anticipated timeframe for the completion of required technical information	The time period needed will be dependent on what issues need to be resolved and the amount of time needed to prepare the respective information.
Timeframe for government agency consultation (pre and post exhibition as required by Gateway determination)	It is recommended that the public authority comments be obtained concurrently with public exhibition. This would enable comments to be included with the exhibition material. Public authorities should be given 28 days to provide comment on the planning proposal.
Commencement and completion dates for public exhibition period	The exhibition period is typically 14 days for minor amendments.
Dates for public hearing (if required)	N/A
Timeframe for consideration of submissions	The timeframe for consideration of submissions is typically 2-3 weeks for minor amendments depending on number of submissions received.
Timeframe for the consideration of a proposal post exhibition	The timeframe for the consideration of a proposal post exhibition is anticipated to be around 2 months after updating of the planning proposal and reporting to have the matter considered at a Council meeting.
Date of submission to the Department to finalise the LEP	10/08/2018
Anticipated date RPA will make the plan (if delegated)	If the planning proposal is supported at the post-exhibition Council meeting and Council exercises delegation to make the plan, it is expected that the plan would be made within

	approximately 2 months of the respective Council meeting.
Anticipated date RPA will forward to the Department for notification.	If Council is not delegated authority to make the plan or chooses not to exercise delegation to make the plan, it would be expected that the planning proposal would be forwarded to the NSW Department of Planning and Environment within 2 month of the post exhibition Council meeting.

CONCLUSION AND RECOMMENDATION

The planning proposal would rezone the site from *RU1 Primary Production* to *E4 Environmental Living* under the provisions of the Singleton LEP 2013. Minimum lot size provisions for subdivision would also change from 40 hectares to 5 hectares.



The planning proposal is generally consistent with relevant policies and directions. Any inconsistencies have been considered and where possible (based on the level of information provided), justified. As proposed, given the limited amount of development potential generated by the proposal (i.e. two lots into three (creating one additional lot)), the rezoning is not anticipated to generate adverse effects on the community, environment or local context.

Given the small scale of development proposed, further detailed study is not required. Nevertheless, information submitted with the planning proposal application was limited. A site opportunities and constraints analysis could be prepared to adequately address environmental, social and economic impacts and State and Commonwealth interests. The Department of Planning and Environment could condition the Gateway Determination to facilitate the preparation of an analysis.

This planning proposal has been prepared to explain the intended effect of the proposed amendment to the Singleton Local Environmental Plan 2013 and sets out the justification for making that amendment.

Pursuant to Section 3.35 of the Environmental Planning and Assessment Act 1979, Council may, at any time, vary the proposal as a consequence of its consideration of any submission or report during community consultation or for any other reason. It may also, at any time, request the Minister to determine that the matters not proceed.

This planning proposal has been reviewed by the Manager Development and Environmental Services and deemed suitable for the purposes of gazettal.

		
Rean Lourens	Sarah Hyatt	Mary-Anne Crawford
Strategic Land Use Planner	Coordinator Planning and Development Services	Manager Development and Environmental Services

ATTACHMENTS

ATTACHMENT A State Environmental Planning Policies Assessment

SEPP	Overview	Applicable	Consistency
SEPP No. 1 - Development Standards	Makes development standards more flexible. It allows councils to approve a development proposal that does not comply with a set standard where this can be shown to be unreasonable or unnecessary.	N/A	<p>Clause 1.9(2) of the Singleton Local Environmental Plan 2013 excludes application of the SEPP to the land.</p> <p>Consistency with the SEPP is not relevant to the proposal.</p>
SEPP No. 14 - Coastal Wetlands	Provides for the preservation and protection of coastal wetlands.	N/A	<p>The LEP amendment proposal does not relate to coastal wetlands.</p> <p>Consistency with the SEPP is not relevant to the proposal.</p>
SEPP 19 - Bushland in Urban Areas	Provides for the protection and preservation of bushland in urban areas within certain local government areas.	N/A	<p>The SEPP does not apply to the Singleton LGA.</p> <p>Consistency with the SEPP is not relevant to the proposal.</p>
SEPP No. 21 - Caravan Parks	Ensures that where caravan parks or camping grounds are permitted under an environmental planning instrument, movable dwellings, as defined in the Local Government Act 1993, are also permitted. The policy ensures that development consent is required for new caravan parks and camping grounds and for additional long-term sites in existing caravan parks. It also enables, with the council's consent, long-term sites in caravan parks to be subdivided by leases of up to 20 years	N/A	<p>The LEP amendment proposal does not relate to a movable dwelling proposal, caravan park or camping ground.</p> <p>Consistency with the SEPP is not relevant to the proposal.</p>

SEPP	Overview	Applicable	Consistency
SEPP No. 26 - Littoral Rainforests	Provides for the preservation of specific littoral rainforest areas identified on the technical map series for the SEPP.	N/A	<p>The LEP amendment proposal does not relate to littoral rainforest areas identified on the technical map series for the SEPP.</p> <p>Consistency with the SEPP is not relevant to the proposal.</p>
SEPP No. 30 - Intensive Agriculture	Requires development consent for cattle feedlots having a capacity of 50 or more cattle or piggeries having a capacity of 200 or more pigs. The policy sets out information and public notification requirements to ensure there are effective planning control over this export-driven rural industry. The policy does not alter if, and where, such development is permitted, or the functions of the consent authority.	N/A	<p>The LEP amendment proposal does not relate to a cattle feedlot, piggery or composting facility.</p> <p>Consistency with the SEPP is not relevant to the proposal.</p>
SEPP No. 33 - Hazardous and Offensive Development	Requires specified matters to be considered for proposals that are 'potentially hazardous' or 'potentially offensive' as defined in the policy.	N/A	<p>The LEP amendment proposal does not relate to 'potentially hazardous' or 'potentially offensive' development.</p> <p>Consistency with the SEPP is not relevant to the proposal.</p>
SEPP No. 36 - Manufactured Home Estates	Helps establish well-designed and properly serviced manufactured home estates in suitable locations.	N/A	<p>The LEP amendment proposal does not relate to a manufactured home estate.</p> <p>Consistency with the SEPP is not relevant to the proposal.</p>
SEPP No. 44 - Koala Habitat Protection	Encourages the conservation and management of natural	Yes	The site does not contain established

SEPP	Overview	Applicable	Consistency
	vegetation areas that provide habitat for koalas to ensure permanent free-living populations will be maintained over their present range.		trees to constitute potential koala habitat. Consistency with the SEPP is not relevant to the proposal.
SEPP No. 47 – Moore Park Showground	Provides for the redevelopment of Moore Park Showground (Sydney) in a manner that is consistent with its status as an area of importance for State and regional planning in New South Wales	N/A	The LEP amendment proposal does not relate to Moore Park Showground as identified on the technical map series for the SEPP. Consistency with the SEPP is not relevant to the proposal.
SEPP No. 50 - Canal Estates	Bans new canal estates from the date of gazettal, to ensure coastal and aquatic environments are not affected by these developments	N/A	The LEP amendment proposal does not relate to a canal estate. Consistency with the SEPP is not relevant to the proposal.
SEPP No. 52 - Farm Dams and Other Works in Land and Water Management Plan Areas	Requires development consent for certain artificial waterbodies (carried out under farm plans to implement land and water management plans) for land identified on the technical map series for the SEPP,	N/A	The LEP amendment proposal does not relate to land identified on the technical map series for the SEPP. Consistency with the SEPP is not relevant to the proposal.
SEPP No. 55 - Remediation of Land	- Contains state-wide planning controls for the remediation of contaminated land. The policy requires councils to be notified of all remediation proposals and requires lodgement of information for rezoning proposals where the history of use of land is unknown or knowledge incomplete.	N/A	According to the study information for the LEP amendment proposal, the site does not contain contaminated land/potentially contaminated land. Consistency with the SEPP is not relevant to the proposal.
SEPP No. 62 - Sustainable Aquaculture	- Encourages the sustainable expansion of aquaculture in NSW.	N/A	The LEP amendment proposal does not relate to aquaculture.

SEPP	Overview	Applicable	Consistency
			Consistency with the SEPP is not relevant to the proposal.
SEPP No. 64 - Advertising and Signage	Aims to ensure that outdoor advertising is compatible with the desired amenity and visual character of an area, provides effective communication in suitable locations and is of high quality design and finish.	N/A	<p>The LEP amendment proposal does not relate to advertising or signage.</p> <p>Consistency with the SEPP is not relevant to the proposal.</p>
SEPP No. 65 - Design Quality of Residential Flat Development	Raises the design quality of residential flat development across the state through the application of a series of design principles. Provides for the establishment of Design Review Panels to provide independent expert advice to councils on the merit of residential flat development.	N/A	<p>The LEP amendment proposal does not relate to residential flat development.</p> <p>Consistency with the SEPP is not relevant to the proposal.</p>
SEPP No. 70 - Affordable Housing (Revised Schemes)	Provides for revised affordable housing provisions to be inserted into environmental planning instruments for certain land within the Greater Metropolitan Region.	N/A	<p>The LEP amendment proposal does not relate to land identified on the technical map series for the SEPP.</p> <p>Consistency with the SEPP is not relevant to the proposal.</p>
SEPP No. 71 - Coastal Protection	Provides for the preservation and protection of land within the coastal zone.	N/A	<p>The LEP amendment proposal does not relate to land within the coastal zone.</p> <p>Consistency with the SEPP is not relevant to the proposal.</p>
SEPP (Affordable Rental Housing) 2009	Provides incentives for new affordable rental housing, facilitates the retention of existing affordable rentals, and	N/A	The LEP amendment proposal does not relate to affordable rental housing.

SEPP		Overview	Applicable	Consistency
		expands the role of not-for-profit providers		Consistency with the SEPP is not relevant to the proposal.
SEPP Sustainability BASIX) 2004	(Building Index:	Ensures consistency in the implementation of BASIX throughout the State by overriding competing provisions in other environmental planning instruments and development control plans, and specifying that SEPP 1 does not apply in relation to any development standard arising under BASIX.	N/A	<p>The LEP amendment proposal does not relate to implementation of the BASIX scheme.</p> <p>Consistency with the SEPP is not relevant to the proposal.</p>
SEPP (Exempt and Complying Development Codes) 2008		Provides exempt and complying development codes that have State-wide application.	N/A	<p>The LEP amendment proposal does not relate to implementation of the exempt and complying development codes.</p> <p>Consistency with the SEPP is not relevant to the proposal.</p>
SEPP (Housing for Seniors or People with a Disability) 2004		Encourage the development of high quality accommodation for our ageing population and for people who have disabilities - housing that is in keeping with the local neighbourhood.	N/A	<p>The LEP amendment proposal does not relate to housing for seniors or people with a disability.</p> <p>Consistency with the SEPP is not relevant to the proposal.</p>
SEPP 2007	(Infrastructure)	Provides greater flexibility in the location of infrastructure and service facilities along with improved regulatory certainty and efficiency.	N/A	<p>The LEP amendment proposal does not affect implementation of the Infrastructure SEPP.</p> <p>Consistency with the SEPP is not relevant to the proposal.</p>
SEPP (Integration and Repeals) 2016		Repeals certain Regional Environmental	N/A	The LEP amendment proposal does not relate

SEPP	Overview	Applicable	Consistency
	Plans and State Environmental Planning Policies.		to the repeal of any Regional Environmental Plans or State Environmental Planning Policies. Consistency with the SEPP is not relevant to the proposal.
SEPP (Kosciuszko National Park—Alpine Resorts) 2007	Provides for the protection and enhancement of alpine resorts in that part of the Kosciuszko National Park identified on the technical map series for the SEPP.	N/A	The LEP amendment proposal does not relate to land identified on the technical map series for the SEPP. Consistency with the SEPP is not relevant to the proposal.
SEPP (Kurnell Peninsula) 1989	Through application of appropriate development controls, provides for the protection of the natural environment of the Kurnell Peninsula (within the Shire of Sutherland) as identified on the technical map series for the SEPP.	N/A	The LEP amendment proposal does not relate to land identified on the technical map series for the SEPP. Consistency with the SEPP is not relevant to the proposal.
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	Provides for the proper management and development of mineral, petroleum and extractive material resources for the social and economic welfare of the State.	Yes	The LEP amendment proposal does not relate to an extractive industry proposal. The information lodged for the proposal demonstrates consistency with the SEPP.
SEPP (Miscellaneous Consent Provisions) 2007	Contains miscellaneous provisions relating to matters such as the subdivision of land, the erection of a building, the demolition of a building and the erection of temporary structures.	N/A	The LEP amendment proposal does not affect implementation of the Miscellaneous Consent Provisions SEPP. Consistency with the SEPP is not relevant to the proposal.
SEPP (Penrith Lakes Scheme) 1989	Through application of appropriate	N/A	The LEP amendment proposal does not relate

SEPP	Overview	Applicable	Consistency
	development controls, provides for the protection of the natural environment and environmental heritage on land identified on the technical map series for the SEPP (Penrith Lakes).		to land identified on the technical map series for the SEPP. Consistency with the SEPP is not relevant to the proposal.
SEPP (Rural Lands) 2008	Contains rural planning principles and rural subdivision principles, which must be taken into consideration before developing rural land. Provides for rural land to be subdivided below the minimum lot size for subdivision for the purpose of primary production.	Yes	The LEP amendment proposal relates to land within an existing rural zone. The information lodged for the proposal does not demonstrate consistency with the SEPP.
SEPP (State and Regional Development) 2011	Confers functions on joint regional planning panels to determine development applications for relevant State Significant Development, State Significant Infrastructure and Critical State Significant Infrastructure.	N/A	The LEP amendment proposal does not relate to functions conferred on joint regional planning panels. Consistency with the SEPP is not relevant to the proposal.
SEPP (State Significant Precincts) 2005	Facilitates the development, redevelopment and protection of important urban, coastal and regional sites of economic, environmental or social significance to the State, so as to facilitate the orderly use, development or conservation of those State significant precincts for the benefit of the State.	N/A	The LEP amendment proposal does not relate to land within an existing or proposed State significant precinct. Consistency with the SEPP is not relevant to the proposal.
SEPP (Sydney Drinking Water Catchment) 2011	Through application of appropriate assessment and approval provision, provides for the protection of the Sydney drinking water catchment as identified	N/A	The LEP amendment proposal does not relate to land identified on the technical map series for the SEPP.

SEPP	Overview	Applicable	Consistency
	on the technical map series for the SEPP.		Consistency with the SEPP is not relevant to the proposal.
SEPP (Sydney Region Growth Centres) 2006	Provides for the coordinated release of land for residential, employment and other urban development in the North West and South West growth centres of the Sydney Region as identified on the technical map series for the SEPP.	N/A	<p>The LEP amendment proposal does not relate to land identified on the technical map series for the SEPP.</p> <p>Consistency with the SEPP is not relevant to the proposal.</p>
SEPP (Three Ports) 2013	Provides a coordinated and consistent approach to the development and re-development of certain land at Port Botany, Port Kembla and the Port of Newcastle (as identified on the technical map series for the SEPP) for port purposes.	N/A	<p>The LEP amendment proposal does not relate to land identified on the technical map series for the SEPP.</p> <p>Consistency with the SEPP is not relevant to the proposal.</p>
SEPP (Urban Renewal) 2010	Establishes a process for assessing and identifying sites as urban renewal precincts, to facilitate the orderly and economic development and redevelopment of sites in and around urban renewal precincts, and to facilitate delivery of the objectives of any applicable government State, regional or metropolitan strategies connected with the renewal of urban areas that are accessible by public transport.	N/A	<p>The LEP amendment proposal does not relate to land within an existing or proposed urban renewal precinct.</p> <p>Consistency with the SEPP is not relevant to the proposal.</p>
State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017	Aims to protect the biodiversity values of trees and other vegetation in non-rural areas of NSW and preserve the amenity of such areas through the preservation of trees and other vegetation.	N/A	<p>The LEP amendment proposal relates to land within a zone to which the SEPP applies.</p> <p>Consistency with the SEPP is not relevant to the proposal.</p>

SEPP	Overview	Applicable	Consistency
SEPP (Western Sydney Employment Area) 2009	Provides for the co-ordinated planning and development of land in the Western Sydney Employment Area as identified on the technical map series for the SEPP.	N/A	<p>The LEP amendment proposal does not relate to land identified on the technical map series for the SEPP.</p> <p>Consistency with the SEPP is not relevant to the proposal.</p>
SEPP (Western Sydney Parklands) 2009	Provides for development of the land identified on the technical map series for the SEPP into multi-use urban parkland for the region of western Sydney.	N/A	<p>The LEP amendment proposal does not relate to land identified on the technical map series for the SEPP.</p> <p>Consistency with the SEPP is not relevant to the proposal.</p>

ATTACHMENT B Section 117(2) Ministerial Directions Assessment

Ministerial Direction	Overview	Applicable	Consistency
1. Employment and Resources			
1.1 Business and Industrial Zones	<p>Applies to planning proposals affecting existing or proposed business or industrial zone land.</p> <p>By requiring consistency with the objectives of the direction, retention of areas of business and industrial zoned land, protection of floor space potential, and/or justification under a relevant strategy/study; the direction seeks to protect employment land in business and industrial zones, encourage employment growth in suitable locations and support the viability of identified centres.</p>	N/A	<p>The LEP amendment proposal does not relate to land within an existing or proposed business or industrial zone.</p> <p>Consistency with the direction is not relevant to the proposal.</p>
1.2 Rural Zones	<p>Provides for protection of the agricultural production value of rural land by requiring planning proposals to be justified by a relevant strategy or study if they seek to rezone rural zoned land to a residential, business, industrial, village or tourist zone or increase the permissible density of rural (except RU5) zoned land.</p>	Yes	<p>The LEP amendment proposal relates to land within an existing rural zone.</p> <p>Insufficient information has been lodged to adequately assess consistency with the direction.</p>
1.3 Mining, Petroleum Production and Extractive Industries	<p>Seeks to ensure that the future extraction of State or regionally significant reserves of coal, other minerals, petroleum and extractive materials is not compromised by inappropriate development.</p>	N/A	<p>The LEP amendment proposal does not seek to implement provisions that would prohibit or restrict the potential development/mining of coal, mineral or petroleum resources or other extractive materials of State/regional significance.</p> <p>The information lodged for the proposal demonstrates</p>

Ministerial Direction		Overview	Applicable	Consistency
				consistency with the direction.
1.4	Oyster Aquaculture	Provides for the protection of priority oyster aquaculture areas and surrounds from land uses that may adversely impact upon water quality and consequently, on the health of oysters and oyster consumers.	N/A	<p>The LEP amendment proposal does not relate to a priority aquaculture area.</p> <p>Consistency with the direction is not relevant to the proposal.</p>
1.5	Rural Lands	<p>Applies to planning proposals relating to existing or proposed rural or environmental protection zoned land and proposals that seek to change the minimum lot size for subdivision of such land.</p> <p>By requiring consistency with the rural planning principles and rural subdivision principles of SEPP (Rural Lands) 2008 or justification under a relevant strategy, the direction seeks to protect the agricultural production value of rural land and facilitate the orderly and economic development of rural lands for rural and related purposes.</p>	Yes	<p>The LEP amendment proposal relates to land within an existing rural zone.</p> <p>The information lodged for the proposal does not demonstrate consistency with the direction.</p>
2. Environment and Heritage				
2.1	Environment Protection Zones	<p>Applies to planning proposals affecting land within an environment protection zone or land otherwise identified for environment protection purposes.</p> <p>Provides for the protection and conservation of environmentally sensitive areas, by ensuring that planning proposals do not reduce the environmental protection standards applying to such land unless it is suitably justified by a relevant strategy or study or is of minor significance in the opinion</p>	Yes	<p>The LEP amendment proposal relates to land within a proposed environmental protection zone.</p> <p>The information lodged for the proposal does not demonstrate consistency with the direction.</p>

Ministerial Direction		Overview	Applicable	Consistency
		of the Secretary of the NSW Department of Planning and Environment (or nominated delegate)..		
2.2	Coastal Protection	<p>Applies to land within a coastal zone, as defined in the Coastal Protection Act 1979.</p> <p>The direction seeks to implement the principles of the NSW Coastal Policy by requiring relevant planning proposals to be consistent with the NSW Coastal Policy, the Coastal Design Guidelines and the NSW Coastline Management Manual or that they be suitably justified under a relevant strategy or study or be of minor significance in the opinion of the Secretary of the NSW Department of Planning and Environment (or nominated delegate).</p>	N/A	<p>The LEP amendment proposal does not relate to land within a coastal zone.</p> <p>Consistency with the direction is not relevant to the proposal.</p>
2.3	Heritage Conservation	Requires relevant planning proposals to contain provisions to facilitate the conservation of items, areas, objects and places of environmental heritage significance and indigenous heritage significance.	N/A	<p>According to the study information for the LEP amendment proposal, the site does not contain any heritage items/places. The Singleton Local Environmental Plan 2013 contains provisions that facilitate the conservation of heritage.</p> <p>Consistency with the direction is not relevant to the proposal.</p>
2.4	Recreation Vehicle Areas	Seeks to protect land with significant conservation values and other sensitive land from being developed for the purposes of recreation vehicle areas, unless they are suitably justified under a relevant strategy or study or considered to be of minor significance in the opinion of the Secretary of the NSW Department of Planning and	N/A	<p>The LEP amendment proposal does not seek to enable land to be developed for the purposes of a recreational vehicle area.</p> <p>Consistency with the direction is not relevant to the proposal.</p>

Ministerial Direction		Overview	Applicable	Consistency
		Environment (or nominated delegate).		
2.5	Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs	<p>Applies to the local government areas of Ballina, Byron, Kyogle, Lismore and Tweed.</p> <p>Requires planning proposals that seek to introduce or alter an E2 or E3 zone into a relevant LEP to be consistent with the Northern Councils E Zone Review Final Recommendations, except where considered to be of minor significance in the opinion of the Secretary of the NSW Department of Planning and Environment (or nominated delegate).</p>	N/A	<p>The LEP amendment proposal does not relate to land within the local government areas of Ballina, Byron, Kyogle, Lismore or Tweed.</p> <p>Consistency with the direction is not relevant to the proposal.</p>
3. Housing, Infrastructure and Urban Development				
3.1	Residential Zones	<p>Applies to planning proposals affecting existing or proposed residential zoned land or other zoned land upon, which significant residential development is or will be permitted.</p> <p>Requires relevant planning proposals to include provisions that encourage housing development, ensures satisfactory arrangements for servicing infrastructure and will not reduce the permissible residential density of land; unless it is suitably justified under a relevant strategy or study or is of minor significance in the opinion of the Secretary of the NSW Department of Planning and Environment (or nominated delegate).</p>	N/A	<p>The LEP amendment proposal does not relate to land within an existing or proposed residential zone or land upon which significant residential development is or will be permitted.</p> <p>Consistency with the direction is not relevant to the proposal.</p>
3.2	Caravan Parks and Manufactured Home Estates	Applies to planning proposals that seek to identify suitable zones and/or locations and/or provisions for caravan parks or manufactured home estates (excludes certain land reserved or dedicated under the Crown Lands Act 1989 National	N/A	The LEP amendment proposal does not seek to identify suitable zones and/or locations and/or provisions for caravan parks or manufactured home estates.

Ministerial Direction		Overview	Applicable	Consistency
		<p>Parks and Wildlife Act 1974).</p> <p>Provides for a variety of housing types and opportunities for caravan parks and manufactured home estates, through application of requirements for relevant planning proposals.</p>		<p>Consistency with the direction is not relevant to the proposal.</p>
3.3	Home Occupations	<p>Requires home occupations to be permissible without development consent in dwelling houses under the relevant provisions of a planning proposal, except where, in the opinion of the Secretary of the NSW Department of Planning and Environment (or nominated delegate), it is considered to be of minor significance.</p>	Yes	<p>The LEP amendment proposal does not affect the permissibility of home occupations in dwelling houses.</p> <p>Consistency with the direction is not relevant to the proposal.</p>
3.4	Integrating Land Use and Transport	<p>Requires planning proposals, which seek to create, alter or remove a zone or provision relating to urban land (including land zoned for residential, business, industrial, village or tourist purposes), to be consistent with the aims, objectives and principles of 'Improving Transport Choice – Guidelines for planning and development' and 'The Right Place for Business and Services – Planning Policy' or that they be suitably justified under a relevant strategy or study or be of minor significance in the opinion of the Secretary of the NSW Department of Planning and Environment (or nominated delegate)..</p>	N/A	<p>The LEP amendment proposal does not seek to create, alter or remove a zone or provision relating to urban land.</p> <p>Consistency with the direction is not relevant to the proposal.</p>
3.5	Development Near Licensed Aerodromes	<p>Applies development criteria and consultation requirements to planning proposals that seek to create, alter or remove a zone or a provision relating to land in the vicinity of a licensed aerodrome. Inconsistency with the development criteria and/or</p>	N/A	<p>The LEP amendment proposal does not relate to land in the vicinity of a licensed aerodrome.</p> <p>Consistency with the direction is not relevant to the proposal.</p>

Ministerial Direction	Overview	Applicable	Consistency
	consultation requirements can be considered if the inconsistency is suitably justified under a relevant strategy or study or is of minor significance in the opinion of the Secretary of the NSW Department of Planning and Environment (or nominated delegate).		
3.6 Shooting Ranges	Requires planning that proposals not rezone land adjacent to and/ or adjoining to an existing shooting range where it would permit more intensive land uses than those that are permitted under the existing zone or land uses that are incompatible with the noise emitted by the existing shooting, except where the proposal is suitably justified under a relevant strategy or study or where non-compliance is of minor significance in the opinion of the Secretary of the NSW Department of Planning and Environment (or nominated delegate).	N/A	<p>The LEP amendment proposal does not relate to land adjoining or adjacent to a shooting range.</p> <p>Consistency with the direction is not relevant to the proposal.</p>
4. Hazard and Risk			
4.1 Acid Sulfate Soils	Requires the provisions of planning proposals must be consistent with the Acid Sulfate Soils Planning Guidelines and other such relevant provisions provided by the Director-General of the Department of Planning, except where the proposal is suitably justified under a relevant strategy or study or where non-compliance is of minor significance in the opinion of the Secretary of the NSW Department of Planning and Environment (or nominated delegate).	N/A	<p>According to the study information for the LEP amendment proposal, the site does not contain acid sulfate soils/potential acid sulfate soils.</p> <p>Consistency with the direction is not relevant to the proposal.</p>

Ministerial Direction		Overview	Applicable	Consistency
4.2	Mine Subsidence and Unstable Land	Applies requirements to planning proposals that would have the effect of permitting development on land within a proclaimed Mine Subsidence District, except where the proposal is suitably justified under a relevant strategy or study or where non-compliance is of minor significance in the opinion of the Secretary of the NSW Department of Planning and Environment (or nominated delegate).	N/A	<p>The LEP amendment proposal does not relate to land identified as being unstable by a known study, strategy or other assessment. The site is not within a designated mine subsidence district.</p> <p>Consistency with the direction is not relevant to the proposal.</p>
4.3	Flood Land	Prone Applies requirements for planning proposals that seek to create, remove or alter a zone or a provision that affects flood prone land except where non-compliance is of minor significance in the opinion of the Secretary of the NSW Department of Planning and Environment (or nominated delegate).	N/A	<p>The LEP amendment proposal does not relate to flood prone land within the meaning of the NSW Government's 'Floodplain Development Manual 2005'.</p> <p>Consistency with the direction is not relevant to the proposal.</p>
4.4	Planning Bushfire Protection	for Applies requirements for planning proposals affecting land mapped as being bushfire prone land (or land in proximity to such land); except where the Commissioner of the NSW Rural Fire Service has issued written advice to Council that, notwithstanding the noncompliance with the requirements; the NSW Rural Fire Service does not object to progression of the planning proposal.	N/A	<p>The LEP amendment proposal does not relate to bushfire prone land.</p> <p>Consistency with the direction is not relevant to the proposal.</p>
5. Regional Planning				
5.1	Implementation of Regional Strategies	Applies to planning proposals affecting land to which the South Coast Regional Strategy (excluding land in the Shoalhaven LGA) and Sydney–Canberra Corridor Regional Strategy apply.	N/A	<p>The LEP amendment proposal does not relate to land to which the South Coast Regional Strategy or Sydney–Canberra Corridor Regional Strategy apply.</p>

Ministerial Direction	Overview	Applicable	Consistency
	Requires that relevant planning proposals be consistent with the relevant regional strategy, except where, in the opinion of the Secretary of the NSW Department of Planning and Environment (or nominated delegate); the inconsistency is considered to be of minor significance and the intent of the strategy is not undermined.		Consistency with the direction is not relevant to the proposal.
5.2 Sydney Drinking Water Catchments	Applies requirements to planning proposals affecting land within the Sydney Drinking Water Catchment for the purposes of protecting water quality, except where, in the opinion of the Secretary of the NSW Department of Planning and Environment (or nominated delegate); non-compliance with the requirements of the direction is considered to be of minor significance.	N/A	<p>The LEP amendment proposal does not relate to land within the Sydney Drinking Water Catchment.</p> <p>Consistency with the direction is not relevant to the proposal.</p>
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	Requires that planning proposals not rezone certain land, within the NSW Far North Coast, identified as State Significant Farmland, Regionally Significant Farmland or significant non-contiguous farmland for urban or rural-residential purposes, except where, in the opinion of the Secretary of the NSW Department of Planning and Environment (or nominated delegate); consistency with the North Coast Regional Plan 2036 and Section 4 of the report titled Northern Rivers Farmland Protection Project - Final Recommendations, (February 2005), would be achieved.	N/A	<p>The LEP amendment proposal does not relate to land within the NSW Far North Coast.</p> <p>Consistency with the direction is not relevant to the proposal.</p>
5.4 Commercial and Retail Development along the Pacific	Applies requirements to planning proposals that affect land that is traversed by the Pacific Highway, within the Port Stephens	N/A	The LEP amendment proposal does not relate to land traversed by the Pacific Highway.

Ministerial Direction	Overview	Applicable	Consistency
Highway, North Coast	and Tweed Shire Council LGA's, to (inter-alia) protect the function of the highway and manage commercial and retail development along the highway except where, in the opinion of the Secretary of the NSW Department of Planning and Environment (or nominated delegate); non-compliance with the requirements of the direction is considered to be of minor significance.		Consistency with the direction is not relevant to the proposal.
<u>Note:</u> Directions 5.5 – 5.7 have been repealed.			
5.8 Second Sydney Airport: Badgerys Creek	Provides that planning proposal must not contain provisions, that would permit the carrying out of development which could hinder the potential for development of a Second Sydney Airport at Badgerys Creek, unless the provision(s) are suitably justified under a relevant strategy or study or considered to be of minor significance in the opinion of the Secretary of the NSW Department of Planning and Environment (or nominated delegate).	N/A	<p>The LEP amendment proposal does not relate to land at Badgerys Creek.</p> <p>Consistency with the direction is not relevant to the proposal.</p>
5.9 North West Rail Link Corridor Strategy	Provides that planning affecting land located within the North West Rail Link (NWRL) Corridor must be consistent with the NWRL Corridor Strategy and the objectives of the direction, except where the proposal is suitably justified under a relevant strategy or study or where non-compliance is of minor significance in the opinion of the Secretary of the NSW Department of Planning and Environment (or nominated delegate).	N/A	<p>The LEP amendment proposal does not relate to land located within the North West Rail Link Corridor.</p> <p>Consistency with the direction is not relevant to the proposal.</p>
5.10 Implementation of Regional Plans	Requires that planning proposals be consistent with relevant regional strategies released by the Minister for Planning, except where, in the opinion	Yes	The Hunter Regional Plan 2036 (HRP) applies to the LEP amendment proposal.

Ministerial Direction	Overview	Applicable	Consistency
	of the Secretary of the NSW Department of Planning and Environment (or nominated delegate); the inconsistency is considered to be of minor significance and the intent of the strategy is not undermined.		Insufficient information has been lodged to adequately assess consistency with the direction.
6. Local Plan Making			
6.1	Approval and Referral Requirements	Applies requirements for planning proposals, which seek to incorporate provisions into a Local Environmental Plan (LEP) that require concurrence, consultation or development application referral to a minister or public authority.	N/A
			The LEP amendment proposal does not seek to incorporate provisions into the instrument that require concurrence, consultation or development application referral to a minister or public authority. Consistency with the direction is not relevant to the proposal.
6.2	Reserving Land for Public Purposes	Applies requirements to planning proposals which seek to create, alter or reduce existing zonings or reservations of land for public purposes.	N/A
			The LEP amendment proposal does not seek to create, alter or reduce existing zonings or reservations of land for public purposes. Consistency with the direction is not relevant to the proposal.
6.3	Site Specific Provisions	Applies requirements for planning proposals seeking to incorporate provisions into an environmental planning instrument so as to amend another environmental planning instrument.	N/A
			The LEP amendment proposal does not seek to incorporate provisions into the instrument that would amend another environmental planning instrument. Consistency with the direction is not relevant to the proposal.
7. Metropolitan Planning			
7.1	Implementation of the	Requires that relevant planning proposals be	N/A
			The LEP amendment proposal does not relate

Ministerial Direction	Overview	Applicable	Consistency
Metropolitan Plan for Sydney 2036	consistent with the NSW Government's 'A Plan for Growing Sydney' (Dec 2014), except where, in the opinion of the Secretary of the NSW Department of Planning and Environment (or nominated delegate); the inconsistency is considered to be of minor significance and the intent of the strategy is not undermined.		to land to which the NSW Government's 'A Plan for Growing Sydney' (Dec 2014) applies. Consistency with the direction is not relevant to the proposal.
7.2 Implementation of Greater Macarthur Land Release Investigation	Provides that planning proposals affecting land located within the Greater Macarthur Land Release Investigation Area, as identified in the Preliminary Strategy; must be consistent with the Preliminary Strategy, except where, in the opinion of the Secretary of the NSW Department of Planning and Environment (or nominated delegate); the inconsistency is considered to be of minor significance and the intent of the strategy is not undermined.	N/A	The LEP amendment proposal does not relate to land within the Greater Macarthur Land Release Investigation Area. Consistency with the direction is not relevant to the proposal.
7.3 Parramatta Road Corridor Urban Transformation Strategy	Provides for the incremental transformation and development of land identified on the Parramatta Road Corridor Map (on pages 14 and 15) contained in the Parramatta Road Corridor Urban Transformation Strategy (November, 2016), where consistent with the strategy and associated corridor implementation toolkit.	N/A	The LEP amendment proposal does not relate to land identified on the Parramatta Road Corridor Map of the Parramatta Road Corridor Urban Transformation Strategy. Consistency with the direction is not relevant to the proposal.
7.4 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	Requires that relevant planning proposals be consistent with the North West Land Use and Infrastructure Strategy, except where, in the opinion of the Secretary of the NSW Department of Planning and Environment (or nominated delegate); the inconsistency is considered	N/A	The LEP amendment proposal does not relate to land to which the North West Land Use and Infrastructure Strategy applies. Consistency with the direction is not relevant to the proposal.

Ministerial Direction	Overview	Applicable	Consistency
	to be of minor significance and the intent of the strategy is not undermined.		
7.5	Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	N/A	<p>The LEP amendment proposal does not relate to land to which the Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan applies.</p> <p>Consistency with the direction is not relevant to the proposal.</p>
7.6	Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	N/A	<p>The LEP amendment proposal does not relate to land to which the Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan applies.</p> <p>Consistency with the direction is not relevant to the proposal.</p>

ATTACHMENT C Explanatory Maps



Figure 1: Site Identification Map

Site Locality Map



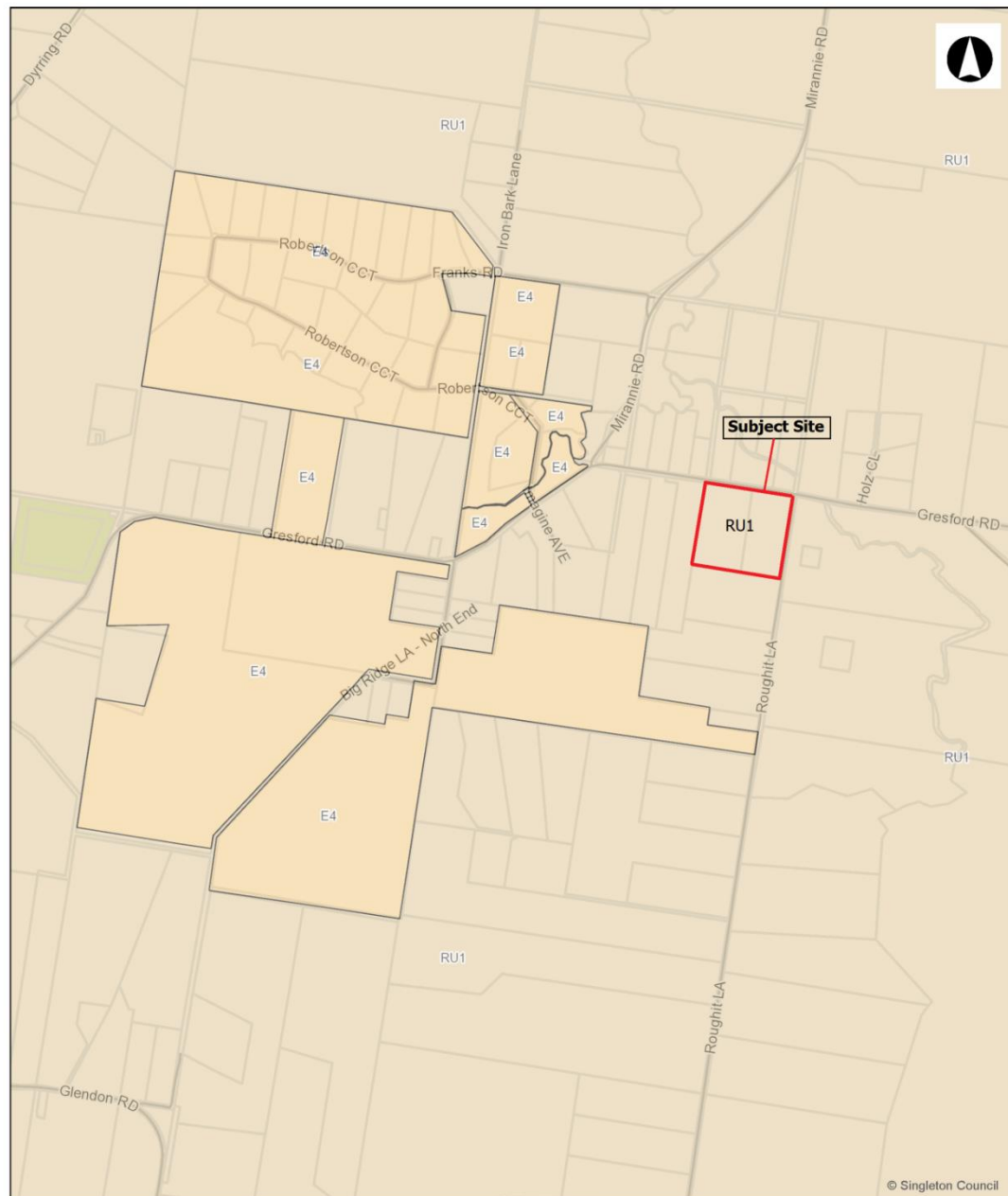
Date: 22-Aug-2017
 Projection: GDA_1994_MGA_Zone_56

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Figure 2: Site Locality Map

Current Zoning Map



1.3 0 0.64 1.3 Kilometers

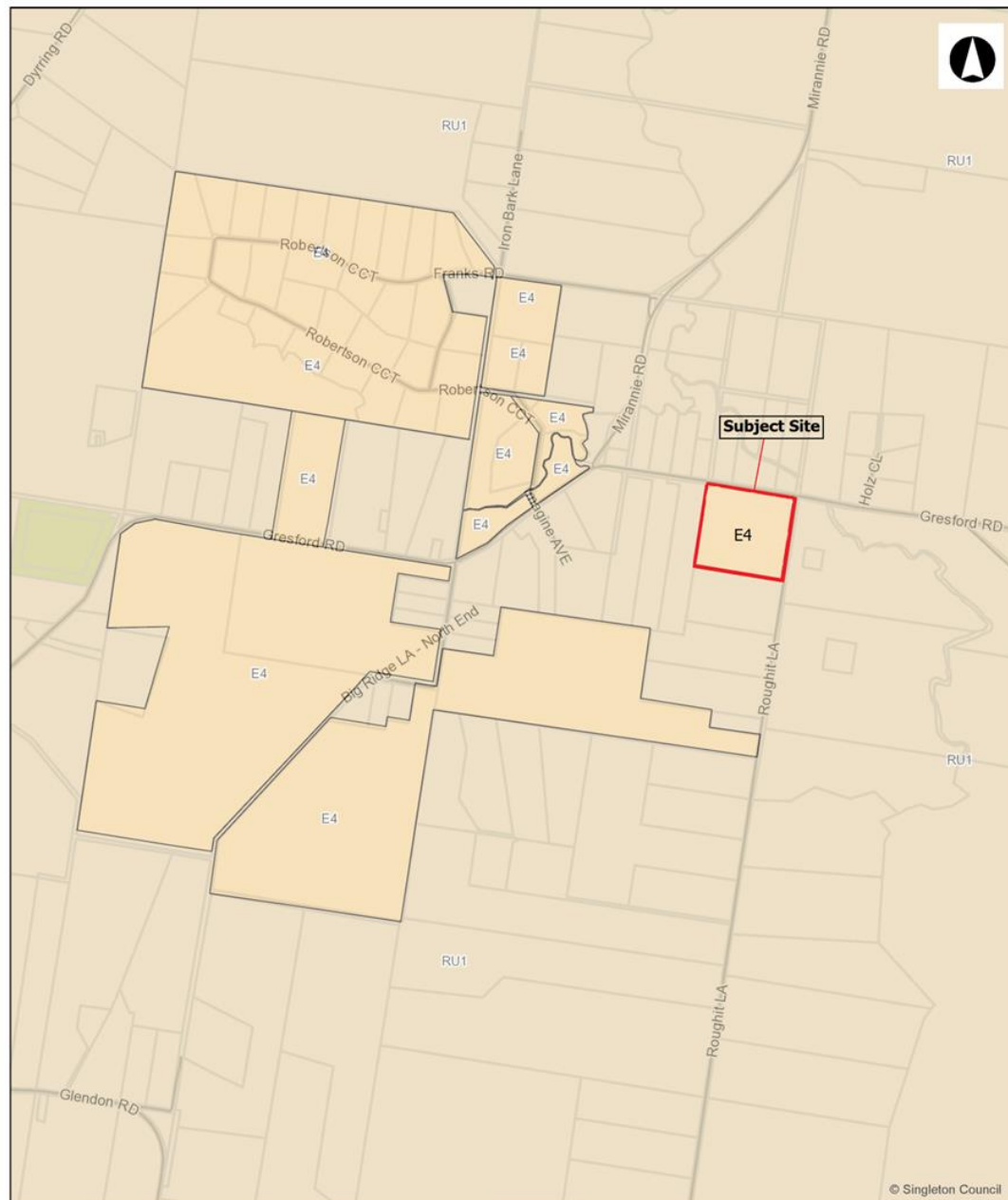
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Figure 3: Current Zoning Map

Proposed Zoning Map



1.3 0 0.64 1.3 Kilometers

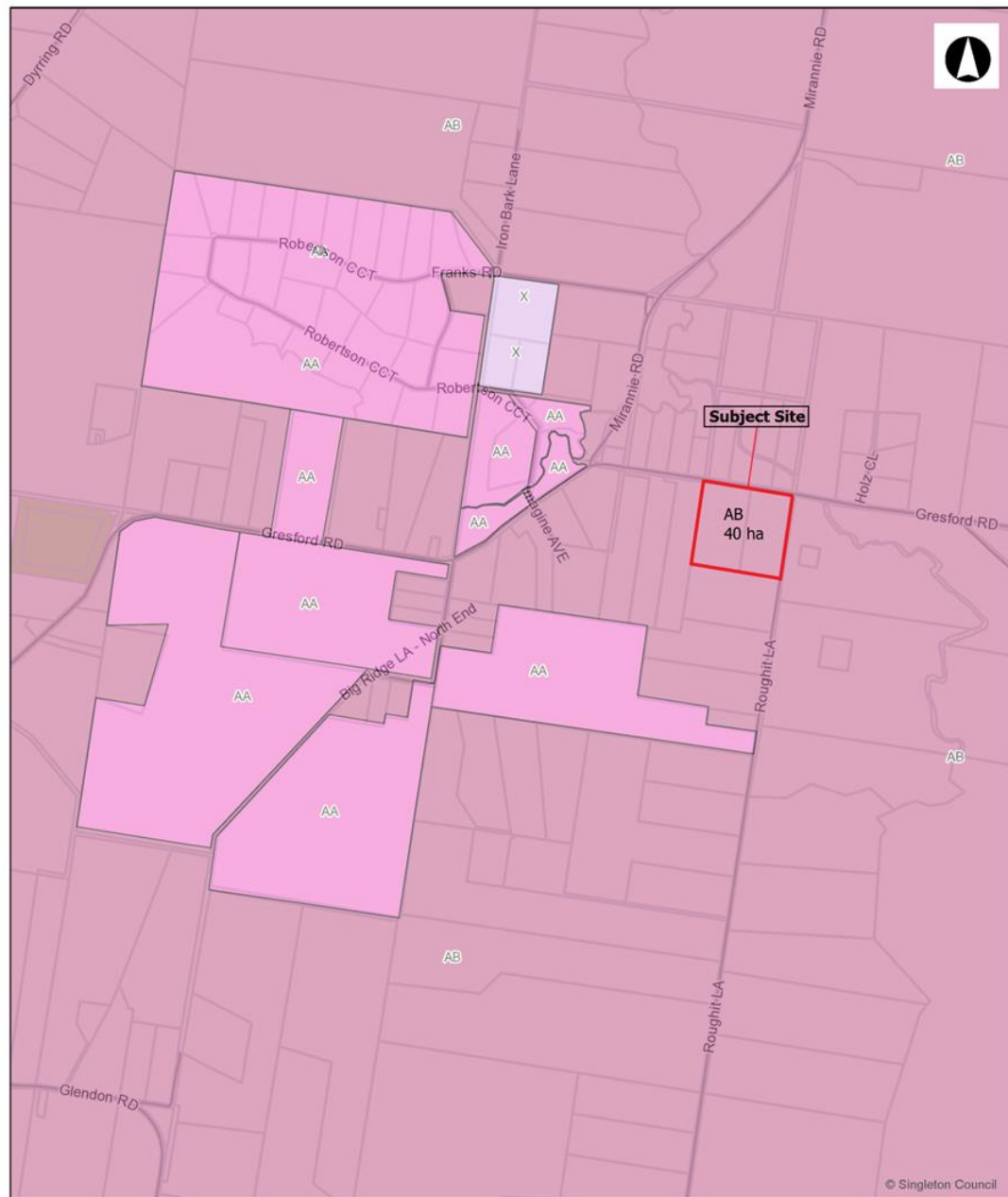
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Figure 4: Proposed Zoning Map

Current Lot Size Map



1.3 0 0.64 1.3 Kilometers

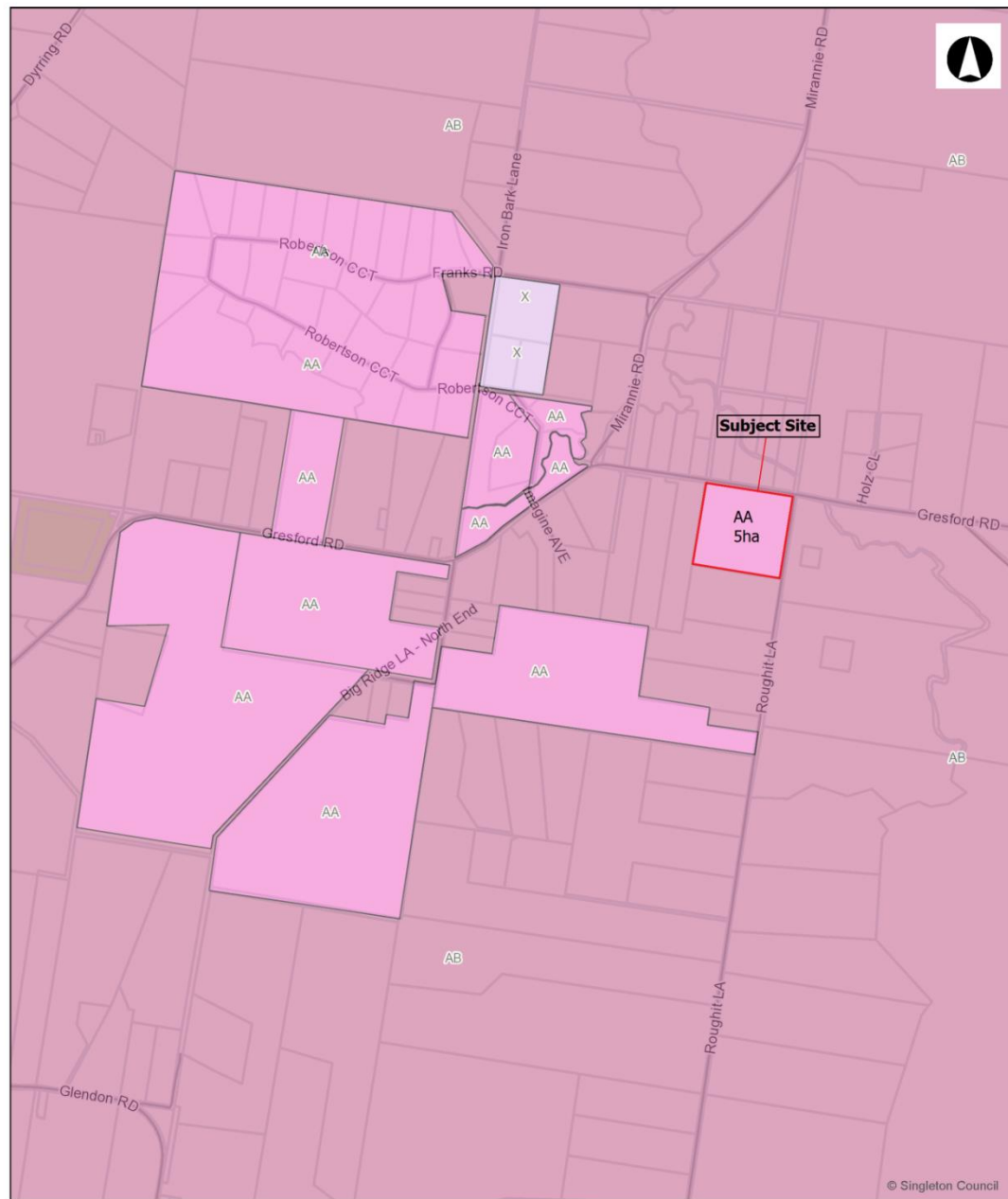
Date: 24-Aug-2017
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Figure 5: Current Lot Size Map

Proposed Lot Size Map



1.3 0 0.64 1.3 Kilometers

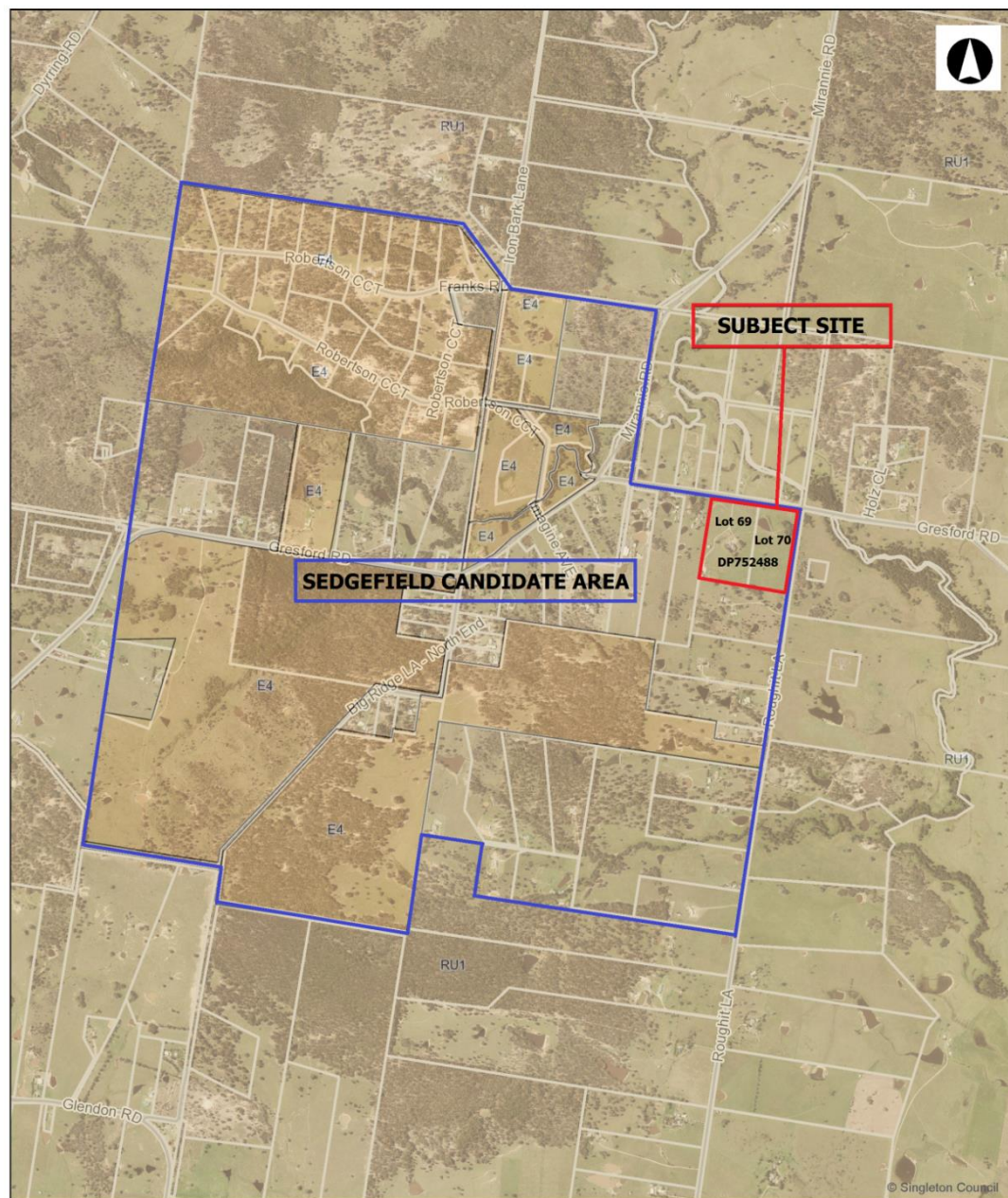
Date: 24-Aug-2017
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Figure 6: Proposed Lot Size Map

Sedgefield Candidate Area



1.3 0 0.64 1.3 Kilometers

Date: 23-Aug-2017
Projection: GDA_1994_MGA_Zone_56

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Figure 7: Sedgefield Candidate Area



Figure 8: Aerial View - Lot 68 and 70

ATTACHMENT D Draft Technical LEP Maps

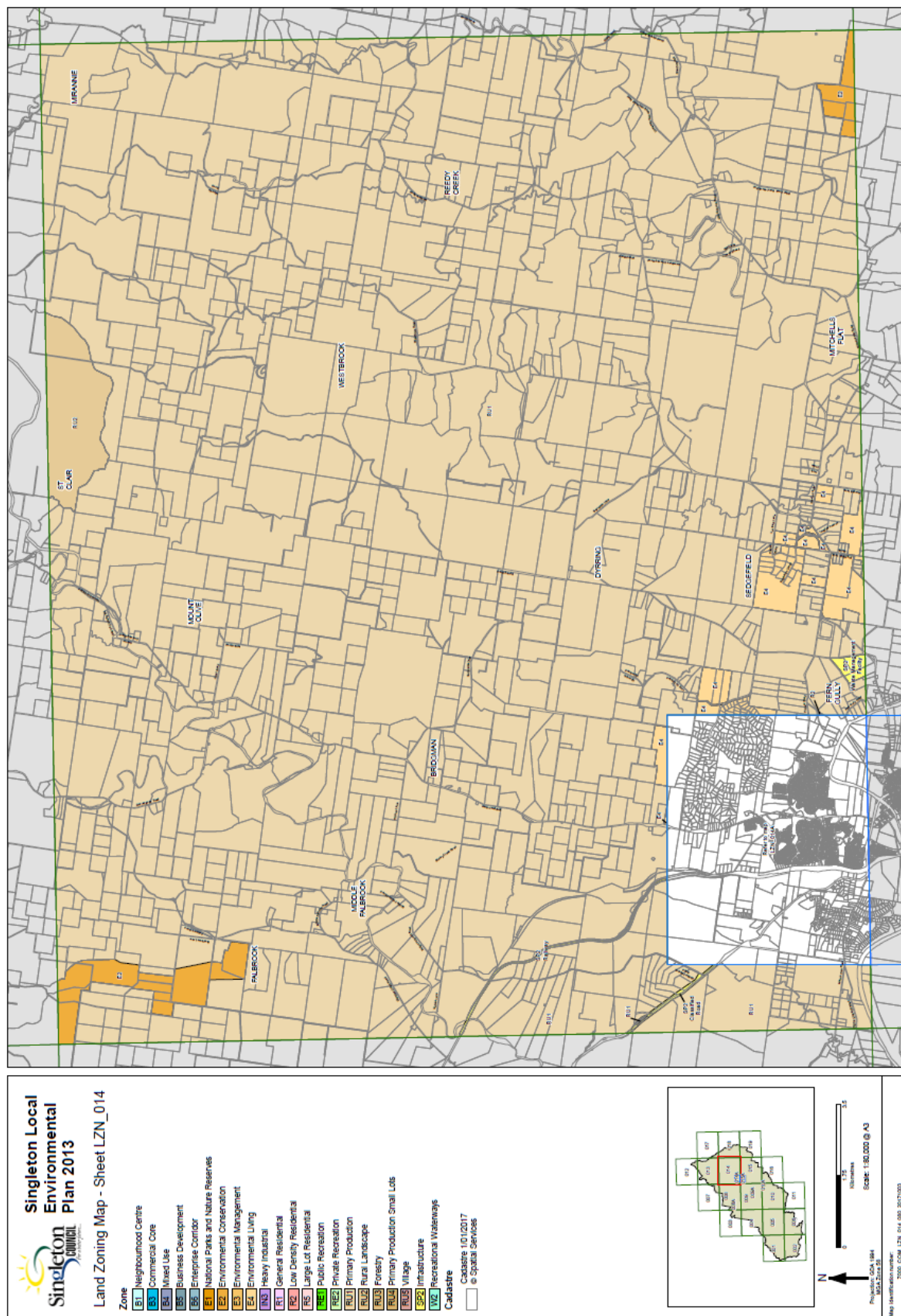


Figure 9: Draft Land Zoning Map

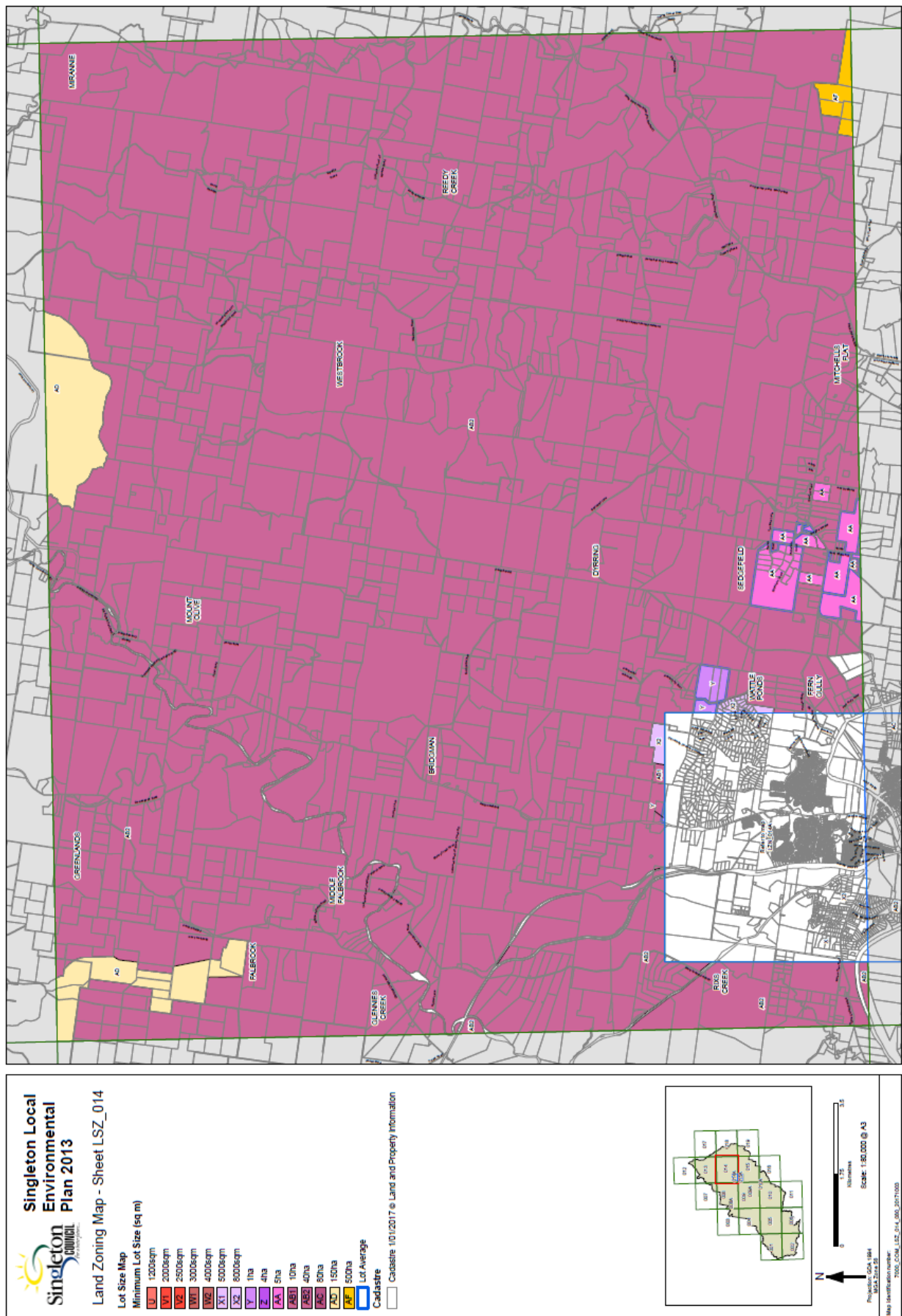
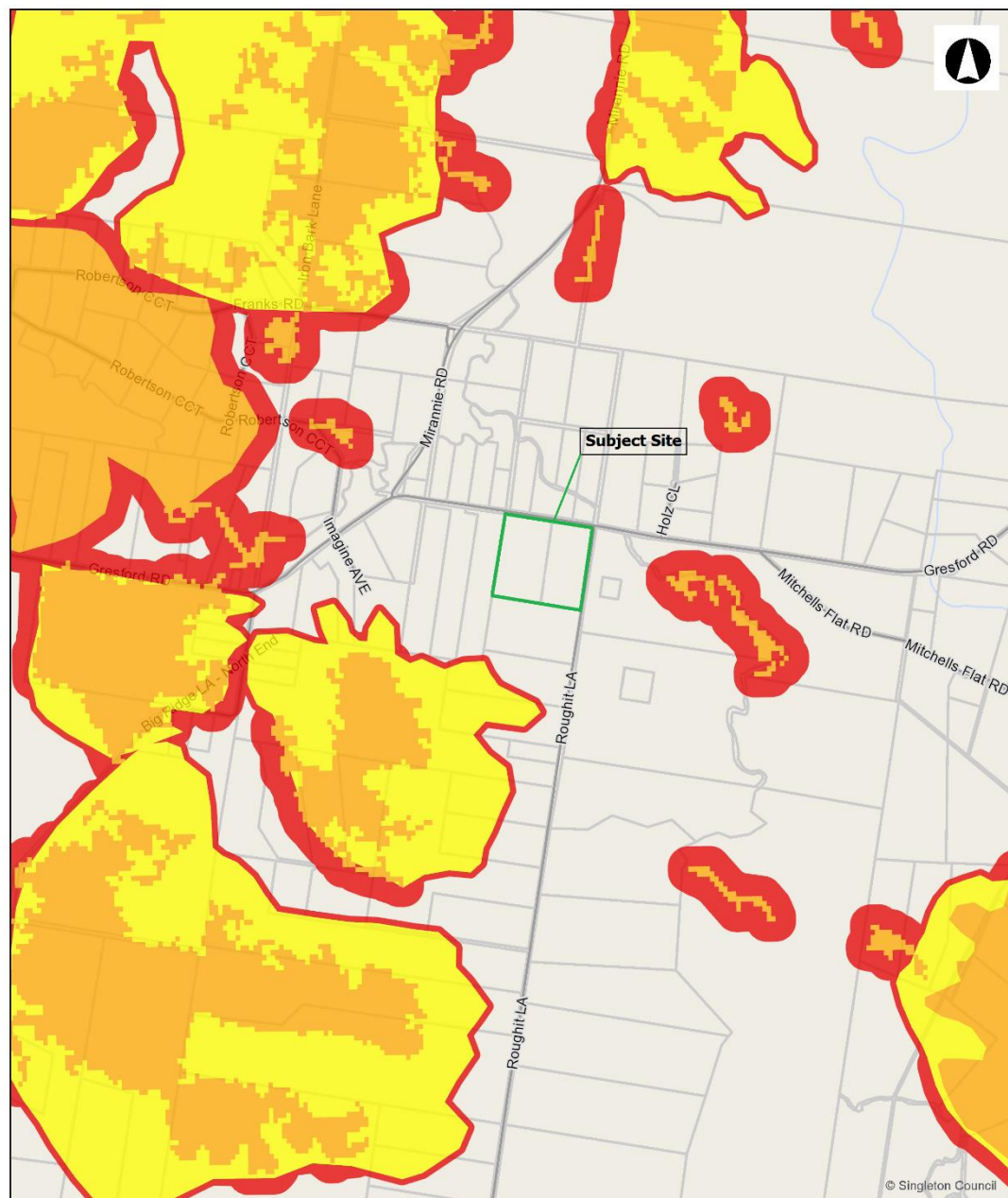


Figure 10: Draft Lot Size Map

Bushfire Prone Vegetation Map



1.3 0 0.64 1.3 Kilometers

Date: 24-Aug-2017
Projection: GDA_1994_MGA_Zone_56

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Figure 11: Bushfire Prone Land Vegetation Map

ATTACHMENT E Sedgefield Master Plan

Refer to separate attachment.

ATTACHMENT F Endorsement of Singleton Land Use Strategy



NSW GOVERNMENT
Department of Planning

Office Of the Director General

Contact: Amy Blakely
Phone: (02) 4904 2700
Fax: (02) 4904 2701
Email: Amy.Blakely@planning.nsw.gov.au
Postal: PO Box 1226, Newcastle 2300

Mr Steve McGrath
General Manager
Singleton Council
PO Box 314
SINGLETON NSW 2330

Our ref: N08/00006-1
Your ref: 05/0192-3

Re: DIRECTOR GENERAL ENDORSEMENT OF SINGLETON LANDUSE STRATEGY

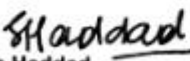
I refer to Council's letter of 1 May 2008 requesting endorsement of Council's adopted Singleton Landuse Strategy. Please be advised the Department has reviewed the version of the Landuse Strategy dated 21 April 2008 and generally endorses the document with the following comments:

- Future development needs to maximise the opportunities for infill in Singleton Township, on appropriate flood free land;
- With regard to Rural Minimum Lot Sizes, any changes by way of an LEP will need to have regard to the rural subdivision principles contained in the State Environmental Planning Policy (Rural Lands) 2008; and
- The Department will not support average lot size provisions for rural residential zones within the LEP. Further discussions should be held with the Regional Team to ensure that Minimum Lot Sizes reflect the suitability and capability of the land.

I congratulate Council on producing this document which will assist with achieving sound planning outcomes for the LGA.

If you require any additional information, I have arranged for Miss Amy Blakely, from the Department's Hunter Office to assist you. She can be contacted on 4904 2700.

Yours sincerely


Sam Haddad
Director General
8/6/2008.



ATTACHMENT G Correspondence DPI - Mineral Resources and Energy



Gary Pearson
Singleton Council
PO Box 314
Singleton NSW 2330

Dear Gary

Sedgefield Structure Plan

The following comments on the above rural residential candidate area are provided on behalf the Division of Resources & Energy (DRE), NSW Department of Industry. DRE have previously made submissions which do not support the rezoning of the entire proposed area for rural residential development. Instead, DRE have suggested the eastern boundary be moved to the west, and away from areas under coal title. The location of the structure plan proposed area is shown on the attached Figure 1.

Following recent consultation, DRE have reviewed the location and nature of this proposal, and the site geology and other characteristics. DRE no longer believes that a change to the eastern boundary is required, and has no further objections to the structure plan.

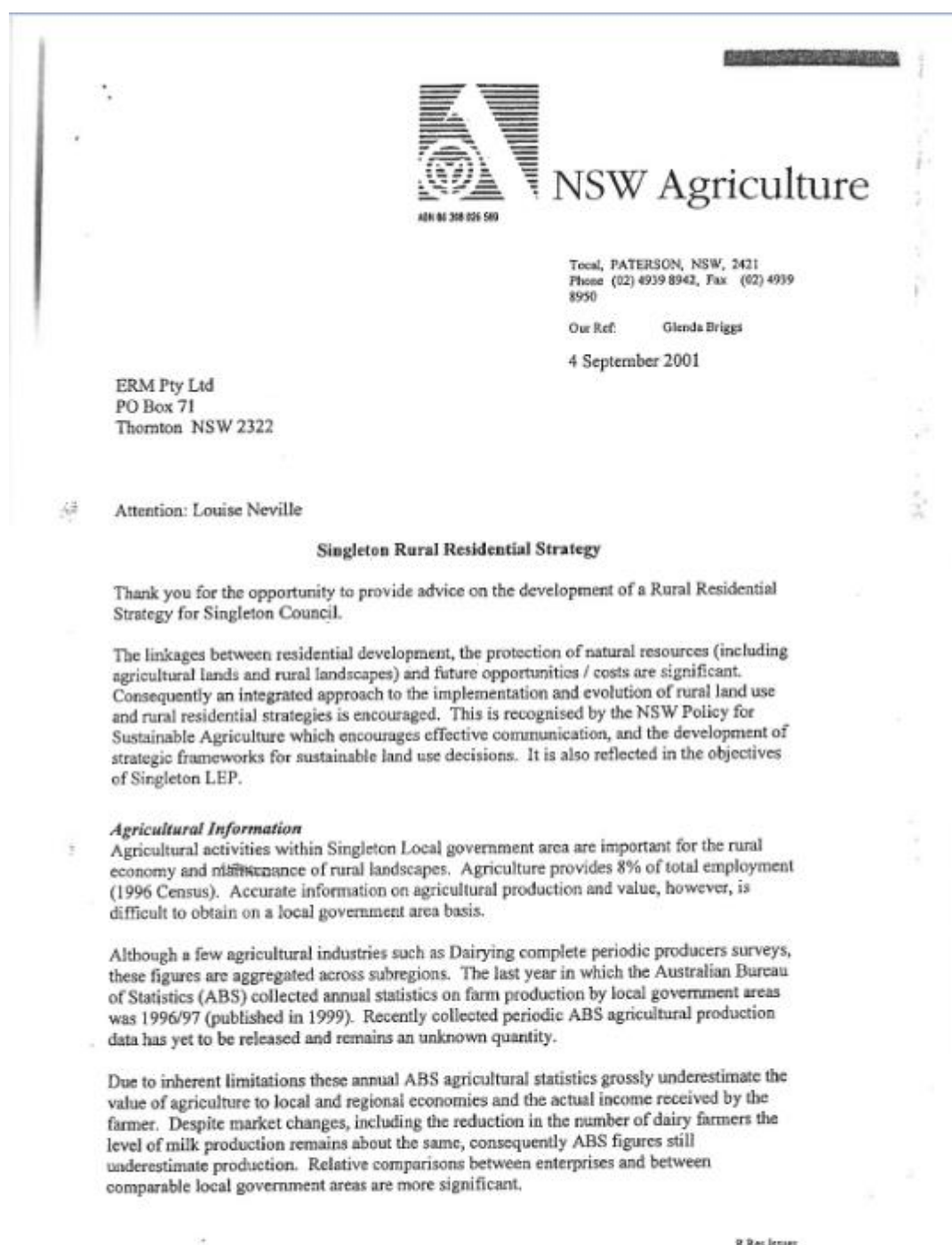
Yours sincerely

A handwritten signature in black ink, appearing to read 'Steven Palmer'.

Steven Palmer
Acting Assistant Director
Coal & Petroleum Geoscience

23 October 2015

ATTACHMENT H Correspondence NSW Agriculture



Agricultural Issues and Needs

The diverse resources of Singleton LGA support significant agricultural diversity, with 5 major agricultural industries (dairying, beef cattle, poultry, hay and grapes) each reported by ABS as grossing more than \$1.5 mill/yr of produce in 1996/97. Although these industries have diverse resource needs and impacts, two dominant trends are for:

- more efficient production, based on better management, economies of scale and / or the intensification of activities.
- increased diversity in agricultural / rural production.

The harvesting of timber was a traditional diversification for many beef cattle properties, but this has largely ceased due to changing markets and legislation, uncertainty and limited management. Newer options include; rural tourism, farm forestry and value adding through on farm processing or direct marketing to customers.

Adaptation to such changes requires investment in improved operations and often new equipment (and/or animals). This is encouraged by a planning framework which provides certainty, clarity of land use focus and minimises the risk of future conflicts with incompatible neighbours.

The short term (immediate) interests of an individual farmer and the longer term needs of the industry or community are not necessarily aligned. As such it is not always possible to satisfy all needs simultaneously. Nor does open ended subdivision and population growth uniformly equate with sustainable development.

Current LEP Provisions

Singleton LEP 1996, provides for 3 rural zones (as summarised in Table 1), however the cumulative effects of past subdivision together with, concessional lot provisions and minimum size standards and the limited creation of hobby farm zones has blurred the resultant holdings patterns and land use.

Table 1 – Current Rural Zones

Zone	Focus of Objectives	Minimum Lot size
1(a) Rural	Agricultural (both intensive and extensive) and interim mining	40 ha
1(b) Hobby Farms	Lifestyle (Residential plus low impact land use)	10 ha
1(d) Rural Small Holdings	Lifestyle - Residential	0.8 ha

As a result the current Rural 1(a) zone does not provide the necessary surety or encouragement for capital and resource investment, vital for increased production and diversification. NSW Agriculture also queries the;

- actual distinction between the Rural Farmlets and Rural Small Holdings zone since both provide for rural residential opportunities and both prohibit Intensive Agriculture and Intensive Livestock Keeping activities.
- sustainability and effectiveness of the current minimum lot size for Hobby Farms Zone.
- actual demand for the Hobby Farm zone given that there is no maximum size limit for the Rural Small Holdings zone.

R Res Issues

"Hobby farms" is a confusing term which usually reflects personal circumstances rather than actual land use or holding size. The vast majority of agricultural properties across NSW and especially in the Hunter, rely on some form of external income and are frequently managed on a part time basis.

"Viability" is similarly open to widespread interpretation and can reflect management / lifestyle choices rather than the properties inherent potential or enterprise sustainability. It also ignores the potential for market changes and future opportunities.

Sustainable Development

The level of current fragmentation and distribution of natural resources as well as access to water, and other critical needs such as isolation or accessibility are all important for agricultural productivity and future opportunities. Rather than the traditional focus on prime agricultural land a more sustainable outcome is the protection of the diversity of agricultural resources (such as land types, holding size, water and accessibility) and hence future opportunities within clearly identified focus areas.

Ongoing rural fragmentation creates smaller and typically more uniform lots. It also increases capital costs and overheads per unit area and decreases future capacity to recombine holdings. This reduces longer term economic sustainability, unless more intensive production, diversification or a switch to high quality and / or scarce products occurs. Access to necessary resources for sustainable production are critical for such change (along with the capacity to effectively market the product).

Intensive and specialist agricultural enterprises also need sufficient area to provide buffers to adjoining holdings, provide for necessary farm infrastructure and natural resources (eg drainage lines, steeper slopes, remnant vegetation) rather than restricting the potential of adjoining lots or requiring third party intervention to resolve disputes. Depending on the configuration and property features a minimum lot size of 20 - 40 ha is required for environmental sustainability. For sustainable returns from grazing enterprises significantly larger property sizes are required to provide access to a balance of land types and natural resources.

Dispersed rural residential and lifestyle development risks significant additional land use conflict, entrenches the expectation and demand for such opportunities and further inflates rural land prices, all of which decrease longer term agricultural sustainability.

Clustering rural residential growth in target areas increases the scope for achieving infrastructure improvements (water supply, sewerage, electricity and fixed phone line reliability as well as mobile phone / television coverage, data quality). It also enables a better standard of service to be provided at reduced cost than if residential growth is dispersed across broad areas.

Recommendations;

Council can significantly contribute to agricultural sustainability via planning policies which;

- Provide increased surety to encourage investment in agriculture (and more sustainable management) by increasing the distinctions between different zones.
- Identify separate zones for;

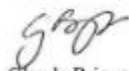
R Res Issues

- *Rural residential / lifestyle development* with lot sizes reflective of residential needs. These should be focused on suitable sites which have limited agricultural potential either as a result of existing fragmentation and land use and / or inherent natural resource constraints.
- *Niche / intensive agricultural development* in strategic zones with a 20 – 40 ha minimum. Key features for such a zone include access to water, services and markets and prime agricultural land as well as compatible levels of existing development (not residential) and moderate fragmentation.
- *Less intensive (grazing based) agriculture* focused on suitable, less fragmented areas with substantial minimum lot sizes to reduce the pressure for premature subdivision
- Facilitate the monitoring of strategy outcomes
- Integrate with the strategies and as relevant build on the experience of adjoining Local Councils.

As an integral and important component of developing its Rural Residential strategy Council is requested to;

- Identify existing patterns of fragmentation and land use in conjunction with natural resources and land use and assess the appropriateness of land as currently zoned.
- Identify the costs of rural residential development and reflect this in respective development contributions and constraints
- Establish clear criteria for the provision of more sustainable rural residential opportunities (eg distance from community facilities, impact on remnant bushland and avoidance of key agricultural areas with least agricultural constraint).
- Assess the number and spatial distribution of additional lots which might be created subject to such constraints. This should include the an assessment of current lots on the market, turn over and population projections.
- Develop a realistic estimate of projected demand for rural residential / innovative agricultural development as well as the desirability / potential to satisfy this
- Establish strategies for rezoning and subdivision (including staged development) which avoid prematurely reducing agricultural opportunities.

Yours faithfully



Glenda Briggs
Agricultural Environmental Officer, Hunter Region

R Res Issues

ATTACHMENT I SEPP (Rural Lands) 2008 Assessment

SEPP (Rural Lands) applies to rural land within the Singleton LGA and the site, respectively. It applies rural planning and subdivision principles to development in rural areas.

The *Rural Planning Principles* are outlined below with discussion about how the proposal would be consistent:

- **Principle (a)** – *The promotion and protection of opportunities for current and potential productive and sustainable economic activities within rural areas.*

The proposal would provide for land uses permissible under the *E4 Environmental Living Zone* (low-impact residential development) and be in accordance with the (then) *Singleton Rural Residential Development 2005*, SLUS and SSP.

The E4 zone would provide for a small amount of growth, similar in form and nature to the surrounding settlement pattern (Refer to Figure 1 Site Identification Map, Figure 2 Site Locality Map and Figure 7 Sedgefield Candidate Area). Application of the E4 zone is not expected to have adverse impact on potential productive and sustainable economic activities on the site, particularly given the site is being used for environmental living purposes and was identified as being suitable for those purposes.

The site is located within the SCA, which provides for rural residential development. It would retain its rural characteristics and continue to provide for environmental lifestyle living within a rural context.

- **Principle (b)** – *Recognition of the importance of rural lands and agriculture and the changing nature of agriculture and of trends, demands and issues in agriculture in the area. Region and State.*

The planning proposal recognises the importance of rural land and the changing needs of agriculture. Land within the site is marginal for agricultural purposes. The size of the site (16.99 hectares) also places limitations on agricultural production levels. Loss of productive agricultural land would be negligible. During preparation of the (then) *Rural Residential Settlement Strategy*, NSW Agriculture advised that “depending on the configuration and property features a minimum lot size of 20-40 hectares is required for environmental sustainability. For sustainable returns from grazing enterprises significantly larger property sizes are required to provide access to a balance of land types and natural resources”. People inside and outside the Singleton LGA, are seeking alternate lifestyle options. Rezoning and subsequent development of the site would cater, albeit on a small scale, to growing trends and demands for lifestyle accommodation in close proximity to Singleton CBD. The site was identified as being suitable for the proposed land use by the SSP and SLUS 2008.

- **Principle (c)** – *Recognition of the significance of rural land uses to the State and rural land uses to the State and rural communities, including social and economic benefits of rural land use and development.*

The site is located in a rural context, with an existing environmental living/ rural settlement pattern. Application of the *E4 Environmental Living Zone* is considered to be appropriate for the site, particularly as it is located within the SCA (Refer to Figure 7 Sedgefield Candidate Area). The small scale of development achievable on the site would help ensure that the rural and broader Singleton community could continue to grow and develop in accordance with the SSP and *SLUS 2008*. Singleton is identified as a *Strategic Centre* under the *Hunter Regional Plan 2036*. Given the site is located within 6km of Singleton CBD and identified as a Candidate Area suitable for rural lifestyle development, the proposal would facilitate rural living that also provides social and economic benefits to Singleton.

- **Principle (d)** – *In planning for rural lands, to balance the social, economic and environmental interests of the community.*

Application of the proposed *E4 Environmental Living Zone* is based on the requirements of the SSP. The proposal would provide for a small amount of growth in the SCA (Refer to Figure 7 Sedgefield Candidate Area). Environmental values of the site would be protected by ensuring that any future subdivision and development is well designed, with building envelopes sited to minimise/ mitigate and manage any adverse impacts. This would help ensure that any lots developed within the site have the capacity to accommodate on-site effluent dispersal, which would reduce impacts on soil, water and the environment.

The proposal would provide for environmental living on the site and be consistent with adjoin and adjacent land use.

As the site is located within the SCA, and more broadly, has been identified as being suitable for future rural residential development in accordance with the (then) *Singleton Rural Residential Development Strategy 2005* and *SLUS*, the proposal is considered to be capable of achieving a balance between social, economic and environmental interests of the community.

- **Principle (e)** – *The identification and protection of natural resources, having regard to maintaining biodiversity, the protection of native vegetation, the importance of water resources and avoiding constrained land.*

The proposal is unlikely to have any adverse impacts on natural resources, biodiversity and native vegetation or water resources. Historically the site has been used for agricultural purposes (i.e. grazing) and is predominantly cleared grassland with scattered trees. A small isolated stand of *Swamp Oak Floodplain Forest - EEC* (approximately 3614.42m² with a perimeter of 269.86m) and dam are located in the north-eastern corner of the site. As proposed, any future building envelopes should be designed and sited away from the existing EEC and dam.

The site is not currently serviced by reticulated water supply. It uses on-site water storage tanks to service the existing residence. Any future development of the site would need to ensure that adequate on-site water storage tanks are provided. Impacts

on water resources, erosion and sedimentation, and water quality controls must be addressed through the development application process.

- **Principle (f)** – *The provision of opportunities for rural lifestyle, settlement and housing that contributes to the social and economic welfare of rural communities.*

The proposal provides for environmental living within a rural context. Proposed land uses align with land uses on neighbouring and surrounding properties within the area (Refer to Figures 1 Site Identification Map, Figure 2 Site Locality Map and Figure 7 Sedgefield Candidate Area). No significant adverse impacts on the welfare of the local community have been identified.

- **Principle (g)** – *The consideration of impacts on services and infrastructure and appropriate location when providing for rural housing.*

The proposal would provide for environmental living within a rural context. It is unlikely to have any adverse impacts on infrastructure and services. The site is located within the SCA and is considered to be suitable for any future low-impact residential development. Services in terms of electricity and telecommunications are connected to the site and have the capacity to be provided to any future development at the owner's expense. Broadband services are not yet available in the area or broader Singleton LGA. Town water and sewer supplies are not available to the site or broader Sedgefield area. The site would rely on rainwater storage tanks and on-site waste management systems. Gresford Road is a sealed road that provides direct access to the site. Lots created by the proposed rezoning and subsequent subdivision should be accessed for safety purposes from Roughit Lane not Gresford Road. Infrastructure servicing is a standard consideration at development application stage. Section C provides further infrastructure assessment for the site.

- **Principle (h)** – *Ensuring consistency with any applicable regional strategy of the Department of Planning and any applicable local strategy endorsed by the Director-General.*

The proposal is considered to be consistent with past and current local strategies including the (then) *Singleton Rural Residential Development Strategy 2005* and SLUS. The proposal is also considered to be generally consistent with *Hunter Regional Plan 2036* and *Upper Hunter Strategic Regional Land Use Plan 2012* and is discussed further in Part 3, Section B.

The *Rural Subdivision Principles* are outlined below with discussion about how the proposal would be consistent:

- **Principle (a)** – *The minimisation of rural land fragmentation.*

The site is located within the SCA, which is highly fragmented rural land and therefore considered suitable for environmental living (Refer to Figure 7 Sedgefield Candidate Area). Minimum lot size requirements for development are 5 hectares, which would further help ensure that any future development of the site is undertaken in an

appropriate manner in accordance with the SSP. Figure 7 Sedgefield Candidate Area demonstrates that the SCA is already highly fragmented and being used for purpose of rural lifestyle.

- **Principle (b)** – *The minimisation of rural land use conflicts, particularly between residential land uses and other rural land uses.*

Given the existing environmental living settlement pattern throughout the SCA, the proposal would be consistent with the rural character, context and surrounding land uses. Existing properties in the area are generally being used for rural lifestyle purposes (Refer to Figure 1 Site Identification Map, Figure 2 Site Locality Map and Figure 7 Sedgefield Candidate Area).

Provisions under the *Singleton Development Control Plan 2014* are expected to help minimise any potential for land use conflict. Land use conflict between properties could also be managed by providing for a level of separation between buildings and encouraging adequate setbacks to provide a measure of privacy and amenity between neighbouring properties.

- **Principle (c)** – *The consideration of the nature of existing agricultural holdings and the existing and planned future supply of rural residential land when considering lot sizes for rural lands.*

The site is located in the SCA. The SSP, *Singleton Rural Residential Strategy 2005* and SLUS all identify the SCA as being suitable for rural residential development. Land surrounding the site is used predominantly for environmental living and would be compatible with the proposed land use. Larger holdings to the west of the site are agricultural holdings predominantly being used for rural lifestyle and grazing (i.e. equine, beef etc.). Given the small scale of the proposal and surrounding characteristics of the locality, the proposal is unlikely to have any adverse impacts (Refer to Figure 1 Site Identification Map and Figure 7 Sedgefield Candidate Area).

- **Principle (d)** – *The consideration of the natural and physical constraints and opportunities of land.*

The proposal takes into consideration the natural constraints of the site, including topography. Any future development on the site could be designed and sited to avoid impacts on the existing EEC, intermittent drainage line and small dam. The proposal provides for a limited amount of growth, not overdevelopment, which would help ensure that environmental outcomes are taken into consideration, particularly the natural constraints of the site.

- **Principle (e)** – *Ensuring that planning for dwelling opportunities takes account of those constraints.*

The proposal would provide for a small amount of low-impact residential development. Lots would generally be developed in a similar form and nature to the existing rural settlement pattern and in accordance with the SSP.

Any future development of the site should be designed, sited and managed to avoid, minimise/ mitigate any significant adverse site impacts. Provisions under the *Singleton Development Control Plan 2014* would further ensure that site constraints and opportunities are adequately considered when planning for new dwellings on the site.

The site is considered to provide minimum opportunity for productive and sustainable agricultural development, given the size of the land and associated residential activities.

The proposal could provide for the creation of around 3 lots in total (one additional lot). An existing residence and associated infrastructure would be located on one lot, and the remaining two lots would be developed for low-impact residential purposes. The limited amount of development potential on the land through application of a 5 hectare minimum lot size would also help ensure that ecological and aesthetic values are maintained.

According to the SLUS and SSP, the site has been identified as a candidate area for rezoning for environmental living purposes. Given the demand for lifestyle accommodation in close proximity to Singleton CBD, throughout the Singleton LGA and general Hunter region, application of the E4 zone would be appropriate.

Development of the site is not significantly constrained by native vegetation or biodiversity impacts. The low density and permissible land uses within the E4 zone are unlikely to result in any significant adverse impacts on water resources. Demand and impact on existing services and infrastructure would be minimal.

ATTACHMENT J Gateway Determination



Planning &
Environment

Gateway Determination

Planning Proposal (Department Ref: PP_2017_SINGL_002_00): to rezone land from RU1 Primary Production to E4 Environmental Living.

I, the Director Regions, Hunter, at the Department of Planning and Environment as delegate of the Minister for Planning, have determined under section 56(2) of the *Environmental Planning and Assessment Act, 1979* (the Act) that an amendment to the Singleton Local Environmental Plan (LEP) (2013) to *rezone land from RU1 Primary Production to E4 Environmental Living* should proceed subject to the following conditions:

1. The planning proposal be amended prior to exhibition to remove the reference to *Clause 4.1C Lot averaging subdivision in certain residential and environmental zones of the Singleton LEP 2013*;
2. Consultation is required with the Office of Environment and Heritage under section 56(2)(d) of the Act, prior to exhibition of the Planning Proposal.

The Office of Environment and Heritage is to be provided with a copy of the Planning Proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.

3. Community consultation is required under sections 56(2)(c) and 57 of the Act as follows:
 - (a) the planning proposal is classified as low impact as described in *A guide to preparing local environmental plans* (Department of Planning and Environment 2016) and must be made publicly available for a minimum of **14 days**; and
 - (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in Section 5.5.2 of *A guide to preparing local environmental plans* (Department of Planning and Environment 2016).
4. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

Singleton PP_2017_SINGL_002_00 (Ref No – EP17/12298)



5. The timeframe for completing the LEP is to be 12 months following the date of the Gateway determination.

Dated 25th day of January 2018.

Monica Gibson
Director Regions, Hunter
Planning Services
Department of Planning and
Environment

Delegate of the Minister for Planning

ATTACHMENT K Public Authority Consultation

Cc: Karen Thumm <Karen.Thumm@environment.nsw.gov.au>

Subject: RE: PP1/2018 - Public Authority Consultation - Planning Proposal - 612 Gresford Road Sedgefield - Lot 69 and 70 DP752488

Hi Gina,

Thank you for sending us the planning proposal for 612 Gresford Road Sedgefield for Section 56(2)(d) comment. OEH will not be providing advice on this planning proposal. There is a small patch of endangered ecological community (Swamp Oak Floodplain Forest) on the site. However, most of the site is cleared and OEH is of the opinion that biodiversity issues can be assessed at the development application stage.

It is noted that no Aboriginal cultural heritage assessment has been carried out. OEH recommends that prior to any development proceeding that the proponent undertake a due diligence process as outlined in OEH guidelines: <https://www.daa.wa.gov.au/globalassets/pdf-files/ddg>

Regards
Steven

Steven Cox

Senior Team Leader Planning

Hunter Central Coast Branch

Regional Operations Division

Office of Environment & Heritage

Level 4/26 Honeysuckle Drive Newcastle NSW 2300

Locked Bag 1002 Dangar NSW 2309

T 02 4927 3140

M 0472 800 088

From: Hamilton-Avery, Gina [<mailto:ghamiltonavery@singleton.nsw.gov.au>]

Sent: Friday, 2 February 2018 8:08 AM

To: OEH ROD Hunter Central Coast Mailbox <rog.hcc@environment.nsw.gov.au>

Subject: PP1/2018 - Public Authority Consultation - Planning Proposal - 612 Gresford Road Sedgefield - Lot 69 and 70 DP752488

Dear OEH

Please refer to attached Public Authority Consultation correspondence for the subject land at 612 Gresford Road Sedgefield for your information, review and comment.

The Department of Planning and Environment issued a conditional Gateway Determination that required consultation with public authorities under *section 56(2)(d)* of the *Environmental Planning and Assessment Act 1979*.

Should you need clarification or further information please let me know.

Thank you.

Kind regards

Gina Hamilton - Avery – Strategic Land Use Planner

Singleton Council

T: (02) 6578 7331

F: (02) 6572 4197

Hamilton-Avery, Gina

From: Steven Cox <Steven.Cox@environment.nsw.gov.au>
Sent: Monday, 12 February 2018 5:06 PM
To: Hamilton-Avery, Gina
Cc: Karen Thumm
Subject: RE: PP1/2018 - Public Authority Consultation - Planning Proposal - 612 Gresford Road Sedgefield - Lot 69 and 70 DP752488

Hi Gina,

As per our advice a due diligence assessment is not appropriate to inform a planning proposal and a Aboriginal Cultural Heritage Assessment should be undertaken in accordance with our guidelines.

Regards
Steven

Steven Cox
Senior Team Leader Planning
Hunter Central Coast Branch
Regional Operations Division
Office of Environment & Heritage
Level 4/26 Honeysuckle Drive Newcastle NSW 2300
Locked Bag 1002 Dangar NSW 2309
T 02 4927 3140
M 0472 800 088

From: Hamilton-Avery, Gina [<mailto:ghamiltonavery@singleton.nsw.gov.au>]
Sent: Monday, 12 February 2018 10:17 AM
To: Steven Cox
Cc: Karen Thumm
Subject: RE: PP1/2018 - Public Authority Consultation - Planning Proposal - 612 Gresford Road Sedgefield - Lot 69 and 70 DP752488

Hi Steve,

Thank you for the prompt response and comment under Section 56(2)(d) of the EPAA, 1979 for the Planning Proposal - 612 Gresford Road Sedgefield - Lot 69 and 70 DP752488. Council appreciates OEH's assistance.

For clarification, does OEH require the proponent to undertake a due diligence assessment in accordance with *DECCW 2010 Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales*, as part of the Planning Proposal process (i.e. prior community consultation under Section 57 or prior to Council's request to the Minister under Section 59 of the EPAA, 1979 to make the LEP).

Thank you.
Kind regards,
Gina

From: Steven Cox [<mailto:Steven.Cox@environment.nsw.gov.au>]
Sent: Monday, 12 February 2018 10:06 AM
To: Hamilton-Avery, Gina <ghamiltonavery@singleton.nsw.gov.au>