



PLANNING PROPOSAL

Property: Lot 32, DP634692, 349 Bridgman Road, OBANVALE
Lot 33, DP634692, 349 Bridgman Road, OBANVALE
Unformed Crown Road

Version:	4
Date:	18/10/2017
Council File Reference:	LA16/2012
Document Reference:	14/65368
Department of Planning & Environment File Reference	PP_2013_SINGL_001_00

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Executive summary

This planning proposal seeks to provide for residential subdivision and development of Lot 32, DP634692, Lot 33, DP634692 and an unformed crown road at Bridgman Road, Obanvale (the site).

During exhibition, the planning proposal received objections from the NSW Division of Resources and Geoscience and the Bloomfield Group (Rix's Creek Mine), regarding management of operational impacts from Rix's Creek Mine (which is located west of the site).

The zoning and minimum lot size provisions detailed in this proposal reflect an agreed approach that has been reached through extensive consultation with the NSW Division of Resources and Geoscience and the Bloomfield Group.

The approach zones the western section of the site as R5 Large Lot Residential Zone and applies a minimum lot size of 1Ha to subdivision of that land. The large minimum lot size would minimise the number of lots that could potentially be affected by impacts and provide for housing on those lots to be located further away from the mine.

Introduction

A planning proposal is a document that explains the intended effect of a proposed amendment to a Local Environmental Plan (LEP) and sets out the justification for making that amendment. It is a document which generally evolves as it proceeds through the formal planning proposal process.

The *Environmental Planning and Assessment Act 1979* (the Act) does not say who must prepare the information needed for a planning proposal. In practice, persons seeking to make an amendment to a LEP will usually lodge a formal LEP amendment request with Council.

The request is lodged using Council's adopted lodgement form and incurs processing fees in accordance with Council's adopted fees and charges. The written request contains justification for the proposed LEP amendment and includes details of the likely impacts of making the amendment.

If sufficient information is lodged to enable Council to prepare a planning proposal and Council considers that the proposed LEP amendment has strategic merit, Council can prepare a planning proposal for consideration by the *NSW Department of Planning and Environment* – Gateway Panel.

The planning proposal must obtain a Gateway Determination that supports processing of the planning proposal from the Gateway Panel before processing of the planning proposal can commence.

The Gateway Determination is a document which may:

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- Identify necessary changes or updates to the planning proposal;
 - Identify information or studies which must be prepared and included with the planning proposal;
 - Set timeframes for completing steps associated with processing of the planning proposal;
 - Identify which Public Authorities are to be consulted in relation to the planning proposal;
 - Identify the extent of public consultation to be undertaken for the planning proposal and at what stage in the process such consultation is to occur.
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Throughout the course of processing a planning proposal, the proposal itself will usually evolve as additional information (such as Public Authority comments and public consultation submissions) is obtained in relation to the proposal.

The parts of a planning proposal

Section 55(2) of the Act outlines that a planning proposal must include the following components:

Part 1 – A statement of the objectives and intended outcomes of the proposed instrument

Part 2 – An explanation of the provisions that are to be included in the proposed instrument

Part 3 – The justification for those objectives, outcomes and the process for their implementation

Part 4 – Maps, where relevant, to identify the intent of the planning proposal and the area to which it applies

Part 5 – Details of the community consultation that is to be undertaken on the planning proposal.

Section 55(3) of the Act allows the Director-General to issue requirements with respect to the preparation of a planning proposal. The Director-General's requirements include:

- Specific matters that must be addressed in the justification (Part 3) of the planning proposal
- A project timeline to detail the anticipated timeframe for the plan making process for each planning proposal.

The project timeline forms **Part 6** of a planning proposal.

Plan-making functions and project timeline

Note. Pursuant to 'A guide to preparing Local Environmental Plans', the pre-gateway planning proposal must nominate whether Council will be seeking authorisation to exercise plan making functions in respect to the proposal. The guide also requires planning proposals to include a project timeline and specifies key matters which must be identified by the project timeline. The timeline may change the requirements the Gateway determination or where unforeseen circumstances arise during the processing of the planning proposal.

Plan-making functions

The Ministers plan-making functions under Section 59 of the Environmental Planning and Assessment Act 1979 have not been delegated in relation to the planning proposal.

Project timeline

The timeline for processing of the planning proposal is outlined in *Table 1*.

Table 1: Project timeline

Project timeline		
Task	Date/Timeframe	Comments
<i>Commencement date</i>	11 June 2013	Gateway determination for the planning proposal was issued on the 11 June 2013 and received by Council on the 17 June 2013.
<i>Timeframe for the completion of required studies</i>	21 April 2014	The required studies were completed on the 21 April 2014. Confirmation about the adequacy of the Water and Sewer Servicing Strategy was provided by the servicing authority (Singleton Council) on the 15 May 2014. The planning proposal was subsequently updated to include the studies and LEP maps.
<i>Timeframe for government agency consultation</i>	25 November 2014	<p>The planning proposal was referred to the Public Authorities listed in the Gateway Determination on the 9 October 2014, with responses due by the 03 November 2014.</p> <ul style="list-style-type: none"> The NSW Office of Environment and Heritage provided its response on the 27 October 2014, raising no objection to the proposal. The Wanaruah Local Aboriginal Land Council did not provide a response to the referral. The NSW Department of Primary Industries – Agriculture provided its response on the 03 November 2014, raising no objection to the proposal. The NSW Rural Fire Service requested an extension to the response timeframe and provided its response on the 25 November 2014. The response raised no objection to the planning proposal. NSW Trade and Investment – Minerals and Petroleum (T&I) did not provide a response to the referral. When contacted via telephone, T&I advised that a submission was not intended to be made.
<i>Commencement and completion dates for public exhibition period</i>	06 February 2015 – 09 March 2015	<p>The gateway determination (dated 11/06/2013) required the planning proposal to be publicly exhibited for a minimum of 28 Days. Three submissions to the exhibition were received (one in support of the proposal and two objections to the proposal).</p> <p>One of the objections was from NSW Trade and Investment – Minerals and Petroleum (T&I) and the other was lodged by AECOM Australia Pty Ltd on behalf of the Bloomfield Group, which operates the Rix's Creek Open Cut Coal Mine located north/northwest of the planning proposal Site.</p>
<i>Dates for public hearing (if required)</i>	N/A	Under the Gateway Determination, a public hearing was not required to be held in relation to the planning proposal.
<i>Timeframe for</i>	10 March 2015 – 15	The objection from T&I (now NSW Division of Resources and

<i>consideration of submissions</i>	September 2017	<p>Geoscience) generated implications in terms of consistency with s117 Ministerial Direction 1.3 (Mining, Petroleum and Extractive Industries).</p> <p>Following advice from the NSW Department of Planning and Environment, Council has worked with the NSW Division of Resources and Geoscience (NSW DR&G) to address the matters raised in its submission.</p> <p>On the 21 July 2017, Council received a letter of support for the proposal, with a revised zoning and minimum lot size outcome in the western portion of the site.</p> <p>On the 08 September 2017, Council met with representatives from the Bloomfield Group to present the revised zoning and minimum lot size outcome for the western portion of the site.</p> <p>On the basis of the revised zoning and minimum lot size outcome, the Bloomfield Group was requested to consider revising its submission to the planning proposal and was requested to provide such a response by the 29 September 2017 to enable compliance with extended gateway determination timeframes.</p> <p>On the 14 September 2017, the Bloomfield Group lodged a revised submission to Council, withdrawing its objection on the basis of the revised zoning and minimum lot size proposal.</p>
<i>Timeframe for the consideration of the proposal post exhibition</i>	23 October 2017	<p>Following resolution of submissions, this planning proposal was updated to reflect the revised zoning and minimum lot size outcome in the western portion of the site and supported by NSW DR&G and the Bloomfield Group. The planning proposal as revised has no outstanding objections to it.</p> <p>The gateway determination extension dated 06/07/2017, for this planning proposal, required that the updated planning proposal be referred to the NSW Department of Planning and Environment (NSW DP&E) to determine whether a revised gateway determination would be required.</p> <p>The timeframe (23 October 2017) provides a minimum of 3 weeks for the NSW DP&E to review the revised planning proposal and respond accordingly.</p>
<i>Anticipated date RPA will forward to the department for notification (if delegated)</i>	N/A	<p>The Ministers plan-making functions under Section 59 of the Environmental Planning and Assessment Act 1979 have not been delegated in relation to the planning proposal.</p> <p>If the Council meeting resolution supports proceeding with the planning proposal, it would be expected to be forwarded to the <i>NSW Department of Planning and Environment</i> within approximately one week of the resolution.</p>
<i>Anticipated date RPA will make the plan (if delegated)</i>	N/A	<p>The Ministers plan-making functions under Section 59 of the Environmental Planning and Assessment Act 1979 have not been delegated in relation to the planning proposal.</p>

PART 1 – OBJECTIVES OR INTENDED OUTCOMES

Note. This part of the planning proposal sets out the objectives/intended outcomes of the planning proposal as required by ‘A guide to preparing planning proposals’ (Department of Planning & Infrastructure 2012). The intention of this part is to concisely state what is planned to be achieved (not how it is to be achieved).



Objectives of the planning proposal

The objective(s) of this planning proposal are:

- (a) To amend the *Singleton Local Environmental Plan 2013* to provide for residential subdivision and development of lots 32 and 33, DP634692 and parts of crown road which are intended to be closed;
- (b) To require Development Control Plan (DCP) provisions to be developed and included into Council's comprehensive DCP to provide a broad design structure for the site and ensure that individual development stages are appropriately integrated;
- (c) To amend the *Singleton Local Environmental Plan 2013* to provide some local public open space to service future residents of the proposed residential land.



Intended outcomes of the planning proposal

This Planning Proposal (PP) seeks to rezone additional land primarily for residential purposes and provide an additional residential Greenfield development front within North Singleton. Based on a concept subdivision layout (adequacy of layout not assessed as this would occur at the development application phase) submitted by the proponent, the site has the potential to yield approximately:

- 234 lots zoned R1 General Residential Zone;
- 12 lots zoned R2 Low Density Residential Zone;
- 5 lots zoned R5 Large Lot Residential Zone; and
- 2 lots zoned RE1 Public Recreation Zone.

PART 2 – EXPLANATION OF THE LOCAL ENVIRONMENTAL PLAN

Note. This part of the planning proposal explains the provisions that are to be included in the proposed instrument (LEP amendment) as required by 'A guide to preparing planning proposals' (Department of Planning & Infrastructure 2012). The intention of this part is to detail how the objectives/intended outcomes are to be achieved by means of amending the existing Local Environmental Plan (LEP).



Proposed changes to the LEP

The objectives in Part 1 of this PP would be achieved by amending *Singleton Local Environmental Plan 2013* (LEP), which is the standard instrument local environmental plan for the Singleton Local Government Area (LGA).

The planning proposal seeks to amend the *Singleton Local Environmental Plan 2013* (LEP) in accordance with the *Table 2* which follows:

Table 2: key changes proposed to the Singleton LEP 2013

Component of LEP	Explanation of LEP Amendment
Land Zoning Map	Amend <i>Land Zoning Map Sheet LZN_014A</i> by rezoning approximately 39.38Ha of the site to <i>R1 General Residential Zone</i> , approximately 3.25Ha of the site to <i>R2 Low Density Residential Zone</i> , approximately 5.15Ha of the site to <i>R5 Large Lot Residential Density Zone</i> and approximately 2.44Ha of the site to <i>RE1 Public Recreation Zone</i> (refer to Attachment 2).
Lot Size Map	Amend <i>Lot Size Map LSZ_014A</i> to reflect the minimum lot size of 1,200m ² for the <i>R2 Low Density Residential Zone</i> component of the site and 1Ha for the <i>R5 Large Lot Residential Density Zone</i> component of the site (refer to Attachment 2).
Urban Release Area Map	Create <i>Urban Release Area Map URA_014A</i> and identify the site as an urban release area.

PART 3 – JUSTIFICATION FOR THE PLANNING PROPOSAL

Note. This part of the planning proposal contains answers to questions identified in 'A guide to preparing planning proposals'. The responses to these questions set out the case for seeking the proposed LEP amendment.



Section A – Need for the planning proposal

Q1. Is the planning proposal a result of any strategic study or report?

The site is identified by the *Singleton Land Use Strategy* 2008 (SLUS) as a long-term (urban) expansion area. Concerns about the ability to service the site with sewer in the short to medium term largely influenced identification of the site as a long-term expansion option in the SLUS.

The planning proposal was primarily triggered by an identified shortfall in Singleton's housing supply in 2012, where housing delivery was not meeting SLUS targets. The proposal is supported by a *Water and Sewer Servicing Study* (April 2013) (refer to *Attachment 3*), which indicates that the site is able to be serviced with reticulated water and sewer in the short to medium term.

By providing an additional residential development front in Singleton, it is the intention of the planning proposal to increase the rate of release of residential lots for housing development to help meet identified demand and maintain competitiveness in Singleton's residential market.

Q2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

The amendments to the LEP as described by this planning proposal are considered to be the best means of achieving the objectives and intended outcomes as described in Part 1 of this planning proposal.

In arriving at this opinion, the following alternative approaches were considered:

Alternative option 1: Not rezoning the site

Consideration was given to not rezoning the site and relying on existing residential greenfield sites to respond to housing demand.

Between 2008 and 2013, Singleton experienced a housing crisis. Housing demand was not being met and the housing targets identified by the SLUS were not being met.

Even though there were residential zoned greenfield sites available for residential subdivision and development, not all of them were being developed primarily due to difficulties providing necessary infrastructure. Such constraints would be unlikely to be overcome in the short to medium term, without significant financial investment.

Therefore, not rezoning the site and relying on existing residential greenfield sites to respond to housing demand would not help achieve the objectives and intended outcomes as described in Part 1 of this planning proposal.

Alternative option 2: Rezoning the entire site for Large Lot Residential Development

Consideration was given to rezoning the site to *R5 Large Lot Residential Zone* and applying larger minimum lot sizes to subdivision of the land. Greenfield sites for larger lot development north of Singleton have been relatively well catered for in Wattle Ponds and Sedgefield.

It was viewed that while rezoning the subject site to *R5 Large Lot Residential Zone* and applying larger minimum lot sizes to subdivision of the land would help to somewhat respond to demand for housing, smaller lots would be a more efficient and effective use of the land.

The potential lot yield (approximately 251 housing lots) would also make it more financially viable to implement better stormwater control measures, which is important given the topography and existing levels of erosion on the site.

Alternative option 3: Staged zoning of the site

Consideration was given to deferring the rezoning of the northern section of the site that is within 400m of the 24 hour PM10 dust impact contour for the coal handling and preparation plant (CHPP) on Rix's Creek Mine (north of the site), until the CHPP operations are reduced (scheduled for 2026). This would require lodgement of a new LEP amendment proposal and associated studies for the deferred land.

Given the natural constraints of the site and the location of sewer and water access points (south/southeast of the site), development of the site would logically occur from east to west. Given present levels of housing growth and subdivision development timelines, it would be extremely unlikely for development to reach the 400m buffer by 2026.

Deferring rezoning of the northern section of the site would reduce certainty of development potential for the applicant and substantially increase costs associated with rezoning the site (due to the need for a new LEP amendment and associated studies). This would be counter-productive for housing affordability. If the site did develop at a higher rate, housing would still not occur within the actual PM10 dust impact contour for the CHPP.

In consideration of potential cost impacts and development risks, it was viewed that deferring rezoning of the northern section of the site that is within 400m of the CHPP 24 hour PM10 dust impact contour would be inappropriate in the circumstances of the case.



Q3. *Is the planning proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?*

Hunter Regional Plan 2036

The Hunter Regional Plan 2036 (HRP) is a regional strategy that applies to the Hunter Region, which includes the Singleton Local Government Area (LGA). The planning proposal is considered to be consistent with the relevant objectives and actions of the HRP. Of particular relevance are Direction 21 (Create a compact settlement), Direction 22 (Promote housing diversity), and the Local Government Narrative for the Singleton LGA.

Direction 21 - Create a compact settlement

The site subject of this planning proposal directly adjoins existing zoned residential land (Pinnacle Estate). Rezoning of such land would help keep residential expansion close to existing residential areas. Environmental constraints to the site are considered to be minimal as compared to other potential residential expansion areas.

The component of the site to be zoned R1 General Residential Zone is not proposed to have a minimum lot size applied to it for the purposes of subdivision, providing opportunities for compact settlement. Development Control Plan (DCP) provisions would help ensure that appropriate design outcomes are achieved.

Direction 22 Promote housing diversity

The planning proposal seeks to zone approximately 39.38Ha of the site to R1 General Residential Zone, approximately 3.25Ha of the site to R2 Low Density Residential Zone and approximately 5.15Ha of the site to R5 Large Lot Residential Density Zone.

It seeks to apply a minimum lot size of 1,200m² for the R2 Low Density Residential Zone component of the site and 1Ha for the R5 Large Lot Residential Density Zone component of the site. The component of the site to be zoned R1 General Residential Zone is not proposed to have a minimum lot size applied to it for the purposes of subdivision.

The different land use zonings and minimum lot size requirements for subdivision provide for a range of housing mix options to occur on the site, thereby promoting housing diversity.

Local Government Narratives - Singleton

The delivery of housing in the urban release areas of Singleton Heights, Gowrie, Huntlee and Branxton is identified as a priority for the Singleton LGA under the HRP.

As at the time of preparation of this planning proposal, the Bridgman Ridge subdivision and Burbank Crescent subdivision in Huntview; and the Pinnacle Estate subdivision in Singleton Heights were the only residential estates being developed in the Singleton Township area.

The route identified by the NSW Roads and Maritime Services as the preferred route for the New England Highway bypass proposal runs through the Gowrie residential release area. Coupled with infrastructure constraints, delivery of housing from the Gowrie residential release area is no longer expected to occur in the short to medium term previously expected.

The rezoning sought by this planning proposal has the potential to provide another residential development front in Singleton, which would help improve the delivery of residential housing and maintain competitiveness in the local residential housing market.

Upper Hunter Strategic Regional Land Use Plan (2012)

The Upper Hunter Strategic Regional Land Use Plan (UHSLUP) is the regional strategy applicable to the proposal. The table which follows evaluates consistency with the relevant objectives of the UHSLUP.

Table 3: Consistency with UHSLUP Housing and Settlement Objectives

Review of Consistency with the <i>Housing and Settlement Objectives of the Upper Hunter Strategic Regional Land Use Plan</i>		
Objectives	Subject Planning Proposal	Consistency of Planning Proposal with Objectives
Ensure an adequate supply of housing to meet community needs.	By providing an additional residential development front, this planning proposal would facilitate an increase to the rate of release of residential lots for housing development to help meet identified demand.	<u>Consistent</u> : Yes
Ensure a greater diversity of housing types, including smaller housing types, rental housing and temporary housing.	As at the time of preparation of this planning proposal, rates of release of new residential housing stock were significantly below supply targets. This low supply of new residential houses reduces the overall diversity of housing options available to consumers. The LEP amendment would help improve rates of release of residential lots and thus improve the rate of housing development. The more lots available for housing development, the more opportunities there are for diversity in housing types.	<u>Consistent</u> : Yes
Improve the supply and range of affordable housing.	The inflated house prices and rents in Singleton are indicative of high demand and undersupply of new dwellings. The LEP amendment would provide another residential development front in North Singleton to help increase the rate of release of residential lots for housing development (supply) and thus improve overall housing development rates. This is expected to help improve housing affordability by reducing the strain on the existing (owner-occupied and rental) housing stock and improving housing options available.	<u>Consistent</u> : Yes
Build cohesive and liveable communities by ensuring towns and villages are well designed, liveable and provide a range of housing types.	The subject land is considered to be generally suitable for residential development and forms a natural extension from the Pinnacle Estate. Part of the site is proposed to be rezoned to private open space and recreation. This will provide	<u>Consistent</u> : Yes

	<p>for provision of recreational areas such as a cycleway and playgrounds.</p> <p>The DCP provisions sought by this planning proposal are to promote high quality design outcomes for the site.</p> <p>Increases in the supply of housing as a result of the rezoning sought by this proposal, would be conducive to increasing the range of types of housing available. The proposed residential zoning provides for a variety of housing forms.</p>	
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The table which follows evaluates consistency with the relevant actions of the UHSLUP.

Table 4: Consistency with UHSLUP Housing and Settlement Actions

Review of Consistency with the <i>Housing and Settlement</i> Actions of the <i>Upper Hunter Strategic Regional Land Use Plan</i> (where Council is the lead agency)		
Action	Subject Planning Proposal	Consistency of Planning Proposal with Actions
Local councils will zone land through their local environmental plans to ensure an adequate supply of land for residential development and to facilitate delivery of a range of housing types.	This planning proposal seeks to amend Council's Local Environmental Plan (LEP) to rezone land for residential development. The residential zoning sought by this proposal provides for delivery of a range of housing types on the land.	<u>Consistent</u> : Yes
Local councils will ensure that new residential development makes a positive contribution to liveability and character by ensuring residential areas are planned in accordance with the settlement planning principles in this (the UHSLUP) plan.	This planning proposal is considered to be consistent with the UHSLUP settlement planning principles as discussed further in this proposal.	<u>Consistent</u> : Yes

The table which follows evaluates consistency with the relevant settlement principles of the UHSLUP.

Table 5: Consistency with UHSLUP Housing and Settlement Principles

Review of Consistency with the <i>Housing and Settlement</i> Principles of the <i>Upper Hunter Strategic Regional Land Use Plan</i>		
Principle	Subject Planning Proposal	Consistency of Planning Proposal with Principles
Development will contribute to the diversity of housing types available. Any medium or higher density housing should be located in central and accessible locations to ensure access to a full range of services within a reasonable walking distance.	<p>The subject land forms a natural extension from the Pinnacle residential estate. The site has direct access to Bridgman Road which is a local collector road, which connects to the New England Highway (major transport route).</p> <p>The proposal provides for continuation of the cycleway on from the Pinnacle residential</p>	<u>Consistent</u> : Yes

	estate. The Singleton Heights Shopping Centre and Bridgman Ridge Commercial site are within reasonable proximity to the site.	
Development will be located to maximise the efficiency of essential urban infrastructure, services and facilities, including transport, health and education.	This planning proposal seeks to rezone land to provide for residential development. The site is considered to be suitably located for access to utilities and infrastructure.	<u>Consistent:</u> Yes
Development will respect and respond to the character of the area and the identified settlement hierarchy of the region.	The subject land forms a natural extension from the Pinnacle residential estate and is consistent with the settlement hierarchy of the area.	<u>Consistent:</u> Yes
New residential areas will be planned with streets that make it easy for people to walk and cycle and with recreational and open space.	Part of the site is proposed to be rezoned to private open space and recreation. This will provide for provision of recreational areas such as a cycleway and playgrounds. The concept street layout and associated provisions would be further addressed as part of the DCP provisions sought by this planning proposal.	<u>Consistent:</u> Yes
New residential and rural residential areas will respect environmental and cultural heritage and avoid areas most affected by natural hazards or having high cultural significance.	An Aboriginal and Historic Heritage Due Diligence Assessment (<i>Attachment 7</i>) has been prepared for the proposal. The assessment identified 6 individual stone artefact isolated finds, 3 artefact scatters and 2 artefact scatters with potential archaeological deposits (PADs). The assessment details that the recorded sites have low archaeological significance due to their disturbed nature, contents and location; and that no further archaeological assessment is necessary for the planning proposal Future development proposals (i.e. subdivision proposals) would have to comply with Aboriginal Cultural Heritage Impact Permit provisions under Section 90 of the <i>National Parks and Wildlife Act 1974</i> .	<u>Consistent:</u> Yes
New residential and rural residential areas should minimise the potential for land use conflict with land needed for valuable economic activities, such as valuable agricultural lands and natural resource lands. This includes avoiding locations where possible adverse impacts associated with industry (such as noise, dust, visual impacts or other amenity impacts) are likely to affect future residents.	The site is situated approximately 2.5kms of the mining activities undertaken by Rix's Creek Coal Mine. Preliminary consultation has been undertaken with the Department of Primary Industries – Mineral Resources to determine whether the site will be impacted by any buffers associated with mining activities. According to Council's Agricultural Land Suitability mapping, has low agricultural suitability. The land is not suited	<u>Consistent:</u> Yes

	<p>to cultivation, has low production levels and poor/seasonal grazing. Rezoning of the land would not result in a loss of prime agricultural land or employment lands.</p> <p>Adjoining the site to the west is the great northern railway line.</p> <p>The Gateway Determination issued by the NSW Department of Planning and Environment did not support preparation of a Noise and Vibration Assessment to assess potential noise and vibration impacts associated with trains using the railway line.</p> <p>A setback of at least 60m from the railway line is expected to be required for any future residential buildings on the site (ARTC Guidelines).</p> <p>This planning proposal seeks to rezone the land near the railway line to <i>R5 Large Lot Residential Zone</i> and have a minimum subdivision lot size of 1Ha to provide a transitional buffer between the proposed <i>R1 General Residential Zone</i> land and the railway.</p>	
New rural residential areas should be located adjacent to, or in close proximity to, existing urban centres and be within easy access of relevant infrastructure and services.	N/A	<u>Consistent:</u> N/A

This planning proposal is considered to be consistent with the objectives and actions of the UHSLUP.

Q4. Is the planning proposal consistent with a council's local strategy or other local strategic plan?

Singleton Land Use Strategy (2008)

The site is identified by the *Singleton Land Use Strategy* (SLUS) as a long-term expansion area. Concerns about the ability to service the site with Sewer in the short to medium term largely influenced identification of the site as a long-term expansion option.

Since preparation of the SLUS, Orbit Planning Pty Ltd engaged GHD to prepare a *Water and Sewer Servicing Study* (Attachment 3). The study indicates that the site could be serviced in the medium to short term.

The need for this planning proposal arises primarily due to the shortfall in housing supply when compared to SLUS targets.

The SLUS anticipates future dwelling approvals of between 170-230 per year for the LGA (Section 6.1 of the SLUS). The SLUS, therefore uses an average of 200 dwellings per year $((170+230) \div 2 = 200)$ as the basis for forecasting new dwelling demand for the Singleton LGA (Section 4 of the SLUS).

Table 4 of Section 6 of the SLUS indicates that 60% of new dwellings would be in the Singleton Heights/North Singleton urban area. Therefore, 60% of the forecasted 200 LGA-wide dwellings per year are expected to be in the Singleton Heights/North Singleton urban area, equalling 120 dwellings per year on average.

Table 6 below shows residential dwelling approvals since the adoption of the SLUS in 2008.

Table 6: Residential dwelling approvals

Residential Dwelling Statistics		
Financial Year	Dwellings approved (based on equivalent Standard Instrument zones)	Comparison against SLUS forecast
2008/2009	31	89 shortfall (120-31 = 89)
2009/2010	50	70 shortfall (120- 50=70)
2010/2011	45	75 shortfall (120-45 =75)
2011/2012	49	71 shortfall (120-49 =71)
2012/2013	77	43 shortfall (120-77=43)
2013/2014	72	48 shortfall (120-72 =48)
2014/2015	31	89 shortfall (120-31 =89)
2015/2016	41	79 shortfall (120-41 =79)
2016/2017	52	68 shortfall (120-52 =68)
Total:	448	632 shortfall

Residential dwelling targets are not being met. The SLUS bases target projections on 90% of dwellings being detached houses and 10% being medium density housing. This equates to 108 detached dwellings and 12 medium density dwellings on average per year (i.e. 108 +12=120 total dwellings per annum).

Based on one single dwelling house per lot, 108 residential lots per year would be required to respond to demand for single dwelling houses. Based on a conservative estimate of 3 medium density dwellings per lot, it is estimated that an average of 4 residential lots per annum would be required to respond to demand for medium density housing development. This equates to a total of 112 residential lots (108+4=112) being needed per annum to respond to demand for residential housing in Singleton.

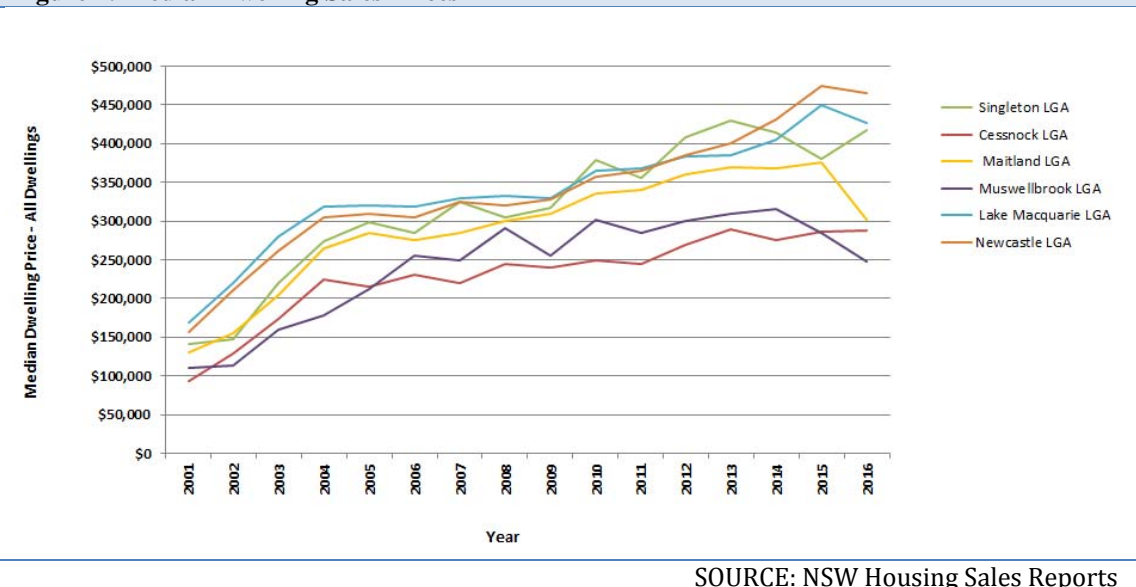
Table 7 which follows indicates lots registered in residential zones (R1, R2 and R5) per financial year since adoption of the SLUS and shortfalls in lot delivery, per financial year, based on providing 112 residential lots per annum.

Table 7: Lot Yields from Residential Greenfield Sites

Lot Yields from Residential Zones										
Zone	Yield - Residential Lots Released									
	2008/ 2009	2009/ 2010	2010/ 2011	2011/ 2012	2012/ 2013	2013/ 2014	2014/ 2015	2015/ 2016	2016/ 2017	Total:
R1	98	42	34	88	80	103	32	175	169	821
R2	0	10	0	0	4	0	6	0	0	20
R5	9	12	12	5	3	49	0	21	16	127
Total:	107	64	46	93	87	152	38	196	185	968
Shortfall:	5	48	66	19	25	N/A	74	N/A	N/A	

As evident from *Table 7*, since implementation of the SLUS, lot supply has often not met SLUS annual targets until recently (2013-2017). *Figure 1* below indicates that house prices in Singleton, as compared to surrounding LGA's, have been relatively high. It is believed that the shortfalls in dwelling and lot supply have largely contributed to the high house prices experienced in the Singleton LGA.

Figure 1: Median Dwelling Sales Prices



While Section 6.1. of the SLUS details that there is sufficient existing residential zoned land to meet demand until 2023 (15 years from the date of adoption of the strategy), the sites identified by the SLUS have not been developed in the manner expected by the strategy.

As at the time of preparation of this planning proposal, development of *The Fairways* and *Settlers Rise* (previously known as *Gowrie Links*) had still not commenced. Similarly, development of Hunter Green had also not commenced. These sites have been zoned for residential purposes since 2007.

Up-front infrastructure servicing costs, impacts of the Global Financial Crisis (GFC) on investment in the development industry, a down-turn in the mining industry and selection of a final route for the Singleton-New England Highway Bypass are viewed to be key reasons for development of these sites not commencing.

Continued undersupply of residential lots and residential dwellings in the Singleton LGA is expected to exacerbate housing and rental affordability issues in the LGA, which in turn is expected to adversely impact upon the local economy by limiting the potential resident labour force.

Rezoning the subject land for residential development will provide an additional development front. Given the low rate of supply of residential lots experienced since adoption of the SLUS, it is considered that an additional residential development front would positively contribute to meeting the SLUS housing targets.

Singleton Community Strategic Plan (2013)

Our Place: A Blueprint 2022 – Singleton Community Strategic Plan (June 2013) indicates the need to provide different housing options to accommodate population growth and demand.

The amendment to the *Singleton Local Environmental Plan 2013* would provide for the creation of residential lots and associated residential development, which is consistent with the recommendations of the Community Strategic Plan.

Q5. Is the planning proposal consistent with applicable State Environmental Planning Policies?

Table 8 provides a list of State Environmental Planning Policies (SEPPs) that are relevant to the Singleton Local Government Area (LGA). The table identifies the relationship of this planning proposal to the individual SEPPs and indicates whether this planning proposal is consistent with the respective SEPP.

Table 8: Assessment of State Environmental Planning Policies against planning proposal

SEPP	Overview	Relevance and consistency
<i>SEPP No. 1 - Development Standards</i>	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.	The SEPP is not relevant to this planning proposal. Clause 1.9(2) of the <i>Singleton Local Environmental Plan 2013</i> excludes SEPP No. 1 from applying to the land.
<i>SEPP No. 14 - Coastal Wetlands</i>	Provides for the preservation and protection of coastal wetlands.	The LEP amendment proposal does not relate to coastal wetlands. Consistency with the SEPP is not relevant to the proposal.
<i>SEPP 19 - Bushland in Urban Areas</i>	Provides for the protection and preservation of bushland in urban areas within certain local government areas.	The SEPP does not apply to the Singleton LGA. Consistency with the SEPP is not relevant to the proposal.
<i>SEPP No. 21 - Caravan Parks</i>	Ensures that where caravan parks or camping grounds are permitted under an environmental planning instrument, movable dwellings, as defined in the <i>Local Government Act 1993</i> , 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.	The SEPP is not relevant to this planning proposal. Caravan parks are prohibited in the R1, R2 and RE1 zones. This planning proposal does not relate to a movable dwelling proposal, caravan park or camping ground.
<i>SEPP No. 26 - Littoral Rainforests</i>	Provides for the preservation of specific littoral rainforest areas identified on the technical map series for the SEPP.	The LEP amendment proposal does not relate to littoral rainforest areas identified on the technical map series for the SEPP. Consistency with the SEPP is not relevant to the proposal.
<i>SEPP No. 30 - Intensive Agriculture</i>	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	The SEPP is not relevant to this planning proposal. Intensive livestock agriculture is prohibited in the R1, R2 and RE1 zones. This planning proposal does not relate to a cattle feedlot, piggery or composting facility.

SEPP	Overview	Relevance and consistency
	permitted, or the functions of the consent authority.	
<i>SEPP No. 33 - Hazardous and Offensive Development</i>	Requires specified matters to be considered for proposals that are 'potentially hazardous' or 'potentially offensive' as defined in the policy.	The SEPP is not relevant to this planning proposal. This planning proposal does not relate to 'potentially hazardous' or 'potentially offensive' development.
<i>SEPP No. 36 - Manufactured Home Estates</i>	Helps establish well-designed and properly serviced manufactured home estates in suitable locations.	The SEPP is not relevant to this planning proposal. This planning proposal does not relate to a manufactured home estate.
<i>SEPP No. 44 - Koala Habitat Protection</i>	Encourages the conservation and management of natural vegetation areas that provide habitat for koalas to ensure permanent free-living populations will be maintained over their present range.	<p>Condition 3 of the Gateway Determination for this planning proposal (dated 11 June 2013) required that the proposal be exhibited with information demonstrating consistency with SEPP 44.</p> <p>A Flora and Fauna Assessment report (<i>Attachment 4</i>) was prepared and was included in the exhibition material as an attachment to the planning proposal.</p> <p>The Flora and Fauna Assessment report indicates that no evidence of Koala usage has been identified on the site.</p> <p>The site is relatively cleared of established vegetation except for land that will be contained within the proposed <i>RE1 Public Recreation Zone</i>.</p> <p>It is not proposed to impact upon vegetation as a result of this planning proposal, except for the purposes of road access. The proposal is therefore not expected to generate any significant adverse impacts on koala habitat.</p>
<i>SEPP No. 47 – Moore Park Showground</i>	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	<p>The LEP amendment proposal does not relate to Moore Park Showground as identified on the technical map series for the SEPP.</p> <p>Consistency with the SEPP is not relevant to the proposal.</p>
<i>SEPP No. 50 - Canal Estates</i>	Bans new canal estates from the date of gazettal, to ensure coastal and aquatic environments are not affected by these developments	The SEPP is not relevant to this planning proposal. This planning proposal does not relate to a canal estate.
<i>SEPP No. 52 - Farm Dams and Other Works in Land and Water Management Plan Areas</i>	Requires development consent for certain artificial waterbodies (carried out under farm plans to implement land and water management plans) for land identified on the	<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	Overview	Relevance and consistency
	technical map series for the SEPP.	
<i>SEPP No. 55 - Remediation of Land</i>	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.	<p>Clause 6 of SEPP 55 requires Council to consider whether the land subject of a rezoning proposal has been contaminated.</p> <p>Condition 2 of the Gateway Determination for this planning proposal (dated 11 June 2013) required that the proposal be exhibited with information demonstrating consistency with SEPP 55.</p> <p>A Preliminary Hazard Analysis was prepared as part of the Geotechnical Engineers Report (<i>Attachment 6</i>) for the proposal and was included in the exhibition material as an attachment to the planning proposal.</p> <p>The report indicates that there is a low risk of contaminants being located in the greater portion of the site.</p> <p>It details that there is a chance of contamination in the eastern portion of the site around and in the existing sheds, around the existing residence and in filled gully lines and soil fill piles.</p> <p>The assessment recommends that any further contamination assessment should consider the potential for contamination in and around these identified risk sources.</p> <p>Given that the site is proposed to be an "Urban Release Area" as defined by the <i>Singleton Local Environmental Plan 2013</i>, Development Control Plan (DCP) provisions must be developed for the site in accordance with Clause 6.3.</p> <p>Requirements to undertake a detailed assessment and remediate any identified contamination would be expected to be implemented via the DCP provisions. Clause 6.3 already identifies contamination as a potential DCP consideration.</p>
<i>SEPP No. 62 - Sustainable Aquaculture</i>	Encourages the sustainable expansion of aquaculture in NSW.	The SEPP is not relevant to this planning proposal. This planning proposal does not relate to a proposal for aquaculture.
<i>SEPP No. 64 - Advertising and</i>	Aims to ensure that outdoor advertising is compatible with	The SEPP is not relevant to this planning proposal. This

SEPP	Overview	Relevance and consistency
<i>Signage</i>	the desired amenity and visual character of an area, provides effective communication in suitable locations and is of high quality design and finish.	planning proposal does not relate to a proposal for advertising or signage.
<i>SEPP No. 65 - Design Quality of Residential Flat Development</i>	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.	The SEPP is not relevant to this planning proposal. This planning proposal does not relate to a proposal for residential flat development.
<i>SEPP No. 70 - Affordable Housing (Revised Schemes)</i>	Provides for revised affordable housing provisions to be inserted into environmental planning instruments for certain land within the Greater Metropolitan Region.	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.
<i>SEPP No. 71 - Coastal Protection</i>	Provides for the preservation and protection of land within the coastal zone.	The LEP amendment proposal does not relate to land within the coastal zone. Consistency with the SEPP is not relevant to the proposal.
<i>SEPP (Affordable Rental Housing) 2009</i>	Provides incentives for new affordable rental housing, facilitates the retention of existing affordable rentals, and expands the role of not-for-profit providers	The SEPP is not relevant to this planning proposal. This planning proposal does not relate to a proposal for affordable rental housing.
<i>SEPP (Building Sustainability Index: BASIX) 2004</i>	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.	The SEPP is not relevant to this planning proposal. Nothing in this planning proposal affects the application of the provisions of the SEPP.
<i>SEPP (Exempt and Complying Development Codes) 2008</i>	Provides exempt and complying development codes that have State-wide application.	The SEPP is not relevant to this planning proposal. This planning proposal does not relate to an exempt or complying development proposal.
<i>SEPP (Housing for Seniors or People with a Disability) 2004</i>	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.	The SEPP is not relevant to this planning proposal. This planning proposal does not relate to a proposal for housing for seniors or people with a disability.
<i>SEPP (Infrastructure) 2007</i>	Provides greater flexibility in the location of infrastructure and service facilities along with improved regulatory certainty and efficiency.	It is not proposed to include any provisions which would be inconsistent with the SEPP.

SEPP	Overview	Relevance and consistency
<i>SEPP (Major Development) 2005</i>	Provides planning provisions for State significant sites.	The SEPP is not relevant to this planning proposal. This planning proposal does not relate to a State significant site.
<i>SEPP (Integration and Repeals) 2016</i>	Repeals certain Regional Environmental Plans and State Environmental Planning Policies.	The LEP amendment proposal does not relate to the repeal of any Regional Environmental Plans or State Environmental Planning Policies. Consistency with the SEPP is not relevant to the proposal.
<i>SEPP (Kosciuszko National Park—Alpine Resorts) 2007</i>	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.	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.
<i>SEPP (Kurnell Peninsula) 1989</i>	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.	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.
<i>SEPP (Mining, Petroleum Production and Extractive Industries) 2007</i>	Provides for the proper management and development of mineral, petroleum and extractive material resources for the social and economic welfare of the State.	The SEPP is not relevant to this planning proposal. This planning proposal does not relate to an extractive industry proposal.
<i>SEPP (Miscellaneous Consent Provisions) 2007</i>	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.	The LEP amendment proposal does not affect implementation of the Miscellaneous Consent Provisions SEPP. Consistency with the SEPP is not relevant to the proposal.
<i>SEPP (Penrith Lakes Scheme) 1989</i>	Through application of appropriate 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).	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.
<i>SEPP (Rural Lands) 2008</i>	Facilitates the orderly and economic use and development of rural lands for rural and related purposes.	The proposal seeks to rezone the land from <i>RU1 Primary Production Zone</i> to <i>R1 General Residential Zone</i> , <i>R2 Low Density Residential Zone</i> and <i>RE1 Public Recreation Zone</i> respectively. The site is considered to be of low agricultural viability due to the topography of the site and soil type. The <i>R2 Low Density Residential Zone</i> has been used as a

SEPP	Overview	Relevance and consistency
		transitional zone so that rural lands to the north of the site adjoin larger lots with a minimum lot size of 1,200m ² . The land uses permissible in the R2 zone are not considered to be incompatible with existing adjoining land uses.
<i>State Environmental Planning Policy (State and Regional Development) 2011</i>	Identifies State significant development, and State significant infrastructure and critical State significant infrastructure and confers functions on joint regional planning panels to determine relevant development applications.	The SEPP is not relevant to this planning proposal. The proposal is not for state or regionally significant development or infrastructure.
<i>SEPP (State Significant Precincts) 2005</i>	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.	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.
<i>SEPP (Sydney Drinking Water Catchment) 2011</i>	Through application of appropriate assessment and approval provision, provides for the protection of the Sydney drinking water catchment as identified on the technical map series for the SEPP.	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.
<i>SEPP (Sydney Region Growth Centres) 2006</i>	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.	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.
<i>SEPP (Three Ports) 2013</i>	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.	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
<i>State Environmental Planning Policy (Urban Renewal) 2010</i>	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	The SEPP is not relevant to this planning proposal. The site is not identified as a potential precinct for urban renewal.

SEPP	Overview	Relevance and consistency
	renewal of urban areas that are accessible by public transport.	
<i>State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017</i>	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.	<p>The LEP amendment proposal relates to land within a zone to which the SEPP applies.</p> <p>The site is relatively cleared of established vegetation except for land that will be contained within the proposed RE1 Public Recreation Zone.</p> <p>It is not intended to impact upon vegetation as a result of this planning proposal.</p> <p>Compliance with the SEPP would need to be further reviewed as part of any future proposal to subdivide the site.</p>
<i>SEPP (Western Sydney Employment Area) 2009</i>	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.	<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>
<i>SEPP (Western Sydney Parklands) 2009</i>	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.	<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>

Q6. Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?

Table 9 (below) provides a list of Section 117 Directions that are relevant to the *Singleton Local Government Area* (LGA). The table identifies the relationship of this planning proposal to the individual Section 117 Directions and indicates whether this planning proposal is consistent with the respective direction.

Table 9: Assessment of the proposal against relevant s.117 Directions

Ministerial Direction		Relevance (Yes/No)	Consistency and Implications
1.	Employment and Resources		
1.1	Business and Industrial Zones	No	Not applicable. The planning proposal does not affect land within an existing or proposed business or industrial zone.
1.2	Rural Zones	Yes	<p>The planning proposal seeks to rezone land from a rural zone to a residential zone.</p> <p>According to Council's Agricultural Land Suitability mapping, the land is not suited to cultivation, has low production levels and poor/seasonal grazing.</p> <p>The site is not identified as having high agricultural production value.</p> <p>On the 11 June 2013, the NSW Department of Planning & Environment (DP&E) confirmed in writing (DP&E reference: 13/08652) that inconsistency with Direction 1.2 is justified.</p>

Ministerial Direction		Relevance (Yes/No)	Consistency and Implications
1.3	Mining, Petroleum Production and Extractive Industries	Yes	<p>The residential zoning would have the effect of prohibiting/restricting the mining of coal and other extractive materials from the site.</p> <p>Mining of the site would, however, be unrealistic in the current circumstances of the case given incompatibilities with the existing residential land uses adjoining the site.</p> <p>Condition 5 of the Gateway Determination for this planning proposal (dated 11 June 2013) required consultation with NSW Trade and Investment (now known as the NSW Division of Resources and Geoscience), particularly in relation to Direction 1.3.</p> <p>The NSW Division of Resources and Geoscience (DRG) was consulted in relation to the planning proposal.</p> <p>Originally the DRG objected to the proposal, however it has provided support for the proposal as amended (refer to Appendix 9).</p> <p>The amended proposal applies the R5 Large Lot Residential Zone to a section of the western portion of the site and applies a 1Ha minimum lot size to lots created by subdivision of that R5 land.</p> <p>This section of the site is outside of the PM₁₀ dust contour for the mining operations of Rix's Creek Mine, but within 400m of the PM₁₀ contour. The larger (1Ha) minimum lot size requirement will reduce the potential density on that land and thus, residences potentially affected by the operations of Rix's Creek Mine.</p>
1.4	Oyster Aquaculture	No	<p>The planning proposal does not seek a change in land use which could result in adverse impacts on a Priority Oyster Aquaculture Area or a "current oyster aquaculture lease in the national parks estate".</p> <p>The planning proposal does not seek a change in land use which could result in incompatible use of land between oyster aquaculture in a Priority Oyster Aquaculture Area or a "current oyster aquaculture lease in the national parks estate" and other land uses.</p>
1.5	Rural Lands	Yes	<p>This planning proposal affects land within an existing rural zone. It also seeks to change the existing minimum lot size for subdivision of the land.</p> <p>The proposal is considered to be generally consistent with the Rural Planning Principles and Rural Subdivision Principles listed in State Environmental Planning Policy (Rural Lands) 2008 (Rural Lands SEPP).</p>
2	Environment and Heritage		
2.1	Environment Protection Zones	No	<p>This planning proposal is considered to be consistent with the direction. This planning proposal does not reduce the environmental protection standards that apply to the land.</p> <p>It is proposed to retain the majority of trees on the site, within the proposed open space and recreation zone.</p> <p>This planning proposal requires DCP provisions to</p>

Ministerial Direction		Relevance (Yes/No)	Consistency and Implications
			be prepared for the site, which incorporate measures to achieve improved or maintained biodiversity outcomes.
2.2	Coastal Protection	No	This direction does not apply to the planning proposal because it does not affect land in the coastal zone.
2.3	Heritage Conservation	Yes	<p>The planning proposal is considered to be consistent with this direction. Following rezoning, preparation of DCP provisions would be required which would incorporate measures to conserve any identified heritage.</p> <p>Any perceived inconsistencies with this direction are considered to be of minor significance and justified by the fact that:</p> <ul style="list-style-type: none"> • The Singleton Local Environmental Plan 2013 contains provisions to protect items of environmental heritage. • The National Parks and Wildlife Act 1974 comprises provisions to protect objects and places of Indigenous heritage.
2.4	Recreation Vehicle Areas	No	This planning proposal does not seek to enable land to be developed for the purpose of a recreation vehicle area within the meaning of the Recreation Vehicles Act 1983.
2.5	Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs	No	<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	Yes	<p>This planning proposal is considered to be consistent with this direction.</p> <p>Through the provision of another residential development front in Singleton, this proposal would help broaden the choice of building types and locations available in the local housing market.</p> <p>The R1 General Residential Zone, R2 Low Density Residential Zone and R5 Large lot Residential Zone would provide for a variety of housing types and densities, particularly given the proposed minimum lot size provisions for subdivision.</p> <p>The Water and Sewer Servicing Study (<i>Attachment 3</i>) indicates that the site could be serviced in the medium to short term with reticulated water and sewer. This would primarily require connection to the existing nearby systems and augmentation of those systems.</p> <p>The LEP amendment would map the site as an Urban Release Area.</p> <p>Pursuant to Section 6.1 of the Singleton LEP 2013, prior to subdivision of the land, satisfactory arrangements would need to be made for the provision of designated State public infrastructure before subdivision of the land.</p> <p>Pursuant to Section 6.2 of the Singleton LEP 2013, development consent would not be able to be granted for development on the land unless the Council is satisfied that any public utility infrastructure, that is essential for the proposed</p>

Ministerial Direction		Relevance (Yes/No)	Consistency and Implications
			development, is available or that adequate arrangements have been made to make that infrastructure available when it is required. Pursuant to Section 6.3 of the Singleton LEP 2013, development consent would not be able to be granted for development on the land unless Development Control Plan (DCP) provisions have been prepared for the land. Such provisions would help achieve good design outcomes on the land.
3.2	Caravan Parks and Manufactured Home Estates	No	This planning proposal is not for the purposes of identifying suitable zones, locations or provisions for caravan parks or manufactured home estates.
3.3	Home Occupations	Yes	Home occupations are exempt from requiring development consent in the R1 General Residential Zone under the Singleton LEP 2013. The objectives of this direction are considered to be addressed by this planning proposal.
3.4	Integrating Land Use and Transport	No	This planning proposal seeks to rezone land for residential (urban) development. The proposal is considered to be consistent with the relevant aims, objectives and principles of: <ul style="list-style-type: none"> Improving Transport Choice – Guidelines for planning and development (DUAP 2001); and The Right Place for Business and Services – Planning Policy (DUAP 2001).
3.5	Development Near Licensed Aerodromes	No	This planning proposal does not seek to create, alter or remove a zone or a provision relating to land in the vicinity of a licensed aerodrome.
3.6	Shooting Ranges	No	This planning proposal does not seek to create, alter or remove a zone or a provision relating to land adjacent to and/or adjoining an existing shooting range.
4.	Hazard and Risk		
4.1	Acid Sulfate Soils	No	This planning proposal does not apply to land having a probability of containing acid sulfate soils as shown on the Acid Sulfate Soils Maps held by the NSW Department of Planning and Environment.
4.2	Mine Subsidence and Unstable Land	No	The land subject of this planning proposal is not within a designated mine subsidence district and is not identified as being unstable.
4.3	Flood Prone Land	No	The site is not within a designated floodplain. During significant storm events, water may overflow the banks of the intermittent natural watercourses (drainage gullies) dissecting the site. The site, however, is not considered to be flood prone land as defined by the Floodplain Development Manual 2005.
4.4	Planning for Bushfire Protection	Yes	A small section of land (approximately 137m ²) in the south-east corner of the site is mapped as being within the buffer of Category 1 Bushfire Vegetation on Council's bushfire prone land mapping. The site is considered to be capable of providing for development that complies with Planning for Bushfire Protection 2006. The LEP amendment would map the site as an Urban Release Area. Pursuant to Clause 6.3 of the

Ministerial Direction		Relevance (Yes/No)	Consistency and Implications
			<p>Singleton LEP 2013, development consent would not be able to be granted for development on the land unless Development Control Plan (DCP) provisions have been prepared for the land.</p> <p>Such DCP provisions would identify a concept road layout (Transport Movement Hierarchy) for the site and identify the need to lodge a Bushfire Threat Assessment for certain development on bushfire prone land.</p> <p>Bushfire hazard reduction is not intended to be prohibited as part of this planning proposal.</p> <p>S117 Direction 4.4 required consultation with the Commissioner of the NSW Rural Fire Service (RFS) prior to undertaking community consultation; unless the Director General of the Department of Planning is satisfied that Council has obtained written advice from the Commissioner of the RFS that the RFS does not object to the progression of the planning proposal.</p> <p>The NSW RFS has been consulted in relation to this planning proposal in accordance with the requirements of S117 Direction 4.4 and has not objected to the planning proposal (refer to <i>Attachment 8</i>).</p>
5.	Regional Planning		
5.1	Implementation of Regional Strategies	No	Not applicable
5.2	Sydney Drinking Water Catchments	No	Not applicable
5.3	Farmland of State and Regional Significance on the NSW Far North Coast	No	Not applicable
5.4	Commercial and Retail Development along the Pacific Highway, North Coast	No	Not applicable
Note: Directions 5.5 – 5.7 have been repealed.			
5.8	Second Sydney Airport: Badgerys Creek	No	Not applicable
5.9	North West Rail Link Corridor Strategy	No	Not applicable
5.10	Implementation of Regional Plans	Yes	<p>The Hunter Regional Plan 2036 (HRP) applies to the LEP amendment proposal.</p> <p>As detailed in Part 3, Section B of this planning proposal, the proposal is considered to be consistent with the relevant objectives and actions of the HRP. Of particular relevance to the proposal are Direction 21 (Create a compact settlement), Direction 22 (Promote housing diversity) and the Local Government Narrative for the Singleton LGA.</p>
6.	Local Plan Making		
6.1	Approval and Referral Requirements	No	<p>The proposal does not contain provisions requiring concurrence, consultation or referral of a Minister or public authority.</p> <p>The planning proposal does not seek to identify development as designated development.</p> <p>The planning proposal is considered to be consistent with Direction 6.1.</p>

Ministerial Direction		Relevance (Yes/No)	Consistency and Implications
6.2	Reserving Land for Public Purposes	Yes	<p>This planning proposal seeks to rezone part of the site to RE1 Public Recreation Zone. This land primarily contains drainage gullies and riparian vegetation.</p> <p>Pursuant to Section 21(1)(b) of Part 2, Division 3 of the Land Acquisition (Just Terms Compensation) Act 1991, Singleton Council may be required to acquire the land in the future as a result of owner-initiated acquisition. It is expected that dedication of the land would be required as part of an approved subdivision, resulting due to the rezoning.</p> <p>Identification of the proposed RE1 Public Recreation Zone land has been undertaken in consultation with the proponent for this planning proposal.</p> <p>The planning proposal is considered to be generally consistent with Direction 6.2.</p>
6.3	Site Specific Provisions	No	Not applicable. The planning proposal does not seek to amend another environmental planning instrument other than the Singleton LEP 2013.
7.	Metropolitan Planning		
7.1	Implementation of the Metropolitan Plan for Sydney 2036	No	Not applicable
7.2	Implementation of Greater Macarthur Land Release Investigation	No	Not applicable
7.3	Parramatta Road Corridor Urban Transformation Strategy	No	Not applicable
7.4	Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	No	Not applicable
7.5	Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	No	Not applicable
7.6	Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	No	Not applicable



Section C – Environmental, social and economic impact

Q7. *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?*

Likely impacts on flora

Table 10 below explains whether there is any likelihood that critical flora habitat or threatened flora species, populations or ecological communities, or their habitats, will be adversely affected as a result of this planning proposal.

Table 10: Assessment of likely impact on flora

Likely impact on flora		
Consideration	Likely impact? (Yes/No)	Explanation
<i>critical habitat</i>	No	The Flora and Fauna Assessment report (<i>Attachment 4</i>) details that the site does not contain critical flora habitat.
<i>threatened species or their habitat</i>	No	<p>The flora surveys did not identify any threatened flora species on the site, however marginal habitat was found for the following threatened plant species:</p> <ul style="list-style-type: none"> • <i>Acacia pendula</i> – <i>Acacia pendula</i> population in the Hunter catchment; • <i>Eucalyptus camaldulensis</i> - <i>Eucalyptus camaldulensis</i> population in the Hunter catchment; • <i>Eucalyptus glaucina</i> – Slaty Red Gum; • <i>Asperula asthenes</i> – Trailing Woodruff. <p>This habitat was generally limited to the drainage lines which would be contained within the proposed <i>RE1 Public Recreation Zone</i>. It is considered that any future subdivision should be able to be designed to avoid impacts on potential threatened flora habitat.</p>
<i>threatened populations or their habitat</i>	No	The Flora and Fauna Assessment report (<i>Attachment 4</i>) indicates that the site does not contain any threatened flora populations or their habitat.
<i>Endangered ecological communities or their habitat</i>	No	<p>The Flora and Fauna Assessment report (<i>Attachment 4</i>) indicates that the site contains a vegetation community consistent with the <i>Central Hunter Spotted Gum – Ironbark – Grey Box Forest</i>, which is an Endangered Ecological Community (EEC).</p> <p>This EEC was generally limited to the drainage lines and would be contained within the proposed <i>RE1 Public Recreation Zone</i>. It is considered that any future subdivision would be able to be designed to avoid significant impacts on the EEC.</p> <p>The site has a large amount of cleared land and the opportunity for the siting of building envelopes in existing cleared areas means that impacts on any potential habitat can be avoided through appropriate siting and design.</p>

Likely impacts on fauna

Table 11 below explains whether there is any likelihood that critical fauna habitat or threatened fauna species, populations or ecological communities, or their habitats, will be adversely affected as a result of this planning proposal.

Table 11: Assessment of likely impact on fauna

Likely impact on fauna		
Consideration	Likely impact? (Yes/No)	Explanation
<i>critical habitat</i>	No	The Flora and Fauna Assessment report (<i>Attachment 4</i>) indicates that the site does not contain critical fauna habitat.
<i>threatened species or their habitat</i>	No	<p>The fauna surveys did not identify any threatened fauna species on the site, however 16 species were considered to have some degree of at least marginal habitat available within the site being:</p> <ul style="list-style-type: none"> • <i>Ephippiorhynchus asiaticus</i> - Black-necked Stork; • <i>Circus assimilis</i> - Spotted Harrier; • <i>Glossopsitta pusilla</i> - Little Lorikeet; • <i>Chthonicola sagittata</i> - Speckled Warbler; • <i>Pomatostomus temporalis temporalis</i> - Grey-crowned Babbler (eastern subspecies); • <i>Petroica boodang</i> - Scarlet Robin; • <i>Petroica phoenicea</i> - Flame Robin; • <i>Dasyurus maculatus</i> - Spotted-tailed Quoll; • <i>Phascogale tapoatafa</i> - Brush-tailed Phascogale; • <i>Phascolarctos cinereus</i> - Koala; • <i>Pteropus poliocephalus</i> - Grey-headed Flying-fox; • <i>Mormopterus noifolkensis</i> - Eastern Freetail-bat; • <i>Falsistrellus tasmaniensis</i> - Eastern False Pipistrelle; • <i>Saccolaimus jlaviventris</i> - Yellow-bellied Sheath-tail-bat; • <i>Miniopterus schreibersii oceanensis</i> - Eastern Bentwing-bat; • <i>Myotis macropus</i> - Southern Myotis. <p>This habitat was generally limited to the drainage lines which would be contained within the proposed <i>RE1 Public Recreation Zone</i>. It is considered that any future subdivision should be able to be designed to avoid impacts on potential threatened flora habitat.</p>
<i>threatened populations or their habitat</i>	No	<p>The Flora and Fauna Assessment report (<i>Attachment 4</i>) details that two endangered populations are listed in the OEH database as occurring within 10km of the site, <i>Acacia pendula</i> population in the Hunter catchment and <i>Eucalyptus camaldulensis</i> population in the Hunter catchment.</p> <p>The fauna surveys did not identify either of these endangered populations on the site. At least marginal habitat was available for both of these species within the drainage lines on site.</p> <p>This habitat was generally limited to the drainage lines which would be contained within the proposed <i>RE1 Public Recreation Zone</i>. It is considered that any future subdivision should be able to be designed to avoid impacts on potential threatened flora habitat.</p>

Threatened ecological communities or their habitat	No	The fauna surveys did not identify any threatened fauna communities on the site.
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Q8. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

Table 12 (below) provides a list of other environmental effects that are relevant to the Singleton LGA. The table indicates whether this planning proposal is likely to generate or be affected by such impacts and explains how impacts are proposed to be managed.

Table 12: Assessment of other environmental effects

Other environmental effects		
Potential Impact	Likely impact? (Yes/No)	Explanation
Bushfire	No	<p>Council's Bushfire Prone Land mapping shows a small section of the site, in the south-east corner, as being within a bushfire prone land buffer. The rest of the site is not mapped as being bushfire prone land.</p> <p>The majority of the site is cleared of significant vegetation. The site is considered to be capable of providing for development which complies with <i>Planning for Bushfire Protection 2006</i>. The proposal should not have a significant adverse impact in regard to bushfire.</p>
Flooding and drainage	No	<p>The site is not identified as being within a designated floodplain. The site is dissected by natural gullies, which have substantially eroded banks.</p> <p>The <i>Concept Stormwater and Drainage Management Strategy</i> for the proposal (refer to <i>Attachment 5</i>) divides the site into 6 separate catchments and identifies possible locations for stormwater detention facilities on the site.</p> <p>It indicates due to the highly eroded banks of the creek beds, it is expected that extensive remediation works will be required to stabilise the embankments. Earthworks and revegetation works, including construction of ponds or basins, would provide for water quality systems such as sedimentation and bioretention areas to be incorporated into future subdivision design.</p> <p>The <i>Concept Stormwater and Drainage Management Strategy</i> indicates that there is sufficient opportunity for the land to be subdivided such that lots could contain flood-free building sites.</p>
Native vegetation	No	<p>Wherever practicable, impacts on biodiversity should be avoided upfront. The majority of the established vegetation on the site is within the proposed <i>RE1 Public Recreation Zone</i>. The provisions of the <i>Singleton Development Control Plan 2014</i> require the design of subdivision proposals to avoid impacts on vegetation wherever practicable.</p>
Soil degradation and land capability	No	<p>The subject proposal would provide for the creation of residential allotments and associated residential development.</p> <p>The site is largely cleared of significant vegetation and has been mapped as being Class 4 Land and Soil Capability (LSC). The site is not considered suitable for high intensity grazing or horticulture due to its topography and soils.</p> <p>The <i>Geotechnical Engineers Report (Attachment 6)</i> for this proposal indicates that there is a low risk of contaminants being located in the greater portion of the site. It details that there is a chance of contamination in the eastern portion of the site in the following locations:</p> <ul style="list-style-type: none"> • Within and around the existing sheds; and • Around the existing residence; and

		<ul style="list-style-type: none"> In filled gullies and soil fill piles. <p>The Geotechnical Engineers Report details that the site is considered to be suitable for urban development, subject to further investigation at the design phase and implementation of associated engineering measures. In this regard, the following investigations are proposed by the report at the development design and approval stage:</p> <ul style="list-style-type: none"> Preliminary Contaminated Site Investigation with emphasis placed on identified risk sources in the eastern portion of the site. Further detailed investigation, remediation and validation may be required if elevated contaminants are identified; Detailed geotechnical investigation for onsite wastewater disposal areas and mechanisms if this servicing option is required; Detailed geotechnical investigation for footing design parameters and road pavements; Assessment of the depth and extent of potentially soft/wet areas within intermittent drainage lines and beneath on-site dams, if the dams are to be decommissioned; Detailed slope stability assessment of intermittent drainage line side slopes and onsite dam embankments, if they are to remain on-site; Earthworks procedures and specifications. <p>The land is capable of providing for the creation of residential allotments and associated residential development, provided that the measures recommended by the Geotechnical Engineers Report are implemented. The recommended measures are not uncommon and are not considered to significantly impede development of the site.</p>
<i>Land use conflict</i>	No	<p>North of the site is rural land, predominantly used for grazing of livestock. Environmental Living lots exist to the east of the site. The site adjoins the northern boundary of the Pinnacle residential zoned land and west of the site is the Great Northern Railway line and Rix's Creek Mine land.</p> <p>The Pinnacle Estate, adjoining the site, is zoned <i>R1 General Residential Zone</i>. This planning proposal seeks to zone the majority of the site to <i>R1 General Residential Zone</i>, forming a logical continuation of residential land north of the Pinnacle Estate.</p> <p>Land in proximity to the Great Northern Railway line to the west, is to be zoned <i>R5 Large Lot Residential Zone</i> and have a minimum lot size of 1Ha applying to subdivision of that land. This would provide for implementation of a buffer from rail noise, mine noise, dust and vibration. Noise, dust and vibration impacts would need to be further assessed at the design phase of development of the land.</p> <p>The <i>R2 Low Density Residential Zone</i> and 1,200m² minimum lot size requirements have been applied to the northern part of the site to provide a transition between <i>RU1 Primary Production Zone</i> land to the north and the proposed <i>R1 General Residential Zone</i> land.</p> <p>The proposal is unlikely to result in any significant adverse land use conflict given the proposed zoning pattern and minimum lot size provisions for subdivision. As an Urban Release Area, Development Control Plan (DCP) provisions may be applied, pursuant to Clause 6.3 of the Singleton LEP 2013, to further manage any potential land use conflict.</p>
<i>Traffic, access and transport</i>	No	<p>The Gateway Determination issued by the NSW Department of Planning and Environment did not support preparation of a detailed Traffic and Transport Study the planning proposal. It also did not identify <i>NSW Roads and Maritime Services</i> (RMS) as a public authority to be consulted in relation to the planning proposal.</p> <p>Council may require a traffic study to be prepared as part of the process for preparing Development Control Plan (DCP) provisions/master-planning for the site and/or as part of the development approval (DA) phase.</p>

<i>Aboriginal Cultural Heritage</i>	No	<p>The <i>Aboriginal and Historic Heritage Due Diligence Assessment (Attachment 7)</i> identified a total of 24 Aboriginal objects on the site. The identified Aboriginal heritage record for the site is made of:</p> <ul style="list-style-type: none"> • 6 individual stone artefact isolated finds; • 3 artefact scatters; and • 2 artefact scatters with potential archaeological deposits (PADs). <p>The Aboriginal and Historic Heritage Due Diligence Assessment details that the recorded sites have low archaeological significance due to their disturbed nature, contents and location.</p> <p>It indicates that no further archaeological assessment is necessary for the planning proposal and that any future development proposals (i.e. subdivision proposals) would have to comply with Aboriginal Cultural Heritage Impact Permit provisions under Section 90 of the National Parks and Wildlife Act 1974.</p>
<i>Historic Heritage</i>	No	<p>The site is not identified as containing historic heritage as listed in the <i>Singleton Local Environmental Plan 2013</i>.</p>
<i>Air quality</i>	No	<p>Given the proximity of the site to the Great Northern Railway, which is used for Coal Haulage and the proximity of the site to Rixs Creek Mine, the design of future development of the site would need to consider any associated air quality impacts. Studies prepared for Rixs Creek Mine indicate that impacts on future residential development would be unlikely.</p>
<i>Noise</i>	No	<p>Given the proximity of the site to the Great Northern Railway, which is used for Coal Haulage and the proximity of the site to Rixs Creek Mine, the design of future development of the site would need to consider any associated noise impacts. Studies prepared for Rixs Creek Mine indicate that impacts on future residential development would be unlikely. Larger minimum lot size requirements are to apply to subdivision in the western part of the site to encourage implementation of noise buffers for future housing on that land.</p>

Q9. Has the planning proposal adequately addressed any social and economic effects?

Table13 (below) provides a list of potential social and economic impacts and indicates whether this planning proposal is likely to generate or be affected by such impacts.

Table 13: Consideration of social and economic effects

Potential social and economic effects		
Potential Impact	Likely impact? (Yes/No)	Explanation
<i>Housing and accommodation</i>	No	The proposed amendment to the <i>Singleton Local Environmental Plan 2013</i> would provide for the creation of residential lots and associated residential development. As such, the proposal would be conducive to the provision of housing and accommodation.
<i>Community values and expectations</i>	No	The community expects to have land available for continued residential growth into the future. The amendment to the <i>Singleton Local Environmental Plan 2013</i> would make such residential land available. The proposal is not expected to generate any significant adverse impacts on community values or expectations.
<i>Community services and facilities</i>	No	The site is approximately 4.2kms from the Singleton township, 1.3kms from the proposed Bridgman Ridge Commercial Site and approximately 3.2kms from the Singleton Heights Shopping Centre and Alroy Sports complex. The LEP amendment will rezone part of the site to <i>RE1 Public Recreation Zone</i> to provide local open space for future residents of the site. Development contributions would be expected to be levied towards infrastructure and facilities as a result of future subdivision of the site. The proposal is not expected to generate any significant adverse impacts on community services or facilities.
<i>Community health and wellbeing</i>	No	The proposal is not expected to generate any significant adverse impacts on Community health and wellbeing.
<i>Access and mobility</i>	No	Access and mobility considerations would be expected to be addressed at the development design stage subsequent to rezoning of the site.
<i>Crime and public safety</i>	No	Crime prevention and public safety considerations would be expected to be addressed at the development design stage subsequent to rezoning of the site.
<i>Social equity (displacement/ needs of disadvantaged groups)</i>	No	The planning proposal is not expected to generate any significant adverse impacts in relation to social equity.
<i>Violation of civil liberties (personal and property rights)</i>	No	The planning proposal is not expected to generate any significant adverse impacts in relation to civil liberties.
<i>Workforce and employment</i>	No	The amendment to the <i>Singleton Local Environmental Plan 2013</i> would provide for the creation of residential lots and associated residential development. This would be conducive to the provision of housing and accommodation to house Singleton's workforce. Development of the site would also require employment of the construction industry. The planning proposal is not expected to generate any significant adverse impacts in relation to the workforce or employment.



Section D – State and Commonwealth interests

Q10. Is there adequate public infrastructure for the planning proposal?

Table 14 (below) provides a list of potential social and economic impacts and indicates whether this planning proposal is likely to generate or be affected by such impacts.

Table 14: Public Infrastructure

Public Infrastructure provision		
Infrastructure	Relevant? (Yes/No)	Explanation
<i>Public transport</i>	No	It would be expected that public transport infrastructure (such as bus shelters) would be incorporated into the design of future development of the site. The LEP amendment is not expected to generate any significant adverse impacts in relation to public transport.
<i>Road</i>	No	The site has access to Bridgman Road which is a main collector road, connecting onto the New England Highway. Road infrastructure would need to be provided as part of future subdivision of the site for residential development. Development contributions would be expected to be levied towards road infrastructure as a result of the future subdivision of the site. The proposal is not expected to generate any significant adverse impacts in relation to road infrastructure.
<i>Electricity</i>	No	Electricity infrastructure exists in proximity to the site. Extension/upgrades to the electricity infrastructure would need to be provided as part of future subdivision of the site for residential development.
<i>Gas</i>	No	Gas infrastructure is presently not available in proximity to the site.
<i>Telecommunications</i>	No	Telecommunications infrastructure exists in proximity to the site. Extension/upgrades to the infrastructure would need to be provided as part of future subdivision of the site for residential development.
<i>Reticulated water</i>	No	The <i>Water and Sewer Servicing Study (Attachment 3)</i> indicates that the site could potentially yield 367 equivalent tenements (ET's), with progressive upgrades to the current water infrastructure. Infrastructure connections would be expected to be addressed in detail as part of any application to develop the site.
<i>Sewer</i>	No	The <i>Water and Sewer Servicing Study (Attachment 3)</i> indicates that the site could potentially yield 367 equivalent tenements (ET's), with progressive upgrades to the current sewer infrastructure. Infrastructure connections would be expected to be addressed in detail as part of any application to develop the site.
<i>Waste management</i>	No	The site would be expected to be serviced by Council's waste management services. Development of the site for residential purposes and associated waste generation would need to be factored into future plans for the extension of waste management services.
<i>Health services</i>	No	The residential zoning of the site would help respond to demand for land for residential development and growth. Health services and facilities are available in the Singleton Township, within reasonable proximity of the site. It would be expected that health service facilities would continue to grow as a result of natural population growth and associated demand for health services.

		The planning proposal is not expected to generate any significant adverse impacts in relation to health services.
<i>Education</i>	No	The residential zoning of the site would help respond to demand for land for residential development and growth. Education services and facilities are available in the Singleton Township, within reasonable proximity of the site. It would be expected that education services facilities would continue to grow as a result of natural population growth and associated demand for such services. The LEP amendment is not expected to generate any significant adverse impacts in relation to education facilities and services.
<i>Emergency services</i>	No	The residential zoning of the site would help respond to demand for land for residential development and growth. Emergency services and facilities are available in the Singleton Township (e.g. fire brigade, SES, ambulance etc), within reasonable proximity of the site. It would be expected that emergency services facilities would continue to grow as a result of natural population growth and associated demand for such services. The LEP amendment is not expected to generate any significant adverse impacts in relation to emergency services.

Q11. What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?

Table 15 (below) provides a list of public authorities which may be potential referral bodies for planning proposals in the Singleton LGA and indicates whether the respective authority has been identified as a referral body for this planning proposal.

Table 15: Public Authorities

Public Authority Consultation		
Public Authority	Consultation required? Yes/No	Explanation
<i>NSW Office of Environment and Heritage</i>	Yes	The Gateway Determination required consultation with the <i>NSW Office of Environment and Heritage</i> (OEH). The referral response from the OEH (<i>Attachment 8</i>) did not raise objection to the planning proposal. The response indicated that suitable mechanisms should be put in place to rehabilitate native vegetation within the gullies on the site. It also indicated that an Aboriginal Heritage Impact Permit (AHIP) would be required under Section 90 of the <i>National Parks and Wildlife Act 1974</i> for any future proposal(s) to develop the site.
<i>NSW Rural Fire Service</i>	Yes	The Gateway Determination required consultation with the <i>NSW Rural Fire Service</i> . The referral response from the OEH (<i>Attachment 8</i>) has not raised objection to the planning proposal. The response indicated that future development of the site should place larger lots in proximity to bushfire prone vegetation on the site. It also provides recommendations for the design of future development of the site to be consistent with the requirements of <i>Planning for Bushfire Protection</i> .
<i>NSW Trade and Investment – Resources and Energy</i>	Yes	The Gateway Determination required consultation with <i>NSW Trade and Investment – Resources and Energy</i> . A referral was sent to <i>NSW Trade and Investment – Resources and Energy</i> on the 09 October 2014. The <i>NSW Trade and Investment – Resources and Energy</i> did not respond to the referral. <i>NSW Trade and Investment – Resources and Energy</i> did however; lodge a submission during exhibition of the planning proposal.

		The matters raised in the submission have been addressed through changes to the proposed LEP amendments as discussed in Part 5 of this planning proposal.
<i>NSW Primary Industries</i>	Yes	<p>The Gateway Determination required consultation with <i>NSW Primary Industries</i>. The referral response from <i>NSW Primary Industries</i> (<i>Attachment 8</i>) does not raised objection to the planning proposal. The response indicates that it would be preferable to provide additional information on the agricultural land use history of the site.</p> <p>From the information contained within the <i>Geotechnical Engineers Report</i> (<i>Attachment 6</i>) the site has historically been used for livestock grazing purposes and once contained a dairy shed (now demolished), indicating that it was once used for small scale dairy farming.</p>
<i>NSW Transport – Roads and Maritime Services</i>	No	The Gateway Determination did not require consultation with <i>NSW Transport – Roads and Maritime Services</i> .
<i>Hunter Water Corporation</i>	No	The Gateway Determination did not require consultation with the <i>Hunter Water Corporation</i> . The site is not within the Hunter Water Corporation's Area of Operations.
<i>Wanaruah Local Aboriginal Land Council</i>	No	<p>The Gateway Determination did not require consultation with the <i>Wanaruah Local Aboriginal Land Council</i>. The Aboriginal and Historic Heritage Due Diligence Assessment indicates that the project aims to avoid any culturally sensitive areas and as such consultation with Aboriginal community stakeholders was not necessary for the purposes of the assessment.</p> <p>Aboriginal Cultural Heritage impacts and consultation with Aboriginal community stakeholders would need to be further considered as part of any future proposal to subdivide and develop the site.</p>
<i>Mindaribba Local Aboriginal Land Council</i>	No	The Gateway Determination did not require consultation with the <i>Mindaribba Local Aboriginal Land Council</i> . According to the NSW Aboriginal Land Council website, the site subject of the planning proposal is not within the <i>Mindaribba Local Aboriginal Land Council</i> region.
<i>Cessnock City Council</i>	No	The Gateway Determination did not require consultation with <i>Cessnock City Council</i> . The site is not situated near the Cessnock Local Government Area boundary.
<i>Muswellbrook Shire Council</i>	No	The Gateway Determination did not require consultation with <i>Muswellbrook Shire Council</i> . The site is not situated near the Muswellbrook Local Government Area boundary.
<i>Dungog Shire Council</i>	No	The Gateway Determination did not require consultation with <i>Dungog Shire Council</i> . The site is not situated near the Dungog Local Government Area boundary.

PART 4 – MAPPING

Note. This part of the planning proposal contains mapping in accordance with the requirements of ‘A guide to preparing planning proposals’ (Department of Planning & Infrastructure 2012). The intention of this part is to clearly and accurately identify, relevant aspects of the proposal at an appropriate scale. The formal maps that prepared in accordance with the ‘Standard Technical Requirements for LEP Maps’ (Department of Planning & Infrastructure 2012) are appended separately from this part.



Land subject to the planning proposal

The site subject of the planning proposal

The site comprises two allotments (Lots 32 and 33, DP634692) and an unformed crown road. It is irregular in shape and has a predominantly hilly topography.

The site dissected by intermittent natural watercourses (drainage gullies), which have substantially eroded banks. Vegetation on the site is predominantly unimproved grassland, with some scattered groups of trees, predominantly in the eastern portion of the site. Lot 32 contains a dwelling-house and sheds.

Site context

The site (refer to *Figure 2*) is located approximately 3.5kms along Bridgman Road from the intersection of Bridgman Road and the New England Highway. North of the site is rural land, predominantly used for grazing of livestock. Environmental Living lots exist to the east of the site.

The site adjoins the northern boundary of the “Pinnacle Estate” residential zoned land. West of the site is the Great Northern Railway line and Rix’s Creek Mine land.

Rixs Creek coal title CL352 (Bloomfield Collieries Pty Ltd) is located approximately 198m from the closest boundary of the site. Mining infrastructure in proximity to the site includes a Coal Preparation Plant and workshops. A rail siding has also been approved in proximity to the site by the *Department of Planning and Environment* (file reference: DA 49/94 Mod 5).

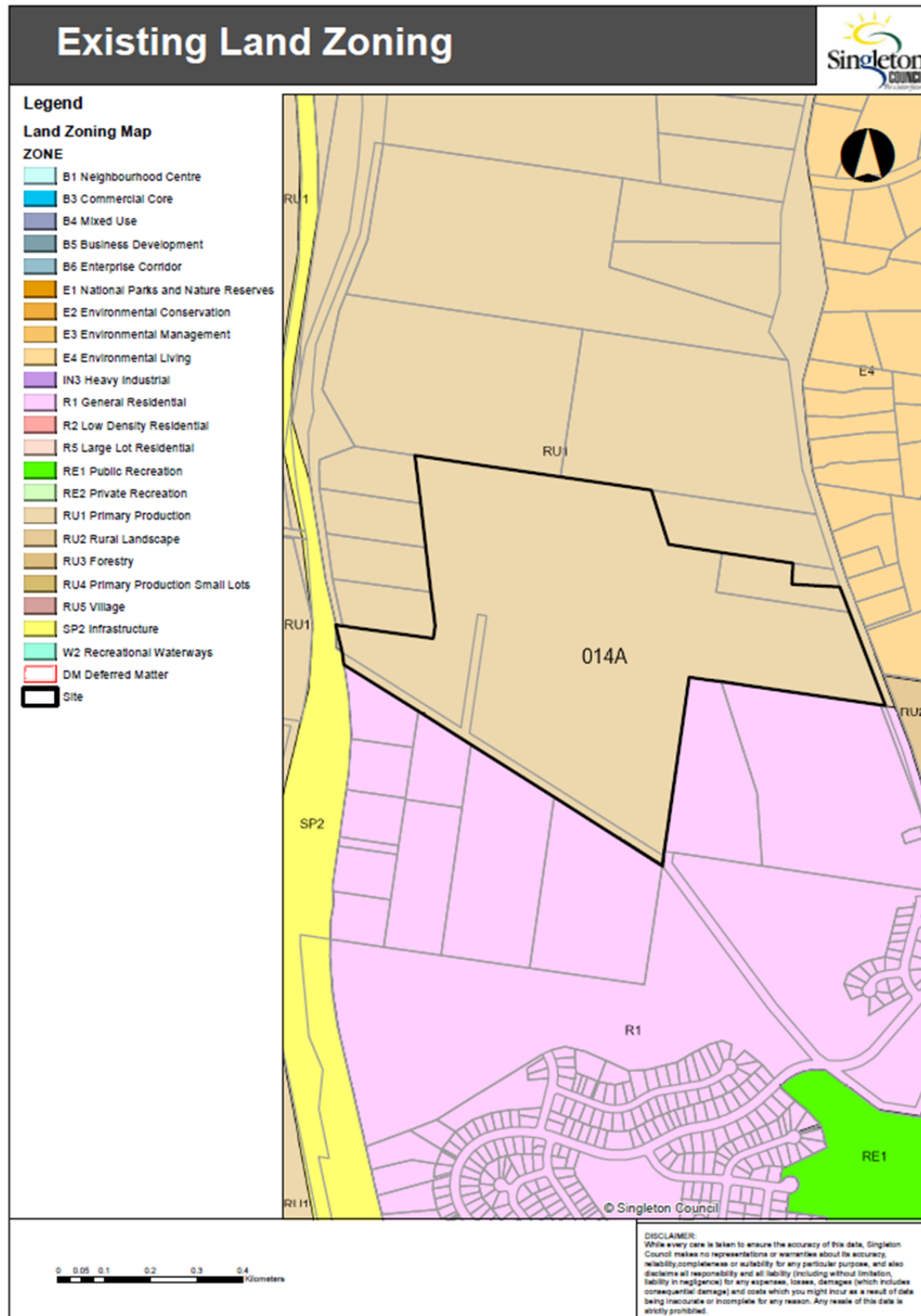
Figure 2 – Site Identification Plan



Existing Land Use Zoning

The site subject of this planning proposal is presently zoned *RU1 Primary Production Zone*. The current zoning pattern in the locality is shown in *Figure 3*.

Figure 3 – Plan showing existing land use zoning

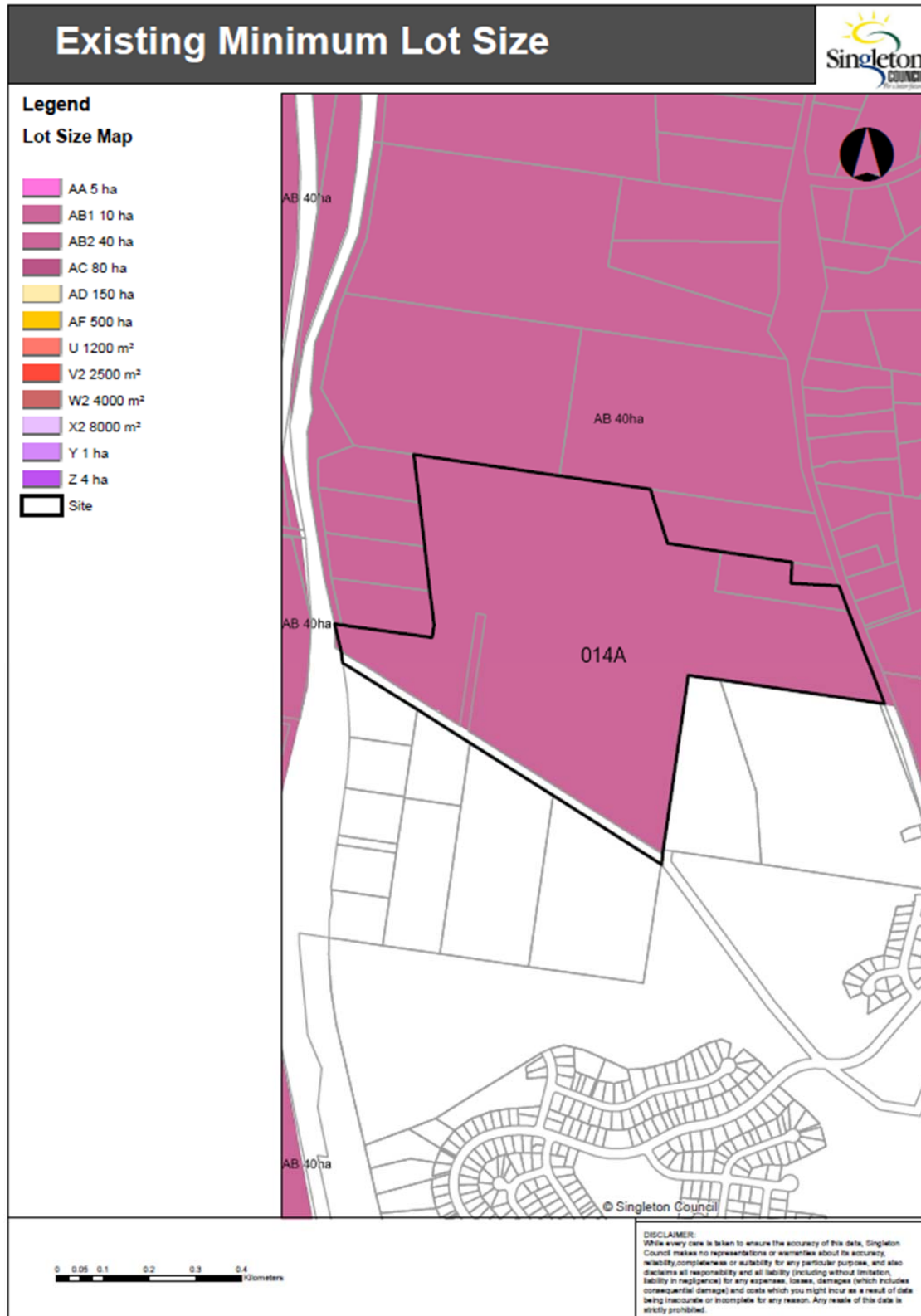




Current minimum lot size requirements

Under the provisions of the *Singleton Local Environmental Plan 2013*, the minimum lot size for subdivision of the site is currently 40Ha (refer to *Figure 4*).

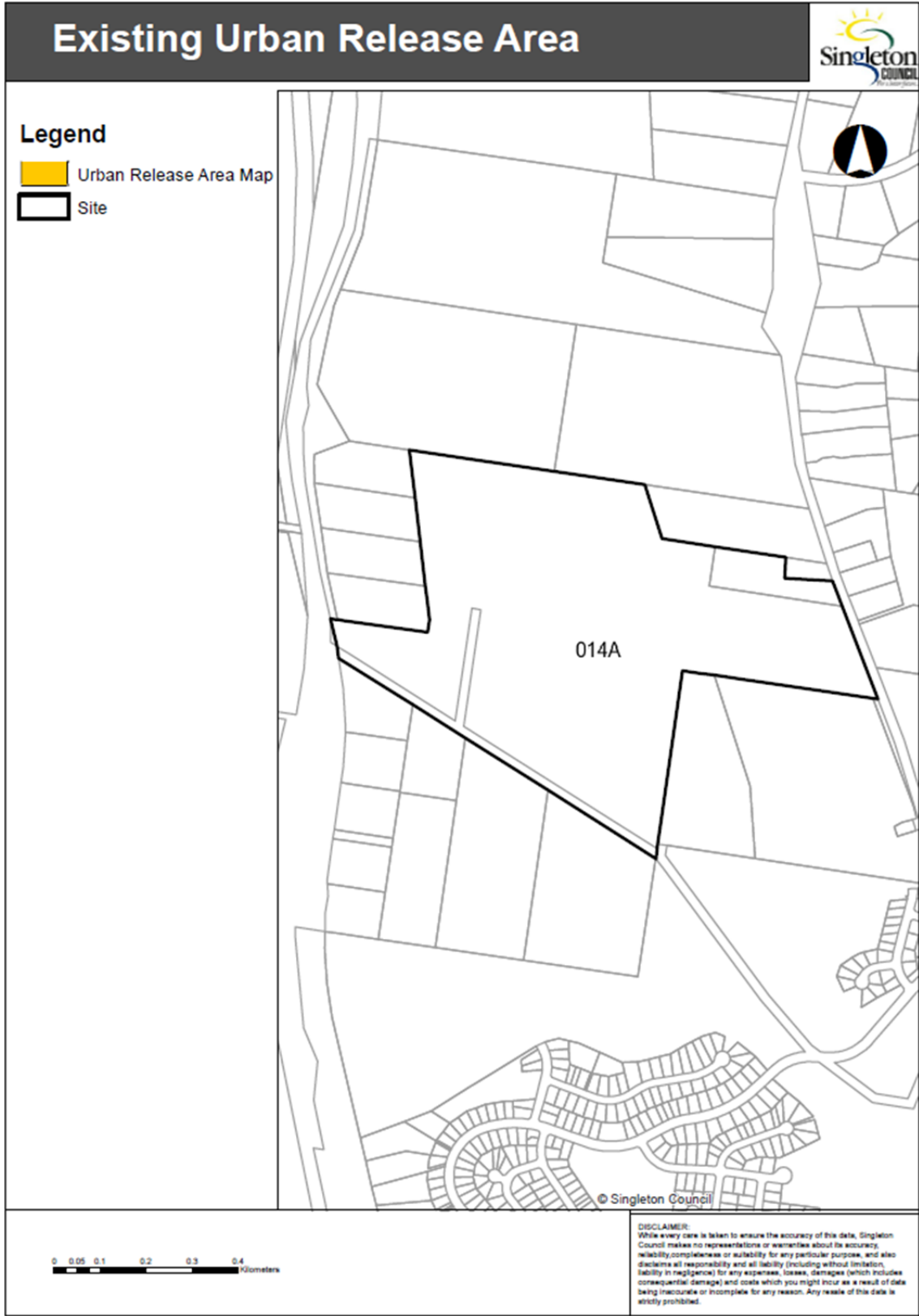
Figure 4 – Plan of existing minimum lot size requirements for lots created by subdivision



Current urban release area

Under the provisions of the *Singleton Local Environmental Plan 2013*, the site is not identified as being an urban release area (refer to Figure 5). Land directly adjoining the site is not mapped as being an urban release area.

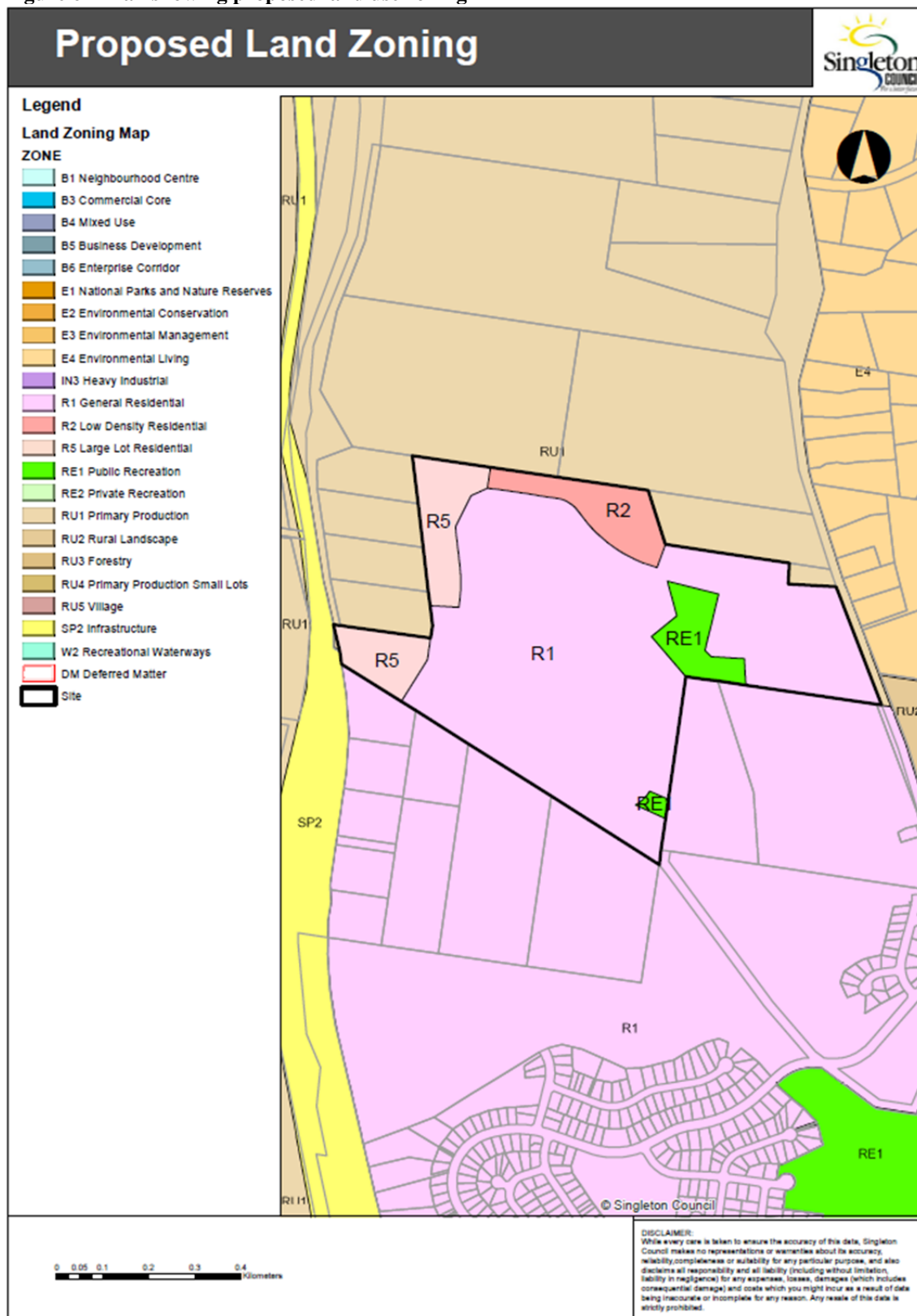
Figure 5 – Plan showing site is not an existing Urban Release Area



Proposed change to land use zoning

The proposed zoning for the site under the planning proposal is identified in **Figure 6**.

Figure 6 – Plan showing proposed land use zoning



Approximately 39.38ha of the site is intended to be rezoned to *R1 General Residential Zone*. The objectives of the *R1 General Residential Zone* are:

- To provide for the housing needs of the community.
- To provide for a variety of housing types and densities.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.

Approximately 3.25ha of the site is intended to be rezoned to *R2 Low Density Residential Zone*. The R2 land is proposed along the northern boundary of the site and would act as a transitional buffer between the R1 General Residential Zone land and adjoining land uses.

The objectives of the *R2 Low Density Residential Zone* are:

- To provide for the housing needs of the community within a low density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents

Approximately 5.15ha of the site is intended to be rezoned to *R5 Large Lot Residential Zone*. The R5 land is proposed along the western boundary of the site and would act as a transitional buffer between the R1 General Residential Zone land and adjoining land uses.

The objectives of the *R5 Large Lot Residential Zone* are:

- To provide residential housing in a rural setting while preserving, and minimising impacts on, environmentally sensitive locations and scenic quality.
- To ensure that large residential lots do not hinder the proper and orderly development of urban areas in the future.
- To ensure that development in the area does not unreasonably increase the demand for public services or public facilities.
- To minimise conflict between land uses within this zone and land uses within adjoining zones.

Approximately 2.44ha of the site is intended to be rezoned to *RE1 Public Recreation Zone*. The RE1 land would contain the majority of vegetation on the site and provide open space to serve the local residents.

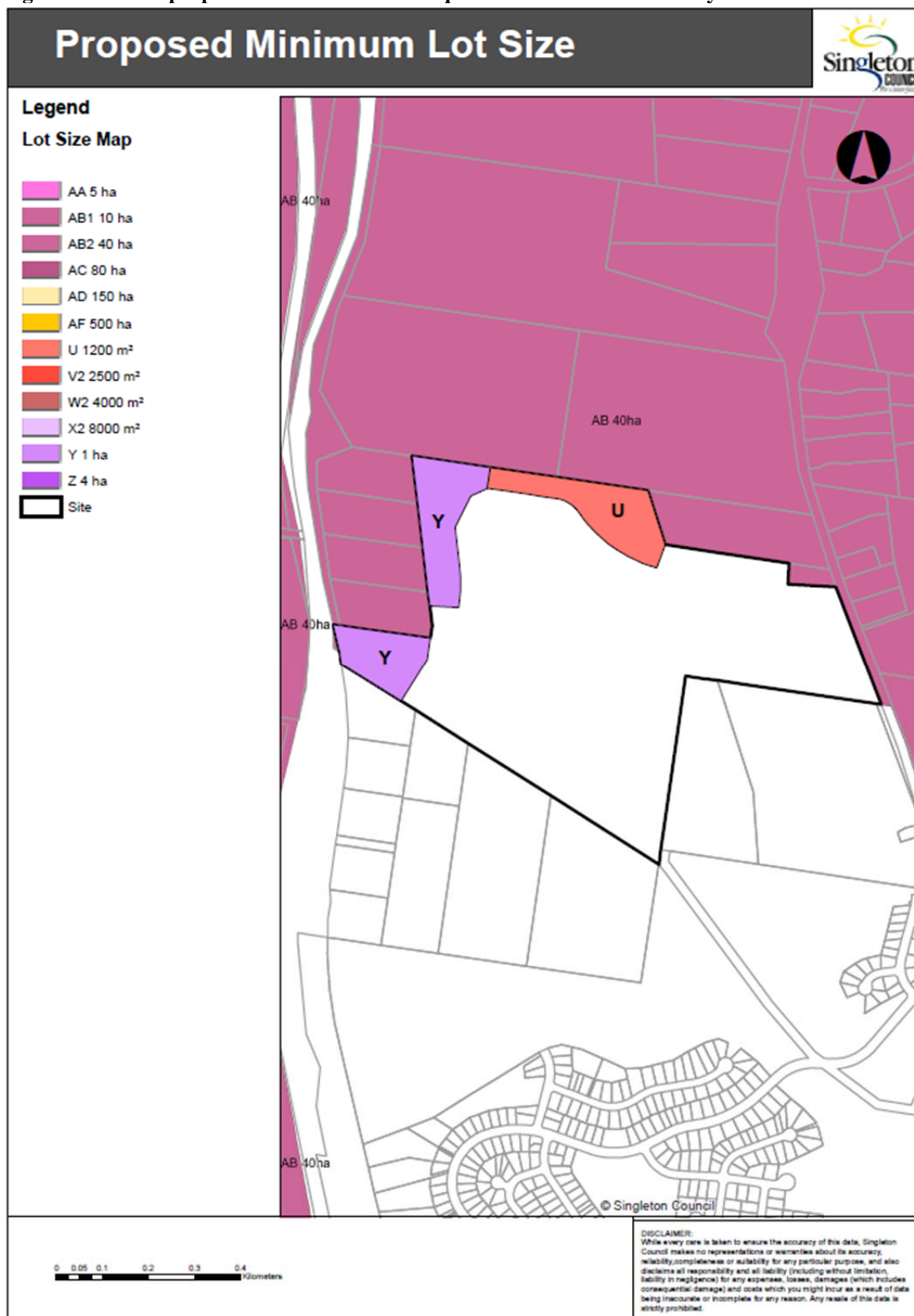
The objectives of the *RE1 Public Recreation Zone* are:

- To enable land to be used for public open space or recreational purposes.
- To provide a range of recreational settings and activities and compatible land uses.
- To protect and enhance the natural environment for recreational purposes.

Change(s) to minimum lot size requirements

The proposed minimum lot size requirements for subdivision of the site under the planning proposal are identified in **Figure 7**.

Figure 7– Plan of proposal minimum lot size requirements for lots created by subdivision

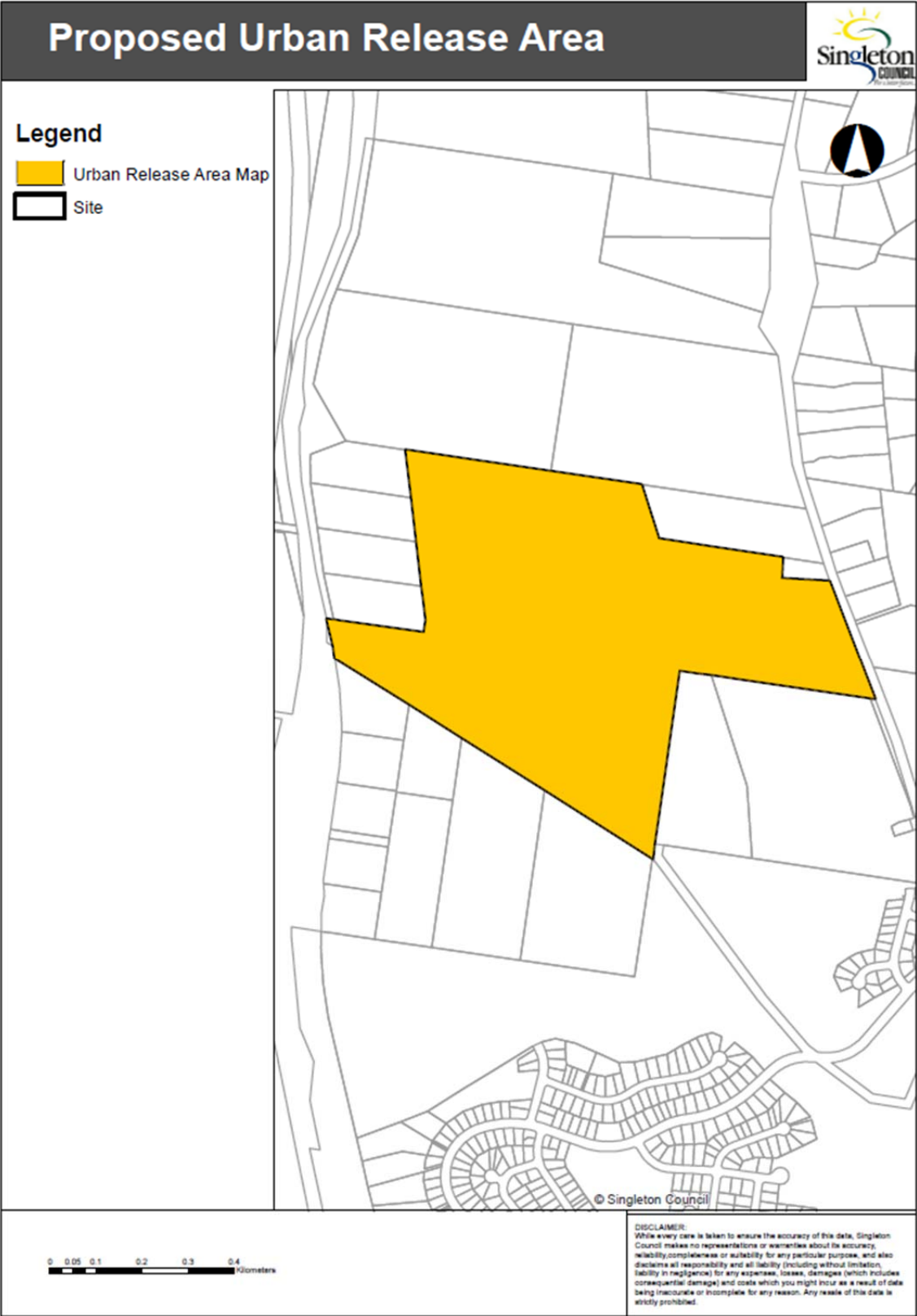


The *R2 General Residential Zone* component of the site is proposed to have a minimum lot size of 1,200m² for the purposes of subdivision. The proposed *R1 General Residential Zone* and *RE1 Public Recreation Zone* components of the site are not intended to have a set minimum lot size for subdivision. Instead, lot size suitability would be determined based on the suitability of design outcomes.

Change(s) to urban release area

As identified in *Figure 8*, it is proposed to identify the entire site as being an urban release area. As a result of the site being mapped as an urban release area, Part 6 of the *Singleton Local Environmental Plan 2013* would apply to the site. Part 6 applies requirements relating to public infrastructure and preparation of Development Control Plan (DCP) provisions.

Figure 8 – Plan of proposed Urban Release Area



PART 5 – COMMUNITY CONSULTATION

In accordance with the requirements of Condition 4 of the Gateway Determination (dated 11 June 2013) for the planning proposal, the proposal was publicly exhibited for a period not less than 28 days. Prior to exhibition, the planning proposal was updated in accordance with Condition 1 of the Gateway Determination. Additional information was included within and appended to the planning proposal to demonstrate consistency with Conditions 3 and 5 of the Gateway Determination.

A copy of the planning proposal and supporting documentation was made available for public inspection at the Council Administration Centre during the exhibition period for the planning proposal. Exhibition documentation was also made available via Council's website throughout the exhibition period.

Table 16 (below) provides details of the community consultation for this planning proposal:

Table 16: Community consultation strategy

Community Consultation		
Task	Required? Yes/No	Explanation
<i>Notice of exhibition on Council's Corporate website</i>	Yes	The planning proposal was placed on public exhibition from the 06 February 2015 to the 09 March 2015. Notice of the public exhibition was placed on Council's website for the extent of the exhibition.
<i>Newspaper notice</i>	Yes	The site is within the area of circulation of the Singleton Argus newspaper. A notice of the exhibition was placed in the 06 February 2015 edition of the Singleton Argus.
<i>Notification letters</i>	Yes	At the commencement of the exhibition period, landowners adjoining and adjacent to the boundaries of the site were notified in writing of the exhibition of the planning proposal.

Exhibition

During the exhibition, three submissions on the planning proposal were received, being one in support of the proposal and two objections to the proposal.

The submission in support of the proposal was from Mr Neil Long, who owns allotments directly adjoining the proposed R2 and R5 zoned sections of the site.

One of the objections was from NSW Trade and Investment – Minerals and Petroleum (T&I) and the other was lodged by AECOM Australia Pty Ltd on behalf of the Bloomfield Group, which operates the Rix's Creek Open Cut Coal Mine located north/northwest of the planning proposal Site.

The objection from T&I (now NSW Division of Resources and Geoscience) generated implications in terms of consistency with s117 Ministerial Direction 1.3 (Mining, Petroleum and Extractive Industries).

Post exhibition changes to the planning proposal

Following advice from the NSW Department of Planning and Environment, Council worked with the NSW Division of Resources and Geoscience (NSW DR&G) to address the matters raised in its submission. On the 21 July 2017, Council received a letter of support for the proposal, with a revised zoning and minimum lot size outcome in the western portion of the site.

On the 08 September 2017, Council met with representatives from the Bloomfield Group to present the revised zoning and minimum lot size outcome for the western portion of the site. On the 14 September 2017, the Bloomfield Group lodged a revised submission to Council, withdrawing its objection on the basis of the revised zoning and minimum lot size proposal. As such there are no outstanding objections to the planning proposal.

The revised zoning and minimum lot size outcome contained in this (post-exhibition) version of the planning proposal is estimated to have reduced the potential lot yield by approximately 15 lots as compared to the exhibited version of the planning proposal. Re-exhibition of the updated planning proposal has not been required because the lower lot yield would further reduce the impacts of the proposal.

CONCLUSION AND RECOMMENDATION

This planning proposal explains the intended effect of the proposed amendment to the *Singleton Local Environmental Plan 2013* and sets out the justification for making that amendment.

The Planning Proposal (PP) seeks to rezone additional land primarily for residential purposes. Through the provision of an additional residential development front in North Singleton, it is the intention of the planning proposal to improve Singleton's ability to respond to future demand for residential housing. It is expected that the site could provide for up to 367 new dwellings, based on the findings of the *Water and Sewer Servicing Study*.

Since issue of the gateway determination for the planning proposal, consultation was undertaken with relevant public agencies and the community. This led to minor modifications to the proposal zoning and minimum lot size requirements for subdivision. Based on these changes, objections to the proposal were withdrawn.

The changes reduce the potential lot yield from the site and reduce the potential for land use conflict with nearby mining and agricultural land uses. It is recommended that the LEP amendment be made in accordance with this revised planning proposal.

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 58 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 matter not proceed.

This planning proposal (version: 4) has been reviewed by the Manager Development and Environmental Services and deemed suitable for the purposes of making the LEP amendment.

Gary Pearson		Mary Anne Crawford
Acting Coordinator Sustainable Development		Manager Development & Environmental Services

Attachments

Table 17: Attachments to planning proposal

Attachments		
Attachment number	Document description	Document date
1	<i>Gateway Determination: PP_2013_SINGL_001_00</i>	11 June 2013
2	<i>Draft LEP Maps</i>	September 2014
3	<i>Water and Sewer Servicing Study</i>	April 2013
4	<i>Flora and Fauna Assessment report</i>	October 2013
5	<i>Concept Stormwater and Drainage Management Strategy</i>	01 November 2013
6	<i>Geotechnical Engineers Report</i>	14 November 2013
7	<i>Aboriginal and Historic Heritage Due Diligence Assessment</i>	October 2013
8	<i>Public Authority Referral Responses</i>	October-November 2014
9	<i>Exhibition Submissions</i>	05 March 2015, 09 March 2017, 21 July 2017, 14 September 2017