

Bridgman Road, Obanvale (Singleton North Urban Expansion Area)

Proposal Title : **Bridgman Road, Obanvale (Singleton North Urban Expansion Area)**

Proposal Summary : **It is proposed to rezone land at Bridgman Road, Obanvale to facilitate residential development.**

PP Number : **PP_2013_SINGL_001_00** Dop File No : **13/08652**

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

S.117 directions :
1.2 Rural Zones
1.3 Mining, Petroleum Production and Extractive Industries
1.5 Rural Lands
2.3 Heritage Conservation
3.1 Residential Zones
3.3 Home Occupations
3.4 Integrating Land Use and Transport
4.4 Planning for Bushfire Protection

Additional Information : **The Planning Proposal should proceed subject to the following conditions:**

1. Prior to commencing public exhibition, Council is to:

- (a) amend the planning proposal to provide information on how infrastructure will be provided to the site and detail how Council intends for infrastructure to be funded, and
- (b) amend the planning proposal to identify the subject site as an Urban Release Area, and
- (c) provide additional information to support the planning proposal as identified by Council, including drainage and hydrology, soils and erosion hazards, archeological / heritage, and flora and fauna. Council is to include this information as part of the public exhibition material.
- (d) amend the planning proposal to identify relevant residential, open space and / or environmental zones and minimum lot sizes.

2. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:

- (a) the planning proposal must be made publicly available for 28 days; and
- (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of A Guide to Preparing LEPs (Department of Planning & Infrastructure 2013).

3. Council is to consult with:

- (a) the Commissioner of the NSW Rural Fire Service as per the requirements of S117 Direction 4.4 Planning for Bushfire Protection, and
- (b) NSW Mineral Resources as per the requirements of S117 Direction 1.3 Mining, Petroleum Production and Extractive Industries

Council is to amend the planning proposal, if necessary, to take into consideration any comments prior to the commencement of public exhibition.

4. Consultation is required with the following public authorities under section 56(2)(d) of

the EP&A Act:

- Office of Environment and Heritage
- NSW Rural Fire Service
- NSW Aboriginal Land Council
- Department of Primary Industries - Agriculture
- NSW Trade and Investment - Mineral Resources

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material. Each public authority is to be given at least 21 days to comment on the proposal, or to indicate that they will require additional time to comment on the proposal. Public authorities may request additional information or additional matters to be addressed in the planning proposal.

5. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

6. The timeframe for completing the LEP is to be 24 months from the week following the date of the Gateway determination.

It is recommended that the ED - R&RPD, as delegate of the DG:

7. Agree that that the inconsistency with S117 Direction 1.2 Rural Zones is justified as the endorsed local planning strategy, the Singleton Land Use Strategy, identifies the land which is the subject of the planning proposal as a proposed urban area.

8. Inform Council that the proposal is considered consistent with all other S117 Directions and SEPPs identified in the proposal, including:

- 1.5 Rural Lands
- 2.3 Heritage Conservation
- 3.1 Residential Zones
- 3.3 Home Occupations
- 3.4 Integrating Land Use and Transport
- SEPP (Infrastructure) 2007
- SEPP (Rural Lands) 2008

9. Inform Council that consistency with SEPP44 and SEPP55 is unable to be determined until completion of relevant studies.

Supporting Reasons :

The planning proposal is supported. Rezoning the subject site to residential will assist in meeting the identified shortfall in housing supply in Singleton. The subject site is considered a logical extension of the existing Singleton urban area. However, further studies are required to inform zone boundaries and demonstrate consistencies with relevant SEPPs and Section 117 Directions.

Panel Recommendation

Recommendation Date : **06-Jun-2013**

Gateway Recommendation : **Passed with Conditions**

Panel

The planning proposal should proceed subject to the following conditions:

Recommendation :

1. Prior to undertaking public exhibition, Council is to update the planning proposal to:

(a) advise how infrastructure will be provided to the site and detail how the infrastructure is to be funded,

(b) identify the subject site as an Urban Release Area and advise that the department's model clauses 6.1 Arrangements for designated State public infrastructure, 6.2 Public utility infrastructure, 6.3 Development control plan and 6.4 Relationship between part and remainder of plan will apply if the proposal amends draft Singleton LEP 2013 or if the

proposal amends Singleton LEP 1996 identify the subject site as an Urban Release Area and advise that clause 14G Development in certain other release areas will be amended, and (c) identify the proposed residential, open space and (if applicable) environmental zones and minimum lot sizes which will apply to the subject site. The planning proposal is to include existing and proposed land zoning and minimum lot size maps, which are at an appropriate scale and clearly identify the subject site.

2. Council is to demonstrate that the planning proposal satisfies the requirements of State Environmental Planning Policy (SEPP) 55 - Remediation of Land. If required, Council is to prepare an initial site contamination investigation report to demonstrate that the site is suitable for rezoning to the proposed zone. This report is to be included as part of the public exhibition material.

3. Additional information regarding the below matters is to be placed on public exhibition with the planning proposal:

- drainage and hydrology
- soil and erosions hazards
- archaeological/heritage
- flora and fauna (to determine consistency with SEPP 44 - Koala Habitat Protection)
- demonstrate consistency with SEPP 44 - Koala Habitat Protection

4. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:

- (a) the planning proposal must be made publicly available for a minimum of 28 days; and
- (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of A Guide to Preparing LEPs (Department of Planning & Infrastructure 2013).

5. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act and/or to comply with the requirements of relevant S117 Directions:

- Office of Environment and Heritage
- NSW Aboriginal Land Council
- Department of Primary Industries – Agriculture
- NSW Rural Fire Services (S117 Direction 4.4 Planning for Bushfire Protection)
- NSW Trade and Investment - Minerals and Petroleum (S117 Direction 1.3 Mining, Petroleum Production and Extractive Industries)

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.

6. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

7. The timeframe for completing the LEP is to be 24 months from the week following the date of the Gateway determination.

Signature:



Printed Name:

Sabina Miller

Date:

11/06/2013