

Country Tennis Club

# 8A Edinburgh Avenue SINGLETON

Lot: 8 DP: 251429

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## EXECUTIVE SUMMARY

<b>Local Government Area:</b>	Singleton Council (SC)
<b>Name of the Draft Local Environmental Plan (LEP):</b>	Planning proposal for 8A Edinburgh Avenue Singleton
<b>Subject land:</b>	Lot: 8 DP: 251429 – 8A Edinburgh Avenue SINGLETON
<b>Land owner(s):</b>	Country Tennis Club  PO Box 251  SINGLETON NSW 2330
<b>Applicant:</b>	Country Tennis Club
<b>Council file reference:</b>	55.2020.2
<b>CM9 document reference:</b>	AD20/29324
<b>NSW Department of Planning &amp; Environment (DP&amp;E) reference:</b>	To be determined
<b>Version:</b>	1
<b>Date:</b>	13/11/2020
<b>Officer:</b>	A Tinlin
<b>Manager:</b>	Mary-Anne Crawford

## **PART 1 – OBJECTIVES OF THE PLANNING PROPOSAL**

To amend the *Singleton Local Environmental Plan (SLEP) 2013* to rezone part of Lot 8 DP 251429 being 8A Edinburgh Avenue Singleton from E2 Private Recreation to R1 General Residential. This would enable future subdivision of the land to create two additional residential lots for residential purposes consistent with the R1 General Residential zone.

## **PART 2 – EXPLANATION OF THE PROVISIONS**

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

<b>Item no.</b>	<b>Explanation of provisions</b>
1	<ul style="list-style-type: none"><li>Amend Land Zone Map Sheet LZN-15A from RE2 Private Recreation for part of Lot 8 in DP 251429 and identify the land as being zoned R1 General Residential as shown in Part 3.4 MAP A.</li></ul>
2	<ul style="list-style-type: none"><li>Amend Heritage Item map to remove area nominated for rezoning from heritage listing</li></ul>

## **PART 3 – JUSTIFICATION OF THE PROVISIONS**

### **SECTION A: NEED FOR THE PLANNING PROPOSAL**

#### ***1. Is the planning proposal a result of an endorsed local strategic planning statement, strategic study or report?***

The planning proposal is not a result of an endorsed local strategic planning statement, strategic study or report. The proposal has been prepared to achieve additional residential land within the Singleton town centre while preserving the heritage values of the heritage item on the site.

The subject site is located at 8A Edinburgh Avenue, Singleton and is currently zoned RE2 Private Recreation. The part of the site subject to this proposal is vacant flat land (currently unused grass tennis courts) with direct road frontage to Orchard Avenue.

The planning proposal will result in an increase in residentially zoned land within the Singleton town centre which is in line with the principles of urban infill development and consistent with the objectives of Section 6.3 Of the endorsed Singleton Land Use Strategy 2008.



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

The amendments to the Singleton LEP 2013 as described in this planning proposal are considered to be the best means of achieving the overall objectives as described in Part 1 of the planning proposal. However, in arriving at this conclusion the following approaches were considered:

**Option 1:** Rezone part of Lot 8 DP 251429 from RE2 Private Recreation zone to R1 General Residential zone and amend the Heritage item map to remove the rezoned portion from heritage item significance. This will allow for subdivision to create 2 residential lots within the Singleton town centre in close proximity to services.

**Option 2:** The subdivision of the land under the current provisions of the Singleton LEP 2013 is permissible with consent, however, residential accommodation is not permitted within the RE2 Private Recreation zone. Consideration has been given to whether there are provisions within the Singleton LEP 2013 that could override the prohibition of residential accommodation on site.

**Option 3:** Not to proceed with the planning proposal and notify the proponent accordingly. The site would remain zoned RE2 Private Recreation and the Tennis Club would not be able to subdivide and sell the land for residential accommodation. This may result in the Tennis Club needing to sell the lot which may have social impacts to the community with the loss of a community hub for rural members that has existed for over 80 years. This outcome would not provide for an additional opportunity for low impact residential development within the centre of Singleton close to schools, parks, shops and other services.

This planning proposal identifies Option 1 as the best means of achieving the objectives of the proposal.

## **SECTION B: RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK**

**1. *Will the planning proposal give effect to the objectives and actions of the applicable regional or district plan or strategy (including exhibited draft plans or strategies)?***

Hunter Regional Plan (HRP) 2036

The Hunter Regional Plan (HRP) 2036 is the NSW Government's plan to guide land use planning priorities over the next 20 years. The plan identifies regionally important natural resources, transport networks and social infrastructure and provides a framework to guide more detailed land use plans, development proposals and infrastructure funding decisions. The plan includes overarching directions, goals and actions as well as specific priorities for each local government area in the Hunter region.

The planning proposal is consistent with Direction 19 of the HRP which seeks to identify and protect the region's heritage. The planning proposal will enable residential use of part of the site considered to be land excess to the Tennis Club requirements.

The planning proposal is also consistent with Direction 20 of the HRP which seeks to revitalise existing communities. The plan notes that concentrating development in existing areas will revitalise communities and can reinforce and enhance the sense of community and belonging. As the population grows there is potential to provide more social infrastructure, including health, education, community facilities and public transport, as well as opportunities to enhance open spaces, civic squares and other gathering places. The planning proposal will facilitate the creation of two additional residential lots within the established town centre of Singleton which is consistent with this direction.

The planning proposal is consistent with Direction 21 of the HRP which seeks to create compact settlements. The plan notes that focusing development in locations with established services and infrastructure increases the appeal of these places for new residents. The plan also notes that small scale renewal can be achieved across urban areas through single-lot redevelopment. The planning proposal is consistent with this direction as it will provide small scale housing opportunities in an established urban area which maximises the use of existing infrastructure.

***2. Will the planning proposal give effect to a council's endorsed local strategic planning statement, or another endorsed local strategy or strategic plan?***

**Singleton Local Strategic Planning Statement 2041**

- Planning priority 2.1 – *Places are well planned and maximise access to infrastructure and services*

The proposal seeks to rezone land within the Singleton existing urban area, close to shops, services and other facilities. The planning proposal demonstrates that the proposal is economically feasible as all required services are existing and available in the area.

- Planning priority 2.2 – *the significance of heritage and cultural identity is embraced*

The planning proposal seeks to maintain the heritage item on the lot. The heritage report demonstrates that the surplus land could be rezoned without negative impact to the curtilage of the heritage item, generating additional revenue for the maintenance of the item.

- Planning priority 2.3 – *the housing stock is high-quality, affordable and provides for a range of accommodation choices*

This planning proposal would allow for a small amount of infill development better utilising the existing urban land and available services.

**Singleton Land Use Strategy (SLUS) 2008**

- Section 6.3

As a potential urban infill development site, the proposal is consistent with Section 6.3 of the SLUS 2008 which supports urban infill development subject to an appropriate planning framework. The site could be developed in compliance with the existing Singleton LEP and Development Control Plan controls relating to residential development and would result in housing compatible with the character of the surrounding area.

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

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

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**SEPP 55 Remediation of Land**

This SEPP applies to land across NSW and states that land must not be developed if it is unsuitable for a proposed use because of contamination.

The previous use of the land has been limited to recreation associated with the Tennis Club and it is unlikely to contain any contaminants.

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**4. *Is the planning proposal consistent with applicable s9.1 Ministerial Directions?***

*Appendix B* contains an assessment of consistency with applicable s9.1 Ministerial Directions. Directions relevant to this proposal are discussed in more detail below:

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**2.3 Heritage Conservation**

The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.

As discussed in Section A, the site is listed as a local heritage item under Singleton LEP 2013. The purpose of the planning proposal is to facilitate the rezoning of part of the lot to R1 General Residential to allow for potential future subdivision and residential use for. The rezoning and future subdivision and redevelopment of the subject site could be undertaken without adversely impacting the heritage significance of the historic building or its setting. The proposed rezoning of part of the lot from RE2 Private Recreation to R1 General Residential is consistent with Direction 2.3 as it will enable the Tennis Club to fund urgent maintenance to the heritage listed building and establish a fund for future maintenance works to the buildings and grounds. This would satisfy Section 4 a of the Direction in that the proposed rezoning would facilitate the conservation of the existing heritage item through funds raised.

The HIS has been prepared to assess the impact of the subdivision of the land and residential use and is supportive. Support for the proposal will ensure the Tennis Club remains operational and is able to provide the important social connections for members and maintenance to the heritage buildings and grounds. This is consistent with the approach adopted over previous years where land has been subdivided from the original holding to self-fund the operation of the Tennis Club. The planning proposal is considered to be consistent with the intent of this direction.

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### 3.1 Residential Zones

The objectives of this direction are:

- Encouraging a variety and choice of housing types to provide for existing and future housing needs,
- Make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and
- Minimise the impact of residential development on the environment and resource lands.

The proposal seeks to rezone the land to R1 General Residential. The planning proposal is consistent with the infill urban development objectives of the SLUS 2008 which is adopted by Singleton Council and endorsed by DPIE. The area of land is excess to the Tennis Club needs and is located within the established town centre and will make efficient use of the land. The existing site is connected to all services (water, sewer, stormwater, electricity, telecommunications) and these can be extended to service the residential portion of the site and any future lots. Support for the proposal will increase the diversity of housing options and provide contestability in the market. The planning proposal is consistent with this direction.

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### 3.4 Integrating Land Use and Transport

The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the sustainable transport objectives.

The site is located within the town centre of Singleton and is well placed to be serviced by existing facilities. The site will generate traffic once developed however; the existing constructed public roads will be more than capable of accommodating the traffic. The planning proposal is consistent with this direction.

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### 4.3 Flood Prone Land

The objectives of this direction are to ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005, and that the provisions of an LEP on flood prone land are commensurate with flood hazard and include consideration of the potential flood impacts both on and off the subject land.

The site is located within the town centre of Singleton which has a minimum floor height restriction for residential housing to ensure new development is adequately protected from flooding impacts. The minimum floor height for the site is RL41.2 AHD as detailed on the Flood Height restriction map under clause 7.3 of the Singleton LEP 2013 (included **Figure 1**). The rezoning of the land and potential future residential use will not result in a significant increase in flooding impacts to other properties. The future residential use and development of the land could be undertaken in full compliance with current requirements in relation to flooding. Any inconsistency with this Direction is considered to be of minor significance.

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# Floor Height Restriction Map



50.9 0 25.46 50.9 Meters

Date: 03-Nov-2020  
Projection: GDA\_1994\_MGA\_Zone\_56

**DISCLAIMER:**

While every care is taken to ensure the accuracy of this data, Singleton Council makes no representations or warranties about its accuracy, reliability, completeness or suitability for any particular purpose, and also disclaims all responsibility and all liability (including without limitation, liability in negligence) for any expenses, losses, damages (which includes consequential damage) and costs which you might incur as a result of data being inaccurate or incomplete for any reason. Any resale of this data is strictly prohibited.

Figure 1 Floor Height Restriction Map of Site

## 5.10 Implementation of Regional Plans

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The objective of this direction is to give legal effect to the vision, land use strategy, goals, directions and actions contained in regional strategies.

The planning proposal is affected by this direction as the Hunter Regional Environmental Plan 2036 applies. Consideration has been given to the application of the HRP 2036 under Section **B** of this report.

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## **SECTION C: ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACT**

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

The site is located within the established town centre of Singleton and the area of land has historically been used as a grass tennis court (now disused). There is no critical habitat or threatened species, populations or ecological communities or their habitats that will be adversely affected as a result of the proposal.

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

#### **Flooding**

The site is located within the town centre of Singleton which is within a flood planning area and is subject to a floor height restriction under Clause 7.3 of the LEP 2013. The site requires a minimum floor height of RL41.2 AHD which represents a height of approximately 1.5 metres above natural ground level.

Future development would need to be designed in accordance with Clause 7.3 (1) or (2) which is consistent with all new dwellings constructed within the town centre. The existing controls are sufficient to ensure appropriate protections are in place to address any flooding impacts on and off site.

#### **Aboriginal Cultural Heritage**

The site has been used for recreational purposes for many decades and it is considered unlikely that there would be significant archaeological deposits on the land. A search of the Aboriginal Heritage Information Management System (AHIMS) has been undertaken with the results included in **Appendix E**. No items are registered on the allotment.

#### **Land Use Conflict**

The land surrounding the site is zoned R1 General Residential and contains low density housing which would be compatible with the proposed future use of the site. There is no land use in the vicinity of the site that would conflict with the proposed R1 General Residential zone. It is noted that the Tennis Club has coexisted with neighbouring dwellings since 1939 and there is no evidence of land use conflict between the neighbouring uses.

#### **Traffic Access and Transport**

The site currently has vehicle access from Edinburgh Avenue for the Tennis Club. The area of land the subject of this planning proposal has frontage to Orchard Avenue and direct vehicle access will be provided from this road to any future residential lots. The addition of two allotments with access to Orchard Avenue will not have any significant impact on traffic or transport needs in the local area. There are no impediments to the planning proposal on traffic and access grounds.

### **Infrastructure**

Existing services supplied to the site include reticulated sewer, reticulated water, stormwater, electricity and telecommunications. All services can be extended to any new residential lots. The site is serviced by Council garbage collection and any additional lots can also be serviced by this arrangement. Given the small scale of potential development provided by the proposal, all infrastructure and associated services could be adequately supplied to the site at the owner's expense. Any future development would also be subject to individual development applications and Singleton Council LEP and DCP provisions.

### **Visual Amenity**

Overall character associated with the site and surrounds is low density residential. As potential lot yield from the planning proposal is low (i.e. two additional lots), any future development of the site has the capacity to be designed to contribute positively to the residential context, with the building setbacks and design consistent with the established character of the area. Singleton DCP provisions require that any future development of the site achieves good design outcomes to ensure views and visual amenity is preserved and this will be applied through the development assessment process for any future dwelling proposal.

The site is unlikely to be affected by other environmental effects, however further assessments may be undertaken as required to respond to issues raised in the assessment of the planning proposal.

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

There will be positive social and economic effect for the Singleton community stemming from the Planning Proposal through the rezoning and consequential redevelopment of part of the site. The change of zoning and subsequent development will result in much needed funds being available to the Tennis Club which will be used to ensure this not for profit private organisation is able to continue and undertake ongoing maintenance of the heritage listed club house and grounds. This benefits the Tennis Club members, many of whom are farmers located in the rural areas of the Singleton Local government Area and use this Club as a connection point for social interaction with other farmers and members of the wider Singleton community. This social connection is extremely important in the recent years of extreme drought where rural landholders are under financial strain and emotional stress. The Tennis Club has offered rural members of the Singleton community a place to connect since its inception in 1939 and continues to do so even in these modern times. There are also benefits to those in Singleton that are not member of the Tennis Club through the protection and ongoing maintenance of the historic building and grounds. It is noted that the Tennis Club is a not for profit club which is operated for its members, however it does provide in kind support to a number of charities and community groups through use of the venue and grounds for

fundraising events so the continued operation of the Tennis Club benefits the wider Singleton community. Any future development of the land will also generate construction work for local contractors which will increase investment in the local community.

## **SECTION D: STATE AND COMMONWEALTH INTERESTS**

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

#### **Local and State road network**

The site is accessed by an existing local road network. The site will have direct connection to Orchard Avenue which is a sealed two way road in excellent condition. Orchard Avenue connects to the New England Highway to the north which is a major State road connecting towns to the north and south of Singleton. The potential future lots would each support a dwelling which are low traffic generating uses and further consideration on traffic assessment would be required during the development assessment phase should the proposal be approved.

#### **Electricity Supply**

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

#### **Gas Supply**

Gas supply is available to the site.

#### **Telecommunications, including national broadband**

Telecommunications is provided to the site. Supply could be provided to any future lots created by the rezoning and subsequent development of the site at the owner's expense.

#### **Reticulated Water**

The site is serviced by reticulated water supplies and any future lots would be required to connect to this supply. Any future development of the site would also need to ensure that adequate rainwater storage tanks are provided in accordance with the Singleton DCP requirements.

#### **Sewer**

The site is serviced by reticulated sewer and any future lots would be required to connect to this service subject to Council requirements.

#### **Waste management**

Singleton Council provides kerbside waste bin collection to the Singleton township. Any future development of the site would have access to waste management services at the individual owner's expense.



## Health, education and other public services

Health, education and public services are all located within close proximity of the site including Singleton High School, King Street Primary School, TAFE and Singleton District Hospital. All related services are easily accessible to existing and future residents of the site.

## Emergency Services

The site is located within the Singleton township. Police, Ambulance, Fire and State Emergency Services (SES) are within close proximity of the site and can provide good response if required.

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

Consultation with relevant State and Commonwealth Agencies will be undertaken following a Gateway Determination. It is anticipated the following agencies may be consulted with during the consultation period regarding the proposal:

- NSW State Emergency Services
- Heritage NSW

## PART 4 – MAPPING

Part 2 of this planning proposal describes the effect of the proposal in terms of LEP mapping. Maps showing the site context and proposed LEP map changes are contained in *Appendix C*.

To achieve the intent of the planning proposal, it is proposed to amend the following LEP maps:

Map Sheet	Map Identification Number
Land Zoning Map Sheet LZN_015A	7000_COM_LZN_015A_080_20141002
Heritage Conservation Map Sheet	7000_COM_HER_015A_080_20190320

## PART 5 – COMMUNITY CONSULTATION

The Gateway Determination will specify the community consultation that must be undertaken for the planning proposal and any referrals required.

Community consultation will be undertaken in accordance with the Department's "A Guide to Preparing Local Environmental Plans" and Singleton Council's Community Participation Plan (CPP) (adopted November 2019). The CPP states that the following consultation may be undertaken for a Planning Proposal to amend the Local Environmental Plan:

- Public Exhibition for 28 days (unless otherwise specified by the Gateway Determination)
- Written notification to owners of adjoining and adjacent allotments
- Notice in the local papers

- Planning Proposal and relevant documents to be made available on Council’s website and;
- A community workshop may be held at Council’s discretion.

## PART 6 – PROJECT TIMELINE

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

Task	Timeline
Anticipated commencement date (date of Gateway determination)	13/11/2020
Anticipated timeframe for the completion of required technical information	2-6 Weeks
Timeframe for government agency consultation (pre and post exhibition as required by Gateway determination)	To be specified in the Gateway Determination. Typically public authority referral response timeframes include a minimum of 28 days.
Commencement and completion dates for public exhibition period	To be specified in the Gateway Determination. The exhibition period is typically 28 days.
Timeframe for consideration of submissions	3 weeks.
Timeframe for the consideration of a proposal post exhibition	4 weeks
Date of submission to the Department to finalise the LEP	30/06/2021
Anticipated date RPA will make the plan (if delegated)	6-8 weeks
Anticipated date RPA will forward to the Department for notification.	1-2 weeks

## CONCLUSION AND RECOMMENDATION

The planning proposal is consistent with Council’s Singleton Land Use Strategy 2008 aiming to provide urban infill development. The detailed heritage investigations undertaken for this planning proposal demonstrate that the land subject to this application is suitable for rezoning to R1 General Residential.

The planning proposal aims to rezone part of Lot 8 DP 251429 No. 8A Edinburgh Avenue Singleton from RE2 Private Recreation to R1 General Residential under the Singleton LEP 2013, to facilitate potential future development for low density residential housing purposes.

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: 1.0) has been reviewed by Sarah Hyatt, Coordinator Planning and Development Services and deemed suitable for the purposes of lodgement with the Gateway Panel.

<b>A Tinlin</b>		<b>Sarah Hyatt</b>
Strategic :Land Use Planner		Coordinator Planning and Development Services

## APPENDIX:

### ANNEX A - Planning proposal assessment against State Environmental Planning Policies (SEPP's)

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

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

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

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

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



<b>SEPP</b>	<b>Overview</b>	<b>Applicable</b>	<b>Consistency</b>
SEPP (Integration and Repeals) 2016	Repeals certain Regional Environmental Plans and State Environmental Planning Policies.	N/A	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.
SEPP (Kosciuszko National Park—Alpine Resorts) 2007	Provides for the protection and enhancement of alpine resorts in that part of the Kosciuszko National Park identified on the technical map series for the SEPP.	N/A	The LEP amendment proposal does not relate to land identified on the technical map series for the SEPP.  Consistency with the SEPP is not relevant to the proposal.
SEPP (Kurnell Peninsula) 1989	Through application of appropriate development controls, provides for the protection of the natural environment of the Kurnell Peninsula (within the Shire of Sutherland) as identified on the technical map series for the SEPP.	N/A	The LEP amendment proposal does not relate to land identified on the technical map series for the SEPP.  Consistency with the SEPP is not relevant to the proposal.
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	Provides for the proper management and development of mineral, petroleum and extractive material resources for the social and economic welfare of the State.	N/A	The LEP amendment proposal does not relate to an extractive industry proposal.  Consistency with the SEPP is not relevant to the proposal.
SEPP (Miscellaneous Consent Provisions) 2007	Contains miscellaneous provisions relating to matters such as the subdivision of land, the erection of a building, the demolition of a building and the erection of temporary structures.	N/A	The LEP amendment proposal does not affect implementation of the Miscellaneous Consent Provisions SEPP.  Consistency with the SEPP is not relevant to the proposal.

<b>SEPP</b>	<b>Overview</b>	<b>Applicable</b>	<b>Consistency</b>
SEPP (Penrith Lakes Scheme) 1989	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).	N/A	The LEP amendment proposal does not relate to land identified on the technical map series for the SEPP.  Consistency with the SEPP is not relevant to the proposal.
SEPP (Rural Lands) 2008	Contains rural planning principles and rural subdivision principles, which must be taken into consideration before developing rural land. Provides for rural land to be subdivided below the minimum lot size for subdivision for the purpose of primary production.	N/A	The LEP amendment proposal does not relate to land within an existing or proposed rural or environment protection zone.  Consistency with the SEPP is not relevant to the proposal.
SEPP (State and Regional Development) 2011	Confers functions on joint regional planning panels to determine development applications for relevant State Significant Development, State Significant Infrastructure and Critical State Significant Infrastructure.	N/A	The LEP amendment proposal does not relate to functions conferred on joint regional planning panels.  Consistency with the SEPP is not relevant to the proposal.
SEPP (State Significant Precincts) 2005	Facilitates the development, redevelopment and protection of important urban, coastal and regional sites of economic, environmental or social significance to the State, so as to facilitate the orderly use, development or conservation of those State significant precincts for the benefit of the State.	N/A	The LEP amendment proposal does not relate to land within an existing or proposed State significant precinct.  Consistency with the SEPP is not relevant to the proposal.
SEPP (Sydney Drinking Water Catchment) 2011	Through application of appropriate assessment and approval provision, provides for the protection of the Sydney	N/A	The LEP amendment proposal does not relate to land identified on the technical map series for the SEPP.

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

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

## ANNEX B - Planning proposal assessment against section 117(2) Ministerial Directions

Ministerial Direction	Overview	Applicable	Consistency
<b>1. Employment and Resources</b>			
1.1	Business and Industrial Zones	N/A	<p>The LEP amendment proposal does not relate to land within an existing or proposed business or industrial zone.</p> <p>Consistency with the direction is not relevant to the proposal.</p>
1.2	Rural Zones	N/A	<p>The LEP amendment proposal does not relate to rural zoned land.</p> <p>Consistency with the direction is not relevant to the proposal.</p>
1.3	Mining, Petroleum Production and Extractive Industries	N/A	<p>The LEP amendment proposal does not seek to implement provisions that would prohibit or restrict the potential development/mining of coal, mineral or petroleum resources or other extractive materials of State/regional significance.</p> <p>Consistency with the direction is not relevant to the proposal.</p>

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

Ministerial Direction	Overview	Applicable	Consistency
	Environment (or nominated delegate)..		
2.2	Coastal Protection	N/A	<p>The LEP amendment proposal does not relate to land within a coastal zone.</p> <p>Consistency with the direction is not relevant to the proposal.</p>
2.3	Heritage Conservation	Yes	<p>The site contains a listed heritage item under the provisions of the Singleton Local Environmental Plan 2013.</p> <p>The information lodged for the proposal demonstrates consistency with the direction.</p>
2.4	Recreation Vehicle Areas	N/A	<p>The LEP amendment proposal does not seek to enable land to be developed for the purposes of a recreational vehicle area.</p> <p>Consistency with the direction is not relevant to the proposal.</p>
2.5	Application of E2 and E3 Zones and	N/A	The LEP amendment proposal does not relate to land within the local

Ministerial Direction	Overview	Applicable	Consistency
Environmental Overlays in Far North Coast LEPs	Ballina, Byron, Kyogle, Lismore and Tweed. Requires planning proposals that seek to introduce or alter an E2 or E3 zone into a relevant LEP to be consistent with the Northern Councils E Zone Review Final Recommendations, except where considered to be of minor significance in the opinion of the Secretary of the NSW Department of Planning and Environment (or nominated delegate).		government areas of Ballina, Byron, Kyogle, Lismore or Tweed.  Consistency with the direction is not relevant to the proposal.

### 3. Housing, Infrastructure and Urban Development

3.1 Residential Zones	Applies to planning proposals affecting existing or proposed residential zoned land or other zoned land upon, which significant residential development is or will be permitted. Requires relevant planning proposals to include provisions that encourage housing development, ensures satisfactory arrangements for servicing infrastructure and will not reduce the permissible residential density of land; unless it is suitably justified under a relevant strategy or study or is of minor significance in the opinion of the Secretary of the NSW Department of Planning and Environment (or nominated delegate).	Yes	The LEP amendment proposal relates to land within a proposed residential zone.  The information lodged for the proposal demonstrates consistency with the direction.
3.2 Caravan Parks and Manufactured Home Estates	Applies to planning proposals that seek to identify suitable zones and/or locations and/or provisions for caravan parks or manufactured home estates (excludes certain land reserved or dedicated under the Crown Lands Act 1989 National Parks and Wildlife Act 1974). Provides for a variety of housing types and	N/A	The LEP amendment proposal does not seek to identify suitable zones and/or locations and/or provisions for caravan parks or manufactured home estates.  Consistency with the direction is not relevant to the proposal.



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

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

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

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

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

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

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

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



## **ANNEX C - EXPLANATORY MAPS**



# SINGLETON COUNCIL

Lot 8 DP 251429 -  
Current Land Zoning

### Legend



Site

### Land Zoning Map

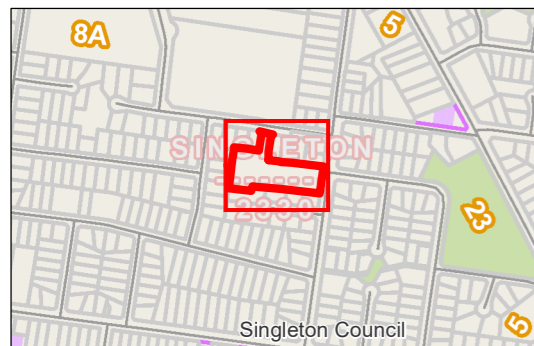
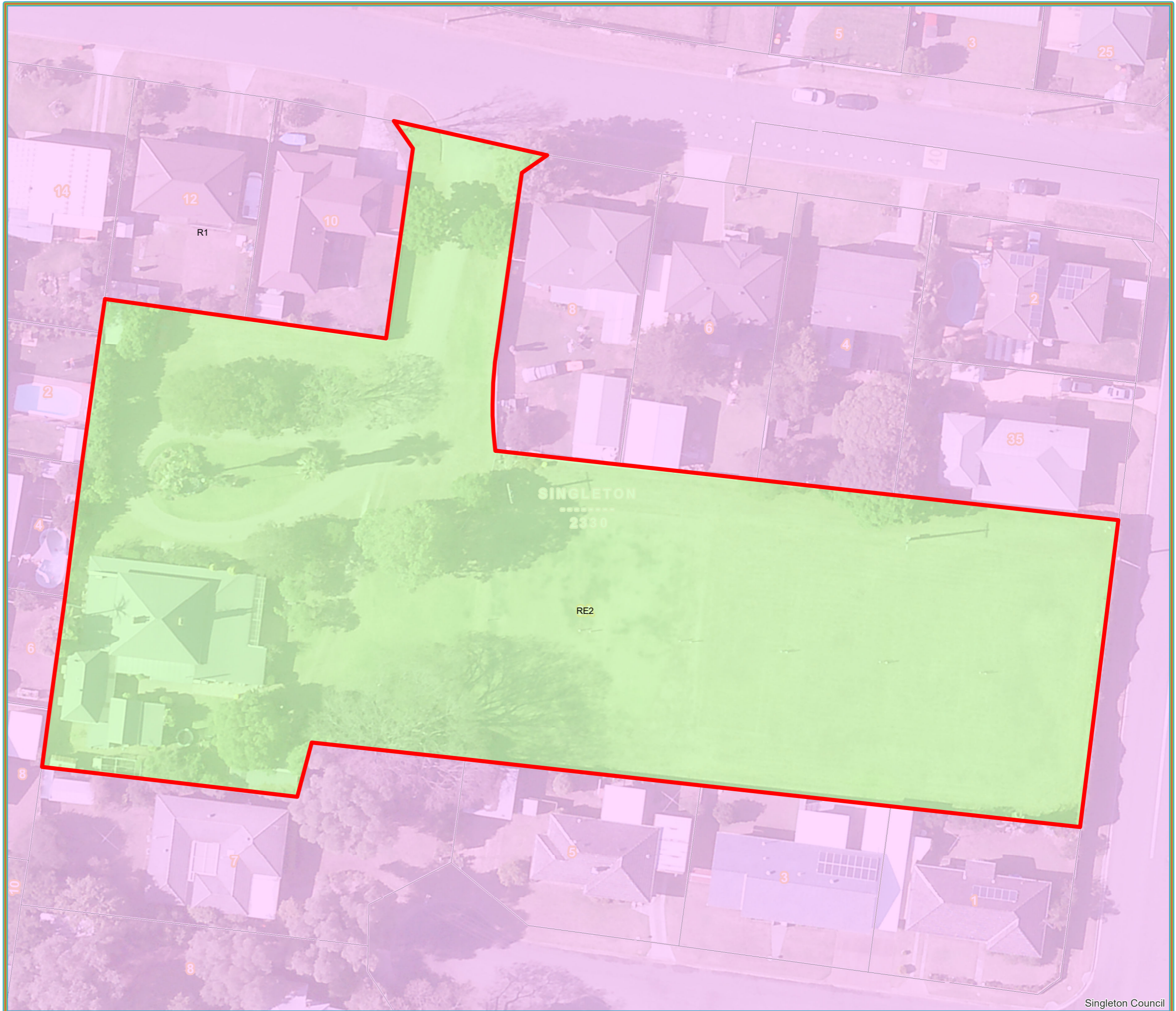
#### ZONE



R1 General Residential



RE2 Private Recreation



Scale: 1:10,000 @ A3

Projection: GDA 1994  
MGA Zone 56

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Author:  
Document Created By: mtrappel 5/11/2020 12:51:11 PM





# SINGLETON COUNCIL

Lot 8 DP 251429 -  
Proposed Land Zoning

### Legend



Site

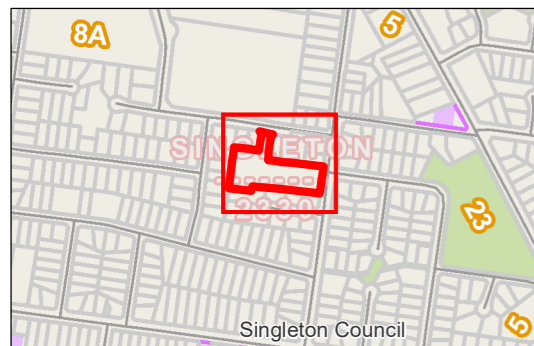
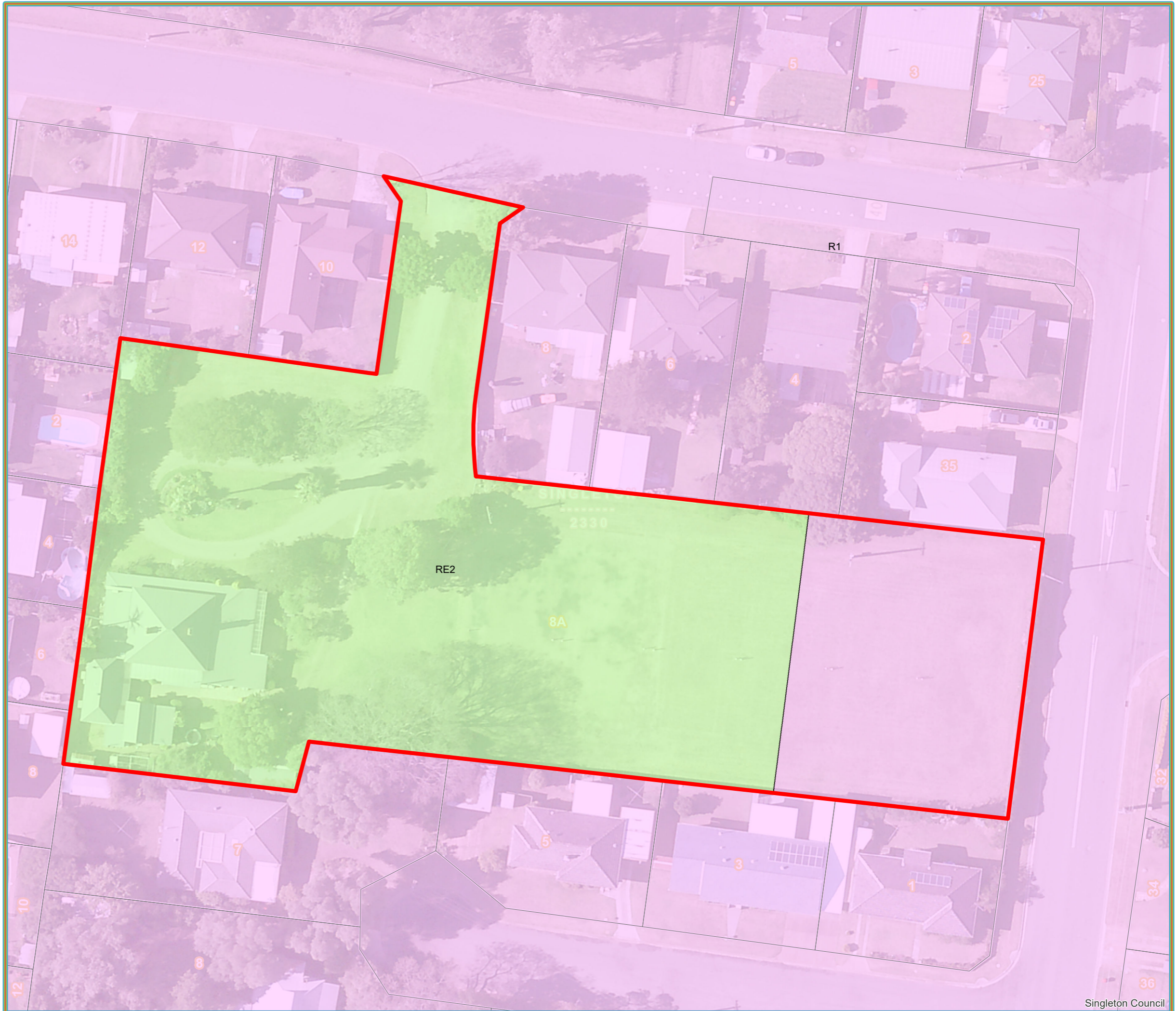
### ZONE



R1 General Residential



RE2 Private Recreation



Scale: 1:10,000 @ A3

Projection: GDA 1994  
MGA Zone 56

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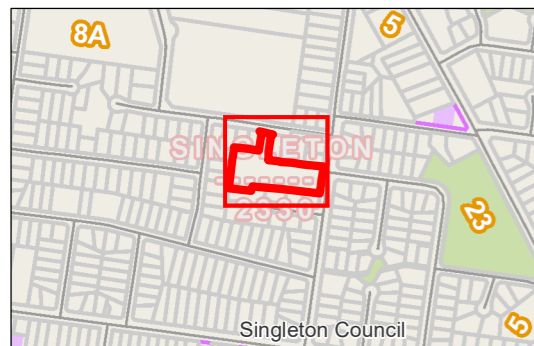
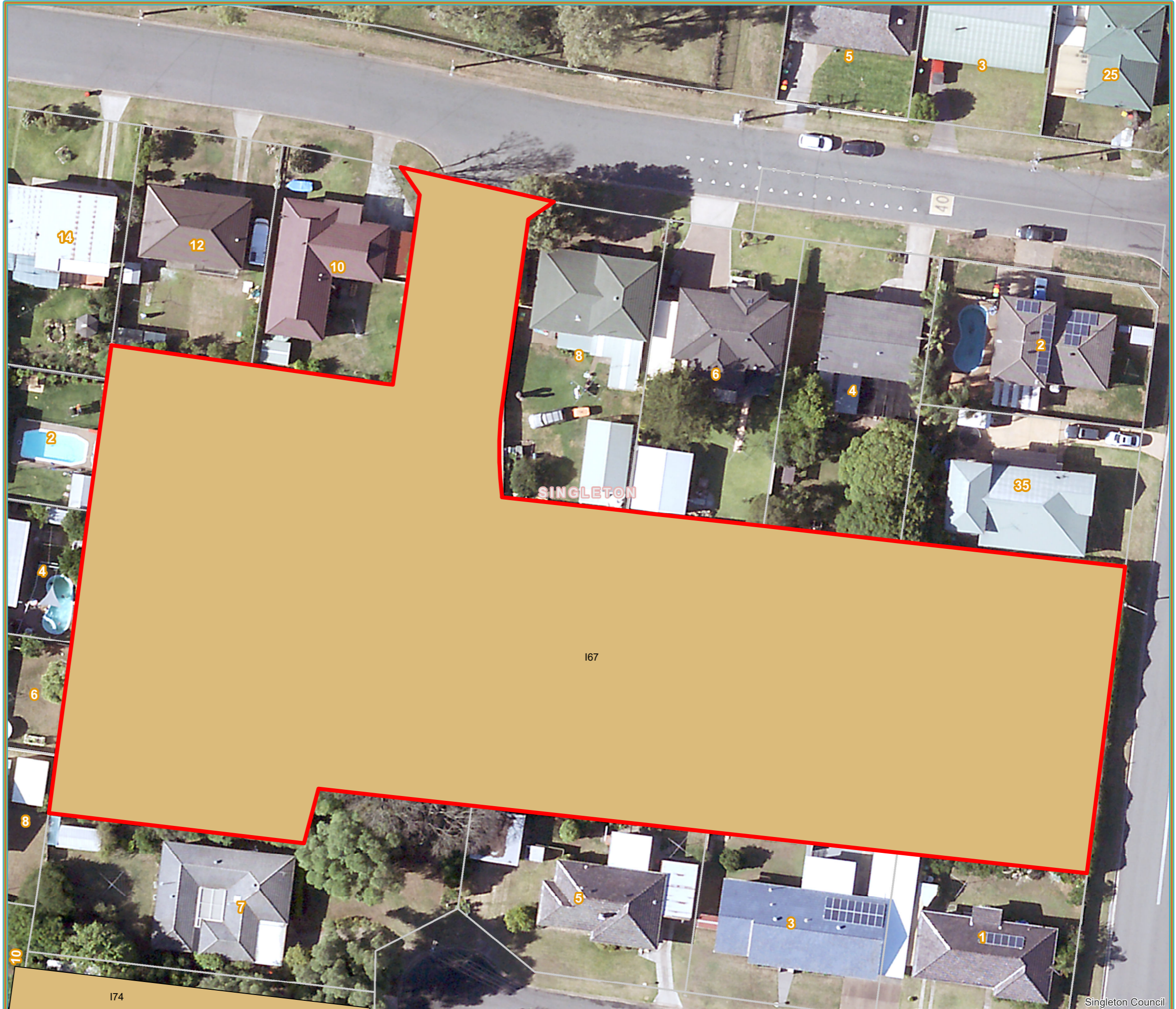


# SINGLETON COUNCIL

Lot 8 DP 251429 -  
Current Heritage Map

### Legend

- Site
- Item - General



Scale: 1:10,000 @ A3

Projection: GDA 1994  
MGA Zone 56

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Author:  
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Singleton Council



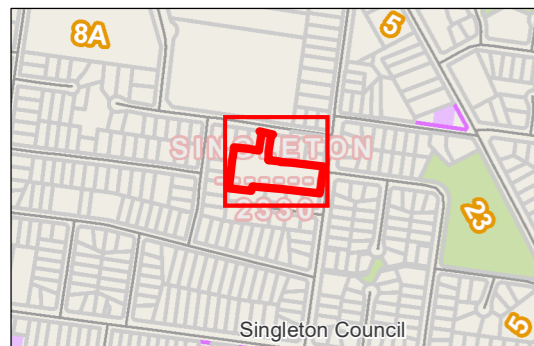
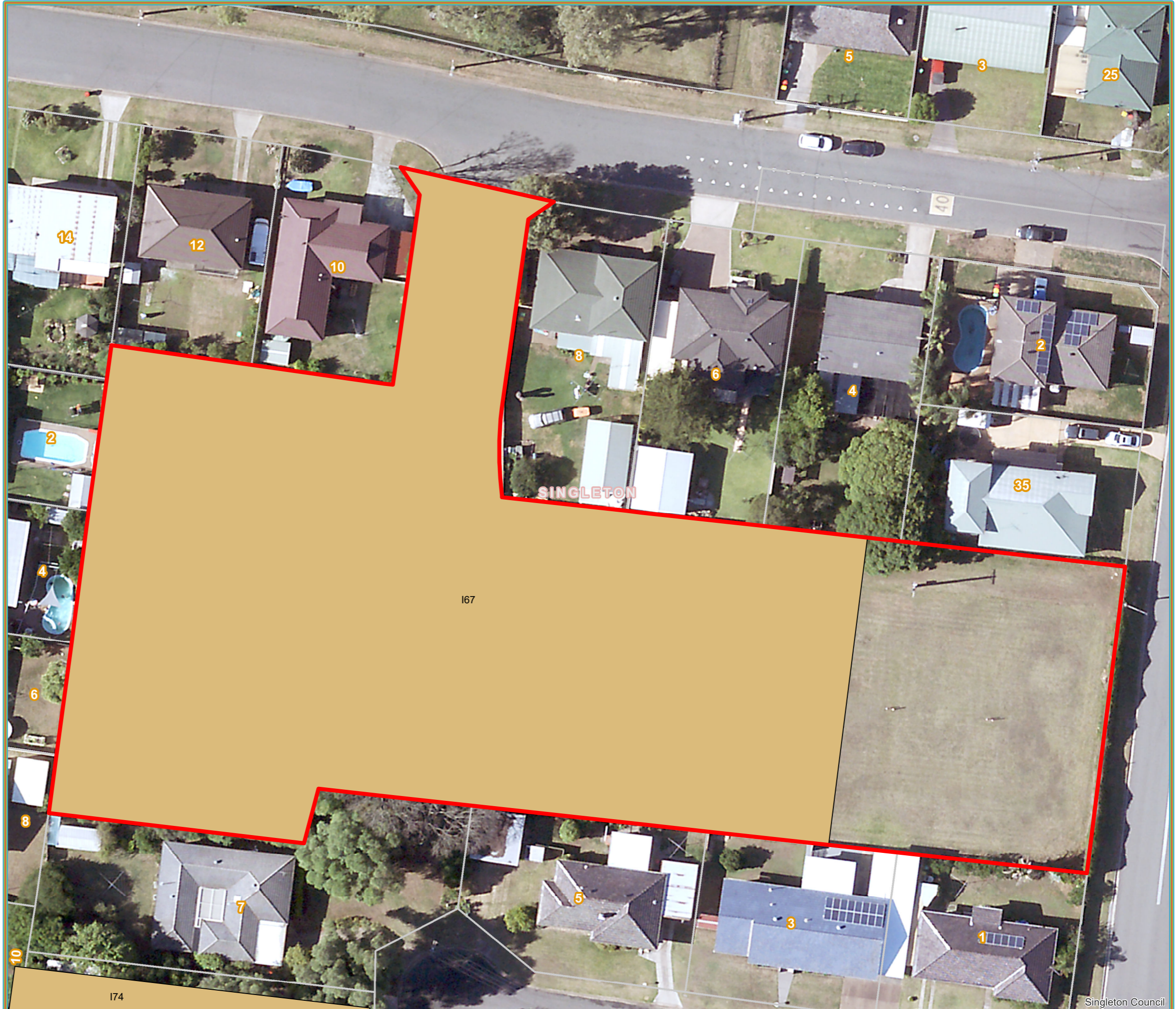


# SINGLETON COUNCIL

Lot 8 DP 251429 - Proposed Heritage Map

### Legend

- Site
- Item - General



Scale: 1:10,000 @ A3

Projection: GDA 1994  
MGA Zone 56

Document Name: DP 251429 Proposed Heritage  
Author:  
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## **ANNEX D - COMMUNICATIONS PLAN**

# 8A Edinburgh Avenue Planning Proposal Communication Plan

Name of Draft Local Environmental Plan (LEP)	Singleton Local Environmental Plan (SLEP) 2013 – 208B Roughit Lane Rezoning planning Proposal
Subject Land	8A Edinburgh Avenue, Singleton
Land Owner(s)	Country Tennis Club
Applicant	Singleton Council
Council File Reference	55.2020.1
NSW Department of Planning & Environment (DP&E) Reference	To be determined
Date	

## Project Overview

The objective of this planning proposal is to amend the *Singleton Local Environmental Plan 2013* to:

- Rezone part of the lot from RE2 Private Recreation to R1 General Residential; and
- Remove the heritage listing from the portion of the site to be rezoned.

## Background

On 17 April 2020, the application for this planning proposal was lodged. The amendment would enable future subdivision of the rezoned portion of the land to create two additional residential lots for residential purposes consistent with the R1 General Residential zone.

## Plan Objectives

The purpose of this communication plan is to:

- Undertake evidence based consultation with stakeholders;
- Engage and involve stakeholders in the development process for the proposed amendment to the SLEP 2013 (planning proposal); and
- Inform stakeholders of the process followed in the preparation of the planning proposal for the proposed rezoning and minimum lot size amendment”.

## Key Messages

The planning proposal seeks to rezone part of the lot from RE2 Private Recreation to R1 General Residential in the *Singleton Local Environmental Plan 2013* (SLEP 2013). This amendment will allow for subdivision of the rezoned portion of the site and allow a for additional infill housing in the Singleton LGA. The amendment will also remove the heritage listing from the portion of the site to be rezoned.

## Milestones and Key Dates

- NSW Department of Planning and Environment review of Planning Proposal - November 2020-January 2021;
- Public authority consultation - March -April 2021;
- Planning proposal updated in consideration of any recommendations made by the NSW Department of Planning and Environment April-to May 2021;
- Pre-exhibition Council Report – May 2021;
- Commencement and completion dates for public exhibition period –May 2021- June 2021;
- Timeframe for consideration of submissions – One month;
- Submissions report – July 2021;
- Anticipated date that Council will make the plan – October 2021;
- Anticipated date that Council will forward to the Department of Planning, Infrastructure and Environment for notification – October 2021.

\*please note that these dates are approximate dates

## Key Stakeholders

- Singleton Council – (Councillors and Internal Staff);
- Singleton Community;
- NSW Department of Planning and Environment;
- Public Authorities;



## Communication Tool

Communication tool	Tasks
<i>Letter Notification</i>	<ul style="list-style-type: none"><li>• Letters will be sent to the relevant property owners</li></ul>
<i>Social media</i>	<ul style="list-style-type: none"><li>• Facebook and Twitter were used to notify persons of the initial consultation phase for the Bulga planning proposal.</li></ul>
<i>Newspaper advertisements</i>	<ul style="list-style-type: none"><li>• Advertisement in the Singleton Argus on <b>XXXXX</b>.</li><li>• Advertisement in the Hunter Valley News <b>XXXXX</b>.</li></ul>
<i>Councillor briefings</i>	<ul style="list-style-type: none"><li>• To be advised</li></ul>

## **ANNEX E - SUPPORTING INFORMATION**

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# Country Tennis Club Singleton

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## Heritage Impact Statement

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Report prepared by Dr Mark Dunn  
for Country Tennis Club  
April 2020

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## **1.0 Introduction**

### **1.1 Background and Study Area**

The Country Tennis Club, Singleton commissioned Dr Mark Dunn to prepare a Heritage Impact Statement for the proposed rezoning from RE2 Private Recreation to R1 General Residential and future subdivision of part of the block of land on which the tennis club and its associated tennis courts are located. The rezoning and subsequent subdivision would create two residential blocks fronting Orchard Avenue.

The site is located at 8a Edinburgh Avenue, Singleton, [DP 251429] with frontage to Orchard Avenue. The site equals 7534m<sup>2</sup> (.75ha) and consists of the club house (c1878), six tennis courts, outbuildings, gardens and car parking area.

The Tennis Club is listed as a local heritage item in the Singleton Council Local Environmental Plan 2013 (Item 67). It is not located within a Conservation Area.

### **1.2 Methodology**

The methodology used in this report is consistent with the principles and guidelines of *The Burra Charter: The Australia ICOMOS Charter of the Conservation of Places of Cultural Significance 1999*, and has been undertaken in accordance with the assessment criteria prepared by the NSW Heritage Office as set out in the manual, *Assessing Heritage Significance*.

### **1.3 Authorship**

This report has been completed by Dr Mark Dunn, historian. Mark Dunn is a professional historian with 25 years' experience in heritage, archaeology and interpretation of heritage sites. He was a member of the Heritage Council of NSW (2012-2018) and is currently a sitting member of the State Heritage Register Committee (2012-2019). He is a member of the Professional Historians Association (NSW), which is registered on the Office of Environment and Heritage Register of Heritage Consultants.

### **1.4 Limitations**

The report is focussed on the impact of the rezoning and subdivision on the identified European heritage of the site and does not offer any Indigenous heritage advice.

## 2.0 Historical Overview

### 2.1 Wonona house

Wonona House was built in 1878 by William Ash, auctioneer of Singleton. The house was described in a sale notice in July 1878 as newly erected, handsome and highly finished villa residence of brick and cement, containing four lofty rooms, wide hall and verandah. A collection of outbuildings including a separate brick kitchen, servant's rooms, store room, cemented wine cellar, coach-house, stable and hay shed and man's room were also on the block. The site included a small orangery, fruit orchard, flower gardens and lawn areas. Adjacent to Flowerbank, also owned by William Ash, and close to both Pelerin and Townhead, Wonona was advertised as suitable for a gentleman and his family, offering a rural residence on the edge of the town, but still convenient to the railway.<sup>1</sup> The house stood on three acres of land.

Wonona was purchased by Arthur Grainger, son of local businessman John Grainger. Arthur joined his father's business, which included the Singleton Tweed Factory. Grainger & Sons operated a farmers market, produce stores and other rural enterprises. In March 1893, Arthur joined with John Falkiner and Grainger & Sons began trading as Grainger & Falkiner, continuing the farm produce market, as well as conducting produce auctions, stock sales at the cattle yards and furniture and household goods sales at their store.<sup>2</sup>

In 1915 Grainger advertised the house for sale, by which time it included a tennis court, croquet lawn and summer houses. The house passed, through sale or inheritance, to Grainger's son Laidley, who sold it in 1923 to John and Mary Hamilton. Through all this time the house had remained a family home.

### 2.2 Establishment of the Singleton Tennis Club

In February 1939 Wonona was purchased by the trustees of the Singleton Tennis Club. The Singleton Tennis Club had been established in December 1938 with a meeting at the rooms of the Country Woman's Association (CWA) in Singleton. The rules, by-laws and fees for tennis were set, with Wallace Hunter Bowman elected as the first chair. A Ladies Committee was established in January 1939.<sup>3</sup> The club was intending to use Wonona as their club house and extend the existing courts to six courts. The first meeting of the club at Wonona was held in April, with the club opened to members in May 1939, with 101 members listed. Many of the members were prominent local rural and landholding families, mostly notably the Bowman family of which fifteen were members, and the Binnie family. Of the 101, 35 listed their address as Singleton; the remainder were on rural properties and estates surrounding the town and in the wider district.<sup>4</sup>

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<sup>1</sup> *Singleton Argus and Upper Hunter General Advocate*, 29 June 1878, p.3.

<sup>2</sup> *Singleton Argus*, 18 March 1893, p.5.

<sup>3</sup> Minutes of the Singleton Tennis Club, 1938-1951, Country Club Collection.

<sup>4</sup> Minutes of the Singleton Tennis Club, 1938-1951, Country Club Collection.

A plan of the site at the time shows the house, with kitchen at the rear, the man's room as a small cottage, a garage/shed and laundry. At the front of the house, on what would become Edinburgh Avenue was a driveway, turning circle and gardens. Access to the house was via a carriage way from Orchard Lane (later renamed Orchard Avenue) which at the time extended only between Kelso Street and Flowerbank house. This part of Singleton was still a mix of open space and some residential development. The area was dominated by the High School grounds, with cultivated paddocks across what are now the school grounds and King Street public to the north of the club and Townhead to the east.

Renovations were undertaken on the house to convert it from a residence to a club house through 1939. This included new floors and levelling of the veranda's, the proposed enclosure of the western veranda, new guttering and other repairs. Tennis courts were also prepared at this time. An official opening was planned for September 1939, but as tensions in Europe build and war seemed inevitable, the event was postponed in August and then cancelled when war broke out in September. Caretakers were appointed, who lived on site in a small cottage that had been Wonona's mans' room. In 1943 they were permitted to plant Lucerne in what was known as the front paddock to the west of the house.

In 1943, Court No.1 was converted for use as a bowling green, and lawn bowls competitions were held regularly until 1949 when the green was removed. In 1947 the club changed its name, rebranding as the Country Tennis Club.<sup>5</sup>

### **2.3 Country Tennis Club and Subdivision**

In the early 1950s a series of subdivisions around the Country Tennis Club were completed, slowly transforming the semi-rural neighbourhood. Immediately to the south, Orchard Lane was extended from Kelso Street in c1956, through the Flowerbank estate, with Housing Commission dwellings built facing the new road in the later 1950s and early 1960s. To the west, part of the Pelerin estate was also subdivided, forming Edinburgh Avenue between Pelerin house and Stuart Avenue. An aerial photograph from c1960 shows these developments. Part of the Country Tennis Club site, on what would be the future corner of Edinburgh Avenue and Orchard Lane was also leased to the Department of Main Roads as a depot.<sup>6</sup>

By the early 1970s the remainder of Flowerbank estate adjacent to the club had been subdivided. This subdivision created Flowerbank Crescent as an access to Flowerbank house and resulted in new houses being built along the southern boundary fence of the Country Tennis Club.

In 1976, the Country Tennis Club also subdivided some of their three acre allotment. This sale (DP 251429) created seven new building allotments. Five of these fronted Edinburgh Avenue, which was extended from Stuart Avenue to meet Orchard Lane. The remaining two lots fronted Orchard Lane which was renamed Orchard Avenue soon after. A new entry drive was created from Edinburgh Avenue, between Lots 2 and 3 of the subdivision, with the previous entry drive from Orchard Lane being used as a pedestrian access, until it was later closed off with a fence across the Orchard

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<sup>5</sup> Minutes of the Singleton Tennis Club, 1938-1951, Country Club Collection.

<sup>6</sup> Singleton Council Valuation and Assessment Books, Singleton Library Archive Collection.

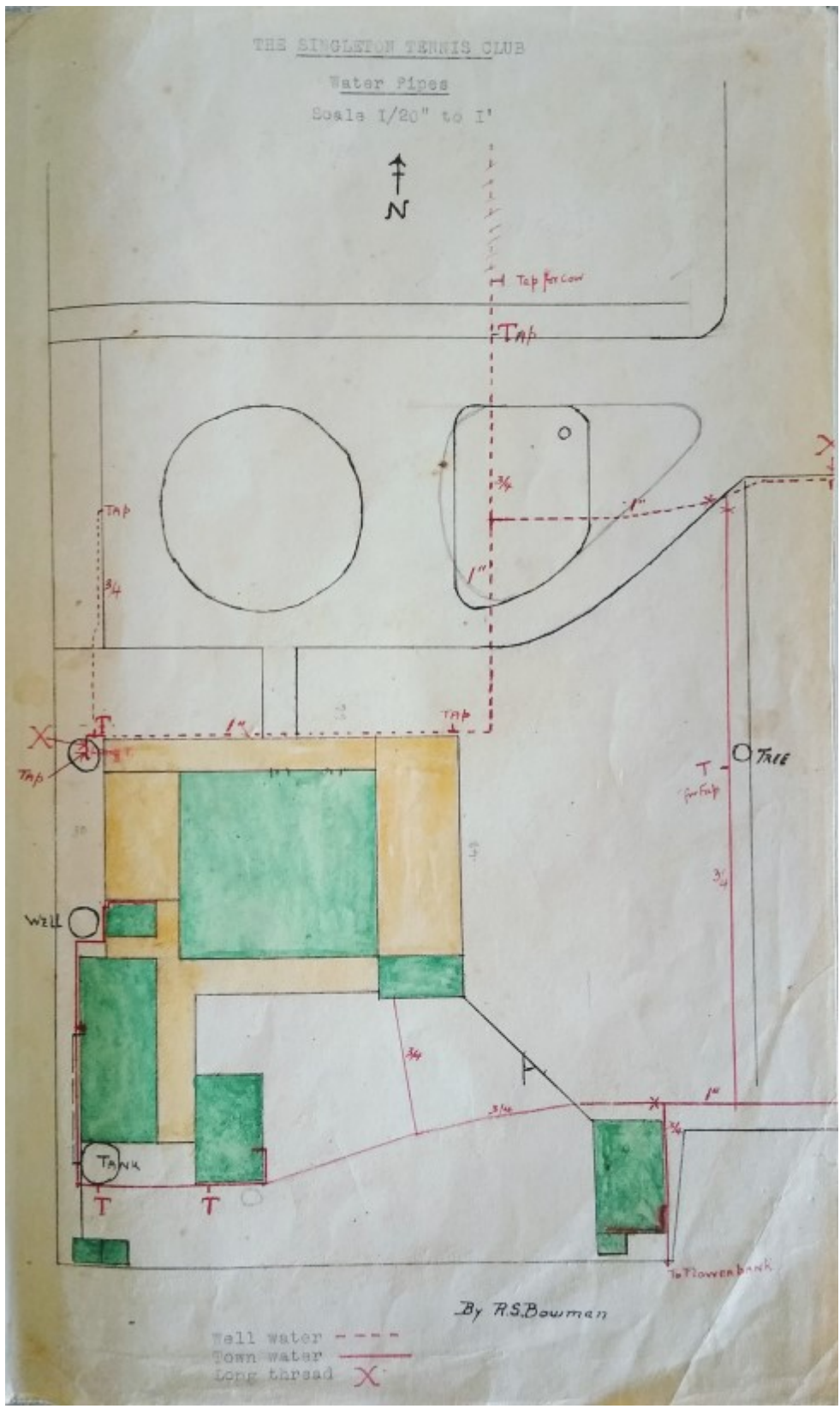
Avenue frontage. The subdivision reduced the site area from 12,140m<sup>2</sup> (3 acres/1.2ha) to 7534m<sup>2</sup> (1.8 acres / 0.72ha) leaving the club and tennis courts on Lot 8, DP 251429.

This subdivision created the site as it is to date, with no further substantial changes to the allotment since. Falling and aging membership of the Country Tennis Club in the past ten years has resulted in the tennis courts being used less regularly and not all courts being used by the members. The eastern courts, closest to Orchard Avenue have not been regularly used in this time period. In 1996 the Tennis Club was gazetted as an item of local significance on the Singleton Local Environmental Plan 1996. This listing was updated as part of the Singleton LEP 2013, item number I67.

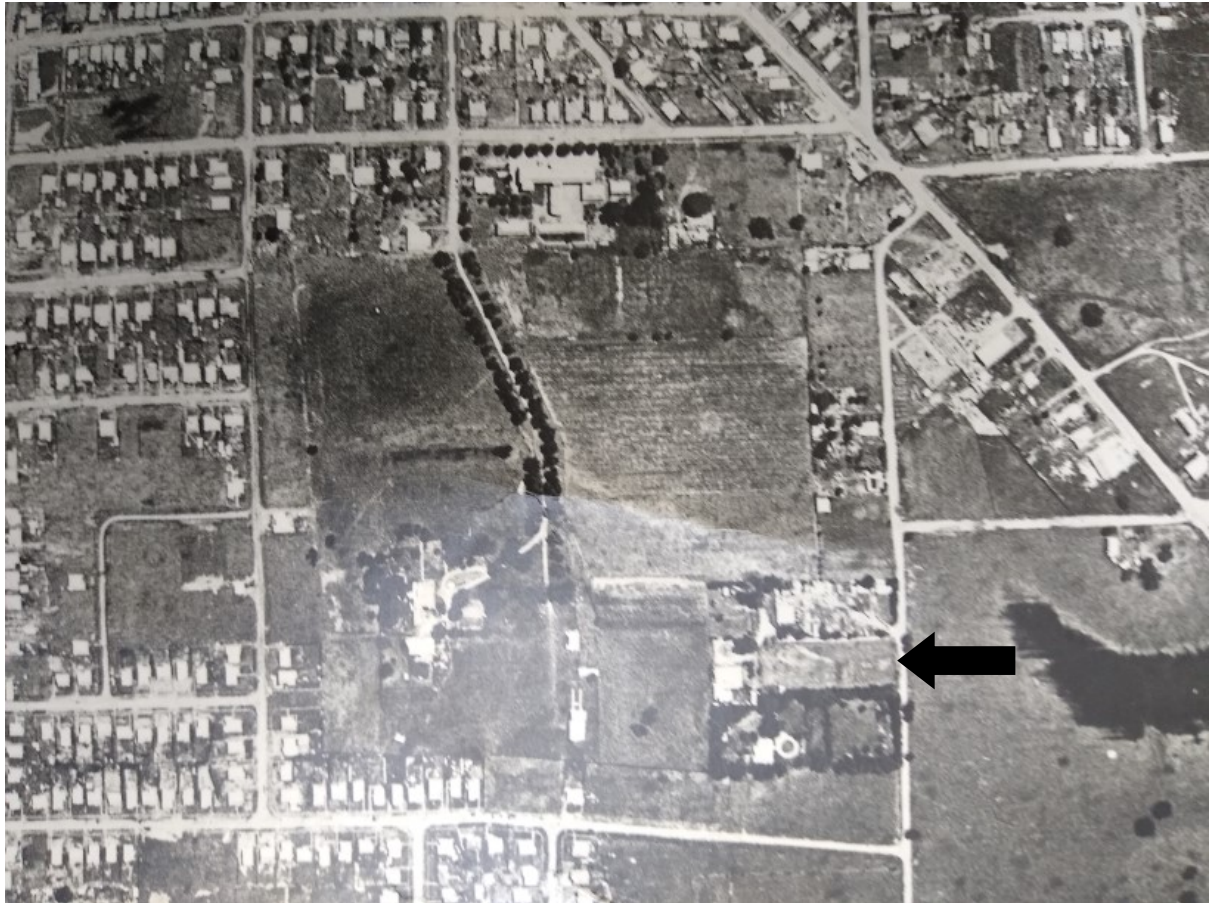


**Figure 2.1:** c1900 Photograph showing Wonona with its gardens, summer houses and gravel drive (Source: Country Tennis Club).

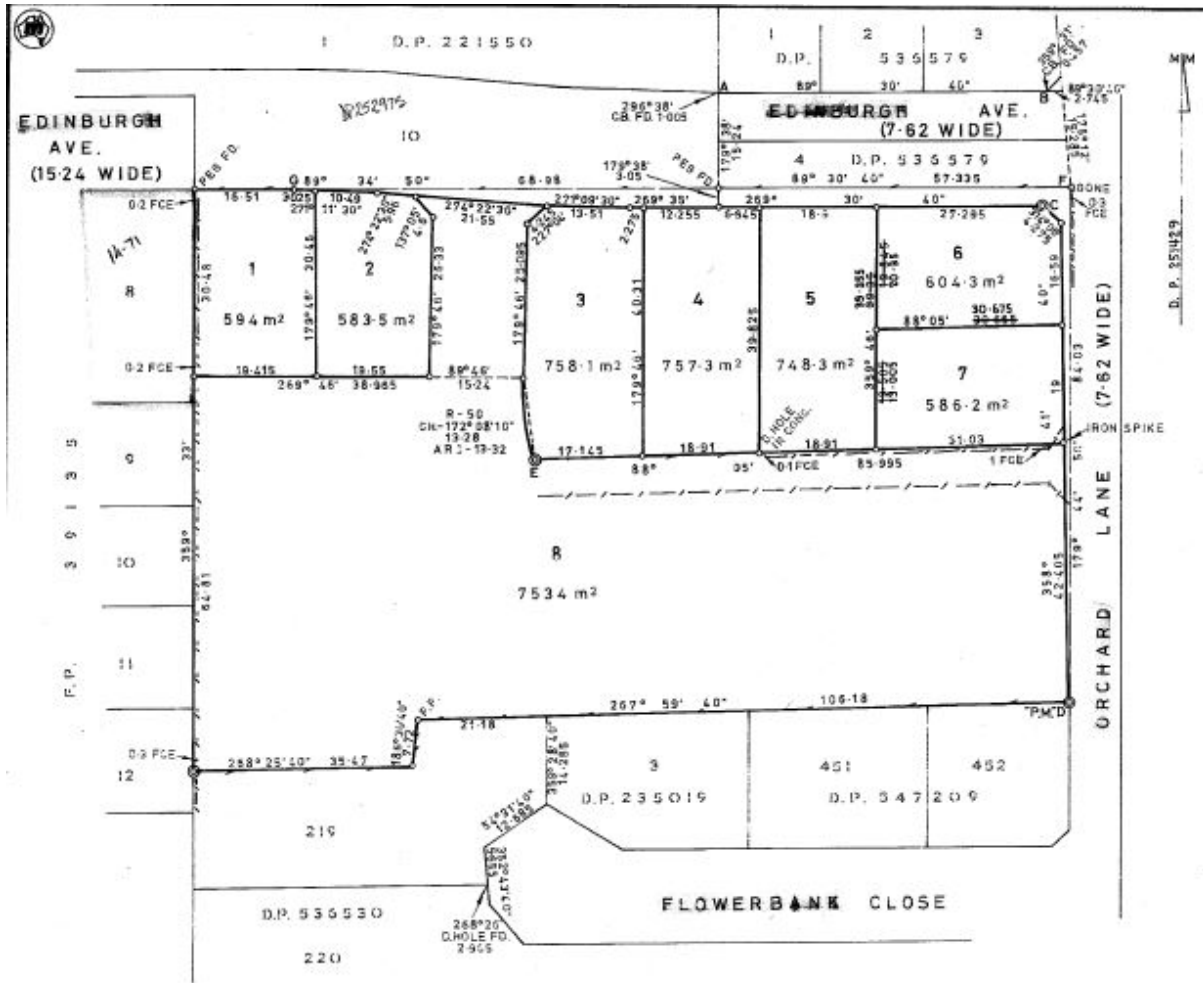




**Figure 2.2:** Sketch survey of the Wonona House site in 1938 as it was when purchased by the Singleton Tennis Club, showing the water lines, tanks and wells on the property. The house included a series of outbuildings, including a small cottage later used as a caretakers cottage. This has since been removed from the site. (Source: Country Tennis Club Minute books).



**Figure 2.3:** c1960 aerial photograph showing the Country Tennis Club site (arrow). The photograph shows the club house (Wonona) and the six tennis courts that run down to front Orchard Lane (as it was). Note the semi-rural aspect of this part of Singleton at the time. Edinburgh Avenue has yet to be formed from Pelerin in the centre bottom of the photograph, with King Street only formed as an access road to Pelerin (Source: Singleton Local Library Archive Collection).



**Figure 2.4:** DP 251429 for the subdivision of the Country Tennis Club site in 1976. This subdivision created seven allotments for residential development, with the eighth lot being the Country Tennis Club site. A new access road to the club was formed and Edinburgh Avenue extended between Stuart Avenue and Orchard Lane. The subdivision reduced the lot size from 1.2 hectares to 0.72 hectares (Source: LPI).





**Figure 2.5:** 1977 aerial photograph showing the club house and tennis courts (arrow) soon after the subdivision. Comparison to figure 2.4 shows the rapid infill of the former estates of Pelerin, Flowerbank and Townhead with housing, surrounding the Country Club. The Singleton High School and King Street Public School sit to the north of the site. The circular driveway is clear running from Edinburgh Avenue to the front of the club house (Source: Singleton Local Studies Archive Collection)

### **3.0 Physical Description**

The Country Tennis Club site is located at 8a Edinburgh Avenue, Singleton. The site consists of a club house, with attached caretaker's cottage, separate garage and sheds located at the western end of the allotment close to the property boundary. On the northern side of the club house is a circular, gravel driveway and lawn/garden area. On the eastern side on the club house, six lawn tennis courts are separated from the club by an open lawn area, planted with jacaranda, frangipani and other medium sized garden trees.

The tennis courts are flanked either side with a combination of colorbond steel and timber paling fences that form the boundary of the site and the rear fences of adjoining residential properties. At the eastern boundary the site is enclosed with a high fence overgrown with vines that obscures the view of the club from Orchard Avenue. The entrance drive to the club runs between Numbers 8 and 10 Edinburgh Avenue. The club is not visible from Edinburgh Avenue.

The club house was built in 1878 as the private residence Wonona. It is a simple Georgian style, Victorian country residence, with central hallway and rooms either side, some of which have been altered since the building was converted to serve as the tennis club. As the proposed subdivision does not impact on the club house, gardens, entry drive or associated outbuildings, no inspection of those items was undertaken for this report.

The site was open space prior to the construction of Wonona in 1878 and has remained undeveloped except for the tennis courts and introduction of services throughout. There is no known archaeological potential, European or Aboriginal on this site.



**Figure 3.1** View of the Country Tennis Club house, showing the lawn and garden sections between the club and the tennis courts.



**Figure 3.2.** View east across the lawn tennis courts. The proposed subdivision would remove two and half courts.



**Figure 3.3:** View west across the tennis courts to the club house in the background. The power pole on the right aligns with the former pedestrian entry way from Orchard Avenue.



**Figure 3.4:** View east along the northern boundary fence showing proximity of housing to the tennis club. This dwelling was built following the 1976 subdivision.



**Figure 3.5:** Looking south across the tennis courts to neighbouring housing. The white picket marks the proposed boundary of the subdivision.



**Figure 3.6:** View east from boundary of subdivision to fence line fronting Orchard Avenue.





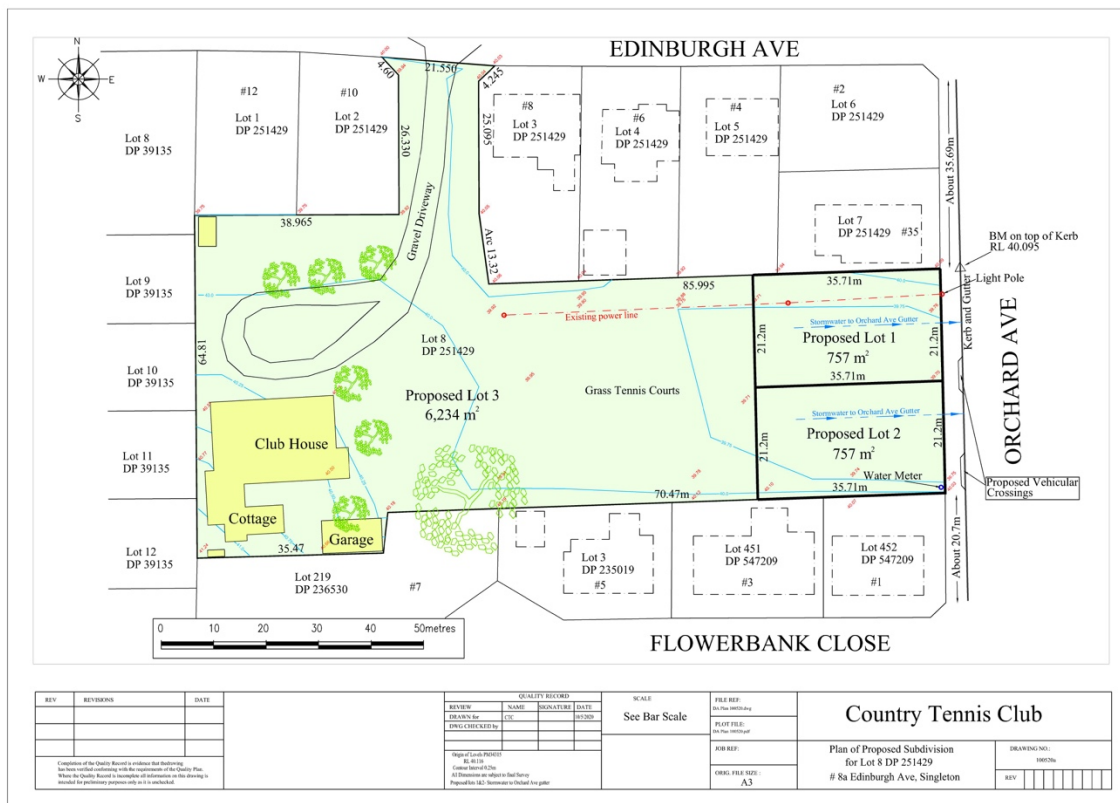
**Figure 3.7:** The overgrown fence line at the Orchard Avenue boundary. This fence obscures the view to the street from the club house and the tennis courts.



**Figure 3.8:** View from Orchard Avenue looking east towards the club. The fence obscures the view of the tennis club from the street.

### 3.1 Proposed Rezoning and Subdivision

The proposed rezoning and future subdivision of the Country Tennis Club site, as shown in Figure 3.9, would create three new allotments, two R1 General Residential lots at the eastern end of the tennis club site facing Orchard Avenue and one RE2 Private Recreation zoned lot that would retain the club house, grounds and three full lawn tennis courts. The subdivision would result in the loss of two and one half tennis courts out of the six current courts. The proposed rezoning and subdivision would not encroach on the club house or its garden setting, the entry drive or the surviving outbuildings associated with the club.



**Figure 3.9:** Proposed subdivision of the Country Tennis Club. This plan (Lot 8 DP 251429) would create three lots, two for residential dwelling and one to retain the club house, tennis courts and grounds. Country Tennis Club, Singleton Heritage Impact Statement September 2019

## 4.0 Assessment of Heritage Significance

### 4.1 Introduction

The concept of cultural or heritage significance addresses the value of a place or item, endeavouring to establish why a place is important and is valued by the community. Cultural significance is embodied in the fabric of the place (including its setting and relationship to other items), the records associated with the place and the response that place evokes in the community.

### 4.2 Basis for Assessment

The NSW Heritage Manual, published by the Heritage Branch, NSW Department of Planning, sets out a detailed process for conducting assessments of heritage significance. The Heritage Manual provides a set of specific criteria for assessing the potential significance of an item, including guidelines for use. The following assessment has been prepared in accordance with these guidelines.

The criteria are as follows:

#### **Criterion (a)**

*An item is important in the course, or pattern, of NSW's cultural or natural history (or the cultural or natural history of the local area);*

#### **Criterion (b)**

*An item has strong or special association with the life or works of a person, or group of persons, of importance in NSW's cultural or natural history (or the cultural or natural history of the local area);*

#### **Criterion (c)**

*An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the local area);*

#### **Criterion (d)**

*An item has strong or special association with a particular community or cultural group in NSW (or the local area) for social, cultural or spiritual reasons;*

#### **Criterion (e)**

*An item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the cultural or natural history of the local area);*

#### **Criterion (f)**

*An item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the local area);*

#### **Criterion (g)**

*An item is important in demonstrating the principal characteristics of a class of NSW's (or local areas) cultural or natural places; or cultural or natural environments.*

## 4.3 Assessment of Significance

### **Criterion A**

*An item is important in the course, or pattern, of NSW's cultural or natural history (or the cultural or natural history of the local area)*

The Country Tennis Club has local significance as a historic property (Wonona) and through its use as a private members club since 1939. The house was built after the subdivision of existing estates in this part of the town, demonstrating ongoing residential development in Singleton as the town grew



and expanded. The establishment of the private tennis club illustrated the social network of mainly rural families around Singleton for whom the club acted as a town meeting point. The surrounding residential neighbourhoods, including some on land subdivided from the club site, demonstrate the development of Singleton as a regional centre in the second half of the twentieth century.

#### **Criterion B**

*An item has strong or special association with the life or works of a person, or group of persons, of importance in NSW's cultural or natural history (or the cultural or natural history of the local area);*

The Country Tennis Club has some local associations with prominent Singleton families, including the Bowman family who helped establish the club in the 1930s. The club has operated as a private club for its entire history and the associations demonstrate the social networks of Singleton's rural community.

#### **Criterion (c)**

*An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the local area);*

The site has some local aesthetic significance as a Victorian Georgian residence with surrounding gardens and tennis courts. It demonstrates aspects of a nineteenth century aesthetic appeal of refined country estate development.

#### **Criterion (d)**

*An item has strong or special association with a particular community or cultural group in NSW (or the local area) for social, cultural or spiritual reasons;*

Although no community consultation has been undertaken for this report, there is not considered to be any strong or special association with any particular community outside of the club members, due to the private nature of the club itself.

#### **Criterion (e)**

*An item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the cultural or natural history of the local area);*

The site is unlikely to yield any new information that would contribute to the further understanding of the cultural or natural history of the local area.

#### **Criterion (f)**

*An item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the local area);*

The site does not possess rare or uncommon characteristics.

#### **Criterion (g)**

*An item is important in demonstrating the principal characteristics of a class of NSW's (or local areas) cultural or natural places; or cultural or natural environments.*

The Country Tennis Club is representative of private sporting clubs in rural communities throughout NSW.

#### **4.4 Statement of Significance**

The Country Tennis Club has some local significance as a Victorian Georgian country house, converted for use as a private tennis club. The club house, built as the private residence Wonona in 1878, was one of a collection of fine residences built in the southern part of Singleton on rural or semi-rural properties in the middle and late nineteenth century that still survive in the town. The conversion of the house into a tennis club demonstrates the desire by a section of the local rural community for an in-town club where they could socialise and play tennis. The retention of the grounds, the club house and the tennis courts retain some aspects of a country residence, while the various subdivisions that have enclosed the site show the changing residential nature of this part of Singleton.

#### **4.5 Statutory Considerations**

##### **4.5.1 Heritage**

The study site located at 8a Edinburgh Avenue is identified as being a heritage item in Singleton Local Environmental Plan 2013, Item 67. The site is currently zoned RE2: Private Recreation. Part of the site is proposed to be rezoned to R1 General Residential and any development within this area should take into consideration the guiding principles as outlined in the *Singleton Development Control Plan 2014*, with particular reference to Part 2.19-Heritage Conservation.

##### **4.5.2 Section 9.1 Ministerial Directions**

The proposed rezoning has been considered against Direction 2.3 Heritage Conservation which states:

##### ***2.3 Heritage Conservation***

###### *Objective*

(1) The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.

###### *Where this direction applies*

(2) This direction applies to all relevant planning authorities.

###### *When this direction applies*

(3) This direction applies when a relevant planning authority prepares a planning proposal.

###### *What a relevant planning authority must do if this direction applies*

(4) A planning proposal must contain provisions that facilitate the conservation of:  
(a) items, places, buildings, works, relics, moveable objects or precincts of environmental heritage significance to an area, in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of the item, area, object or place, identified in a study of the environmental heritage of the area,  
(b) Aboriginal objects or Aboriginal places that are protected under the National Parks and Wildlife Act 1974, and

(c) Aboriginal areas, Aboriginal objects, Aboriginal places or landscapes identified by an Aboriginal heritage survey prepared by or on behalf of an Aboriginal Land Council, Aboriginal body or public authority and provided to the relevant planning authority, which identifies the area, object, place or landscape as being of heritage significance to Aboriginal culture and people.

*Consistency*

(5) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that:

(a) the environmental or indigenous heritage significance of the item, area, object or place is conserved by existing or draft environmental planning instruments, legislation, or regulations that apply to the land, or

(b) the provisions of the planning proposal that are inconsistent are of minor significance.

The proposed rezoning of part of the site from RE2 Private Recreation to R1 General Residential is consistent with Direction 2.3 as it will enable the Tennis Club to fund urgent maintenance to the heritage listed club house and establish a fund for future maintenance works to the buildings and grounds. This would satisfy Section 4a of the Direction in that the proposed rezoning would facilitate the conservation of the existing heritage item through funds raised.

## **5.0 Assessment of Heritage Impact**

### **5.1 Impact of the Proposed Rezoning and Subdivision**

The proposed rezoning and subdivision for two residential blocks will have minimal impact on the heritage significance of the Country Tennis Club. As the proposed subdivision does not include the house site and retains three working lawn tennis courts, the effect of the overall significance of the site as a private tennis club is minimal. The club will retain its function as a tennis club for members and the club house will be retained and continued to be used by members.

The site has been subject to subdivision in the past, most recently in 1976, when the northern boundary fronting Edinburgh Avenue was developed for residential housing. The net effect of the early development was that the club house and tennis courts were no longer visible from Edinburgh Avenue, while the erection of a high fence and its cover of vegetation also cut sightlines from Orchard Avenue, effectively hiding the club from outside views. The proposed subdivision of two allotments fronting Orchard Avenue will not have any effect on current views to or from the club house or the tennis courts to surrounding areas.

Although the proposed rezoning and subdivision of two allotments at the eastern boundary of the site would reduce the number of tennis courts, declining and aging membership of the club has meant these courts have not been in regular use for some years. It is considered that the loss of two courts would not be a major impact on the significance of the site nor would it lessen the understanding of the heritage significance of the site overall.

### **5.2 Mitigative Measures**

To reduce the impact of the future subdivision on the assessed significance of the study area any proposal should take into consideration the guidelines as set out in the *Singleton Development Control Plan 2014* in particular its consideration of siting of new buildings, scale and set back.

## Appendix A: Heritage Inventory

### Tennis Club

#### Item details

Name of item:	Tennis Club
Type of item:	Built
Group/Collection:	Recreation and Entertainment
Category:	Court Tennis
Primary address:	8a Edinburgh Avenue, Singleton, NSW 2330
Local govt. area:	Singleton

#### All addresses

Street Address	Suburb/town	LGA	Parish	County	Type
8a Edinburgh Avenue	Singleton	Singleton			Primary Address

#### Statement of significance:

Historic - Record of growth and evolution of town.

Aesthetic - Representative of larger Victorian Georgian Houses relatively intact and retaining a courtyard of tennis courts and vehicle forecourt.

Date significance updated: 13 Apr 15

*Note: The State Heritage Inventory provides information about heritage items listed by local and State government agencies. The State Heritage Inventory is continually being*

*updated by local and State agencies as new information becomes available. Read the OEH copyright and disclaimer.*

**Description**

Physical description: Victorian Georgian, Rendered Masonry. Single storey rendered masonry cottage, heavy mouldings to central door. Flanking French doors with shutters to verandah. Corrugated steel hipped roof and verandah, tall chimneys.

Modifications and dates: Additions on eastern side detract from formal composition of building.

Heritage Listing	Listing Title	Listing Number	Gazette Date	Gazette Number	Gazette Page
Local Environmental Plan	Singleton LEP 2013	167	06 Sep 13	524	
Local Environmental Plan	Singleton LEP 1996	1996	05 Jul 96	081	3909

**References, internet links & images**

None

Note: internet links may be to web pages, documents or images.

**Data source**

The information for this entry comes from the following source:

Name: Local Government Database Number 1530061

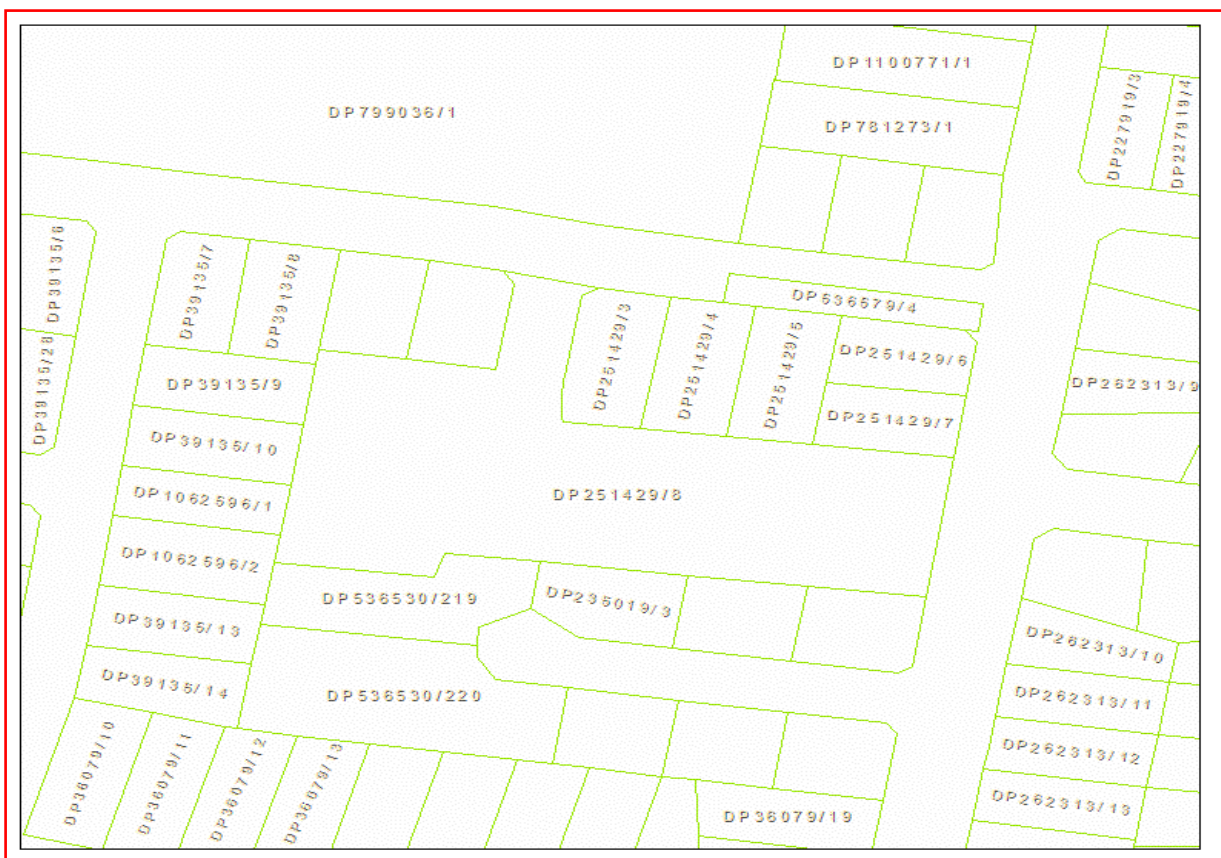
Orbit Planning-Broadway  
PO BOX 517  
Broadway New South Wales 0  
Attention: Sally Flannery  
Email: sally@orbitplanning.com.au

Date: 02 April 2020

Dear Sir or Madam:

**AHIMS Web Service search for the following area at Lot : 8, DP:DP251429 with a Buffer of 50 meters, conducted by Sally Flannery on 02 April 2020.**

The context area of your search is shown in the map below. Please note that the map does not accurately display the exact boundaries of the search as defined in the paragraph above. The map is to be used for general reference purposes only.



A search of the Office of the Environment and Heritage AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

0	Aboriginal sites are recorded in or near the above location.
0	Aboriginal places have been declared in or near the above location. *

### **If your search shows Aboriginal sites or places what should you do?**

- You must do an extensive search if AHIMS has shown that there are Aboriginal sites or places recorded in the search area.
- If you are checking AHIMS as a part of your due diligence, refer to the next steps of the Due Diligence Code of practice.
- You can get further information about Aboriginal places by looking at the gazettal notice that declared it. Aboriginal places gazetted after 2001 are available on the [NSW Government Gazette \(http://www.nsw.gov.au/gazette\)](http://www.nsw.gov.au/gazette) website. Gazettal notices published prior to 2001 can be obtained from Office of Environment and Heritage's Aboriginal Heritage Information Unit upon request

### **Important information about your AHIMS search**

- The information derived from the AHIMS search is only to be used for the purpose for which it was requested. It is not be made available to the public.
- AHIMS records information about Aboriginal sites that have been provided to Office of Environment and Heritage and Aboriginal places that have been declared by the Minister;
- Information recorded on AHIMS may vary in its accuracy and may not be up to date .Location details are recorded as grid references and it is important to note that there may be errors or omissions in these recordings,
- Some parts of New South Wales have not been investigated in detail and there may be fewer records of Aboriginal sites in those areas. These areas may contain Aboriginal sites which are not recorded on AHIMS.
- Aboriginal objects are protected under the National Parks and Wildlife Act 1974 even if they are not recorded as a site on AHIMS.
- This search can form part of your due diligence and remains valid for 12 months.