



SECTION 59 PLANNING REPORT

Completed when the Ministers functions to make the LEP under Section 59 of the *Environmental Planning & Assessment Act 1979* have been delegated to Council

Singleton Council
Queen Street
Singleton NSW 2330

Postal Address:
PO Box 314
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Planning and Sustainable Environment Group

Planning proposal details:

Title:	Amendment Singleton LEP 2013 - 484 Bowmans Creek Road Heritage item.
Number:	PP_2016_SINGL_004_00
Summary:	This Planning Proposal (PP) seeks to list a building as being of local heritage significance in the <i>Singleton Local Environmental Plan 2013</i>. The building is situated on Lot 1, DP1167323. According to information lodged for the proposal, the building was constructed in 1902 and was initially used as a school and then a church. It has also been used for a number of interim land uses and is currently being occupied as a dwelling house.
Gateway Determination Date:	17 October 2016

1.0 SUMMARY

The planning proposal seeks to amend the *Singleton Local Environmental Plan 2013* (LEP) in accordance with the Table 1 which follows:

Table 1: Key changes proposed to the Singleton LEP 2013

Component of LEP	Explanation of LEP Amendment
Schedule 5	List an item in Part 1 of Schedule 5 as being of local heritage significance.
Heritage Map	Identify the site as a heritage item on <i>Heritage Map – Sheet HER_013</i> .

2.0 GATEWAY DETERMINATION

The Gateway Determination for the Planning Proposal was issued on the 17 October 2016. The Gateway Determination identified the timeframe for completing the LEP as 9 months from the week following the date of the Gateway Determination.

The table which follows (Table 2) provides a list of the Gateway Determination conditions for the Planning Proposal and indicates whether the proposal is consistent with the respective conditions.

Table 2: Assessment of compliance with conditions of Gateway Determination

Compliance with conditions of Gateway Determination			
Condition		Consistency (Yes/No)	Justification
No.	Process		
1	Community consultation	Yes	According to the Gateway determination, the planning proposal is classified as low impact as described in <i>A Guide to Preparing LEPs (Planning and Infrastructure 2013)</i> and must be publicly exhibited for a minimum of 14 days. The planning proposal was placed on public exhibition at the Singleton Council Administration Centre from the 9 December 2016 to the 2 January 2017. Given the Christmas and New Year holiday period, the proposal was exhibited for a period of 25 days. The exhibition documentation was also available for viewing, during the exhibition period, via Council's website. Notice of exhibition was advertised in the Singleton Argus, Muswellbrook Chronicle and Hunter Valley News newspapers. Notification letters were sent to property owners adjoining and adjacent to Lot 1, DP1167323. No submissions were received during the exhibition period.
2	Consultation with public authorities	Yes	The Gateway determination required no consultation with public authorities under section 56(2) (d) of the <i>Environmental Planning and Assessment Act 1979</i> as State and Commonwealth public authorities were unlikely to be adversely affected by the proposed amendment.
3	Public hearing not required	Yes	According to the Gateway determination, a public hearing was not required to be held into the matter by any person or body under section 56(2) (d) of the <i>Environmental Planning and Assessment Act 1979</i>. The planning proposal does not relate to the reclassification of public land. No submissions were received in response to the proposal.
4	Timeframe for LEP	Yes	The Gateway determination applied a 9 month timeframe from the week following the date of the Gateway determination for the completion of the planning proposal.

3.0 COMMUNITY CONSULTATION

The planning proposal was exhibited from the 9 December 2016 to the 2 January 2017. Table 3 (below) provides a breakdown of the community submission types.

Table 3: Community Submissions

Submission Type	Number of Submissions
Community submission in objection:	0
Community submission in support:	0
TOTAL:	0

The table which follows (Table 4) summarises the main issues raised in community submissions.

Table 4: Summary of Community Submissions

Community Consultation		
Issue Raised	Number of Submissions	Response to Issue
<i>No objection to planning proposal.</i>	0	No changes were made to the proposed LEP amendment.

4.0 VIEWS OF PUBLIC AUTHORITIES

The table which follows (Table 5) identifies the Public Authorities that were consulted in accordance with the requirements of the Gateway Determination and summarises issues raised in relation to the planning proposal.

Table 5: Summary of Public Authority Referral Responses

Public Authority Consultation			
Public Authority	Response received?	Issues raised	Response to Issue
N/A	N/A	N/A	N/A

5.0 CONSISTENCY WITH S.117 DIRECTIONS AND OTHER STRATEGIC PLANNING DOCUMENTS

Table 6 (below) provides a list of Section 117 Directions that are relevant to the *Singleton Local Government Area* (LGA). The table identifies the relationship of this planning proposal to the individual Section 117 Directions and indicates whether this planning proposal is consistent with the respective direction.

Table 6: Assessment of the proposal against relevant s.117 Directions

Compliance with Section 117 Directions			
Ministerial Direction		Relevance (Yes/No)	Consistency and Implications
No.	Title		
1.1	<i>Business and Industrial Zones</i>	No	Not applicable. The planning proposal does not affect land within an existing or proposed business or industrial zone.
1.2	<i>Rural Zones</i>	No	Lot 1, DP1167323 is zoned <i>RU1 Primary Production</i> under the provisions of the <i>Singleton Local Environmental Plan 2013</i>. The planning proposal does not seek to rezone the land to a residential, business, industrial, village or tourist zone. The proposal does not include any provisions that would increase the permissible density of land within a rural zone. The planning proposal is considered to be consistent with Ministerial Direction 1.2.
1.3	<i>Mining, Petroleum Production and Extractive Industries</i>	No	Not applicable. The planning proposal does not seek to implement provisions that would prohibit the mining of coal or other minerals, production of petroleum, or winning or obtaining of extractive materials. The planning proposal does not seek to implement provisions that would restrict the potential development of resources of coal, other minerals, petroleum or extractive materials which are of State or regional significance.
1.4	<i>Oyster Aquaculture</i>	No	Not applicable. The planning proposal does not affect a Priority Oyster Aquaculture Area or oyster aquaculture.
1.5	<i>Rural Lands</i>	No	The planning proposal relates to a building that is situated on Lot 1, DP1167323, which is zoned <i>RU1 Primary Production</i> under the provisions of the <i>Singleton Local Environmental Plan 2013</i>. The planning proposal does not seek to change the minimum lot size applying to the land. The planning proposal is viewed to be consistent with the 'Rural Planning Principles' listed in <i>State Environmental Planning Policy (Rural Lands) 2008</i>.
2.1	<i>Environment Protection Zones</i>	No	Not applicable. The planning proposal does not apply to land within an existing or proposed environmental protection zone.
2.2	<i>Coastal Protection</i>	No	Not applicable. The planning proposal does not apply to land in a coastal zone.
2.3	<i>Heritage Conservation</i>	Yes	The planning proposal seeks to list a building as being of local heritage significance in the <i>Singleton Local Environmental Plan 2013</i> . The proposal is viewed to be consistent with Ministerial

			Direction 2.3.
2.4	<i>Recreation Vehicle Areas</i>	No	Not applicable. The planning proposal does not seek to enable land to be developed for the purposes of a recreation vehicle area.
2.5	<i>Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs</i>	No	No applicable
3.1	<i>Residential Zones</i>	No	Not applicable. The planning proposal does not affect land within and existing or proposed residential zone.
3.2	<i>Caravan Parks and Manufactured Home Estates</i>	No	Not applicable. The planning proposal does not seek to enable land to be developed for the purposes of a Caravan Park or Manufactured Home Estate.
3.3	<i>Home Occupations</i>	No	The planning proposal does not affect the permissibility of home occupations in dwelling houses.
3.4	<i>Integrating Land Use and Transport</i>	No	Not applicable. The planning proposal does not seek to create, alter or remove a zone or a provision relating to urban land.
3.5	<i>Development Near Licensed Aerodromes</i>	No	Not applicable. The planning proposal does not relate to land in the vicinity of a licensed aerodrome.
3.6	<i>Shooting Ranges</i>	No	Not applicable. The planning proposal does not relate to land adjoining or adjacent to an existing shooting range.
4.1	<i>Acid Sulfate Soils</i>	No	Not applicable. The planning proposal does not relate to land identified on the Acid Sulfate Soils Planning Maps as having a probability of acid sulphate soils being present.
4.2	<i>Mine Subsidence and Unstable Land</i>	No	Not applicable. The planning proposal does not relate to land identified as being unstable by a known study, strategy or other assessment. The site is not within a designated mine subsidence district.
4.3	<i>Flood Prone Land</i>	No	Not applicable. The planning proposal does not seek to create, remove or alter a zone or provision that affects flood prone land within the meaning of the NSW Government's Floodplain Development Manual 2005. The manual defines flood prone land as: <i>'land susceptible to flooding by the PMF (Probable Maximum Flood) event. Flood prone land is synonymous with flood liable land'.</i>
4.4	<i>Planning for Bushfire Protection</i>	No	Not applicable. The planning proposal does not affect, or is in proximity to land, that is mapped as bushfire prone land.
5.1	<i>Implementation of Regional Strategies</i>	No	Not applicable
5.2	<i>Sydney Drinking Water Catchments</i>	No	Not applicable
5.3	<i>Farmland of State and Regional Significance on the NSW Far North Coast</i>	No	Not applicable
5.4	<i>Commercial and Retail Development along the Pacific Highway, North Coast</i>	No	Not applicable

5.5	<i>Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA)</i>	No	Revoked 18 June 2010
5.6	<i>Sydney to Canberra Corridor</i>	No	Revoked 10 July 2008
5.7	<i>Central Coast</i>	No	Revoked 10 July 2008
5.8	<i>Second Sydney Airport: Badgerys Creek</i>	No	Not applicable
5.9	<i>North West Rail Link Corridor Strategy</i>	No	Not applicable
5.10	<i>Implementation of Regional Plans</i>	No	The Hunter Regional Plan (HRP) 2036 applies to land within the Singleton Local Government Area. The planning proposal seeks to list a building, situated on Lot 1, DP1167323 as being of local heritage significance in the <i>Singleton Local Environmental Plan (SLEP) 2013</i>. According to information lodged for the proposal, the building was constructed in 1902 and was initially used as a school and then a church. It had also been used for a number of interim land uses and is currently occupied as a dwelling house. The planning proposal would generally be in accordance with <i>Direction 19: Identify and protect the region's heritage</i> of the HRP. The building would be listed under Schedule 5 of the SLEP 2013 as a local heritage item. Listing the building would provide for connection to the past for the local community and allow for the adaptive reuse of a built heritage item. It would also recognise the contribution of the item to the character of the local landscape and broader region.
6.1	<i>Approval and Referral Requirements</i>	No	The proposal does not contain provisions requiring concurrence, consultation or referral of a Minister or public authority. The planning proposal does not seek to identify development as designated development. The planning proposal is considered to be consistent with Direction 6.1.
6.2	<i>Reserving Land for Public Purposes</i>	No	Not applicable. The planning proposal does not seek to create, alter or reduce existing zonings or reservations of land for public purposes.
6.3	<i>Site Specific Provisions</i>	No	Not applicable. The planning proposal does not seek to amend another environmental planning instrument other than the <i>Singleton Local Environmental Plan 2013</i> .
7.1	<i>Implementation of the Metropolitan Plan for Sydney 2036</i>	No	Not applicable
7.2	<i>Implementation of Greater Macarthur Land Release Investigation</i>	No	Not applicable
7.3	<i>Parramatta Road Corridor Urban Transformation</i>	No	Not applicable

	Strategy		
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6.0 PARLIAMENTARY COUNSEL OPINION

Council lodged a request to Parliamentary Counsel to draft the legal instrument for the LEP amendment on the – 3 March 2017. Parliamentary Counsel Opinion was issued on the – 3 March 2017.

7.0 OTHER RELEVANT MATTERS

No applicable.

8.0 MAPPING

The technical maps for the LEP amendment are appended as **Attachment 2** to this report.

9.0 RECOMMENDATION

It is recommended that Amendment No.6 be made to the Singleton Local Environmental Plan 2013.

		
Gina Hamilton-Avery		Mark Ihlein
Strategic Landuse Planner		Director Planning and Infrastructure Group
Processing Officer		Delegated Officer

10.0 ATTACHMENTS

The table which follows (Table 7) lists the attachments appended to this report.

Table 7: Attachments to Section 59 Planning Report		
Attachments		
Attachment number	Document description	Document date
1	<i>Legal instrument for the LEP amendment</i>	3 March 2017
2	<i>Map Coversheet and LEP Technical Maps</i>	30 March 2017
3	<i>Gateway Determination: PP_2016_SINGL_004_00</i>	17 October 2016
4	<i>Planning Proposal</i>	21 September 2016



New South Wales

PARLIAMENTARY COUNSEL

Opinion

Environmental Planning and Assessment Act 1979
Proposed Singleton Local Environmental Plan 2013 (Amendment No 6)

Your ref: Gina Hamilton-Avery PP_2016_SINGL_004_00
Our ref: FHG e2017-054.d03

In my opinion the attached draft environmental planning instrument may legally be made.

When the environmental planning instrument is made, a map cover sheet that lists the final form of the maps adopted by the instrument should be signed by the person making the instrument.

A handwritten signature in black ink, appearing to read "D Colagiuri".

(D COLAGIURI)
Parliamentary Counsel

3 March 2017



New South Wales

Singleton Local Environmental Plan 2013 (Amendment No 6)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the
Environmental Planning and Assessment Act 1979.

~~Minister for Planning~~

Mark Ihlein.

MARK IHLEIN
DIRECTOR PLANNING & INFRASTRUCTURE
SINGLETON COUNCIL

As delegate for the Minister for Planning

Singleton Local Environmental Plan 2013 (Amendment No 6)

under the

Environmental Planning and Assessment Act 1979

1 Name of Plan

This Plan is *Singleton Local Environmental Plan 2013 (Amendment No 6)*.

2 Commencement

This Plan commences on the day on which it is published on the NSW legislation website.

3 Land to which Plan applies

This Plan applies to Lot 1, DP 1167323, 484 Bowmans Creek Road, Bowmans Creek.

4 Maps

The maps adopted by *Singleton Local Environmental Plan 2013* are amended or replaced, as the case requires, by the maps approved by the Minister on the making of this Plan.

5 Amendment of Singleton Local Environmental Plan 2013

Schedule 5 Environmental heritage

Insert in appropriate order in Part 1:

Bowmans Creek	Former Roman Catholic Church (formerly school, community hall, accommodation, etc)	484 Bowmans Creek Road	Lot 1, DP 1167323	Local I156
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Singleton Local Environmental Plan 2013 (Amendment No 6)

Singleton Council
PO Box 314
Singleton NSW 2330

Map Cover Sheet

The following map sheets are revoked:

Map Sheet	Map Identification Number
Heritage Map HER_013	7000_COM_HER_013_080_20130710

The following map sheets are adopted:

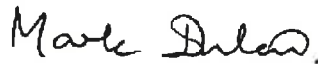
Map Sheet	Map Identification Number
Heritage Map HER_013	7000_COM_HER_013_080_20170329

Certified



Gary Pearson
Acting Coordinator Sustainable
Development

Date 19/4/2017

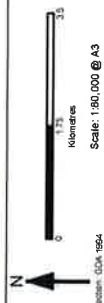
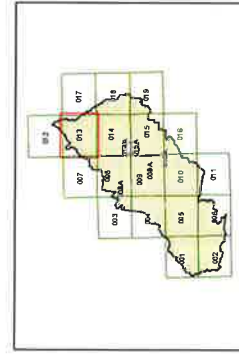


Mark Ihlein Director Planning
and Infrastructure - As delegate
for Minister for Planning

Date 9/5/2017

- Heritage**
-  Conservation Area - General
 -  Item - General
 -  Item - Archaeological
 -  Cadastre

 Cadastre 1/01/2017 @ Land and Property Information

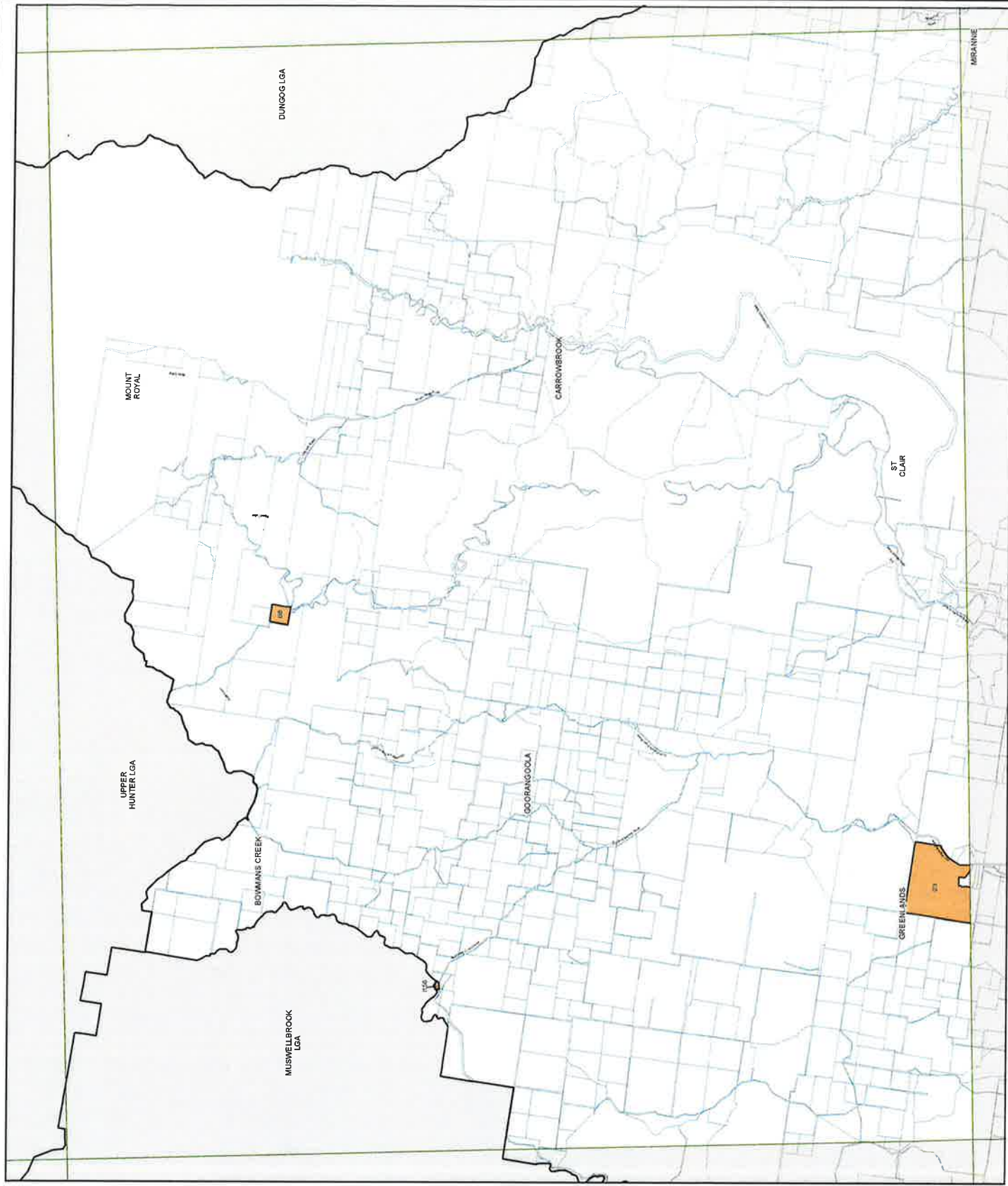


Scale: 1:50,000 @ A3

Prepared by: 1994

Map identifier number

1000-000-013-000-20100205





Mr Jason Linnane
General Manager
Singleton Council
PO Box 314
Singleton NSW 2330



Our ref: PP 2016_SINGL_004 (16/12928)
Your ref: PGR 1/2016

Att: Gary Pearson

Dear Mr Linnane,

Planning Proposal to amend Singleton Local Environmental Plan 2013

I am writing in response to your Council's letter dated 22 September 2016 requesting a Gateway determination under section 56 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") in respect of the planning proposal to identify a church building on Bowmans Creek Road, Bowmans Creek as a local heritage item.

As delegate of the Minister for Planning, I have now determined the planning proposal should proceed subject to the conditions in the attached Gateway determination.

The Minister delegated plan making powers to councils in October 2012. It is noted that Council has requested to be issued with delegation for this planning proposal. I have considered the nature of Council's planning proposal and have decided to issue an authorisation for Council to exercise delegation to make this plan.

The amending Local Environmental Plan (LEP) is to be finalised within 9 months of the week following the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request to draft and finalise the LEP should be made directly to Parliamentary Counsel's Office 6 weeks prior to the projected publication date. A copy of the request should be forwarded to the Department for administrative purposes.

The State Government is committed to reducing the time taken to complete LEPs by tailoring the steps in the process to the complexity of the proposal, and by providing clear and publicly available justification for each plan at an early stage. In order to meet these commitments, the Minister may take action under section 54(2)(d) of the EP&A Act if the time frames outlined in this determination are not met.

Attached for your assistance is a simplified guide to the plan making process and reporting requirements to ensure that the LEP Tracking System is kept updated.

Should you have any questions regarding this matter, I have arranged for James Shelton from the Hunter office to assist you. Mr Shelton can be contacted on (02) 4904 2713.

Yours sincerely,

17/10/2016

Monica Gibson
Director Regions, Hunter and Central Coast
Planning Services

Hunter and Central Coast Region - Hunter Office - Level 2 26 Honeysuckle Drive (PO Box 1226) Newcastle NSW 2300
Phone 02 4904 2700 Fax 02 4904 2701 Website planning.nsw.gov.au

Gateway Determination

Planning Proposal (Department Ref: PP_2016_SINGL_004_00): to identify a church building on Bowmans Creek Road, Bowmans Creek as a local heritage item.

I, the Director Regions, Hunter and Central Coast at the Department of Planning and Environment as delegate of the Minister for Planning, have determined under section 56(2) of the EP&A Act that an amendment to the Singleton Local Environmental Plan (LEP) 2013 to identify a church building on Bowmans Creek Road, Bowmans Creek as a local heritage item should proceed subject to the following conditions:

1. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:
 - (a) the planning proposal is classified as low impact as described in *A Guide to Preparing LEPs (Planning & Infrastructure 2013)* and must be made publicly available for a minimum of **14 days**; and
 - (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of *A Guide to Preparing LEPs (Planning & Infrastructure 2013)*.
2. No consultation is required with public authorities under section 56(2)(d) of the EP&A Act.
3. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).
4. The timeframe for completing the LEP is to be **9 months** from the week following the date of the Gateway determination.

Dated 17th day of October 2016.



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

Delegate of the Minister for Planning

Delegated plan making reporting requirements

(Attachment 5 from "A guide to preparing local environmental plans)

Notes:

- The department will fill in the details of Table 3
- RPA is to fill in details for Table 2
- If the planning proposal is exhibited more than once, the RPA should add additional rows to **Table 2** to include this information
- The RPA must notify the relevant contact officer in the regional office in writing of the dates as they occur to ensure the Department's publicly accessible LEP Tracking System is kept up to date
- A copy of this completed report must be provided to the Department with the RPA's request to have the LEP notified

Table 1 – To be completed by the Department

Stage	Date/Details
Planning Proposal Number	PP 2016_SINGL_004_00
Date Sent to Department under s56	27 September 2016
Gateway determination date	17.10.2016

Table 2 – To be completed by the RPA

Stage	Date/Details
Dates draft LEP exhibited	
Date of public hearing (if held)	
Date sent to PCO seeking Opinion	
Date Opinion received	
Date Council Resolved to Adopt LEP	
Date LEP made by GM (or other) under delegation	
Date sent to Department requesting notification (hunter@planning.nsw.gov.au)	
Brief Description of Purpose of planning proposal	

Table 3 – To be completed by the Department

Stage	Date/Details
Notification Date and details	

Additional relevant information:

PLAN MAKING PROCESS POST GATEWAY – FOR DELEGATED MATTERS

1. Post Exhibition Review

- Any unresolved s117 directions must be finalised before progressing with LEP
- If planning proposal is revised, council is to email a copy of the revised proposal to the regional planning team - hunter@planning.nsw.gov.au under Section 58(2) of the Act prior to requesting LEP to be made.
- If changes to planning proposal are substantial then may no longer be authorised by the Gateway determination and a Gateway amendment may be required before LEP is made. Councils are encouraged to contact regional planning team to seek advice before finalising the LEP under delegation.

2. Legal Drafting of the LEP

- Council's request to draft and finalise the plans should be made as soon as possible to ensure timeframes are met. Council should upload the maps and GIS data directly to the department's portal site (<https://data.planningportal.nsw.gov.au/help>).
- Once uploaded Council should email hunter@planning.nsw.gov.au and advise maps are available for checking. Any questions about uploading can be directed to gis@planning.nsw.gov.au.
- Unless otherwise negotiated the department will only undertake a technical review of any maps, to ensure they comply with LEP mapping technical guidelines.
- No maps or mapping/GIS data is to be sent directly to PCO.
- The request for legal drafting should be send to PCO at parliamentary.counsel@pco.nsw.gov.au including the planning proposal, a copy of the gateway determination and details of any change to the proposal arising from the gateway determination. The name and contact details of the council contact officer should also be supplied.
- A copy of the request to PCO should also be forwarded to the department for administrative purposes only – hunter@planning.nsw.gov.au

3. Making of the draft LEP s59

- Council's delegate resolves to finalise the LEP by signing the instrument (see example below).
- If council's delegate decides not to make plan or defer a matter, council should liaise with regional team for assistance.
- Council must also notify PCO if plan not proceeding

4. Notification of LEP

- Council advises and requests the department to make the plan, email request to hunter@planning.nsw.gov.au and the following documents to be provided for notification
 1. Signed LEP - which includes full name of LEP and PCO file reference
 2. Signed map cover sheet and associated maps,
 3. Name and position of the delegate who signed the LEP and date,
 4. Completed Attachment 5 - delegated plan making reporting template,
 5. Copy of council's assessment (s 59 report) which is usually the council report/minutes
 6. PC opinion
- Request to hunter@planning.nsw.gov.au by Tuesday of the week will enable notification by Friday.

Example of signature front page


Fred Smith General Manager
As delegate for the Minister for Planning 12/12/14



Planning Proposal

Planning and Sustainable Environment Group

Property: **Lot: 1 DP: 1167323 - 484 Bowmans Creek Road**
BOWMANS CREEK

Version:	1
Date:	21 September 2016
Council file reference:	PGR 1/2016
Document reference	AD16/10294
Department of Planning and Environment file reference:	-

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Introduction

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

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

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

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

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

The Gateway Determination is a document which may:

-
- Identify necessary changes or updates to the planning proposal;
 - Identify information or studies which must be prepared and included with the planning proposal;
 - Set timeframes for completing steps associated with processing of the planning proposal;
 - Identify which Public Authorities are to be consulted in relation to the planning proposal;
 - Identify the extent of public consultation to be undertaken for the planning proposal and at what stage in the process such consultation is to occur.
-

Throughout the course of processing a planning proposal, the proposal itself will usually evolve as additional information (such as Public Authority comments and public consultation submissions) is obtained in relation to the proposal.

The parts of a planning proposal

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

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

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

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

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

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

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

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

The project timeline forms Part 6 of a planning proposal.

Plan-making functions and project timeline

Note. Pursuant to 'A guide to preparing Local Environmental Plans' (Department of Planning & Environment – August 2016), the pre-gateway planning proposal must nominate whether Council will be seeking authorisation to exercise plan making functions in respect to the proposal. The guide also requires planning proposals to include a project timeline and specifies key matters which must be identified by the project timeline. The timeline may change the requirements the Gateway determination or where unforeseen circumstances arise during the processing of the planning proposal.

Plan-making functions

Delegation of the functions of the Minister for Planning under Section 59 of the *Environmental Planning and Assessment Act 1979* are sought in relation to this planning proposal.

Project timeline

An estimate of the timeframes for the tasks for the making of a local environmental plan via the Planning Proposal is included in Table 1.

Table 1: Project timeline

Project timeline		
Task	Date/Timeframe	Comments
<i>Anticipated commencement date</i>	21/10/2016	TENTATIVE TIMEFRAME - It is anticipated that the planning proposal would be submitted to the NSW Department of Planning and Environment by 20 September 2016 with a request for gateway determination. It would be expected that a gateway determination would be issued within 1 month of the NSW Department of Planning and Environment receiving the planning proposal.
<i>Anticipated timeframe for the completion of required studies</i>	4 months	TENTATIVE TIMEFRAME - In preparation of this planning proposal, no additional study information has been identified as required. If further study information is needed, it is expected that such information would be requested from the proponent within 21 days of issue of a positive Gateway Determination. Once notified, it is expected that the proponent could provide the responsible planning authority with the study information within approximately 3 months of the request. This timeframe is subject to change according to the extent and type of study information required.
<i>Planning proposal revision</i>	1 month	If necessary, make updates to the planning proposal to align with any matters identified by the Gateway Determination and/or studies.
<i>Timeframe for government agency consultation</i>	1 month	Given that the planning proposal relates to a proposed heritage listing, it is expected that the <i>NSW Heritage Office</i> would need to be consulted in relation to the proposal. It is recommended that public authority comments be obtained on the planning proposal prior to exhibition so that their comments can be included with the exhibition documentation. As is standard process, public authorities should be given a minimum of 21 days to comment on the planning proposal. Given timeframes associated with preparation of referral documentation and postage, it is expected that a minimum of 1 month will be required for government agency consultation.
<i>Commencement and completion dates for public exhibition period</i>	3 weeks	TENTATIVE TIMEFRAME - The planning proposal is considered to be a low impact planning proposal. It is therefore recommended that the planning proposal be exhibited for a period of not less than 14 days. Given lead times for preparation of exhibition documentation and arranging newspaper notices etc, it is expected that a minimum of 3 weeks would be needed for exhibition.

<i>Dates for public hearing (if required)</i>	N/A	A public hearing is not considered to be required for the planning proposal as it is not for the reclassification of Council owned land. This does not prevent Council from deciding to hold a public hearing in relation to the planning proposal if it considers it appropriate in response to matters raised during the exhibition of the proposal. If such a public hearing were held, a minimum 21 days' notice would need to be given. In consideration of lead times for arranging a newspaper notice, a public hearing would be expected to add a minimum of 1 month to the processing timeframe for the planning proposal.
<i>Timeframe for consideration of submissions</i>	3 weeks	TENTATIVE TIMEFRAME - The timeframe for consideration of submissions would be dependent upon how many submissions are received in response to exhibition of the planning proposal. Providing that the number of submissions is not extensive, it would be expected that submissions could be reviewed within approximately 3 weeks of completion of the exhibition period.
<i>Timeframe for the consideration of the proposal post exhibition</i>	2 months	TENTATIVE TIMEFRAME - Subsequent to exhibition, the planning proposal would need to be updated to include details of the exhibition. It would be expected that the proposal would be able to be updated within 3 weeks of completion of the exhibition period. In accordance with Council's standard process, the planning proposal would need to be reported to an appropriate Council meeting with the results of the exhibition. Singleton Council holds 1 Council meeting per month. Reports for such meetings must be finalised approximately 2 weeks prior to the respective meeting. As such, it could take up to 1 - 2 months after updating of the planning proposal to have the matter considered at a Council meeting. Given the above timeframes, it would be expected to take approximately 2 months to consider the proposal post exhibition.
<i>Anticipated date RPA will make the plan (if delegated)</i>	2 months	TENTATIVE TIMEFRAME - If supported at the post-exhibition Council meeting and Council exercises delegation to make the plan, it is expected that the plan would be made within approximately 2 months of the respective Council meeting. Finalisation of the plan would be expected to involve: • Drafting of the legal instrument for the local environmental plan (LEP) amendment by Parliamentary Counsel and checking of the draft legal instrument; • Preparation of final technical maps and checking of the maps by the NSW Department of Planning and Environment; • Preparation of a planning report pursuant to Section 59 of the Environmental Planning and Assessment Act 1979; • Lodgement of a request for online notification of the LEP on the NSW legislation website.
<i>Anticipated date RPA will forward to the department for notification</i>	2 weeks	If Council is not delegated authority to make the plan or chooses not to exercise delegation to make the plan, It would be expected that the planning proposal would be forwarded to the <i>NSW Department of Planning and Environment</i> within 2 weeks of the post-exhibition Council meeting.

PART 1 – OBJECTIVES OR INTENDED OUTCOMES

Note: This part of the planning proposal sets out the objectives/intended outcomes of the planning proposal as required by 'A guide to preparing planning proposals' (Department of Planning & Environment – August 2016). The intention of this part is to concisely state what is planned to be achieved (not how it is to be achieved).



Objectives of the planning proposal

The objective(s) of this planning proposal are to:

- (a) To list a building (historically used as a church and school) that is situated on Lot 1, DP1167323, as being of local heritage significance in the *Singleton Local Environmental Plan 2013*;
- (b) To conserve the environmental heritage of Singleton.



Intended outcomes of the planning proposal

This Planning Proposal (PP) seeks to list a building as being of local heritage significance in the *Singleton Local Environmental Plan 2013*. The building is situated on Lot 1, DP1167323. According to information lodged for the proposal, the building was constructed in 1902 and was initially used as a school and then a church. It has also been used for a number of interim land uses and is currently being occupied as a dwelling house.



Source: Booker, S. 2016, *NSW State Heritage Inventory Form*, 2016

PART 2 – EXPLANATION OF THE LOCAL ENVIRONMENTAL PLAN

Note. This part of the planning proposal explains the provisions that are to be included in the proposed instrument (LEP amendment) as required by 'A guide to preparing planning proposals' (Department of Planning & Environment – August 2016). The intention of this part is to detail how the objectives/intended outcomes are to be achieved by means of amending the existing Local Environmental Plan (LEP).



Proposed changes to the LEP

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

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

Table 2: Key changes proposed to the Singleton LEP 2013

Component of LEP	Explanation of LEP Amendment
Schedule 5	List an item in Part 1 of Schedule 5 as being of local heritage significance
Heritage Map	Identify the site as a heritage item on <i>Heritage Map – Sheet HER 013</i>

PART 3 – JUSTIFICATION FOR THE PLANNING PROPOSAL

Note. This part of the planning proposal contains answers to questions identified in 'A guide to preparing planning proposals' (Department of Planning & Environment – August 2016). The responses to these questions set out the case for seeking the proposed LEP amendment.



Section A – Need for the planning proposal

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

The planning proposal has been prepared in response to *Orbit Planning Pty Ltd* lodging a formal request with Singleton Council on behalf of the owner of Lot 1, DP: 1167323, to amend the SLEP 2013.

The request included a completed NSW State Heritage Inventory form prepared by Stephen Booker - Conservation Architect and Heritage Consultant (Carste Studio Pty Ltd). Based on the completed NSW State Heritage Inventory form, the proposal to list the subject building as an item of local heritage significance is considered to have merit.

The historical significance of the building is demonstrated through the following (inter-alia):

- The building was erected in 1902 by William Schmierer for use as a Roman Catholic Church. The building is categorised as a simple carpenter gothic building and is representative of a class of rural church building that is rare in the Singleton Local Government Area. Of particular interest are the bush carpentry methods employed in the construction of the building. The building remains intact and retains much of its detailing and elements.
- The land was originally donated for the purposes of a church in 1902 by John Alan Ball, who also contributed money to build the church. Since that time, four generations of the Ball family have worshipped and maintained the building.
- The building is strongly associated with the early settlers of the Bowmans Creek locality. In addition to the Ball family, other families who have been strongly associated with the site and building include the Marshall family of Bowmans Creek, the Catholic families on Campbell's Creek including the Sattler, Cooper and Ritter families and the Kinzigs of Dry Creek.
- The building has a strong service association as a Church with the St Patrick's Parish of Singleton and St Catherine's College, whose youth group used the building for retreat camps from 1979 to 1984. The building was also used by the Redemptorist priests for retreats and mission.
- While exact dates are unconfirmed, it is understood that the church was used as a school for from approximately 1877, possibly until 1910.
- From 1902 to 1975, the building and grounds were used as a meeting place for local produce markets and community days etc.
- From 1975 to 2010, the building was used as temporary accommodation for contract workers from Grenell property.

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

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

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

Alternative option: Not listing the building as an item of heritage significance

The alternative to listing the building as an item of local heritage significance in the *Singleton Local Environmental Plan 2013* (SLEP 2013) would be to not list the building.

Listing of the building would result in the application of heritage conservation controls to the item (e.g. Clause 5.10 of the SLEP 2013). The building may also be eligible for various conservation incentives as a result of the listing.

To provide for the proper conservation of the building, it is considered that listing the building as an item of local heritage significance is the most appropriate option.



Section B – Relationship to strategic planning framework

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

Upper Hunter Strategic Regional Land Use Plan (2012)

The Upper Hunter Strategic Regional Land Use Plan (UHSRLUP) is a sub-regional land use strategy that applies to the upper hunter region, which includes the Singleton Local Government Area (LGA).

The proposed amendment would result in the building situated on Lot 1, DP1167323, being listed as having local heritage significance in the *Singleton Local Environmental Plan 2013*. Conservation of items of heritage significance is consistent with Cultural Heritage objective of the UHSRLUP, which is to:

‘Protect and conserve significant cultural heritage now and for future generations (beyond the 20 year life of this plan), through managing the ongoing impacts from development, including local and regional development and mining activities’.

The planning proposal is viewed to consistent with the objectives and actions of the UHSRLUP.

Draft Branxton Subregional Land Use Strategy (2014)

The Branxton Subregional Land Use Strategy (BSLUS) does not apply to the land to which this planning proposal applies.

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

Singleton Land Use Strategy (2008)

The *Singleton Land Use Strategy* (SLUS) is a local strategy, which applies to the Singleton Local Government Area (LGA). The subject LEP amendment proposal is viewed to be generally consistent with the relevant provisions of the SLUS.

The amendment would result in the building situated on Lot 1, DP1167323, being listed as having local heritage significance in the *Singleton Local Environmental Plan 2013*. Conservation of items of heritage significance is consistent with the provisions of Section 9.5 of the SLUS, which details that:

‘The need to conserve Singleton rural area’s built heritage is important for tourism and maintaining identity and cultural history’.

Listing of the building is viewed to be consistent with the objectives of Section 9.5 of the SLUS. The following SLUS objectives are of particular relevance:

- a) Singleton will be a place where the rural landscape is valued as an important vista to the open, treed character of its urban neighbourhoods.
- b) European heritage is identified, protected and valued.

Listing of the building is viewed to be consistent with the relevant Actions of Section 9.5 of the SLUS. The following SLUS actions are of particular relevance:

- a) Heritage and landscape will be taken into account by implementing standard LEP provisions and DCP guidelines.

- b) Where there is lack of information on these issues, further investigation will be required prior to zoning amendments or development consent.
- c) Identify conservation areas and heritage items with overlays. Overlay maps will provide a trigger for further investigations.
- d) Separately distinguish built heritage from sensitive environmental areas through overlays.

Sedgefield Structure Plan (2009)

The Sedgefield Structure Plan (SSP) is a high-level concept plan which includes maps and associated background information for specific land in the locality of Sedgefield. The SSP is referenced by the Singleton Land Use Strategy and identifies constraints, opportunities and measures to manage future development of that land.

The site subject of this planning proposal is not within the area of application of the SSP. As such, the provisions of that plan do not apply to the subject proposal.

Draft Singleton Land Use Strategy (proposed)

As at the time of preparation of this planning proposal, Singleton Council has commenced a review of the Singleton Land Use Strategy 2008 and undertaken initial consultation activities with key stakeholders to inform preparation of a new Singleton Land Use Strategy. Drafting of the proposed new Singleton Land Use Strategy had also commenced.

Once adopted, the proposed new Singleton Land Use Strategy would replace the Singleton Land Use Strategy 2008. Given the nature of this planning proposal (i.e. to facilitate heritage conservation), it is unlikely that this proposal would be inconsistent with the proposed new land use strategy.

Singleton Community Strategic Plan (2013)

The Singleton Community Strategic Plan (CSP) is a plan which applies to the Singleton Local Government Area (LGA). The CSP identifies the main aspirations of the Singleton LGA community and provides a prioritised set of strategies to achieve these aspirations.

As indicated under the CSP theme of 'Our Places', an outcome of the CSP is for the community to 'value its heritage'. Listing of the building as being an item of local heritage significance provides for conservation measures to be applied to the building, which is an acknowledgement of the heritage value of the building.

The proposal is considered to be generally consistent with the relevant provisions of the CSP.

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

Table 3 (below) provides a list of State Environmental Planning Policies (SEPPs) that are relevant to the Singleton Local Government Area (LGA). The table identifies the relationship of this planning proposal to the individual SEPPs and indicates whether this planning proposal is consistent with the respective SEPP.

Table 3: Assessment of State Environmental Planning Policies against planning proposal

SEPP	Overview	Relevance and consistency
<i>SEPP No. 1 - Development Standards</i>	Makes development standards more flexible. It allows councils to approve a development proposal that does not comply with a set standard where this can be shown to be unreasonable or unnecessary.	The SEPP is not relevant to this planning proposal. Clause 1.9(2) of the <i>Singleton Local Environmental Plan 2013</i> excludes SEPP No. 1 from applying to the land.
<i>SEPP No. 21 - Caravan Parks</i>	Ensures that where caravan parks or camping grounds are permitted under an environmental planning instrument, movable dwellings, as defined in the <i>Local Government Act 1993</i> , are also permitted. The policy ensures that development consent is required for new caravan parks and camping grounds and for additional long-term sites in existing caravan parks. It also enables, with the council's consent, long-term sites in caravan parks to be subdivided by leases of up to 20 years	The SEPP is not relevant to this planning proposal. This planning proposal does not relate to a movable dwelling proposal, caravan park or camping ground.
<i>SEPP No. 30 - Intensive Agriculture</i>	Requires development consent for cattle feedlots having a capacity of 50 or more cattle or piggeries having a capacity of 200 or more pigs. The policy sets out information and public notification requirements to ensure there are effective planning control over this export-driven rural industry. The policy does not alter if, and where, such development is permitted, or the functions of the consent authority.	The SEPP is not relevant to this planning proposal. This planning proposal does not relate to a cattle feedlot, piggery or composting facility.
<i>SEPP No. 32 - Urban Consolidation (Redevelopment of Urban Land)</i>	Focuses on the redevelopment of urban land that is no longer required for the purpose it is currently zoned or used, and encourages local councils to pursue their own urban consolidation strategies to help implement the aims and objectives of the policy. The policy sets out guidelines for the Minister to follow when considering whether to initiate a regional environmental plan (REP) to make particular sites available for consolidated	This planning proposal does not relate to the redevelopment of urban land that is no longer required for the purpose.

	urban redevelopment. Where a site is rezoned by an REP, the Minister will be the consent authority.	
<i>SEPP No. 33 - Hazardous and Offensive Development</i>	Requires specified matters to be considered for proposals that are 'potentially hazardous' or 'potentially offensive' as defined in the policy.	The SEPP is not relevant to this planning proposal. This planning proposal does not relate to 'potentially hazardous' or 'potentially offensive' development.
<i>SEPP No. 36 - Manufactured Home Estates</i>	Helps establish well-designed and properly serviced manufactured home estates in suitable locations.	The SEPP is not relevant to this planning proposal. This planning proposal does not relate to a manufactured home estate.
<i>SEPP No. 44 - Koala Habitat Protection</i>	Encourages the conservation and management of natural vegetation areas that provide habitat for koalas to ensure permanent free-living populations will be maintained over their present range.	The information lodged by the proponent to support the planning proposal does not contain an assessment of whether the site contains potential koala habitat. It is not intended to impact upon vegetation as a result of this planning proposal. The proposal is therefore unlikely to generate any significant adverse impacts on koala habitat.
<i>SEPP No. 50 - Canal Estates</i>	Bans new canal estates from the date of gazettal, to ensure coastal and aquatic environments are not affected by these developments	The SEPP is not relevant to this planning proposal. This planning proposal does not relate to a canal estate.
<i>SEPP No. 15 - Rural Land-Sharing Communities</i>	Makes multiple occupancy permissible, with council consent, in rural and non-urban zones, subject to a list of criteria in clause 9(1) of the policy. The policy encourages a community-based environmentally-sensitive approach to rural settlement, and enables the pooling of resources to develop opportunities for communal rural living.	The SEPP is not relevant to this planning proposal. This planning proposal does not relate to a proposal for a rural land sharing community.
<i>SEPP No. 55 - Remediation of Land</i>	Contains state-wide planning controls for the remediation of contaminated land. The policy requires councils to be notified of all remediation proposals and requires lodgement of information for rezoning proposals where the history of use of land is unknown or knowledge incomplete.	The SEPP is not relevant to this planning proposal. The proposal does not relate to a rezoning proposal or development application. Given the known history of the site, it is unlikely to be contaminated land within the definition of the SEPP.
<i>SEPP No. 62 - Sustainable Aquaculture</i>	Encourages the sustainable expansion of aquaculture in NSW.	The SEPP is not relevant to this planning proposal. This planning proposal does not relate to a proposal for aquaculture.
<i>SEPP No. 64 - Advertising and Signage</i>	Aims to ensure that outdoor advertising is compatible with	The SEPP is not relevant to this planning proposal. This

	the desired amenity and visual character of an area, provides effective communication in suitable locations and is of high quality design and finish.	planning proposal does not relate to a proposal for advertising or signage.
<i>SEPP No. 65 - Design Quality of Residential Flat Development</i>	Raises the design quality of residential flat development across the state through the application of a series of design principles. Provides for the establishment of Design Review Panels to provide independent expert advice to councils on the merit of residential flat development.	The SEPP is not relevant to this planning proposal. This planning proposal does not relate to a proposal for residential flat development.
<i>SEPP (Housing for Seniors or People with a Disability) 2004</i>	Encourage the development of high quality accommodation for our ageing population and for people who have disabilities - housing that is in keeping with the local neighbourhood.	The SEPP is not relevant to this planning proposal. This planning proposal does not relate to a proposal for housing for seniors or people with a disability.
<i>SEPP (Building Sustainability Index: BASIX) 2004</i>	Ensures consistency in the implementation of BASIX throughout the State by overriding competing provisions in other environmental planning instruments and development control plans, and specifying that SEPP 1 does not apply in relation to any development standard arising under BASIX.	The SEPP is not relevant to this planning proposal. Nothing in this planning proposal affects the application of the provisions of the SEPP.
<i>SEPP (Major Development) 2005</i>	Provides planning provisions for State significant sites.	The SEPP is not relevant to this planning proposal. This planning proposal does not relate to a State significant site.
<i>SEPP (Mining, Petroleum Production and Extractive Industries) 2007</i>	Provides for the proper management and development of mineral, petroleum and extractive material resources for the social and economic welfare of the State.	The SEPP is not relevant to this planning proposal. This planning proposal does not relate to an extractive industry proposal.
<i>SEPP (Temporary Structures) 2007</i>	Provides for the erection of temporary structures and the use of places of public entertainment while protecting public safety and local amenity.	The SEPP is not relevant to this planning proposal. This planning proposal does not relate to a proposal to a temporary structure.
<i>SEPP (Infrastructure) 2007</i>	Provides greater flexibility in the location of infrastructure and service facilities along with improved regulatory certainty and efficiency.	It is not proposed to include any provisions which would be inconsistent with the SEPP.
<i>SEPP (Rural Lands) 2008</i>	Facilitates the orderly and economic use and development of rural lands for rural and related purposes.	It is not proposed to include any provisions which would be inconsistent with the SEPP.
<i>SEPP (Exempt and Complying Development Codes) 2008</i>	Provides exempt and complying development codes that have State-wide application.	The SEPP is not relevant to this planning proposal. This planning proposal does not relate to an exempt or complying development proposal.
<i>SEPP (Affordable Rental Housing)</i>	Provides incentives for new	The SEPP is not relevant to this

2009	affordable rental housing, facilitates the retention of existing affordable rentals, and expands the role of not-for-profit providers	planning proposal. This planning proposal does not relate to proposal for affordable rental housing.
<i>State Environmental Planning Policy (Urban Renewal) 2010</i>	Establishes a process for assessing and identifying sites as urban renewal precincts, to facilitate the orderly and economic development and redevelopment of sites in and around urban renewal precincts, and to facilitate delivery of the objectives of any applicable government State, regional or metropolitan strategies connected with the renewal of urban areas that are accessible by public transport.	The SEPP is not relevant to this planning proposal. The site is not identified as a potential precinct for urban renewal.
<i>State Environmental Planning Policy (State and Regional Development) 2011</i>	Identifies State significant development, and State significant infrastructure and critical State significant infrastructure and confers functions on joint regional planning panels to determine relevant development applications.	The SEPP is not relevant to this planning proposal. The proposal is not for state or regionally significant development or infrastructure.

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

Table 4 (below) provides a list of Section 117 Directions that are relevant to the *Singleton Local Government Area* (LGA). The table identifies the relationship of this planning proposal to the individual Section 117 Directions and indicates whether this planning proposal is consistent with the respective direction.

Table 4: Assessment of the proposal against relevant s.117 Directions

Compliance with Section 117 Directions			
Ministerial Direction		Relevance (Yes/No)	Consistency and Implications
No.	Title		
1.1	<i>Business and Industrial Zones</i>	No	Not applicable. The planning proposal does not affect land within an existing or proposed business or industrial zone.
1.2	<i>Rural Zones</i>	No	Lot 1, DP1167323 is zoned RU1 Primary Production under the provisions of the <i>Singleton Local Environmental Plan 2013</i>. The planning proposal does not seek to rezone the land to a residential, business, industrial, village or tourist zone. The proposal does not include any provisions that would increase the permissible density of land within a rural zone. The planning proposal is considered to be consistent with Ministerial Direction 1.2.
1.3	<i>Mining, Petroleum Production and Extractive Industries</i>	No	Not applicable. The planning proposal does not seek to implement provisions that would prohibit the mining of coal or other minerals, production of petroleum, or winning or obtaining of extractive materials. The planning proposal does not seek to implement provisions that would restrict the potential development of resources of coal, other minerals, petroleum or extractive materials which are of State or regional significance.
1.4	<i>Oyster Aquaculture</i>	No	Not applicable. The planning proposal does not affect a <i>Priority Oyster Aquaculture Area</i> or oyster aquaculture.
1.5	<i>Rural Lands</i>	No	The planning proposal relates to a building that is situated on Lot 1, DP1167323, which is zoned RU1 Primary Production under the provisions of the <i>Singleton Local Environmental Plan 2013</i>. The planning proposal does not seek to change the minimum lot size applying to the land. The planning proposal is viewed to be consistent with the 'Rural Planning Principles' listed in <i>State Environmental Planning Policy (Rural Lands) 2008</i>.
2.1	<i>Environment Protection Zones</i>	No	Not applicable. The planning proposal does not apply to land within an existing or proposed environmental protection zone.
2.2	<i>Coastal Protection</i>	No	Not applicable. The planning proposal does not apply to land in a coastal zone.
2.3	<i>Heritage Conservation</i>	Yes	The planning proposal seeks to list a building as being of local heritage significance in the <i>Singleton Local Environmental Plan 2013</i> . The proposal is viewed to be consistent with Ministerial Direction 2.3.

2.4	<i>Recreation Vehicle Areas</i>	No	Not applicable. The planning proposal does not seek to enable land to be developed for the purposes of a recreation vehicle area.
3.1	<i>Residential Zones</i>	No	Not applicable. The planning proposal does not affect land within and existing or proposed residential zone.
3.2	<i>Caravan Parks and Manufactured Home Estates</i>	No	Not applicable. The planning proposal does not seek to enable land to be developed for the purposes of a Caravan Park or Manufactured Home Estate.
3.3	<i>Home Occupations</i>	No	The planning proposal does not affect the permissibility of home occupations in dwelling houses.
3.4	<i>Integrating Land Use and Transport</i>	No	Not applicable. The planning proposal does not seek to create, alter or remove a zone or a provision relating to urban land.
3.5	<i>Development Near Licensed Aerodromes</i>	No	Not applicable. The planning proposal does not relate to land in the vicinity of a licensed aerodrome.
3.6	<i>Shooting Ranges</i>	No	Not applicable. The planning proposal does not relate to land adjoining or adjacent to an existing shooting range.
4.1	<i>Acid Sulfate Soils</i>	No	Not applicable. The planning proposal does not relate to land identified on the Acid Sulfate Soils Planning Maps as having a probability of acid sulphate soils being present.
4.2	<i>Mine Subsidence and Unstable Land</i>	No	Not applicable. The planning proposal does not relate to land identified as being unstable by a known study, strategy or other assessment. The site is not within a designated mine subsidence district.
4.3	<i>Flood Prone Land</i>	No	Not applicable. The planning proposal does not seek to create, remove or alter a zone or provision that affects flood prone land within the meaning of the NSW Government's Floodplain Development Manual 2005. The manual defines flood prone land as: <i>'land susceptible to flooding by the PMF (Probable Maximum Flood) event. Flood prone land is synonymous with flood liable land'.</i>
4.4	<i>Planning for Bushfire Protection</i>	No	Not applicable. The planning proposal does not affect, or is in proximity to land, that is mapped as bushfire prone land.
5.1	<i>Implementation of Regional Strategies</i>	No	Not applicable
5.2	<i>Sydney Drinking Water Catchments</i>	No	Not applicable
5.3	<i>Farmland of State and Regional Significance on the NSW Far North Coast</i>	No	Not applicable
5.4	<i>Commercial and Retail Development along the Pacific Highway, North Coast</i>	No	Not applicable
5.5	<i>Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA)</i>	No	Revoked 18 June 2010
5.6	<i>Sydney to Canberra Corridor</i>	No	Revoked 10 July 2008

5.7	<i>Central Coast</i>	No	Revoked 10 July 2008
5.8	<i>Second Sydney Airport: Badgerys Creek</i>	No	Not applicable
6.1	<i>Approval and Referral Requirements</i>	No	The proposal does not contain provisions requiring concurrence, consultation or referral of a Minister or public authority. The planning proposal does not seek to identify development as designated development. The planning proposal is considered to be consistent with Direction 6.1.
6.2	<i>Reserving Land for Public Purposes</i>	No	Not applicable. The planning proposal does not seek to create, alter or reduce existing zonings or reservations of land for public purposes.
6.3	<i>Site Specific Provisions</i>	No	Not applicable. The planning proposal does not seek to amend another environmental planning instrument other than the <i>Singleton Local Environmental Plan 2013</i> .
7.1	<i>Implementation of the Metropolitan Plan for Sydney 2036</i>	No	Not applicable



Section C – Environmental, social and economic impact

Q7. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

Likely impacts on flora

Table 5 below explains whether there is any likelihood that critical flora habitat or threatened flora species, populations or ecological communities, or their habitats, will be adversely affected as a result of this planning proposal.

Table 5: Assessment of likely impact on flora

Likely impact on flora		
Consideration	Likely impact? (Yes/No)	Explanation
<i>critical habitat</i>	No	The planning proposal seeks to amend the <i>Singleton Local Environmental Plan 2013</i> (SLEP 2013) to list an existing building as being of local heritage significance and is not expected to generate any disturbance to flora or fauna. The proposal is not expected to result in impacts upon critical flora habitat.
<i>threatened species or their habitat</i>	No	The planning proposal seeks to amend the SLEP 2013 to list an existing building as being of local heritage significance and is not expected to generate any disturbance to flora or fauna. The proposal is not expected to result in impacts upon threatened flora species or their habitat.
<i>threatened populations or their habitat</i>	No	The planning proposal seeks to amend the SLEP 2013 to list an existing building as being of local heritage significance and is not expected to generate any disturbance to flora or fauna. The proposal is not expected to result in impacts on threatened fauna populations or their habitat.
<i>Threatened ecological communities or their habitat</i>	No	The planning proposal seeks to amend the SLEP 2013 to list an existing building as being of local heritage significance and is not expected to generate any disturbance to flora or fauna. The proposal is not expected to result in impacts on threatened ecological communities or their habitat.

Likely impacts on fauna

Table 6 below explains whether there is any likelihood that critical fauna habitat or threatened fauna species, populations or ecological communities, or their habitats, will be adversely affected as a result of this planning proposal.

Table 6: Assessment of likely impact on fauna

Likely impact on fauna		
Consideration	Likely impact? (Yes/No)	Explanation
<i>critical habitat</i>	No	The planning proposal seeks to amend the <i>Singleton Local Environmental Plan 2013</i> (SLEP 2013) to list an existing building as being of local heritage significance and is not expected to generate any disturbance to flora or fauna. The proposal is not expected to result in impacts upon critical fauna habitat.
<i>threatened species or their habitat</i>	No	The planning proposal seeks to amend the SLEP 2013 to list an existing building as being of local heritage significance and is not expected to generate any disturbance to flora or fauna. The proposal is not expected to result in impacts upon threatened fauna species or their habitat.
<i>threatened populations or their habitat</i>	No	The planning proposal seeks to amend the SLEP 2013 to list an existing building as being of local heritage significance and is not expected to generate any disturbance to flora or fauna. The proposal is not expected to result in impacts on threatened fauna populations or their habitat.
<i>Threatened ecological communities or their habitat</i>	No	The planning proposal seeks to amend the SLEP 2013 to list an existing building as being of local heritage significance and is not expected to generate any disturbance to flora or fauna. The proposal is not expected to result in impacts on threatened ecological communities or their habitat.

Q8. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

Table 7 (below) provides a list of other environmental effects that are relevant to the Singleton LGA. The table indicates whether this planning proposal is likely to generate or be affected by such impacts and explains how impacts are proposed to be managed.

Table 7: Assessment of other environmental effects

Other environmental effects		
Potential Impact	Likely impact? (Yes/No)	Explanation
Bushfire	No	According to Council's bushfire prone land mapping, the site is not mapped as being bushfire prone land. The planning proposal seeks to amend the <i>Singleton Local Environmental Plan 2013</i> (SLEP 2013) to list an existing building as being of local heritage significance and is not expected to generate any significant adverse impacts in relation to bushfire.
Flooding and drainage	No	Bowmans Creek borders the northern boundary of Lot 1, DP1167323. While Council's flood prone land mapping does not indicate that the site is within a designated flood plain, the site may be subject to localised flood impacts associated with significant storm events. The planning proposal seeks to amend the SLEP 2013 to list an existing building as being of local heritage significance and does not propose works that would impact upon flooding and drainage.
Native vegetation	No	The planning proposal seeks to amend the SLEP 2013 to list an existing building as being of local heritage significance and is not expected to generate any disturbance to native vegetation.
Soil degradation and land capability	No	The planning proposal seeks to amend the SLEP 2013 to list an existing building as being of local heritage significance and is not expected to generate soil degradation or impacts on land capability.
Land use conflict	No	The planning proposal seeks to amend the SLEP 2013 to list an existing building as being of local heritage significance and is not expected to generate land use conflict.
Traffic, access and transport	No	The planning proposal seeks to amend the SLEP 2013 to list an existing building as being of local heritage significance and is not expected to generate any adverse impacts in regard to traffic, access or transport.
Aboriginal Cultural Heritage	No	The planning proposal seeks to amend the SLEP 2013 to list an existing building as being of local heritage significance and is not expected to generate any adverse Aboriginal cultural heritage impacts.
Historic Heritage	No	The planning proposal seeks an amendment to the SLEP 2013 that would result in the building situated on Lot 1, DP1167323, being listed as having local heritage significance. Listing of the building would result in the application of heritage conservation controls to the item (e.g. Clause 5.10 of the SLEP 2013). The building may also be eligible for various conservation incentives as a result of the listing. It is considered that the proposed amendment to the SLEP 2013 would have a positive impact in terms of protecting historic heritage.
Air quality	No	The planning proposal seeks to amend the SLEP 2013 to list an existing building as being of local heritage significance and is not expected to generate any significant adverse air quality impacts.
Noise	No	The planning proposal seeks to amend the SLEP 2013 to list an existing building as being of local heritage significance and is not

		expected to generate any significant adverse noise impacts.
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Q9. Has the planning proposal adequately addressed any social and economic effects?

Table 8 (below) provides a list of potential social and economic impacts and indicates whether this planning proposal is likely to generate or be affected by such impacts.

Table 8: Consideration of social and economic effects

Potential social and economic effects		
Potential Impact	Likely impact? (Yes/No)	Explanation
<i>Housing and accommodation</i>	No	The planning proposal seeks to amend the <i>Singleton Local Environmental Plan 2013</i> (SLEP 2013) to list an existing building as being of local heritage significance and is not expected to generate any significant adverse impacts in relation to housing and accommodation.
<i>Community values and expectations</i>	No	The planning proposal seeks to amend the SLEP 2013 to list an existing building as being of local heritage significance and is not expected to generate any significant adverse impacts in relation to community values or expectations.
<i>Community services and facilities</i>	No	The planning proposal seeks to amend the SLEP 2013 to list an existing building as being of local heritage significance and is not expected to generate any significant adverse impacts in relation to community services or facilities.
<i>Community health and wellbeing</i>	No	The planning proposal seeks to amend the SLEP 2013 to list an existing building as being of local heritage significance and is not expected to generate any significant adverse impacts in relation to community health or wellbeing.
<i>Access and mobility</i>	No	The planning proposal seeks to amend the SLEP 2013 to list an existing building as being of local heritage significance and is not expected to generate any significant adverse impacts in relation to access or mobility.
<i>Crime and public safety</i>	No	The planning proposal seeks to amend the SLEP 2013 to list an existing building as being of local heritage significance and is not expected to generate any significant adverse impacts in relation to crime or public safety.
<i>Social equity (displacement/ needs of disadvantaged groups)</i>	No	The planning proposal seeks to amend the SLEP 2013 to list an existing building as being of local heritage significance and is not expected to generate any significant adverse impacts in relation to social equity.
<i>Violation of civil liberties (personal and property rights)</i>	No	The planning proposal seeks to amend the SLEP 2013 to list an existing building as being of local heritage significance and is not expected to generate any significant adverse impacts in relation to civil liberties.
<i>Workforce and employment</i>	No	The planning proposal seeks to amend the SLEP 2013 to list an existing building as being of local heritage significance and is not expected to generate any significant adverse impacts in relation to the workforce or employment.



Section D – State and Commonwealth interests

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

Table 9 (below) provides a list of potential social and economic impacts and indicates whether this planning proposal is likely to generate or be affected by such impacts.

Table 9: Public Infrastructure

Public Infrastructure provision		
Infrastructure	Relevant? (Yes/No)	Explanation
<i>Public transport</i>	No	The site subject of this planning proposal is located in a remote area of the Singleton Local Government Area (LGA) and is not serviced by public transport. The proposed listing of the building as being an item of local heritage significance is not expected to generate any significant adverse impacts in relation to public transport.
<i>Road</i>	Yes	The site is serviced by Bowmans Creek Road which is a sealed public road. The listing of the building as being an item of local heritage significance is not expected to generate any significant adverse road impacts or a need for any significant road upgrades.
<i>Electricity</i>	Yes	The site is currently serviced by a 240 volt mains electricity supply. The listing of the building as being an item of local heritage significance is not expected to generate any significant adverse impacts in terms of electricity infrastructure or a need for any upgrades to such infrastructure.
<i>Gas</i>	No	The site has no gas connection. The local area is not serviced by gas. The listing of the building as being an item of local heritage significance is not expected to generate any significant adverse impacts in terms of gas services.
<i>Telecommunications</i>	Yes	The site has existing connection to telephone services. The listing of the building as being an item of local heritage significance is not expected to generate any significant adverse impacts in terms of telecommunications infrastructure or a need for any upgrades to such infrastructure.
<i>Reticulated water</i>	No	The site has no connection to reticulated water. The local area is not serviced by a public reticulated water supply. The listing of the building as being an item of local heritage significance is not expected to generate any significant adverse impacts in terms of reticulated water.
<i>Sewer</i>	No	The site has no connection to sewer. The local area is not serviced by sewer. The listing of the building as being an item of local heritage significance is not expected to generate any significant adverse impacts in terms of sewer infrastructure.
<i>Waste management</i>	No	The listing of the building as being an item of local heritage significance is not expected to generate any significant adverse impacts in terms of waste management.
<i>Health services</i>	No	The listing of the building as being an item of local heritage significance is not expected to generate any significant adverse impacts in terms of health services.
<i>Education</i>	No	The listing of the building as being an item of local heritage significance is not expected to generate any significant adverse impacts in terms of education services.
<i>Emergency services</i>	No	The listing of the building as being an item of local heritage

		significance is not expected to generate any significant adverse impacts in terms of emergency services.
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Q11. What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?

Note. The pre-gateway planning proposal nominates those state and Commonwealth agencies the planning authority considers should be consulted in relation to the proposal. The level of consultation actually required to be undertaken is determined by the requirements the Gateway determination.

Table 10 (below) provides a list of public authorities which may be potential referral bodies for planning proposals in the Singleton LGA and indicates whether the respective authority has been identified as a referral body for this planning proposal.

Table 10: Public Authorities

Public Authority Consultation		
Public Authority	Consultation required? Yes/No	Explanation
<i>NSW Office of Environment and Heritage</i>	Yes	The Heritage Division of the <i>NSW Office of Environment and Heritage</i> should be consulted in relation to the proposal given that the proposal relates to the listing of a building as being an item of local heritage significance.
<i>NSW Rural Fire Service</i>	No	Council's bushfire prone land mapping does not identify the site as being bushfire prone land. The proposal to list the building on the site as being of local heritage significance is not expected to generate any adverse impacts in relation to bushfire. As such, it is not considered necessary to liaise with the <i>NSW Rural Fire Service</i> in relation to the planning proposal.
<i>NSW Trade and Investment – Resources and Energy</i>	No	The proposal to list the building on the site as being of local heritage significance is not expected to generate any adverse impacts in relation to mineral resources or extractive industries. As such, it is not considered necessary to liaise with <i>NSW Trade and Investment – Resources and Energy</i> in relation to the planning proposal.
<i>NSW Primary Industries</i>	No	The proposal to list the building on the site as being of local heritage significance is not expected to generate any adverse impacts in relation to primary industries and as such, it is not considered necessary to liaise with <i>NSW Primary Industries</i> in relation to the planning proposal.
<i>NSW Transport – Roads and Maritime Services</i>	No	The proposal to list the building on the site as being of local heritage significance is not expected to generate any adverse impacts in relation to road network, traffic or transport. As such, it is not considered necessary to liaise with <i>NSW Transport – Roads and Maritime Services</i> in relation to the planning proposal.
<i>Hunter Water Corporation</i>	No	The proposal to list the building on the site as being of local heritage significance is not expected to impact on water infrastructure. The site is not within the <i>Hunter Water Corporation</i> area of operations. As such, it is not considered necessary to liaise with the <i>Hunter Water Corporation</i> in relation to the planning proposal.
<i>Wanaruah Local Aboriginal Land Council</i>	No	The proposal to list the building on the site as being of local heritage significance is not expected to impact upon items or places of Aboriginal Cultural Heritage significance. As such, it is not considered necessary to liaise with the <i>Wanaruah Local Aboriginal Land Council</i> in relation to the planning proposal.
<i>Mindaribba Local</i>	No	The proposal to list the building on the site as being of local

<i>Aboriginal Land Council</i>		heritage significance is not expected to impact upon items or places of Aboriginal Cultural Heritage significance. As such, it is not considered necessary to liaise with the <i>Mindaribba Local Aboriginal Land Council</i> in relation to the planning proposal.
<i>Cessnock City Council</i>	No	The site is not within close proximity to the <i>Cessnock City Council</i> Local Government Area (LGA) boundary. The planning proposal is not expected to impact upon the Cessnock LGA.
<i>Muswellbrook Shire Council</i>	No	The site is not within close proximity to the <i>Muswellbrook Shire Council</i> Local Government Area (LGA) boundary. The planning proposal is not expected to impact upon the Cessnock LGA.
<i>Dungog Shire Council</i>	No	The site is not within close proximity to the <i>Dungog Shire Council</i> Local Government Area (LGA) boundary. The planning proposal is not expected to impact upon the Cessnock LGA.

PART 4 – MAPPING

Note. This part of the planning proposal contains mapping in accordance with the requirements of 'A guide to preparing planning proposals' (Department of Planning & Environment – August 2016). The intention of this part is to clearly and accurately identify, relevant aspects of the proposal at an appropriate scale. The formal maps that prepared in accordance with the 'Standard Technical Requirements for LEP Maps' (Department of Planning & Environment – August 2016) are appended separately from this part.



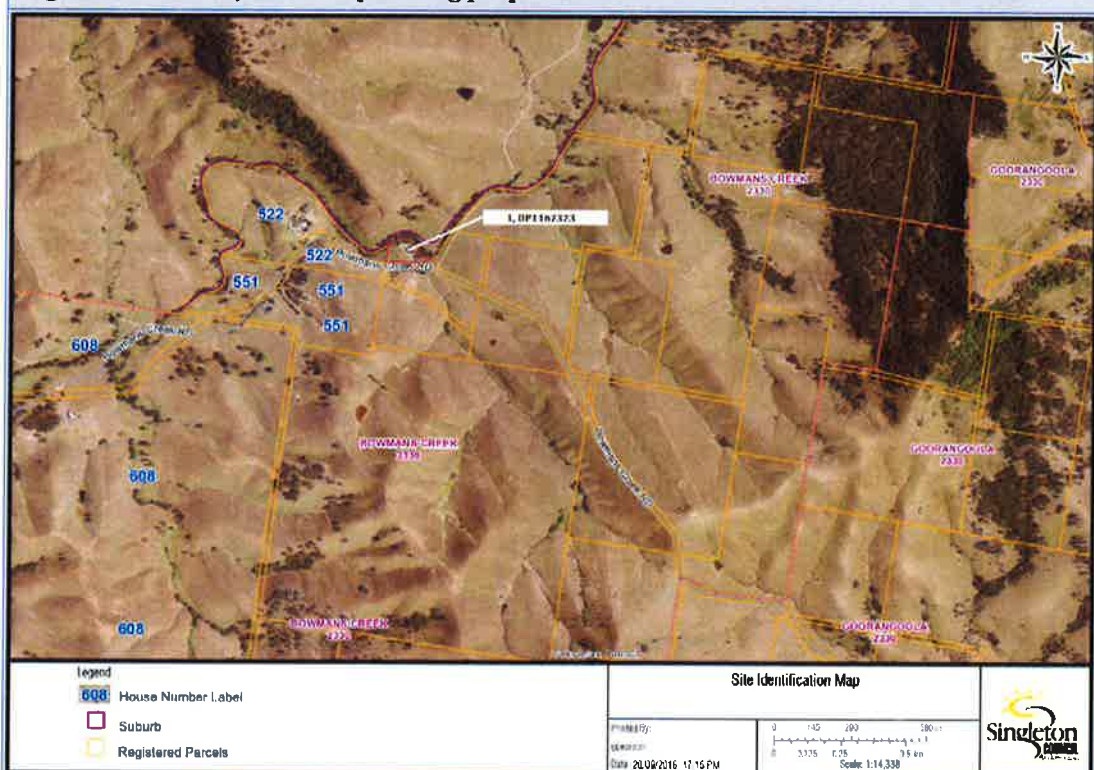
Land subject to the planning proposal

The site subject of this planning proposal (Lot 1, DP1167323) is situated in the locality of Bowmans Creek, and adjoins the north-western boundary between the Singleton Local Government Area (LGA) and the Muswellbrook LGA.

Bowmans creek adjoins the northern boundary of Lot 1, DP1167323. The allotment is approximately 1.02Ha in area and is largely cleared of significant vegetation except for the riparian corridor of Bowmans Creek. The building subject of the planning proposal is constructed on an elevated section of the site.

Figure 1 below shows the location of the site subject of the planning proposal.

Figure 1: Land subject to the planning proposal

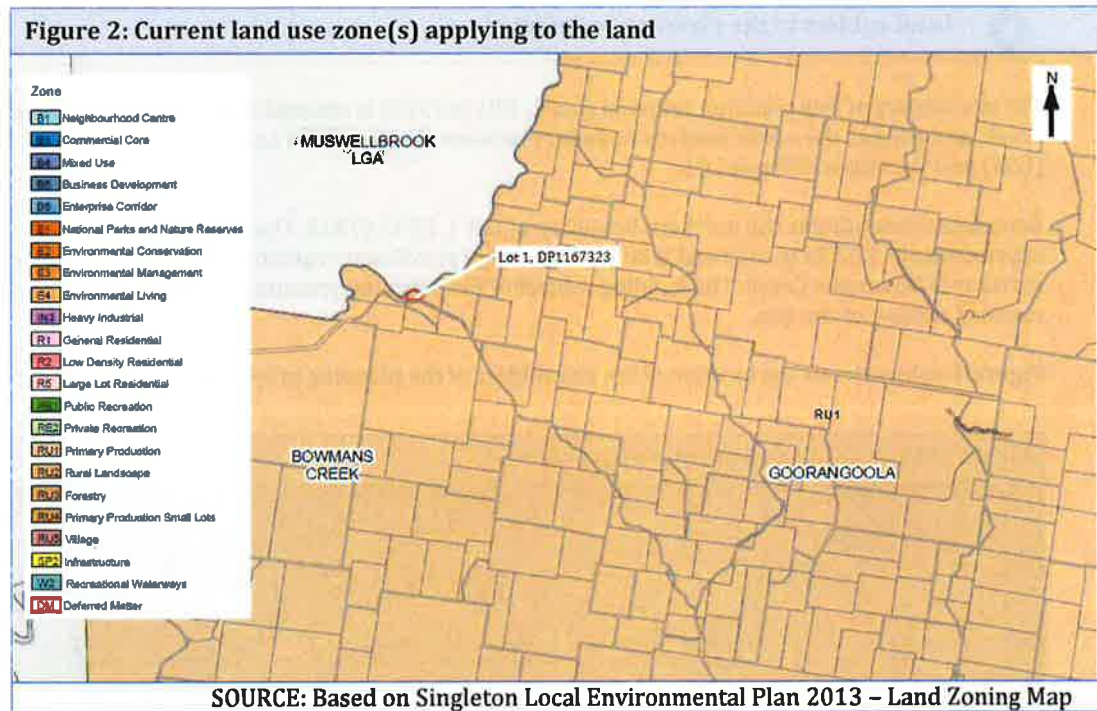


SOURCE: Singleton Council - Dekho



Current land use zoning

The site is zoned RU1 Primary Production Zone. The current zoning pattern in the locality is shown in Figure 2. This planning proposal does not seek to alter the land use zoning of the site.



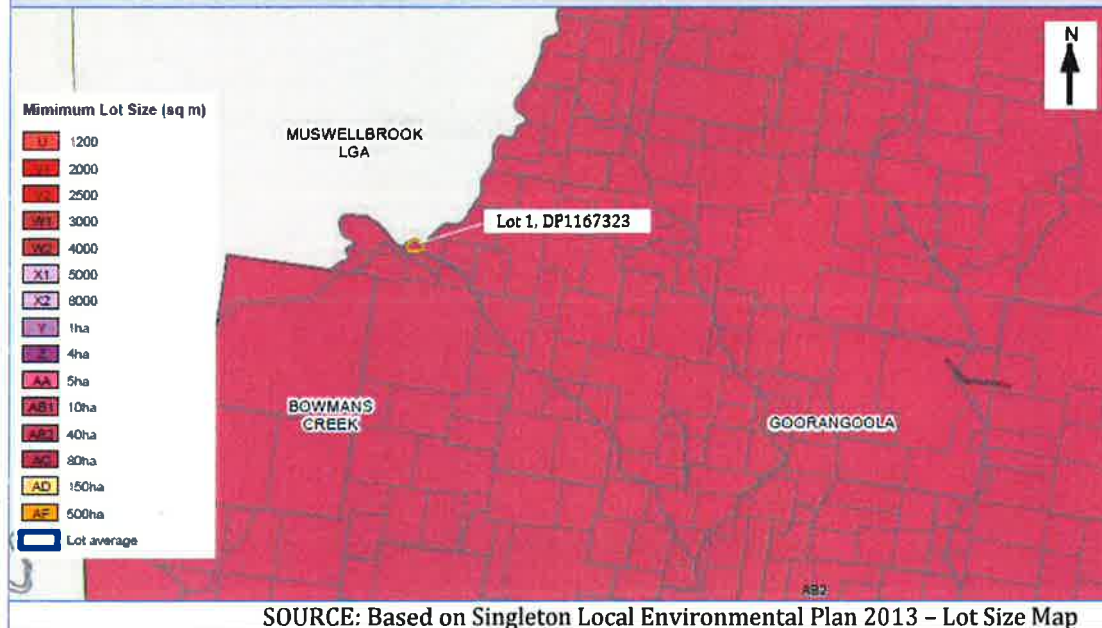


Current LEP Development Standards applying to the land

Current minimum lot size requirements

Under the provisions of the *Singleton Local Environmental Plan 2013*, the minimum lot size applying to subdivision of Lot 1, DP1167323 is 40Ha. **Figure 3** below shows the minimum lot sizes applying to subdivision of the site and in the locality. This planning proposal does not seek to alter the minimum lot size requirements applying to subdivision.

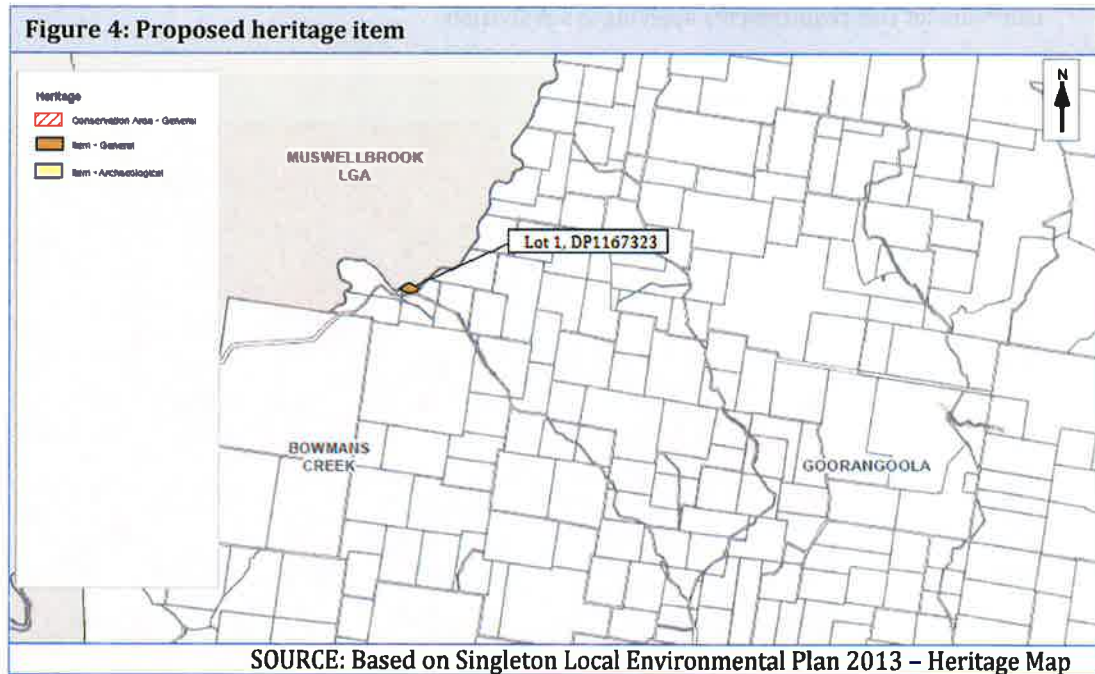
Figure 3: Minimum lot size requirements





Proposed change to heritage map

The planning proposal seeks to list the existing (church) building on Lot 1, DP1167323 as being an item of local heritage significance in the *Singleton Local Environmental Plan 2013* (SLEP 2013). Figure 4 shows the site proposed to be identified on the SLEP 2013 Heritage Map as containing a heritage item.



PART 4 –COMMUNITY CONSULTATION

Note. A planning proposal must outline the proposed community consultation to be undertaken in relation to the proposal. The pre-gateway planning proposal nominates the level of community consultation the planning authority considers to be appropriate for the proposal. The level of consultation actually required to be undertaken is determined by the requirements the Gateway determination.

Listing of the subject (church) building as being of local heritage significance is not expected to generate any significant impacts, but would apply additional conservation provisions to the building and site. The planning proposal is considered to be a low impact planning proposal. As such, it is proposed to exhibit the planning proposal for a period of not less than 14 days.

Table 11 (below) provides details of the community consultation strategy for this planning proposal:

Table 11: Community consultation strategy

Community Consultation		
Task	Required? Yes/No	Explanation
<i>Notice of exhibition on Council's Corporate website</i>	Yes	Planning proposal exhibitions are advertised on the Council's website
<i>Newspaper notice</i>	Yes	The site is within the area of circulation for the Singleton Argus newspaper. A notice of the exhibition is to be placed within the <i>Singleton Argus</i>. Given the remote rural location of the site and its proximity to the dividing boundary between the Singleton Local Government Area (LGA) and Muswellbrook LGA, exhibition notices are also to be placed within the <i>Muswellbrook Chronicle</i> and <i>Hunter Valley News</i> newspapers.
<i>Notification letters</i>	Yes	Notification letters are to be sent to landowners adjoining and adjacent to the boundaries of the site.

CONCLUSION AND RECOMMENDATION

The planning proposal seeks to list a building in Part 1 of Schedule 5 of the *Singleton Local Environmental Plan 2013* as being an item of local heritage significance. The site would also be identified on the *Singleton Local Environmental Plan 2013 - Heritage Map (Sheet HER_013)* as containing a heritage item.

The completed NSW State Heritage Inventory form (refer to Attachment 2) explains the historic and cultural significance of the subject building and site. The proposed heritage listing is considered to have merit and would facilitate the ongoing conservation of the building.

For the purposes of gateway determination no additional study information has been identified as necessary. It is intended to consult the *Heritage Division* of the *NSW Office of Environment and Heritage* in relation to the proposal and understood that it may request further study information in relation to the proposal.

The proposal is considered to be relatively consistent with relevant policies and directions and is not expected to generate any significant adverse impacts..

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) has been reviewed by the Director Planning & Infrastructure and deemed suitable for the purposes of lodgement for gateway determination.

 21/9/16		Mark Ihlein 21/9/16
Gary Pearson		**Mark Ihlein
Acting Coordinator Sustainable Development		Director Planning & Infrastructure

Table 12: Attachments to planning proposal

Attachments		
Attachment number	Document description	Document date
1	<i>Draft LEP Maps</i>	21/09/2016
2	<i>Completed NSW State Heritage Inventory form</i>	30/04/2016

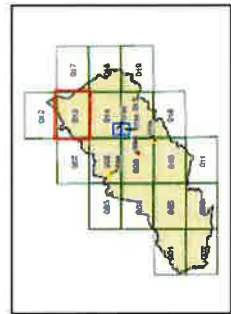
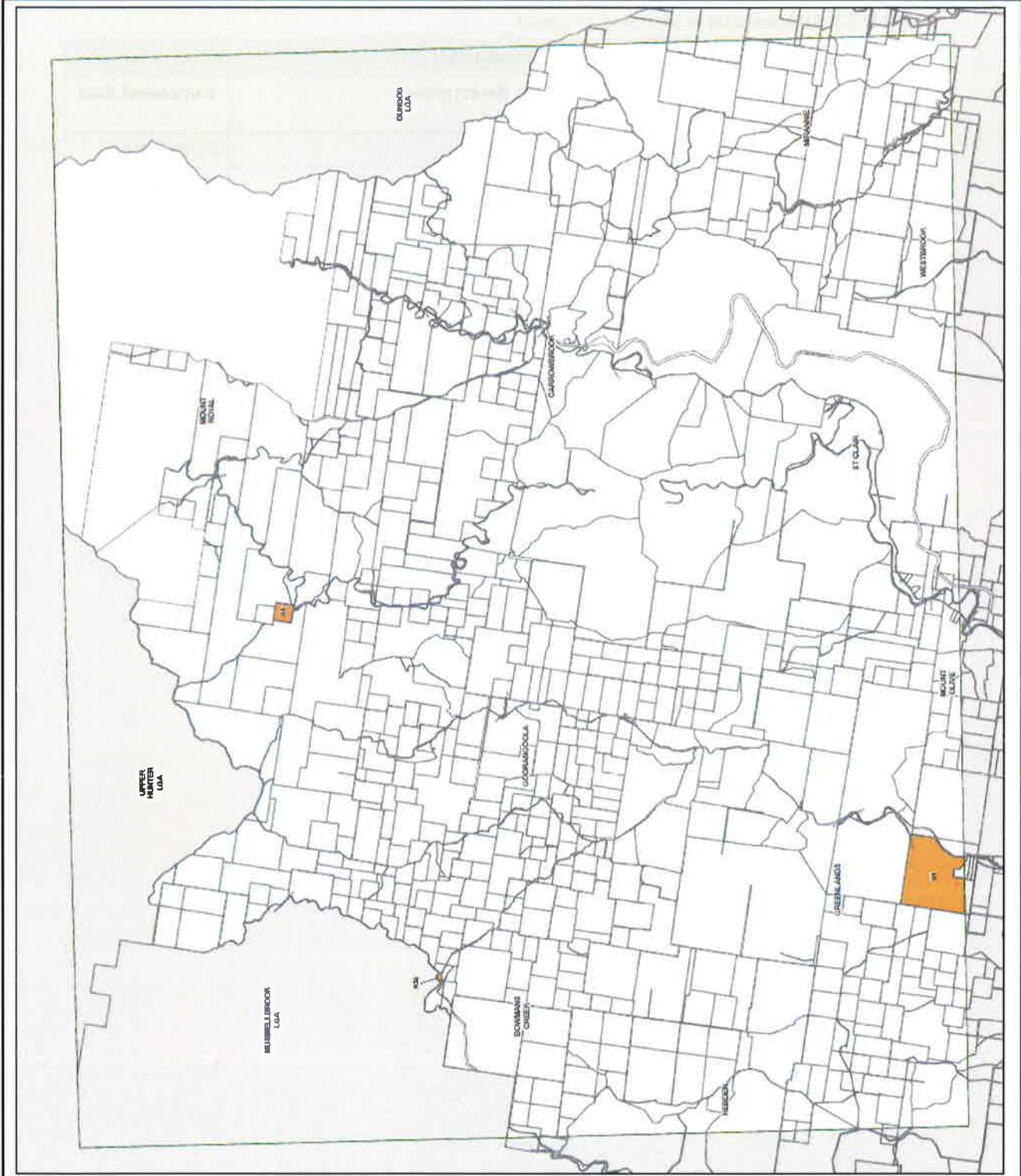


**Singleton Local
Environmental
Plan 2013**

Heritage Map - Sheet HER_013

Heritage Conservation Area - General Item - General Item - Archaeological Coalmine Land and Property Information (LPI)	Copyright © 2013 © Land and Property Information (LPI)
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Proposed: 2013
Scale: 1:50,000 @ A3
Map ID: HER_013_2016021





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ITEM DETAILS					
Name of Item	Former Roman Catholic Church				
Other Name/s Former Name/s	Our Lady of Perpetual Help (Succour)				
Item type (If known)	Church				
Item group (If known)	N/A				
Item category (If known)					
Area, Group, or Collection Name	Bowman's Creek				
Street number	484				
Street name	Bowmans Creek Road				
Suburb/town	Bowmans Creek			Postcode	2330
Local Government Area/s	Singleton Shire Council				
Property description	Lot 1, DP 116323. Formerly part of Portion 39, Parish of Foy				
Location - Lat/long	Latitude	151deg09'02.07" E		Longitude	32deg16'10.32"S
Location - AMG (If no street address)	Zone		Easting		Northing
Owner	Ms Catherine Ball				
Current use	Residence				
Former Use	The building was initially used as a School and then as a Church. ¹ Cath Ball has also noted that between 1902 and 1910 the Church operated as a Catholic Church, School, Community Meeting Hall, Farm hands and contractor's accommodation, camping and cooking shelter for travelling stockmen, accommodation for St Catherine's College Youth Group, storage shed and camping facilities for the Ball family.				
Statement of significance	The church was erected in 1902 by Mr William Schmierer, Great Grandfather of the present owner for the local Roman Catholic residents, on land owned by the Ball family. The site and former church building are historically significant as a privately owned and constructed Roman Catholic Church. (Criteria a). The church and site have strong historical association with the early settlers of the area and in particular the four generations of the Ball family who not only provided the land, but also worshipped in and maintained the building. Other families who were strongly associated with the site and building were the Bowmans Creek Marshall family, and the Catholic families on Campbells Creek – the Sattler, Cooper and Ritter families, and the Kinzigs of Dry Creek. The Church has a strong service association with the St Patrick's Parish of Singleton and St Catherine's College, whose youth Group used the building for retreat camps from 1979 to 1984. The Redemptorist priests from the broader Roman Catholic Church used the church for Retreats and Mission. (Criteria b.) The building is a Simple Carpenter Gothic rural church building, with gable roofed Nave and Vestry annexe. In its setting, located on a flat beside the creek and low down in a valley, with a background of trees along the creek route, the building has landmark qualities. While it is not now used as a church, it				

¹ Two Valleys-The Big Post-that turns people to either of the two valleys. Dept of Education, Bicentenary Grant, Mt pleasant Public School, Principal Joy Poole, September, 1988 p58



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	still retains the identifiable characteristics of the bush church. (Criteria c.) The place has several layers of importance for its social value as a meeting place for the dispersed rural community, its use as a School for a short period of time and ongoing weekly religious instruction as well as a place for religious retreats by the Redemptorist priests, a venue for St Catherine's College Youth Group camps, and its importance as a worship centre for the Roman Catholic community of the Bowmans Creek area. (Criteria c.) The bush carpentry methods are of interest, the workmanship employed in construction being of high quality. (Criteria d.) In dispersed rural communities, the social focus was on Halls and churches, and in this area, there are very few remnants remaining, many buildings having fallen into disrepair through closure or lack of use through rural decline, and suffering from storm, flood and termite damage. Thus this place is a rare remnant in the remote area of Singleton LGA. (Criteria e.) The building is intact and retains much of its detailing and elements, including some of the movable elements associated with its church function. Some of these are not retained on site, but are stored locally. The interior timber walls, ceiling and floor and their finishes are in very good condition. The exterior requires some repairs which are in the most part trim and painting. (Criteria f.)	
Level of Significance	State ☐	Local ☒

NSW State Heritage Inventory form

DESCRIPTION					
Designer	Unknown				
Bullder/ maker	Mr William Schmierer (Great Grandfather of the present owner)				
Physical Description	The building is a weatherboard structure, with an iron roof applied in short sheets. The roof over the Nave is a gable. The entry is via a small porch open at both sides and clad in weatherboard on the southern side of the building. Side openings are framed with a lancet head, with infill lattice over. The south wall is of weatherboard to the pitching height of the roof. Lattice infill is applied to the gable end. A Vestry is located at the north western side of the building with a single door opening to the Sanctuary end (north) of the building. Material evidence on the inside of the Vestry indicates that the doorway was formed in the position of an earlier window, indicating that the Vestry is a later addition. Its floor is of mixed hardwood –notably Jarrah, Brush Box and Tallowwood. Internal tongue and grooved lining boards to walls and ceiling are cedar. Two lancet windows glazed in amber glass are located on the eastern side, and a single lancet window is located on the western side opposite the south eastern window on the opposing wall. The Vestry has a single lancet window located centrally in the western wall, and probably relocated from the west wall of the building when the Vestry was added. The building is supported on hardwood stumps with galvanised termite cappings.				
Physical condition and Archaeological potential	Despite some surface deterioration of the steel roof and the weatherboards being depleted of paint in many areas, the exterior is in a sound and serviceable condition. The cover mouldings on most corners have rotted, and there may be some consequential deterioration of the main corner posts. Corner posts need to be checked for soundness and solid bearing. Soil levels have built up around the entry end of the building providing surface drainage and controlling runoff and diverting water away from the sub floor space. Gable end crosses are no longer attached to the building but they have been salvaged and stored intact on site. Lancet windows have two pivot sashes each, and all appear to be in a working condition. The Porch wall is a patchwork of weatherboards on the lower end, with corner capping moulds missing. Detached downpipes from the gutters need to be reconnected and discharged away from the building or into common tunnel trenching absorption trenches or plumbed into the stormwater tanks already present on the site. Full sub floor examination was not carried out. Perimeter stumps appear to be in reasonable order. Internally, the building is in good order, with the Brush Box floors having been maintained and sealed, and the timber walls and ceiling (Cypress Pine) remaining unpainted but oiled / Shellac coated and in a very good condition. The flooring to the Nave is of mixed hardwood the boards running north - south, while the Sanctuary floor is of a different timber species, with a unique grain, and running in an east-west direction. The Sanctuary is one step higher than the Nave. The Altar is stored off site at Grenell house. A 4.5m long kneeler remains on site. There is external evidence of the former outhouse/ external closet adjacent the creek to the northwest. There may be some archaeological potential around the site and indigenous archaeological potential along the creek banks.				
Construction years	Start year	1902	Finish year	1902	Circa ☐
Modifications and	Addition of Vestry/ Confessional possibly following the original use as a Schoolhouse (1910). Not				



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dates	corroborated. Windows have apparently been replaced c1940. The original appear to have been casement as opposed to the current hopper arrangement. There is material evidence of this in the frames. Removal of long drop external closet in 1990. Replacement of lower eight external weatherboards. The owner advised that these had been damaged through horses rubbing along the side of the building. The church paddock had always been used as a holding paddock close to the Grenell property for domestic and work purposes. Roof repainting in 1985. Repairs have been carried out since the current owner took possession on 12th September 2011 including Roof repairs, refixing loose weatherboards, resealing glass to window frames, checking and attending to deteriorated termite cappings and subfloor stumps, securing the boundary fence, attend to drainage issues to the building perimeter including stormwater goods and downpipe and guttering repairs.
Further comments	There are a number of fittings and loose items that relate to the church use with high provenance that remain with the building or are stored safely nearby. These include: 4 original gable crosses - the original altar. - Kneeler - Original broken glass window - The Owner's Great Uncle's Diary referencing the church between 1930 and 1950. - Treasury Books - Candlesticks - Coat hooks - Remnant fencing (picket style) - Remnants of tank stand



NSW State Heritage Inventory form

HISTORY	
Historical notes Information assembled by the owner Cath Ball.	The Ball Family. The brothers Thomas and Francis Ball selected the family property at Bowmans Creek in 1865. Their father, Thomas Ball emigrated from Stylesworth in England in 1834 and lived in Braxton and worked as a shoemaker. Francis Ball (1837-1895) and family lived in a slab hut on the site of the current house at "Grenell". His brother Thomas and family lived a few hundred metres away in a place now known as "Grenell Cottage". His son, John Allan Ball (1876 – 1932), the present owner's Great Grandfather, and his wife Lilly (nee Drake) married and had five children. Norman was the eldest son (Grandfather of the present owner). In 1902, John Allan Ball donated the land and contributed money to build a church on the site. In 1918 "Grenell" house was built for John Allan Ball and his family. Four generations of the Ball family have lived there continuously. Norman Ball (1903-1971) inherited the property and continued to live there until he moved to Grenell Park at Rouchel in 1957. Norman's eldest son, Allan (1934-2008), the present owner's father, lived in Grenell house his entire life. His wife continued to live there until 2014. Their son Gregory and family currently reside there. Grenell and the establishment of a Catholic Church Wool production was the main agricultural activity on the property until the 1940s when an increase in the numbers of Dingoes prompted graziers to switch from wool to beef. Grenell ran 400 sheep in the 1940s. The property now runs 800 head of cattle. A Post Office and Telephone Exchange was operated for many years in the 1940s and 50s. While the area did not have a centre as such, the community was built around the facilities offered and provided by the individual resident farmers and graziers. "There were Roman Catholic families at Goorangoola from early days, amongst Irish, English and German settlers. The church built at Falbrook in 1877 was the nearest, but it was as difficult to access to the Goorangoola of those days as was the Anglican Church at Camberwell. The Bowmans Creek families of Ball and Marshall were Roman Catholic... There were (also) Catholic families on Campbells Creek – the Sattler, Cooper and Ritter families, and the Kinzigs of Dry Creek... These families erected a church along Bowmans Creek, about a 1.6 kilometres downstream of the present building." No deeds could be found of the site. Land was given by Mr Allan Ball in 1902 for the purposes of erecting a church. However, according to the owner, neither the first Catholic church, nor the current building were constructed on the dedicated portion. No information has been uncovered to explain why, however, it could have been that the current site was more centrally located to the Marshall, Cooper, Ritter and Sattler families of Bowmans Creek. It is also noted that the site dedicated for the purpose of a church was very close to the creek and in wet periods is very soggy. The site was across Bowmans Creek making access in flood periods impossible for all families. As Greenhalgh puts it, "The erection of churches gave (the locals) both the necessary legal and religious sanctions in christenings, marriages and burials in a convenient local building, and it brought nearer an other worldly shield against the mysterious forces of the universe."² Four generations of the Ball family attended Mass at the church for over 60 years. In 1964 the owner's brother and in 1968 the owner's sister made their first Communion with Fr Flatley celebrating the

² Greenhalgh. A. Time's Subjects. The Story of Goorangoola. Roseville 1969. P142-3



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service.

The building as a School for Bowmans Creek

September 6th 1877, Mr Thomas Ball wrote (it is assumed to the Inspectorate of Schools in Maitland) that the furniture was ready in the School House and they were eagerly awaiting a teacher. In October the Inspector of Schools from Maitland reported on the suitability of the School and accommodation provided at Bowmans Creek, and that the area was deserving of a Provisional School, ie a School provided and maintained by the residents with a teacher provided by the Government. Between Thomas Ball and Francis Ball families, there were apparently 20 children at that time.

For several years after its construction, the building was used as a School possibly until 1910.

Government Schools of New South Wales 1848-2003 . NSW Dept of Education and Training 2003 identifies that the Bowmans Creek School finally closed in June 1916. There is no record identifying the RC church as site for that School except for local recollection.

A newspaper article from 1925, outlining the Singleton Parish, stated that Christian Doctrine classes were held every Sunday. The other source for this is *Two Valleys – The Big Post – that turns people to either of the Two Valleys*, Department of Education, Bicentenary Grant, Mt Pleasant Public School, Principal Joy Poole, September, 1988.

The building as a Roman Catholic Church

The Roman Catholic Church of **Our Lady of Perpetual Help** (Succour) was opened (and possibly consecrated) in 1902 by Bishop James Murray.

From 1902 to 1973 church services and community missions took place regularly.

Mass was said once a month at Bowmans Creek. Locals could rotate between the country churches each week if they were sufficiently dedicated. Other nearby churches were at Glennies Creek and Ravensworth.

A newspaper cutting from 1925³ gives the Mass times for the parochial District of Singleton indicates that of the 7800 population there were 1800 Catholics. It notes that as part of the Parish, **Our Lady of Perpetual Succour**, Goorangoola, opened in 1902, had Mass celebrated on every second month and Christian Doctrine classes were held every Sunday.

Redemptorist priests attended to services at the Church. They included Fr Purcell, Fr Peters, Fr (later Monsignor) Flatley and a priest whose name sounded like Fr Childadee (according to the owner's Aunt Kathleen Deaves).

John Allan Ball (the owner's Great Grandfather) purchased the organ and Thomas Ball, his brother made the altar. The Owner's Aunty (Betty Ball) and Kathleen Deaves would sing the hymns and Aunty Edna Stuart would play the organ at Mass times.

The priest was paid at the end of each service by the locals Wally Marshall and Katy Hope. The Ball family provided food and shelter for the priest and horses.

Basic Kitchen and washing facilities were at the rear of the church under a "lean-to" shelter near the water tank at the side of the church. This no longer exists. The horses were used on sulky rigs and needed to be secured and fed and sheltered while the priest was in attendance.

The Redemptorist Priests would practice the Benediction for many hours at a time, a few times a year during Retreats held at the church. They would reside at Grenell House and at the church. It is

³ <http://f11.wp.com/www.terrycallaghan.com/wp-content/uploads/2014/02/singleparish0014.jpg>



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understood that Missions and teaching would be carried out for duration of several weeks.

Betty Ball, resident of Grenell House from 1942 to 1957, has said the priests would practice the benediction in the morning, then retire to the house for a "big breakfast" and Betty's mother would pack them lunch before they returned to the church for the day's prayers, and then return to the house in the evenings for meals and conversation.

While the church building was used for Masses by the Catholic parish, ownership was never formally transferred to the Catholic Church or noted on Crown Portion Parish maps.

In 1995, Fr Brock from Singleton Church visited Mr Allan Ball at Grenell, saying that "a married couple he knew from Sydney would like to come and live in the church." He also was not aware that the land upon which the church had been built, did not belong to the Catholic Church. Only the dedicated parcel of land upon which no church had ever been built, belonged to the Church. For \$20,000, Allan Ball purchased the dedicated land from the Catholic Church (part portion 24, Parish of Foy).

There was apparently (according to Greenhalgh p143) that only two schisms within the Catholic Church are recorded in Australia, one of which was at Bowmans Creek. It is postulated that the presbytery was perhaps rebellious and excluded the priest of the time, possibly due to the reluctance of the church to include Bowmans Creek Church as part of a Parish. What is interesting is that the Singleton Parish advertised in 1925, that Masses were celebrated every second month at Our Lady of Perpetual Succour, Bowmans Creek.

The building as a Community Meeting Place between 1902 and 1975

Up till the 1960s, the church and grounds were used, often on a Saturday, for community days and markets selling local produce and as an opportunity for a social catch up. ⁴

The building as Worker's accommodation and Storage 1975 - 2010

From 1975, contract workers at Grenell used the Church as temporary accommodation. Painters and fencing contractors would stay for up to a week at a time, cooking on a camp oven at the rear of the church.

When the Goorangoola Hall was demolished in 1986, movable items salvaged from the Hall, including tables and chairs, were stored in the church for general community use.

The Ball family also stored furniture and work equipment there at that time.

St Catherines College Singleton, Youth Group Accommodation.

The church has close ties with St Patricks Parish from whence the priests would celebrate the Mass. Many of the Catholic children from the area attended and boarded at St Catherines College, Singleton adjacent to the Convent and parish church.

Between 1979 and 1984, St Catherine's College Youth Group from years 7 to 12 would stay at the Church over the weekends.

The Youth programme operated for 6 years and was generally under the supervision of Sr Faith Jones and Sr Mary Goldsworthy, who attended most camps.

The owner has photographs of the activities held during these weekends, including horse and motorbike riding, rabbit trapping techniques and camp cooking with billy tea.

The church grounds provided fresh water, cooking, washing and toilet facilities, as well as the church building sleeping up to 20 children.

⁴ Local resident recollections – cited source Betty Ball.



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THEMES	
Local historical themes	Building settlements Working on the Land Educating people in remote places Making places for worship Living in the Country and rural settlements

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APPLICATION OF CRITERIA	
Historical significance SHR criteria (a)	The church was erected in 1902 by Mr William Schmierer, Great Grandfather of the present owner for the local Roman Catholic residents, on land owned by the Ball family. Of note is the fact that while there had been land dedicated for the purposes of a Roman Catholic Church, it was never developed and used for that purpose, the building sited on privately owned land.
Historical association significance SHR criteria (b)	The church and land have strong associations with the Roman Catholic families of the Goorangoola area, Bowmans Creek, Glennies Creek and surrounding areas. Masses were celebrated at various centres and locations during a month and dedicated families would travel on a Sunday in search of weekly Mass celebration. The early settlers of the area and in particular the four generations of the Ball family who not only provided the land, but also worshipped in and maintained the building. Other families who were strongly associated with the site and building were the Bowmans Creek Marshall family, and the Catholic families on Campbells Creek – the Sattler, Cooper and Ritter families, and the Kinzigs of Dry Creek. The Church has a strong service association with the St Patrick's Parish of Singleton and St Catherine's College, whose youth Group used the building for retreat camps from 1979 to 1984. The Redemptorist priests from the broader Roman Catholic Church used the church for Retreats and Mission
Aesthetic significance SHR criteria (c)	The building is a simple vernacular timber rural church building, with gable roofed Nave and Vestry annexe. In its setting, located on a flat beside the creek and low down in a valley, with a background of trees along the creek route, the building has landmark qualities. It could be categorised as a Simple Carpenter Gothic building. While it is not now used as a church, it still retains the identifiable characteristics of the bush church.
Social significance SHR criteria (d)	The place has several layers of importance for its social value as a meeting place for the dispersed rural community, its use as a School for a short period of time and ongoing weekly religious instruction as well as a place for religious retreats by the Redemptorist priests, a venue for St Catherine's College Youth Group camps, and its importance as a worship centre for the Roman Catholic community of the Bowmans Creek area.
Technical/Research significance SHR criteria (e)	The bush carpentry methods are of interest, the workmanship employed in construction being of high quality.
Rarity SHR criteria (f)	In dispersed rural communities, the social focus was on Halls and churches, and in this area, there are very few remnants remaining, many buildings having fallen into disrepair through closure or lack of use through rural decline, and suffering from storm, flood and termite damage. Thus this place is a rare remnant in the remote area of Singleton LGA.
Representativeness SHR criteria (g)	Thus this place is representative of a class of rural church building but rare in the remote area of Singleton LGA.
	The building is intact and retains much of its detailing and elements, including some of the movable



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Integrity

elements associated with its church function. Some of these are not retained on site, but are stored locally.

The interior timber walls, ceiling and floor and their finishes are in very good condition. The exterior requires some repairs which are in the most part trim and painting.



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HERITAGE LISTINGS	
Heritage listing/s	Nil

INFORMATION SOURCES				
Include conservation and/or management plans and other heritage studies.				
Type	Author/Client	Title	Year	Repository
Report	Catherine Ball	Historical Outline of Catholic Church Built 1902	2016	Private research
Internet site	Terry Callaghan	Singleton Parish	2014	http://i1.wp.com/www.terrycallaghan.com/wp-content/uploads/2014/02/singleparish0014.jpg
Published Book	Grenhalgh. A.	Time's Subjects. The Story of Goorangoola. Roseville P142-3	1969.	On Loan from Catherine Ball
Published Book	Singleton Historical Society	Bush Schools Past and Present of Patrick Plains	1990	On Loan from Catherine Ball
Published Book	Two Valleys. The Big Post – that turns people to either of the Two Valleys.	Dept of Education, Bicentenary Grant, Mt Pleasant Public School	1998	On Loan from Catherine Ball

RECOMMENDATIONS	
Recommendations	We are proposing a LOCAL listing be applied to the site and building in accordance with the heritage assessment.

SOURCE OF THIS INFORMATION			
Name of study or report		Year of study or report	
Item number in study or report			
Author of study or report			
Inspected by			
NSW Heritage Manual guidelines used?		Yes ☒	No ☐
This form completed by	Stephen Booker. Conservation Architect, carste STUDIO pty ltd	Date	30 th April 2016



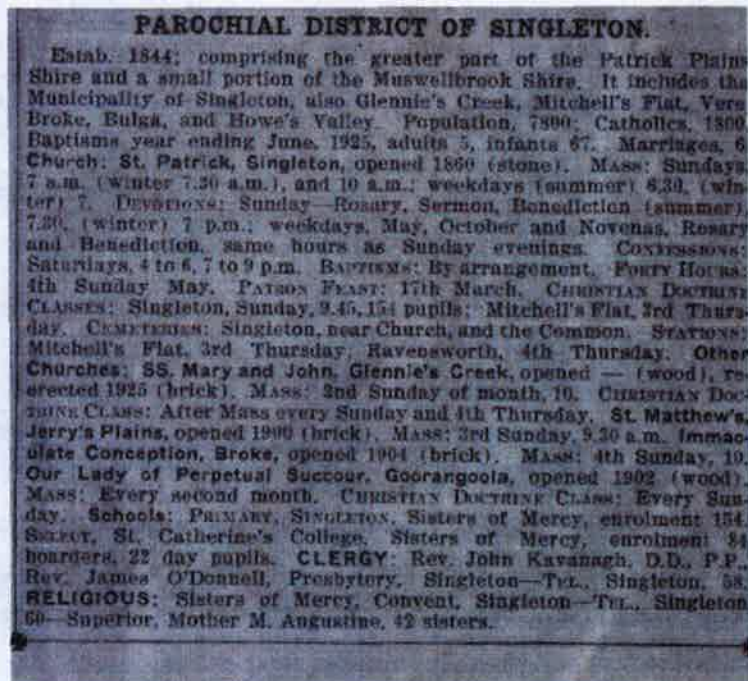
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IMAGES - 1 per page

Please supply images of each elevation, the interior and the setting.

Image caption	Singleton Roman Catholic Parish Centres - Detail				
Image year	1925	Image by		Image copyright holder	



IMAGES - 1 per page

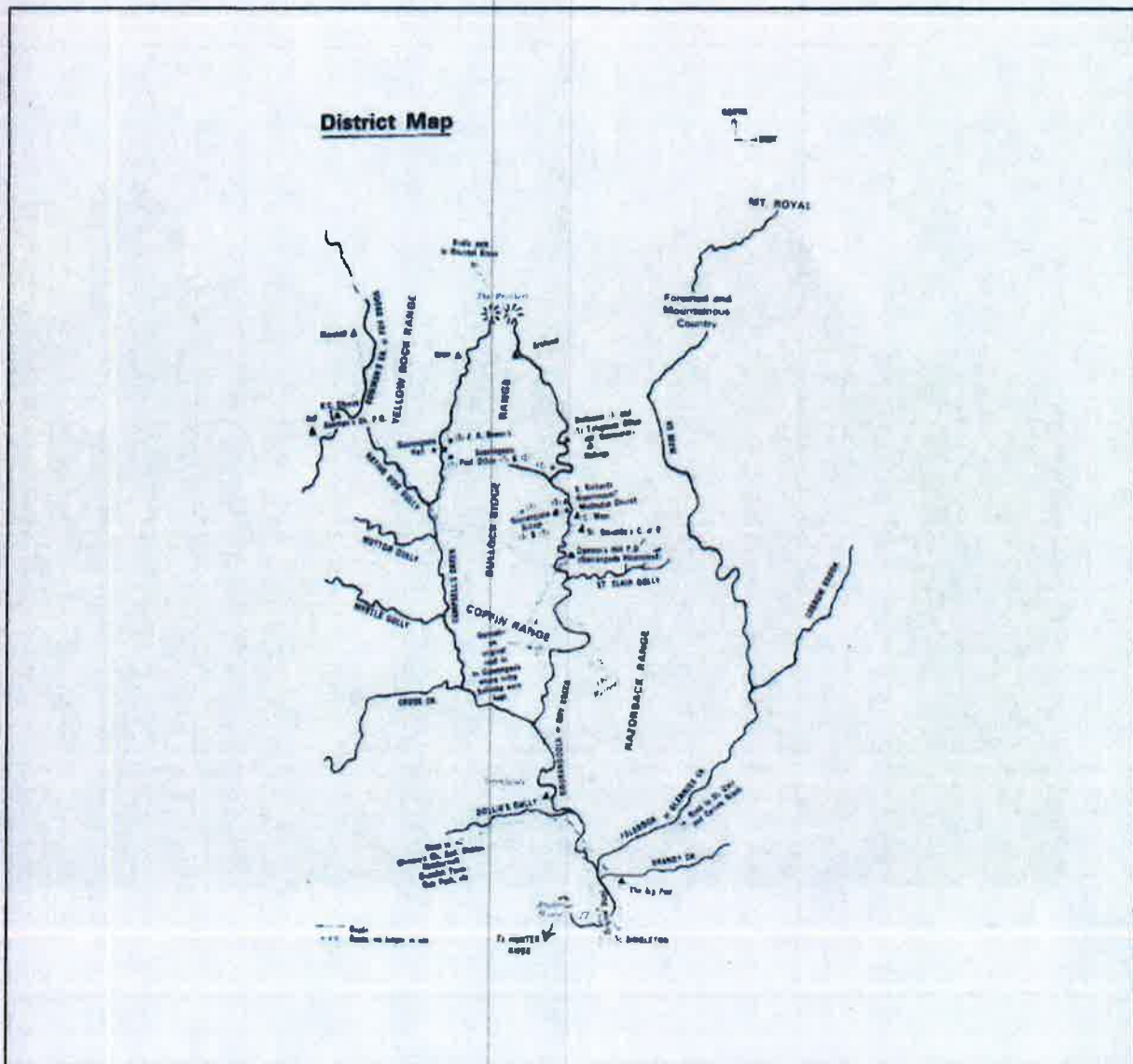


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Please supply images of each elevation, the interior and the setting.

Image caption	District Map of Bowmans Creek and surrounding areas of Singleton				
Image year	Unknown	Image by	http://www.terrycalaghan.com/resources-map-goorangoola/	Image copyright holder	Unknown





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Please supply images of each elevation, the interior and the setting.

Image caption	South east view of Church				
Image year	2016	Image by	Cath Ball	Image copyright holder	Cath Ball





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Please supply images of each elevation, the interior and the setting.

Image caption	Eastern Elevation				
Image year	2016	Image by	Stephen Booker	Image copyright holder	Stephen Booker carste STUDIO pty ltd





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Please supply images of each elevation, the interior and the setting.

Image caption	South Elevation of Church				
Image year	2016	Image by	Stephen Booker	Image copyright holder	Stephen Booker carste STUDIO pty ltd





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Please supply images of each elevation, the interior and the setting.

Image caption	South west view of Church				
Image year	2016	Image by	Stephen Booker	Image copyright holder	Stephen Booker carste STUDIO .pty ltd





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Please supply images of each elevation, the interior and the setting.

Image caption	South west view of Church				
Image year	2016	Image by	Stephen Booker	Image copyright holder	Stephen Booker carste STUDIO pty ltd





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Please supply images of each elevation, the interior and the setting.

Image caption	West side wall, Stumping detail				
Image year	2016	Image by	Stephen Booker	Image copyright holder	Stephen Booker carste STUDIO pty ltd





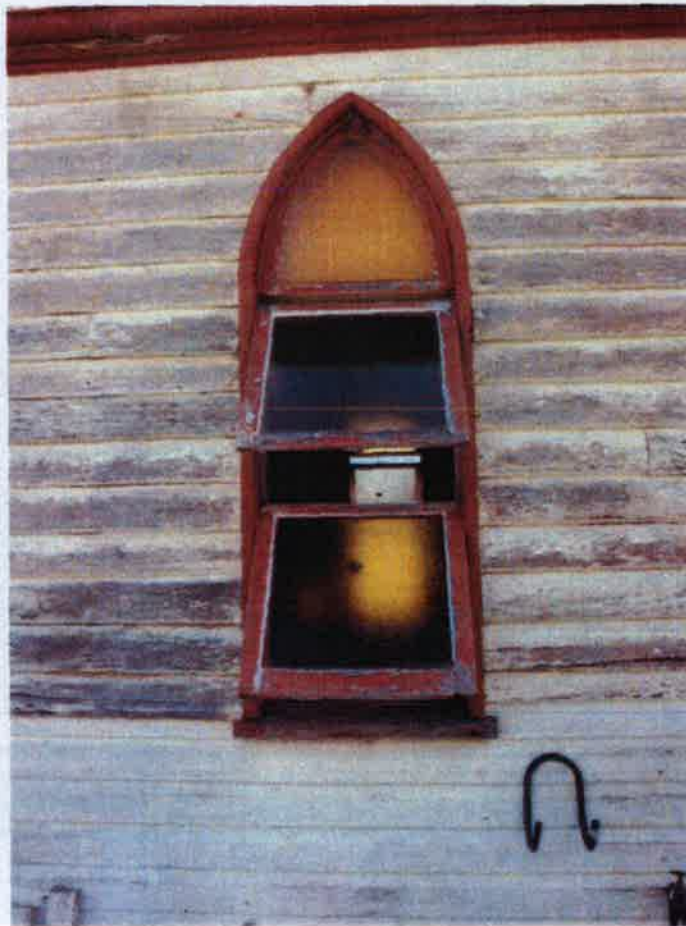
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Please supply images of each elevation, the interior and the setting.

Image caption	Lancet window detail – west wall				
Image year	2016	Image by	Stephen Booker	Image copyright holder	Stephen Booker carste STUDIO pty ltd





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Please supply images of each elevation, the interior and the setting.

Image caption	Gable crosses retained on site				
Image year	2016	Image by	Stephen Booker	Image copyright holder	Stephen Booker carste STUDIO pty ltd





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Please supply images of each elevation, the interior and the setting.

Image caption	East Elevation -Porch				
Image year	2016	Image by	Stephen Booker	Image copyright holder	Stephen Booker carste STUDIO pty ltd





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Please supply images of each elevation, the interior and the setting.

Image caption	Context Photo – looking north east along Bowmans Creek Road				
Image year	2016	Image by	Stephen Booker	Image copyright holder	Stephen Booker carste STUDIO pty ltd





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Please supply images of each elevation, the interior and the setting.

Image caption	View of Church from Bowmans Creek Road				
Image year	2016	Image by	Stephen Booker	Image copyright holder	Stephen Booker carste STUDIO pty ltd



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Please supply images of each elevation, the interior and the setting.

Image caption	Interior of Church –Former Nave looking towards the Porch end.				
Image year	2016	Image by	Stephen Booker	Image copyright holder	Stephen Booker carste STUDIO pty ltd





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Please supply images of each elevation, the interior and the setting.

Image caption	Door head to Vestry (interior) showing former window position				
Image year	2016	Image by	Stephen Booker	Image copyright holder	Stephen Booker carste STUDIO pty ltd





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Please supply images of each elevation, the interior and the setting.

Image caption	Vestry Floor junction at Nave doorway showing change in flooring material.				
Image year	2016	Image by	Stephen Booker	Image copyright holder	Stephen Booker carste STUDIO pty ltd





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Please supply images of each elevation, the interior and the setting.

Image caption	Nave floor junction with Sanctuary flooring				
Image year	2016	Image by	Stephen Booker	Image copyright holder	Stephen Booker carste STUDIO pty ltd

