

Singleton Local Environmental Plan, 2013: S.73A Amendments to Mapping

Proposal Title : **Singleton Local Environmental Plan, 2013: S.73A Amendments to Mapping**

Proposal Summary : **Minor Corrections to Singleton LEP 2013 to update and correct mapping.**

PP Number : **PP_2014_SINGL_001_00**

Dop File No : **13/19866**

Proposal Details

Date Planning
Proposal Received : **21-Mar-2014**

LGA covered : **Singleton**

Region : **Hunter**

RPA : **Singleton Shire Council**

State Electorate : **UPPER HUNTER**

Section of the Act : **73A - Minor Matter**

LEP Type : **73A**

Location Details

Street :

Suburb : **Sedgefield** City : **Singleton** Postcode : **2330**

Land Parcel : **Part Lot 208 DP 839648**

Street : **Bellevue Estate**

Suburb : City : **Singleton** Postcode : **2330**

Land Parcel : **Lots 2 & 3 DP 618713**

Street : **Bridgman Road and Retreat Road**

Suburb : **Wattle Ponds** City : **Singelton** Postcode : **2330**

Land Parcel : **Lot 22 DP 582824**

Street : **Rusty Lane**

Suburb : **Branxton** City : **Singleton** Postcode : **2330**

Land Parcel : **Lot 101 DP 1192077**

Street :

Suburb : **Mitchells Flat** City : **Singleton** Postcode : **2330**

Land Parcel : **Part-Lot 208 DP 839648**

Street : **Hunter Highlands Estate**

Suburb : **Sedgefield** City : **Singleton** Postcode : **2330**

Land Parcel :

Street : **Wattle Ponds North West**

Suburb : **Wattle Ponds** City : **Singleton** Postcode : **2330**

Land Parcel :

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Street : **South Sedgefield Estate**

Suburb : **Sedgefield**

City : **Singleton**

Postcode : **2330**

Land Parcel :

Street : **Radford Park**

Suburb : **Branxton**

City : **Singleton**

Postcode : **2330**

Land Parcel :

Street : **Elderslie Road South**

Suburb : **Branxton**

City : **Singleton**

Postcode : **2330**

Land Parcel : **Estate**

DoP Planning Officer Contact Details

Contact Name : **Ken Phelan**

Contact Number : **0249042705**

Contact Email : **ken.phelan@planning.nsw.gov.au**

RPA Contact Details

Contact Name : **Gary Pearson**

Contact Number : **0265787304**

Contact Email : **gpearson@singleton.nsw.gov.au**

DoP Project Manager Contact Details

Contact Name :

Contact Number :

Contact Email :

Land Release Data

Growth Centre :

Regional / Sub
Regional Strategy :

MDP Number :

Area of Release
(Ha) :

No. of Lots : **0**

Gross Floor Area : **0**

The NSW Government Yes
Lobbyists Code of
Conduct has been
complied with :

If No, comment :

Release Area Name :

Consistent with Strategy :

Date of Release :

Type of Release (eg
Residential /
Employment land) :

No. of Dwellings
(where relevant) : **0**

No of Jobs Created : **0**

Have there been meetings or communications with registered lobbyists?

No

If Yes, comment :

Supporting notes

Internal Supporting Notes :

Correcting and updating mapping details which were incorrectly rendered during completion of the Singleton LEP 2013.

External Supporting Notes :

Council has provided mapping corrections justifying ten mapping changes:

Amendment

No.:

- 1- Map LZN_015 Zone correction RU1 to E4
- 2a- Map LSZ_014 Thicken blue border line
- 2b- Map LSZ_014 Correct MLS from X2 8,000m2 to AA 5ha
- 2c- Map LSZ_014 Correct MLS from X2 8,000m2 to AA 5ha with blue border and border correction
- 3- Map LSZ_014A Correct MLS from X2 8,000m2 to Y 1ha with blue border
- 4a- Map LSZ_015 Correct MLS from X2 8,000m2 to AA 5ha
- 4b- Map LSZ_015 Correct MLS from patchwork to W2 4,000m2 with blue border
- 4c- Map LSZ_015 Thicker border line
- 5- Map LSZ_015A Correct MLS from AB2 40ha to AC 80ha
- 6- Map LSZ_019 Correct MLS from X2 8,000m2 to X1 5,000m2

Council has subsequently requested not to proceed with Item 6.

Council submitted a request in late 2013. Maps were prepared by the Department to demonstrate Council's intent and it is the date that these maps were available that is considered the date the PP was lodged.

Adequacy Assessment

Statement of the objectives - s55(2)(a)

Is a statement of the objectives provided? Yes

Comment :

Council's letter indicated that the PP is required to amend Singleton LEP 2013 to correct and update map details.

The objectives are not clearly stated, however subsequent clarification has indicated that there are ten amendments requested. This include;

The PP will address errors in the translation of Singleton LEP 1996 Amendment No. 37 (4 amendments).

The PP will address the incorrect application of the lot size averaging clause in the drafting of the Singleton LEP 2013 (1 amendment).

The PP will address the incorrect lot size in the drafting of the Singleton LEP 2013 (1 amendment).

The PP will allow standardisation of the lot size averaging approach across the LGA through application at Radford Park, Branxton (1 amendment).

Council has also requested minor amendment to the thickness of lines in two cases (2 amendments)

Council had requested a further amendment. However have subsequently decided that this is unnecessary.

Explanation of provisions provided - s55(2)(b)

Is an explanation of provisions provided? **Yes**

Comment : **A letter and hand edited map sheets are provided by Council.**

The provisions will involve the amendment to existing SI LEP maps.

Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? **Yes**

b) S.117 directions identified by RPA :

* May need the Director General's agreement

Is the Director General's agreement required? **No**

c) Consistent with Standard Instrument (LEPs) Order 2006 : **Yes**

d) Which SEPPs have the RPA identified? **N/A**

e) List any other matters that need to be considered :

Have inconsistencies with items a), b) and d) being adequately justified? **N/A**

If No, explain :

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment : **Mapping has been prepared by the Department to reflect Council's request and has been confirmed as correct by Council.**

Community consultation - s55(2)(e)

Has community consultation been proposed? **No**

Comment : **Map changes have either been the subject of community consultation in the LEP process or are minor, administrative matters not requiring further public consultation. Under the terms of Section 73A of the Environmental Planning and Assessment Act Section 73A the amendments are of low environmental impact or have no significant impact on adjoining properties.**

Additional Director General's requirements

Are there any additional Director General's requirements? **No**

If Yes, reasons :

Overall adequacy of the proposal

Does the proposal meet the adequacy criteria? **Yes**

If No, comment : **Although the material provided by Council is brief there is sufficient information to proceed with the amendment.**

Proposal Assessment

Principal LEP:

Due Date :

Comments in
relation to Principal
LEP :

The LEP was signed by the DG on 4 September 2013

Assessment Criteria

Need for planning
proposal :

The PP will address unintentional errors in the finalisation of the Singleton LEP 2013, including the incorrect translation of Singleton LEP 1996 Amendment No. 37, incorrect application of the lot size averaging clause at two sites, and the incorrect lot size in the drafting of the Singleton LEP 2013 at one site.

The PP will also allow standardisation of the lot size averaging approach across the LGA through application at Radford Park, Branxton.

This subject site was exhibited with a lot size averaging approach however finalised on 23 September 2010 with a patchwork minimum lot size. At the time the Department did not support lot size averaging on rural residential land however the patchwork approach is unnecessarily complex and presents complications for minor variations. Policy decisions on this matter have since shifted and an agreed clause has been established to allow lot size averaging on both residential and environmental zoned land.

Amendment to the minimum lot size to re-introduce a lot size average will bring the site in line with the new LEP but will have no material effect to the outcome. Council has advised that development approval has been issued for staged subdivision of estate (DA143/2011), with the first stage subdivision registered (DP1166072). Council has confirmed that there are no adverse impacts identified for change.

Consistency with
strategic planning
framework :

Amendments are not strategically significant.

Environmental social
economic impacts :

Impacts of the proposed corrections are not environmentally, socially or economically significant.

Assessment Process

Proposal type :	Minor	Community Consultation Period :	Nil
Timeframe to make LEP :	3 months	Delegation :	Minister
Public Authority Consultation - 56(2) (d) :			
Is Public Hearing by the PAC required?	No		
(2)(a) Should the matter proceed ?	Yes		
If no, provide reasons :			

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Resubmission - s56(2)(b) : **No**

If Yes, reasons :

Identify any additional studies, if required, :

If Other, provide reasons :

Identify any internal consultations, if required :

No internal consultation required

Is the provision and funding of state infrastructure relevant to this plan? **No**

If Yes, reasons :

Documents

Document File Name	DocumentType Name	Is Public
Singleton Council_03-12-2013_Request to correct errors in Singleton LEP 2013 published maps_.pdf	Proposal	Yes
7000_COM_LSZ_014_080_20140203_1.pdf	Proposal	Yes
7000_COM_LSZ_014A_020_20140203.pdf	Proposal	Yes
7000_COM_LSZ_015_080_20140321.pdf	Proposal	Yes
7000_COM_LSZ_015A_020_20140203.pdf	Proposal	Yes
7000_COM_LZN_015_080_20140205.pdf	Proposal	Yes

Planning Team Recommendation

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

S.117 directions:

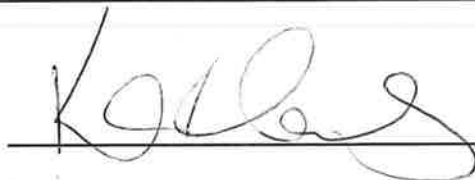
Additional Information : **It is recommended that:**

- 1. The Planning Proposal be supported.**
- 2. Community consultation is not required under section 56(2)(c) and 57 of the Environmental Planning & Assessment Act 1979 ('EP&A' Act) due to the minor administrative nature of the amendments.**
- 3. Consultation is not required with any public authorities under section 56(2)(d) of the EP&A Act.**
- 4. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP& A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing.**
- 5. The timeframe for completing the LEP is 3 months from the date of the Gateway Determination.**

Supporting Reasons : **The proposal represents minor map amendments to correct issues that arose with the finalisation of the Singleton LEP 2013.**

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Signature:



Printed Name:

KOFLAHERTY

Date:

10/6/14

