

85. **LA11/2012 - Planning Proposal for Part of Lot 12, DP192526, 14 Burbank Crescent, Hunterview**
Author: Gary Pearson

FILE: LA11/2012

Executive Summary

The purpose of this report is to seek initial support from Council for a planning proposal which seeks to rezone land Part of Lot 12, DP192526, 14 Burbank Crescent, Hunterview and apply minimum lot size provisions to the subdivision of the rural component of the site.

RECOMMENDED that Council support the planning proposal and forward it to the NSW Department of Planning and Infrastructure in accordance with the Gateway Local Environmental Plan (LEP) making process.

Background

The Site

Lot 12, DP192526, 14 Burbank Crescent, HUNTERVIEW is approximately 18.62Ha in area (**Attachment 1**). It is relatively cleared of significant vegetation, comprising mainly unimproved grassland and scattered groups of trees.

The northern portion of the site contains a dwelling-house and sheds. It is irregular in shape and is relatively elevated. The larger southern portion of the site is much lower, adjoins the Hunter River and forms part of the Singleton floodplain.

The component of Lot 12, DP192526 that is subject to changes sought by this planning proposal is approximately 17.08Ha in area. Approximately 6,336m² is intended to be rezoned from a rural zone to a residential zone. Approximately 632m² of existing (recently rezoned) residential land is proposed to be back-zoned to a rural zone. A lot size map is intended to be prepared for the (eventual) rural-zoned component of the site (approximately 16.45Ha).

Planning Proposal (Council file reference: LA11/2012)

The subject planning proposal (**Attachment 2**) seeks to amend Council's Local Environmental Plan to:

- Rezone part of Lot 12, DP; DP192525 to "2 (Residential Zone)" if the amendment occurs to the Singleton Local Environmental Plan 1996 or "R1 General Residential Zone" if the amendment occurs to Council's Standard Instrument Local Environmental Plan.
- Rezone part of Lot 12, DP; DP192525 to "1(a) (Rural Zone)" if the amendment occurs to the Singleton Local Environmental Plan 1996 or "RU1 Primary Production Zone" if the amendment occurs to Council's Standard Instrument Local Environmental Plan.
- Implement a Lot Size Map for the rural component of the site.

Operational Plan

Planning and Regulations Report (Items Requiring Decision) - DP&R85/12

Preparation of site specific amendments to Council's Local Environmental Plan (LEP) is a routine business matter and is not an action identified in Council's Operational Plan 2012-2013. The subject proposal does not conflict with the outcomes identified in the plan.

Council Policy/LegislationSingleton Land Use Strategy

The proposal is considered to be consistent with the *Singleton Land Use Strategy* (2008). The Strategic Actions of Section 6.1. of the *Singleton Land Use Strategy* (SLUS) recommends facilitation of LEP amendments that will help meet an ongoing future development potential of 5 years.

The subject planning proposal seeks to rezone approximately 6,336m² of land to a residential zone and is expected to provide for the creation of approximately 10 residential lots.

This would contribute to providing lots for housing development and would not generate an oversupply of residential lots. Connection to infrastructure is relatively available and not considered to present a significant constraint to development of the site. As such, it is expected that the proposal would be conducive to providing supply of residential lots in the short-medium term.

Environmental Planning and Assessment Act 1979 (EP&A Act 1979)

The subject planning proposal has been prepared pursuant to Part 3, Division 4 of the EP&A Act 1979, for the purposes of seeking an amendment to Council's LEP.

Financial Implications

The proposal is not expected to generate any significant adverse financial implications. The request to amend Council's LEP incurred processing fees in accordance with Council's Management Plan – Fees and Charges.

Consultation/Social Implications

If the proposal is supported by Council and the Department of Planning and Infrastructure's gateway determination, it will need to be exhibited in accordance with the recommendations of the respective gateway response. Pursuant to the requirements of the NSW Department of Planning and Infrastructure's "*A Guide to Preparing Local Environmental Plans*"; this will involve notifying the owners of land adjoining the subject sites and placing notice of exhibition of the planning proposal on Council's website and in two editions of the local newspaper (Singleton Argus).

The planning proposal is not expected to generate any significant adverse social implications.

Environmental Consideration

The proposal is not expected to generate any significant adverse environmental impacts.

Risk Implications

Not applicable.

Options

The options available to Council are as follows:

- Resolve to support the planning proposal in accordance with the recommendation of this report; or
- Resolve not to support the planning proposal.

Conclusions

The subject planning proposal seeks to rezone approximately 6,336m² of land to a residential zone and is expected to provide for the creation of approximately 10 residential lots.

The proposal would be expected to have a positive impact on providing lots for housing development and would not generate an oversupply of residential lots. Connection to infrastructure is relatively available and is not considered to present a significant constraint to development of the site. As such, it is expected that the proposal would be conducive to providing supply of residential lots in the short-medium term. This report recommends that initial support be provided for the planning proposal.



Mark Ihlein

Director Planning & Regulations

Attachments

AT-1 Site Identification Plan

AT-2 Planning Proposal - without attachments





PLANNING PROPOSAL

- Lot 12, DP:192526, 14 Burbank Crescent, HUNTERVIEW

Version:	0.1.
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SITE DESCRIPTION

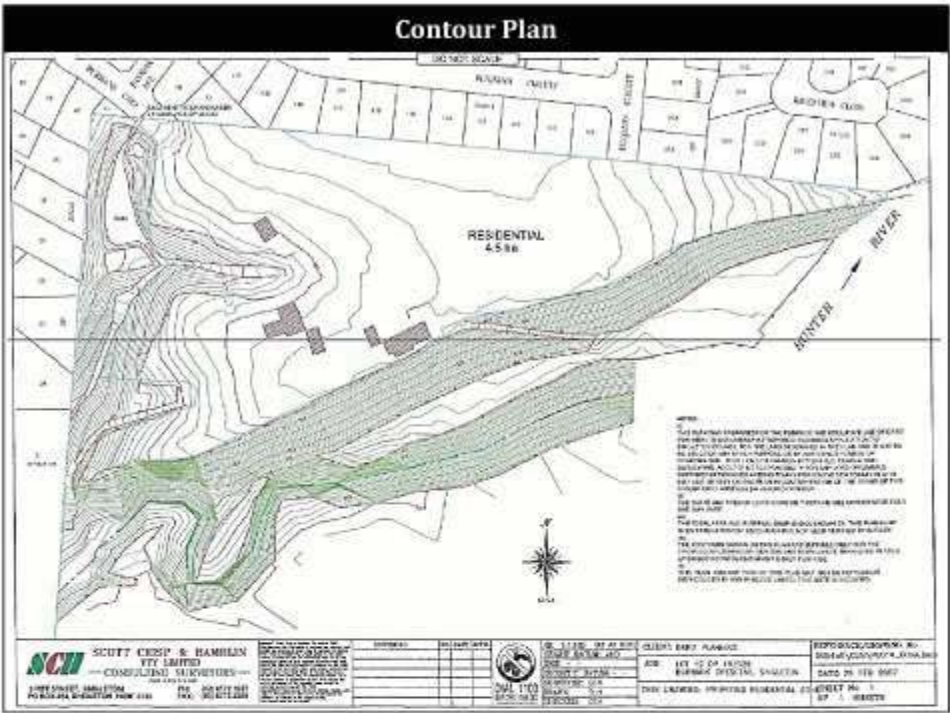
The site subject of this planning proposal is identified in the plan which follows.



Lot 12, DP192526, 14 Burbank Crescent, HUNTERVIEW is approximately 18.62Ha in area. It is relatively cleared of significant vegetation, comprising mainly unimproved grassland and scattered groups of trees.

The northern portion of the site contains a dwelling-house and sheds. It is irregular in shape and is relatively elevated. The larger southern portion of the site is much lower, adjoins the Hunter River and forms part of the Singleton floodplain.

The component of Lot 12, DP192526 that is subject to changes sought by this planning proposal is approximately 17.08Ha in area. Approximately 6,336m² is intended to be rezoned from a rural zone to a residential zone. Approximately 632m² of existing (recently rezoned) residential land is proposed to be back-zoned to a rural zone. A lot size map is intended to be prepared for the (eventual) rural-zoned component of the site (approximately 16.45Ha).



PART 1 – OBJECTIVES OR INTENDED OUTCOMES

This planning proposal (Council file reference: LA11/2012) seeks to:

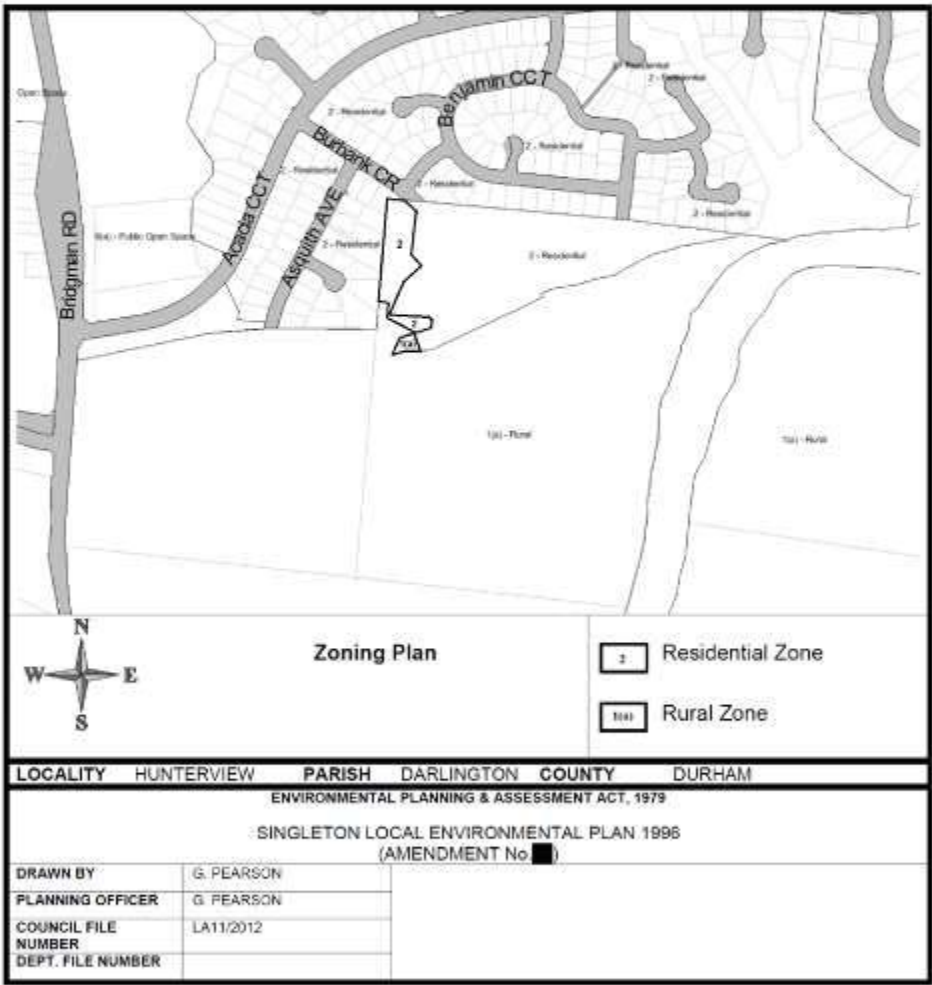
- (a) Rezone part of Lot 12, DP; DP192525 to "2 (Residential Zone)" if the amendment occurs to the *Singleton Local Environmental Plan 1996* or "R1 General Residential Zone" if the amendment occurs to Council's Standard Instrument Local Environmental Plan.
- (b) Rezone part of Lot 12, DP; DP192525 to "1(a) (Rural Zone)" if the amendment occurs to the *Singleton Local Environmental Plan 1996* or "RU1 Primary Production Zone" if the amendment occurs to Council's Standard Instrument Local Environmental Plan.
- (c) Implement a Lot Size Map for the rural component of the site.

PART 2 – EXPLANATION OF THE PROVISIONS

Amendment of Singleton Local Environmental Plan 1996 (SLEP 1996)

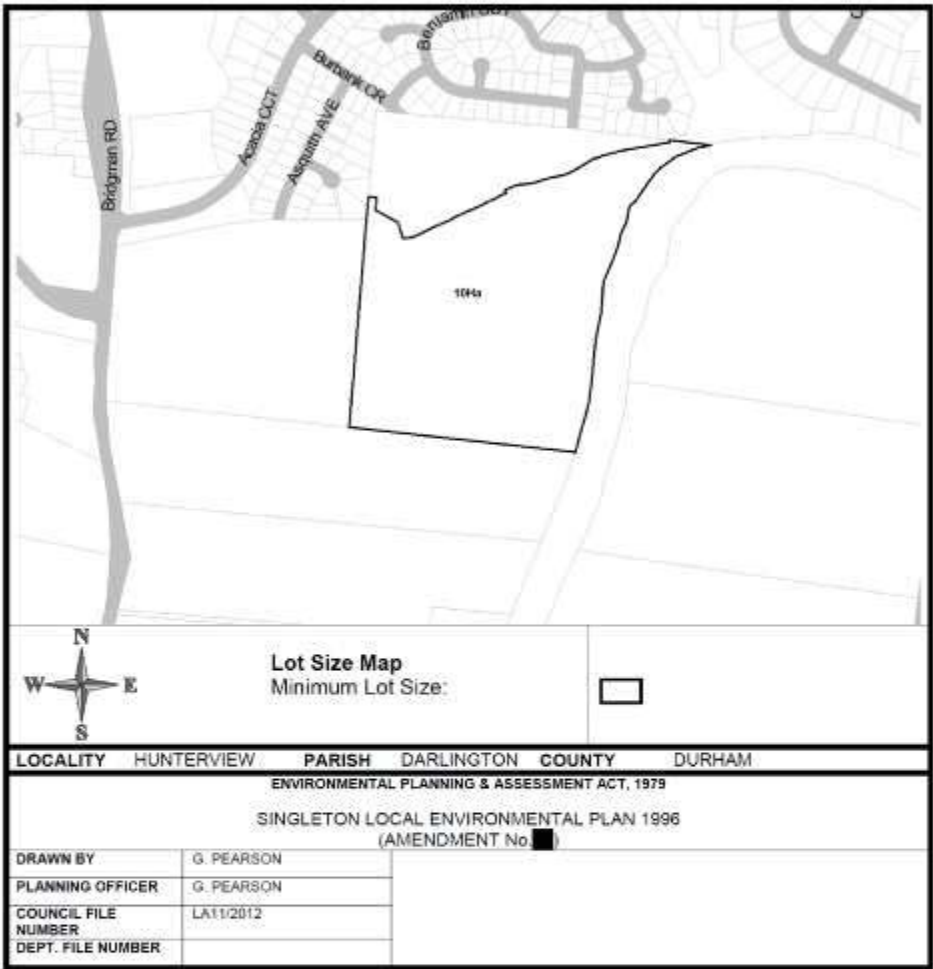
If the amendment sought by this planning proposal occurs to the SLEP 1996, the intended outcomes/objectives would be achieved by:

- Amendment to the definition of “the map” to include a zoning map for the subject site.
The zoning map is to show the respective areas of the site being zoned 2 (Residential Zone) and 1(a) (Rural Zone) as illustrated in the plan which follows.



- **Amendment to the definition of “Lot Size Map” to include a lot size map for the subject site.**

The Lot Size Map for this planning proposal is to be prepared for the component of the site to be zoned 1(a) (Rural Zone).



Amendment to Standard Instrument Local Environmental Plan (SI LEP)

If the amendment sought by this planning proposal occurs to the SI LEP, the intended outcomes/objectives would be achieved by:

- **Amendment to the definition of “the map” to include a zoning map for the subject site.**

The zoning map is to show the respective areas of the site being zoned R1 General Residential Zone and RU1 Primary Production Zone as illustrated in the plan which follows.



- **Amendment to the definition of “Lot Size Map” to include a lot size map for the subject site.**

The Lot Size Map for this planning proposal is to be prepared for the component of the site to be zoned RU1 Primary Production Zone, which applies a minimum lot size of 10Ha to subdivision of the land.



PART 3 – JUSTIFICATION

Section A - Need for the Planning Proposal

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

Section 6.1. of the *Singleton Land Use Strategy (Attachment 1)* details that sufficient existing residential zoned land (i.e. Gowrie Links, Bridgman Ridge and Hunter Green Urban Expansion Areas) exists to meet demand until 2023 (15 years from the date of adoption of the strategy). It cautions that infrastructure capacity limitations and the investment needed to upgrade infrastructure could however, adversely impact on the ability to actually satisfy market demand.

At the time of preparation of this planning proposal, development of the Hunter Green and Gowrie Links Urban Release Areas had still not commenced, even though the sites had been zoned for residential purposes since 2007. Up-front infrastructure servicing costs and the impacts of the Global Financial Crisis (GFC) on investment in the development industry are viewed to be key reasons for development of these sites not commencing.

As evident from the table which follows, residential dwelling targets are not being met. Residential Greenfield sites are not being developed at rates required to meet the residential targets of the SLUS.

Residential Dwelling Statistics		
Financial Year	Residential Dwelling Approvals (source: State of the Environment Report)	Comparison against SLUS target
2008/2009	39	131-191 shortfall
2009/2010	0	170-230 shortfall
2010/2011	55	115-175 shortfall
2011/2012	62	108-168 shortfall
Total:	156	524-764 shortfall

The *Strategic Actions* of Section 6.1. of the *Singleton Land Use Strategy (SLUS)* recommends facilitation of LEP amendments that will help meet an ongoing future development potential of 5 years.

The subject planning proposal seeks to rezone approximately 6,336m² of land to a residential zone and is expected to provide for the creation of

approximately 10 residential lots. The subject proposal would be expected to have a positive impact on providing lots for housing development and would not generate an oversupply of residential lots. Connection to infrastructure is relatively available and not considered to present a significant constraint to development of the site. As such, it is expected that the proposal would be conducive to providing supply of residential lots in the short-medium term.

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

Placing land use and minimum lot size provisions for subdivision in Council's LEP, in conjunction with existing design controls in Council's DCP; is considered to be the most appropriate method for managing subdivision and land use in the locality. This method is supported by the adopted SLUS (2008) and is consistent with the method of managing land use for similar proposals in the Singleton LGA.

Section B - Relationship to Strategic Planning Framework

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

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

Review of Consistency with the <i>Housing and Settlement Objectives of the Upper Hunter Strategic Regional Land Use Plan</i>		
Objectives	Subject Planning Proposal	Consistency of Planning Proposal with Objectives
Ensure an adequate supply of housing to meet community needs.	The intention of this planning proposal is to rezone land to provide for creation of residential lots for housing development to help meet identified demand.	<u>Consistent:</u> Yes
Ensure a greater diversity of housing types, including smaller housing types, rental housing and temporary housing.	As at the time of preparation of this planning proposal, rates of release of new residential housing stock were significantly below supply targets. This low supply of new residential houses reduces the overall diversity of housing options available to	<u>Consistent:</u> Yes

	consumers. The residential rezoning sought by this planning proposal would provide for creation of residential lots for housing development to help meet identified demand. The more lots available for housing development, the more opportunities there are for diversity in housing types.	
Improve the supply and range of affordable housing.	The inflated house prices and rents in Singleton are indicative of high demand and undersupply of new dwellings. The residential rezoning sought by this planning proposal would provide for creation of residential lots in the short-medium term, with minimal infrastructure implications. This would help increase the rate of release of residential lots for housing development (supply) and thus improve overall housing development rates. This is expected to help improve housing affordability by reducing the strain on the existing (owner-occupied and rental) housing stock and improving housing options available.	<u>Consistent:</u> Yes
Build cohesive and liveable communities by ensuring towns and villages are well designed, liveable and provide a range of housing types.	This proposal seeks to rezone land to provide for residential development. Development of the land would be subject to the provisions of Council's Development Control Plan (DCP), which comprises provisions aimed at achieving high quality design outcomes. Increases in the supply of housing as a result of the rezoning sought by this proposal, would be conducive to increasing the range of types of housing available. The proposed residential zoning provides for a variety of housing forms.	<u>Consistent:</u> Yes

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

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

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

Review of Consistency with the <i>Housing and Settlement</i> Principles of the <i>Upper Hunter Strategic Regional Land Use Plan</i>		
Principle	Subject Planning Proposal	Consistency of Planning Proposal with Principles
Development will contribute to the diversity of housing types available. Any medium or higher density housing should be located in central and accessible locations to ensure access to a full range of services within a reasonable walking distance.	The subject proposal provides a natural infill to the exiting adjoining residential zoned land. This proposal does not propose a particular form of housing; however the site would have a similar level of access to services and facilities to the adjoining residential zoned land.	<u>Consistent</u> : Yes
Development will be located to maximise the efficiency of essential urban infrastructure,	This planning proposal seeks to rezone land to provide for residential development. The site is considered to be	<u>Consistent</u> : Yes

services and facilities, including transport, health and education.	suitably located for access to utilities and infrastructure.	
Development will respect and respond to the character of the area and the identified settlement hierarchy of the region.	The subject proposal provides a natural infill to the exiting adjoining residential zoned land and is consistent with the settlement hierarchy of the area.	<u>Consistent:</u> Yes
New residential areas will be planned with streets that make it easy for people to walk and cycle and with recreational and open space.	Master planning undertaken for the "Burbank Crescent Residential Estate" proposes streets which comprise footpaths and connection to Earibee Reserve.	<u>Consistent:</u> Yes
New residential and rural residential areas will respect environmental and cultural heritage and avoid areas most affected by natural hazards or having high cultural significance.	Further investigations in relation to potential indigenous heritage should be undertaken subsequent to positive gateway determination being issued for the proposal.	<u>Consistent:</u> Yes
New residential and rural residential areas should minimise the potential for land use conflict with land needed for valuable economic activities, such as valuable agricultural lands and natural resource lands. This includes avoiding locations where possible adverse impacts associated with industry (such as noise, dust, visual impacts or other amenity impacts) are likely to affect future residents.	Rezoning of the land would not result in a loss of prime agricultural land or employment lands. The topography of the site and the Hunter River naturally separate the proposed residential land from the rural land. The proposal is designed such that there is a suitable flood-free house site adjoining the proposed residential land. The rest of the rural land is predominantly within the floodplain. The design of the proposal minimises the likelihood of land use conflict.	<u>Consistent:</u> Yes
New rural residential areas should be located adjacent to, or in close proximity to, existing urban centres and be within easy access of relevant infrastructure and services.	N/A	<u>Consistent:</u> N/A

This planning proposal is considered to be consistent with the objectives and actions of the Upper Hunter Strategic Regional Land Use Plan.

4. Is the planning proposal consistent with the local Council's Community Strategic Plan, or other local strategic plan?

Our Place: A Blueprint 2022 – Singleton Community Strategic Plan (March 2012)

The Community Strategic Plan identifies that Singleton has experienced a prolonged period of steady population growth and growth in business and industry, resulting in a predominantly young, employed labour force and an unemployment rate of less than 2% which is significantly lower than the Hunter Regional Average. It further states that Singleton is a prosperous rural community with a strong economy supported by a diverse range of business and industrial enterprises, including viticulture, education, engineering, fabrication, trades services, tourism, hospitality, mining, power generation, agriculture and retail.

The Community Strategic Plan highlights the following key changes that will shape the future of the community:

- Completion of the Hunter Expressway, which is expected to improve accessibility between Singleton and Sydney and reduce traffic between Singleton and Newcastle; and
- Significant expansion of the Defence Base in Singleton, which is likely to increase the number of defence personnel in the region; and
- CBD Master Plan being developed to improve the retail experience options in Singleton and encourage economic participation.

This planning proposal is viewed to be consistent with the relevant themes and outcomes of the Community Strategic Plan. The proposal seeks to make land available to enable residential growth.

The site is largely free of natural constraints and could be developed with minimal environmental impact and infrastructure implications. The proposed residential land is not within a designated floodplain.

The community will be kept informed of the proposal as part of the exhibition process and through relevant reports to Council meetings. Overall, this planning proposal is viewed to be consistent with Council's Community Strategic Plan.

Singleton Land Use Strategy (2008)

The proposal is considered to be consistent with the SLUS. The *Strategic Actions* of Section 6.1. of the *Singleton Land Use Strategy* (SLUS) recommends facilitation of LEP amendments that will help meet an ongoing future development potential of 5 years.

The subject planning proposal seeks to rezone approximately 6,336m² of land to a residential zone and is expected to provide for the creation of approximately 10 residential lots.

This would contribute to providing lots for housing development and would not generate an oversupply of residential lots. Connection to infrastructure is relatively available and not considered to present a significant constraint to development of the site. As such, it is expected that the proposal would be conducive to providing supply of residential lots in the short-medium term.

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

This planning proposal is considered to be consistent with relevant State Environmental Planning Policies:

State Environmental Planning Policy No. 44 – Koala Habitat Protection

The site is not known to comprise core koala habitat. The land proposed to be rezoned is relatively void of trees. The majority of trees on the site are within the riparian corridors of the Hunter River, which is within the component of the site to remain zoned rural.

The 10Ha minimum lot size provisions sought to be applied to the rural component of the site would enable it to be separated from the residential land through subdivision but would not enable it to be further segregated.

This planning proposal does not seek to remove trees and it not considered to impact upon core koala habitat.

State Environmental Planning Policy No. 55 – Remediation of Land

The proposed residential land has historically been used for some limited livestock grazing activities; there is minimal likelihood that contamination would be generated by such activities which would pose a risk to the residential rezoning.

The land intended to be rezoned for residential use has been used to convey stormwater drainage from Burbank Crescent (note: it is now intended to pipe stormwater drainage via a different alignment). There may be traces of oils and contaminants as a result of the stormwater drainage; however these are not expected to be at levels that would prevent residential development;

particularly given that the gully would need to be filled to provide for residential development. Any impacts of septic disposal on the allotment need to be considered.

The geotechnical assessment report (**Attachment 3**) submitted by the proponent for this proposal does not identify any constraints to the proposed residential rezoning on the basis of contamination.

State Environmental Planning Policy (Rural Lands) 2008

This planning proposal affects land within an existing rural zone. It also seeks to change the existing minimum lot size for subdivision of the land.

The proposal is considered to be generally consistent with the Rural Planning Principles and Rural Subdivision Principles listed in *State Environmental Planning Policy (Rural Lands) 2008*.

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

The table which follows contains a response to each of the s117 directions in relation to the planning proposal.

Compliance with Section 117 Directions			
Ministerial Direction		Relevance (Yes/No)	Consistency and Implications
No.	Title		
1.1	Business and Industrial Zones	No	This planning proposal does not affect land within an existing or proposed business or industrial zone.
1.2	Rural Zones	Yes	The proposal affects land within an existing rural zone. The 6,336m² of land proposed to be rezoned from a rural zone to a residential zone is not considered to be suitable for agriculture due to its topography and proximity to existing residential zoned land. Any inconsistencies with this direction is considered to be of minor significance. This planning proposal seeks confirmation from the Director-General (or delegate) that any inconsistency with this direction is justified and is of minor significance.
1.3	Mining, Petroleum Production and Extractive Industries	No	The proposal would not have the effect of prohibiting the mining of coal or other minerals, production of petroleum, or winning or obtaining of extractive materials. The proposal is not viewed to restrict the potential development of resources of coal, other minerals, petroleum or extractive materials which are of State or regional significance.

1.4	Oyster Aquaculture	No	The planning proposal does not seek a change in land use which could result in adverse impacts on a Priority Oyster Aquaculture Area or a "current oyster aquaculture lease in the national parks estate". The planning proposal does not seek a change in land use which could result in incompatible use of land between oyster aquaculture in a Priority Oyster Aquaculture Area or a "current oyster aquaculture lease in the national parks estate" and other land uses.
1.5	Rural Lands	Yes	This planning proposal affects land within an existing rural zone. It also seeks to change the existing minimum lot size for subdivision of the land. The proposal is considered to be generally consistent with the Rural Planning Principles and Rural Subdivision Principles listed in <i>State Environmental Planning Policy (Rural Lands) 2008</i> (Rural Lands SEPP). Any perceived inconsistencies with this direction are considered to be of minor significance and justified. This planning proposal seeks confirmation from the Director-General (or delegate) that any inconsistency with this direction is justified and of minor significance.
2.1	Environment Protection Zones	No	This planning proposal does not affect land in an environmental protection zone. This proposal does not seek to reduce the environmental protection standards applying to the land.
2.2	Coastal Protection	No	This direction does not apply to the planning proposal because it does not affect land in the coastal zone.
2.3	Heritage Conservation	Yes	The planning proposal is considered to be consistent with this direction. Any perceived inconsistencies with this direction are considered to be of minor significance and justified by the fact that: • The <i>Singleton Local Environmental Plan 1996</i> (SLEP 1996) and draft Standard Instrument Local Environmental Plan (SI LEP) comprise provisions to protect items of environmental heritage. • The <i>National Parks and Wildlife Act 1974</i> comprises provisions to protect objects and places of Indigenous heritage. This planning proposal seeks confirmation from the Director-General (or delegate) that any inconsistency with this direction is justified and of minor significance.

2.4	Recreation Vehicle Areas	No	This planning proposal does not seek to enable land to be developed for the purpose of a recreation vehicle area within the meaning of the <i>Recreation Vehicles Act 1983</i> .
3.1	Residential Zones	Yes	This planning proposal affects land within an existing residential zone. It seeks to back-zone approximately 632m² of existing (recently rezoned) residential land to a rural zone. This will result in a slight change to the dividing boundary between the rural and residential zones. It will provide for the rural land to be incorporated into the larger rural component of the site. This would rationalise the rural zone boundary with the minimum 10Ha lot size boundary and provide for a suitable rural dwelling-house site outside of the area of flood affectation. This planning proposal seeks confirmation from the Director-General (or delegate) that any inconsistency with this direction is justified and of minor significance.
3.2	Caravan Parks and Manufactured Home Estates	No	This planning proposal is not for the purposes of identifying suitable zones, locations or provisions for caravan parks or manufactured home estates.
3.3	Home Occupations	Yes	The mandatory provisions of the SI LEP make home occupations exempt from requiring development consent in the <i>R1 General Residential Zone</i>. "Home activity" is the equivalent definition for "home occupation" in the SLEP 1996. Home activities are exempt from requiring development consent in the 2 (<i>Residential Zone</i>). The objectives of this direction are considered to be addressed by this planning proposal. This planning proposal seeks confirmation from the Director-General (or delegate) that any inconsistency with this direction is justified and of minor significance.
3.4	Integrating Land Use and Transport	Yes	This planning proposal seeks to back-zone approximately 632m² of existing (recently rezoned) residential land to a rural zone. As at the time of preparation of this planning proposal, the site had not been used for urban development. The proposal is not considered to have an adverse impact in regard to integrating land use and transport. This planning proposal seeks confirmation from the Director-General (or delegate) that any inconsistency with this direction is justified and of minor significance.
3.5	Development Near	No	This planning proposal does not seek to

	Licensed Aerodromes		create, alter or remove a zone or a provision relating to land in the vicinity of a licensed aerodrome.
3.6	Shooting Ranges	No	This planning proposal does not seek to create, alter or remove a zone or a provision relating to land adjacent to and/or adjoining an existing shooting range.
4.1	Acid Sulfate Soils	No	This planning proposal does not apply to land having a probability of containing acid sulfate soils as shown on the Acid Sulfate Soils Maps held by the NSW Department of Planning and Infrastructure.
4.2	Mine Subsidence and Unstable Land	No	The land subject of this planning proposal is not within a designated mine subsidence district and is not identified as being unstable.
4.3	Flood Prone Land	Yes	This planning proposal seeks to apply a minimum lot zone of 10Ha to subdivision of the rural component of the site. This rural component comprises land within the floodplain of the Hunter River. This planning proposal does not propose provisions which would permit an increase in development of flood-prone land and is considered to be generally consistent with this direction. This planning proposal seeks confirmation from the Director-General (or delegate) that any inconsistency with this direction is justified and of minor significance.
4.4	Planning for Bushfire Protection	No	The land subject of this planning proposal is not mapped as being bushfire prone land on Council's bushfire prone land mapping.
5.1	Implementation of Regional Strategies	No	The regional strategies do not apply to the land subject of this planning proposal.
5.2	Sydney Drinking Water Catchments	No	The land subject of this planning proposal is not within the Sydney Drinking Water Catchment.
5.3	Farmland of State and Regional Significance on the NSW Far North Coast	No	This direction does not apply to Singleton Council.
5.4	Commercial and Retail Development along the Pacific Highway, North Coast	No	This direction does not apply to the Singleton Local Government Area.
5.5	Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA)	No	This direction has been revoked.
5.6	Sydney to Canberra Corridor	No	This direction has been revoked.
5.7	Central Coast	No	This direction has been revoked.

5.8	Second Sydney Airport: Badgerys Creek	No	The land subject of this planning proposal is not within the boundaries of the proposed second Sydney airport site or within the 20 ANEF contour as shown on the map entitled "Badgerys Creek–Australian Noise Exposure Forecast–Proposed Alignment–Worst Case Assumptions".
6.1	Approval and Referral Requirements	Yes	This planning proposal is considered to be consistent with this direction. This planning proposal does not include provisions that require the concurrence, consultation or referral of development applications to a minister or public authority and does not identify development as designated development.
6.2	Reserving Land for Public Purposes	Yes	This planning proposal is considered to be consistent with this direction. It does not seek to create, alter or reduce existing zonings or reservations of land for public purposes.
6.3	Site Specific Provisions	Yes	This planning proposal is considered to be consistent with this direction. The proposal does not intend to amend another environmental planning instrument in order to allow a particular development proposal to be carried out. The planning proposal does not refer to drawings for any such development.
7.1	Implementation of the Metropolitan Plan for Sydney 2036	No	This direction does not apply to the Singleton Local Government Area.

Section C - Environmental, Social and Economic Impact

7. 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?

Threatened Flora

An ecological assessment has been prepared for Lot 12, DP192526 (**Appendix 3**). The rural component of the site comprises Slaty Redgum, which is listed as a threatened species under the *Threatened Species Conservation Act 1995*. This is comprised within the riparian corridor of the Hunter River and is not proposed to be impacted by the proposed residential rezoning.

Threatened Fauna Species

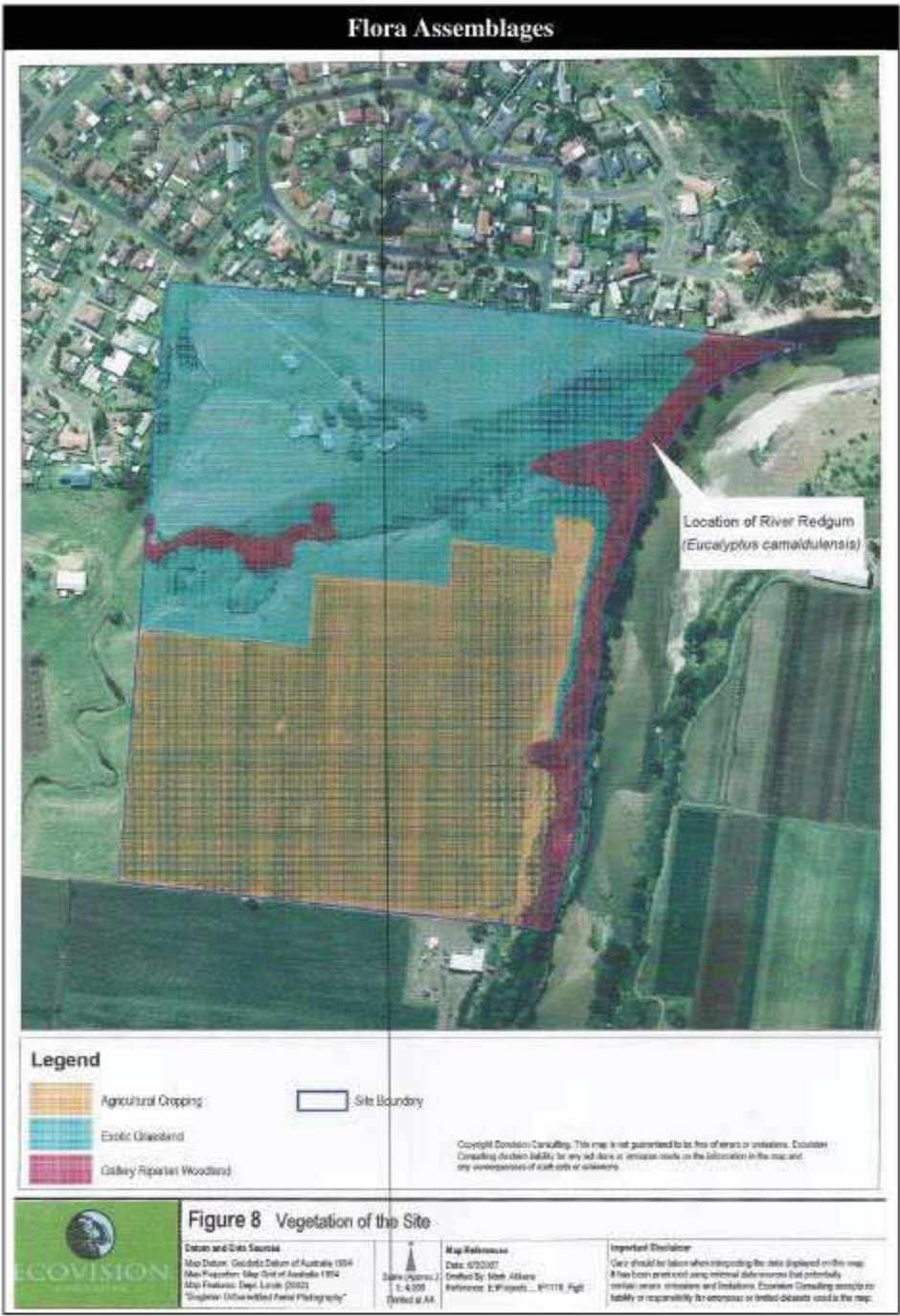
The ecological assessment indicates that the following threatened fauna species have the potential to occur on the site:

- Speckled Warbler – *Pyrrholaemus sagittatus*
- Grey-crowned Babbler – *Pomatostomus temporalis*
- Spotted-tail Quoll – *Dasyurus maculatus*
- Brush-tailed Phascogale – *Phascogale tapoatafa*
- Grey-headed Flying Fox – *Pteropus poliocephalus*
- Eastern Bentwing Bat – *Miniopterus shreibersii*

Of these species, the Grey-headed Flying Fox has the greatest potential to occur on the site. It is considered that the site comprises limited foraging habitat for the Grey-headed Flying Fox. The residential rezoning would not impact upon such habitat. The proposal is not expected to impact upon threatened fauna species.

Endangered Ecological Communities (EECs)

The limited vegetation on the site is predominantly within the rural component of the site. The ecological assessment indicates that the site comprises some species representative of the Central Hunter Spotted Gum Grey Box Woodland. The land proposed to be rezoned for residential development does not comprise this woodland.



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

Bushfire

The site is not identified as being bushfire prone land on Council's Bushfire Prone Land mapping. The proposal should not have a significant adverse impact in regard to bushfire.

Flooding and Drainage

The rural component of the site comprises flood-prone land. This planning proposal does not comprise provisions that would permit an increase in development of the flood-prone land.

A stormwater drainage gully runs through the land proposed to be rezoned to a residential land use zone. This gully would need to be filled to provide for residential development. It is intended to pipe stormwater flows. The proposal should not have a significant adverse impact in regard to flooding or drainage.

Native Vegetation

The component of the site to be rezoned for residential development is relatively cleared of significant vegetation. This planning proposal does not seek to remove native vegetation.

Soils

A geotechnical assessment has been conducted for the site. The report indicates that there is not a risk to residential development of the site on the basis of contamination. The planning proposal should not have a significant adverse impact in regard to soils.

Loss of Rural Lands

The 6,336m² of land proposed to be rezoned from a rural zone to a residential zone is not considered to be suitable for agriculture due to its topography and proximity to existing residential zoned land. This planning proposal is not considered to result in a significant loss of rural lands.

Traffic Access and Transport

The proposal is expected to provide for the creation of approximately 10 additional residential lots. Access to the residential lots would be via the internal road proposed as part of the Burbank Crescent Residential Estate. The proposal should not generate any significant adverse impacts in regard to traffic and transport.

European Heritage

No items of European heritage significance have been identified on the site.

Indigenous Heritage

An Archaeological Due Diligence Assessment should be prepared for the component of the site to be rezoned for residential development.

9. How has the planning proposal adequately addressed any social and economic effects?

The proposal forms a logical extension to the existing residential zoned land. No significant adverse social or economic impacts have been identified as likely to result due to the proposal.

Section D - State and Commonwealth Interests**10. Is there adequate public infrastructure for the planning proposal?**

The site subject of this planning proposal has access to electricity, telecommunications, road, sewer and reticulated water supply infrastructure.

It is recommended that Ausgrid be consulted in regard to electricity infrastructure and Telstra be consulted in regard to telecommunications infrastructure.

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

The following public authorities should be consulted in relation to this planning proposal:

- Ausgrid
- Telstra
- NSW Office of Environment and Heritage

PART 4 –COMMUNITY CONSULTATION

The public would have the opportunity to view and comment on the planning proposal once the NSW Department of Planning and Infrastructure endorses the proposal to go on public exhibition. It is submitted that the proposal does not fit the definition of a “Low impact Planning proposal” and as such, it should be exhibited for a period of not less than 28 days.

RECOMMENDATION

Prior to undertaking consultation with public authorities, it is recommended that this planning proposal be supported and that an archaeological due diligence assessment be prepared for the land to be rezoned for residential development.

Note:

It is expected that it will take approximately 18 months to finalize this planning proposal. This estimation is based on the expectation that the archaeological due diligence assessment will be completed by the proponent and lodged with Council within 6 months of the date of issue of the gateway determination and that no significant matters arise during public authority and community consultation.

Attachment 1 – Singleton Land Use Strategy

Attachment 2 – Ecological Assessment

Attachment 3 – Geotechnical Assessment