



COUNCIL ASSESSMENT REPORT
HUNTER AND CENTRAL COAST REGIONAL PLANNING PANEL

PANEL REFERENCE & DA NUMBER	PPSHCC-325 – DA8.2024.236.1
PROPOSAL	Eighty-Eight (88) Lot Torrens Title Subdivision and Associated Civil Works Including Drainage, Site Earthworks, Vegetation Removal, Open Space Park Area and Landscaping undertaken in Seven (7) Stages.
ADDRESS	Lot 7 DP 1196266, Lot: 8 DP: 1196266 Lambkin Street HUNTERVIEW, Pioneer ROAD HUNTERVIEW Lot: 32 DP: 1140924 - Pioneer Road HUNTERVIEW NSW 2330, Lot: 3 DP: 1091619 - Pioneer Road HUNTERVIEW NSW 2330, Lot: 336 DP: 1092882 - 86 Pioneer Road HUNTERVIEW NSW 2330
APPLICANT	Focus Town Planning
OWNER	Singleton Council
DA LODGEMENT DATE	30 September 2024
APPLICATION TYPE	Development Application: Nominated Integrated & Threatened Species Development
REGIONALLY SIGNIFICANT CRITERIA	Section 2.19(1) and Clause 3 of Schedule 6 of <i>State Environmental Planning Policy (Planning Systems) 2021</i> declares the proposal regionally significant development as: Council related development over \$5 million
CIV	\$15,435,000.00 (excluding GST)
CLAUSE 4.6 REQUESTS	N/A
KEY SEPP/LEP	<ul style="list-style-type: none">• <i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i>• <i>State Environmental Planning Policy (Planning Systems) 2021</i>• <i>State Environmental Planning Policy (Resilience and Hazards) 2021</i>• <i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i>• <i>Singleton Local Environmental Plan 2013;</i>• <i>Singleton Development Control Plan 2014</i>
TOTAL & UNIQUE SUBMISSIONS	One (1)
ISSUES IN SUBMISSIONS	Minimal services and infrastructure available in locality; specifically Childcare and Medical options and Local Shopping option. Erosion and Sediment Control.

DOCUMENTS SUBMITTED FOR CONSIDERATION	<ul style="list-style-type: none"> • Statement of Environmental Effects • Aboriginal Cultural Heritage Report (dated November 2007) • Acoustic Report (Rev: R1; dated 12/08/24) • Biodiversity Development Assessment Report (Rev: V1; dated 12/09/24) • Bushfire Report (Rev: V2; dated 02/09/24) • Contamination Assessment Report (Rev: V2; dated 15/08/24) • Cost Estimate Report (dated 16/09/24) • Traffic Report (Rev: 002; dated 14/08/24) • Amended Civil Engineering Plans (Rev: F; dated 31/01/25) • Amended Subdivision Master Plan (Rev: F; 31/01/25) • Amended Engineering Design Report (Rev: E; dated 31/01/2025) • Amended Landscape Plans (Rev: F; dated 31/01/25) • Heritage Overlay (Rev: D; dated 19/12/24) • Conflict of Interest Management Statement (undated) • RFI Response Letter (03/02/2025) <p style="text-align: center;">ADD ADDITIONAL DOCUMENTS SUBMITTED IN JUNE and AUGUST</p>
SPECIAL INFRASTRUCTURE CONTRIBUTIONS (S7.24)	N/A
RECOMMENDATION	Approval
DRAFT CONDITIONS TO APPLICANT	YES, to be uploaded separate cover
SCHEDULED MEETING DATE	17 March 2026
PLAN VERSION	Variable as per above
PREPARED BY	Julia Ryl, Senior Planning Assessment Officer (Cessnock City Council) Sarah Hyatt, Coordinator Development Services (Cessnock City Council)
DATE OF REPORT	11 December 2025

EXECUTIVE SUMMARY

The Development Application No. 8.2024.236.1 seeks consent for Staged Subdivision predominately over Lot 7 and Lot 8 in DP: 1196266 into eighty-eight (88) residential lots in seven (7) stages. Additionally, Lot: 32 DP: 1140924, Lot: 3 DP: 1091619 and Lot: 336 DP: 1092882 form part of the application due to the requirement for augmentation of offsite services, namely reticulated sewer through these additional Lots.

Stage	Proposed Works
1	14 Lots – Construction of Biofiltration Detention Basin
2	10 Lots
3	11 Lots
4	10 Lots and Modification to existing Biofiltration Detention Basin (constructed as part of DA8.2020.20.1).
5	11 Lots
6	15 Lots
7	17 Lots and Provision of Open Space / Play Ground

The proposal is for subdivision and is permissible in accordance with Section 2.6 of Singleton Local Environmental Plan 2013 (the LEP).

The proposed subdivision will be supported by ancillary works including:

- Removal of native vegetation (10.3ha);
- Bulk earthworks and lot regrading;
- Construction of two (2) basins and filling of one (1) dam (Note: Basin 1 was constructed as part of previous Consent 8.2020.20.1);
- Landscaping and revegetation;
- Construction of internal roads with footpaths on one side, with extensions to Cheal Road, Rourke Street, Lambkin Street, Harpur Street, and Broomfield Street;
- Construction of a new intersection adjoining Pioneer Road and upgrade of Pioneer Road along the frontage of the lots proposed as part of this application;
- Creation of asset protection zones;
- Open space including a playground with equipment;
- Construction of walking trail and shared path;
- Stormwater infrastructure including two stormwater control basins and upgrade to an approved central stormwater control basin located east of Lambkin and Harpur Streets;
- Site landscaping including site entry statement;
- Connection to required utilities including sewer, water, stormwater, telecommunications, and power;
- Gravity sewer infrastructure connection along Pioneer Rd (through Lots 7 & 8 DP 1196266, Lot 32 DP 1140924) to a proposed pump station; and
- Creation of necessary easements.

The land comprises five (5) irregular shaped parcels known as Lots 7 and 8 DP 1196266, Lot: 32 DP: 1140924, Lot: 3 DP: 1091619 and Lot: 336 DP: 1092882. Much of the development is

proposed over 13.15ha residue of Lot 7 and total site area of Lot 8 of 8.53ha, being a total development area of 21.68ha.

A total of 4.68ha of Lot 7 has been developed in accordance with development consent DA8.2020.20. These works are completed in the north western corner of Lot 7 DP 1196266 resulting in the creation of forty-two (42) residential lots, a detention basin constructed as part of these works will be further modified by the development proposed by this application. The works proposed over Lot: 32 DP: 1140924, Lot: 3 DP: 1091619 and Lot: 336 DP: 1092882 relate to sewer service augmentation works proposed to ensure essential services are available to serve the proposed subdivision.

Pursuant to Section 4.46 of the *Environmental Planning and Assessment Act 1979* ('EP&A Act') the application is integrated development with the following agencies required to be consulted:

- NSW RFS (*s100b Rural Fires Act 1997*) – *Residential Subdivision on Bushfire Prone Land*, General Terms of Approval have been issued.
- *DPIE-Water* – (*s91 Water Management Act 2000*) – *Works Within Watercourse Land*, General Terms of Approval have been issued.

A referral to Ausgrid pursuant to *State Environmental Planning Policy (Transport and Infrastructure) 2021* ('Transport and Infrastructure SEPP') was sent with no objections.

Jurisdictional prerequisites to the grant of consent imposed by the following controls have been satisfied including:

- Section 4.6 of the Resilience and Hazards SEPP for consideration of whether the land is contaminated;
- Section 2.48(2) of the Transport and Infrastructure SEPP in relation to electricity supply.

The application was placed on public exhibition on three (3) occasions from 14 October 2024 to 3 December 2024 (inclusive of two (2) concurrent exhibition periods) and renotified and advertised from 8 April 2025 until 13 May 2025, with one (1) submission being received from the cumulative exhibition periods.

The application is referred to the Hunter and Central Coast Regional Planning Panel ('the Panel') as the development is 'regionally significant development', pursuant to Section 2.19(1) and Clause 3 of Schedule 6 of State Environmental Planning Policy (Planning Systems) 2021 which identifies the development as regionally significant given it is Council related development over \$5 million

A briefing was held with the Panel on 15 April 2025 where key issues were discussed, including classification of Council land and relevant operational plans, entrance signage, location, ongoing maintenance arrangements, variation to Singleton Development Control Plan – Lot width variations, proposed pathway materials, landscaping and open space amendments, regrading and retaining proposed to achieve level lots and extent of cut and fill, potential impacts on Aboriginal artefacts and acceptance or otherwise of an APZ on Council (RE1) land and the Bridgman Road/New England Highway intersection capacity and required upgrades.

The key issues associated with the proposal included:

1. Classification of Council land, any relevant operational plans,

2. Entrance signage, location, ongoing maintenance arrangements,
3. Non-compliance with DCP provisions – Lot width variations,
4. Council not accepting of any footpath material other than concrete for trail,
5. Landscaping / open space amendments,
6. Regrading/retaining of proposed lots. The extent of earthworks to achieve proposed levels, and
7. Potential for Aboriginal artefacts to remain located on site that have not been destroyed as per a previously issued AHIP (no. #2940).

In addition to these key issues during the briefing meeting the following matters were raised by the Panel as being required to be clarified:

1. Understanding of how the balance of the avoided R2 land will be managed.
2. Social Infrastructure planning and cumulative impacts of increasing the residential population in consideration of revised s7.11 Contributions Plan being prepared by Council.

Previous concerns by from agencies with support now received for the application from NSW Rural Fire Service, Department of Climate Change, Energy, the Environment and Water-Water Group and Ausgrid. One (1) unique submission was received during the exhibition period which specifically identifies that it is not an objection, but rather highlights the need for supporting land uses to be developed within the vicinity to improve community access to medical services, childcare and commercial convenience.

Identified issues from the briefing meeting have been resolved through the preparation of amended plans and additional information. It is noted that Singleton Council have also adopted a new Development Contributions Plan which addresses the collection of funds for identified road upgrades in the vicinity of the development site. i.e. Bridgeman Road and New England Highway.

The development as proposed is consistent with the Public Interest and will provide additional land lots suitable for residential occupation.

The proposed development is recommended for approval as the development is generally consistent with applicable EPIs, and development controls and is a planned outcome for the development site in accordance with a developed masterplan.

Following assessment of the matters for consideration under Section 4.15(1) of the EP&A Act, the provisions of the relevant State Environmental Planning Policies, the proposal can be supported.

Following a detailed assessment of the proposal, pursuant to Section 4.16(1)(b) of the *EP&A Act*, DA 8.2024.236.1 is recommended for approval subject to the draft conditions contained at **Attachment A** of this report.

1. THE SITE AND LOCALITY

1.1 The Site

- The land comprises five (5) irregular shaped parcels known as Lots 7 and 8 DP 1196266, Lot 32 DP1140924, Lot 3 DP 1091619 and Part Lot 336 DP1092882. The subdivision component of the development is proposed over 21.68ha of land predominately comprising residue of Lot 7 and the total of Lot 8 in DP: 1196266. The proposed associated works over Lot 32 DP1140924, Lot 3 DP1091619 and Part Lot 336 DP 1092882 are for the facilitation of sewer extension works required to be constructed as part of this application.
- The proposed development is an extension of the master planned subdivision, as identified within the Singleton Development Control Plan as MPS8. Adjoining development along the western boundary of Lot 7 represents previous stages of the master planned subdivision, the master planned subdivision is also proposed to extend to land further west of the riparian corridor.
- The subject site has frontage to Pioneer Road, Hunterview and will be connected to existing residential land to the west.
- The topography of the site is such that the land falls towards the east from the west with a high point of 70m AHD falling to 50m AHD at the riparian corridor. The topography North to South is undulating.
- Each residential lot proposed by the development will benefit from direct frontage to a public road, with the existing road network to be extended to service the proposed subdivision.
- The site contains 10.55ha of native vegetation representative of Central Hunter Ironbark-Spotted Gum Forest, which is listed as an Endangered Ecological Community (EEC). The development proposed will require the removal and modification of 10.3ha of poor to low condition EEC. The proposal will also result in impacts to 1.36ha of suitable habitat for each of the threatened candidate species; being Squirrel Glider (*Petaurus norfolkensis*) and Brush-tailed Phascogale (*Phascogale tapoatafa*). The retention of suitable habitat for these species is to be largely within the RE1 Public Recreation Land.
- Two first order streams are proposed to be removed or modified into stormwater drainage. These streams converge with a third order stream to be retained within Lot 8.
- The site is mapped as bushfire prone land, containing vegetation categories 1 and 3 as such; the development has been assessed by NSW Rural Fire Service in accordance with s100B of the *Rural Fires Act 1997*. The proposed subdivision incorporates asset protection zones (APZ) on land intended to be managed by Council.

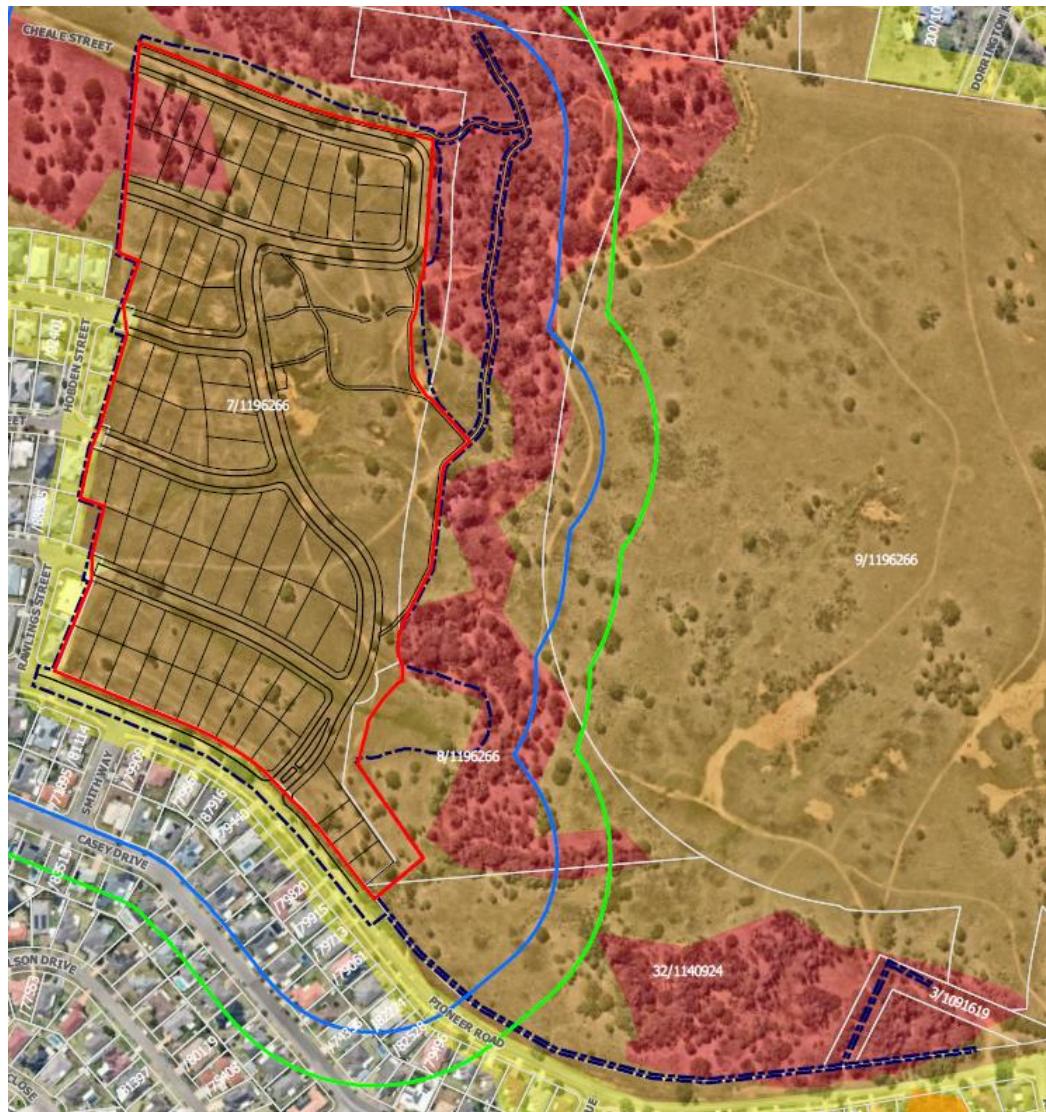


Figure 1: Bushfire Prone Land Mapping

- The subject site is located approximately 5km from the Singleton Town Centre, where a number of retail and essential services are available. In addition, there is also an approval approximately 1km from the development site for a commercial development, comprising a major supermarket and five specialty stores determined by the Hunter and Central Coast Joint Regional Planning Panel on June 16, 2016. Advice has been provided by Singleton Council confirming works have been substantially commenced.
- **Location map**

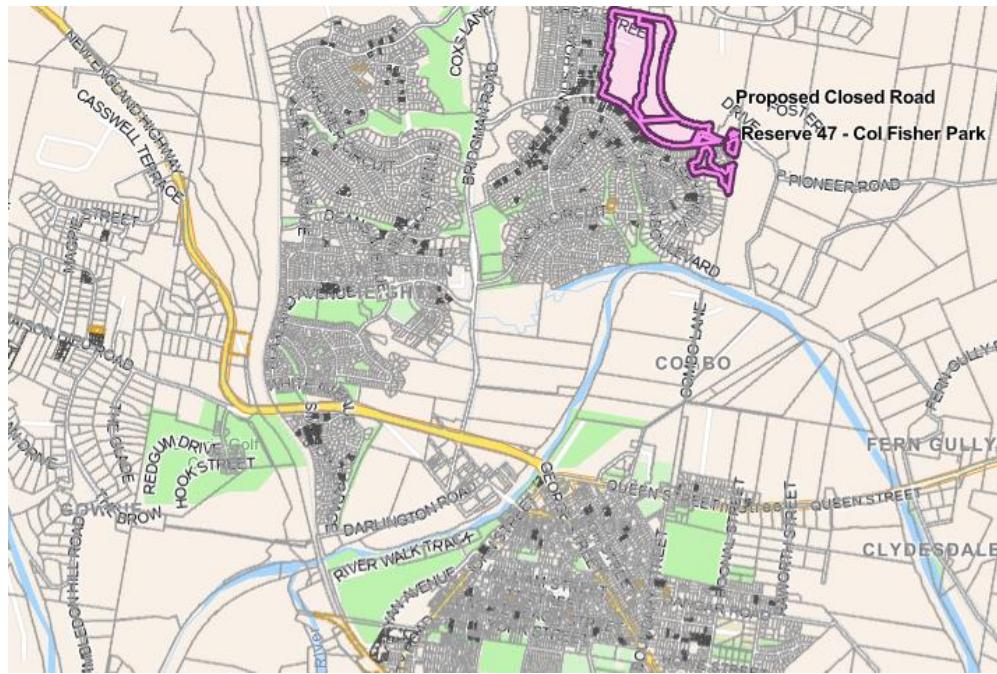


Figure 2: Location Map - North of Singleton CBD and Hunter River

- **Aerial Photograph of Subject Site**

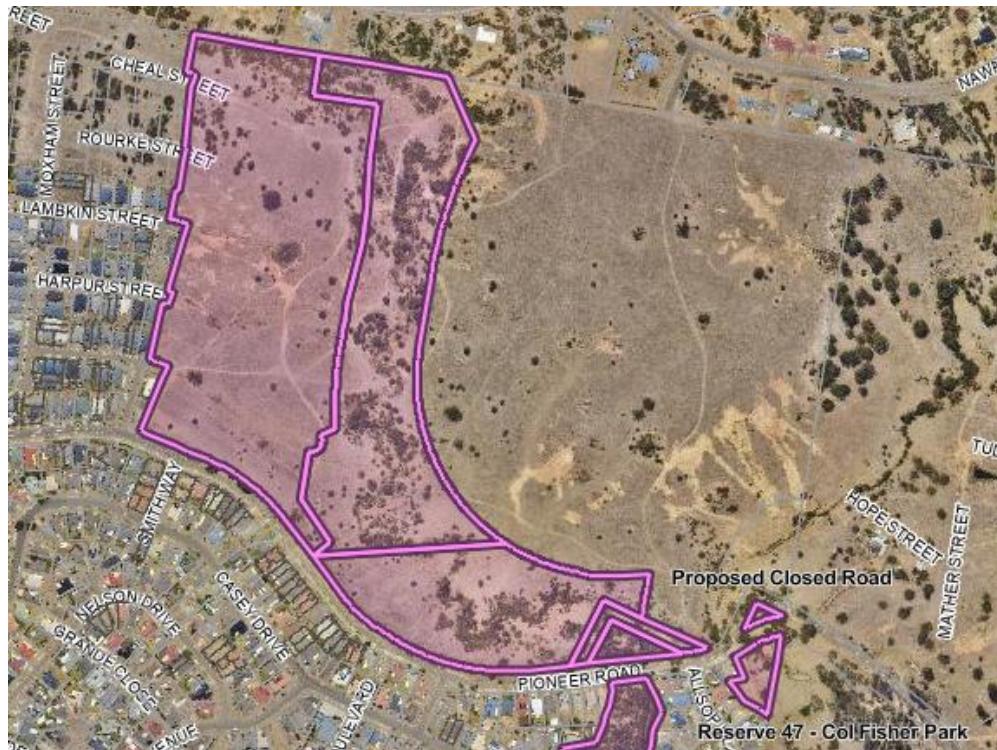


Figure 3: Aerial Photograph of Lots subject to Development Application (Note: Only lots north of Pioneer Road within Col Fisher Park are subject to proposed works).

- **Site Photographs (16 October 2024)**



Figure 4: Pioneer Road - Existing Road conditions



Figure 5: Pioneer Road - Existing condition



Figure 6: Subject site viewed from Pioneer Road



Figure 7: Pioneer Road - Existing interface with low density residential



Figure 8: Subject site proposed for Residential Subdivision - note undulations in topography



Figure 9: Looking west across subject site towards Broomfield Street.



Figure 10: Looking South towards Pioneer Road.



Figure 11: Looking East towards watercourse.



Figure 12: Basin Works undertaken in accordance with DA8/2020/20.



Figure 13: Looking North-West towards Lambkin Street, Rourke and Cheal Streets (extension under construction at time of inspection). (Taken from temporary basin under construction as part of previous Development Consent on subject land)



Figure 14: Looking North across the subject site



Figure 15: Note earthworks undertaken in relation to basin works associated with 8/2020/20.

1.2 The Locality

- Adjoining development consists of greenfield subdivision sites and vacant lots allowing for low density residential development. Development within the immediate locality is predominantly single dwellings.
- The site is located within an expanding low-density residential locality on the interface with the transition to large lot residential.
- The proposed subdivision is part of a master planned area identified within Council's Development Control Plan.
- The subject development is within close proximity to enable connection to existing services. The nearest bus stop in proximity to the site is identified as being located on Casey Drive at Dominion Avenue.

2. THE PROPOSAL AND BACKGROUND

2.1 The Proposal

Development Application No. 8.2024.236.1 seeks consent for Staged Subdivision over Lot 7 and Lot 8 in DP: 1196266 into eighty-eight (88) residential lots in seven (7) stages.

Stage	Proposed Works
1	14 Lots – Construction of Biofiltration Detention Basin
2	10 Lots
3	11 Lots
4	10 Lots and Modification to existing Biofiltration Detention Basin (constructed as part of DA8.2020.20.1).
5	11 Lots
6	15 Lots
7	17 Lots and Provision of Open Space / Play Ground inclusive of all walking trails and paths

The proposed subdivision will be supported by ancillary works including:

- Removal of native vegetation (10.3ha);
- Bulk earthworks and lot regrading;
- Construction of two (2) basins and filling of one (1) dam (Note: Basin 1 was constructed as part of previous Consent 8.2020.20.1);
- Landscaping and revegetation;
- Construction of internal roads with footpaths on one side, with extensions to Cheal Road, Rourke Street, Lambkin Street, Harpur Street, and Broomfield Street;
- Construction of a new intersection adjoining Pioneer Road and upgrade of Pioneer Road along the frontage of the lots proposed as part of this application;
- Creation of asset protection zones;
- Open space including a playground with equipment;

- Construction of a walking trail and shared path;
- Stormwater infrastructure including two stormwater control basins and upgrade to an approved central stormwater control basin located east of Lambkin and Harpur Streets;
- Site landscaping including site entry statement;
- Connection to required utilities including sewer, water, stormwater, telecommunications, and power;
- Gravity sewer infrastructure connection along Pioneer Rd (through Lots 7 & 8 DP 1196266, Lot 32 DP 1140924) to a proposed pump station (Part Lot 336 DP 1092882); and
- Creation of necessary easements.

Table 1: Development Data

Control	Proposal
Site area	27.161ha
Clause 4.6 Requests	N/A
Lot Sizes	Between 554m ² to 1168m ²
Lot Widths	Between 14.2m (Lot 79) and 44.5m (Lot 46)
Public Open Space / Park	1.22ha Park / Open Space Playground (Operational Land 1.25ha)
Infrastructure	Extension of reticulated sewer service to facilitate the proposed development. Singleton Council is the Water and Sewer Authority in this locality.
Road Network	New Local and Collector Roads proposed to connect with existing road network

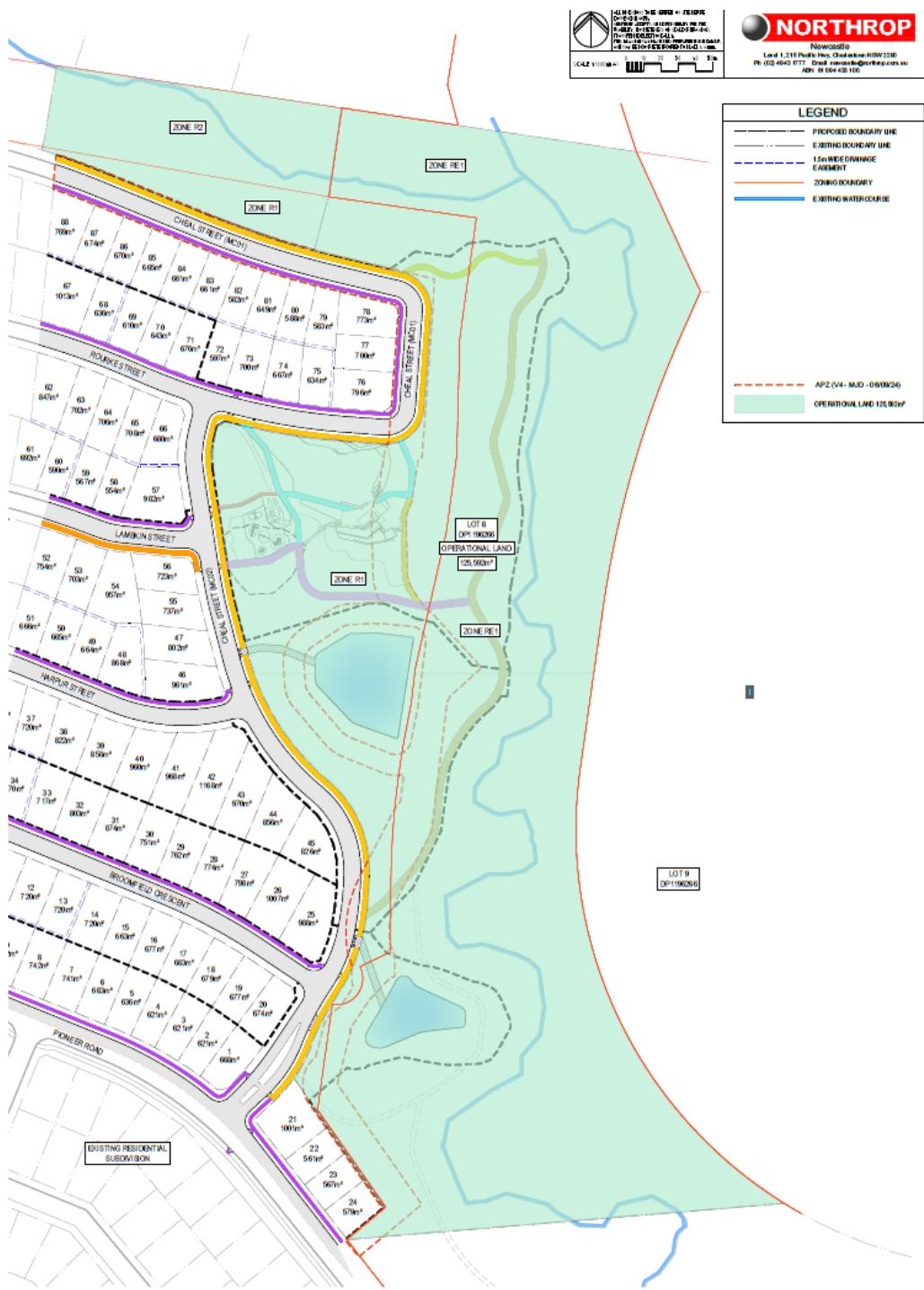


Figure 16: Proposed Operational Land

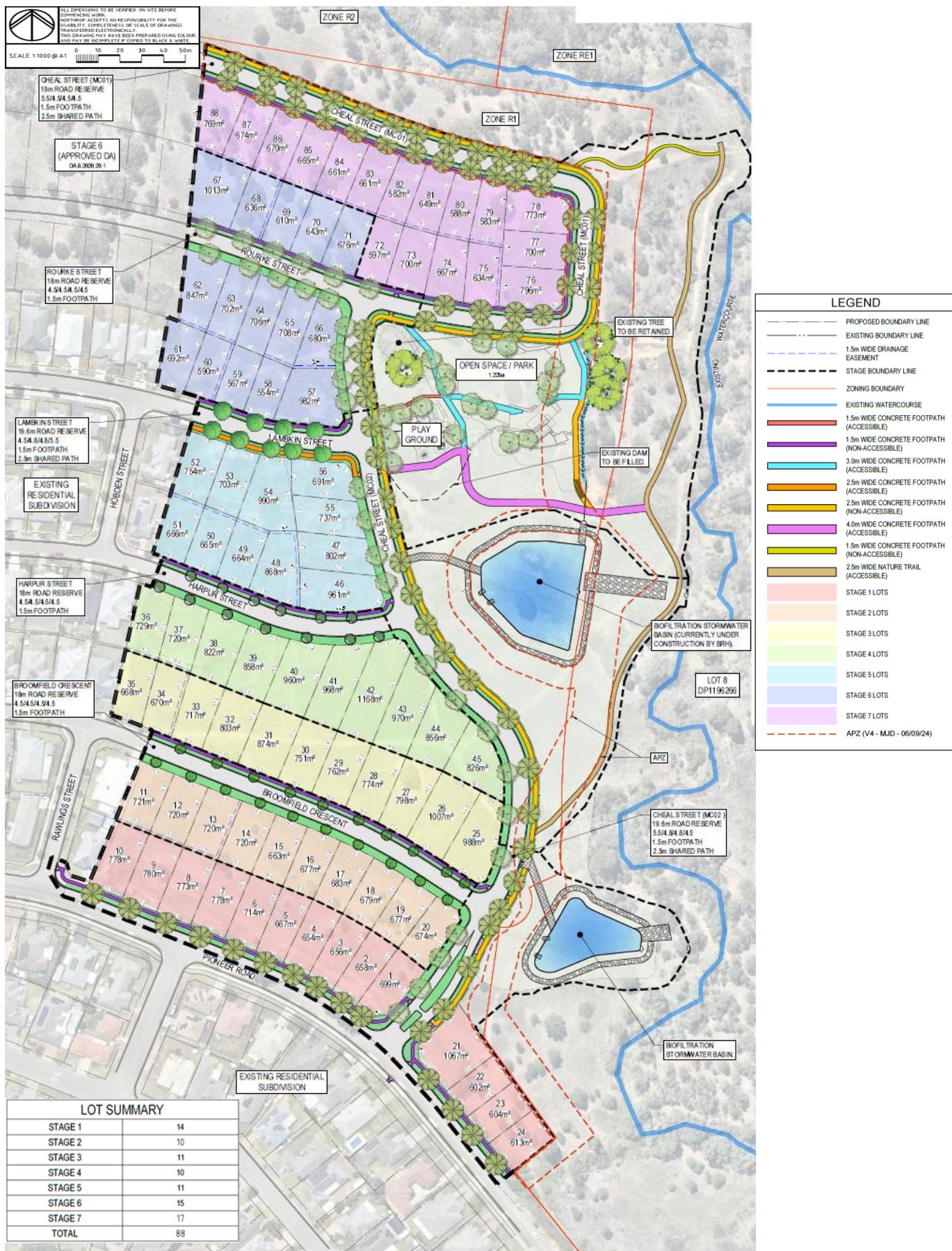


Figure 17: Proposed Subdivision Layout

2.2 Background

The development application was lodged on 30 September 2024. A chronology of the development application since lodgement is outlined in Table 2.

Table 2: Chronology of the DA

Date	Event
18 October 2024	Exhibition of the application commenced
14 October 2024	Application referred to Planning Panel via NSW Planning Portal assigned PPSHCC-325.
14 October 2024	DA referred to external agencies
	DA referred to internal Officers
7 November 2024	Re-Exhibition of the application
3 December 2024	All internal referrals completed and comments reviewed.
6 December 2024	Request for Information from Council to applicant based on outcome of preliminary assessment.
10 February 2025	<p>Response to Request for Information from applicant to Council.</p> <p>Amended Plans provided:</p> <ul style="list-style-type: none"> • Landscape • Masterplan • Civil Plans • Cut and Fill Plan
31 March 2025	All external referrals completed and comments, General Terms of Approval issued where relevant.
	Second Request for Information from Council to Applicant
2 April 2025	<p>Further correspondence sent to Applicant from Assessment Officer to confirm; the following:</p> <ul style="list-style-type: none"> • Confirmation of classification of Council Land (Community or Operational) and any applicable Operational Plan; • Confirmation if the sewer extension works are proposed as part of the current application (conflicting information submitted; if so, additional lots are required to be applied over); • Location of proposed Entrance Walls – Plan is unclear as to proposed location and ongoing maintenance requirements; • Justification for lot width variations proposed and potential to provide additional frontage for Lot 54.
15 April 2025	Panel briefing
	Response to Request for Information and additional matters raised by the Panel received from Applicant.

2 July 2025	Assessing Officer Requests referral of submitted information to internal officers and external authorities for consideration of amended information.
19 September 2025	Assessing Officer re-refers amended information to enable external authorities to review and assess the amended information.
	Update on assessment from Internal Council Officers requested.
14 November 2025	Assessing Officer seeks timeframe from Department of Climate Change, Energy, the Environment and Water-Water Group for amended GTAs to reflect amended information re-referred on the 19 September 2025.
26 November 2025	Department of Climate Change, Energy, the Environment and Water-Water Group provides amended GTAs.
5 December 2025	All internal referral responses received to enable finalisation of assessment of development application.
11 December 2025	Development Assessment finalised.
	Draft Conditions of Consent prepared and issued to Applicant for review by Singleton Council Officers.
	Draft Conditions supplied to the Applicant for review
	Determination Meeting Scheduled

2.3 Site History

- The subject site was historically used for cattle grazing and associated rural uses, including extensive clearing for the previously mentioned predominant use.
- The following applications have been lodged over the subject land:
 - 8/2020/20/1 – 43 Lot Torrens Title Subdivision and associated civil works including roads, drainage, site regrading, tree removal and landscaping (Stage 6 Bridgman Ridge Estate)
 - DA 8/2020/20/1 has constructed one of the two biofiltration-detention basins shown on the submitted plans (Basin 1) associated with this development application.
- There are no concurrent applications currently being considered. Previous applications on adjoining land have been determined and works completed/commenced for previous stages.
- The subject site is identified as part of a Masterplan (MPS8) in accordance with the Singleton Development Control Plan 2014.

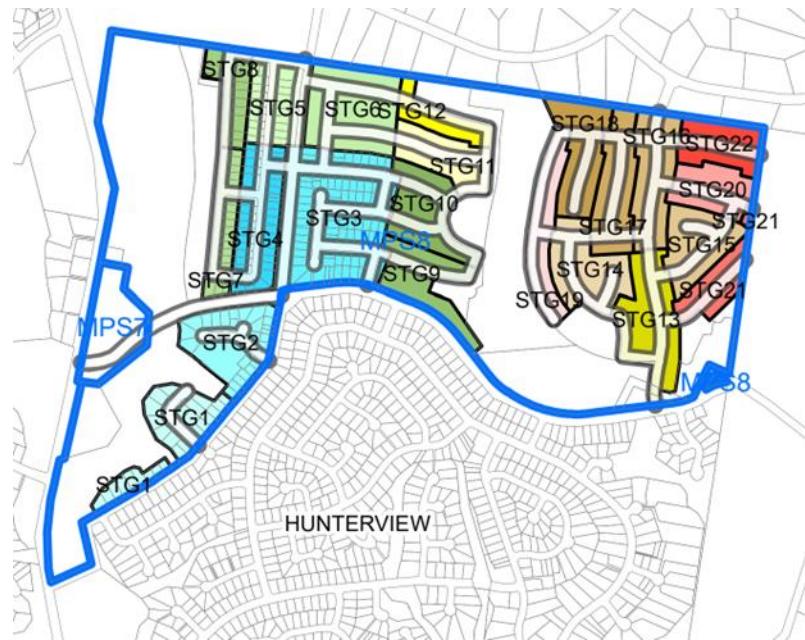


Figure 18: Excerpt of Master-Planned Sites Map Sheet MPS_014A - obtained from Singleton Development Control Plan 2014 (Cadastral 19/09/2025)

- A previous Section 90 Consent to destroy (*National Parks and Wildlife Act 1974*) was issued in October 2007 Aboriginal Heritage Impact Permit (AHIP) #2490 issued for the subject site. Due Diligence Assessment of Aboriginal sites SC/25; SC/30; SC/31(A-B) and SC/31C and the proposed Sewer Extension Works locations have been undertaken.

Three (3) AHIMs sites are identified on Lot 8 DP 1196266 within close proximity of the development area on Lot 7 DP 1196266 (detention basins), however, with proper mitigation measures such as exclusion fencing impacts on the sites can be avoided. The three (3) sites were not listed on AHIP #2490 for salvage.

The due diligence assessment did not identify an Aboriginal objects or culturally significant landscape features that may be impacted by the proposed sewer extension service works.

AHIMS	Site Name
37-6-1134	SC/25
37-6-1139	SC/30
37-6-1140	SC31 (A, B & C)

In the case of these three sites, impact can be avoided by the use of exclusion fencing, as the development has been well designed to avoid impacts to the remaining sites, SC/25, SC/30 and SC31 (A,B&C).

There is no requirement for further assessment or approvals for the development to proceed as planned.

3. STATUTORY CONSIDERATIONS

When determining a development application, the consent authority must take into consideration the matters outlined in Section 4.15(1) of the *Environmental Planning and Assessment Act 1979* ('EP&A Act'). These matters are of relevance to the development application include the following:

- (a) the provisions of any environmental planning instrument, proposed instrument, development control plan, planning agreement and the regulations
 - (i) any environmental planning instrument, and
 - (ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and
 - (iii) any development control plan, and
 - (iiia) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and
 - (iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph),
that apply to the land to which the development application relates,
- (b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,
- (c) the suitability of the site for the development,
- (d) any submissions made in accordance with this Act or the regulations,
- (e) the public interest.

These matters are further considered below.

It is noted that the proposal is considered to be (which are considered further in this report):

- Integrated Development (s4.46)
- Requiring concurrence/referral (s4.13)

3.1 Environmental Planning Instruments, proposed instrument, development control plan, planning agreement and the regulations

The relevant environmental planning instruments, proposed instruments, development control plans, planning agreements and the matters for consideration under the Regulation are considered below.

(a) Section 4.15(1)(a)(i) - Provisions of Environmental Planning Instruments

The following Environmental Planning Instruments are relevant to this application:

- *State Environmental Planning Policy (Biodiversity and Conservation) 2021*
- *State Environmental Planning Policy (Planning Systems) 2021*
- *State Environmental Planning Policy (Resilience and Hazards) 2021*
- *State Environmental Planning Policy (Transport and Infrastructure) 2021*

- *Singleton Local Environmental Plan 2013.*

A summary of the key matters for consideration arising from these State Environmental Planning Policies are outlined in **Table 3** and considered in more detail below.

Table 3: Summary of Applicable Environmental Planning Instruments

EPI	Matters for Consideration	Comply (Y/N)
<i>State Environmental Planning Policy (Biodiversity & Conservation) 2021</i>	<p>Chapter 4: Koala Habitat Protection 2021</p> <p>The site whilst containing vegetation making the site potential Koala Habitat, assessment has not found any evidence of Koalas. It is not considered necessary to prescribe monitoring/adaptive management plans or compensatory measures.</p>	Y
<i>State Environmental Planning Policy (Planning Systems) 2021</i>	<p>Chapter 2: State and Regional Development</p> <ul style="list-style-type: none"> • Section 2.19(1) declares the proposal regionally significant development pursuant to Clause 3 of Schedule 6 as the development is: <ul style="list-style-type: none"> ○ Council related development over \$5 million 	Y
<i>State Environmental Planning Policy (Resilience & Hazards) 2021</i>	<p>Chapter 4: Remediation of Land</p> <ul style="list-style-type: none"> • Section 4.6 - Contamination and remediation has been considered in the Contamination Report and the proposal is satisfactory subject to precautionary conditions. 	Y
<i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i>	<p>Chapter 2: Infrastructure</p> <ul style="list-style-type: none"> • Part 2.3, Division 5, Subdivision 2, Section 2.48(2) (Determination of development applications—other development) – electricity transmission - the proposal is satisfactory subject to conditions. • Part 2.3, Division 20 (Stormwater management systems) – the works related to the biofiltration systems proposed are permissible with consent pursuant to Section 2.138. 	Y
Proposed Instruments	Nil Applicable	
<i>Singleton Local Environmental Plan 2013</i>	<p>The proposal is consistent with the relevant provisions contained within <i>Singleton Local Environmental Plan 2013</i>.</p> <p>Subdivision of land is permissible in accordance with Clause 2.6. The majority of the subject land is not subject to a minimum lot size in accordance with the minimum lot map applicable to the sites (*excluding a small portion zoned R2 which is not proposed to be further subdivided by this development application and will be retained in ownership by Singleton Council as Operational Land).</p>	Y



Figure 19: Minimum Lot Size Mapping (SLEP 2013)

Consideration of the relevant SEPPs is outlined below:

State Environmental Planning Policy (Planning Systems) 2021

Chapter 2: State and Regional Development

The proposal is *regionally significant development* pursuant to Section 2.19(1) as it satisfies the criteria in Clause 3 of Schedule 6 of the Planning Systems SEPP as the proposal is Council related development over \$5 million. Accordingly, the Hunter and Central Coast Planning Panel is the consent authority for the application. The proposal is consistent with this Policy.

State Environmental Planning Policy (Resilience & Hazards) 2021

Chapter 4: Remediation of Land

The provisions of Chapter 4 of *State Environmental Planning Policy (Resilience and Hazards) 2021* ('the Resilience and Hazards SEPP') have been considered in the assessment of the development application. Section 4.6 of Resilience and Hazards SEPP requires consent authorities to consider whether the land is contaminated, and if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out. In order to consider this, a Preliminary Site Investigation ('PSI') has been prepared for the site by EP Risk Management Pty Ltd, dated 15.08.2024.

The PSI consisted of a search of historical records, site walkover, environmental data collection (limited targeted sampling). This research found that the Site was formerly used for grazing (Part Lot 7, Lot 8, Lot 32) and road easement (Lot 3), prior to being acquired by Singleton Council in 1980 and 2006. Based upon the Site history information and lack of livestock fencing, it appears the Site has been largely kept vacant since 1980. The Site has been subject to unauthorised access for recreational use via informal access roads and tracks. The report also notes that aerial photographs show the land surrounding the Site is transitioning to residential from rural pursuits (grazing).

The potential sources of contamination were considered to be use of herbicides and pesticides associated with grazing with potential anthropogenic materials from unauthorised access and fly tipping.

The report concluded that the Site is considered to be a low risk of contamination not warranting any further investigation or potential remediation. The PSI recommends anthropogenic material associated with fly tipping are to be removed from the Site prior to any vegetation clearance and earthworks activities in the developable portion of the Site or revegetation or maintenance activities in the environmental conservation zones along the

eastern watercourse, and implementation of an unexpected finds protocol to be implemented during redevelopment to address any unidentified contamination that may be encountered during works. The proposal is considered to be consistent with SEPP Resilience and Hazards, subject to imposition of relevant conditions of consent during construction on any consent granted.

State Environmental Planning Policy (Biodiversity and Conservation) 2021

Chapter 4: Koala Habitat Protection 2021

The provisions of SEPP (Biodiversity and Conservation) applies in accordance with Part 4.2 Clause 4.9 – Development assessment process – no adopted Koala plan of management.

(1) *This clause applies to land to which this policy applies if the land –*

- Has an area of at least 1 hectare (including adjoining land within the same ownership, and*

The Site includes a combined area greater 1ha.

- Does not have an approved koala plan of management applying to the land.*

No koala plan of management occurs within the Singleton LGA.

The Site includes Koala use trees; *Eucalyptus tereticornis*, *Eucalyptus moluccana*, *Eucalyptus fibrosa*, *Casuarina glauca* and *Allocasuarina littoralis*.

Two (2) Spot Assessment Techniques (SATs) were undertaken over the subject land within areas where trees belonging to the Koala use tree species listed within Schedule 2 for the relevant koala management area. Survey effort of secondary indications of Koala usage / occupation of local trees was carried out, including searching trees for trunk scratches, fur and urine stains. Spotlighting was also conducted over six (6) nights in accordance with Department of Sustainability, Environment, Water, Population and Communities (DSEWPaC), 2011, *Survey Guidelines for Australia's Threatened Mammals*.

Despite presence of suitable habitat (through Koala use tree species), there was no recent evidence of Koala presence in or around the Site observed during any of the survey efforts.

The proposed location of the development is situated in an area of historic disturbance on the Site. The proposed development should not further impede the movement of Koalas across the landscapes or impact recovery and/ or expansion of Koala populations.

State Environmental Planning Policy (Transport and Infrastructure) 2021

Chapter 2: Part 2.3 - Division 5 – Subdivision 2 – Section 2.48

The provisions of SEPP (Transport and Infrastructure) applies in accordance with Chapter 2, Part 2.3, Division 5, Subdivision 2, Section 2.48 - Determination of development applications – other development.

(1) *This section applies to a development application (or an application for modification of a consent) for development comprising or involving any of the following—*

...

(d) development involving or requiring the placement of power lines underground, unless an agreement with respect to the placement underground of power lines is in force between the electricity supply authority and the council for the land concerned.

The development proposal will require the placement of power lines underground and the application was therefore notified to the electricity supply authority (Ausgrid) for comment.

(2) Before determining a development application (or an application for modification of a consent) for development to which this section applies, the consent authority must—

- (a) give written notice to the electricity supply authority for the area in which the development is to be carried out, inviting comments about potential safety risks, and*
- (b) take into consideration any response to the notice that is received within 21 days after the notice is given.*

The electricity supply authority (Ausgrid) has reviewed the development proposal and advised that they do not object to the proposal and has provided conditions and information to be applied to a development consent.

Singleton Local Environmental 2013

The relevant local environmental plan applying to the site is the *Singleton Local Environmental Plan 2013* ('the LEP'). The aims of the LEP are as follows—

- (aa) to protect and promote the use and development of land for arts and cultural activity, including music and other performance arts,*
 - i. to provide a framework for regulating development within Singleton,*
 - ii. to promote the use of rural resources for agriculture and primary production, including forestry and open cut mining, and major infrastructure providers,*
 - iii. to encourage the sustainable management, development and conservation of natural resources,*
 - iv. to protect and conserve the environmental and cultural heritage of Singleton,*
 - v. to ensure that a range of housing choice is provided for all residents of Singleton throughout all life stages,*
 - vi. to promote and coordinate the orderly and economic use and development of land in Singleton,*
 - vii. to provide adequate protection for, and minimise risk to, the community, as far as is practicable, from environmental hazards, including flooding and bush fire,*
 - viii. to protect and enhance watercourses, riparian habitats and water quality in Singleton.*

The proposal is consistent with these aims as the proposal encourages the sustainable management, development and conservation of natural resources and protection and enhancement of watercourses, riparian habitats and water quality.

The proposal will assist in ensuring that a range of housing choices are able to be provided for all residents of Singleton throughout all life stages. The proposed subdivision promotes the orderly and economic use and development of land in Singleton in accordance with a Masterplan developed for the site; whilst providing adequate protection to minimise risk to the community as far as practical from environmental hazards including floods and bushfire. This has been demonstrated through the assessment of the application.

Zoning and Permissibility (Part 2)

The site is located within the following landuse zones, PART R1 General Residential / PART R2 Low Density Residential and PART RE1 Public Recreation pursuant to Clause 2.3 of the LEP.

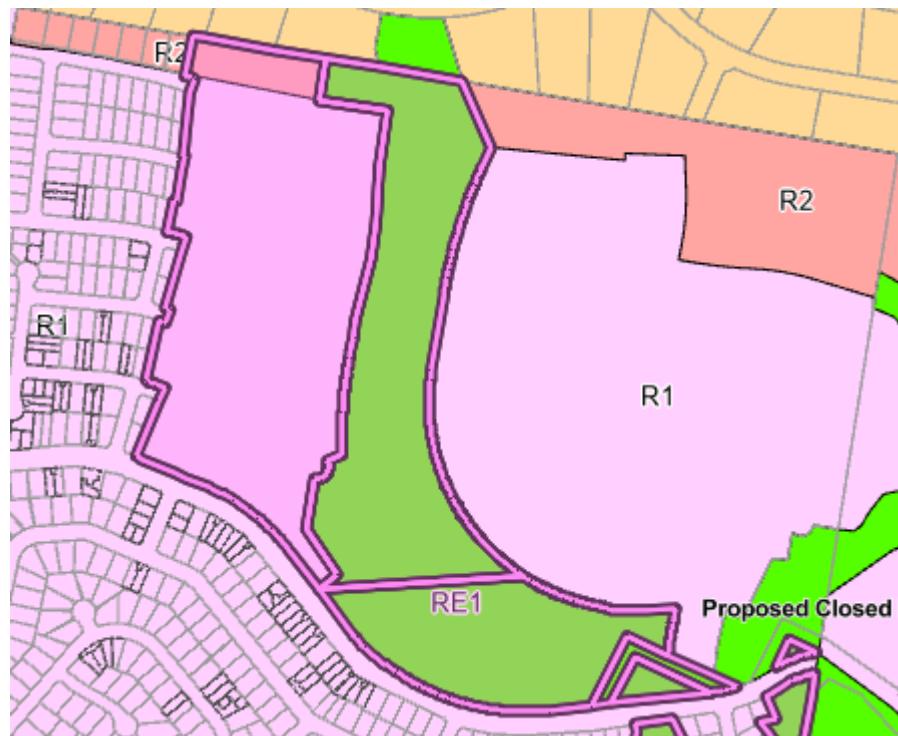


Figure 20: LEP - Land zoning over subject land

According to the *Environmental Planning and Assessment Act 1979* Part 6 Division 6.1 Section 6.2 the meaning of "subdivision" of land is defined as:

- (1) *For the purposes of this Act, subdivision of land means the division of land into 2 or more parts that, after the division, would be obviously adapted for separate occupation, use or disposition. The division may (but need not) be effected—*
 - (a) *by conveyance, transfer or partition, or*
 - (b) *by any agreement, dealing, plan or instrument rendering different parts of the land available for separate occupation, use or disposition.*

The proposal satisfies the definition of subdivision of land which is a permissible development form with consent in accordance with Section 2.6 of *Singleton Local Environmental Plan 2013*; specifically noting that Part 2 Section 2.6 states:

- (1) *Land to which this Plan applies may be subdivided, but only with development consent.*

The zone objectives include the following (pursuant to the Land Use Table in Clause 2.3):

Zone RE1 Public Recreation

- *To enable land to be used for public open space or recreational purposes.*
- *To provide a range of recreational settings and activities and compatible land uses.*
- *To protect and enhance the natural environment for recreational purposes.*

Zone R1 General Residential

- *To provide for the housing needs of the community.*
- *To provide for a variety of housing types and densities.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

Zone R2 Low Density Residential

- *To provide for the housing needs of the community within a low density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

The proposal is considered to be consistent with these zone objectives for the following reasons:

- The development offers a range of Lot sizes and shapes (as shown in the proposed subdivision layout) which are compatible with a low density residential environment; and provides for a variety of residential types as permitted by the land use table.
- The development additionally includes Lots which could be developed for the purpose of facilities or services to meet the day to day needs of residents, subject to further assessment such as Centre Based Childcare Facilities.
- The development includes the provision of additional public open space for the recreation of residents whilst protecting and enhancing the natural environment.

General Controls and Development Standards (Part 2, 4, 5 and 6)

The LEP also contains controls relating to development standards, miscellaneous provisions and local provisions. The controls relevant to the proposal are considered in **Table 4** below.

Table 4: Consideration of the LEP Controls

Control	Requirement	Proposal	Comply
(Section 2.6) Subdivision – Consent Requirements	Land to which this Plan applies may be subdivided, but only with development consent. Development Consent must not be granted which would result in a secondary dwelling being located on a lot below the minimum lot size.	Subdivision of vacant Land into 88 Torrens Title Lots over 7 Stages.	Yes

<p>(Section 4.1) Minimum subdivision Lot size</p>	<p>R1 and RE1 zoned Land has no applicable minimum lot size. R2 zone has a minimum Lot Size of 1200m²</p>	<p>R1 and RE1 portion of the site have no applicable minimum Lot size. The R2 portion of the site retains an area of approximately 0.81 ha</p> 	<p>Yes</p>
<p>(Section 5.10) Heritage Conservation</p>	<p><i>(2) Requirement for consent</i> <i>Development consent is required for any of the following—</i></p> <p><i>f) subdividing land—</i></p> <p><i>i. on which a heritage item is located or that is within a heritage conservation area, or</i></p> <p><i>ii. on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance.</i></p>	<p>Council's Heritage Advisor has reviewed an amended Aboriginal Due Diligence assessment was undertaken in April 2025 for the sites noted as being not salvaged under an earlier AHIP; items SC/25; SC/30; SC/31(A-B) and SC/31(C) were not destroyed as part AHIP2490 remain extant on the project area.</p> <p>These sites have been revisited and their status updated as well as revised GIS co-ordinates taken.</p> <p>The result has been that adjustments have been made to the project area masterplan and shared path network designed to avoid impact to all Aboriginal heritage items.</p> <p>The amended Aboriginal Due Diligence information results have allowed for a better understanding of the extant sites locations and management measures now employed to avoid impact to them.</p> <p>With proposed mitigation measures as outlined in "Due Diligence Assessment Aboriginal Cultural Heritage Proposed Sewer Servicing" dated April 2025 and "Due Diligence Assessment of Archaeological items Area C Pioneer Road SC/25; SC/30; SC/31 (A-B) and SC31/C" dated 31 March 2025, both reports prepared by Insite Heritage Pty Ltd; being implemented and required through proposed conditions of consent Section 5.10 of the LEP is considered to be satisfied.</p>	
<p>(Section 7.1) Earthworks</p>	<p><i>Before granting development consent for earthworks (or for development involving ancillary earthworks), the consent authority</i></p>	<p>The development proposal has been supported by a proposed cut and fill plan.</p> <p>The submitted earthworks plan demonstrates that the proposed</p>	<p>Yes</p>

	<p><i>must consider the following matters—</i></p> <ol style="list-style-type: none"> a) <i>the likely disruption of, or any detrimental effect on, drainage patterns and soil stability in the locality of the development,</i> b) <i>the effect of the development on the likely future use or redevelopment of the land,</i> c) <i>the quality of the fill or the soil to be excavated, or both,</i> d) <i>the effect of the development on the existing and likely amenity of adjoining properties,</i> e) <i>the source of any fill material and the destination of any excavated material,</i> f) <i>the likelihood of disturbing relics,</i> g) <i>the proximity to, and potential for adverse impacts on, any waterway, drinking water catchment or environmentally sensitive area,</i> h) <i>any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.</i> 	<p>earthworks will result in gradients across the development site, which result in no requirement for retaining with batter to natural at 1V:4H (max) internally to proposed Lots.</p> <p>Existing natural drainage lines are to be incorporated into the stormwater infrastructure within the proposed road reserves to the proposed stormwater detention basins and riparian corridor.</p> <p>The works will enable the development of the Lots for their intended purposes with minimal requirements for further earthworks to accommodate future development for residential purpose.</p> <p>Across the site approximate bulk earthworks volumes of:</p> <ul style="list-style-type: none"> • Bulk Cut – 22,647m³ • Bulk Fill – 27,125m³ • Bulk Cut / Fill Balance – 4,478m³ (import) <p>The bulk of the earthworks will be undertaken through materials won from the site and redistributed. Any material brought to the site will be required to be certified as suitable materials for the intended purpose.</p> <p>The proposed earthworks are not to be undertaken in the location of any known locations of relics and are therefore unlikely to be disturbed.</p> <p>The development is an extension of adjoining residential subdivision to the west and levels have been considered in association with the existing surrounding development.</p> <p>Council's Development Engineers have reviewed the submitted earthworks and stormwater plans and determined that the development proposal is unlikely to result in any adverse impacts on any waterways in the locality. Conditions will ensure that sediment and erosion controls are in place and maintained through the construction stages of the development.</p>	
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		Given the topography of the site and the drainage to the riparian watercourse through engineered structures such as stormwater infrastructure and detention basins, have been assessed as appropriate mitigation measures and suitable in consideration of the proposed earthworks.	
(Section 7.6) Riparian Land and Watercourses	<p><i>Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that—</i></p> <p><i>a) the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or</i></p> <p><i>b) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or</i></p> <p><i>c) if that impact cannot be minimised—the development will be managed to mitigate that impact.</i></p>	<p>The development proposal was referred to the Department of Climate Change, Energy, the Environment and Water-Water Group as the development proposed works within 40 metres of waterfront land being an unnamed third order watercourse that flows to the Hunter River.</p> <p>Noting that General Terms of Approval were issued for the proposed development on 26 November 2025.</p> <p>Council's Development Engineers have considered potential stormwater associated impacts and determined that the works associated with the development are designed and sited to avoid significant adverse environmental impact, with ongoing maintenance by Council on the stormwater infrastructure on the directly adjoining land ensuring that the site will be managed ongoing in accordance with Council's requirements.</p> <p>Physical works associated with the establishment of walking trails are to utilise low impact materials and methods. These will also be managed ongoing by Council as they will be located on Operational Land.</p>	Yes
(Section 7.10) Essential Services	<p><i>Development consent must not be granted to development unless the consent authority is satisfied that any of the following services that are essential for the development are available or that adequate arrangements have been made to make</i></p>	<p>The proposal incorporates the provision of water supply and reticulated sewer services as provided and provisioned for in the development application.</p> <p>Ausgrid have provided advice that electricity services will be able to be provisioned for the development.</p> <p>Concept detailed stormwater plans have been reviewed by Council's Engineers and have been determined</p>	Yes

	<p>them available when required—</p> <ol style="list-style-type: none"> the supply of water, the supply of electricity, the disposal and management of sewage, stormwater drainage or on-site conservation, suitable vehicular access. 	<p>to meet the Council's design specifications.</p> <p>The proposal incorporates the construction of new public roads to provide physical and legal access to all Lots proposed by the subdivision with the road layout connecting to existing road connections within the locality. These road designs have been reviewed by Council's Development Engineers and compliance with Council's Engineering Design requirements have been met.</p> <p>Whilst not mentioned as an essential service telecommunications will be required to be connected as a condition of consent.</p>	
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The proposal is considered to be consistent with the LEP.

(b) Section 4.15 (1)(a)(ii) - Provisions of any Proposed Instruments

There are no proposed instruments which have been the subject of public consultation under the EP&A Act, which are relevant to the proposal.

(c) Section 4.15(1)(a)(iii) - Provisions of any Development Control Plan

The following Development Control Plan is relevant to this application:

- Singleton Development Control Plan 2014 ('the DCP')

2 Principal Design Standards

Control	Requirement	Proposal	Comply
2.1 Public Roads	<p>(3) Development consent should not be granted for the purpose of a public road, unless the consent authority is satisfied that:</p> <ol style="list-style-type: none"> the road layout is appropriate and suitably connected with the broader road network, and the sealed pavement width, horizontal alignment and longitudinal gradient are suited to the expected traffic type and volume, and 	<p>a) The proposed public road network has been designed to connect with existing road terminations constructed as part of adjoining subdivisions. The site is part of a master-planned area, and the proposed layout is consistent with the layout displayed in the Masterplan.</p> <p>b) The sealed pavement width, horizontal alignment and longitudinal gradient have been assessed as being suited to the</p>	Yes

	<p>(c) intersections will be safe and adequate sightlines are able to be achieved.</p> <p>(d) the reserve width provides for the following, as relevant:</p> <ul style="list-style-type: none"> i. sealed pavement and kerb, ii. street trees and associated tree guards, iii. footpaths and cycleways, iv. street lighting, v. public utility infrastructure such as electricity and telecommunications lines as well as reticulated water pipes, and vi. stormwater and subsurface draining infrastructure. 	<p>expected traffic type and volume,</p> <p>c) The application is supported by Council's Development Engineer with assessment of intersection sightlines being determined to be adequate and appropriate condition of Consent proposed for detailed designs to be submitted.</p> <p>d) From review of the submitted concept plans the reserve widths provide for:</p> <ul style="list-style-type: none"> i. Sealed pavement and kerb, ii. Street trees, iii. Footpaths and shared paths where required, iv. Street lighting, v. Infrastructure, including electricity and telecommunications lines and sewer and water pipes, vi. Stormwater and subsurface drainage infrastructure. 	
2.2 Public Open Space for Residential Subdivision	<p>Development consent should not be granted for subdivision of land to which this clause applies unless the consent authority is satisfied that suitable public open space is accessible to each proposed lot.</p> <p>In considering whether lots have access to suitable public open space, the consent authority must have regard to the following matters:</p> <ul style="list-style-type: none"> (a) lots should be within 500m of public open space that is at least 0.5ha in area, (b) lots should be within 750m of a public playground, and (c) public open space should be able to be accessed from lots by walking, cycling and driving. 	<p>a) All proposed lots within the subdivision will be within 500m of access to a public open space which will be greater than 0.5ha in area,</p> <p>b) The proposed subdivision also includes the development of a public playground which will be accessible from all lots within the proposed subdivision and is within 750m,</p> <p>c) The proposed public open space will be accessible via shared pathways, footpaths and by driving to the public open space, which includes a playground and walking trail.</p>	Yes

2.3 Street tree planting for Subdivision in certain residential, business and industrial zones	<p>Development consent should not be granted for the subdivision of land in Zone R1 General Residential or Zone R2 Low Density Residential unless the consent authority is satisfied that street trees will be provided at a minimum of one tree per 20 metres of lot frontage.</p>	<p>The submitted landscape plan demonstrates that street trees will be provided at a minimum of one (1) tree per 20 metres of lot frontage.</p> <p>To ensure street trees are planted at the 20m intervals at a minimum a condition is provided to require this to occur as noted in Appendix A.</p>	Yes
2.4 Stormwater drainage system	<p>Development consent should not be granted to development that would result in an increase or concentration in the amount of stormwater being discharged to the public stormwater drainage system unless the consent authority is satisfied that:</p> <p>(a) the post-development runoff from the land will not exceed the predevelopment runoff for all storm durations for the 5 year, 20 year and 100 year ARI,</p> <p>(b) any lots resulting from the subdivision of residential, business or industrial zoned land must be provided with connection to the street stormwater drainage system or inter-allotment drainage system,</p> <p>(c) the design of the stormwater drainage and discharge system must be sustainable and must not be prone to failure as a result of normal human influence,</p> <p>(d) the design of the stormwater drainage and discharge system must comply with the Council's Engineering Design Specifications and be consistent with the approaches adopted by the Engineers Australia publications titled Australian Guide to Water Sensitive Urban Design.</p>	<p>The assessment of proposed stormwater measures has been assessed by Council's Development Engineer and Council is satisfied that the proposed stormwater drainage system is capable of satisfying Council's Engineering requirements:</p> <p>a) The applicant has submitted a Stormwater Assessment which has been reviewed by Council's Development Engineer and has been determined to suitably address the post-development runoff for 5 year, 20 year and 100 year ARI, and that these will not exceed the predevelopment runoff. A proposed condition of consent requires detailed information be submitted prior to the issue of a Subdivision Works Certificate.</p> <p>b) All proposed lots have been able to demonstrate that connection to street stormwater drainage system (to be constructed) will be provided in some instances there will be a requirement to provide inter-allotment drainage to obtain access to the street.</p> <p>c) The proposed design of the stormwater drainage and discharge system includes the provision of detention basins which will become Council assets and be regularly maintained.</p> <p>d) The drainage system has been assessed by Council's Development Engineer as</p>	Yes

		being suitable for the proposed development. A proposed condition confirms the requirements of the detailed design for subdivision works certificate to be issued, ensuring compliance with Council's Engineering Design Specifications and consistency with the approaches adopted by the Engineers Australia publications titled Australian Guide to Water Sensitive Urban Design.	
2.6 Lot shape and dimensions for certain village and residential subdivision	<p>Development consent should not be granted for subdivision of land to which this clause applies unless the consent authority is satisfied that:</p> <p>(a) any lot resulting from the subdivision is of suitable size and shape to contain a building envelope that is appropriately located and complies with relevant building setbacks, and</p> <p>(b) any lot resulting from the subdivision is of suitable size and shape to provide suitable private open space and comply with hazard management and sewage disposal requirements, and</p> <p>(c) the subdivision is appropriate having regard to the natural and physical constraints of the land.</p> <p>Unless the consent authority is satisfied that the lot has ample provision for driveway access, substantial landscaping and placement of bins for collection, the front of any lot resulting from the subdivision of land to which this clause applies is not to be less than 17m wide.</p>	<p>a) The application and submitted plans demonstrate that each lot resulting from the proposed subdivision will result in lots of suitable size and shape to contain a building envelope which is capable of compliance with future relevant building setbacks and appropriately located upon each lot.</p> <p>b) All proposed lots will be between 554m² and 1168m². Suitable private open space areas will be capable of being established to serve future residential development. All lots will be connected to reticulated sewer and stormwater systems with no requirement for onsite disposal or management.</p> <p>Proposed Lots 21 to 24 will require maintenance of a Bushfire Asset Protection Zone on land proposed to be retained as Council Operational Land. A letter has been received from Singleton Council confirming the acceptance and ongoing maintenance requirements of said APZ. See the referenced documents for details and proposed draft conditions.</p> <p>c) Having consideration for the natural and physical</p>	<p>Variation c) 17m wide frontage. See justification following DCP Tables.</p>

		<p>constraints on the land the subdivision has been designed to best accommodate and avoid these constraints.</p> <p>Ten (10) of the proposed eighty-eight (88) Lots will not meet the minimum 17m wide requirement for the frontage of any lot.</p> <table border="1" data-bbox="833 550 1214 898"> <thead> <tr> <th>Lot No.</th><th>Frontage Width</th></tr> </thead> <tbody> <tr><td>2</td><td>15.6m</td></tr> <tr><td>3</td><td>15.6m</td></tr> <tr><td>4</td><td>15.6m</td></tr> <tr><td>5</td><td>16.4m</td></tr> <tr><td>61</td><td>15.5m</td></tr> <tr><td>69</td><td>16.8m</td></tr> <tr><td>79</td><td>14.2m</td></tr> <tr><td>80</td><td>14.9m</td></tr> <tr><td>81</td><td>16.5m</td></tr> <tr><td>82</td><td>15.0m</td></tr> </tbody> </table> <p>This equates to only 11.4% of the total number of Lots. The assessment has determined that this small number of proposed Lots which will not comply are still provided with ample provision for driveway access, substantial landscaping and bin collection placement following future development.</p>	Lot No.	Frontage Width	2	15.6m	3	15.6m	4	15.6m	5	16.4m	61	15.5m	69	16.8m	79	14.2m	80	14.9m	81	16.5m	82	15.0m	
Lot No.	Frontage Width																								
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79	14.2m																								
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81	16.5m																								
82	15.0m																								
2.8 Passive Solar design for certain residential subdivision	<p>Before granting development consent for subdivision of land to which this clause applies, the consent authority must have regard to the following:</p> <p>(a) to maximise opportunities for solar access, the preferred alignment of streets is:</p> <ul style="list-style-type: none"> (i) a north to south alignment, or (ii) an east to west alignment. <p>(b) on sloping sites, south facing slopes have limited opportunities for solar access and as such, should be large in size.</p> <p>(c) to maximise opportunities for solar access, the preferred orientation of lots is:</p> <ul style="list-style-type: none"> (i) between 340° and 30°, (ii) between 70° and 120°, (iii) between 160° and 210°, or 	<p>a) The proposed street alignment is generally on an east to west axis, maximising opportunity for solar access.</p> <p>b) The proposed earthworks will reduce south facing slopes and as such the proposed lot sizing is appropriate for solar access purposes.</p> <p>c) The orientation of proposed lots are generally between 340° and 30° and 70° and 120° or 160° and 210°. Maximising opportunities for solar access to future developments and their likely orientations on the proposed Lots.</p>	Yes																						

	(iv) between 250° and 300°.		
2.16 Environmental outcomes	<p>A Development Application proposing to remove or prune vegetation must include the following information:</p> <p>(a) a site plan indicating vegetation to be removed/pruned and vegetation to be retained,</p> <p>(b) a tree assessment that assesses the condition of the vegetation, identified trees able to be retained and the zone of influence around the root system to be avoided,</p> <p>(c) where the application proposes the removal of native vegetation the following additional information shall be submitted:</p> <ul style="list-style-type: none"> (i) impacts of the proposed clearing and/or prescribed impacts on threatened species and/or threatened ecological communities, (ii) whether the land is located on the Biodiversity Values Map (refer to Clause 6), (iii) whether the clearing will exceed the relevant area threshold (refer to Clause 6), and (iv) whether the impact is considered to be significant – 5 Part Test of Significance (refer to Clause 7). <p>(d) landscape plan identifying compensatory planting of vegetation endemic to the local area or species of the same community type.</p>	<p>The development application proposes to remove approximately 10.3ha of native vegetation. This has been assessed in consideration of the Biodiversity Development Assessment Report (BDAR) submitted to inform the development application. Council's Ecologist has reviewed the submitted BDAR and has concluded that the proposed development has avoided areas of best habitat available and has been designed to appropriately connect to surrounding environmental features.</p> <p>Biodiversity Offset Credits have been considered and calculated and are proposed to be applied to applicable species as detailed in Draft Conditions contained at Appendix A.</p>	Yes
2.21 Earthworks and retaining	Development consent should not be granted for earthworks or earth retaining measures that would lessen the structural integrity of any adjoining or adjacent building, retaining measure or service infrastructure.	There are no adjacent buildings, retaining measure or service infrastructure which have been identified in the assessment of the application as being potentially impacted by the proposed earthworks.	Yes

	<p>Development consent should not be granted for retaining walls greater than 600mm in height, within 1m of the lot boundary, unless the consent authority is satisfied that:</p> <p>(a) the design of the retaining wall incorporates suitable drainage measures, and</p> <p>(b) the design life of the wall is not less than 50 years.</p> <p>Development consent should not be granted for retaining walls greater than 900mm in height, within 1.3m of a building used for the purpose of residential accommodation.</p> <p>Development consent should not be granted for retaining walls constructed of timber that has a hazard treatment rating of less than H4.</p> <p>Development consent should not be granted for earthworks that would result in batters steeper than 1V:4H, unless the consent authority is satisfied that:</p> <p>(a) the toe of the batter is not within 1.3m of an adjoining building, and</p> <p>(b) the design incorporates suitable drainage measures to ensure that ponding or nuisance from stormwater runoff does not occur, and</p> <p>(c) the design incorporates suitable stabilisation and erosion control measures, and</p> <p>(d) the batter will not have a detrimental effect on the amenity of neighbours and the public, and</p> <p>(e) the batter will not adversely impact upon the visual amenity of the streetscape, and</p>	<p>The subdivision development does not propose retaining to any portion of the site, and the earthworks proposed are intended to create lots capable of being developed without the need for retaining structures. The proposed battering as nominated on the submitted bulk earthworks cut and fill plan Revision H has been assessed by Council's Development Engineers as being compliant with Council's requirements.</p> <p>Specifically, it is noted that batters will batter to natural 1V:1H internally to Lots. With a locally steepened batter to 1V:3H (Max) proposed at Basin 2 interface. Mass planting is proposed where the batter exceeds 1V:4H.</p> <p>Appropriate draft conditions are proposed in Appendix A, to ensure compliance with Council's requirements.</p>	
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	(f) the steeper batter is supported by a geotechnical report, prepared by a suitably qualified geotechnical engineer		
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3 Master-Planned Sites

Control	Requirement	Proposal	Comply
3.1 Concept Staging and Layout	<p>(3) Development consent should not be granted to subdivision of land to which this clause applies unless the consent authority is satisfied that:</p> <ul style="list-style-type: none"> a) infrastructure for the site will be provided in a timely and efficient manner, and b) circulation routes and connections will be provided for private vehicles, public transport, pedestrians and cyclists as relevant, and c) street tree plantings and landscaping of public open space areas will be provided as relevant, and d) riparian areas and remnant vegetation will be protected and enhanced where relevant. 	<ul style="list-style-type: none"> a) The development includes consideration for the provision of essential infrastructure for the development. b) The proposed layout as demonstrated in Figure 18 demonstrates proposed circulation routes and connections to existing infrastructure for vehicles, pedestrians and cyclists. c) The Application was supported by a landscaping plan demonstrating that street tree planting are proposed along with areas of public open space. d) The riparian area and areas of remnant vegetation are proposed to be protected with the subdivision design largely avoiding impacts to these areas. 	Yes
	<p>(4) Before granting development consent for subdivision of land to which this clause applies, the consent authority must consider:</p> <ul style="list-style-type: none"> a) whether the design of infrastructure maintains connectivity with the broader network, and b) whether the design of the infrastructure takes into account demands generated by projected growth associated with future development stages, and 	The overall layout is consistent with the masterplan depicted in Figure 18. The proposed servicing and connectivity are conducive to accommodating future development stages as the master planned precinct progresses to the eastern side of the riparian corridor.	Yes

	<p>c) whether the road layout is consistent with any concept road layout shown on the Master Planned Site Map, and</p> <p>d) whether the subdivision is consistent with the concept staging indicated on the Master-Planned Site Map, and</p> <p>e) if it is intended to deviate from the concept staging indicated on the Master-Planned Site Map, whether the deviation would impact upon infrastructure required for the overall site.</p>		
	<p>(5) In considering whether infrastructure provision is suitable, the consent authority must have regard to the following:</p> <p>a) reticulated water infrastructure, and</p> <p>b) sewage infrastructure, and</p> <p>c) electricity infrastructure, and</p> <p>d) gas infrastructure, and</p> <p>e) telecommunications infrastructure, and</p> <p>f) stormwater infrastructure, and</p> <p>g) road infrastructure, and</p> <p>h) pedestrian infrastructure, and</p> <p>i) cyclist infrastructure.</p>	<p>In accordance with Section 7.10 of <i>Singleton Local Environmental Plan 2013</i> as assessed previously in this assessment report, the proposed subdivision has been assessed as being provided with essential services (eg. reticulated water and sewer, electricity, telecommunications, stormwater, road and pedestrian/cyclist infrastructure).</p> <p>The subdivision proposes the construction of shared pathways for pedestrians and cyclists along with additional road infrastructure to connect to and expand upon the existing road network. (Inclusive of additional half road construction for the frontage on Pioneer Road).</p>	Yes
	<p>(6) In considering whether infrastructure for cyclists is suitable, the consent authority must have regard to the requirements of the Singleton Bike Plan.</p>	<p>The proposed subdivision is located approximately 1.3km from the Pioneer Road Mountain Bike Track (located at 189 – 221 Pioneer Road). The works proposed as outlined in the assessment of the development application includes the provision of shared pathways to Councils standards.</p>	Yes

The applicable provisions of the DCP as outlined above have been determined to be compliant, with the exception of 2.6 - Lot shape and dimensions for certain village and residential subdivision.

Notwithstanding, that ten (10) of the proposed Lots do not meet the numerical standard of a minimum 17m frontage. Council has included a 'disclaimer', which permits variance from this numerical standard so long as the consent authority is satisfied that the frontage can accommodate a driveway, bin collection placement (for maximum two bins) and substantial landscaping.

The narrowest proposed frontage is 14.2m to proposed Lot 79, which equates to a maximum 16.5% variation to the numerical standard.

However, given considered street tree placement and mature growth sizing, the frontage will be sufficiently wide enough to accommodate the items listed as being required to satisfy the Consent Authority to vary this numerical standard.

It is considered that this variation is reasonable given the circumstances of the case and can be supported by the consent authority.

The following contributions plans are relevant pursuant to Section 7.18 of the EP&A Act and have been considered in the recommended conditions (notwithstanding Contributions plans are not DCPs they are required to be considered):

- *Singleton Local Infrastructure Contributions Plan*

This Contributions Plan was adopted on 1 July 2025 and S7.11 contributions are applicable to the development proposal of subdivision and have been considered and included in the recommended draft consent conditions.

The following contributions are applicable to the total of the development proposed:

Catchment 1 – Singleton and the North		
Infrastructure Category	Per Lot/Dwelling	Total \$
Plan Administration	\$ 2,969.00	\$258,303.00
Town Centre Upgrades	\$3,009.00	\$261,783.00
Road works	\$10,702.00	\$931,074.00
Shared paths	\$721.00	\$62,727.00
Public Open Space and Recreation Facilities	\$1586.00	\$137,982.00
Community Facilities	\$1,013.00	\$88,131.00
Total	\$20,000.00	\$1,740,000.00

(d) Section 4.15(1)(a)(iiia) – Planning agreements under Section 7.4 of the EP&A Act

There have been no planning agreements entered into and there are no draft planning agreements being proposed for the site.

(e) Section 4.15(1)(a)(iv) - Provisions of Regulations

There are no provisions contained within the *Environmental Planning & Assessment Regulation 2021* which are relevant to the proposed development.

3.2 Section 4.15(1)(b) - Likely Impacts of Development

The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality must be considered. In this regard, potential impacts related to the proposal have been considered in response to SEPPs, LEP and DCP controls outlined above and the Key Issues section below.

The consideration of impacts on the natural and built environments includes the following:

- Context and setting – The proposal is generally consistent with the context of the site, in that the proposed subdivision is appropriate because of the regional and local context, and the master-planned nature of the locality. The surrounding locality is characterised by low density residential development and forms part of a master planned subdivision identified within Singleton Development Control Plan as MPS8. The subject land adjoins previous stages of the master planned subdivision, with further stages master planned on land adjoining to the west.
- Public Domain – The development will improve access to public open space in the locality with the proposed provision of a playground and public open space exceeding 0.5ha, with pedestrian linkages from surrounding subdivisions also benefitting.
- Utilities – The proposed subdivision is capable of being provided all required utilities, inclusive of reticulated sewer, water, electricity and telecommunications. The application has also demonstrated that stormwater infrastructure is also capable of being provided to manage this in an appropriate manner. Council is the reticulated sewer provider in this locality and appropriate proposed conditions have been provided for the development.
- Potential for Contamination – In consideration of potential contamination the site is considered to pose a low risk of contamination to the intended future land users.

However, based on this assessment and the conceptual site model for the proposed development, there is limited potential for complete source-receptor pathways associated with anthropogenic materials.

Whilst contamination at a level warranting further investigation or potential remediation was not encountered, the following is recommended to meet industry best practice during development activities:

- Anthropogenic material associated with fly tipping should be removed from the Site prior to any vegetation clearance and earthworks activities in the developable portion of the Site or revegetation or maintenance activities in the environmental conservation zones along the eastern watercourse.
- An unexpected finds protocol should be implemented during redevelopment to address any unidentified contamination that may be encountered during the proposed redevelopment works.
- Natural environment – The subdivision will result in changes to the natural topography of the site, with much of the balance of cut and fill being from site won materials. The subject site is undulating with natural drainage lines towards the unnamed

watercourse on the eastern side of the site. These 'drainage lines' will largely form the location of the new roads with stormwater drainage being incorporated.

- Noise and vibration – Construction impacts related to noise and vibration are proposed to be mitigated through proposed conditions to be complied with during subdivision works.
- Natural hazards – The subject site is affected by bushfire and flooding impacts. The impacts of these hazards have been adequately addressed in accordance with applicable local development controls and external authority requirements through provision of general terms of approval as required.
- Social impact – A new local playground and parkland with walking trail will be constructed and dedicated to Council that will provide a place for local residents to participate in recreational activities. The new residential subdivision will be an extension of the existing
- Economic impact – The addition of eighty-eight (88) residential allotments will increase demand for services and drive additional economic benefits such as the development of the previously approved Shopping Village in Huntview, as the population grows the business sector will deliver on projects and provide additional services where the demand and need arises increasing business investment in the local economy.
- Site design and internal design – The proposed subdivision has been Master planned and is consistent with the overarching masterplan applicable to the site. The subdivision is appropriately designed to meet solar access requirements for future development and will complete the local road network providing an alternative entry and exit point.
- Construction – The potential impacts from construction are to be adequately mitigated in conditions including, limitation of permitted work hours and requirement for sediment and erosion control and traffic management control measures to be implemented and maintained during subdivision works.
- Cumulative impacts – the proposed subdivision is generally consistent with Council's master plan for the subject land. The outcomes of the proposed residential subdivision are not considered to result in contributing to cumulative impacts, environmentally, socially or economically.

Accordingly, it is considered that the proposal will not result in any significant adverse impacts in the locality as outlined above.

3.3 Section 4.15(1)(c) - Suitability of the site

The site is suitably located for the proposed development, in that it adjoins an establishing/established residential area and is designed in accordance with a master plan for residential subdivision.

The site is situated approximately 5km from the Singleton Town Centre, where a number of retail and essential services are available, including, major retailers and supermarket chains, medical services, childcare and banking. The development of the site proposes the establishment of a playground with equipment, approximately 1.3km east of the site is the Pioneer Road Mountain Bike Track.

The subject site is part of a master planned site, specifically planned for the purpose of residential subdivision. The proposed subdivision layout is compliant with the plan identified in the approved master plan as discussed throughout the assessment.

3.4 Section 4.15(1)(d) - Public Submissions

There was one (1) submission received in response to the exhibition of the development application, as outlined in Section 4 of this report.

Where applicable proposed conditions of consent have been provided to control sediment and erosion during construction of the development. Other matters raised are subject to market demand for services and developer investment.

3.5 Section 4.15(1)(e) - Public interest

The public interest is served through the detailed assessment of this Development Application under the *Environmental Planning and Assessment Act 1979*, Environmental Planning Instruments and Council Plans and Policies.

Based on the above assessment, it is considered that the public interest is served by the approval of the application for an eight-eight (88) lot residential subdivision to be constructed in seven (7) stages.

4. REFERRALS AND SUBMISSIONS

4.1 Agency Referrals and Concurrence

The development application has been referred to various agencies for comment/concurrence/referral as required by the EP&A Act and outlined below in Table 5.

There are no outstanding issues arising from these concurrence and referral requirements subject to the imposition of the recommended conditions of consent being imposed.

Table 5: Concurrence and Referrals to agencies

Agency	Concurrence/ referral trigger	Comments (Issue, resolution, conditions)	Resolved
Concurrence Requirements (s4.13 of EP&A Act) - N/A			
Referral/Consultation Agencies			
Electricity supply authority	Section 2.48 – State Environmental Planning Policy (Transport and Infrastructure) 2021 Development near electrical infrastructure	Ausgrid the electricity supplier for the local government area has reviewed the proposed development and provided comments with no objection to the development.	Yes
Integrated Development (S 4.46 of the EP&A Act)			

RFS	S100B - <i>Rural Fires Act 1997</i> bush fire safety of subdivision of land that could lawfully be used for residential or rural residential purposes	General Terms of Approval and Bushfire Safety Authority provided, dated 8 October 2025.	Yes
NSW DCCEEW – Water Group	S91 – <i>Water Management Act 2000</i> Activity Approval under Part 3 of Chapter 3	General Terms of Approval and Schedule of Plans and Documents to be consistent with provided, dated 26 November 2025.	Yes

4.2 Council Officer Referrals

The development application has been referred to various Council officers for technical review as outlined **Table 6**.

Table 6: Consideration of Council Referrals

Officer	Comments	Resolved
Engineering	<p>Council's Engineer reviewed the submitted engineering plans and noted that the cut and fill for the site had been provided.</p> <p>Discussions regarding the material for the proposed nature trail between Council and the Applicant resolved for the use of an alternate material to concrete, with the requirement for a maintenance bond to be held for a two (2) year period for the full cost of the nature trail works. Final material selection to be determined prior to a Subdivision Works Certificate being issued.</p> <p><u>Outcome:</u> Satisfactory subject to conditions being imposed on any consent granted.</p>	Yes
Traffic	<p>Council's Traffic Engineering Officer reviewed the proposal. All pathways and kerb ramps are to be capable of being accessible as per Council's expectations and standards. Nature Trail materials to be confirmed prior to construction. Appropriate signage is to be installed (shared path and regulatory signage) process for street naming to be undertaken.</p> <p><u>Outcome:</u> Satisfactory subject to conditions being imposed on any consent granted.</p>	Yes
Ecologist	<p>The application is supported. It is considered that the proposed development has avoided areas of best habitat available and has been designed to appropriately connect to surrounding environmental features.</p> <p>Mitigations measures provided in Table 13 of the submitted BDAR (dated 12 September 2024) are to be included as part of any consent. Additionally, mitigation measures to support any removal / modification of the small dam on site are to be</p>	

	<p>included to support the welfare of fauna during any dam dewatering actions.</p> <p>Credit Obligations are to be made for impacts of the development:</p> <table border="1" data-bbox="414 399 1203 983"> <thead> <tr> <th colspan="6">Ecosystem Credits</th> </tr> <tr> <th>Plant Community Type</th><th>Threatened Community</th><th>Area (ha)</th><th>HBT Cr</th><th>No HBT Cr</th><th>Credit obligation</th></tr> </thead> <tbody> <tr> <td>3315 Central Hunter Ironbark- Spotted Gum – Forest</td><td>Central Hunter Ironbark- Spotted Gum – Grey Box Forest in the NSW North Coast and Sydney Basin Bioregions</td><td>1.36</td><td>16</td><td>0</td><td>16</td></tr> <tr> <td>3315 Central Hunter Ironbark- Spotted Gum – Forest</td><td>Central Hunter Ironbark- Spotted Gum – Grey Box Forest in the NSW North Coast and Sydney Basin Bioregions</td><td>8.90</td><td>0</td><td>144</td><td>144</td></tr> </tbody> </table> <table border="1" data-bbox="414 1017 1203 1365"> <thead> <tr> <th colspan="4">Species Credits</th></tr> <tr> <th>Candidate Species</th><th>Area (ha)</th><th>Credit obligation</th><th>IBRA Subregion</th></tr> </thead> <tbody> <tr> <td>Squirrel Glider <i>Petaurus norfolkensis</i></td><td>1.36</td><td>16</td><td>Any in NSW</td></tr> <tr> <td>Brush-tailed Phascogale <i>Phascogale tapoatafa</i></td><td>1.36</td><td>16</td><td>Any in NSW</td></tr> </tbody> </table> <p>A completed Notification of Determination for the Biodiversity Offset Scheme (BOS) will be provided to the BOS to provide interim notification on the intent of credit obligations required to support the development application.</p> <p><u>Outcome:</u> Satisfactory subject to conditions being imposed on any consent granted.</p>	Ecosystem Credits						Plant Community Type	Threatened Community	Area (ha)	HBT Cr	No HBT Cr	Credit obligation	3315 Central Hunter Ironbark- Spotted Gum – Forest	Central Hunter Ironbark- Spotted Gum – Grey Box Forest in the NSW North Coast and Sydney Basin Bioregions	1.36	16	0	16	3315 Central Hunter Ironbark- Spotted Gum – Forest	Central Hunter Ironbark- Spotted Gum – Grey Box Forest in the NSW North Coast and Sydney Basin Bioregions	8.90	0	144	144	Species Credits				Candidate Species	Area (ha)	Credit obligation	IBRA Subregion	Squirrel Glider <i>Petaurus norfolkensis</i>	1.36	16	Any in NSW	Brush-tailed Phascogale <i>Phascogale tapoatafa</i>	1.36	16	Any in NSW	
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Development Contributions	<p>Development Contributions have been calculated utilising Council's Local Infrastructure Contributions Plan adopted on the 1 July 2025.</p> <p>A break down of contributions applicable for each proposed stage of the development has been calculated and will be conditioned.</p> <p><u>Outcome:</u> Satisfactory subject to conditions being imposed on any consent granted.</p>	Yes																																								

Environmental Health	A Construction Noise Management Plan is to be developed prior to commencement of works. Remediation to be undertaken in consideration of the findings of the PSI undertaken and submitted by the Applicant. <u>Outcome:</u> Satisfactory subject to conditions being imposed on any consent granted.	Yes
Sewer/Water	Council is the Water and Sewer provider for the locality. <u>Outcome:</u> Satisfactory subject to conditions being imposed on any consent granted.	Yes
Public Domain/ Facilities	Amended Subdivision Masterplan DA-C01.21 reflects previous discussion points with Applicant and Landscape Architect. Conditions to reflect agreed APZ (Bushfire Management on Operational Land). <u>Outcome:</u> Satisfactory subject to conditions being imposed on any consent granted.	Yes
Heritage	Council's Heritage Consultant reviewed the updated Aboriginal Due Diligence information. Results have allowed for better understanding of the extant sites locations and management measures now employed to avoid impact to these known sites. There remain no other heritage requirements to satisfy for this proposed development application. <u>Outcome:</u> Satisfactory subject to conditions being imposed on any consent granted as per the recommendations of the Due Diligence Report.	Yes

There are no outstanding issues as a result of the provision of amended information by the Applicant which has addressed concerns raised by Council Officers throughout the assessment of the application.

4.3 Community Consultation

The proposal was notified in accordance with the Council's Community Participation Plan on three (3) occasions from 14 October 2024 until 3 December 2024 (inclusive of two concurrent exhibition periods) and renotified and advertised from 8 April 2025 until 13 May 2025, with one (1) submission being received from the cumulative exhibition periods.

The notification included the following:

- A sign placed on the site;
- Notification letters sent to adjoining and adjacent properties (a rough estimate of the number of letters sent);
- Notification on the Council's website.

The Council received a total of one (1) unique submission from the exhibition process.

It is noted that the submission does not explicitly represent an objection to the development. The submission maker makes this observation in their written submission. The matters raised

relate to the availability of infrastructure and services in the immediate vicinity. Namely, a Shopping Village containing Medical Services and Childcare Facilities. Of specific concern is the lack of these facilities and the requirement to travel to Singleton Town Centre to access these services. The submission requests further lots not be developed until the shopping village is developed.

It is noted that an approval has been previously issued approximately 1km from the development site for a commercial development, comprising a major supermarket and five speciality stores, which was determined by the Hunter and Central Coast Joint Regional Planning Panel on June 16, 2016. It is of note that Singleton Council has provided advice in relation to this development, confirming that works in relation to this development consent have been substantially commenced.

As Council has issued advice that works in relation to this development have commenced, the consent issued will now not lapse and the development of the Shopping Village (Commercial Development) is in the hands of the landowner. Council has no further jurisdiction to force a development consent be acted upon.

From a review of the Hunterview locality it has been determined that Childcare Facilities are approved at the following addresses:

- 95-97 Casey Drive Hunterview; and
- 1 Marcus Place Hunterview

The development of centre-based childcare facilities is primarily determined by demand in a locality and provided by private service providers/developers. Council has a limited role in influencing the construction and provision of these services. The land use is permissible in accordance with the LEP in the land use zone and the development of further centre-based childcare facilities is capable within the proposed subdivision. Furthermore, in accordance with *State Environmental Planning Policy (Transport and Infrastructure) 2021*, Health Services Facilities are permitted in the land use zone. A health services facility could be developed on any of the lots created in the proposed subdivision should the demand for services be identified by a provider and is not reliant on the development of the shopping village.

It is noted that the proposed subdivision layout does offer several lots 'larger' than standard residential lots which could be suitable for the development of a centre based childcare facility and/or health services facilities.

The submission also raised concerns regarding the sediment and erosion measures implemented as part of previous development consents in the locality.

The control of erosion and the prevention of silt discharge into drainage systems and waterways will be necessary in accordance with Council's Development Engineering Specifications. Additional plans outlining how erosion, soil and water will be managed through the construction stage are required to be prepared and approved prior to a Subdivision Works Certificate being issued and will be required to be maintained throughout construction. It should be noted that this subdivision will complete the stormwater infrastructure from the existing development adjoining the site to the west to the permanent stormwater detention basins and legal point of discharge to the unnamed watercourse.

5. KEY ISSUES

The following key issues are relevant to the assessment of this application having considered the relevant planning controls and the proposal in detail:

5.1 Aboriginal Artefact Collection/Salvage

It was previously considered that under a Section 90 Consent to Destroy (*National Parks and Wildlife Act 1974*) issued in October 2007 Aboriginal Heritage Impact Permit (AHIP) #2490 issued for the subject site were collected/salvaged from the site in accordance with AHIP#2490. The applicant has engaged a suitably qualified professional to undertake further investigation and site inspections which confirmed that no artefacts were able to be identified at the recorded Aboriginal location sites. Although known sites SC/25; SC/30; SC/31 (A-B) and SC31/C were not included in AHIP #2490 the investigations undertaken by Insite Heritage confirmed that these three sites were not included for salvage by McCardle Cultural Heritage in 2007.

It is not surprising given the intervening timeframe of 22 years and the recovery of vegetation, which reduces exposure that these three sites were unable to be identified in recent site inspections.

Even where the sites cannot be relocated or confirmed, an AHIP would be required to impact the sites necessary. In this case it has been determined that impact to sites can be avoided by the use of exclusion fencing.

Resolution: With the implementation of the recommendations contained within the supporting documentation the application will not require any known sites to be impacted. To ensure that the site areas are appropriately fenced as exclusion zones in accordance with the recommendations contained within “Due Diligence Assessment of archaeological items Area C Pioneer Road”, prepared by Insite Heritage Pty Ltd, dated 31 March 2025; and “Due Diligence Assessment Aboriginal Cultural Heritage Proposed Sewer Servicing”, prepared by Insite Heritage Pty Ltd, dated 24 April 2025.

The issue will be resolved through recommended conditions of consent as outlined in **Attachment A**.

5.2 Ongoing Management of Asset Protection Zones on Council Owned Land

Council has accepted the creation of asset protection zones (APZs) within the RE1 land to benefit proposed Lots 21, 22, 23 and 24. Citing a requirement that the applicant will register a restrictive covenant over these parcels of land via an 88B Instrument, in which the relevant lots will be burdened with a requirement for ongoing maintenance of the APZ.

Resolution: The issue has been resolved through recommended conditions of consent as outlined in **Attachment A**. Requiring that an 88B Instrument be registered, imposing a restriction of use and requirement for maintenance of APZ in accordance with the requirements of NSW Rural Fire Service issued on 8 October 2025.

5.3 Walking Trail Materials

Council was not willing to accept the use of gravel or asphalt for the purpose of walking trail construction, due to ongoing maintenance concerns, only concrete was previously identified as being acceptable.

The applicant has liaised with Council's Development Engineer directly to negotiate an alternative trail surface and maintenance/bond arrangement. This will provide Council a period of time to determine if the material is suitable and if not determine an alternative.

Resolution: The issue has been resolved through recommended conditions of consent as outlined in **Attachment A**.

5.4 Upgrade of New England Highway and Bridgman Road Intersection and Social Facilities

The Singleton Local Infrastructure Contributions Plan commenced on 1 July 2025. It is a statutory plan that sets out the administrative framework for levying of local contributions under Section 7.11 of the *Environmental Planning and Assessment Act 1979* (EP&A Act 1979).

Listed in Appendix B: Works Schedule; Catchment 1 – Singleton and the North Local Infrastructure Contributions are to be collected for Roadworks identified as RW1 – Bridgman Rd – Blaxland Ave to New England Highway with an estimated delivery date of 2028.

In addition to the roadworks as outlined above development contributions will also be directed to Shared pathway infrastructure on Pioneer Road and further Public Open Space for Mountain Bike Trails with completion dates of 2041 and 2035 respectively.

Resolution: The issue has been resolved through recommended conditions of consent as outlined in **Attachment A** being the collection of Contributions in accordance with Council's adopted Local Infrastructure Contributions Plan.

5.5 Entry Wall Features

The location of the entry feature walls are shown on amended Landscape Plans. It is proposed that these walls be located within proposed Lots 1 and 21 and that an 88B Instrument apply to each Lot specifying they're to remain until the development is built out.

The developer is to maintain the entry feature walls whilst they remain in place and will not obstruct replacement of walls with fencing if the future owner of Lots 1 and 21 choose to do so, once the development is built out.

Resolution: The issue has been resolved through recommended conditions of consent as outlined in **Attachment A**.

6. CONCLUSION

This development application has been considered in accordance with the requirements of the EP&A Act and the Regulations as outlined in this report. Following a thorough assessment of the relevant planning controls, and the key issues identified in this report, it is considered that the application can be supported.

It is considered that the key issues as outlined in Section 5 have been resolved satisfactorily through amendments to the proposal and/or in the recommended draft conditions at **Attachment A**.

7. RECOMMENDATION

That the Development Application 8.2024.236.1 for Eighty-Eight (88) Lot Torrens Title Subdivision and Associated Civil Works Including Drainage, Site Earthworks, Vegetation Removal, Open Space Park Area and Landscaping undertaken in Seven (7) Stages at Pioneer Road, Hunterview NSW 2330 be APPROVED pursuant to Section 4.16(1)(a) of the *Environmental Planning and Assessment Act 1979* subject to the draft conditions of consent attached to this report at Attachment A.

The following attachments are provided:

- Attachment A: Draft Conditions of consent
- Attachment B: Plans and Documents Approved
- Attachment C: General Terms of Approval (NSW Rural Fire Service and DEECCW – Water)
- Attachment D: Submission