

Department of Planning, Housing and Infrastructure

IRF24/2160

Mr Greg McDonald
General Manager
Upper Hunter Shire Council
PO Box 208
SCONE NSW 2337
Via email: council@upperhunter.nsw.gov.au

Attention: Mr Mat Principle

Subject: Upper Hunter Land Use Strategy 2024-2041

Dear Mr McDonald,

I refer to Council's correspondence requesting the Department's approval of the Upper Hunter Land Use Strategy 2024-2041.

I would like to acknowledge and commend Council on its significant efforts and commitment to strategic planning for the Upper Hunter in preparing the strategy.

I am pleased to approve the Land Use Strategy (LUS) subject to Council noting that:

- any addendums or strategy revisions should be submitted to the Department for review and approval before planning proposals are lodged for rezoning land not identified in the current strategy;
- any future proposals for rezoning for areas identified in the strategy are to be supported by infrastructure servicing plans and detailed studies and assessment of site-specific development constraints (such as potential high environmental value, PMF flood levels, velocity, flood planning levels and access to critical services during flood events, important farmland and bushfire hazard) to confirm land suitability and consistency with the Hunter Regional Plan 2041, applicable State Environmental Planning Policies and relevant Local Planning Directions;
- master planning of Area 15 Murrurundi West and engagement with Transport for NSW will be needed to address New England Highway access concerns;
- master planning of Area 17 Middlebrook West occurs to manage land fragmentation, flooding and access;

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- flood risk considerations adhere to the NSW Flood Risk Management policies and that recommendations from Floodplain Risk Management Plans and any future floodplain studies are incorporated into the strategy and the actions as required. Should the LUS need to be amended, it should be returned to the Department for further review and approval; and
- any future planning proposals for land in Satur be provided to NSW State Emergency Services and the Department of Climate Change, Energy, Environment and Water for comment to understand any potential flood isolation concerns.

The LUS includes a comprehensive list of actions, several of which directly support the objectives of the Hunter Regional Plan 2041 by increasing housing supply, affordability and diversity. Council is encouraged to prioritise these actions.

I note that Council is to maintain an LGA-wide water and sewer servicing strategy to address capacity issues and identify necessary network expansions. This approach is supported as it will provide Council with a strong evidence base from which it will be able to clearly communicate its network priorities, costs and benefits so that funding grants for infrastructure planning and delivery may be secured.

The Department also consulted with relevant government agencies as part of its review of the LHS. The following agency comments should be considered when undertaking the next review of the strategy or in the preparation of any future addendums:

- replace references to the “Floodplain Development Manual” with “Floodplain Risk Management Manual and associated toolkits”;
- replace reference to sites not being “flood prone land” as this includes all land impacted by any flood event up to the probable maximum flood which may limit opportunities for new housing. Rather consider the “flood planning level” and adopt appropriate development controls that reduce risk in affected areas;
- a Land Use Conflict Risk Assessment (LUCRA) should be considered to assist in avoiding land use conflict between rural and urban land uses and to guide the application of buffers for investigation areas;
- should Council seek to implement the State Significant Agricultural Land (SSAL) mapping once finalised, the LUS should be updated as required and submitted to the Department for approval rather than seeking to amend LEP planning controls in the first instance; and

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- consider re-wording the principle in Direction 3: Key Infrastructure to “(Key or major) freight transport networks are to be limited to main roads and state roads only to minimize impacts on residential amenity”.

Should you have any enquiries about this matter, I have arranged for Mr Luke Fanayan, to assist you. Luke can be contacted on 4927 3131.

Yours sincerely

A handwritten signature in black ink, appearing to be "Craig Diss".

28/11/24

Craig Diss
Acting Director, Hunter and Northern Region
Local Planning & Council Support

Encl: Agency submissions