



Hawkesbury City Council

attachment 1  
to  
item 3

Planning Proposal

date of meeting: 25 June 2020  
location: by audio-visual link  
time: 10:00 am



# Planning Proposal

Hobartville Stud Farm

16 William Cox Drive, Richmond

Amendment to Hawkesbury Local Environmental Plan 2012

**Amendments to:**

Land Zoning

Lot Size

Schedule 1 Additional Permitted Uses

Submitted to

**Hawkesbury City Council**

Prepared on Behalf of

**Hobartville Stud Pty Ltd**

October 2019

Knight Frank Town Planning Sydney

T +61 2 9036 6666

GPO Box 187, Sydney NSW 2001

Level 22, Angel Place, 123 Pitt Street

Sydney NSW 2000

## Planning Proposal

### Qualifications:

1. This report is prepared for the private and confidential use of the proponent and only for the purpose outlined on the title page. It should not be relied on for any other purpose and should not be reproduced in whole or part for any other purpose without the express written consent of Knight Frank Town Planning
2. Reproduction of this document or any part thereof is not permitted without prior written permission of Knight Frank Town Planning
3. This report is current at the date of publication only
4. This report is to be read in its entirety and in association with other relevant documentation and documents submitted as part of this application

|  |   |             |                  |
|--|---|-------------|------------------|
| <b>Job Name</b>                        | Hobartville Stud Planning Proposal  |             |                  |
| <b>Job Number</b>                      | 18-058  |             |                  |
| <b>Client</b>                          | Hobartville Stud Pty Ltd  |             |                  |
| <b>Quality Management</b>              |   |             |                  |
|  | <b>Name</b>   | <b>Date</b> | <b>Signature</b> |
| <b>Prepared by</b>                     | Amy Ryan  | 5/8/2019    |                  |
| <b>Checked by</b>                      | Stephen Gouge   | 1/10/2019   |                  |
| <b>Approved for Release by</b>         | Stephen Gouge   | 15/10/2019  |                  |
| <b>For further information contact</b> | Stephen Gouge, Planning Manager<br><a href="mailto:Stephen.Gouge@au.knightfrank.com">Stephen.Gouge@au.knightfrank.com</a><br>02 9036 6888 |             |                  |

### **COPYRIGHT KNIGHT FRANK TOWN PLANNING**

All intellectual property and copyright reserved.

Apart from any fair dealing for the purpose of private study, research, criticism or review, as permitted under the Copyright Act, 1968, no part of this report may be reproduced, transmitted, stored in a retrieval system or adapted in any form or by any means (electronic, mechanical, photocopying, recording or otherwise) without written permission.

Enquiries should be addressed to Knight Frank Town Planning.

# Contents

|   |           |
|---|-----------|
| <b>Executive Summary</b>  | <b>1</b>  |
| <b>1. Introduction</b>  | <b>3</b>  |
| 1.1 Background  | 4         |
| <b>2. Site Description and Locality</b>   | <b>5</b>  |
| 2.1 Locality  | 5         |
| 2.2 Site Description  | 6         |
| 2.3 Surrounding Development   | 7         |
| <b>3. Existing Planning Controls</b>  | <b>8</b>  |
| 3.1 Land Use Zoning   | 8         |
| 3.2 Height of Building  | 10        |
| 3.3 Minimum Lot Size  | 10        |
| 3.4 Heritage  | 11        |
| 3.5 Acid Sulfates   | 12        |
| 3.6 Flooding  | 12        |
| 3.7 Terrestrial Biodiversity  | 12        |
| 3.8 Wetlands  | 13        |
| 3.9 Aircraft Noise  | 14        |
| 3.10 Bushfire   | 14        |
| <b>4. Design Concept</b>  | <b>15</b> |
| <b>5. Planning Proposal</b>   | <b>16</b> |
| <b>5.1. PART 1 – Objectives or Intended Outcomes</b>  | <b>16</b> |
| <b>5.2. PART 2 - Explanation of Proposed Provisions</b>   | <b>17</b> |
| 5.2.1 Zoning  | 18        |
| 5.2.2 Minimum Lot Size  | 19        |
| 5.2.3 Schedule 1 - Additional Permitted Use   | 20        |
| 5.2.4 Heritage  | 21        |
| <b>5.3. PART 3 – Justification</b>  | <b>21</b> |
| Section A - Need for the planning proposal  | 21        |
| 5.3.1 Q1 - Is the Planning Proposal a result of any strategic study or report?  | 21        |
| 5.3.2 Q2 - Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?  | 21        |
| Section B – Relation to the Strategic Planning Framework  | 22        |
| 5.3.3 Q3 - Will the planning proposal give effect to the objectives and actions of the applicable regional, or district plan or strategy (including any exhibited draft plans or strategies)? | 22        |
| Direction - A city of great places  | 23        |
| Direction - A well-connected city   | 23        |
| Direction - Jobs and skills for the city  | 24        |
| Direction - A city in its landscape   | 24        |

|            |   |           |
|------------|---|-----------|
| 5.3.4      | Q4 - Will the planning proposal give effect to a council's endorsed local strategic planning statement, or another endorsed local strategy or strategic plan?                               | 29        |
| 5.3.5      | Strategic Merit Test  | 36        |
| 5.4        | Relationship to Statutory Planning Framework  | 37        |
| 5.4.1      | Relevant Legislation and Regulations  | 37        |
|            | Environmental Planning and Assessment Act 1979  | 37        |
| 5.4.2      | Q5 - Is the Planning Proposal consistent with applicable State Environmental Planning Policies?   | 37        |
| 5.4.3      | Local Statutory Planning Framework  | 40        |
| 5.4.4      | Q6 - Is the Planning Proposal consistent with applicable Section 9.1 Ministerial Directions (previously s 117 directions)?  | 45        |
|            | Section C – Environmental, Social and Economic Impacts  | 54        |
| 5.4.5      | Q7 – Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal? | 54        |
| 5.4.6      | Q8 - Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?   | 54        |
| 5.4.7      | Q9 - Has the planning proposal adequately addressed any social and economic effects?  | 54        |
|            | Section D – State and Commonwealth Interests  | 54        |
| 5.4.8      | Q 10 - Is there adequate public infrastructure for the planning proposal?   | 54        |
| 5.4.9      | Q 11 - What are the views of State and Commonwealth public authorities consulted?   | 54        |
| <b>6.</b>  | <b>PART 4 - Mapping</b>   | <b>55</b> |
| <b>7.</b>  | <b>PART 5 - Consultation and Engagement</b>   | <b>56</b> |
| <b>8.</b>  | <b>Indicative Project Timeline</b>  | <b>57</b> |
| <b>9.</b>  | <b>Assessment of Planning Issues</b>  | <b>58</b> |
| 9.1        | Urban Design Analysis and Masterplan  | 58        |
| 9.2        | Heritage  | 58        |
| 9.3        | Flooding  | 60        |
| 9.4        | Traffic, Access and Parking   | 60        |
| 9.5        | Infrastructure Capacity   | 61        |
| 9.6        | Acid Sulphates  | 61        |
| 9.7        | Public Benefits   | 62        |
| 9.8        | Site-Specific Merit   | 62        |
| <b>10.</b> | <b>Conclusion</b>   | <b>64</b> |

## Appendices

- Appendix 1**      Urban Design Report – including LEP Mapping (Roberts Day)
- Appendix 2**      Heritage Assessment Report (GML)
- Appendix 3**      Transport Impact Assessment (GTA Consultants)
- Appendix 4**      Flood Impact Assessment (Cardno)
- Appendix 5**      Arboricultural Report (Urban Arbor)
- Appendix 6**      Engineering Infrastructure Report (Stantec - Wood and Grieve Engineers)
- Appendix 7**      Written Consent of the proponent (Hobartville Stud Pty Ltd)
- Appendix 8**      Survey Plan (LTS Lockley)

## Executive Summary

This Planning Proposal, prepared on behalf of *Hobartville Stud Pty Ltd*, seeks to support and facilitate the orderly and economic development of the site by amending the Hawkesbury City Council’s Local Environmental Plan 2012 (HLEP 2012) in terms of land zoning, lot size controls, and Schedule 1 additional permitted uses.

The landholding subject to this planning proposal is the Hobartville Stud Farm, located at 16 William Cox Drive, Richmond. This landholding is legally known as Lot 1, 2 and 3 DP596558. The land subject to the proposed changes to planning controls relates to part of the landholding only.

The merits of the proposal include:

- The planning proposal will enable housing supply within a walkable distance to an existing strategic centre and within an area identified for investigation for future housing supply;
- The redevelopment of the site is a logical extension of an existing urban area;
- The planning proposal will promote cultural awareness through the activation of the heritage precinct that will be enabled as a result of providing public access to the site;
- The planning proposal will provide access to public open space;
- The planning proposal will conserve and protect environmental conservation land and heritage items;
- The planning proposal is consistent with local and regional plans.

A summary of the proposed amendments is provided in **Table 1** below.

**Table 1** - Existing and proposed HELP 2012 controls

| Control                         | Existing  | Proposed   |
|---------------------------------|---|--|
| <b>Land Zoning</b>              | RU2 Rural Landscape<br>E2 Environmental Conservation  | <ul style="list-style-type: none"> <li>• RU2 Rural Landscape (part of Lots to remain unchanged)</li> <li>• R2 Low Density Residential (relates to part of Lots only)</li> <li>• E2 Environmental Conservation - <b>No change proposed</b></li> </ul> |
| <b>Minimum Lot Size</b>         | 10 hectares   | Minimum 115sqm on the land proposed as R2  |
| <b>Heritage</b>                 | <ul style="list-style-type: none"> <li>○ State Heritage Register (00035) - Hobartville, including outbuildings (Lot 3 DP596558)</li> <li>○ Local Heritage Item (L14) - Grounds and landscaping surrounding Hobartville (Lot 1 and 2 DP596558)</li> </ul> <p><b>No change proposed to heritage listing or heritage items</b></p> |  |
| <b>Additional Permitted Use</b> | Schedule 1 amendment to include ‘attached dwellings’ and ‘dual occupancy’ as an additional permitted use on part of the site.   |  |



## Structure of the Planning Proposal Document

This planning proposal has been prepared in accordance with Section 3.33 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and includes the requirements as set out in 'A guide to preparing planning proposals' published by the Department of Planning and Environment in December 2018. This planning proposal addresses the requirements of this guide, as follows:

- **Part 1** – A statement of the objectives and intended outcomes of the proposed instrument
- **Part 2** – An explanation of the provisions that are to be included in the proposed instrument
- **Part 3** – The justification for those objectives, outcomes and the process for their implementation
- **Part 4** – Maps, where relevant, to identify the intent of the planning proposal and the area to which it applies
- **Part 5** – Details of the community consultation that is to be undertaken on the planning proposal

The structure of this Planning Proposal is set out below:

|                   |   |
|-------------------|---|
| <b>Section 1</b>  | Introduction  |
| <b>Section 2</b>  | Description of the site and context   |
| <b>Section 3</b>  | Existing planning framework   |
| <b>Section 4</b>  | Planning Proposal - An explanation of the proposed LEP amendments   |
| <b>Section 5</b>  | Justification of the Proposal - including the need for the Proposal, relation to the relevant strategic planning framework, potential environmental, social and economic impacts of the Proposal, and State and Commonwealth interest |
| <b>Section 6</b>  | Mapping   |
| <b>Section 7</b>  | Consultation and Engagement   |
| <b>Section 8</b>  | Indicative Project Timeline   |
| <b>Section 9</b>  | Assessment of Planning Issues   |
| <b>Section 10</b> | Conclusion  |

## Accompanying Technical Reports

Accompanying and supporting this planning proposal are the following reports and documentation included as appendices. These reports have informed the proposed planning controls and the statutory matters required to be addressed by the planning proposal:

|                   |   |
|-------------------|---|
| <b>Appendix 1</b> | Urban Design Report (Roberts Day)                                       |
| <b>Appendix 2</b> | Cultural Heritage Report (GML Heritage)                                 |
| <b>Appendix 3</b> | Transport Impact Assessment (GTA Consultants)                           |
| <b>Appendix 4</b> | Flood Impact Assessment (Cardno)  |
| <b>Appendix 5</b> | Arboricultural Report (Urban Arbor)                                     |
| <b>Appendix 6</b> | Engineering Infrastructure Report (Stantec - Wood and Grieve Engineers) |
| <b>Appendix 7</b> | Written Consent of the proponent (Hobartville Stud Pty Ltd)             |
| <b>Appendix 8</b> | Survey Plan (LTS Lockley)   |

## 1. Introduction

Knight Frank Town Planning Sydney has been engaged by *Hobartville Stud Pty Ltd*, to prepare a planning proposal to accompany a request to Hawkesbury City Council's (Council) to amend the Hawkesbury Local Environmental Plan 2012 (HLEP 2012). The planning proposal aims to amend the following controls of the HLEP 2012:

- Land Zoning
- Lot Size
- Schedule 1 (Additional Permitted Uses)

The site for the Planning Proposal includes part of the Hobartville Stud Farm, located at 16 William Cox Drive, Richmond. The site contains the historic Hobartville homestead and outbuildings attributed to the convict architect Francis Greenway and built circa 1828. As a result, part of the site (Lot 3 DP59655) is listed on the State Heritage Register (Ref L00035) and is also listed as a heritage item within Hawkesbury LEP 2012

Careful consideration has been given to all the design elements that contribute to creating a 'great place' consistent with the 'Better Placed' design objectives within the *Design Guide – Draft Urban Design for Regional NSW 2019* (draft Design Guide) issued by the Government Architect NSW. Those objectives are:

- A Better Fit – contextual, local and of its place
- Better Performance – sustainable, adaptable and durable
- Better for Community – inclusive, connected and diverse
- Better for People – safe, comfortable and liveable
- Better working – functional, efficient and fit for purpose
- Better Value – creating and adding value
- Better look and feel – engaging, inviting and attractive

The planning proposal reflects a commitment to the 'Better process for urban design' as set out in the draft Design Guide. During the preparation of the planning proposal, the project team, including urban designers and heritage specialists have carefully considered the specific of the site. Those issues and values are reflected in the desired outcome of the planning proposal, the location of proposed rezoning in relation to heritage curtilage and flood affectation, and scale of the development

The planning proposal aims to be an exemplar approach to appropriate infill development within the Hawkesbury Council LGA, which results in an overall net benefit to the community.

The planning proposal confirms that the proposed amending of the HLEP 2012 is supportable and justified in terms of both strategic and site-specific merit. The planning proposal and supporting analysis and studies, confirms that the location, policy and interface with heritage are appropriate for the site.

This planning proposal has been prepared in accordance with the provisions of the *Environmental Planning and Assessment Act 1979 (EP&A Act)* and *A Guide for preparing planning proposals* (December 2018) prepared by the Department of Planning and Environment

The written consent of the proponent of the planning proposal is provided in the planning proposal application form accompanying this planning proposal, and letter provided in **Appendix 7**.

### Proposed Aims and Outcomes

The planning proposal aims to:

- Demonstrate that the proposed R2 Low density residential zone is an appropriate zoning and that redevelopment of the site will make a positive contribution to the region.
- Outline how the proposed development is consistent with government's strategic planning policies and plans, and provide justification for any inconsistencies.
- Outline the merits of the development as a site-specific amendment to the HLEP 2012.
- Demonstrate that the proposed amendments are supported and justified in terms of both strategic and site-specific merit.
- Seek the endorsement of Council to amend the HLEP 2012 in the manner described in the planning proposal to facilitate the redevelopment of the site.

The intended outcome on the site is to provide a low-density residential development to provide housing for the increasing population demand in Richmond. The proposal is supported by a Master Plan that centres on low density residential development that respects the character of the existing heritage items on site.

The proposed masterplan retains the overwhelming majority of the site as rural and environmental conservation land (as shown on the proposed zoning map at **Figure 14**).

It is intended to improve access to heritage items and public open space. As a result, there will be a considerable net community benefit arising for Richmond in terms of increased access to open space and a greater level of amenity.

The outcome of the planning proposal will make a significant and positive contribution to Hobartville, contributing to housing supply, cultural awareness and improved recreation opportunities. The planning proposal confirms that the proposed amending of the HLEP 2012 is supportable and justified in terms of both strategic and site-specific merit.

## 1.1 Background

This planning proposal has been prepared in accordance with the provisions of the *Environmental Planning and Assessment Act 1979 (EP&A Act)* and the six parts of *A Guide for preparing planning proposals* (December 2018) prepared by the Department of Planning and Environment.

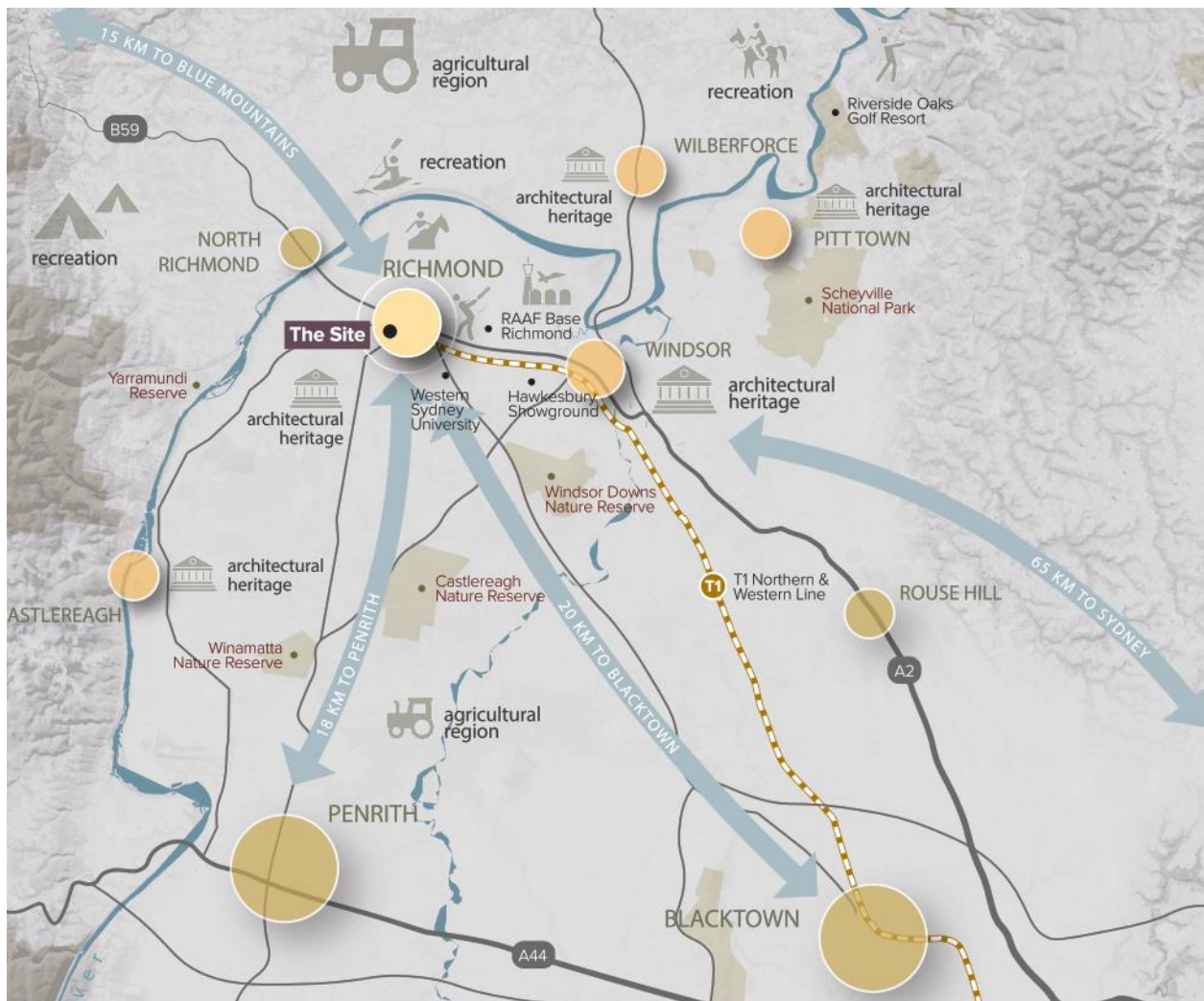
The proposed amendments to the HLEP 2012 are informed and supported by an indicative Masterplan and Urban Design Report (**Appendix 1**) for the site prepared by Roberts Day. The Masterplan demonstrate the strategic merit of the planning proposal. The importance of the respecting and protecting the character of the existing heritage items on site is understood and this is a key aspect of the Masterplan for the site. The Masterplan is a collaborative approach reflecting the heritage input by GML (**Appendix 2**), traffic and access considerations provided by GTA Consultants (**Appendix 3**), flooding characteristics input from Cardno (**Appendix 4**), and biodiversity values by Urban Arbor (**Appendix 5**).

## 2. Site Description and Locality

### 2.1 Locality

The site is within the Hawkesbury City Council Local Government Area (LGA), within the township of Richmond. The site is located approximately 1km from the western end of Richmond strategic centre and 1.5km (less than 20 minutes’ walk) from Richmond train station.

The town centre provides a wide range of local goods, services and business types that would be expected in a large town centre; including a sports oval, church, library, schools, RSL, gym, post office supermarket, cinema, pharmacy, restaurants cafés and takeaways, etc. The proximate location of the site to Richmond centre is entirely consistent with the locating of housing within a walkable distance to existing services. See the context plan provided at **Figure 1**.

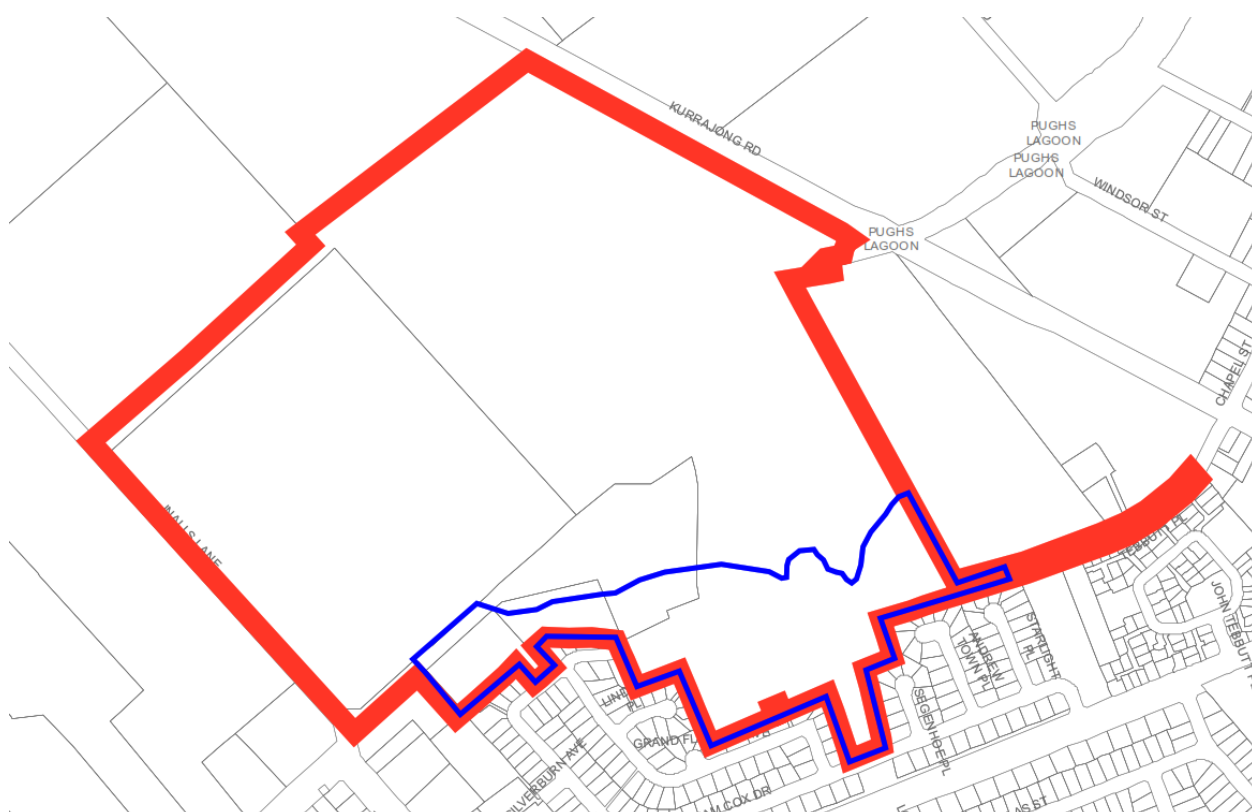


**Figure 1** - Context Plan (Roberts Day)

## 2.2 Site Description

The subject site as it relates to this planning proposal includes only part of the land at 16 William Cox Drive, Richmond. The legal description of the lots and part lots to which this planning proposal relates is provided below and shown in **Figure 2**.

- Part Lot 1 and 3, DP 596558
- Lot 209, DP 260361
- Part Lot 210, DP260361



**Figure 2** – Planning Proposal Site shown in Blue, Hobartville Stud holding outlined in red

The landholding of the Hobartville Stud (16 William Cox Drive) irregular in shape and consist of a total area of approximately 66.8 hectares. The masterplan area consists of an area of 9.4 hectares (approximately 14% of the Hobartville Stud landholding). The area is bounded to the north by environmental conservation land and a lagoon. These natural features act as a boundary to the proposed developable land (subject this this rezoning) and the remainder of the rural lands. The Masterplan provides a large setback to the lagoon, acknowledging the flood line associated with the waterway.

Chapel Street is a right of carriageway that forms part of the site and provides access to the site and adjoining landowners from Kurrajong Road. The avenue to the stud farm, formerly referred to as the "historic oak avenue", forms part of the heritage listing due to its historic use and attractive tree lined entry to the site.

The planning proposal site includes the following heritage listings:

- Lot 3 DP59655 - State Heritage Register (Ref 00035)
- Lot 1 and 2 DP596558 - Schedule 5 of Council's HELP 2012 lists the 'Grounds and landscaping surrounding Hobartville' as a Local heritage items register (L13).



**Figure 3:** Photos of existing development on the site

## 2.3 Surrounding Development

The site is surrounded by the following development:

- To the east by a large lot containing a single dwelling.
- The United Hawkesbury Richmond seniors housing and residential care facility is located less than 200 metres to the east of the site at 25 Chapel Street. There is a current development application being considered by Council for the expansion of this premises (Ref DA0113/18).
- Existing low density residential development on smaller lots is located immediately south and southwest of the site
- Larger lots with single dwellings dominate the land to the west and north/northwest of the site.
- Land to the northeast of Kurrajong Road contain a number of Polo Clubs and the Richmond Lowlands area

### 3. Existing Planning Controls

The Hawkesbury LEP 2012 is the primary Environmental Planning Instrument (EPI) that applies to the site. The existing planning controls that apply to the site are outlined below. **Table 2** provides a summary of the existing controls.

**Table 2 – Summary of Key HELP 2012 Planning Controls**

| <b>Hawkesbury Local Environmental Plan 2012</b> |  |
|---|--|
| <b>Zoning</b>                                   | RU2 Rural Landscape<br>E2 Environmental Conservation   |
| <b>Building Height</b>                          | 10 metres  |
| <b>Minimum lot size</b>                         | 10 hectares  |
| <b>Floor Space Ratio</b>                        | NA – FSR controls do not apply to the site   |
| <b>Heritage</b>                                 | <ul style="list-style-type: none"> <li>○ State Heritage Register (00035) – Hobartville, including outbuildings (Lot 3 DP596558)</li> <li>○ Local heritage Item (L14) – Grounds and landscaping surrounding Hobartville (Lot 1 and 2 DP596558)</li> </ul> |
| <b>Acid Sulfates</b>                            | Class 4 and 5  |
| <b>Flooding</b>                                 | Part of landholding is subject to riverine flood related development controls  |
| <b>Terrestrial Biodiversity</b>                 | Part of landholding and planning proposal site identified as containing ‘Significant Vegetation’ and ‘Connectivity Between Significant Vegetation’   |
| <b>Wetlands</b>                                 | <ul style="list-style-type: none"> <li>○ Landholding identified as containing Wetlands</li> <li>○ Site subject to proposed changes to planning controls outside of this area</li> </ul>  |
| <b>ANEF</b>                                     | <ul style="list-style-type: none"> <li>○ Part of landholding subject to ANEF 20 limits – Site subject to proposed changes to planning controls outside of this area</li> </ul>   |

#### 3.1 Land Use Zoning

The planning proposal site zoned RU2 Rural Landscape under the HELP 2012 – See **Figure 4**. The planning proposal does not include any amendment to the E2 Environmental Conservation land which is within the Hobartville landholding.

**Table 3 – RU2 Land Use Zoning (HELP 2012)**

| <b>RU2 Rural Landscape Zone</b> |  |
|---------------------------------|--|
| <b>1. Objectives of zone</b>    | <ul style="list-style-type: none"> <li>• <i>To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.</i></li> <li>• <i>To maintain the rural landscape character of the land.</i></li> <li>• <i>To provide for a range of compatible land uses, including extensive agriculture.</i></li> <li>• <i>To minimise the fragmentation and alienation of resource lands.</i></li> <li>• <i>To minimise conflict between land uses in the zone and land uses in adjoining zones.</i></li> <li>• <i>To ensure that development occurs in a way that does not have a significant adverse effect on water catchments, including surface and groundwater quality and flows, land surface conditions and important ecosystems such as waterways.</i></li> <li>• <i>To ensure that development retains or enhances existing landscape values including a distinctive agricultural component.</i></li> </ul> |

| RU2 Rural Landscape Zone            |  |
|-------------------------------------|--|
|                                     | <ul style="list-style-type: none"> <li>To preserve the river valley systems, scenic corridors, wooded ridges, escarpments, environmentally sensitive areas and other features of scenic quality.</li> <li>To ensure that development does not detract from the existing rural character or create unreasonable demands for the provision or extension of public amenities and services.</li> </ul>   |
| <b>2. Permitted without consent</b> | Bed and breakfast accommodation; Environmental protection works; Extensive agriculture; Home occupations   |
| <b>3. Permitted with consent</b>    | Agriculture; Animal boarding or training establishments; Aquaculture; Boat sheds; Building identification signs; Business identification signs; Cemeteries; Charter and tourism boating facilities; Crematoria; Dual occupancies (attached); Dwelling houses; Educational establishments; Entertainment facilities; Environmental facilities; Farm buildings; Farm stay accommodation; Flood mitigation works; Forestry; Funeral homes; Helipads; Home-based child care; Home industries; Jetties; Landscaping material supplies; Moorings; Places of public worship; Plant nurseries; Recreation areas; Restaurants or cafes; Roads; Roadside stalls; Rural industries; Rural supplies; Rural workers' dwellings; Water recreation structures; Water storage facilities |
| <b>4. Prohibited</b>                | Any development not specified in item 2 or 3   |

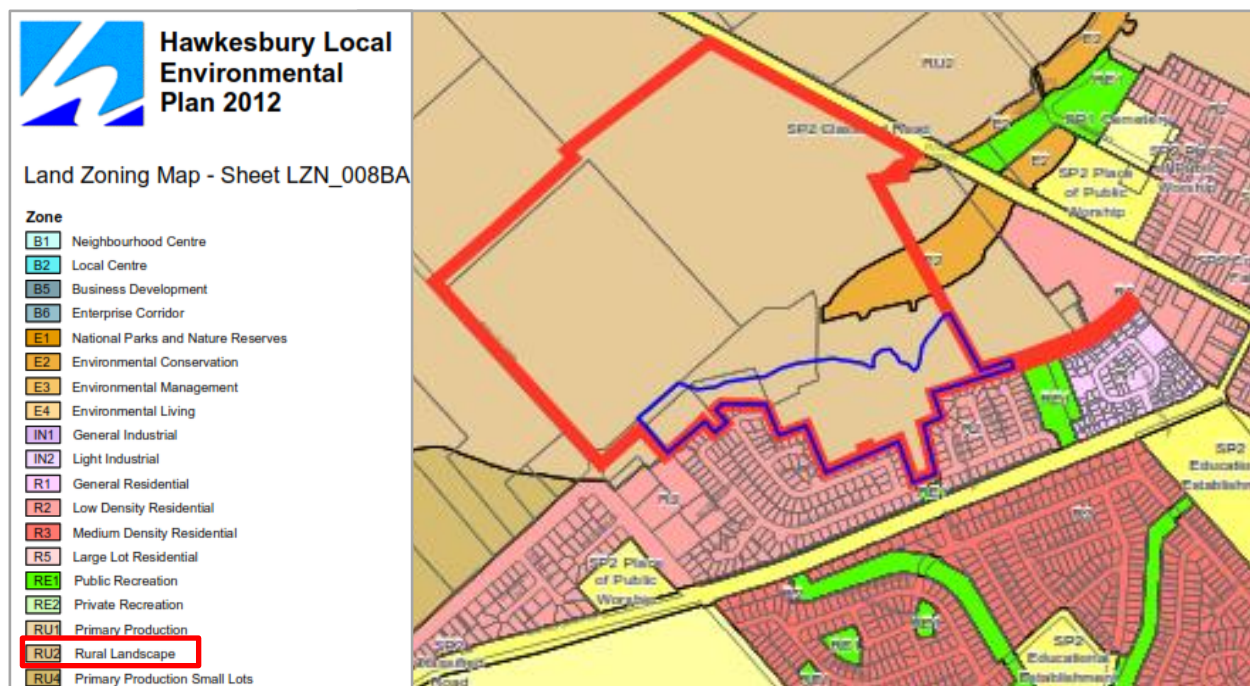
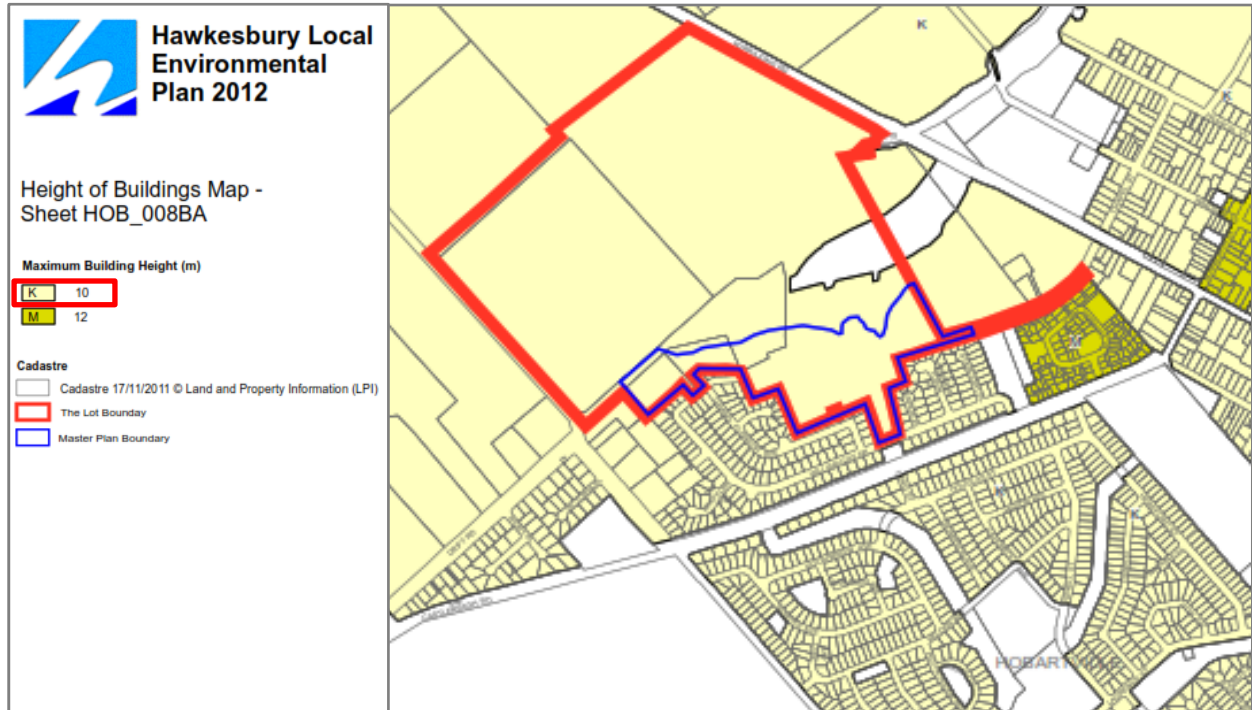


Figure 4 – Zoning, HELP 2012 (landholding shown in red, and planning proposal site shown in blue)



### 3.2 Height of Building

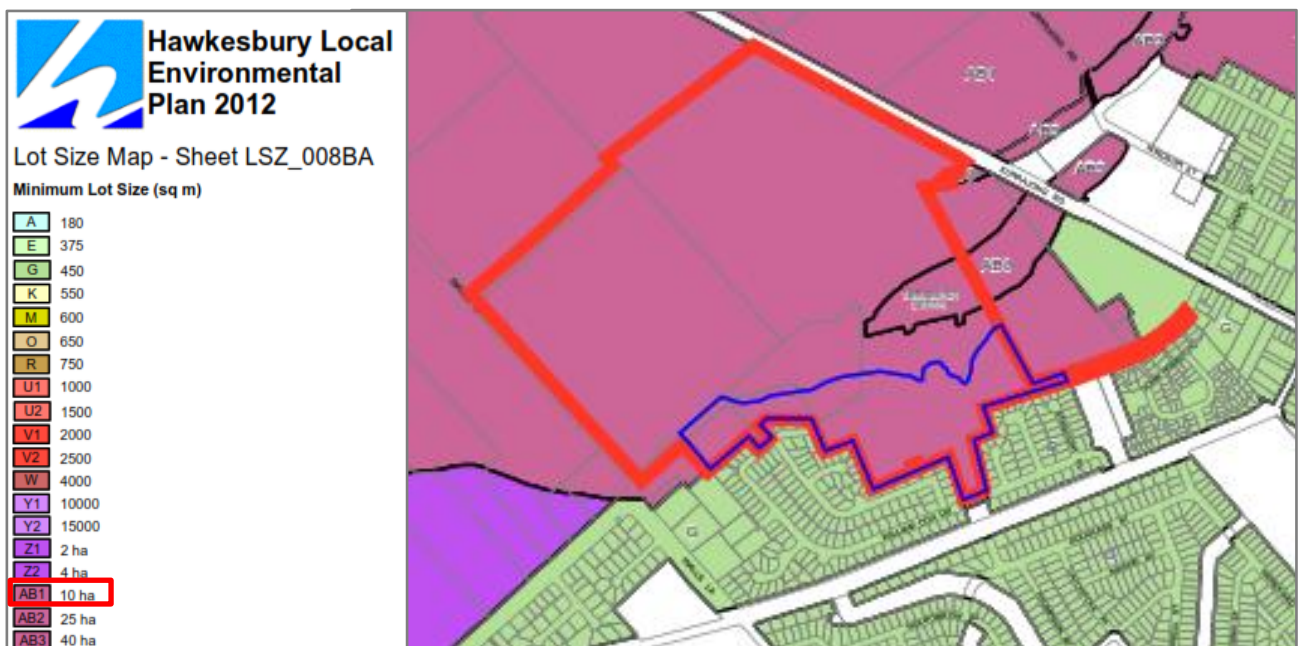
The existing building height control for the site under the HELP 2012 is 10 metres as shown in **Figure 5**.



**Figure 5-** Building Height, HELP 2012 (landholding shown in red, and planning proposal site shown in blue)

### 3.3 Minimum Lot Size

The site is subject to a minimum lot size of 10 hectares under the HELP 2012, as indicated on the Lot Size Map (Sheet LSZ\_008ba) – See **Figure 6**. The site adjoins existing residential development with a minimum lot size of 450 sqm.



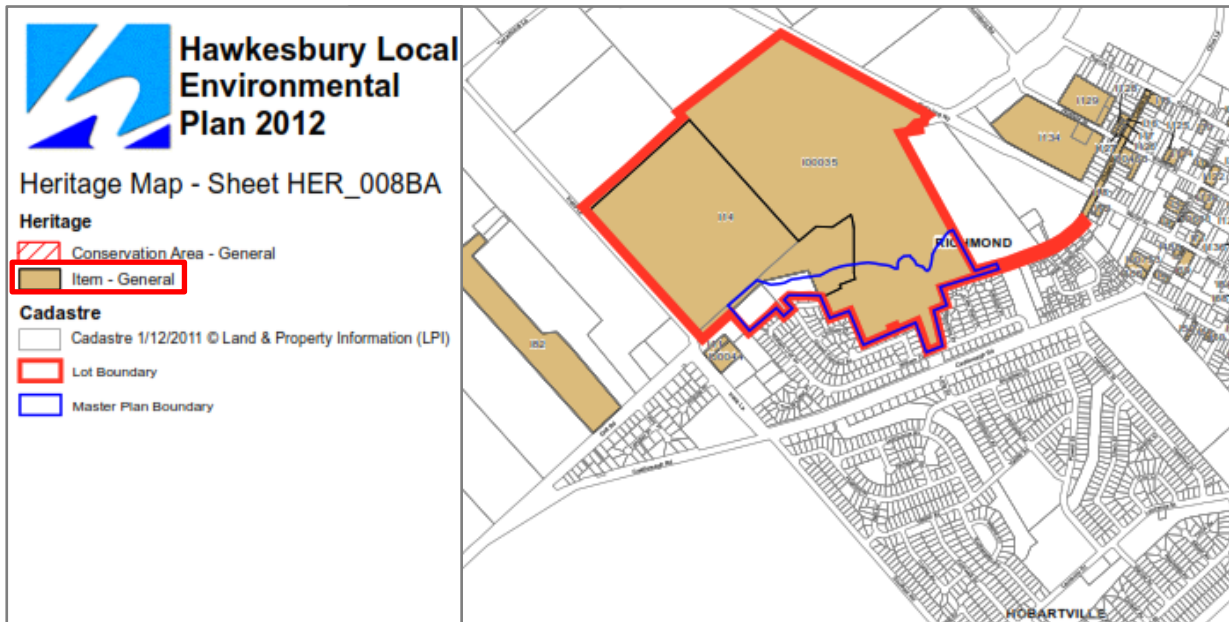
**Figure 6 –** Minimum Lot Size, HELP 2012 (landholding in red, and planning proposal site shown in blue)

### 3.4 Heritage

The planning proposal site (Lot 3 DP596558) is listed as a State Heritage Listed Item as follows: Hobartville, including outbuildings – State Heritage Register Number 00035.

Schedule 5 of Council’s HELP 2012 lists the ‘Grounds and landscaping surrounding Hobartville’ as local heritage listed items (L13) – see **Figure 7**. No proposed amendments are sought to the existing heritage provisions of the site.

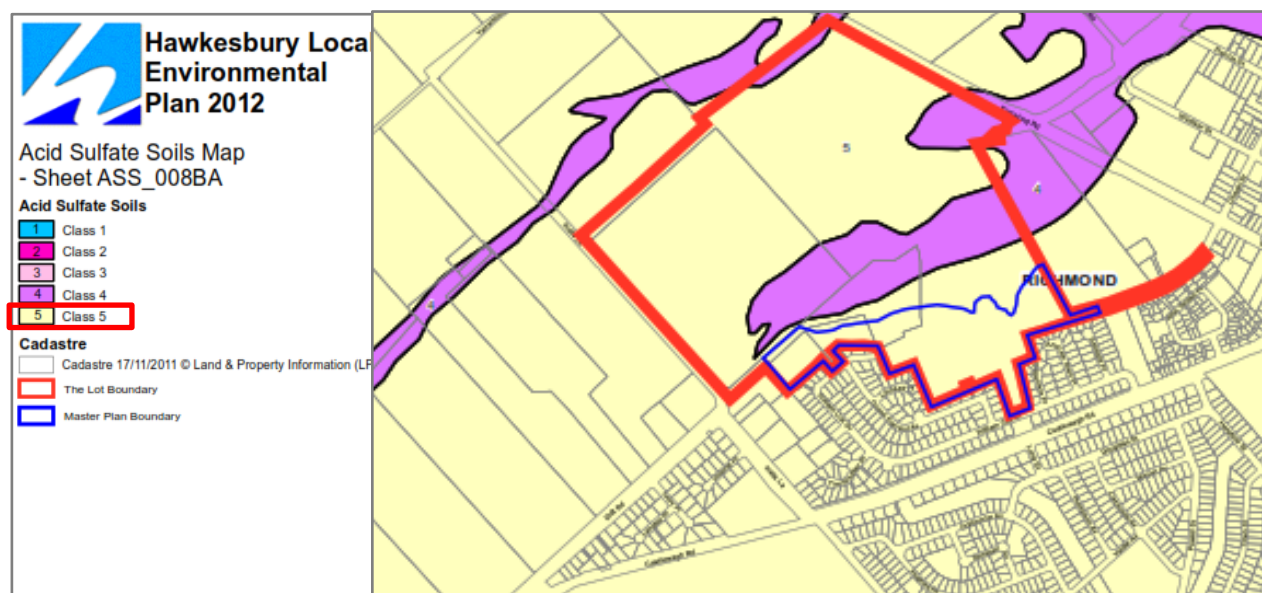
The consistency of the proposal with the HELP 2012 Heritage conservation objectives (Clause 5.10) is discussed in **Table 10** of this planning proposal. The impact of the proposed development on the Heritage items is further discussed in **Section 9** and the accompanying Cultural Heritage Report prepared by GML (**Appendix 2**).



**Figure 7** – Heritage, HELP 2012 (landholding shown in red, and planning proposal site shown in blue)

### 3.5 Acid Sulfates

The planning proposal site is identified in HELP 2012 as 'Class 5' Acid Sulfate Soils Map (Sheet ASS\_008ba) **Figure 8**. Any future development will be subject to Clause 6.1 of the HELP (Acid Sulfate Soils).



**Figure 8** – Acid Sulphates, HELP 2012 (landholding shown in red, and planning proposal site shown in blue)

### 3.6 Flooding

The site is identified as being on part flood prone land. The objectives of LEP Clause 6.3 (Flood Planning) in HELP 2012 are as follows:

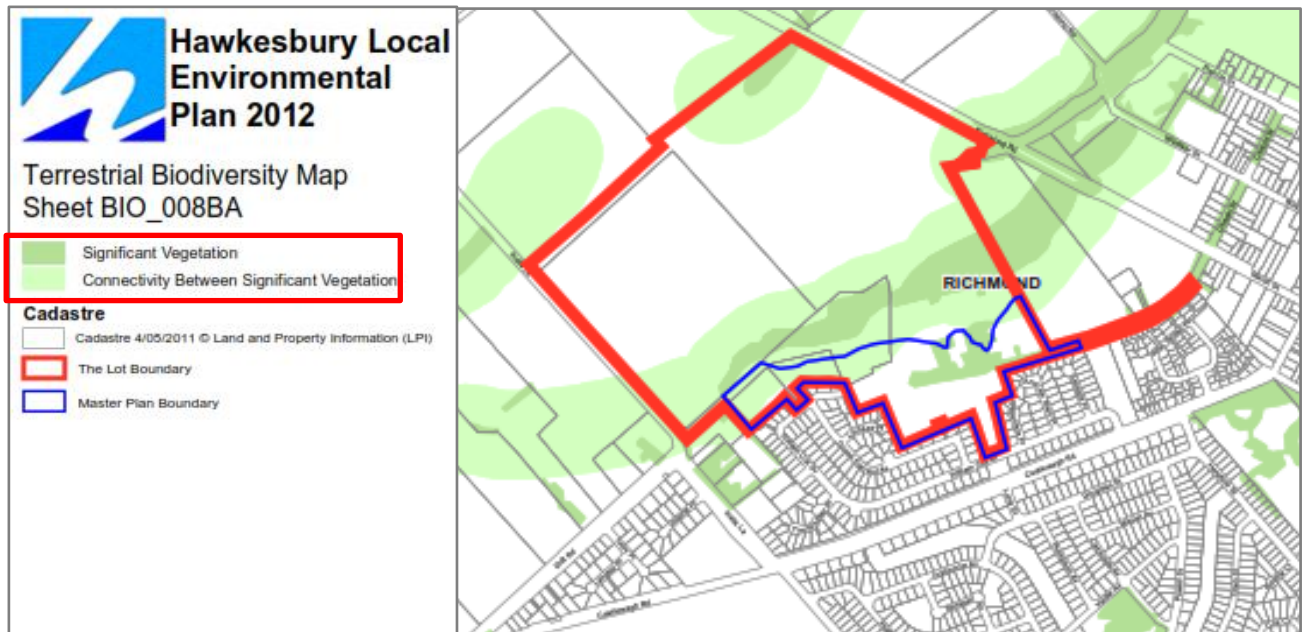
- to maintain the existing flood regime and flow conveyance capacity,*
- to enable evacuation from land to which this clause applies,*
- to avoid significant adverse impacts on flood behaviour,*
- to avoid significant effects on the environment that would cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses,*
- to limit uses to those compatible with flow conveyance function and flood hazard.*

The Flood Impact Assessment (**Appendix 4**) confirms that the proposed development meets or exceeds the HLEP 2012 requirements.

### 3.7 Terrestrial Biodiversity

The landholding is identified on Council's Terrestrial Biodiversity Map (Sheet BIO\_008BA) as containing 'Significant vegetation' and 'Connectivity Between Significant Vegetation' – See **Figure 9**.

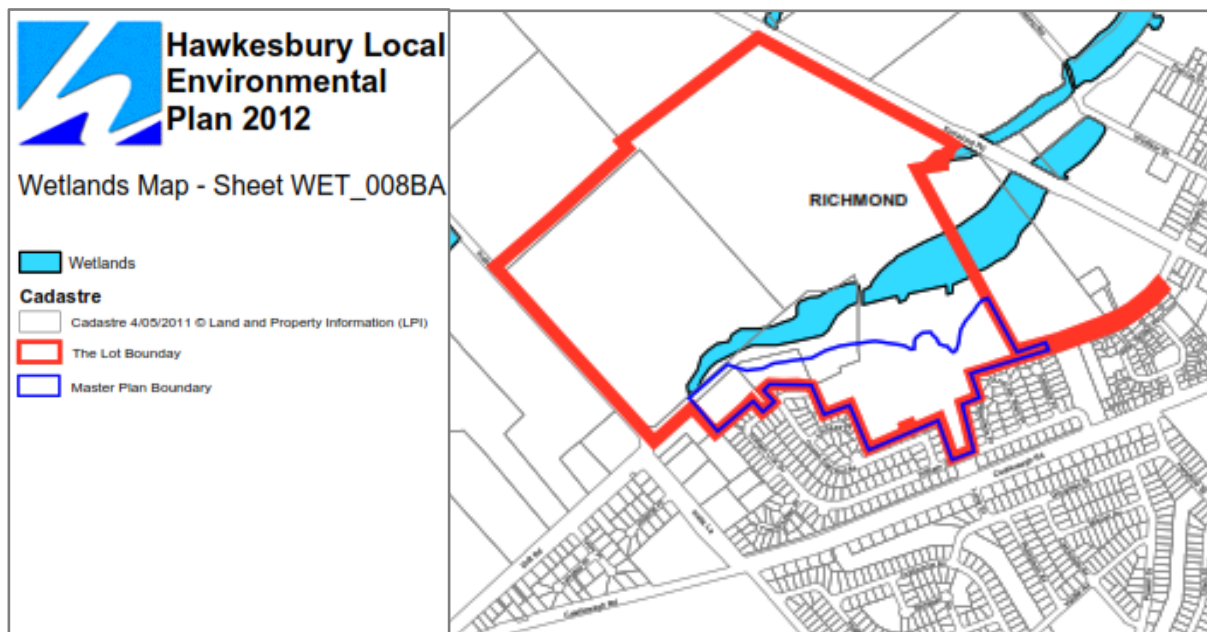
The consistency of the proposal with the HELP 2012 Terrestrial Biodiversity Objectives (Clause 6.4) is discussed in **Table 11**. As shown in **Appendix 1** and illustrated on the proposed zoning map, the area of the land proposed to be rezoned is located outside of area identified as significant vegetation.



**Figure 9-** Terrestrial Biodiversity, HELP 2012 (landholding shown in red, and planning proposal site shown in blue)

### 3.8 Wetlands

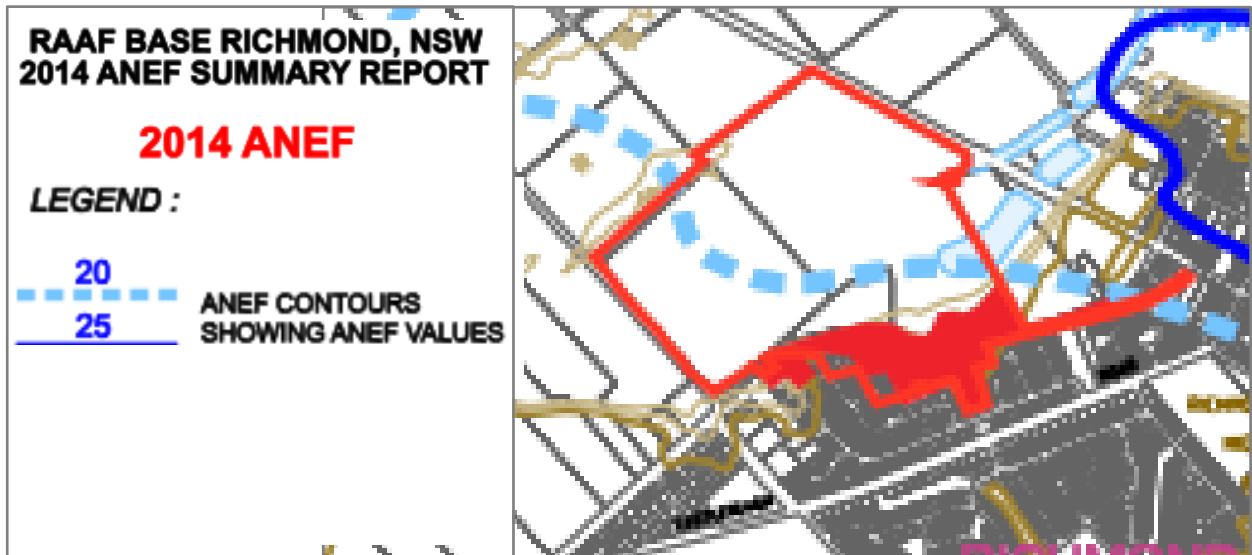
The landholding includes an area identified as containing Wetlands. The proposed development site subject to the proposed changes to planning controls is not identified as containing any Wetlands — See **Figure 10**. The consistency of the proposal with Wetlands Objectives (Clause 6.5) is discussed in **Table 12**.



**Figure 10-** Wetlands, HELP 2012 (landholding shown in red, and planning proposal site shown in blue)

### 3.9 Aircraft Noise

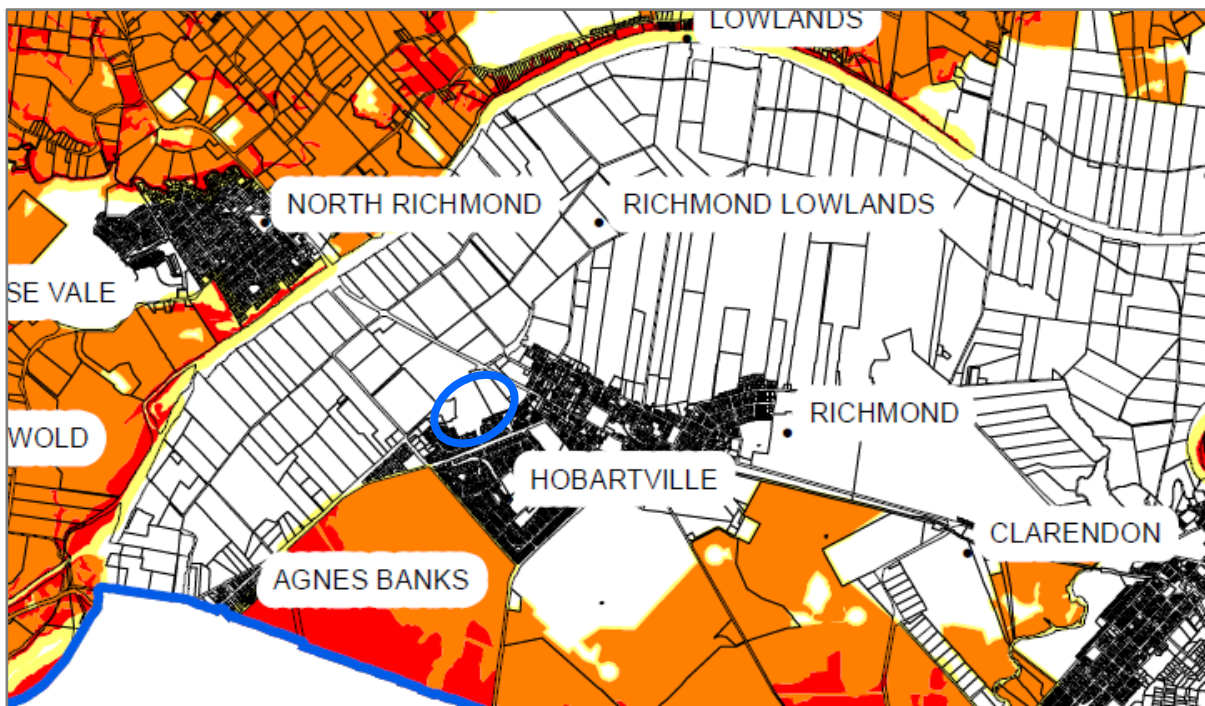
The site is approximately 5km north east of the Richmond RAAF base. The land subject to the planning proposal changes is not affected by ANEF (noise) contour areas – see **Figure 11**. Any future residential development will be located outside of the ANEF 20 noise corridors area.



**Figure 11** – ANEF Map (landholding outlined in red, and planning proposal site shown in solid red)

### 3.10 Bushfire

The site is not identified as containing bushfire prone land – See **Figure 12**.



**Figure 12:** Bushfire Prone Land Map, Hawkesbury Council 2016 (approx. site location indicated in blue)

## 4. Design Concept

A summary of the proposed development schedule is provided in **Table 4:**

**Table 4:** Development Schedule based on Masterplan (Roberts Day)

| Key Figures    | Description   |
|----------------|---|
| Site area      | Approximately 10ha – subject of rezoning              |
| Dwellings      | 87 Terrace Houses<br>31 Cottages<br><b>118 total</b>  |
| Vehicle Access | Chapel Street via Kurrajong Road<br>William Cox Drive |
| Parking Spaces | 260   |
| Storeys        | Predominately one and two storey                      |



**Figure 13:** Masterplan of Planning Proposal (Roberts Day)

## 5. Planning Proposal

The following section includes an assessment against the requirements in ‘A guide to preparing planning proposals’ (December 2018). This section demonstrates the need for the proposal and its relationship with the strategic planning framework.

### 5.1. PART 1 – Objectives or Intended Outcomes

The objective of this planning proposal is to amend the HLEP 22012 to provide for a small part of the exiting site to be rezoned to low density residential, whilst providing increased publicly accessible open space and opportunity for community infrastructure. The intended outcome is to provide low to medium density housing typologies, and supporting landscaping and open space that are responsive to the specific location and context.

The following key considerations have informed the proposed scheme:

- Ensuring an appropriate development in scale that responds to the locational and heritage context
- Protection and conservation of heritage items – including potential for ongoing funding
- The opportunity to improve access to open space and provide publicly accessible pedestrian infrastructure.
- Preservation of existing E2 environmental conservation zoned land
- Future residential development flood planning level and other environmental constraints
- Logical extension of existing urban area with

The proposed amendment of the HELP 2012 will enable the development of the site to provide the following outcomes that are not possible under the existing planning controls. Importantly, the design principles and indicative masterplan are proposed to be implement through a detailed **Development Control Plan** that would be prepared following gateway determination.

**Table 5 – Existing and Proposed HELP 2012 Controls**

| Control                         | Existing  | Proposed   |
|---------------------------------|---|--|
| <b>Land Zoning</b>              | RU2 Rural Landscape<br>E2 Environmental Conservation  | <ul style="list-style-type: none"> <li>• RU2 Rural Landscape (part of Lots to remain unchanged)</li> <li>• R2 Low Density Residential (relates to part of Lots only)</li> <li>• E2 Environmental Conservation - <b>No change proposed</b></li> </ul> |
| <b>Minimum Lot Size</b>         | 10 hectares   | Minimum 115sqm on the land proposed as R2  |
| <b>Heritage</b>                 | <ul style="list-style-type: none"> <li>○ State Heritage Register (00035) - Hobartville, including outbuildings (Lot 3 DP596558)</li> <li>○ Local Heritage Item (L14) - Grounds and landscaping surrounding Hobartville (Lot 1 and 2 DP596558)</li> </ul> <p><b>No change proposed to heritage listing or heritage items</b></p> |  |
| <b>Additional Permitted Use</b> | Schedule 1 amendment to include ‘attached dwellings’ and ‘dual occupancy’ as an additional permitted use on part of the site.   |  |

The changes to planning controls will enable the site to provide:

### **Appropriate Built form and density**

- A scale of development that is appropriate for the site taking into account the wider planning context and the site conditions as informed by the urban design analysis
- A Masterplan that centres on low density residential development that respects the character of the existing heritage items on site.

### **Improved Access to Open Space**

- An integrated approach to the building form and public domain;
- Increased access to public open space to meet the needs of the growing population in the wider area;
- As a result, there will be a considerable net community benefit arising for Richmond in terms of increased access to open space and a greater level of amenity.

### **Conservation of Heritage Character and Environmental Conservation**

- A high-quality designed development that is sympathetic to heritage items;
- Appropriate setbacks and buildings heights adjacent to the heritage items to ensure that the bulk and scale of the proposal does not impact these buildings;
- Increased public access to the grounds of heritage items to facilitate the enjoyment and education of cultural heritage;
- A Masterplan that sets aside a large proportion of the site to be retained as environmental conservation land.

## **5.2. PART 2 - Explanation of Proposed Provisions**

The planning proposal seeks to amend the HLEP 2012 to achieve the proposed outcomes for the subject site by:

- Amending the Land Zoning Map (Sheet LZN\_008BA) to zone part of the RU2 Rural Landscape zone to R2 Low density Residential zone
- Amending the Minimum Lot Sizes Map (Sheet LSZ\_008BA) to remove the minimum lot size provision on part of the landholding
- Amending the Additional Permitted Use Map (and corresponding Schedule 1) to permit 'attached dwellings' on part of the landholding that is zoned R2 Low Density Residential

See the proposed LEP maps shown in **Appendix 1** and extracted below.



### 5.2.1 Zoning

The planning proposal seeks to amend the existing land use zoning for part of the site to R2 Low Density Residential to provide for low density residential development, by amending the Zoning Map as shown at **Appendix 7** and extracted below.

The site adjoins an existing R2 Low Density Residential zone, and the extension of this zone is logical and appropriate to enable the development of a compatible land use on the site.

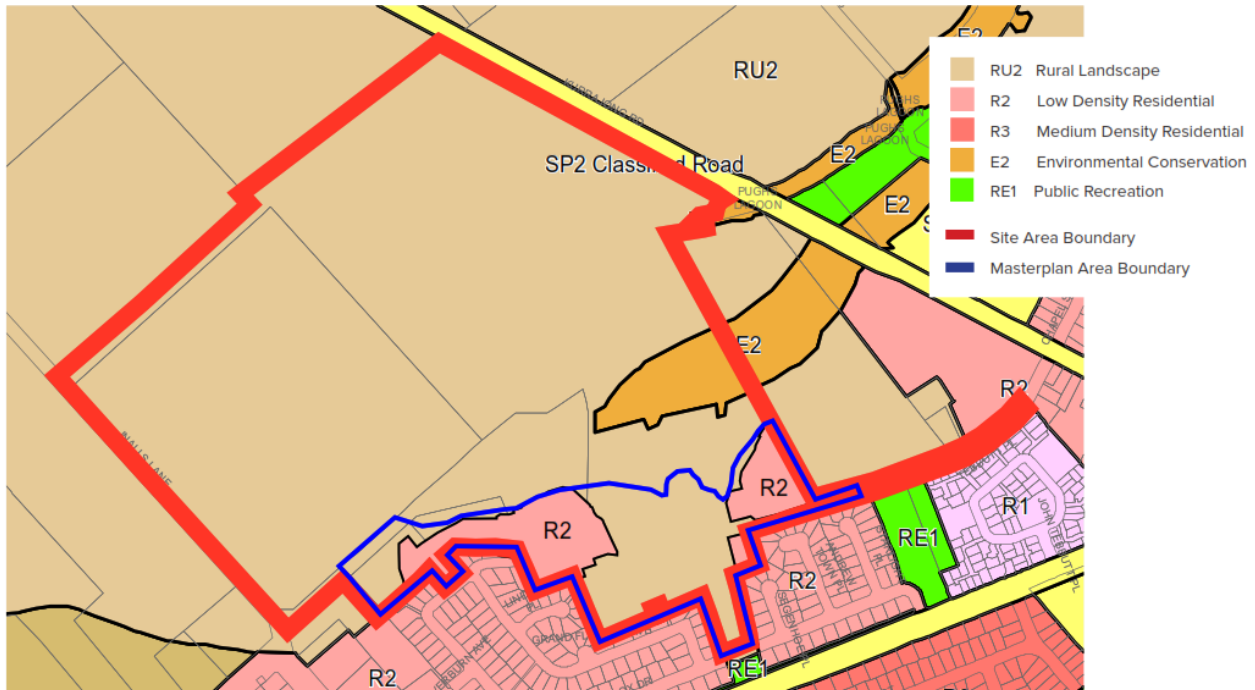
The remainder of the site will remain zoned as RU2 Rural Landscape and E2 Environmental Conservation land. It is not proposed to amend the zoning of the heritage curtilage precinct. It is not proposed to amend the Environmental Conservation land.

The proposed R2 Low Density Residential zone land use table is provided below. The consistency of the proposal with the objectives of the R2 Low Density Residential zone is provided in **Table 6**.

**Table 6 – Land Use Zoning (HLEP 2012)**

| R2 Low Density Residential Zone     |  |
|-------------------------------------|--|
| <b>1. Objectives of zone</b>        | <ul style="list-style-type: none"> <li>• To provide for the housing needs of the community within a low density residential environment.</li> <li>• To enable other land uses that provide facilities or services to meet the day to day needs of residents.</li> <li>• To protect the character of traditional residential development and streetscapes.</li> <li>• To ensure that new development retains and enhances that character.</li> <li>• To ensure that development is sympathetic to the natural environment and ecological processes of the area.</li> <li>• To enable development for purposes other than residential only if it is compatible with the character of the living area and has a domestic scale.</li> <li>• To ensure that water supply and sewage disposal on each resultant lot of a subdivision is provided to the satisfaction of the Council.</li> <li>• To ensure that development does not create unreasonable demands for the provision or extension of public amenities or services.</li> </ul> |
| <b>2. Permitted without consent</b> | Bed and breakfast accommodation; Environmental protection works; Home occupations  |
| <b>3. Permitted with consent</b>    | Animal boarding or training establishments; Boarding houses; Building identification signs; Business identification signs; Camping grounds; Caravan parks; Centre-based child care facilities; Community facilities; <b>Dwelling houses</b> ; Educational establishments; Environmental facilities; Exhibition homes; Exhibition villages; Extensive agriculture; Farm buildings; Flood mitigation works; Group homes; Health consulting rooms; Home-based child care; Home industries; Hospitals; Neighbourhood shops; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Public administration buildings; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Registered clubs; Respite day care centres; Roads; Tank-based aquaculture; Tourist and visitor accommodation; Veterinary hospitals; Water storage facilities   |
| <b>4. Prohibited</b>                | Any development not specified in item 2 or 3   |

A review of other potentially suitable land use zones was undertaken. The R2 General Residential with an additional permitted use, rather than R3 Medium Density is considered the most appropriate zone type to achieve the intended outcome for the site, as detailed in **Table 8** below



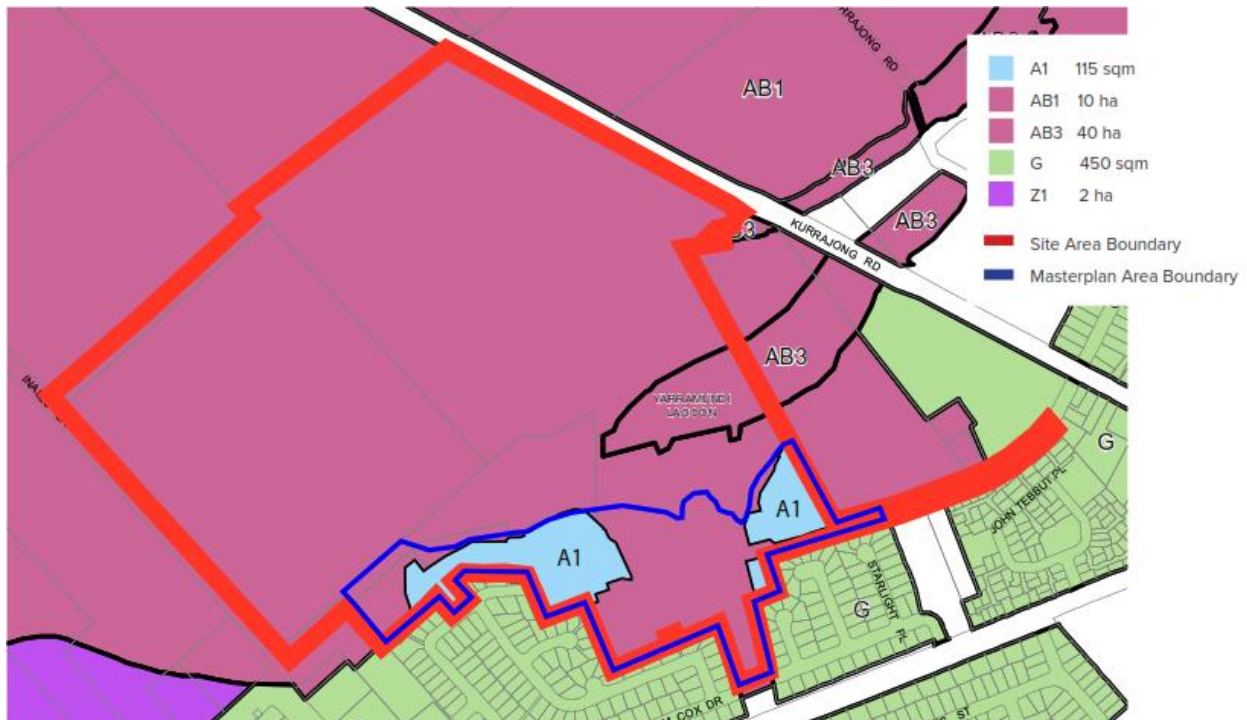
**Figure 14:** Proposed Zoning Map

### 5.2.2 Minimum Lot Size

It is proposed to amend the lot size map to remove the minimum lot size control from the site – as shown in the proposed Lot Size Map at **Appendix 7** and extracted below:

This lot size has been identified to correspond with the minimum housing typology as set out in the masterplan report prepared by Roberts Day (**Appendix 1**). It is considered appropriate to specify a minimum lot size for the site, however another option that could be implemented is removing the minimum lot size from the area proposed to be rezoned R1 Low Density Residential, and instead rely on the provisions of the Site Specific Development Control Plan that is committed to being prepared following Gateway Determination.

It is noted that the minimum lot size is not proposed to be amended for the remainder of Lot 3 DP596558 (including the area of State Heritage curtilage), and that the remainder of this lot is still in excess of the minimum 10ha lot size.



**Figure 15:** Proposed Minimum Lot Size Map

### 5.2.3 Schedule 1 - Additional Permitted Use

The R2 Low density residential zone allows for a ‘dwelling house’ which is defined as “a building containing only one dwelling.”

Some of the buildings proposed as part of the Masterplan will include ‘attached dwellings’ and ‘dual occupancy’ dwellings. These housing types, prepared as part of careful consideration between Heritage and Urban Design consultants in the Masterplan, are to be in the form of terrace or semi-detached dwellings (**Appendix 1**).

It is therefore proposed to include these two uses as ‘additional permissible uses’ under Schedule 1 of the HELP 2012. These uses, coinciding with the proposed objectives of the R2 zoned are considered to be the appropriate response to the site.

The definition for **‘attached dwelling’ is as follows:** a building containing 3 or more dwellings, where:

- (a) each dwelling is attached to another dwelling by a common wall, and
- (b) each of the dwellings is on its own lot of land, and
- (c) none of the dwellings is located above any part of another dwelling.

The definition for **dual occupancy** means a dual occupancy (attached) or a dual occupancy (detached).

As shown on the proposed zoning plan, the area surrounding the existing Homestead (core heritage precinct) is not proposed to be rezoned from RU2, however in consultant with Council as part of potential benefits to be included in a Planning Agreement, opportunities for limited additional permitted uses within

this area that support the heritage significance of the buildings. Refer to **Appendix 2** and **Section 9** for further discussion.

#### 5.2.4 Heritage

No proposed amendments are sought to the existing heritage items, curtilage or conservation area provisions of HLEP 2012. No changes are proposed to provisions of maps within the HELP 2012 with regard to heritage.

### 5.3. PART 3 – Justification

The proposed rezoning and amendments to the HLEP 2012 planning controls aligns with regional and local plans as detailed below. The planning proposal is justifiable and supportable in terms of its strategic and site-specific merit, as detailed below.

A number of supporting reports have been prepared to support the planning proposal including Urban Design Study, Cultural Heritage, Transport Assessment, Flooding, Arborist, Site Servicing and Rural lands Study (See **Appendices A – E**). The relevant environmental, social, economic and other site-specific considerations are detailed in **Section 9**.

#### Section A - Need for the planning proposal

##### 5.3.1 Q1 - Is the Planning Proposal a result of any strategic study or report?

Whilst the planning proposal is not the result of any specific strategic study or report, due regard has been given to the relevant local studies and reports of Hawkesbury Council, as detailed in Table 7. The Planning Proposal seeks to implement the findings of the Residential Land Strategy 2011.

##### 5.3.2 Q2 - Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

The current HELP 2012 was adopted 7 years ago and there is no current draft LEP specific to the site. As also otherwise noted, there is no Richmond specific town centre study or plan. To guide an appropriate planning outcome, careful consideration has been given to the design elements that contribute to creating a 'great place' consistent with the 'Better Placed' design objectives within the *Design Guide – Draft Urban Design for Regional NSW 2019* (draft Design Guide) issued by the Government Architect NSW.

This planning proposal is considered the most suitable means of achieving the intended outcomes for the site having regard to the following:

1. The current RU2 Rural Landscape zoning by way of objectives and permitted uses is restrictive and will not enable residential development as proposed.
2. The proposed R2 Low Density Residential zoning will support an increase of residential to deliver a better planning and community outcome for the site, with a diversity of housing typology.
3. The form and massing of future development will be incorporated into a detailed Development Control Plan and will be responsive the heritage context of the site.

## Section B – Relation to the Strategic Planning Framework

### 5.3.3 Q3 - Will the planning proposal give effect to the objectives and actions of the applicable regional, or district plan or strategy (including any exhibited draft plans or strategies)?

#### Greater Sydney Region Plan – A Metropolis of Three Cities

The Greater Sydney Region Plan provides the metropolitan planning framework for the growth of Sydney over the next 40 years. The Sydney Region Plan, along with the Greater Sydney Services and Infrastructure Plans and Transport Strategy 2056, seeks to provide an integrated approach to managing growth, delivering infrastructure, protecting and enhancing employment and amenity, and delivering the housing required for the population.

The Sydney Region Plan identifies key challenges facing Greater Sydney, which is forecast to grow from 4.7 million people to 8 million people by 2056. Greater Sydney must provide for an additional 817,000 jobs by 2036 and will need to provide 725,000 more homes over the next 20 years.

The Plan sets 10 key directions under the three main headings of 'Liveability', 'Productivity' and 'Sustainability' in order to focus and priorities growth and investment in infrastructure. These are underpinned by a total of 40 objectives. The legislation requires that this Plan must be 'given effect' by subsequent planning authorities, and is therefore a relevant consideration for Hawkesbury Council in assessment of this planning proposal.

The planning proposal is consistent with the following relevant objectives of the Region Plan:

**Table 7 – Region Plan, Direction and Objectives**

| Objective  | Planning Proposal Response  |
|--|---|
| <b>Direction - A city supported by infrastructure</b>  |   |
| <p><b>Objective 1</b><br/>Infrastructure supports the three cities</p> <p><b>Objective 2</b><br/>Infrastructure aligns with forecast growth – growth infrastructure compact</p> <p><b>Objective 3</b><br/>Infrastructure adapts to meet future needs</p> <p><b>Objective 4</b><br/>Infrastructure use is optimised</p> | <p>The proposal will increase housing supply on the edge of an already developed urban area and strategic centre where existing infrastructure is in place.</p> <p>The site is in close proximity to Richmond station and has good access to the surrounding road network.</p> <p>The development site can be appropriately serviced, as detailed in the Engineering Infrastructure Report (<b>Appendix 6</b>).</p> <p>The proximity of the site to established services and infrastructure makes it well placed to support an increase of residential development.</p> |
| <b>Direction - A city for people</b>   |   |
| <p><b>Objective 6</b><br/>Services and infrastructure meet communities' changing needs</p> <p><b>Objective 7</b></p>   | <p>The planning proposal will provide improvements to social infrastructure by increasing access to open space, promoting a healthy and connected community.</p>  |

| Objective   | Planning Proposal Response   |
|---|--|
| <p>Communities are healthy, resilient and socially connected</p> <p><b>Objective 8</b><br/>Greater Sydney's communities are culturally rich with diverse neighbourhoods</p> | <p>The planning proposal will foster healthy, culturally rich and socially connected community through improved access to open space and heritage buildings, as well as providing housing supply in proximity to existing jobs, services and public transport.</p>   |
| <b>Direction - Housing the city</b>   |  |
| <p><b>Objective 10</b><br/>Greater housing supply</p> <p><b>Objective 11</b><br/>Housing is more diverse and affordable</p>   | <p>The proposed amendments to HLEP 2012 will directly facilitate this objective by enabling additional housing, within walking distance to an existing strategic centre.</p> <p>The planning proposal responds to the identified need for additional housing in the District, as confirmed in the Hawkesbury Residential Land Strategy (2011) and the District Plan housing targets for the LGA.</p> <p>It is proposed to provide a proportion of housing to contribute to affordability in the District, as well as providing a diversity of smaller product to meet the changing demographics of the area.</p> <p>The planning proposal will enable and support the renewal of the site for residential use, providing housing opportunities, as well as increased access to public space.</p> |
| <b>Direction - A city of great places</b>   |  |
| <p><b>Objective 12</b><br/>Great places that bring people together</p> <p><b>Objective 13</b><br/>Environmental heritage is identified, conserved and enhanced</p>          | <p>The planning proposal will deliver a 'great place' within a walkable distance of a strategic centre through increased access to public open space, and improved amenity for the local community.</p> <p>The proposal aims to provide a well-designed built environment that provides a variety of building types and development that respects the character of the area.</p> <p>The existing heritage items will be conserved, opening up the precinct to public access to enjoy the environmental heritage of the area.</p> <p>The planning proposal will ensure the existing heritage qualities of the site are protected and enhanced, as detailed in the accompanying Cultural Heritage Report (<b>Appendix 2</b>).</p>  |
| <b>Direction - A well-connected city</b>  |  |
| <p><b>Objective 14</b><br/>A Metropolis of Three Cities – integrated land use and transport creates walkable and 30-minute cities</p>                                       | <p>The subject site is accessible from Richmond strategic centre by active transport, providing housing close to jobs, transport and services.</p>   |

| Objective   | Planning Proposal Response   |
|---|--|
| <b>Direction - Jobs and skills for the city</b>   |  |
| <p><b>Objective 22</b><br/>Investment and business activity in centres</p>  | <p>The site is within the Richmond-Windsor strategic centre. The proposal will support Richmond centre, by providing increased housing for the expanding population to work and invest in the centre in a location that provide high amenity for residents and offers unique public benefit in the form pedestrian infrastructure (boardwalk) and potential for access to heritage items and their curtilage.</p> <p>The planning proposal will provide jobs during the construction phase of the development and when complete, the site will promote tourism through increased access to heritage items.</p>   |
| <b>Direction - A city in its landscape</b>  |  |
| <p><b>Objective 25</b><br/>The coast and waterways are protected and healthier</p> <p><b>Objective 27</b><br/>Biodiversity is protected, urban bushland and remnant vegetation is enhanced</p> <p><b>Objective 28</b><br/>Scenic and cultural landscapes are protected</p> <p><b>Objective 29 (MRA)</b><br/>Environmental, social and economic values in rural areas are protected and enhanced</p> <p><b>Objective 31</b><br/>Public open space is accessible, protected and enhanced</p> <p><b>Objective 32</b><br/>The Green Grid links parks, open spaces, bushland and walking and cycling paths</p> | <p>The subject site is located within the Hawkesbury Nepean River Basin catchment area. The landholding subject to this planning proposal is adjacent to a waterway which will be protected and not impacted by the planning proposal. The planning proposal will improve access and enjoyment of District’s waterways by providing increased access and connections to the natural landscape (refer to <b>Appendix 1</b> - interconnected parkland and riverfront/lagoon activation.</p> <p>The planning proposal will not involve any amendments to environmental conservation zoned land (See <b>Figure 4</b>). The Masterplan has been designed to minimise loss of vegetation and retain significant species, as detailed in the accompanying Arborist Report (<b>Appendix 5</b>).</p> <p>Richmond-Windsor is identified as a Metropolitan Rural Area (MRA) within the District Plan.</p> <p>Unlike other rural towns and villages, Richmond-Windsor is identified as a larger town and strategic centre. The Region Plan States that:</p> <p style="padding-left: 40px;"><i>The main rural industries of the Metropolitan Rural Area are intensive agricultural production on relatively small land parcels and resource extraction in the Western Parkland City with some activity in the North District.</i></p> <p style="padding-left: 40px;"><i>The Metropolitan Rural Area is of specific importance for poultry, eggs, vegetables including mushrooms, nurseries, cultivated turf and cut flowers.</i></p> <p>The subject site does not contain intensive agricultural production uses, or any activities listed above as specifically important in the MRA. The planning proposal will not impact or encroach on any of these rural industries or resource extraction.</p> |

| Objective  | Planning Proposal Response   |
|--|--|
|  | <p>It is noted that the majority of the site will be retained as rural land and it is proposed to rezone only part of the landholding.</p> <p>The planning proposal will expand the Green Grid, contributing improved access to open space and cultural heritage by opening up part of the site to the public and providing a scenic walkway</p>                     |
| <b>Direction - An efficient city</b>   |  |
| <p><b>Objective 33</b><br/>A low-carbon city contributes to net-zero emissions by 2050 and mitigates climate change</p> <p><b>Objective 34</b><br/>Energy and water flows are captured, used and re-used</p> | <p>The proposed development will provide a built form that responds to sustainability measures through the design of the proposed dwellings, including opportunities to reuse water and improve water flows. The Engineering Infrastructure Report <b>Appendix 6)</b> confirms that capacity is available in the network for all essential services to the site.</p> |

### Western City District Plan

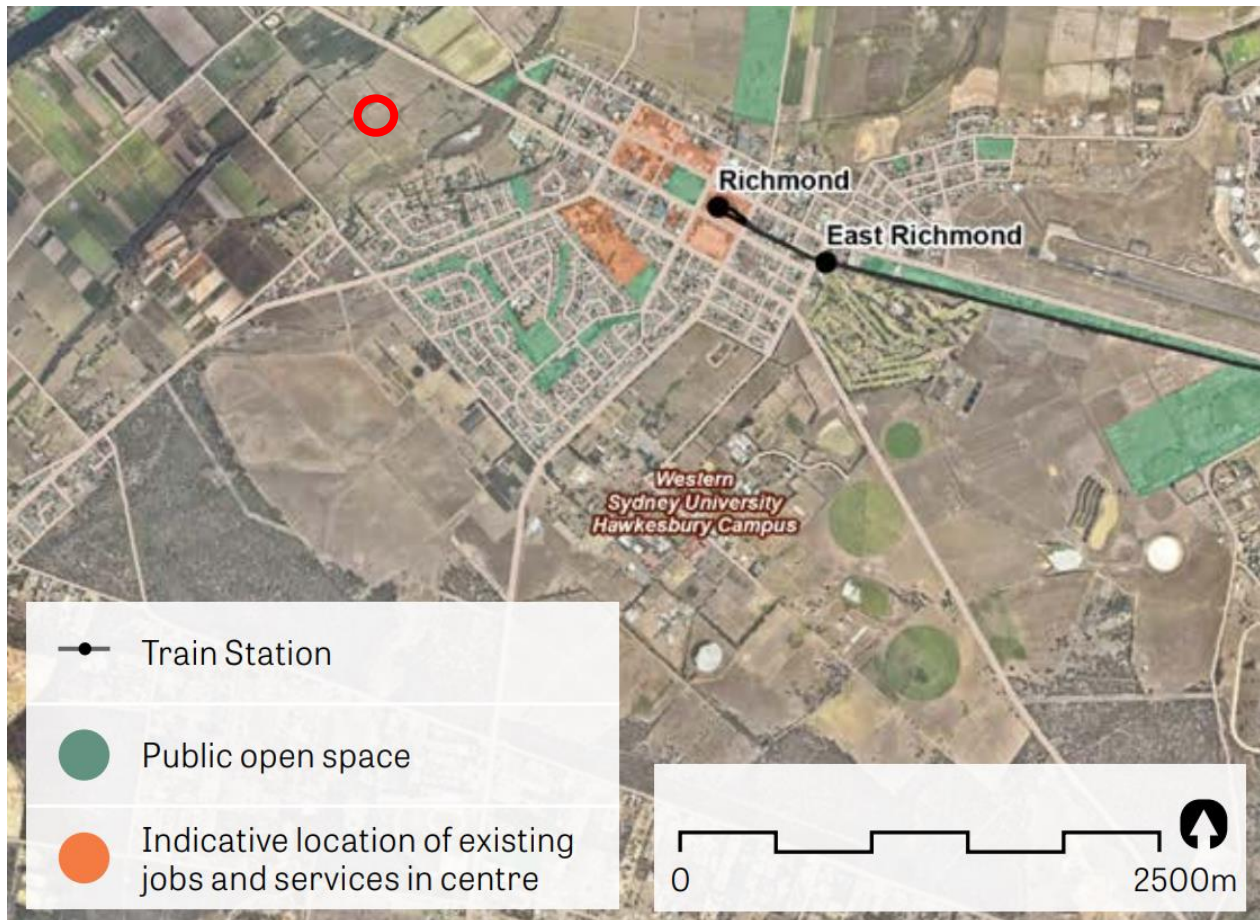
The Western City District Plan, adopted by the Greater Sydney Commission in March 2018, provides the framework to manage growth whilst maintaining liveability and productivity across a key area in Sydney. The Plan is broken down into sections of Liveability, Productivity and Sustainability with a total of 10 directions (aligning with the Sydney Region Plan) and 20 Strategic Priorities, of which the following specifically relate to the site and proposed development. Within each priority are a number of objectives and actions.

The planning proposal is consistent with the following Planning Priorities of the District Plan:

- *Planning Priority W1 - Planning for a city supported by infrastructure*
- *Planning Priority W2. Working through collaboration*
- *Planning Priority W3 - Providing services and social infrastructure to meet people’s changing needs*
- *Planning Priority W4 - Fostering healthy, creative, culturally rich and socially connected communities*
- *Planning Priority W5 - Providing housing supply, choice and affordability, with access to jobs, services and public transport*
- *Planning Priority W6 - Creating and renewing great places and local centres, and respecting the District’s heritage*
- *Planning Priority W7. Establishing the land use and transport structure to deliver a liveable, productive and sustainable Western Parkland City*
- *Planning Priority W12. Protecting and improving the health and enjoyment of the District’s waterways*
- *Planning Priority W14. Protecting and enhancing bushland and biodiversity*
- *Planning Priority W15. Increasing urban tree canopy cover and delivering Green Grid connections*
- *Planning Priority W16 – Protecting and enhancing scenic and cultural landscapes*
- *Planning Priority W18 - Delivering high quality open space*

The subject site is located with the Richmond-Windsor precinct. The subject site is located approximately 400 metres from land identified as an indicative location of existing jobs and services – see **Figure 16**.





**Figure 16:** Richmond-Windsor, GSC District Plan (approx. site location identified in red)  
*Metropolitan Rural Land*

As discussed above, the Region and District Plan identify Richmond-Windsor as part of the Western District Metropolitan Rural Lands. It is noted that this includes the Richmond-Windsor Strategic Centre and lands that do not contain significant or intense agricultural production activities or mineral resources (such as the subject site).

We note the following extract from the District Plan:

***“Limited growth of rural-residential development could be considered where there are no adverse impacts on the amenity of the local area and the development provides incentives to maintain and enhance the environmental, social and economic values of the Metropolitan Rural Area. This could include the creation of protected biodiversity corridors, buffers to support investment in rural industries and protection of scenic landscapes.***

***Design-led place-based planning*** in the Metropolitan Rural Area will help manage environmental, social and economic values, maximise the productive use of rural areas, and incentivise biodiversity protection for remnant bushland vegetation. (District plan page 126-127)

The proposed growth of residential development at this location is consistent with Council’s 2011 Residential Lands Strategy, which identifies part of the site as an investigation area for future housing growth – See **Figure 18**. As discussed in this Planning Proposal, it is a rational extension of an existing urban area on the edge of a strategic centre, and will not result in dispersed urban activities in rural areas.

The planning proposal provides a place-based approach, designed in collaboration by a team of specialist consultants including urban design, heritage, traffic, flooding and servicing. The rezoning is sought for approximately 14% of the Hobartville Stud, retaining the majority of the site as rural landscape and environmental conservation lands.

In addition to providing limited growth of residential development, the proposal make access to important heritage items available, provide high quality publicly accessible open space and waterfront infrastructure. These components of the Masterplan seek to realize the unique characteristics of the site (including topography, orientation and heritage significance) for the public social and cultural benefits that will otherwise remain locked in private

### **NSW Future Transport Strategy 2056**

The Future Transport Strategy 2056 (Transport Strategy), prepared by Transport for NSW, is a 40 year strategy, supported by plans for regional NSW and for Greater Sydney. The planning proposal is consistent with the following objectives of the Transport Strategy (**Table 8**):

**Table 8 – Transport Strategy Objectives -**

| Objective   | Planning Proposal Response   |
|---|--|
| <i>Towns and villages will offer employment and housing and will continue to be important in attracting domestic and international visitors, bringing job opportunities and economic benefits to rural communities.</i> | The site is on the edge of an existing strategic centre that provides job opportunities for the future residents of the new community that will result from the planning proposal.   |
| <i>Encouraging active travel (walking and cycling) and using public transport</i>   | The sites proximity to an existing centre will encourage active travel   |
| <i>Changes in land use, population and demand, including seasonal changes, are served by the transport system</i>   | The additional population as a result of the proposal will not generate any additional requirements for public transport infrastructure, already serviced by Rail.   |
| <i>A metropolis of three cities, where people can access the jobs, education and services they need within 30 minutes by public or active transport</i>   | The subject site is accessible from Richmond strategic centre within 30 minutes by active transport, providing housing close to jobs. The planning proposal will increase access to jobs within 30 minutes by providing additional housing in proximity to jobs. |

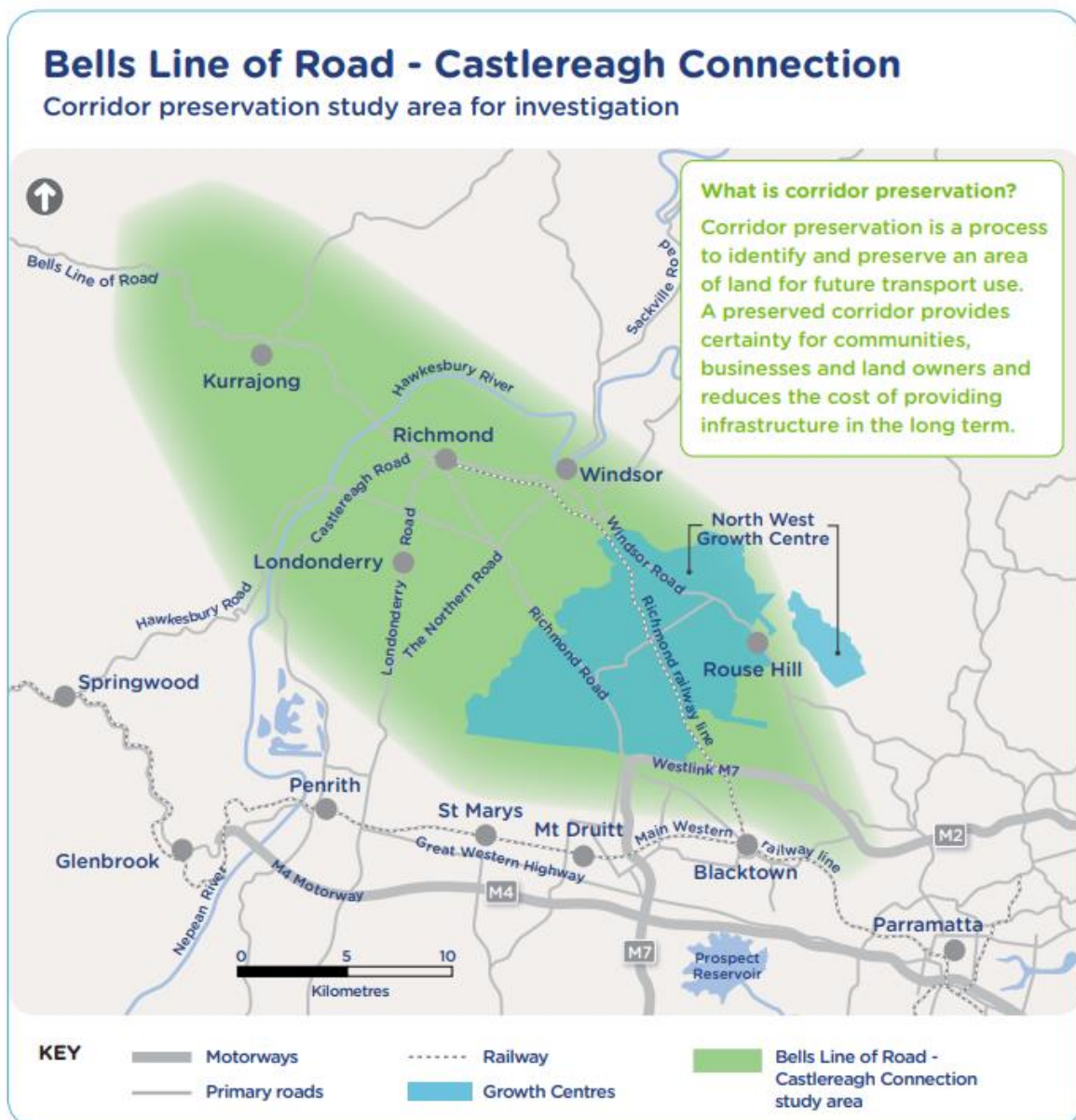
### **Greater Sydney Services and Infrastructure Plan**

The Greater Sydney Services and Infrastructure Plan is a 40-year plan for transport in Greater Sydney (Transport for NSW 2018), which includes the LGA of Hawkesbury. It is designed to support the land use vision for Sydney.

The Plan identifies Richmond as a strategic centre and proposes to investigate service improvements on the Richmond Line (within 0-10 years) to support improved reliability, capacity, and journey times.

The site is located within the Bells Line of Road - Castlereagh Connection Corridor preservation study area – See **Figure 17**. The Bells Line of Road-Castlereagh Connection is a 20+ year visionary corridor aimed to provide a connection from Kurrajong to Sydney’s motorway network, and provide an alternate route to the Blue Mountains. In the shorter term (0-10 year) it is proposed to investigate road improvements to the existing route along the Bells Line of Road corridor.

Transport infrastructure and access to Richmond is likely to improve in the future as a result of the initiatives proposed in the Infrastructure Plan, supporting an increased population and better services for the existing and future residents.



**Figure 17:** Bells Line of Road-Castlereagh Connection

**5.3.4 Q4 - Will the planning proposal give effect to a council’s endorsed local strategic planning statement, or another endorsed local strategy or strategic plan?**

A review has been undertaken of the planning proposal against the following Council policies and plan – See **Table 9**.

**Table 9 – Assessment of Local Planning Strategies/ Plans**

| Strategy  | Comment  |
|---|--|
| <p><b>Hawkesbury Community Strategic Plan 2017-2036</b></p> | <p>The Hawkesbury Community Strategic Plan outlines the key aspirations for the Hawkesbury Local Government Area for the community for the next 20 years. The planning proposal is consistent with the following strategies:</p> <ul style="list-style-type: none"> <li>• <b>2.2 - Participation in recreational and lifestyle activities is increased - Encourage and enable our community to participate in a healthy lifestyle</b></li> </ul> <p><b>Response:</b> The planning proposal will result in improved access to open space, encouraging recreation and health lifestyles.</p> <ul style="list-style-type: none"> <li>• <b>2.5 - Cultural development and heritage - Enable broad and rich celebration of our local culture and significant heritage</b></li> </ul> <p><b>Response:</b> The planning proposal will result in increased access to heritage items – encouraging education and celebration of the areas history and heritage.</p> <ul style="list-style-type: none"> <li>• <b>3.1 - The natural environment is protected and enhanced - Value, protect and enhance our unique natural environment</b></li> </ul> <p><b>Response:</b> The planning proposal will protect environmental conservation zoned land.</p> <ul style="list-style-type: none"> <li>• <b>5.2 - Management of Aboriginal and Non Aboriginal Heritage and the Built Environment - Value, protect and enhance our built environment as well as our relationship to Aboriginal and Non Aboriginal history</b></li> </ul> <p><b>Response:</b> The planning proposal will implement progressive urban design, sensitive to environment and heritage issues. This will be implemented through the delivery of a site specific DCP, along with an update Conservation Management Plan.</p> <ul style="list-style-type: none"> <li>• <b>4.3 - Places and Spaces - Provide the right places and spaces to serve our community</b></li> </ul> <p><b>Response:</b> The planning proposal will improve access to open space by opening up part of the site for public access, open space and pedestrian infrastructure for the benefit of the local community and visitors to the area</p> <ul style="list-style-type: none"> <li>• <b>5.3 - Shaping our Growth - Respond proactively to planning and the development of the right local infrastructure</b></li> </ul> <p><b>Response:</b> The subject site has been identified as potentially suitable for housing in Council’s Residential Lands Strategy 2011. Providing housing to serve the local community through an increased density at this edge of town location is</p> |

| Strategy   | Comment  |
|--|--|
|  | <p>consistent with providing development in proximity to existing infrastructure and services.</p> <ul style="list-style-type: none"> <li>• <b>5.4 - Celebrating our Rivers - Protect, enhance and celebrate our rivers</b></li> </ul> <p><b>Response:</b> The planning proposal will protect existing rivers, with the proposed land subject to development excluding waterways and significant conservation land. The planning proposal will encourage tourism, recreation and leisure uses within proximity to rivers.</p>  |
| <p><b>Hawkesbury Tourism Strategy (2015)</b></p>             | <p>The Hawkesbury Council Tourism Strategy includes the following vision for tourism for the Hawkesbury:</p> <p><i>That the Hawkesbury LGA will be recognised as a major recreational playground for the Greater Sydney region utilising its key strengths of <u>its natural environment, heritage and cultural assets</u> and leveraging off its close proximity to the Sydney CBD.</i></p> <p>The planning proposal will open up part of the site to public access, providing a highly attractive tourist destination with both nature and cultural heritage experiences for visitors.</p> <p>The Strategy recognises that need for a balance of new housing due to the potential impact on tourism growth. Contrary to this, the planning proposal will increase both housing and tourism growth within proximity to Richmond centre.</p>                                       |
| <p><b>Affordable Housing Policy (2015)</b></p>               | <p>Council’s Affordable Housing Policy states that as a guiding principle, social and affordable housing projects should be located within 800 metres of well serviced residential towns, including Richmond. The subject site is located approximately 800 metres from Richmond Centre.</p> <p>The policy does not provide a preferred rate of affordable housing provision. In absence of this, 5% affordable housing is proposed to be provided in accordance with the Greater Sydney Commission’s Region and District Plan’s aim. It is expected that this form part of a Planning Agreement with Council.</p>   |
| <p><b>Hawkesbury Regional Open Space Strategy (2013)</b></p> | <p>The Hawkesbury Regional Open Space Strategy was prepared by Clouston Associated on behalf of Hawkesbury City Council to guide the planning and management of Council’s recreational open space in the LGA.</p> <p>Richmond is referred to as a ‘recreational gateway’ to the Blue Mountains National Park. The strategy recognises that there are <i>“opportunities to improve walking/cycling activities along the river and between towns”</i>. The Masterplan (<b>Appendix 1</b>) Illustrates walking and cycling infrastructure being provided on the site.</p> <p>While the subject site does not contain Council owned open space, the planning proposal is consistent with the following objectives of the Strategy:</p> <ul style="list-style-type: none"> <li>• <b>improve open space provision in terms of quality, quantity, accessibility and safety</b></li> </ul> |

| Strategy  | Comment   |
|---|---|
|   | <p><b>Response:</b> The planning proposal will result in improved open space provision by opening up part of the site to the public.</p> <ul style="list-style-type: none"> <li>• <b>improve linkages within and between the open space networks</b></li> </ul> <p><b>Response:</b> There is the opportunity to improve linkages to open space and walking trail (e.g. Great Northern Walk).</p>  |
| <p><b>Windsor Foreshore Parks Plan of Management 2013</b></p> | <p>The Windsor Foreshore Parks Plan of Management applies to a series of foreshore open spaces along the Hawkesbury River at Windsor. The land covered by the plan cover part of the route of the Great River Walk. Council proposes “to create a series of loops and variations to the [Great River] walk to showcase the rich history of the Hawkesbury, be it Agricultural, Natural, Aboriginal or European heritage”.</p> <p>The planning proposal provides the opportunity to complete a missing loop and connect walking tracks along the River foreshore, surrounded by historic buildings and natural landscape. The heritage buildings on site could form part of a historic walk, attracting tourism and recreational visitors to the area.</p> |

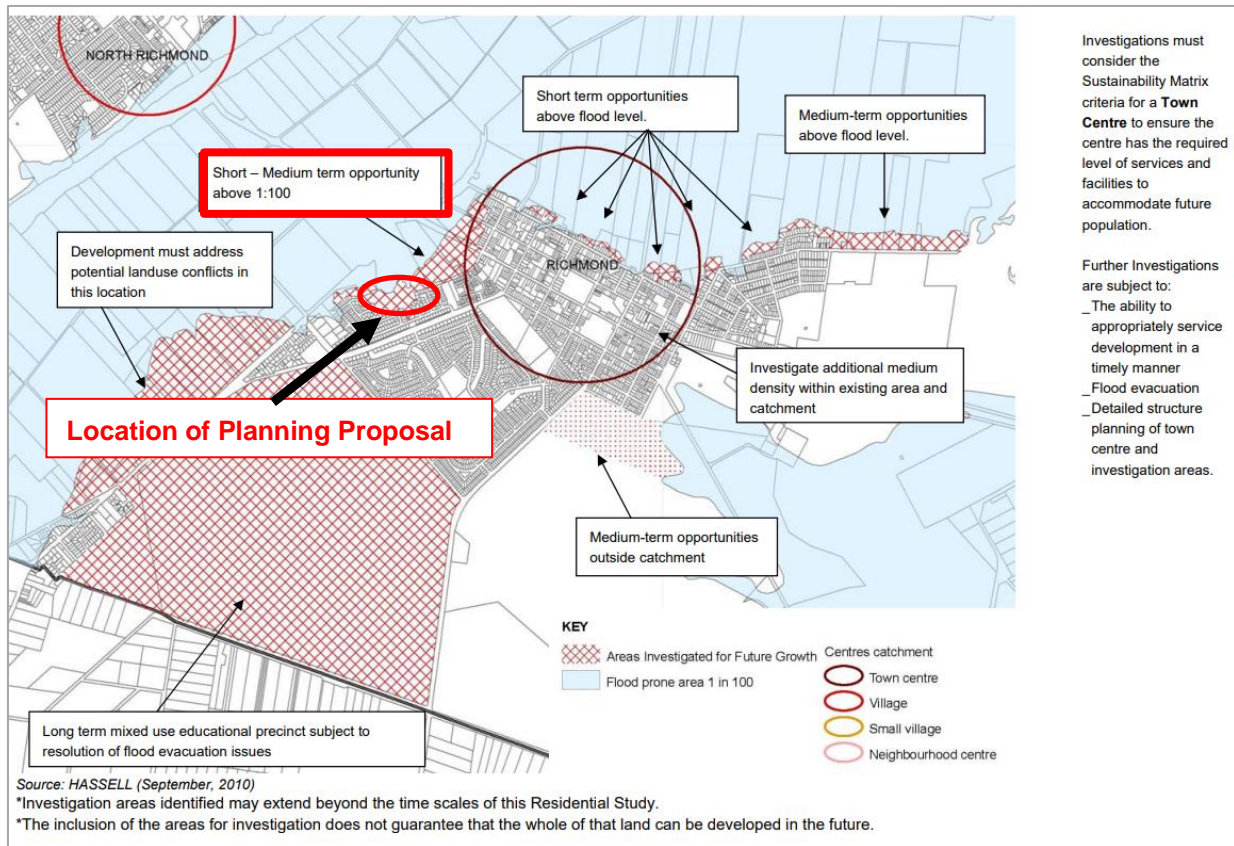
### Hawkesbury Residential Land Strategy 2011

The Hawkesbury Residential Land Strategy (Residential Land Strategy) was prepared by Hassell on behalf of Hawkesbury Council to determine the future residential needs of the Hawkesbury LGA and to identify localities that are worthy of further, more detailed assessment for suitability for residential development. The Residential Land Strategy aims to:

- Accommodate between 5,000 to 6,000 additional dwellings by 2031, primarily within the existing urban areas as prescribed in the Department of Planning’s North West Subregional Strategy;
- Accommodate changing population, which presents new demands in terms of housing, services and access;
- Identify on-going development pressures to expand into natural and rural areas, as well as new development both in and around existing centres; and
- Preserve the unique and high quality natural environment of the LGA;
- Identify physical constraints of flood, native vegetation and bushfire risk

The Residential Land Strategy Identifies areas suitable for further investigation to determine suitability for development. Richmond is identified as a “High Priority’ for structure planning to determine the specific location of additional dwellings.

The Residential Land Strategy has reviewed areas within existing centre catchments to identify future investigation areas. The Residential Land Strategy states that “Any proposal, or application, for release or rezoning of land in the Hawkesbury Local Government Area must be within the areas identified as ‘Future Investigation Areas.’” The planning proposal site is identified as a ‘Future Investigation Area’ with short-medium term opportunity for residential development – See **Figure 18**.



**Figure 18:** Future Growth Investigation Areas, Hawkesbury Residential Land Strategy 2011 (site shown in red).

As shown on Figure 18, the Residential Land Strategy states that further Investigations of the Richmond Future Investigation Area are subject to:

- *The ability to appropriately service development in a timely manner*
- *Flood evacuation*
- *Detailed structure planning of town centre and investigation areas.*

The planning proposal is accompanied by a site servicing report, Flood Impact Assessment and detailed structure planning (masterplan) that identifies the appropriate dwelling typology and confirms services and infrastructure availability.

The Residential Land Strategy sets out a Sustainable Development Framework that is to be used by applicants and Council in the preparation and assessment of planning proposals. The planning proposal site adjoins the Richmond town centre catchment. Nevertheless, the Strategy states that investigations for Richmond must consider the Sustainability Matrix criteria for a Town Centre. The planning proposal has been assessed against the following relevant Sustainability Matrix criteria:

**Table 10** - Consistency with Residential Land Strategy Sustainability Matrix

| Town Centre Criteria          | Richmond/ Windsor  | Planning Proposal Response   |
|-------------------------------|--|--|
| <b>Dwelling Target</b>        | 4,500-9,000 dwellings within 800m radius   | The planning proposal has the potential to deliver approximately 118 dwellings contribute to this dwelling target within 800 metres from the town centre.  |
| <b>Housing Types</b>          | <ul style="list-style-type: none"> <li>○ Medium to medium density (vertical) residential development that is commensurate with the existing, or desired future, character of the relevant Town Centre. (Dwelling density to be defined in the detailed structure planning for individual centres, i.e. LEP, DCP, and in accordance with Section 6.6 of this Strategy)</li> <li>○ Up to 25-30 dwellings per hectare</li> <li>○ Seniors living/aged care housing encouraged</li> <li>○ Mixed use development – shopping on street and commercial/residential above.</li> </ul> | <p>The planning proposal will provide a low to medium density development adjoining an existing residential area. The Masterplans prepared by Roberts Day (<b>Appendix 1</b>) demonstrate the proposed future character of the site, which has been informed by a heritage advice to ensure the existing character of the heritage site is retained.</p> <p>It is expected that the future development will be subject to further detailed structure planning by way of a site specific DCP amendment.</p> |
| <b>Affordable Housing</b>     | <ul style="list-style-type: none"> <li>○ Affordable housing integrated into new developments.</li> <li>○ Priority location for affordable housing, to ensure residents can access a broad range of services available in major centres.</li> </ul>   | The proposal will contribute a a proportion of affordable housing within proximity to Richmond town centre.  |
| <b>Employment and Centres</b> | <p>Retail and service focus to serve large residential catchment:</p> <ul style="list-style-type: none"> <li>- Large group of retail services</li> <li>- 1-2 supermarkets</li> <li>- Lifestyle/café focus</li> <li>- Medical facilities</li> <li>- Small shopping mall</li> <li>- Some local business and employment</li> <li>- Limited night time activity</li> </ul>   | The key centres hierarchy identifies Richmond as a town centre. The planning proposal will consolidate development adjoining an existing town centre and residential area.   |
| <b>Service Infrastructure</b> | <p>The following infrastructure is required for all centres:</p> <ul style="list-style-type: none"> <li>○ Water (drinking/recycled), Stormwater, Sewer, Energy (electricity/gas), Communications (landline, mobile, broadband)</li> <li>○ Road networks with links to key centres</li> <li>○ Resolution of flood evacuation</li> </ul>   | <p>The site can be adequately serviced, as detailed in the accompanying Engineering Infrastructure Report (<b>Appendix 6</b>).</p> <p>Sufficient parking has been provided as part of the concept planning, and the road network can</p>   |



| Town Centre Criteria             | Richmond/ Windsor  | Planning Proposal Response   |
|----------------------------------|--|--|
|                                  | <ul style="list-style-type: none"> <li>○ Suitable public parking Infrastructure has capacity or can be augmented to cater for future growth and demand</li> <li>○ Water: Capacity to develop sustainable water systems to reuse and recycle stormwater runoff and overland flows.</li> <li>○ Sewer: Urban development in town centres and villages to be limited to areas serviced by reticulated sewerage.</li> <li>○ Urban development in small villages and neighbourhood centres to be limited to areas capable for onsite disposal and/or waste water irrigation.</li> <li>○ The infrastructure capacity of each centre must be able to support future dwelling projections and provided in a timely and efficient way.</li> <li>○ Development is located outside of 20+ ANEF noise corridors.</li> </ul> | <p>accommodate the proposal, as detailed in the accompanying Transport Impact Assessment (<b>Appendix 3</b>).</p> <p>The site can be evacuated in event of a flood emergency, as detailed in the accompanying Flood Impact Assessment and Transport Impact Assessment.</p> <p>The site proposed to contain future housing development is located outside of 20+ ANEF noise corridors</p> <p>The site is in proximity to existing services provided by Richmond centre.</p> |
| <b>Public Transport</b>          | <ul style="list-style-type: none"> <li>○ Public transport interchange for bus and train</li> <li>○ 18 hr public transport services for rail and bus</li> <li>○ 10 -15 min frequency in peak and 20-30 min off peak</li> <li>○ Strong connection to other centres Park and ride facilities</li> </ul>   | <p>Public transport is provided in the locality by Train and Bus. The proposed dwelling will not impact on the viability or capacity of these existing services.</p>   |
| <b>Open Space and recreation</b> | <ul style="list-style-type: none"> <li>○ 2 local parks (1-4ha) distributed across local area</li> <li>○ 6 neighbourhood parks (0.25-2ha)</li> <li>○ Cycle links to other centres and key destinations</li> <li>○ Universally accessible pedestrian facilities throughout centre</li> </ul>   | <p>The planning proposal will deliver increased open space, recreation space and public walking facilities.</p>  |
| <b>Natural Environment</b>       | <p>Future development is cognisant of and responsive to natural and environmental constraints including natural areas; water and air quality; flood prone land (less than 1:100); wetlands and riparian zones; acid sulphate soils; steep terrain; bushfire prone land; biodiversity and significant fauna or flora habitat; heritage.</p>   | <p>The planning proposal is consistent with the natural environment criteria considering:</p> <ul style="list-style-type: none"> <li>○ The proposed development area avoids wetlands areas</li> <li>○ All dwellings will be above the 1:100 flood level</li> <li>○ The future development will be subject to provisions of the HLEP 2012 for</li> </ul>  |

| Town Centre Criteria               | Richmond/ Windsor   | Planning Proposal Response  |
|------------------------------------|---|---|
|                                    |   | <p>management of acid sulfates</p> <ul style="list-style-type: none"> <li>○ The proposed development has been sited to minimise loss of trees</li> <li>○ The proposal responds to the heritage values of the site</li> <li>○ The planning proposal will preserve the natural environment and responds to physical constraints, by siting development accordingly and resulting in only a small proportion of the rural land being rezoned.</li> </ul> |
| <b>Community Facilities</b>        | <ul style="list-style-type: none"> <li>○ <i>1 local community health centre</i></li> <li>○ <i>1 preschool</i></li> <li>○ <i>1 public primary school</i></li> <li>○ <i>1 public secondary school</i></li> <li>○ <i>1 youth centre</i></li> <li>○ <i>1 branch library</i></li> <li>○ <i>Child care facilities</i></li> <li>○ <i>Aged care facilities</i></li> </ul> | <p>The subject site is in proximity to numerous community facilities provided by Richmond town centre and the surrounds.</p>  |
| <b>Character and public domain</b> | <ul style="list-style-type: none"> <li>○ <i>Active urban space which facilities formal and informal meeting and gathering spaces i.e. plaza, square, mall etc</i></li> <li>○ <i>High quality and safe public domain during both day and night.</i></li> </ul>   | <p>The planning proposal will provide public open space, and a riverside promenade, encouraging enjoyment of the landscape character,</p>   |
| <b>Sustainable Development</b>     | <p><i>All new housing to be adaptable and embrace principles of sustainable housing design</i></p>  | <p>Principles of sustainable housing design will be incorporated into the proposal at the DA stage.</p>   |

### 5.3.5 Strategic Merit Test

The NSW Department of Planning and Environment has established a Strategic Merit Test for determining whether a planning proposal should proceed to a Gateway Determination. The Strategic Merit test criteria and response to each is set out below:

**Table 11 – Consistency with Strategic Merit test criteria**

| Strategic Merit Test Criteria   | Planning Proposal Response  |
|---|---|
| <i>Will it give effect to the relevant regional plan outside of the Greater Sydney Region, the relevant district plan within the Greater Sydney Region, or corridor/precinct plans applying to the site, including any draft regional, district or corridor/precinct plans released for public comment?</i> | The planning proposal has due regard to the relevant Policies and Directions of the District Plan within the Greater Sydney Region. A review and assessment of the planning proposal against those Policies and Directions confirms that the planning proposal is consistent with the District and Region Plan.   |
| <i>Will it give effect to a relevant local strategic planning statement or strategy that has been endorsed by the Department or required as part of a regional or district plan or local strategic planning statement?</i>  | There is no <i>relevant local strategic planning statement or strategy</i> for the subject site. However, the planning proposal will give effect to Council’s 2011 Residential Land Strategy which identifies the site as a Future Investigation Area with short-medium term opportunity for residential development.   |
| <i>Is it responding to a change in circumstances, such as the investment in new infrastructure or changing demographic trends that have not been recognised by existing strategic plans?</i>  | There has been no change in circumstances, however the planning proposal responds to the following <ul style="list-style-type: none"> <li>• Council’s Residential Land Strategy’s identification of the site as an investigation area for future housing</li> <li>• Population growth resulting in demand for additional housing</li> <li>• No interest by the landowner to continue the existing use on site, resulting in the need to consider alternative uses for the site.</li> <li>• The identification of Richmond as a strategic centre in the District Plan, supporting the delivery of a 30 minute city.</li> </ul> |
| <i>Is the planning proposal seeking to update planning controls if they have not been amended in the last 5 years?</i>  | The planning controls for the site have not been amended in the last 5 years.   |

## 5.4 Relationship to Statutory Planning Framework

### 5.4.1 Relevant Legislation and Regulations

#### Environmental Planning and Assessment Act 1979

The *Environmental Planning and Assessment Act 1979* (the EP&A Act) and the Environmental Planning and Assessment Regulation 2000 (EPA Regs) set out amongst other things the:

- requirements for rezoning land;
- requirements regarding the preparation of a local environmental study as part of the rezoning process;
- matters for consideration when determining a development application; and
- approval permits and/or licences required from other authorities under other legislation.

This Planning Proposal has been prepared in accordance with the requirements set out in **Section 3.33** of the EP&A Act in that it explains the intended outcomes of the proposed instrument. It also provides justification and an environmental analysis of the proposal.

### 5.4.2 Q5 - Is the Planning Proposal consistent with applicable State Environmental Planning Policies?

#### State and Regional Statutory Framework

An assessment of the planning proposal against the applicable State Environmental Planning Policies (SEPP) and Sydney Regional Environmental Plans (SREP) is provided below.

**Table 12-** Consistency with State Environmental Planning Policies

| State Environmental Planning Policy               | Consistent |    |     | Comment   |
|---|------------|----|-----|---|
|   | Yes        | No | N/A |   |
| SEPP No. 1 – Development Standards                |            |    | ✓   | Not relevant to the proposed amendment.   |
| SEPP No. 19 - Bushland in Urban Areas             | ✓          |    |     | This policy applies to the Hawkesbury LGA. The general aim of this Policy is to protect and preserve bushland within the urban areas because of: <ul style="list-style-type: none"> <li>(a) its value to the community as part of the natural heritage,</li> <li>(b) its aesthetic value, and</li> <li>(c) its value as a recreational, educational and scientific resource.</li> </ul> The planning proposal will not impact and will conserve significant E2 Environmental Conservation land. The proposal will promote and enhance enjoyment of the natural environment by opening up part of the site as a public parkland. |
| SEPP No. 21 – Caravan Parks                       |            |    | ✓   | Not relevant to the proposed amendment.   |
| SEPP No. 33 – Hazardous and Offensive Development |            |    | ✓   | Not relevant to the proposed amendment.   |
| SEPP No. 36 – Manufactured Home Estates           |            |    | ✓   | Not relevant to the proposed amendment.   |
| SEPP No. 44 – Koala Habitat Protection            |            |    | ✓   | Not relevant to the proposed amendment.   |

| State Environmental Planning Policy                                       | Consistent |    |     | Comment   |
|---|------------|----|-----|---|
|   | Yes        | No | N/A |   |
| SEPP No. 50 - Canal Estate Development                                    |            |    | ✓   | Not relevant to the proposed amendment.   |
| SEPP No. 55 – Remediation of Land   | ✓          |    |     | The land has not been identified as contaminated land. A site investigation will be undertaken as part of any future development application to confirm the site is not contaminated.   |
| SEPP No. 62 – Sustainable Aquaculture                                     |            |    | ✓   | Not relevant to the proposed amendment.   |
| SEPP No. 64 – Advertising and Signage                                     |            |    | ✓   | The relevance of the SEPP would be addressed at the development application stage.  |
| SEPP. No 65 – Design Quality of Residential Flat Development              | ✓          |    |     | Any future development application to be submitted to Council for this site will demonstrate the development satisfies the requirements of this SEPP.   |
| SEPP No. 70 – Affordable Housing (Revised Schemes)                        | ✓          |    |     | The planning proposal will provide 5% affordable housing in accordance with the GSC requirements.   |
| SEPP (Affordable Rental Housing) 2009                                     |            |    | ✓   | Not relevant to the proposed amendment.   |
| SEPP (Housing for Seniors or People with a Disability) 2004               | ✓          |    |     | The planning proposal will not contain provisions that will contradict or would hinder application of this SEPP.  |
| SEPP (Coastal Management) 2018  | ✓          |    |     | The site includes lands identified as ‘Coastal Wetlands’ and a ‘proximity area for coastal wetlands’. The land subject to development will not impact on the Coastal Wetlands area, or the quantity and quality of surface and ground water flows to and from the adjacent coastal wetland.   |
| SEPP (Sydney Drinking Water Catchment) 2011                               |            |    | ✓   | Not relevant to the proposed amendment.   |
| SEPP (State Significant Precincts) 2005                                   |            |    | ✓   | Not relevant to the proposed amendment.   |
| SEPP (Three Ports) 2013   |            |    | ✓   | Not relevant to the proposed amendment.   |
| SEPP (BASIX) 2004   |            |    | ✓   | Not relevant to the proposed amendment.   |
| SEPP (Exempt and Complying Development Codes) 2008                        |            |    | ✓   | Not relevant to the proposed amendment.   |
| SEPP (Infrastructure) 2007  |            |    | ✓   | Not relevant to the proposed amendment  |
| SEPP (Urban Renewal) 2010   |            |    | ✓   | Not relevant to the proposed amendment.   |
| SEPP (Vegetation in Non-Rural Areas) 2017                                 | ✓          |    |     | This SEPP applies to the Hawkesbury LGA and is relevant to land within the Zone E2 Environmental Conservation. The aims of this Policy are:<br><br><i>(a) to protect the biodiversity values of trees and other vegetation in non-rural areas of the State,</i><br><i>(b) to preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation.</i><br><br>The planning proposal will not impact the existing E2 Environmental Conservation zoned land. |
| SEPP Policy (Mining, Petroleum Production and Extractive Industries) 2007 | ✓          |    |     | Part of the site has been identified as ‘Strategic Agricultural Land’ on the SEPP Map - Sheet STA_040C. A minor portion of this land will be impacted by the proposed changes to planning controls and developable area.  |

| State Environmental Planning Policy                  | Consistent |    |     | Comment   |
|--|------------|----|-----|---|
|  | Yes        | No | N/A |   |
|  |            |    |     | Furthermore, the site contains heritage significant buildings and therefore the site is not likely to be used for extractive activities as this has the potential to conflict with the heritage items.  |
| SEPP (Primary Production and Rural Development) 2019 | ✓          |    |     | <p>Clause 3 (Schedule 4, Part 2) of this SEPP (Subdivision of, or dwellings on, land in certain rural, residential or environment protection zones) includes the following objective:</p> <p><i>“to minimise potential land use conflict between existing and proposed development on land in the zones under a relevant EPI that are equivalent to the rural, residential or environment protection zones concerned (particularly between residential land uses and other rural land uses).”</i></p> <p>The proposal site adjoins residential development and is consistent with existing uses in the vicinity of the site.</p> <p>The planning proposal provides an appropriate balance of land zoned for residential use and land to remain as rural landscape.</p> <p>E2 Environmental conservation land will not be impacted by the planning proposal.</p> |
| SEPP (Sydney Region Growth Centres) 2006             |            |    | ✓   | Not relevant to the proposed amendment.   |
| SEPP (Miscellaneous Consent Provisions) 2007         |            |    | ✓   | Not relevant to the proposed amendment.   |

### Sydney Regional Environmental Plans (SREP)

#### SREP No. 20 — Hawkesbury-Nepean River

The aim of this SREP is to protect the environment of the Hawkesbury-Nepean River system by ensuring that the impacts of future land uses are considered in a regional context.

The planning proposal is not expected to impact on the Hawkesbury-Nepean River system and is considered consistent with the policies and strategies of this SREP, considering the following:

- The proposed development site does not contain any wetlands, water system, or environmental conservation land.
- The proposed developable area will not adversely impact the adjoining water system, as detailed in the accompanying Flood Impact Assessment (**Appendix 4**).
- The removal of trees will be minimised and has been informed by a specialist Arborist Report (see **Appendix 5**).
- The planning proposal will not infringe upon rural agricultural uses in the surrounding area.
- The planning proposal facilitates the conservation of heritage items and recreational opportunities in proximity to the river.
- Future development will be designed to ensure the protection of the river system including OSD and WSUD (with details to be incorporated into the Development Control Plan following Gateway).

SREP No 9— Extractive Industry (No 2— 1995)

The aim of this SREP is to ensure extraction is carried out in an environmentally acceptable manner and future urban expansion take into account the ability to realise the full potential or important deposits.

The site contains heritage significant buildings and therefore the use of the site for extractive industry activities is unlikely in the future due to this land use conflict. The planning proposal site is located an appropriate distance from the Richmond lowlands sand/gravel resources to ensure that it will not impact on these resources.

**5.4.3 Local Statutory Planning Framework**

**Consistency with Hawkesbury LEP 2012 Aims**

**Table 13** - Consistency HLEP 2012 - Aims

| HLEP 2012 Aims  |            |    |     |   |
|---|------------|----|-----|---|
| Objective   | Consistent |    |     | Comment   |
|   | Yes        | No | N/A |   |
| <i>(a) to provide the mechanism for the management, orderly and economic development and conservation of land in Hawkesbury,</i>                  | ✓          |    |     | The proposal will result in the orderly development of part of the landholding in an area identified by Council to be investigated for housing growth. The remainder of the landholding will be conserved, including environmental conservation and heritage significant lands. As noted above, these will be managed through a combination of a detailed site-specific Development Control Plan and updated Conservation Management Plan |
| <i>(b) to provide appropriate land in area, location and quality for living, working and recreational activities and agricultural production,</i> | ✓          |    |     | The proposed development provides for new housing in an appropriate location, adjoining existing residential development and within walking distance of Richmond town and station. The large site will provide access to an abundance of public open space.   |
| <i>(c) to protect attractive landscapes and preserve places of natural beauty, including wetlands and waterways,</i>                              | ✓          |    |     | The landholding includes land zoned E2 Environmental Conservation and wetlands. This natural landscape will be protected and not impacted by the proposed developable area, through appropriate placement of dwellings. Enjoyment of the unique natural environment, views/vistas and landscape will be enhanced by providing public access to the site and a new walking trail.  |
| <i>(d) to protect and enhance the natural environment in Hawkesbury and to encourage ecologically sustainable development,</i>                    | ✓          |    |     | See item (c) above regarding the protection of the natural environment. The DCP will specify minimum requirements for sustainable development requirements of dwellings.  |

| HLEP 2012 Aims   |            |    |     |   |
|--|------------|----|-----|---|
| Objective  | Consistent |    |     | Comment   |
|  | Yes        | No | N/A |   |
| <i>(e) to conserve and enhance buildings, structures and sites of recognised significance that are part of the heritage of Hawkesbury for future generations,</i>          | ✓          |    |     | The proposal carefully considers the heritage impacts of the proposal, as detailed in the accompanying Cultural Heritage Report ( <b>Appendix 2</b> ). The masterplan includes strategies for sustainable ongoing use of the heritage precinct.   |
| <i>(f) to provide opportunities for the provision of secure, appropriate and affordable housing in a variety of types and tenures for all income groups in Hawkesbury,</i> | ✓          |    |     | The Planning proposal and accompanying masterplan seeks to facilitate housing typologies that are responsive to the context and character of the heritage precinct, which also providing a diversity in housing product that responds to all income groups.   |
| <i>(g) to encourage tourism-related development that will not have significant adverse environmental effects or conflict with other land uses in the locality</i>          | ✓          |    |     | The planning proposal will contribute to tourism related development by opening up heritage significant buildings and open space to the public. In addition, a new walking track/boardwalk has the potential to link with existing tracks to further enhance tourism related development in the locality. |

### Consistency with Zone Objectives

**Table 14-** Consistency with HLEP 2012 - R2 Zone Objectives

| HLEP 2012 - R2 Low Density Residential Zone   |            |    |     |  |
|---|------------|----|-----|--|
| Objective   | Consistent |    |     | Comment  |
|   | Yes        | No | N/A |  |
| <i>• To provide for the housing needs of the community within a low density residential environment.</i>          |            |    |     | The proposal provides approximately 120 dwellings within a low/medium density residential environment to meet the housing needs of the community.  |
| <i>• To enable other land uses that provide facilities or services to meet the day to day needs of residents.</i> |            |    | ✓   | Other than Attached Dwellings and Dual Occupies as per the proposed Schedule 1 amendments of HLEP 2012, there are no other land uses proposed outside of those otherwise permitted in the R2 zone. |
| <i>• To protect the character of traditional residential development and streetscapes.</i>                        | ✓          |    |     | The character of residential development and streetscapes has been carefully considered in the design of the proposal, as detailed in the accompanying Masterplan ( <b>Appendix A</b> ).           |
| <i>• To ensure that new development retains and enhances that character.</i>                                      | ✓          |    |     | The site adjoins existing residential development. The rural landscape character of the site will be retained on the majority of the landholding.  |
| <i>• To ensure that development is sympathetic to the natural</i>   | ✓          |    |     | The proposed developable area has been appropriately placed to ensure it minimised   |



| HLEP 2012 - R2 Low Density Residential Zone   |            |    |     |  |
|---|------------|----|-----|--|
| Objective   | Consistent |    |     | Comment  |
|   | Yes        | No | N/A |  |
| <i>environment and ecological processes of the area.</i>  |            |    |     | impact on the natural environment and ecological processes.  |
| <i>• To enable development for purposes other than residential only if it is compatible with the character of the living area and has a domestic scale.</i> |            |    | ✓   | There are no other land uses proposed.   |
| <i>• To ensure that water supply and sewage disposal on each resultant lot of a subdivision is provided to the satisfaction of the Council.</i>             | ✓          |    |     | The proposal can be adequately serviced, as detailed in the accompanying Engineering Infrastructure Report ( <b>Appendix 6</b> ).  |
| <i>• To ensure that development does not create unreasonable demands for the provision or extension of public amenities or services</i>                     | ✓          |    |     | The planning proposal site is located on the edge of Richmond Centre, within easy access to existing public amenities and service. |

### Consistency with Heritage Conservation Objectives

The planning proposal seek no change to the existing state and local heritage provisions. Consistency with the existing HELP 2012 objectives in clause 5.10 are provided below.

**Table 15-** Consistency with HLEP 2012– Heritage Conservation Objectives

| HLEP 2012 - Heritage Conservation (Clause 5.10)  |            |    |     |   |
|--|------------|----|-----|---|
| Objective  | Consistent |    |     | Comment   |
|  | Yes        | No | N/A |   |
| <i>(a) to conserve the environmental heritage of Hawkesbury,</i>   | ✓          |    |     | It is not proposed to alter the heritage listing of the buildings and structures on site. Instead these buildings will be protected and retained. The planning proposal will make currently closed off heritage available for access<br><br>As discussed below, with confirmation of Council, and the support of GML Heritage, the option of opening up the heritage precinct to the public and sensitive uses for the buildings is available as part of this Planning Proposal – refer to <b>Section 9.6</b> - Public Benefit. |
| <i>(b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,</i> | ✓          |    |     | The proposed redevelopment of the site will not adversely impact on the heritage character of the site. Significant views will be conserved, as confirmed in the Cultural Heritage Report provided in <b>Appendix 2</b> .   |

| HLEP 2012 - Heritage Conservation (Clause 5.10)  |            |    |     |  |
|--|------------|----|-----|--|
| Objective  | Consistent |    |     | Comment  |
|  | Yes        | No | N/A |  |
| <i>(c) to conserve archaeological sites,</i>   | ✓          |    |     | There are no known archaeological sites present on site. However, as per the recommendations of the Cultural Heritage Report, archaeological investigations are recommended post gateway determination which will be used when preparing the site specific Development Control Plan  |
| <i>(d) to conserve Aboriginal objects and Aboriginal places of heritage significance</i> | ✓          |    |     | There are no known Aboriginal objects or places of heritage significance present on site, as confirmed by an AHIMS search (dated 25 March 2019). The Cultural Heritage Report suggests that a Aboriginal Cultural Heritage Assessment should be undertaken after gateway determination to assess the potential for Aboriginal objects or places to remain on the site. |

The consistency of the proposal with heritage conservation requirements is further discussed in the accompanying Cultural Heritage Report (see **Appendix 2**).

### Consistency with Flood Planning Controls

**Table 16** - Consistency with HLEP 2012– Flood Planning –

| HLEP 2012 – Flood Planning (Clause 6.3)   |            |    |     |   |
|---|------------|----|-----|---|
| Objective   | Consistent |    |     | Comment   |
|   | Yes        | No | N/A |   |
| <i>(a) to minimise the flood risk to life and property associated with the use of land,</i>   | ✓          |    |     | All areas of the site for proposed residential uses are located above the Flood Planning Level.<br>The site is bounded by numerous roads which allows for ease of evacuation from numerous access points. |
| <i>(b) to allow development on land that is compatible with the land's flood hazard, taking into account projected changes as a result of climate change,</i> | ✓          |    |     | The proposed developable area has been appropriately placed to ensure it is located above the flood planning level. Refer to <b>Section 9</b> for further assessment.                                     |
| <i>(c) to avoid significant adverse impacts on flood behaviour and the environment.</i>   | ✓          |    |     | The proposed development site does not contain any waterbodies and is appropriately located to ensure it will not impact on flood behaviour and the environment.  |

Clause 4.2B of the HELP 2012 (Additional requirements for subdivisions in certain flood planning areas) states that “Development consent must not be granted for a subdivision to which this clause applies unless the consent authority is satisfied that there is an area of land on the lot that is above flood planning level and is sufficient for the erection of a dwelling house.”

As detailed in the accompanying Flood Impact Assessment (**Appendix 4**), the proposed areas for residential are appropriately located above the flood planning level and the land is appropriate for erection of dwellings.

The Consistency of the proposal with Flood Planning Controls (HLEP Clause 6.3 and 4.2B) is further discussed in the accompanying Flood Impact Assessment.

### Consistency with Terrestrial Biodiversity Controls

**Table 17** - Consistency with HLEP 2012– Terrestrial Biodiversity

| HLEP 2012 – Terrestrial Biodiversity (Clause 6.4)  |            |    |     |  |
|--|------------|----|-----|--|
| Objective  | Consistent |    |     | Comment  |
|  | Yes        | No | N/A |  |
| <i>(a) protecting native fauna and flora, and</i>  | ✓          |    |     | Part of the site is identified as containing significant vegetation. This area is mainly in the vicinity of the heritage curtilage (core heritage precinct) and will therefore remain unaffected by the planning proposal.<br><br>The planning proposal and masterplan ( <b>Appendix 1</b> ) seek to minimis loss of trees to protect native fauna and flora, and the proposed development has been located in accordance with advice from an Arborist (See <b>Appendix 5</b> ). |
| <i>(b) protecting the ecological processes necessary for their continued existence, and</i>        | ✓          |    |     | The site area subject to redevelopment is minor compared to the remainder of the site and surrounding vegetation. As part of the Development Control Plan specific details will be provided for proposed planting that will be requirement in order to offset the impact to any existing vegetation.   |
| <i>(c) encouraging the conservation and recovery of native fauna and flora and their habitats.</i> | ✓          |    |     | As part of the Development Control Plan specific details will be provided for proposed planting that will be requirement in order to offset the impact to any existing vegetation.   |

An Arborist Report has been provided with the Planning Proposal to identify the existing trees that are located within the area of proposed rezoning. It is noted that the Masterplan demonstrated but one option of how future development could occur on the site and specific impacts in relation to existing trees will be addressed at the detailed architectural phase of development.

### Consistency with Wetlands Controls

**Table 18** - Consistency with HLEP 2012– Wetlands

| HLEP 2012 – Wetlands  |            |    |     |   |
|---|------------|----|-----|---|
| Objective   | Consistent |    |     | Comment   |
|   | Yes        | No | N/A |   |
| <i>to ensure that wetlands are preserved and protected from the impacts of development.</i> | ✓          |    |     | The landholding contains an area identified as containing wetlands. The Masterplan has been designed and sited to ensure the planning proposal will not impact on the wetlands. |

#### 5.4.4 Q6 - Is the Planning Proposal consistent with applicable Section 9.1 Ministerial Directions (previously s 117 directions)?

The planning proposal is consistent with the relevant directions for planning proposals issued by the Minister for Planning under Section 9.1 of the EP&A Act.

#### Section 9.1 Ministerial Directions

Ministerial directions under Section 9.1 (Previously referred to a S117 Directions) of the EP&A Act require Councils to address a range of matters when seeking to rezone land. A summary assessment of the Planning Proposal against the Directions issued by the Minister for Planning and Infrastructure under Section 9.1 of the EP&A Act is provided in **Table 19** below.

The planning proposal is consistent with the relevant Section 9.1 Directions in that it achieves and/or gives effect to the principles, aims, objectives or policies set out in the Directions noted in the table below.

**Table 19** - Consistency with Section 9.1 Ministerial Directions

| Ministerial Direction  | Comment  |
|--|--|
| <b>Employment and Resources</b>  |  |
| <b>1.1 Business and Industrial Zones</b>   | NA   |
| <p><b>1.2 Rural Zones</b></p> <p>The objective of this direction is to protect the agricultural production value of rural land.</p> <p>A planning proposal must:</p> <p>(a) not rezone land from a rural zone to a residential, business, industrial, village or tourist zone.</p> <p>(b) not contain provisions that will increase the permissible density of land within a rural zone (other than land within an existing town or village).</p> <p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are:</p> <p>(a) justified by a strategy which: (i) gives consideration to the objectives of this direction, (ii) identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and (iii) is approved by the Director-General of the Department of Planning, or</p> | <p>This Direction applies to the Hawkesbury LGA.</p> <p>It is proposed to rezone part of the site from RU2 Rural Landscape to R2 Low Density Residential. It is noted that the site is not zoned for use as rural production (e.g. RU1 or RU4).</p> <p>The proposal is considered of minor significance considering the land subject to proposed redevelopment represents only 14% of the overall landholding (Hobartville Stud).</p> <p>It is proposed to rezone only part of the landholding and the remainder of the land will remain zoned as rural landscape.</p> <p>If there was a need identified, agricultural uses could be undertaken on the remainder</p> |

| Ministerial Direction  | Comment  |
|--|--|
| <p>(b) justified by a study prepared in support of the planning proposal which gives consideration to the objectives of this direction, or</p> <p>(c) in accordance with the relevant Regional Strategy, Regional Plan or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or</p> <p>(d) is of minor significance.</p> | <p>of the landholding and the existing stud farm use could continue on the remainder of the site, and continued unaffected by the proposed rezoning.</p> <p>The planning proposal will not infringe upon rural agricultural uses in the surrounding area. The proposal does not seek to replace significantly productive rural land. The land subject to the planning proposal is not considered to have high agricultural value. The land is cleared (i.e. not used for agriculture purposes) and is used as a private stud farm. The site contains numerous buildings and structures (relating to heritage items), and significant vegetation. Therefore it is unlikely to be used for significant agricultural production activities.</p> <p>The site adjoins non-rural land used for residential purposes. The rezoning is warranted to provide for additional residential land and public open space to support the growing community.</p> <p>The site has been identified as an investigation area for future residential uses and therefore there is strategic direction to increase residential development at this location.</p> <p>Despite the inconsistency with this Direction, the planning proposal is considered to be in keeping with the local and regional strategic planning framework for the area.</p> <p>The planning proposal site has been identified as potentially suitable for residential development in Council’s Residential Land Strategy (See <b>Figure 18</b>). It is considered reasonable to rezone part of the landholding for residential purposes which will provide community benefit. Accordingly, the planning proposal will have a minimal impact on rural land overall and it is therefore considered a minor inconsistency only.</p> <p>Overall, the planning proposal is considered to be consistent with the intent of the planning directions for rural land.</p> |
| <p><b>1.3 Mining, Petroleum Production and Extractive Industries</b><br/>The objective of this direction is to ensure that the future extraction of State or regionally significant reserves of coal, other minerals,</p>  | <p>The landholding is not currently used for significant agricultural production purposes. The proposed area subject to development</p>  |

| Ministerial Direction  | Comment  |
|--|--|
| <p>petroleum and extractive materials are not compromised by inappropriate development.</p> <p>(4) In the preparation of a planning proposal affected by this direction, the relevant planning authority must:</p> <p>(a) consult the Director-General of the Department of Primary Industries (DPI) to identify any: (i) resources of coal, other minerals, petroleum or extractive material that are of either State or regional significance, and (ii) existing mines, petroleum production operations or extractive industries occurring in the area subject to the planning proposal, and</p> <p>(b) seek advice from the Director-General of DPI on the development potential of resources identified under (4)(a)(i), and</p> <p>(c) identify and take into consideration issues likely to lead to land use conflict between other land uses and : (i) development of resources identified under (4)(a)(i), or (ii) existing development identified under (4)(a)(ii).</p> <p>(5) Where a planning proposal prohibits or restricts development of resources identified under (4)(a)(i), or proposes land uses that may create land use conflicts identified under (4)(c), the relevant planning authority must:</p> <p>(a) provide the Director-General of DPI with a copy of the planning proposal and notification of the relevant provisions,</p> <p>(b) allow the Director-General of DPI a period of 40 days from the date of notification to provide in writing any objections to the terms of the planning proposal, and</p> <p>(c) include a copy of any objection and supporting information received from the Director General of DPI with the statement to the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) before undertaking community consultation in satisfaction of section 57 of the Act.</p> <p>(6) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General), that the provisions of the planning proposal that are inconsistent are of minor significance.</p> | <p>will be minimal when considered in the context of the overall site area (15%). The Planning Proposal will not preclude the remainder of the site being used for agriculture or other identified land uses in the future.</p> <p>The site contains heritage significant buildings and therefore agricultural extractive activities are unlikely to take place on this landholding due to this land use conflict. There are no known mining or extractive industries operating in the vicinity of the site.</p> |
| <p><b>1.4 Oyster Aquaculture</b></p>   | <p>NA</p>  |
| <p><b>1.5 Rural Lands</b></p> <p>The objectives of this direction are to:</p> <p>(a) protect the agricultural production value of rural land,</p> <p>(b) facilitate the orderly and economic use and development of rural lands for rural and related purposes,</p> <p>(c) assist in the proper management, development and protection of rural lands to promote the social, economic and environmental welfare of the State,</p> <p>(d) minimise the potential for land fragmentation and land use conflict in rural areas, particularly between residential and other rural land uses,</p> <p>(e) encourage sustainable land use practices and ensure the ongoing viability of agriculture on rural land</p> <p>(f) support the delivery of the actions outlined in the New South Wales Right to Farm Policy.</p>  | <p>See Direction 1.2 above.</p>  |

| Ministerial Direction  | Comment  |
|--|--|
| <p>A planning proposal to which clauses 3(a) or 3(b) apply must:</p> <ul style="list-style-type: none"> <li>(a) be consistent with any applicable strategic plan, including regional and district plans endorsed by the Secretary of the Department of Planning and Environment, and any applicable local strategic planning statement</li> <li>(b) consider the significance of agriculture and primary production to the State and rural communities</li> <li>(c) identify and protect environmental values, including but not limited to, maintaining biodiversity, the protection of native vegetation, cultural heritage, and the importance of water resources</li> <li>(d) consider the natural and physical constraints of the land, including but not limited to, topography, size, location, water availability and ground and soil conditions</li> <li>(e) promote opportunities for investment in productive, diversified, innovative and sustainable rural economic activities</li> <li>(f) support farmers in exercising their right to farm</li> <li>(g) prioritise efforts and consider measures to minimise the fragmentation of rural land and reduce the risk of land use conflict, particularly between residential land uses and other rural land uses</li> <li>(h) consider State significant agricultural land identified in State Environmental Planning Policy (Primary Production and Rural Development) 2019 for the purpose of ensuring the ongoing viability of this land</li> <li>(i) consider the social, economic and environmental interests of the community.</li> </ul> <p>A planning proposal to which clause 3(b) applies must demonstrate that it:</p> <ul style="list-style-type: none"> <li>(a) is consistent with the priority of minimising rural land fragmentation and land use conflict, particularly between residential and other rural land uses</li> <li>(b) will not adversely affect the operation and viability of existing and future rural land uses and related enterprises, including supporting infrastructure and facilities that are essential to rural industries or supply chains</li> <li>(c) where it is for rural residential purposes:                             <ul style="list-style-type: none"> <li>i. is appropriately located taking account of the availability of human services, utility infrastructure, transport and proximity to existing centres</li> <li>ii. is necessary taking account of existing and future demand and supply of rural residential land.</li> </ul> </li> </ul> |  |
| <p><b>2 Environment and Heritage</b></p>   |  |
| <p><b>2.1 Environmental Protection Zones</b></p> <p>The objective of this direction is to protect and conserve environmentally sensitive areas.</p> <p>A planning proposal must include provisions that facilitate the protection and conservation of environmentally sensitive areas.</p> <p>A planning proposal that applies to land within an environment protection zone or land otherwise identified for environment protection purposes in a LEP must not reduce the environmental protection standards that apply to the land (including by modifying development standards that apply to the land).</p>  | <p>Part of the Hobartville Stud landholding contains E2 Environmental conservation land – See <b>Figure 4</b>. This land will be protected and will not be impacted by the proposed development.</p> |
| <p><b>2.2 Coastal Protection</b></p> <p>The objective of this direction is to protect and manage coastal areas of NSW.</p>   | <p>The landholding includes lands identified as 'Coastal Wetlands' and a 'proximity area for</p>   |

| Ministerial Direction  | Comment  |
|--|--|
| <p>A planning proposal must include provisions that give effect to and are consistent with:</p> <ul style="list-style-type: none"> <li>(a) the objects of the Coastal Management Act 2016 and the objectives of the relevant coastal management areas;</li> <li>(b) the NSW Coastal Management Manual and associated Toolkit;</li> <li>(c) NSW Coastal Design Guidelines 2003; and</li> <li>(d) any relevant Coastal Management Program that has been certified by the Minister, or any Coastal Zone Management Plan under the Coastal Protection Act 1979 that continues to have effect under clause 4 of Schedule 3 to the Coastal Management Act 2016, that applies to the land.</li> </ul> <p>A planning proposal must not rezone land which would enable increased development or more intensive land-use on land:</p> <ul style="list-style-type: none"> <li>(a) within a coastal vulnerability area identified by the State Environmental Planning Policy (Coastal Management) 2018; or</li> <li>(b) that has been identified as land affected by a current or future coastal hazard in a local environmental plan or development control plan, or a study or assessment undertaken: (i) by or on behalf of the relevant planning authority and the planning proposal authority, or (ii) by or on behalf of a public authority and provided to the relevant planning authority and the planning proposal authority.</li> </ul> <p>A planning proposal must not rezone land which would enable increased development or more intensive land-use on land within a coastal wetlands and littoral rainforests area identified by the State Environmental Planning Policy (Coastal Management) 2018.</p> | <p>coastal wetlands’ by the State Environmental Planning Policy (Coastal Management) 2018. The land subject to the proposed development is outside of the area identified as containing Coastal Wetlands. The proposed development will not therefore result in increased development or more intensive land-use on land within a coastal wetlands area.</p>   |
| <p><b>2.3 Heritage Conservation</b></p> <p>The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.</p> <p>A planning proposal must contain provisions that facilitate the conservation of:</p> <ul style="list-style-type: none"> <li>(a) items, places, buildings, works, relics, moveable objects or precincts of environmental heritage significance to an area, in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of the item, area, object or place, identified in a study of the environmental heritage of the area,</li> <li>(b) Aboriginal objects or Aboriginal places that are protected under the National Parks and Wildlife Act 1974, and</li> <li>(c) Aboriginal areas, Aboriginal objects, Aboriginal places or landscapes identified by an Aboriginal heritage survey prepared by or on behalf of an Aboriginal Land Council, Aboriginal body or public authority and provided to the relevant planning authority, which identifies the area, object, place or landscape as being of heritage significance to Aboriginal culture and people.</li> </ul>  | <p>The site includes heritage listed items. It is not proposed to make any changes to the heritage items on site.</p> <p>A Culutral Heritage Report has been prepared by GML (<b>Appendix 2</b>) and assesses the proposed development as illustrated by the Masterplan. The design process was undertaken with careful consideration of the heritage values of the site and locality.</p> <p>The objectives of this direction are satisfied Refer to <b>Section 9</b> for further assessment.</p> |
| <p><b>2.4 Recreation Vehicle Areas</b></p>   | <p>NA</p>  |
| <p><b>2.5 Application of E2 and E3 Zones and Environmental Overlays in Far North Coast WLEPs</b></p>   | <p>NA</p>  |
| <p><b>3 Housing, Infrastructure and Urban Development</b></p>  |  |
| <p><b>3.1 Residential Zones</b></p> <p>A planning proposal must include provisions that encourage the provision of housing that will:</p> <ul style="list-style-type: none"> <li>(a) broaden the choice of building types and locations available in the housing market, and</li> </ul>  | <p>The proposal will provide high quality housing within walking distance to Richmond centre and train station, as detailed in the Masterplan Report (<b>Appendix 1</b>).</p>  |



| Ministerial Direction   | Comment  |
|---|--|
| <p>(b) make more efficient use of existing infrastructure and services, and</p> <p>(c) reduce the consumption of land for housing and associated urban development on the urban fringe, and</p> <p>(d) be of good design.</p> <p>A planning proposal must, in relation to land to which this direction applies:</p> <p>(a) contain a requirement that residential development is not permitted until land is adequately serviced (or arrangements satisfactory to the council, or other appropriate authority, have been made to service it), and</p> <p>(b) not contain provisions which will reduce the permissible residential density of land.</p>  | <p>The site can be appropriately serviced - as detailed in the accompanying Engineering Infrastructure Report (<b>Appendix 6</b>).</p> <p>The planning proposal is therefore considered to be consistent with this Direction.</p>  |
| <b>3.2 Caravan Parks and Manufactured Home Estates</b>  | NA   |
| <b>3.3 Home Occupations</b>   | NA   |
| <p><b>3.4 Integrating Land Use and Transport</b></p> <p>The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives:</p> <p>(a) improving access to housing, jobs and services by walking, cycling and public transport, and</p> <p>(b) increasing the choice of available transport and reducing dependence on cars, and</p> <p>(c) reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and</p> <p>(d) supporting the efficient and viable operation of public transport services, and</p> <p>(e) providing for the efficient movement of freight</p> <p>A planning proposal must locate zones for urban purposes and include provisions that give effect to and are consistent with the aims, objectives and principles of:</p> <p>(a) Improving Transport Choice – Guidelines for planning and development (DUAP 2001), and</p> <p>(b) The Right Place for Business and Services – Planning Policy (DUAP 2001)</p> | <p>The planning proposal is consistent with the objective of this Direction by way of providing housing in close proximity to an existing strategic centre. Refer to <b>Section 9</b> and <b>Appendix 3</b>.</p>   |
| <b>3.5 Development Near Licensed Aerodromes</b>   | NA   |
| <b>3.6 Shooting Ranges</b>  | NA   |
| <b>3.7 Reduction in non-hosted short term rental accommodation period</b>   | NA   |
| <b>4. Hazard and Risk</b>   |  |
| <p><b>4.1 Acid Sulphate Soils</b></p> <p>The objective of this direction is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils.</p> <p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are: (a) justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or (b) of minor significance.</p>   | <p>The landholding is identified in Council’s HLEP 2012 Maps as potentially containing acid sulphate soils (Class 4 and 5). The land subject to redevelopment is identified as potentially being affected by only Class 5 Soils.</p> <p>If required, an investigation of the site can be undertaken prior to any proposed redevelopment of the site.</p> |

| Ministerial Direction   | Comment   |
|---|---|
| <b>4.2 Mine Subsidence and Unstable Land</b>  | NA  |
| <p><b>4.3 Flood Prone Land</b><br/>                     The objectives of this direction are:<br/>                     (a) to ensure that development of flood prone land is consistent with the NSW Government’s Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005, and<br/>                     (b) to ensure that the provisions of an LEP on flood prone land is commensurate with flood hazard and includes consideration of the potential flood impacts both on and off the subject land.<br/>                     A planning proposal must include provisions that give effect to and are consistent with the NSW Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005 (including the Guideline on Development Controls on Low Flood Risk Areas).<br/>                     A planning proposal must not contain provisions that apply to the flood planning areas which:</p> <ul style="list-style-type: none"> <li>▪ permit development in floodway areas,</li> <li>▪ permit development that will result in significant flood impacts to other properties,</li> <li>▪ permit a significant increase in the development of that land,</li> <li>▪ are likely to result in a substantially increased requirement for government spending on flood mitigation measures, infrastructure or services, or</li> <li>▪ permit development to be carried out without development consent except for the purposes of agriculture (not including dams, drainage canals, levees, buildings or structures in floodways or high hazard areas), roads or exempt development.</li> </ul> <p>A planning proposal must not impose flood related development controls above the residential flood planning level for residential development on land, unless a relevant planning authority provides adequate justification for those controls to the satisfaction of the Director-General (or an officer of the Department nominated by the Director-General).</p> <p>For the purposes of a planning proposal, a relevant planning authority must not determine a flood planning level that is inconsistent with the Floodplain Development Manual 2005 (including the Guideline on Development Controls on Low Flood Risk Areas) unless a relevant planning authority provides adequate justification for the proposed departure from that Manual to the satisfaction of the Director-General (or an officer of the Department nominated by the Director-General).</p> <p>A planning proposal may be inconsistent with this direction only if the relevant planning authority can satisfy the Director-General (or an officer of the Department nominated by the Director-General) that:</p> <ul style="list-style-type: none"> <li>▪ the planning proposal is in accordance with a floodplain risk management plan prepared in accordance with the principles and guidelines of the Floodplain Development Manual 2005, or</li> <li>▪ the provisions of the planning proposal that are inconsistent are of minor significance.</li> </ul> | <p>NA</p> <p>The design of the proposal was prepared in consultation with Flood specialist, as detailed in the accompanying Flood Impact Assessment prepared by Cardno <b>Appendix 4</b>.</p> <p>The proposed development area for rezoning is located above the flood planning level.</p> <p>Carndno confirm that the masterplan and proposed rezoning complies with Hawkesbury Council flood related development controls and S9.1 Ministerial Direction.</p> |
| <b>4.4 Planning for Bushfire Protection</b>   | NA  |
| <b>5 Regional Planning</b>  |   |
| <b>5.1 Implementation of Regional Strategies</b>  | NA  |

| Ministerial Direction  | Comment  |
|--|--|
| <b>5.2 Sydney Drinking Water Catchments</b>  | NA   |
| <b>5.3 Farmland of State and Regional Significance on the NSW Far North Coast</b>  | NA   |
| <b>5.4 Commercial and Retail Development along the Pacific Highway, North Coast</b>  | NA   |
| <b>5.5 Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA)</b>  | NA   |
| <b>5.8 Second Sydney Airport: Badgerys Creek</b>   | NA   |
| <b>5.9 North West Rail Link Corridor Strategy</b>  | NA   |
| <b>5.10 Implementation of Regional Plans</b><br>The objective of this direction is to give legal effect to the vision, land use strategy, goals, directions and actions contained in Regional Plans.   | The consistency of this planning proposal with the Sydney Region Plan is discussed in Section 4.3.3.   |
| <b>5.11 Development of Aboriginal Land Council land</b>  | NA   |
| <b>6 Local Plan Making</b>   |  |
| <b>6.1 Approval and Referral Requirements</b><br>A planning proposal must: <ul style="list-style-type: none"> <li>▪ minimise the inclusion of provisions that require the concurrence, consultation or referral of development applications to a Minister or public authority, and</li> <li>▪ not contain provisions requiring concurrence, consultation or referral of a Minister or public authority unless the relevant planning authority has obtained the approval of:                             <ul style="list-style-type: none"> <li>▪ the appropriate Minister or public authority, and</li> <li>▪ the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General),</li> </ul> </li> <li>▪ prior to undertaking community consultation in satisfaction of section 57 of the Act, and</li> <li>▪ not identify development as designated development unless the relevant planning authority:                             <ul style="list-style-type: none"> <li>i. can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the class of development is likely to have a significant impact on the environment, and</li> <li>ii. has obtained the approval of the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) prior to undertaking community consultation in satisfaction of section 57 of the Act.</li> </ul> </li> </ul> | The planning proposal does not propose any such provisions listed in Direction 6.1.  |
| <b>6.2 Reserving Land for Public Purposes</b><br>A planning proposal must not create, alter or reduce existing zonings or reservations of land for public purposes without the approval of the relevant public authority and the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General).   | The proposal does not involve the reduction or removal of any land dedicated for public purposes.  |
| <b>6.3 Site Specific Provisions</b><br>A planning proposal that will amend another environmental planning instrument in order to allow a particular development proposal to be carried out must either: <ul style="list-style-type: none"> <li>▪ allow that land use to be carried out in the zone the land is situated on, or</li> <li>▪ rezone the site to an existing zone already applying in the environmental planning instrument that allows that land use</li> </ul>   | The planning proposal is consistent with the site-specific provisions to particular reference to the zoning of the site to an existing zone already applying in the HLEP 2012. |

| Ministerial Direction   | Comment  |
|---|--|
| <p>without imposing any development standards or requirements in addition to those already contained in that zone, or</p> <ul style="list-style-type: none"> <li>▪ allow that land use on the relevant land without imposing any development standards or requirements in addition to those already contained in the principal environmental planning instrument being amended.</li> </ul> <p>A planning proposal must not contain or refer to drawings that show details of the development proposal.</p> <p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are of minor significance.</p>   |  |
| <p><b>7. Metropolitan Planning</b></p>  |  |
| <p><b>7.1 Implementation of the Metropolitan Plan for Sydney</b></p> <p>The objective of this direction is to give legal effect to the planning principles; directions; and priorities for subregions, strategic centres and transport gateways contained in A Plan for Growing Sydney. Planning proposals shall be consistent with: (a) the NSW Government’s A Plan for Growing Sydney published in December 2014.</p> <p>A planning proposal may be inconsistent with the terms of this direction only if the Relevant Planning Authority can satisfy the Secretary of the Department of Planning &amp; Environment (or an officer of the Department nominated by the Secretary), that the extent of inconsistency with A Plan for Growing Sydney:</p> <p>(a) is of minor significance, and</p> <p>(b) the planning proposal achieves the overall intent of the Plan and does not undermine the achievement of its planning principles; directions; and priorities for subregions, strategic centres and transport gateways</p> | <p>The 2015 ‘A Plan for Growing Sydney’ has been replaced with the 2018 ‘Greater Sydney Region Plan – A Metropolis of three cities’. The consistency of this planning proposal with the Sydney Region Plan is discussed in <b>Section 9</b>.</p> <p>The planning proposal will achieve the overall intent of the Plan and does not undermine the achievement of its planning principles; directions; and priorities. This includes providing housing, public open space and access to cultural heritage.</p> |
| <p><b>7.2 Implementation of Greater Macarthur Land Release Investigation</b></p>  | <p>NA</p>  |

## Section C – Environmental, Social and Economic Impacts

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

The site has not been identified as containing any critical habitat, as confirmed by Council's Section 10.7 Planning Certificate.

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

A detailed assessment of the environmental impacts of the Planning Proposal is provided in **Assessment of Planning Issues - Section 9** of this planning proposal.

### 5.4.7 Q9 - Has the planning proposal adequately addressed any social and economic effects?

The planning proposal will address the following social and economic considerations:

- Contribute to the local economy, including positive impacts on nearby local services through increased population.
- Contribute to employment, particularly during the construction phase.
- An increase in housing supply that will support local housing demand. Including the provision of housing choice and contributing a proportion of total dwellings to affordable housing.
- Providing new public open space and recreational space, encouraging a health and active community, and providing improved amenity for workers, residents and visitors to the area.
- making available to opportunity for

## Section D – State and Commonwealth Interests

### 5.4.8 Q 10 - Is there adequate public infrastructure for the planning proposal?

The site is within walking distance to Richmond centre, an established mixed-use area providing a range of community uses including parks, schools, childcare and local services. The Engineering Infrastructure Report (**Appendix 6**) confirm that there is capacity within the existing infrastructure networks to service the site. '

It is accordingly in the interest of the State Government to intensify housing on the edge of an urban area, in close proximity to these services.

### 5.4.9 Q 11 - What are the views of State and Commonwealth public authorities consulted?

A meeting was held with Council in October 2018 to discuss a future Planning Proposal on the site.

Upon lodgement, no formal consultation has been undertaken with other State or Commonwealth authorities. Where necessary, consultation with relevant authorities will be undertaken during the assessment of the Planning Proposal and as required in accordance with initial Gateway determination.

## 6. PART 4 - Mapping

The proposed amendments to the current HELP 2012 are provided at **Appendix 1**. Should the planning proposal progress through the Gateway Determination and plan making process, additional mapping would be undertaken in accordance with the Standard Technical Requirements for Spatial Datasets and Maps (issued by the Department of Planning and Environment).

## 7. PART 5 - Consultation and Engagement

The importance of engagement and community involvement as part of the planning proposal process is understood and acknowledged by the owners of the site

It is noted that public exhibition of the planning proposal is generally undertaken in the following manner:

- notification in a newspaper that circulates in the area affected by the planning proposal
- notification on the website of the Relevant Planning Authority (RPA)
- notification in writing to affected and adjoining landowners, unless the planning authority is of the opinion that the number of landowners makes it impractical to notify them

During the exhibition period, the following material is to be made available for inspection:

- the planning proposal, in the form approved for community consultation by the Gateway determination,
- the Gateway determination, and
- any information or technical information relied upon by the planning proposal.

Proposals that are considered to be of low-impact are to be exhibited for a minimum of 14 days, whilst all other proposals are to be exhibited for a minimum 28 days.

It is important to note that Council (or the Relevant Planning Authority) can undertake additional consultation if this is deemed appropriate or necessary. This may include, but is not limited to broad consultation by letter, open days or public forum.

## 8. Indicative Project Timeline

The Department’s *Planning Proposals: A guide to preparing planning proposals* (August 2016) requires an indicative project timeline to be included with the Planning Proposal. This is provided below (**Table 20**) and assumes Council’s endorsement of the Proposal and issue of a Gateway determination.

The planning proposal timeline will be determined in consultation with Hawkesbury City Council.

Assuming the planning proposal is endorsed by Council, the timeframe for the consideration and completion of the planning proposal is dependent upon a number of variables including:

- Council’s consideration of the proposal and need or otherwise for additional information.
- The need or requirement for referrals to any relevant Government agencies.
- The extent and duration of community consultation (public exhibition).

**Table 20:** Indicative Project Timeline (noting that final timeline will be subject to the Council)

| Stage   | Indicative Timeframe                            |
|---|---|
| Lodgement of Planning Proposal with Council   | October 2019                                    |
| Consideration by Council of Planning Proposal (including review by Local planning Panel)                      | February 2020                                   |
| Referral to Department of Planning & Environment for Gateway Determination                                    | February 2020                                   |
| Gateway Determination   | May 2020  |
| Timeframe for completion of any technical information and any government agency referrals                     | July 2020                                       |
| Public exhibition   | August 2020                                     |
| Timeframe for consideration of submissions and consideration of planning proposal following public exhibition | October 2020                                    |
| Anticipated date the RPA will make the plan (assuming delegation to Council)                                  | January 2021                                    |
| <b>Overall estimated timetable</b>  | <b>October 2019 to January 2021 (15 months)</b> |



## 9. Assessment of Planning Issues

This section considers the key planning issues associated with the Planning Proposal as well as those associated with a future development.

### 9.1 Urban Design Analysis and Masterplan

The detailed Urban Design Report prepared by Roberts Day (**Appendix 1**) sets the vision for the site, and includes a Masterplan for the site. The scheme has been developed in collaboration with a number of specialists, including Heritage (GML), Flooding Cardno), Traffic and Parking (GTA),

In establishing the planning proposal, an indicative architectural scheme and montages have been prepared by Roberts Day to ensure that all relevant built form, separation, amenity, and design parameters are appropriately considered. This included working closely with GML Heritage in response to the heritage status of the site and built form response. The outcomes of these investigations have guided the content of the planning proposal.

The proposed built form has been designed to be sympathetic to the character of surrounding development and the heritage precinct. The typologies of residential development are considered to be consistent with the type and character of surrounding residential development which is predominantly single storey, detached dwellings.

Careful consideration has been given to all the design elements that contribute to creating a 'great place' consistent with the 'Better Placed' design objectives within the *Design Guide – Draft Urban Design for Regional NSW 2019* (draft Design Guide) issued by the Government Architect NSW.

### 9.2 Heritage

A collaborative approach with the heritage specialists and urban designers has ensured the heritage impacts of the proposal are carefully considered. The project Heritage Consultants, GML have assessed the proposal in terms of impact on the significant characteristics of the heritage items. A Cultural Heritage Report is provided at **Appendix 2**.

The report considers the historical development of the locality, site and surrounds, heritage listing and controls, significance of each of the buildings, and the historical development pattern. The following conclusions are provided in the report.

- The planning proposal is considered acceptable in heritage terms in that it will retain a core heritage precinct around the built and landscape elements of significance on the property. An appropriate setting, significant view lines to and from the property will be retained, as will the relationship between key heritage areas within the property including the house, the stables, the carriageway and the oak avenue. Detailed design development will need to address specific issues such as the form and appearance of the residential development, landscaping and urban design including new plantings to screen the residential development from view within the core heritage precinct, elements such as fences and potential road upgrades and impact to the carriageway will need to be effectively managed to conserve significance through a site specific Development Control Plan.

- The planning proposal includes strategies for a sustainable ongoing use of the heritage precinct, for example continued use as a horse stud, retention of the house as a private residence (with opportunities for public access), or transferring the precinct to Council ownership as part of a voluntary planning agreement and heritage agreement to enable its conservation.
- An Aboriginal Cultural Heritage Assessment should be undertaken after gateway determination to assess the potential for Aboriginal objects or places to remain on the site.
- An Archaeological Assessment Report should be prepared to assess the potential for historical European archaeology to remain on the site.
- The Hobartville CMP should be updated with a new, user-friendly document with relevant and practical policies relating to ongoing management of the place in its current context. This should be followed with the preparation of a Schedule of Conservation Works for the Hobartville residence and other significant buildings on the property.
- The proposed development control plan/masterplan following gazettal should be accompanied by a detailed Heritage Impact Statement prepared by a qualified heritage professional.
- Following the identification of a suitable future use for the core heritage precinct within the property, a Heritage Interpretation Strategy should be developed for the complex, particularly if public access is anticipated.

### 9.3 Flooding

A Flood Impact Assessment has been prepared by Cardno (**Appendix 4**) to accompany this planning proposal and confirm compliance with current Flood Planning requirements. The report assesses the flood risk management issues relating to the proposed rezoning. It includes the following:

- Consideration of the Hawkesbury-Nepean Valley Flood Risk Management Strategy;
- New flood level information for the site from the recently completed Hawkesbury-Nepean Valley Regional Flood Study (WMA Water, 2019);
- Assesses the proposed development in accordance with Hawkesbury Councils' current planning controls and policies;
- Considers flood related State Government guidelines including the Section 9.1 Ministerial Direction
- Recommends a local evacuation route from the proposed development to the regional evacuation route;
- Provides an overview of regional evacuation issues

Flood impacts for the proposed rezoning at the Hobartville Stud have been assessed. This assessment used flood level estimates from the recently completed Hawkesbury-Nepean Valley Regional Flood Study (July 2019). It was found that the proposed development complies with Hawkesbury Council flood related development controls and S9.1 Ministerial Direction.

### 9.4 Traffic, Access and Parking

A Transport Impact Assessment has been prepared by GTA for the site (**Appendix 3**). The Assessment sets out an assessment of the anticipated transport implications of the planning proposal and concludes that the proposed land use and density of zoning development is supportable in terms of its traffic and parking impacts

The report sets out an assessment of the anticipated transport implications of the planning proposal, including consideration of the following: Check

- existing traffic and parking conditions surrounding the site
- suitability of the proposed parking in terms of supply (quantum)
- service vehicle requirements
- pedestrian and bicycle requirements
- the traffic generating characteristics of the planning proposal
- suitability of the proposed access arrangements for the site
- initiatives to reduce the reliance on private vehicle travel to the site
- the transport impact of the development proposal on the surrounding road network.

#### Traffic

The additional traffic generated by the proposal would be low and presents a minor impact on the surrounding road network, with local area intersections clearly having sufficient capacity to accommodate the full development of the site. Broader road network improvements by Roads and Maritime would also further improve traffic conditions through the area.

### **Access**

Vehicle Access to the site is provided via two entries/exists. The western section of the site is proposed to be afforded access via two separate driveways in the western corner of William Cox Drive, close to Grand Flaneur Avenue. The eastern section proposes to retain access via the existing gates on Chapel Street to the east.

All internal roads will continue to function as private roads and allow for two-way vehicle access to a future community titled development.

### *Evacuation Routes*

The site and broader Richmond sector are within the Castlereagh Road route catchment (identified by the 'magenta' line), with future residents/ tenants able to use William Cox Drive to directly access the Castlereagh Road evacuation route and travel towards the Penrith Sector and South Creek. Other routes are also available via the Londonderry Sector. A number of the critical points have been upgraded to cope with a one in 500-year local flood event as a result of past Hawkesbury River flooding

### **Parking**

The Masterplan proposal generates a parking requirement of 260 spaces, 24 of which are required for use by visitors (as per the current requirement as the DCP). The site layout plans indicate that an adequate quantum of visitor parking dispersed throughout the eastern and western sections is achievable, with each dwelling to also include provision of two parking spaces on title. Where spaces are accessed via one-way sections along the internal roads, the spaces would need to be adequately set back from the frontage streets to ensure adequate manoeuvring area in accordance with DCP 2002 and AS2890.1:2004

### **Conclusion**

The Assessment concludes that the planning proposal is supportable in terms of its traffic and parking impacts subject to the provision of the required compliant parking, and further DA assessment of the traffic impact on the surrounding road network.

## **9.5 Infrastructure Capacity**

An Engineering Infrastructure Report (**Appendix 6**) has been prepared by Wood & Grieve Engineers. The report considered the existing site characteristics and the capacity of electrical, communication and all hydraulic service networks to service the proposal. In summary, the report confirms that there is adequate capacity for each network to service future development.

## **9.6 Acid Sulphates**

The planning proposal does not seek any amendments to Acid Sulphate Soils map which identifies the site as Category 5 (lowest level category). Future development for residential proposal is not likely to impact on acid sulphates and will be confirmed as part of the detailed architectural design stage of the proposal.

## 9.7 Public Benefits

The proponent has indicated a preparedness to enter into a Voluntary Planning Agreement (VPA) with Council in order to provide certainty over the provision of public benefits arising from the proposed development. These include a range of options set out below.

Details of the final public benefit offer will be discussed with Council as part of the progression of the planning proposal. The unique context of the site, its heritage significance, topography and access to views and vistas as such that the opportunities that are inherent to the site cannot be replicated elsewhere within Hawkesbury LGA.

- Construction of and access to an accessible promenade with public access to 4ha of historic and landscaped curtilage
- Contribution to local housing choice adjacent and within a walkable distance of the existing Richmond Centre, including a percentage of housing to be dedicated as ‘affordable housing’
- Creation and potential to dedicate of publicly accessible open space, including infrastructure such as play equipment, parking and BBQ areas
- Landscaping or additional water storage areas on the site (such as additional ponds or lagoons)
- Activation of existing core heritage precinct consistent with the recommendation (various options) as set out in the Cultural Heritage Assessment (**Appendix 2**).

## 9.8 Site-Specific Merit

Together with the strategic merit test it is necessary for the planning proposal to satisfy the site-specific merit tests as prescribed by the Department of Planning’s Guidelines. Those site-specific merit test criteria are provided below. How each of those criteria have been satisfied has been informed by the supporting specialist studies. Consistency with the established sit-specific merit test for Planning Proposal is provided below:

**Table 21 – Consistency with Site-Specific Merit Criteria**

| Objective   | Planning Proposal Response   |
|---|--|
| <i>The natural environment (including known significant environmental values, resources or hazards)</i> | Key features of the natural environment critical to establishing whether the site is suitable and capable of being used for the uses anticipated by the planning proposal have been addressed and informed by specialist consultant reports. The development has been designed and sited to minimise adverse environmental impact including protection of the majority of significant trees, and wetlands. Flood planning levels have also informed the locating of future housing. This has been reaffirmed by GML heritage who have methodically considered and refined the proposed areas of rezoning and built form. |

| Objective  | Planning Proposal Response   |
|--|--|
| <p><i>The existing uses, approved uses and likely future uses of land in the vicinity of the land subject to the planning proposal</i></p>   | <p>The site is currently operated as a stud farm and is not currently used for intensive agricultural production. The existing use is expected to discontinue in the near future and therefore alternative uses for the land area required.</p> <p>The proposed changes to planning controls relate to part of the landholding only. The majority of the landholding will be retained as rural and environmental conservation land.</p> <p>The planning proposal will result in increased public access to open space and appreciation of heritage items.</p> <p>The siting, density and height of buildings proposed (as informed by the Masterplan) are not expected to impact surroundings heritage items or existing uses.</p> <p>Accordingly, the rezoning of a small portion of the site from rural to residential use is supportable.</p> |
| <p><i>The services and infrastructure that are or will be available to meet the demands arising from the planning proposal and any proposed financial arrangements for infrastructure provision.</i></p> | <p>The land can be serviced as detailed in the accompanying Engineering Infrastructure Report (<b>Appendix 6</b>)</p> <p>In terms of any financial arrangements for the provision of community infrastructure (e.g. public open space and walkways), it is the intention of the proponent to enter into a Voluntary Planning Agreement (VPA) with Council.</p>   |

## 10. Conclusion

This planning proposal aims to increase housing supply on the edge of an existing strategic town centre location. It aims to do so by seeking the support of Council to make the best use of the site by providing housing, access to heritage buildings, and a new community and cultural infrastructure. The planning proposal will have a net community benefit.

The issue of flooding over the site is acknowledged however the accompanying Flood Impact Assessment confirms that it is capable of complying with the relevant State standards and is capable of being used for residential purposes. More broadly in terms of planning, housing and community benefits, the site has considerable strategic merit that supports and justifies its rezoning.

In establishing how the planning proposal 'fits' in the context of the Richmond precinct and the wider strategic setting of Hawkesbury, a review has been undertaken of the planning proposal against the local (Council) and regional (NSW Government) policy framework. As such, the planning proposal is considered to be justified and supportable in terms of its strategic and site-specific merit.

The planning proposal aims to be an exemplar approach to appropriate infill development within the Hawkesbury Council LGA, which results in an overall net benefit to the community.

The planning proposal confirms that the proposed amending of the HELP 2012 is supportable and justified in terms of both strategic and site-specific merit. The planning proposal and supporting analysis and studies, confirms that the location, policy and interface with heritage are appropriate for the site.

By reference to all relevant regional planning principles and goals and local strategies, the planning proposal is supportable.