

HAWKESBURY CITY COUNCIL

PLANNING PROPOSAL

JACARANDA PONDS

REZONING OF LOT 2 DP 533402 AND LOT 52 DP 1104504, 103 SPINKS ROAD, GLOSSODIA; LOT 20 DP 214753, 213 SPINKS ROAD, GLOSSODIA; LOT 75 DP 214752, 361 SPINKS ROAD, GLOSSODIA; LOT 3 DP 230943, JAMES STREET, GLOSSODIA; LOT 44 DP 214755, 3 DERBY PLACE, GLOSSODIA; LOT 50 DP 751637, 746A KURMOND ROAD, FREEMANS REACH; LOTS 1, 2 AND 3 DP 784300, 780A – 780C KURMOND ROAD, NORTH RICHMOND

JUNE 2012

REF No: LEP89001/10

Introduction

Hawkesbury City Council (Council) has received an application from E J Cooper & Son Pty Ltd for the rezoning of:

Lot 2 DP 533402 and Lot 52 DP 1104504, 103 Spinks Road, Glossodia
Lot 20 DP 214753, 213 Spinks Road, Glossodia
Lot 75 DP 214752, 361 Spinks Road, Glossodia
Lot 3 DP 230943, James Street, Glossodia
Lot 44 DP 214755, 3 Derby Place, Glossodia
Lot 50 DP 751637, 746A Kurmond Road, Freemans Reach
Lots 1, 2 and 3DP 784300, 780A – 780C Kurmond Road, North Richmond

for primarily large lot residential and/or residential development.

For the purposes of the application EJ Cooper & Son Pty Ltd are represented by EG Property Group (EGPG).

The application has been reported to the Ordinary Meeting of Council on 26 July 2011, 29 November 2011 and 27 March 2012. At the meeting of 27 March 2012 Council resolved as follows:

That:

1. *Council support the preparation of a Planning Proposal for the land comprising of:

Lot 2 DP 533402 and Lot 52 DP 1104504, 103 Spinks Road, Glossodia
Lot 20 DP 214753, 213 Spinks Road, Glossodia
Lot 75 DP 214752, 361 Spinks Road, Glossodia
Lot 3 DP 230943, James Street, Glossodia
Lot 44 DP 214755, 3 Derby Place, Glossodia
Lot 50 DP 751637, 746A Kurmond Road, Freemans Reach
Lots 1, 2 and 3DP 784300, 780A - 780C Kurmond Road, North Richmond

to rezone the land primarily for large lot residential and/or residential development.*
2. *The concept plan titled "Jacaranda Ponds Planning Proposal Concept Plan, November 2011" and plan titled "Glossodia - Jacaranda Ponds Proposed Layout and Recreational Areas", reference number 9420/SK07 A, prepared by J. Wyndham Prince attached to this report be adopted for the purposes of preparing the planning proposal.*
3. *EG Property Group, in consultation with Council staff, be requested to provide Council with a planning proposal consistent with resolution 1 and 2 and Department of Planning and Infrastructure's "A guide to preparing planning proposals".*
4. *The planning proposal be forwarded to the Department of Planning and Infrastructure for a "gateway" determination.*
5. *If the Department of Planning and Infrastructure determines that the planning proposal is to proceed, Council commence Voluntary Planning*

Agreement negotiations with EG Property Group and any other relevant party.

6. *The Department of Planning and Infrastructure and EG Property Group be advised that in addition to all other relevant planning considerations being addressed, final Council support for the proposal will only be given if Council is satisfied that satisfactory progress has been made:*
 - a. *Towards resolving the existing traffic problems.*
 - b. *Replacement of the Windsor Bridge.*
 - c. *Measures to upgrade local roads affected by the proposal.*

Accordingly, this PP has been prepared by Council staff with the assistance of information provided by EGPG's planning consultant Urbis Pty Ltd (Urbis).

This PP follows the Department of Planning and Infrastructure's (DP&I) format for PPs as outlined in *A guide to preparing Planning Proposals*, dated July 2009.

This PP is accompanied by the following reports/studies which have been either prepared or commissioned by EGPG:

- Traffic Impact Study, prepared by ARUP, March 2010 and additional information dated 16 December 2010
- Indigenous and Non-Indigenous Heritage Assessment, prepared by Godden Mackay Logan Pty Ltd, December 2009
- Flora and Fauna Constraints Assessment, prepared by Travers Bushfire & Ecology, September 2009
- Land Resource Assessment, prepared by GSS Environmental, April 2010 and additional information dated 13 December 2010
- Preliminary Bushfire Constraints, prepared by Australian Bushfire Protection Planners Pty Ltd, September 2009
- Stream Classification, prepared by WorleyParsons, August 2009
- Preliminary Environmental Site Assessment, prepared by JBS Environmental Pty Ltd, October 2009

These reports are based on an earlier PP to rezone the site for 179 rural residential lots. The traffic impact study, bushfire assessment and flora and fauna assessment will require updating to reflect the current proposal. It is anticipated these reports will be updated as a result of the gateway determination.

Furthermore, EGPG have advised Council that they are prepared to enter into a Voluntary Planning Agreement for the provision of public infrastructure. It is anticipated this would include the provision of open space, recreational facilities, community facilities, road works.

Finally, if the PP is to proceed, it is anticipated that a site specific Development Control Plan (DCP) will be prepared. This will be considered after the gateway determination of DP&I.

Proposal Summary

The PP can be summaries as follows:

- Creation of approximately 580 large lot residential and residential allotments.
- Retention of the two large dams on the site will allow for aquatic and bird-life habitat.
- Creation of a new public open space surrounding the largest dam in the north-eastern corner of the site that could accommodate walking and cycling tracks, picnic and entertainment areas.
- Planting and rehabilitation of an extensive riparian corridor along the entire Currency Creek boundary of the site, this corridor will enhance the site's walking and bicycle tracks.
- Creation of three contiguous north-south ecological corridors and an east-west ecological corridor. Vegetation species to be planted within the corridors will be selected to enhance the existing ecological communities at the site.
- New infrastructure opportunities for the town, with over \$23 million to be made available for new and improved local infrastructure.

The Site and Surrounds

The site is irregular in shape and in total has an area of approximately 185.3ha. The site consists of the following properties:

Lot 2 DP 533402 and Lot 52 DP 1104504, 103 Spinks Road, Glossodia
Lot 20 DP 214753, 213 Spinks Road, Glossodia
Lot 75 DP 214752, 361 Spinks Road, Glossodia
Lot 3 DP 230943, James Street, Glossodia
Lot 44 DP 214755, 3 Derby Place, Glossodia
Lot 50 DP 751637, 746A Kurmond Road, Freemans Reach
Lots 1, 2 and 3DP 784300, 780A – 780C Kurmond Road, North Richmond

Figure 1 below shows an aerial photo of the site.

FIGURE 1 – SITE AERIAL



GLOSSODIA SITE AERIAL 

213 and 361 Spinks Road, Glossodia are currently zoned Housing under Hawkesbury Local Environmental Plan 1989 (HLEP 1989) and are proposed to be zoned R2 Low Density Residential under Draft Hawkesbury Local Environmental Plan 2012 (DLEP 2012). Clause 12(5) of HLEP 1989 prohibits the subdivision of Housing zoned land in Glossodia, except for the purposes of a boundary adjustment. All of the other properties are currently zoned Mixed Agriculture under HLEP 1989, proposed to be zoned RU1 Primary Production under DLEP 2012, with a minimum lot size for subdivision of 10ha.

The site is bounded to the north by Spinks Road and Housing zoned land, to the east by Mixed Agriculture zoned land, to the south by Currency Creek with Mixed Agriculture zoned land beyond, and to the west by Spinks Road and Housing and Mixed Agriculture zoned land. The adjoining Housing zoned land to the north and west is generally 1ha – 2 ha in area with smaller 550m² to 4000m² (approx) properties fronting Spinks Road. Surrounding Mixed Agriculture zoned land to the west, south and east is generally 10ha – 15ha in area.

The majority of the site is cleared and undeveloped. The site is undulating and varies in elevation from approximately 80m westerly, 70m northerly, 40m easterly, and 30m southerly. A steep sloping section generally in excess of 15% passes through the middle of the site in an east-west direction.

The primary development on the site is a free range egg production farm (Pace Eggs) consisting of 10 sheds each with up to 19,000 birds located in the north western portion of the site and a chicken rearing farm (Baiada) consisting of 24 sheds is located in the south and south western portion of the site. Both the free range egg production farm

and the chicken rearing farm are proposed to be removed as part of the development of the site. The site also contains eight dwellings and associated farm buildings.

The site contains a number of dams, two are proposed to be retained. Currency Creek forms the southern boundary of the site and is bounded by riparian vegetation. Currency Creek is a watercourse with significant value, the main creek channel is continuously flowing, it provides habitat for riparian fauna, and the creek holds aquatic fauna.

The site is not subject to flood water inundation from the Hawkesbury River. The extent of any localised flooding from Currency Creek is unknown, however preliminary advice provided by EGPG suggests that the 1 in 100 year flood event level extends approximately 70m from the top of Currency Creek's bank.

All of the site is "bushfire prone land" (primarily vegetation category 2) according to NSW Rural Fire Service's Bushfire Prone Land Map and the site is "Class 5" land as shown on Council's Acid Sulfate Soils Planning Map.

The site falls within the Middle Nepean & Hawkesbury River Catchment Area of *Sydney Regional Environmental Plan No.20 Hawkesbury – Nepean River (No.2 – 1997)* and is not within an area of scenic significance under this SREP.

Views to the site are primarily from the north-east, west and south. The north-eastern portion of the site is primarily visible from James Street and Spinks Road east of James Street. The western and southern portions of site are primarily visible from Spinks Road and Kurmond Road, these views are partially obscured by the existing vegetation adjoining Currency Creek however the views to the southern face of the ridgeline running through the site are generally unobscured.

Urbis have provided the following photos of the site.



PICTURE 1 – VIEW OF LARGEST DAMS AT NORTH-EAST CORNER OF SITE



PICTURE 2 – VIEW OF CHICKEN REARING SHEDS



PICTURE 3 – VIEW OF CURRENCY CREEK



PICTURE 4 – VIEW LOOKING SOUTH-WEST WITH CHICKEN SHEDS IN THE DISTANCE



PICTURE 5 – WESTERLY VIEW TO THE MOUNTAINS



PICTURE 6 – WESTERLY VIEW ACROSS THE SITE

Context Analysis *(Provided by Urbis)*

Local Context

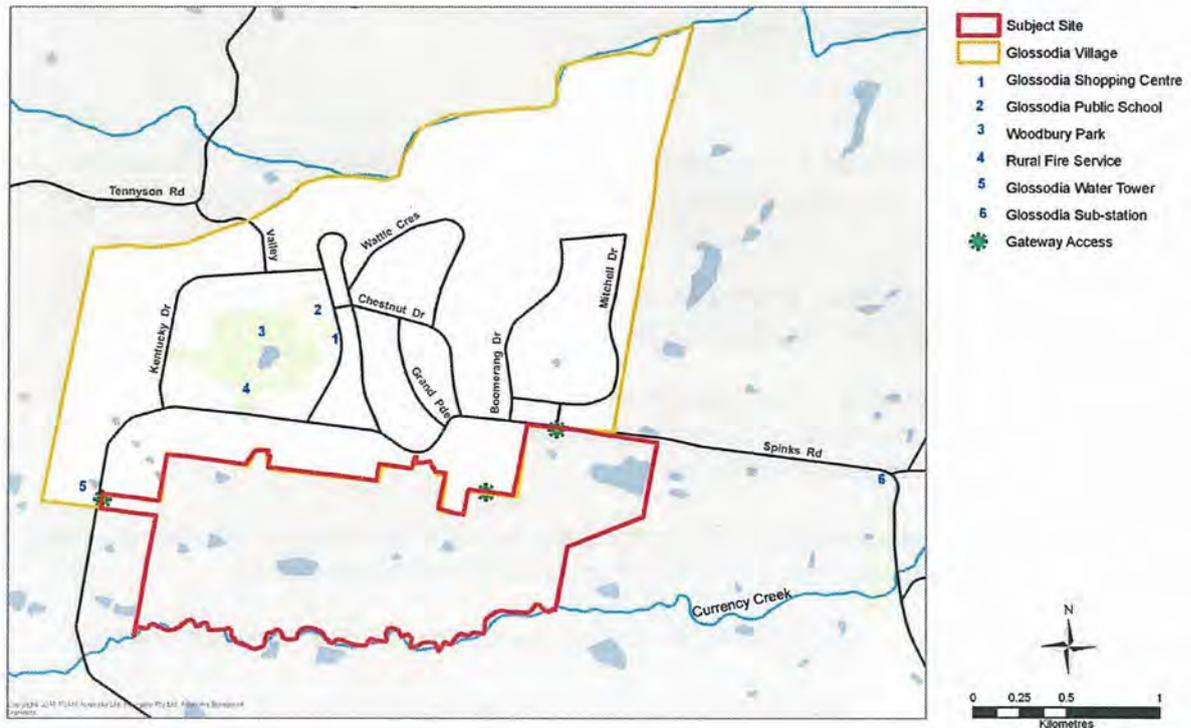
Glossodia is classified as a rural 'village' within in the Hawkesbury LGA. It is located only 7km north of Richmond and 9km north of Windsor which are the LGA's two major town centres.

Glossodia village contains a range of services and has existing infrastructure identified in Figure 2. In summary the village includes:

- **Retail Services** – The Glossodia Shopping Village provides for the daily convenience needs of the local community with a small supermarket, butcher, bakery, chemist and bottle shop.
- **Community Services** - The community centre located adjacent to the shopping centre provides before and after school care and vacation care.
- **Education** – Glossodia Public School, established in 1990 with 208 students.
- **Recreation** – Woodbury Park which supports active sporting pursuits (Glossodia Football Club) and passive recreational areas and a children's play area.
- **Physical Infrastructure** – Glossodia Substation, Glossodia Water Tower, Glossodia Rural Fire Service, and a series of local and collector roads.

In close proximity to Glossodia lies a secondary school at Freemans Reach (approximately 3kms) together with a full range of regional services and infrastructure (i.e. retail, commercial, educational, health and others) all neighbouring the townships of Richmond and Windsor (7km & 9km respectively).

FIGURE 2 – LOCAL CONTEXT MAP



GLOSSODIA LOCAL CONTEXT 

Settlement Profile

Glossodia is Hawkesbury’s second largest urban settlement north of the Hawkesbury River, behind North Richmond. The resident population of Glossodia, derived from the 2006 Australian Bureau of Statistics (ABS) Census has the following characteristics:

- The population of Glossodia at the 2006 census was 2,426 people, making Glossodia one of the larger rural-living villages in the Hawkesbury LGA.
- The town has a total of 840 private dwellings, 99% of which are detached houses.
- There are approximately 680 family households with some 60% characterised as couples with children. A further 26% were couple households with no children.
- Median age of residents is 30 years old. Over 45% of people were aged between 25-54 while people aged 65 and over (4.4%) constitute the smallest group.
- A relatively high proportion of residents are employed as technicians and trade workers (21%), followed by clerical and administrative (18%) roles.

In addition to the above demographic profile, the village of Glossodia also has the following services and facilities:

- A small village shopping centre providing for the daily convenience services of the local community with a small supermarket, butcher, bakery, chemist, bottle shop as well as a child care centre.
- Facilities include a public park and playing ground as well as a public school.
- Glossodia currently contains a range of lot sizes, from the more conventional 550sqm lots up to properties of 1 - 4 hectares in size. The large properties are generally located on the edge of the village, as illustrated in Figure 3 below.

FIGURE 3 – GLOSSODIA TOWNSHIP LOT SIZES



The PP gives due regard to both the demographic and settlement characteristics of Glossodia to ensure the following:

- Nature and scale of future development on the site will achieve a harmonious relationship with the existing township.
- Increase the housing mix and choice in the local area.
- Provide connectivity with existing services and facilities in a way that benefits the site and Glossodia.
- Open space and recreational areas on-site that are complementary to existing facilities within the township. These recreation areas will be available to the whole town and will include bike paths walkways, basketball courts, skate parks and riparian trails.

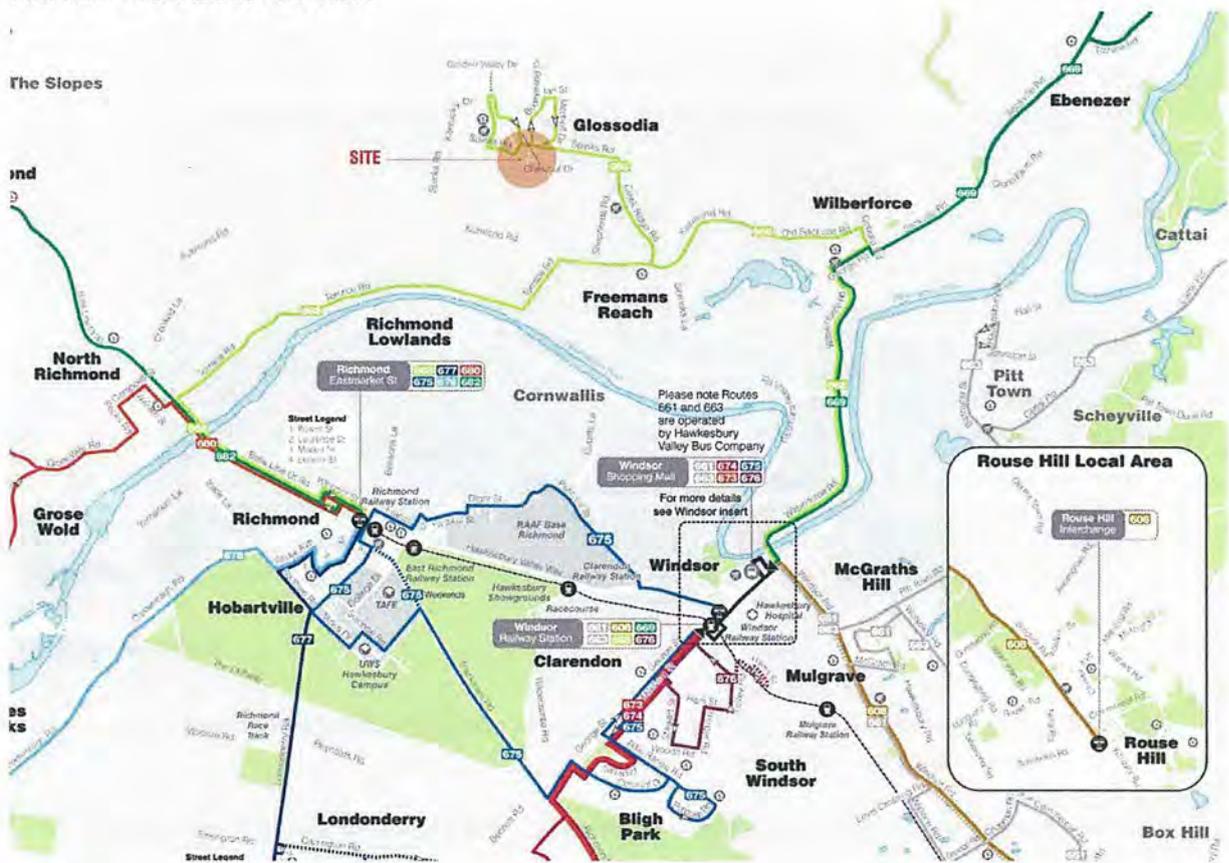
Transport and Access

The site can be accessed from various locations. The current principal access points are via a right-of-way from Kurmond Road in the south, across Currency Creek; from James Street to the north; and off Spinks Road on the western part of the property.

Spinks Road is a collector road running north-south and east-west and forms the northern and western boundaries of the site. To the east of the site, Creek Ridge Road links with Spinks Road and traverses in a southerly direction towards Freemans Reach village.

The bus route Number 668 (shown in light green in Figure 4 below) is currently operated by Westbus and provides a direct link from the site to both Richmond and Windsor. This allows residents to have an alternative to car use as the service has direct links to the metropolitan Western Line rail services especially during the am and pm peak periods.

FIGURE 4 – LOCAL BUS NETWORK



Source: Westbus

Ecological Characteristics

The environmental characteristics of the site can be summarised as follows:

- Vast majority of the site comprises non-significant native and lawn-grass pasture lands with a small scattering of trees.
- Two large dams that provide aquatic habitat for a diversity of bird species, as well as a few smaller dams.

- Two Endangered Ecological communities were recorded at the site – Cumberland Plain Woodland and River-flat Eucalypt Forest on Coastal Floodplains.
- Hollow-bearing trees providing suitable habitat for recorded threatened micro-chiropteran bats and other hollow-dependent species were recorded.
- Currency Creek on the southern boundary – is a Category 1 watercourse that is flanked by riparian vegetation.

FIGURE 5 – SIGNIFICANT VEGETATION



PICTURE 7 – CUMBERLAND PLAIN WOODLAND



PICTURE 8 – RIPARIAN VEGETATION ALONG CURRENCY CREEK

The Planning Proposal

Part 1 -Objectives and Intended Outcomes

The objectives of the PP are to:

- Rezone the land for primarily large lot residential and/or residential development.
- Ensure that future development on the site creates a natural expansion of the town of Glossodia allowing for a seamless southward extension.
- Create a riparian corridor along Currency Creek as well as preserve and enhance other environmentally significant areas within the site in a manner that achieves a harmonious relationship between the site and its surrounds.
- Ensure this development includes new local infrastructure that will benefit the community.

The PP seeks to achieve the following housing and conservation outcomes:

- Creation of approximately 580 large lot residential and residential allotments.
- Retention of the two large dams on the site to allow for aquatic and bird-life habitat.
- Creation of a new public open space surrounding the largest dam in the north-eastern corner of the site that could accommodate walking and cycling tracks, picnic and entertainment areas.
- Planting and rehabilitation of an extensive riparian corridor along the entire Currency Creek boundary of the site, this corridor will enhance the site's walking and bicycle tracks.
- Creation of three contiguous north-south ecological corridors and an east-west ecological corridor. Vegetation species to be planted within the corridors will be selected to enhance the existing ecological communities at the site.
- New infrastructure opportunities for the town by way of a Voluntary Planning Agreement, with over \$23 million to be made available for new and improved local infrastructure.

Part 2 - Explanation of Provisions

The effect of the PP would be to amend the yet to be gazetted draft LEP 2012. At a minimum this would include amendment to the Land Zoning Map, Height of Buildings Map, and Lot Size Map. Other map amendments may be required and possibly the inclusion of a special clause(s) into the written instrument of the draft LEP. The actual amendments to LEP 2012 will be determined by the Department of Planning and Infrastructure (DP&I) and the NSW Parliamentary Counsel.

The proposed zones have been derived from those of the LEP 2012 and are as follows:

- R2 Low Density Residential
- R5 Large Lot Residential
- RE1 Public Recreation
- SP2 Infrastructure (Sewerage system)

An indicative Land Zoning Map and Height of Buildings Map is attached to this PP.

At present a minimum lot size map has not been prepared. It is proposed to prepare this map after gateway determination and consultation with relevant public authorities as the outcome of these consultations may have an impact on the overall proposed lot yield, location and selection of zones, and hence selection of minimum lot sizes.

Part 3 Justification

Section A – Need for the planning proposal

1. *Is the Planning Proposal a result of any strategic study or report?*

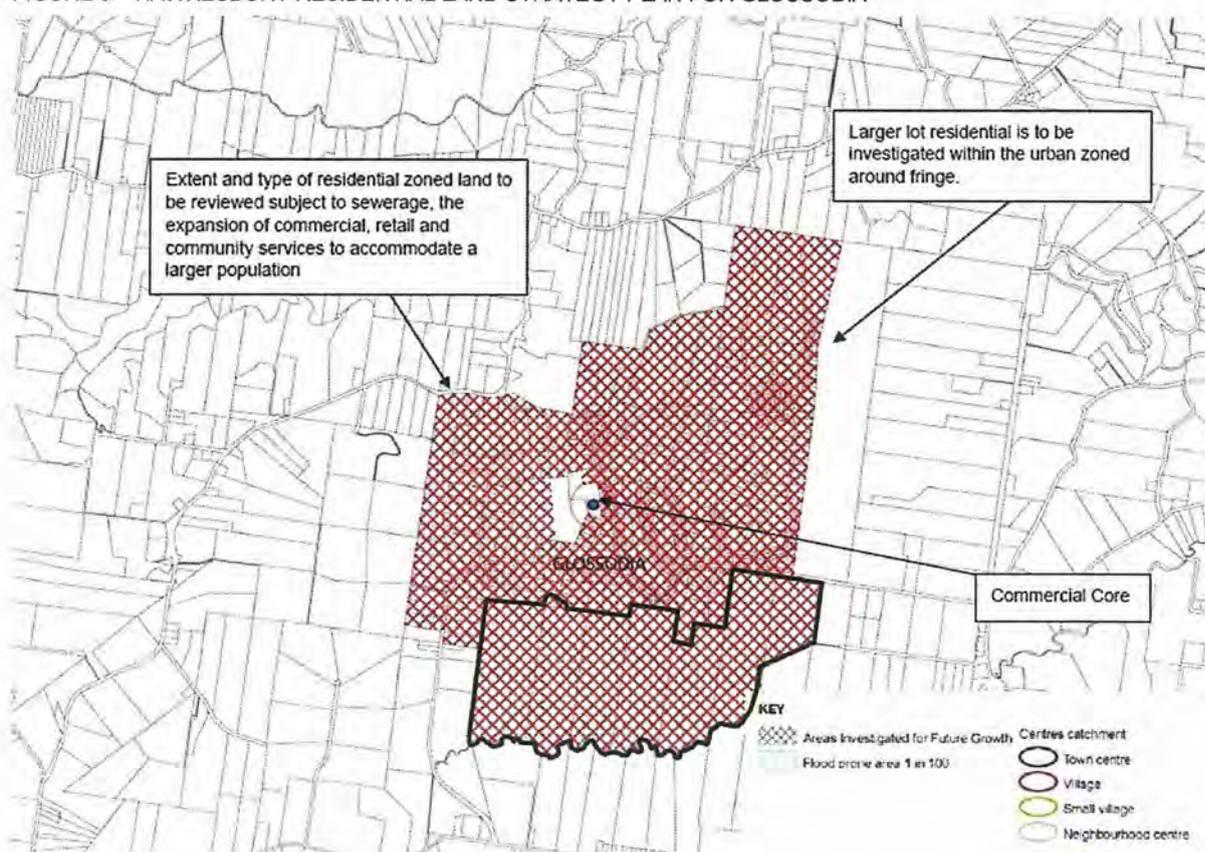
DP&I's North West Subregion Draft Subregional Strategy (Subregional Strategy) and Council's Hawkesbury Residential Land Strategy (HRLS) identifies targets of 5,000 – 6,000 new homes in the Hawkesbury LGA by 2031.

There is limited capacity within existing residential zoned land of the LGA to accommodate more dwellings hence the majority of new dwellings will need to be provided from greenfield sites / extension of the footprint of existing urban areas. However, the majority of land within the LGA is highly constrained in terms of its environmental characteristics, including State and National Parks and other significant vegetated areas, agricultural land values, flooding, bushfire and aircraft noise.

In light of this a Constraints Severity Index (CSI) analysis was undertaken as part of the HRLS to examine the suitability of land within the LGA for future development. As part of the analysis Glossodia was identified as one of a number of areas for further investigation and, in particular, Jacaranda Ponds was the only greenfield site in Glossodia that was identified for investigation for future residential development. This PP reflects Council's desire to have this site investigated for future residential development and the proposed yield of approximately 580 dwellings will make a significant contribution to the LGA's housing targets.

A map extract of the Glossodia investigation area with an overlay of the site boundary is shown below.

FIGURE 6 – HAWKESBURY RESIDENTIAL LAND STRATEGY PLAN FOR GLOSSODIA



Source: Hawkesbury Residential Land Strategy prepared by Hassell (May 2011)

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

The proposed amendments to LEP2012 are necessary to allow development of the site as intended. The proposed amendments will assist in Council achieving the housing targets set by the HRLS and the Subregional Strategy.

3. Will the net community benefit outweigh the cost of implementing and administering the planning proposal?

The following table, derived from information provided by Urbis, addresses the evaluation criteria for conducting a “net community benefit test” from the Draft Centres Policy (2009) as required by the DP&I guidelines. Note, the bracketed alpha-numeric coding in the table corresponds to specific actions of the Draft North West Subregional Strategy.

Table 1 – Net Community Benefit Assessment

Evaluation Criteria	Response
Will the LEP be compatible with agreed State and regional strategic direction for development in the area (e.g. land release,	The proposed rezoning is compatible with the Metropolitan Strategy and Draft North West Subregional Strategy for the following reasons: It will contribute to achieving the housing growth target for Council of 5,000 new dwellings by 2031 by providing a type and scale of residential lots that will complement the existing settlement character

Evaluation Criteria	Response
<p>strategic corridors, development within 800m of a transit node)?</p>	<p>of Glossodia.</p> <p>It is compatible with the State government direction for Council to identify opportunities for further growth in local centres to the north of the Hawkesbury River (C1.1.3)</p> <p>It will create housing stock that is near existing transport, local community and retail services given its proximity and direct connection to Glossodia village (C2.1).</p> <p>The proposed development will provide for a residential density and scale of lots that compliments the current lot density within Glossodia Village (density in Glossodia ranges from 550sqm to over 4000sqm per lot). This will greatly increase the range of housing options for future Hawkesbury residents (C2.3).</p> <p>It will protect and enhance the biodiversity and environmental outcomes at the site. There will be a net positive conservation benefit both to the site and its natural setting as a result of the development (E2.2).</p> <p>The proposal removes the existing poultry farm and will deliver new infrastructure and community facilities to the local area.</p>
<p>Is the LEP located in a global/regional city, strategic centre or corridor nominated within the Metropolitan Strategy or other regional/subregional strategy?</p>	<p>The subject site is not identified within a key strategic centre or corridor.</p> <p>The site adjoins the existing village of Glossodia which is categorised in the Subregional Strategy as a “neighbourhood centre”.</p> <p>The establishment of large lot residential and/or residential housing on the site represents the most appropriate geographic location for the village immediately to the north. This is compatible with the direction of allowing the urban extension of towns in areas that have access to services, infrastructure and can be integrated with the existing urban settlement.</p>
<p>Is the LEP likely to create a precedent or create or change the expectations of the landowner or other landholders?</p>	<p>No. This is the only greenfield site in Glossodia that has been designated for future residential development in the HRLS. No other property owner in Glossodia can make a similar claim. Furthermore, no site in the existing township of Glossodia has the size or serviceability attributes to provide the proposed number and extent of residential lots.</p>
<p>Have the cumulative effects of other spot rezoning proposals in the locality been considered? What was the outcome of these</p>	<p>No other PPs in the immediate locality are being considered by Council.</p> <p>Council has forwarded a PP for the rezoning of 108 Grose Vale Road, North Richmond for approximately 1400 residential lots to the DP&I for gateway determination. If both rezonings proceed, cumulative impacts on the local and regional road and transport</p>

Evaluation Criteria	Response
considerations?	networks will arise due to increased traffic generation and demand for public transport demand. It is anticipated that these cumulative impacts will be considered further by the applicant, Council and relevant public authorities after the gateway determination.
Will the LEP facilitate a permanent employment generating activity or result in a loss of employment lands?	<p>Due to concerns about potential odour and noise impacts Council has resolved not to consider a PP for this site that includes retention of the existing egg farm and/or poultry farm. Accordingly, the application will relocate the farms and jobs to another location.</p> <p>Future residential related construction and occupation will create significant employment and economic stimulus throughout the local economy in a range of sectors such as trades, professional services and retailing.</p>
Will the LEP impact upon the supply of residential land and therefore housing supply and affordability?	<p>The PP will increase residential land supply in Glossodia and therefore have a positive impact on both housing availability and diversity.</p> <p>The PP constitutes an appropriately scaled yield that has had close regard to the site’s location, surrounding context and physical constraints. It will positively contribute to Council’s housing target without negatively impacting on Council’s desire to maximise opportunities for infill and redevelopment opportunities within the Richmond and Windsor Town Centres.</p>
Is the existing public infrastructure (roads, rail, utilities) capable of servicing the proposed site? Is there good pedestrian and cycling access? Is public transport currently available or is there infrastructure capacity to support future transport?	<p>The traffic report attached to this PP is based on an earlier PP to rezone the site for 179 rural residential lots. The traffic report will require updating to reflect the current proposal and it is anticipated the report will be updated as a result of the gateway determination. EGPG has however committed to provide \$23.2 million towards infrastructure in the locality. EGPG advise that this can be used on roads, the Windsor Bridge or any other items of infrastructure the council and residents wish.</p> <p>Glossodia is serviced by Westbus, with bus route 668 providing direct links to Richmond and Windsor, offering an alternative to car use and direct links to metropolitan western line rail services especially during the am and pm peak periods.</p> <p>In terms of power servicing, the site is within the area serviced by the Glossodia Zone Substation (ZS) operated by Integral Energy. An existing water reservoir supply is located within close proximity to the site with capacity to support the initial potable water demand for future residents. Future augmentation of power and water will be available as required, supplied by Integral Energy and Sydney Water.</p> <p>The applicant proposes a new package plant sewer system for the site, The system will include a Sewerage Treatment Plant (STP) that</p>

Evaluation Criteria	Response
<p>Will the proposal result in changes to the car distances travelled by customers, employees and suppliers? If so, what are the likely impacts in terms of greenhouse gas emissions, operating costs and road safety?</p>	<p>will efficiently treat waste, while several Ha of land will be made available for irrigation purposes and wet-weather storage as part of the new system. The system will also allow for water recycling through third pipe connection to homes for use in toilets and gardens, and will accordingly reduce potable water consumption.</p> <p>N/A</p>
<p>Are there significant Government investments in infrastructure or services in the area where patronage will be affected by the proposal? If so, what is the expected impact?</p>	<p>The applicant will undertake any necessary extension or amplification to existing electricity, telecommunications or potable water infrastructure to service the development, at no cost to government.</p> <p>The NSW Government has committed to spending \$41 million on building a new bridge over the Hawkesbury at Windsor. This will assist the development by improving road infrastructure and travel times in the locality. This development will complement the bridge works by improving nearby roads and intersections.</p>
<p>Will the proposal impact on land that the Government has identified a need to protect (e.g. land with high biodiversity values) or have other environmental impacts? Is the land constrained by environmental factors such as flooding?</p>	<p>The site is currently zoned Mixed Agriculture and not Environmental Conservation. Notwithstanding this, as a result of the findings from the ecological investigations, the Land Zoning Map has been designed to preserve existing vegetation and to recreate future ecological corridors and achieve a positive conservation outcome for the site.</p> <p>The applicant has provided reports addressing contamination, bushfire and heritage matters. Preliminary advice from the applicant suggests that the site is subject to localised flooding from Currency Creek. It is anticipated that these matters will be further investigated by Council and relevant public authorities after the gateway determination.</p>
<p>Will the LEP be compatible/ complementary with surrounding adjoining land uses? What is the impact on the amenity in the location and</p>	<p>The proposed Land Zoning Map has been designed to complement the surrounding land uses and settlement patterns and to produce a natural extension to the Glossodia township.</p> <p>Recreation links, such as the bike paths, parks and walking trails, will all be designed and provided to improve connectivity with the existing township of Glossodia.</p>

Evaluation Criteria	Response
wider community? Will the public domain improve?	Improvements to the public domain will be considered in detail by Council during the preparation of the proposed VPA.
Will the proposal increase choice and competition by increasing the number of retail and commercial premises operating in the area?	N/A
If a stand-alone proposal and not a centre, does the proposal have the potential to develop into a centre in the future?	N/A
What are the public interest reasons for preparing the draft plan? What are the implications of not proceeding at that time?	<p>The public interest reasons for progressing this application are as follows:</p> <p>The proposal provides a unique opportunity to provide a fully master-planned concept that is appropriately scaled on a site that has been identified in the HRLS as a location to expand Glossodia.</p> <p>The proposal will assist in meeting Council’s future requirement for housing and will ensure that a steady supply of residential lots are on offer throughout the LGA to accommodate Sydney’s and Hawkesbury’s projected population growth over the next 25 years. By achieving sufficient and diversified land supply, Council will play an important role in maintaining housing affordability in the Hawkesbury LGA.</p> <p>The proposal advocates the protection of environmentally significant features of the site thereby enabling the biodiversity value to improve over time. The proposal also provides for a large area of public open space that flanks the dam at the north-eastern corner of the site. This has the potential to be a focal point for a range of community activities, picnics and bbqs and bike-riding.</p> <p>The development will address the significant shortage of vacant residential housing lots in the local area.</p> <p>The applicant proposed more than \$23 million in infrastructure funding that can be used to improve and replace the road network and other important facilities in the vicinity of the town.</p> <p>The new development will also bring increased investment, driving growth and employment and could be the catalyst that will attract</p>

Evaluation Criteria

Response

much needed government services.

In summary Urbis claim the proposal will provide a net community benefit for the following reasons:

- This is the only greenfield site in Glossodia designated to accommodate residential growth.
- It represents growth that is consistent with the surrounding character of the town.
- The proposal will contribute to Council’s ability to better meet its dwelling growth targets in accordance with the North West Subregional Strategy by enabling housing growth to occur north of the Hawkesbury River.
- The development will provide the funding to vastly increase the local infrastructure stock.
- The proposal will deliver environmental benefits by preserving and enhancing the significant ecological corridors and environmental features such as the large dams which support aquatic and bird life.
- The development will deliver a sought after housing product to the local area.
- New community facilities will be delivered to enhance the lifestyle of local residents. These benefits include walking paths, picnic areas, riding areas, tennis courts etc.
- The development will inject \$250 million worth of investment into the local economy.

Section B - Relationship to Strategic Planning Framework

4. Is the Planning Proposal consistent with the objectives and actions contained with the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

The table below provides an assessment of the PP against the relevant actions of the Metropolitan Plan for Sydney 2036 and Subregional Strategy. The Metropolitan Plan actions are prefixed with the letters MP, the Subregional Strategy actions are prefixed with the letters NW.

Actions	Response
MPB1.1 Plan for centres to grow and change over time. MPD1.1 Locate at least 70 per cent of new housing within existing urban areas and up to 30 per cent of new housing in	The proposed development is a southward extension to the residential area of Glossodia. The Subregional Strategy classifies Glossodia as a Local Centre – Neighbourhood Centre. The Subregional Strategy

<p>new release areas.</p> <p>MPD2.1 Ensure local planning controls include more low rise medium density housing in and around smaller local centres.</p> <p>MPF1.1 Focus land release in Growth Centres.</p> <p>NWB2.1.1 Councils to consider planning for houses growth in centres, particularly those well serviced by public transport.</p> <p>NWC1.1.3 Hawkesbury Council to prepare a strategic residential land use study to consider opportunities for further growth around local centres to the north of the Hawkesbury River, cognisant of flooding and flood evacuation issues.</p> <p>NWC1.3.1 North West councils to plan for sufficient zoned land to accommodate their local government area housing target in their Principal LEPs.</p> <p>NWC2.1.2 Councils to provide in their LEPs zoned capacity for a significant majority of new dwellings to be located in strategic and local centres.</p> <p>NWC2.3.2 North West councils to provide an appropriate range of residential zonings to cater for changing housing needs.</p>	<p>acknowledges that the LGA is largely constrained by the Hawkesbury - Nepean flood plain, with limited capacity for additional growth to the south of the Hawkesbury River due to the risk of flooding. The Subregional Strategy assumes that the majority of future housing growth within the LGA will need to occur on land located predominantly to the north of the River, in association with existing local centres.</p> <p>The HRLS was prepared in response to the Subregional Strategy. The HRLS found that is limited capacity within existing residential zoned land of the LGA to accommodate more dwellings hence the majority of new dwelling will need to be provided from greenfield sites / extension of the footprint of existing centres.</p> <p>The HRLS recognises that urban growth in the Hawkesbury is severely limited by environmental constraints such as State and National parks, agricultural land values, flooding issues, and noise constraints.</p> <p>The subject site is relatively free from these constraints and accordingly is identified as a “Medium” priority future investigation area for urban release.</p> <p>The subject site presents the opportunity to provide approximately 580 dwellings within the timeframe of the Metropolitan Plan and Subregional Strategy. The subject site would contribute approximately 12% of the housing target that has been set for the LGA by the State government.</p> <p>Since the project will not rely on the infrastructure plans of Sydney Water to connect the sewer, the site has the capability of being brought to the market expeditiously which is a very important consideration for Council and the State government.</p>
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	<p>The PP proposes two housing zones, these being, R2 Low Density Residential and R5 Large Lot Residential.</p> <p>With good access to the local shopping centre in Glossodia, the future residents will support existing businesses and in doing so strengthen the viability of the centre.</p> <p>The Vineyard Precinct is the only part of the LGA that is located within the North West Growth Centre. Whilst Vineyard has the potential to accommodate 1,000-1,500 dwellings (not all of which are in the LGA), it is understood that this land is not due to be released by the State government for urban development in the short to medium term.</p>
<p>MPB1.3 Aim to locate 80 per cent of all new housing within walking catchments of existing and planned centres of all sizes with good public transport.</p> <p>NWC2.1.3 North West councils to ensure location of new dwellings improves the subregion's performance against the target for State Plan Priority E5.</p> <p>NWD2.3.3 State and local government to improve existing interchanges and bus stops.</p> <p>NWD3.1.1 The Roads and Traffic Authority (now Roads and Maritime Service (RMS)), in cooperation with the local government, to continue to upgrade walking and cycling facilities, including cycleway development in Blacktown, Castle Hill and Colo.</p> <p>NWD3.1.2 The NSW Government and local government to work together to align local walking and cycling networks with public transport routes to improve accessibility to public transport.</p>	<p>State Plan Priority E5 sets a target to increase the proportion of people living within 30 minutes by public transport of a Strategic Centre. The nearest Strategic Centres are Penrith (Regional Centre) and Rouse Hill (planned Major Centre).</p> <p>It is anticipated that the provision of public transport and pedestrian/bike paths to service the development will be considered by relevant public authorities with appropriate advice provided to Council.</p>

<p>MPH3.1 Design and plan for healthy, safe, accessible and inclusive places.</p> <p>NWC5.1.2 Councils to reflect best practise established by the Growth Centres Commission in land release areas outside the North West Growth Centre.</p>	<p>It is anticipated that as part of the consultation with the DP&I, relevant public authorities and the community these matters will be considered and appropriate provisions be included in the LEP, VPA and future Development Control Plan (DCP) for the site.</p>
<p>NWE2.1.2 Sydney Metropolitan and Hawkesbury – Nepean Catchment Management Authorities to work with agencies and North West councils to ensure that the aims and objectives of Catchment Action Plans are considered in the future management and planning of local council areas.</p>	<p>It is anticipated that as part of the consultation with public authorities the Hawkesbury – Nepean CMA will given an opportunity to comment on the PP.</p>
<p>NWE4.1 Maintain rural activities and resource lands.</p>	<p>The investigations by GSS Environmental have determined that the soils are generally of fair (Class 3) to poor (Class 4) agricultural quality. They are not ideally suitable for cultivation or cropping and are highly susceptible to erosion. Rezoning this site for residential uses will not diminish the Hawkesbury's overall stock of high quality agricultural land.</p>
<p>MPG5.2 Ensure water cycle management for new release areas and sites for urban renewal.</p> <p>NWE2.1.5 North West council to continue to promote water sensitive urban design.</p>	<p>It is anticipated that water sensitive urban design requirements will be considered as part of the preparation of a future DCP for the site.</p>
<p>NWE6.3.1 The Heritage Office to work with local councils to identify areas in the North West Subregion to promote and provide access to heritage places, contribute to local economies and assist in sustaining heritage places.</p>	<p>It is anticipated that as part of the consultation with public authorities the Heritage Office will be given an opportunity to comment on the PP.</p>
<p>NWF2.1.1 Councils to maintain or enhance the provision of local open space particularly in centres and along transport corridors where urban and residential growth is being located.</p> <p>NWF2.1.2 Council to consider open</p>	<p>The PP proposes additional open space in the form of parks, wildlife corridors, and riparian areas. The adequacy, use and improvements to these areas will be considered throughout the PP process and in discussions with EGPC</p>

<p>space improvement programs with better facilities to encourage use.</p> <p>NWF2.1.3 Councils to consider mechanisms to increase the capacity of local sports fields to a district level.</p> <p>NWF2.1.4 NSW Government and local councils to development links between smaller reserves to create diversity and broader user experience.</p> <p>NWF2.1.5 Local councils to consider modifying under utilised open space for informal activities such a skating, basketball, netball and the establishment of cafes.</p>	<p>regarding the VPA.</p>
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5. *Is the planning proposal consistent with the local Council's Community Strategic Plan, or other local strategic plan?*

The relevant strategic plans are the Hawkesbury Community Strategic Plan 2010 – 2030 (CSP) and the HRLS.

The CSP is based on five themes:

- Looking after people and place
- Caring for our environment
- Linking the Hawkesbury
- Supporting business and local jobs
- Shaping our future together

Each theme contains a number of Directions, Strategies, Goals and Measures.

Relevant elements of the CSP are as follows:

Looking after people and place

Directions

- *Be a place where we value, protect and enhance the historical, social, cultural and environmental character of Hawkesbury's towns, villages and rural landscapes.*
- *Offer residents a choice of housing options that meets their needs whilst being sympathetic to the qualities of the Hawkesbury.*

- *Population growth is matched with the provision of infrastructure and is sympathetic to the rural, environmental, heritage values and character of the Hawkesbury.*
- *Have development on both sides of the river supported by appropriate physical and community infrastructure.*
- *Have friendly neighbourhoods, connected communities, and supported households and families.*
- *Have future residential and commercial development designed and planned to minimise impacts on local transport systems allowing easy access to main metropolitan gateways.*

Goals

- *Maintain and foster the rural character of villages within the Hawkesbury.*
- *Accommodate at least 5,000 new dwellings to provide a range of housing options (including rural residential) for diverse population groups whilst minimising environmental footprint.*
- *Towns and villages to be vibrant place that people choose to live in and visit.*
- *Plan, provide and advocate for a range of community, cultural, recreational, sporting, health and education services and facilities to meet the needs of residents and visitors.*

Caring for Our Environment

Directions

- *Be a place where we value, protect, and enhance the cultural and environmental character of Hawkesbury's towns, villages and rural landscapes.*
- *To look after our cultural and environmental assets for future generations so that they too can enjoy and benefit from a clean river and natural eco-systems, rural and cultural landscape.*
- *Take active steps to encourage lifestyle choices that minimise our ecological footprint.*
- *Work with our communities and businesses to use our resources in a sustainable way and employ best practices and technologies that are in harmony with our natural environment.*

Goals

- *Balance the needs of our ecology, recreational and commercial activities.*
- *Sustainable use of potable and recycled water.*
- *Reduce greenhouse gas emissions*

Linking the Hawkesbury

Directions

- *Have a comprehensive system of transport connections which link people and products across the Hawkesbury and with surrounding regions.*
- *Be linked by accessible, viable public transport, cycleways and pathways to the major growth and commercial centres within and beyond the Hawkesbury.*
- *Have a comprehensive system of well maintained local and regional roads to serve the needs of the community.*
- *Plan for, maintain and renew our physical infrastructure and community services, facilities and communication connections for the benefit of residents, visitors and businesses.*

Goals

- *An efficient transport network that links the Hawkesbury internally and to regional growth centres.*

Supporting Business and Local Jobs

Directions

- *Help create thriving town centres, each with its own character that attracts residents, visitors and businesses.*

Goals

- *Increased patronage of local businesses and attract new residents and visitors.*

Shaping Our Future Together

Directions

- *A balanced set of decisions that integrate jobs, housing, infrastructure, heritage, and environment that incorporates sustainability principles.*

Goals

- *Work together with the community to achieve a balanced set of decisions that integrate jobs, housing, infrastructure, heritage and environment.*
- *Council demonstrate leadership by implementing sustainability principles.*

In response to the CSP Urbis claim that the requested zone and accompanying minimum lot size map will ensure that the character of residential development compliments the existing character of Glossodia village. The site is strategically located to form the logical southward extension to the existing village and connect into the existing local road network at key locations. The new zoning will facilitate the development of housing that will complement the existing housing types and rural character of Glossodia. It will also assist in meeting Council's target of planning for

5,000 new dwellings over the next 20 years. The lots can be developed without the need for Sydney Water sewer infrastructure which is the primary limitation for new dwelling growth within the LGA. The development will also provide over \$23 million for local community infrastructure.

The purpose and targets of the HRLS have been discussed above. The HRLS identified Glossodia as a future investigation area and with respect to Glossodia stated:

Investigations must consider the Sustainability Matrix criteria for a Neighbourhood Centre to ensure the centre has the required level of services and facilities to accommodate future population.

Increased intensity of development and investigation areas in Glossodia are subject to:

- *Extent and type of residential zoned land to be reviewed subject to sewerage, the expansion of commercial, retail and community services to accommodate a larger population*
- *Larger lot residential is to be investigated within the urban zoned area, in the peripheral parts of the zone.*
- *Resolution of transport, access and traffic issues particularly road infrastructure crossing the river*
- *Provision of sewage for increase in density of development*
- *Detailed structure planning to review residential types and distribution*
- *Review of extent of zoning to determine appropriateness of the scale and density of development within the centre.*

An assessment of the proposal against the HRLS Sustainability Criteria is attached to this PP.

6. Is the planning proposal consistent with applicable State Environmental Planning Policies? *(Response provided by Urbis)*

This PP is consistent with the applicable State Environmental Planning Policies as summarised in the following table.

TABLE 2 – Summary Assessment of Applicable SEPPs

Relevant SEPPs/Deemed SEPPs	Consistency of Planning Proposal
SEPP No.1 Development Standards	The PP will not contain provisions that will contradict or would hinder the application of the SEPP which will continue to apply to HLEP 1989.
SEPP No19 Bushland in Urban Areas	The PP is consistent with the aims of this policy to protect bushland.
SEPP No.55 Remediation of Land	<p>The potential contamination of the site has been assessed in the Preliminary Environmental Site Assessment Report by JBS Environmental Pty Ltd (October 2009)</p> <p>The report found that although there is potential for some contamination on-site due to past uses, it does not present a significant barrier to the future development of the site. Any contamination could be removed by commonly used methods. It also recommends further sampling to be undertaken.</p>
SEPP (Building Sustainability Index: BASIX) 2004	The PP will not contain provisions that will contradict or would hinder the application of the SEPP. Future Development Applications for dwellings will need to comply with this policy.
SEPP (Infrastructure) 2007	The proposal has considered the relevant parts of SEPP (Infrastructure) 2007, namely traffic generating developments and is considered consistent. The development would also provide up to \$23.2 million for local infrastructure.
SREP No.20 – Hawkesbury Nepean River	<p>The aim of this plan 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. Clause 6 outlines specific planning policies and recommended strategies for the plan.</p> <p>The strategies for environmentally sensitive areas, water quality, flora and fauna and rural residential development have been considered during the preparation of the PP through specialist ecological and stream investigations.</p> <p>Overall, having regard to the specialist environmental findings and the concept plan design, the site has the capability to support residential development without compromising the quality of the Hawkesbury Nepean River ecosystem.</p>

7. *Is the planning proposal consistent with application S.117 Directions?*

Table 3 below considers the consistency of the PP with relevant Section 117 Directions.

TABLE 3 – S117 Assessment

Direction	Consistency of Planning Proposal
1.2 – Rural zones	<p>The PP is consistent with this direction because:</p> <ul style="list-style-type: none"> • The HRLS has already given consideration to this direction and has identified both the site and Glossodia Village as a future residential expansion area, in accordance with Council's requirement to achieve the target growth in dwelling numbers from 2006 to 2031. • The investigations by GSS Environmental have determined that the soils are generally of fair (Class 3) to poor (Class 4) agricultural quality. They are not ideally suitable for cultivation or cropping and are susceptible to erosion.
1.3 Mining, Petroleum Production and Extractive Industries	<p>The PP may require consultation with NSW Industry and Investment as a result of this Direction. Advice is sort from the DP&I in this regard.</p>
2.1 – Environment Protection zones	<p>The PP does not propose any environmental conservation zones however it is consistent with this direction because the riparian buffer area and ecological corridors identified in the ecological report have been integrated into the Land Zoning Map. This provides a clear separation of future residential development from areas of ecological significance.</p>
2.3 – Heritage Conservation	<p>The PP is consistent with this direction because site investigations into the indigenous and non-indigenous heritage have been carried out by Godden McKay Logan (refer to attachments). The report found the site had little non-indigenous archaeological potential or heritage significance.</p> <p>The report found two sites of indigenous isolated mudstone artefacts of low significance. The report recommends that if future development occurs in the areas of moderate and high archaeological potential (hill crest and creek line) that an Aboriginal archaeological testing program in accordance with OEH guidelines would be appropriate.</p>
3.1 – Residential zones	<p>The PP is consistent with this direction because:</p> <ul style="list-style-type: none"> • The proposal does not seek to reduce the amount of residential land but rather contribute to additional lands that will assist Council in reaching its housing targets. • Adequate provisions will be in place to service the land. • The proposal will make more efficient use of existing infrastructure

Direction	Consistency of Planning Proposal
3.4 – Integrating Land use and Transport	<p>such as the public school, local roads, public transport services and the local shopping village.</p> <ul style="list-style-type: none"> • The proposal constitutes an expansion to the existing urban area that is consistent with state and local strategic planning policy. <p>The PP is consistent with this direction because:</p> <ul style="list-style-type: none"> • The site is serviced by regular private bus services that provide direct links to the Richmond and Windsor town centres. • The additional residents will support the viability of the existing bus services in the local area. • The increased housing numbers will encourage additional public transport services to the area. • Richmond and Windsor are located a short distance away and these major centres are connected to Metropolitan Sydney via the western line rail service.
4.1 Acid Sulphate Soils	<p>This direction requires consideration of the Acid Sulfate Soils Planning Guidelines adopted by the Director-General of DP&I. EGPG has submitted a report which, whilst not referring to the guidelines, investigates the potential for acid sulphate soils. The report found that of the soil samples taken from the site none of them contained acid sulfate soils.</p>
4.3 Flood Prone Land	<p>The subject site is not subject to flooding from the Hawkesbury River however preliminary advice provided by EGPG is that the site would be subject to localised flooding from Currency Creek. At present the extent of flooding, including all floods up to the Probable Maximum Flood, is unknown however the advice is that the in 1 in 100 year flood event extends approximately 70m from the top of Currency Creek's bank. It is recommended that flood modelling of the local catchment applicable to the site be undertaken after the gateway determination.</p>
4.4 – Planning for Bushfire Protection	<p>The subject site is shown as bushfire prone land of Council's Bushfire Prone land Map. Accordingly, the PP will require referral to the NSW Rural Fire Service.</p>
6.2 – Reserving Land for Public Purposes	<p>In accordance with the provisions of this Direction, Approval is sort through this PP from the Director – General of the DP&I to create or alter zonings for public purposes, i.e. the proposed RE1 Public Recreation and SP2 Infrastructure (Sewerage system) zones.</p>
7.1 Implementation of the Metropolitan Strategy	<p>The PP's consistency with the Metropolitan Strategy has been discussed in Section B.</p>

Section C - Environmental, Social & Economic Impact

8. 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?

EGPG has provided a flora and fauna assessment and this report is attached to the PP. In summary the assessment reveals that whilst the majority of the site consists of grassland, the existing vegetation has a medium to high quality condition and large portions of the site's vegetation will need to be retained. The assessment found:

- Three threatened fauna species (East-coast Freetail-bat, Eastern Bentwing-bat and a Large-footed Myotis).
- One threatened flora species (*Pimelea spicata*).
- 18.4ha of Cumberland Plain Woodland (CPW) a critically endangered ecological communities and 7.45ha of River-flat Eucalypt Forest on Coastal Floodplains (RFEF) a endangered ecological community. Most of the RFEF is contained within the Currency Creek riparian corridor.

Accordingly, before development is approved certain Commonwealth legislative requirements will have to be met.

The assessment concluded that the proposed residential development of the site would be constrained by the presence of the following ecological features:

- Two large dams that provide high aquatic habitat for a diversity of bird species. These large dams are located in the north-eastern corner of the site and in the western part of the site.
- The presence of CPW and RFEF.
- Hollow-bearing trees that provide suitable habitat for recorded threatened bats and other hollow-dependent species.
- Riparian buffers along Currency Creek and one unnamed watercourse located in the north-western corner of the site.

Figure 7 shows the ecological features on the site.

FIGURE 7 – ECOLOGICAL CONSTRAINTS MAP

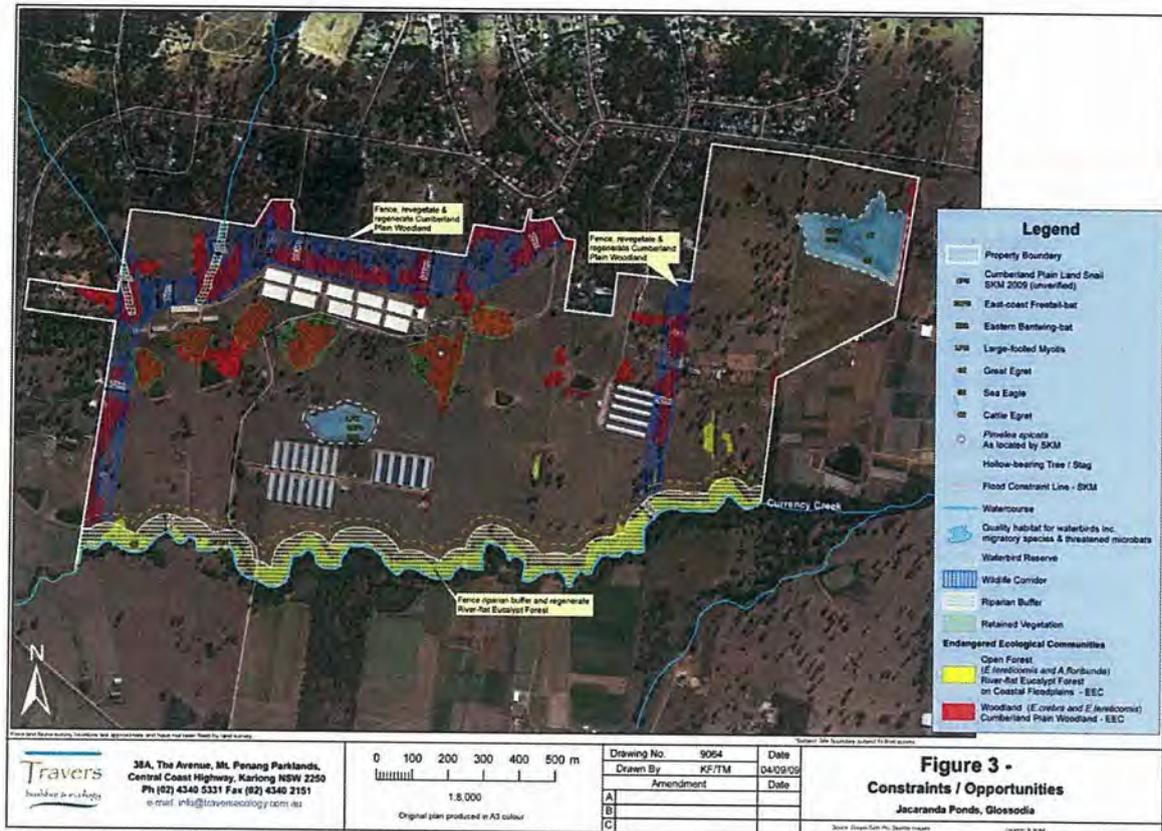


Figure 3 - Constraints / Opportunities
Jacaranda Ponds, Glossodia

The assessment made the following recommendations:

- To adopt a Vegetation Management Strategy that conserves as much of the existing vegetation as possible, offsets the loss of significant vegetation in the form of wildlife corridors, riparian corridors, retained vegetation and waterbird reserves.
- Ongoing ecological site management of the site would need to be firmly incorporated within the sites development layout and managed in the form of a Vegetation Management Plan. Ecological site management would need to include restoration of native vegetation within the proposed riparian corridor, the two wildlife corridors, within and adjoining the two large dams to be retained onsite and within natural retained vegetation. Restoration works will need to specifically restore CPW and RFEF vegetation communities onsite.
- In regard to the Cumberland Plain Land Snail, a further targeted search in more appropriate conditions (during and following rain) is recommended to provide a conclusive assessment for this species. The presence of Cumberland Plain Land Snail within a remnant patch of vegetation would result in full protection of that remnant and the need to provide vegetated connectivity to support the population.
- A comprehensive assessment of hollow bearing trees will be required to identify the potential impact of the proposed development on threatened hollow

dependent threatened species for the Section 5A assessment of the EPA Act 7-part test.

- Stormwater management of the site will need to maintain or improve the management of water on-site.

While the above recommendations are primarily matters for a DCP and/or VPA the zone map does respond to these matters by providing the opportunity for:

- Connectivity between existing dams and vegetation by way of the proposed Public Recreation and Large Lot Residential zones.
- Public access to the riparian buffer along Currency Creek. This will ensure passive recreation opportunities and access for maintenance by authorities and contractors.
- Open space and recreation areas that can be utilised as play grounds, exercise circuits, dog off leash areas etc.

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

Other potential environmental impacts resulting from this development are considered below.

Traffic Impact

The traffic report attached to this PP is based on an earlier PP to rezone the site for 179 rural residential lots. The traffic report will require updating to reflect the current proposal and it is anticipated the report will be updated as a result of the gateway determination. The traffic current report is however still useful in providing an assessment of the capacity of the current road network in the locality, in particular the Terrace Road/Grose Vale Road/Bells Line of Road intersection at North Richmond and capacity of the North Richmond and Windsor bridges.

To assist in resolving road, intersection and bridge capacity issues EGPG has committed to provide \$23.2 million towards infrastructure in the locality. EGPG advise that this can be used on roads, the Windsor Bridge or any other items of infrastructure Council and residents wish.

Topography

The site is undulating and varies in elevation from approximately 80m westerly, 70m northerly, 40m easterly, and 30m southerly. A steep sloping section of land, generally in excess of 15%, passes through the middle of the site in an east-west direction. Land in the southern portion of the site towards Currency Creek is relatively flat, being generally less than 6%. Land in the north-eastern portion of the site towards is of moderate slope, generally 6-10%.

The Sustainability Criteria of the HRLS recommends that urban development be limited to areas with a slope of 15% or lower. The steep sloping section through the middle of the site therefore represents a constraint to development of the site. Accordingly, development of this land has been limited to large lot residential development. Further investigation of this land and determination of appropriate minimum lot size in order to

avoid building on land in excess of 15% and provide a wildlife corridor and the retention/revegetation of significant vegetation onsite will be undertaken after the gateway determination.

Rural Land Assessment

A land resource assessment of the site has been carried out by GSS Environmental. The report found:

- Soils are generally of fair (Class 3) to poor (Class 4) agricultural quality. They are not ideally suitable for cultivation or cropping and if grazed require very careful grazing management.
- The soils on slopes, which in some areas are greater than 10%, are highly susceptible to soil erosion. These soils are dispersible throughout their profiles with highly dispersible sub-soils that exhibit poor internal drainage due to the almost impenetrable horizontally bedded shale substrate.
- The site has a warm temperate climate with rainfall averaging about 900mm per annum. The rainfall is highest during the summer months peaking in January /February when there are likely to be severe high intensive summer storms which could cause severe soil erosion.
- The soils along flats are saline at the surface and highly saline at depth. This makes it difficult for salt sensitive crops to grow well due to this subsoil constraint. Perennial native and introduced saline resistant pasture species should be encouraged on all soil types to prevent the increase in salinity levels in the lower lying soils.

Stream Classification

A Stream Classification Report has been carried out by Worley Parsons. Key outcomes of the report are:

- Detailed ground truthing was undertaken to establish whether the streams shown on existing classification mapping developed by the Department of Water & Energy (DWE) actually exist within the Jacaranda Ponds site. The ground truthing involved an assessment of the mapped stream corridors against "on-ground" environmental criteria that have been developed based on the method of classifying watercourses adopted by DWE.
- The results of this investigation have been used to recommend modifications to the stream classifications shown on the existing mapping.
- It is recommended that Currency Creek (Watercourse 1) retain its Category 1 classification. According to DWE guidelines, a minimum Core Riparian Zone (CRZ) width of 40 metres plus a Vegetated Buffer (VB) width of 10 metres will need to be provided along both sides of the watercourse (measured from the top-of-bank). Accordingly, a total riparian setback of 50 metres will be required along the north side of the creek.
- Furthermore, it is recommended that the sections of particular watercourses located in the north-western corner of the site be removed from the existing classification mapping.

Sewer Management

The applicant proposed to build a new package plant sewer system for the site. The system will include a Sewerage Treatment Plant (STP) that will efficiently treat waste, while several Ha of land will be made available for irrigation purposes and wet-weather storage as part of the new system. The system will also allow for water recycling through third pipe connection to homes for use in toilets and gardens, and will accordingly reduce potable water consumption.

Heritage

The site does not contain any heritage items as listed under HLEP 1989 or DHLEP 2011. Notwithstanding this, a combined indigenous and non-indigenous heritage assessment has been carried out by Godden MacKay Logan. The report concluded the following:

- Two sites of indigenous isolated mudstone artefacts identified are of low significance. The report recommends that if future development occurs in the areas of moderate and high archaeological potential (hill crest and creek line) that an Aboriginal archaeological testing program in accordance with OEH guidelines would be appropriate.
- In terms of non-indigenous heritage, it found that the site does not have any non-indigenous archaeological potential or heritage significance. This means that there would be no approval required from the Heritage Branch of DOP in order to develop the site.

Contamination

JBS Environmental conducted historical research and field work to identify potential contamination and whether any contamination poses a constraint to future residential development. The report found that there is potential for some contamination to have occurred based on past and present land uses. Notwithstanding this, the report found that the potential contamination will be likely to be cleaned up by commonly used methods.

The report concludes that further sampling be carried out at a later date to provide an adequate assessment to inform the preparation and implementation of a Remedial Action Plan if required.

Salinity

The site is located in an area of “moderate” and “high” salinity potential. JBS Environmental advise that potential salinity indicator plant has been observed on the site in a number of areas and these where primarily located along the lower areas adjoining Currency Creek.

It is anticipated that addition consideration will be given to salinity after the gateway determination and appropriate development controls incorporated into the LEP and/or DCP.

10. How has the Planning Proposal adequately addressed any social and economic effects?

Urbis claim that the social and economic benefits PP are as follows:

- The proposal will have a positive social and economic benefit by creating the potential for land to be readily developed for housing in an area with a substantial shortage of new, vacant residential housing stock. Providing land supply in excess of demand is now recognised as an important component in the NSW Government strategy to address housing affordability as it will limit the growth in housing costs.
- The intended development will offer diversity of lot densities from the current settlement pattern in the Glossodia region which will encourage diversity in the township.
- The proposed development will generate considerable local employment opportunities through the construction of the residential housing and civil works to service the development, thereby providing a \$250 million stimulus to the local economy.
- The household spending of the future residents on the site will support the continued viability of existing local services such as Westbus bus routes and the businesses within the local shopping village.
- The proposal will provide infrastructure that will improve local lifestyles by facilitating recreational activities such as tennis courts, walking trails, basketball courts and riparian walks.

Section D- State and Commonwealth interests

11. *Is there adequate public infrastructure for the planning proposal?*

Urbis has provided the following advice to Council.

- **Water** - Glossodia township is currently serviced by an existing Sydney Water elevated reservoir located to the west of the site. It has a capacity of approximately 990 cubic metres. The reservoir is supplied by an existing pipe and pump network that draws water from the Richmond Water Filtration Plant. Preliminary analysis has determined that the projected water demands can be met by existing reservoir. Amplification to some components to the water delivery system (pipes and pumps) may be required.
- **Sewerage** - As Council requested the proponent will build a new package plant sewer system for the site. The system will include a Sewerage Treatment Plant (STP) that will efficiently treat waste, while several Ha of land will be made available for irrigation purposes and wet-weather storage as part of the new system. The system will also allow for water recycling through third pipe connection to homes for use in toilets and gardens, and will accordingly reduce potable water consumption.
- **Electricity** - In terms of electricity, the area is serviced by the Glossodia Zone Substation (ZS), operated by Integral Energy. Augmentation works to this facility to cater for future growth in the area we understand have recently been completed providing sufficient capacity to service the intended future development on the site. Two distribution feeders from the substation will be required to provide a permanent source to the site.

- **Roads** - The site is serviced by Westbus, connecting Glossodia township to Richmond and Windsor through regular services. The local road network has capacity to accommodate the future demand however further detailed traffic studies and discussion with the RTA will be required to analyse the impact on the peak performance of key intersections in Richmond and Windsor. The proponent is prepared to spend up to \$23.2 million on local infrastructure, a sizable majority of that funding could go towards road improvements.

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

This section of the PP will be completed following consultation with the relevant authorities identified in the gateway determination.

Part 4 - Community Consultation

The Department of Planning and Infrastructure's *A guide to preparing local environmental plans* outlines the consultation required for different types of PPs with the guideline stating that the exhibition period for this type of proposal should be 28 days.

Attachments

1. Draft Land Zoning Map
2. Draft Height of Buildings map
3. Hawkesbury Residential Land Strategy Sustainability Criteria
4. Council reports dated 26 July 2011, 29 November 2011, 27 March 2012.
5. Traffic Impact Study, prepared by ARUP, March 2010 and additional information dated 16 December 2010
6. Indigenous and Non-Indigenous Heritage Assessment, prepared by Godden Mackay Logan Pty Ltd, December 2009
7. Flora and Fauna Constraints Assessment, prepared by Travers Bushfire & Ecology, September 2009
8. Land Resource Assessment, prepared by GSS Environmental, April 2010 and additional information dated 13 December 2010
9. Preliminary Bushfire Constraints, prepared by Australian Bushfire Protection Planners Pty Ltd, September 2009
10. Stream Classification, prepared by WorleyParsons, August 2009
11. Preliminary Environmental Site Assessment, prepared by JBS Environmental Pty Ltd, October 2009

Attachment 1
Draft Land Zoning Map

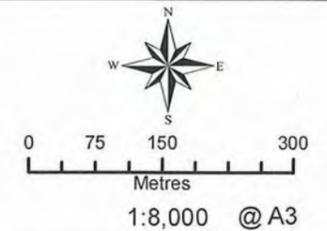


HAWKESBURY CITY COUNCIL

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Hours: Monday to Friday 8.30am - 5.00pm
Phone: 02 4560 4444



- Zone**
- R2 Low Density Residential
 - R5 Large Lot Residential
 - RE1 Public Recreation
 - SP2 Infrastructure
- Land Parcels**



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Attachment 2
Draft Height of Buildings map



HAWKESBURY CITY COUNCIL

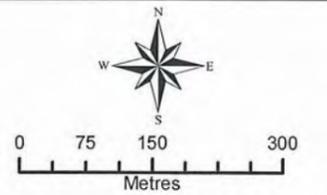
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Maximum Building Height (m)

K 10

Land Parcels



1:8,000 @ A3



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Attachment 3

**Hawkesbury Residential Land Strategy Sustainability
Criteria**

Jacaranda Ponds Planning Proposal

Hawkesbury Residential Land Strategy Sustainability Criteria

June 2012

Sustainability Element	Criteria	Planning Proposal
Housing Types	<p>All Centres Criteria</p> <ul style="list-style-type: none"> ▪ New dwellings to primarily be located within centre catchments. ▪ New dwellings to provide a variety of housing types. ▪ Mixed use development to surround commercial core. ▪ Provide suitable transition between different dwelling densities. <p>Neighbourhood Centre Criteria</p> <ul style="list-style-type: none"> ▪ Low density housing ▪ Concentrated housing diversity in centre. <p>Planning Action</p> <ul style="list-style-type: none"> ▪ A.3.4 Hawkesbury City Council to increase medium and higher density zoning in centres identified as capable of accommodating future growth. 	<p>The subject site forms a southerly extension of the Glossodia residential area.</p> <p>The Planning Proposal will facilitate low density housing through the proposed R2 Low Density Residential and R5 Large Lot Residential zones.</p> <p>Glossodia has not been identified as an area suitable for medium or high density residential development.</p>
Affordable Housing	<p>All Centres Criteria</p> <ul style="list-style-type: none"> ▪ Affordable housing to be integrated into new urban developments. ▪ Affordable housing to be located within centre catchment and close to public transport and services. ▪ Provision of housing to meet special needs i.e. essential workers, itinerant residents, elderly and cultural groups etc. <p>Neighbourhood Centre Criteria</p>	<p>The proposed development does not incorporate "affordable housing" within the statutory planning definition. However, it will increase residential land supply in Glossodia and therefore have a positive impact on both housing availability and diversity.</p> <p>The PP constitutes an appropriately scaled yield that has had close regard to the site's location, surrounding context and physical constraints. It will positively contribute to Council's housing target without negatively impacting on Council's desire to maximise opportunities for infill and redevelopment opportunities within the Richmond and Windsor Town Centres.</p>

Sustainability Element	Criteria	Planning Proposal
	<ul style="list-style-type: none"> ▪ Affordable housing to be integrated into new urban developments. <p>Planning Action</p> <ul style="list-style-type: none"> ▪ B3.1 LEP and DCP controls are to protect the supply of existing affordable housing. 	
Employment and Centres	<p>All Centres Criteria</p> <ul style="list-style-type: none"> ▪ All centres to accommodate the retail and commercial service needs of their surrounding residential population, according to their designation. ▪ Facilitate renewal of existing centres with the capacity for growth. ▪ Maintain or improve the existing level of subregional employment self-containment ▪ To permit urban expansion at the perimeter of those towns and villages which can expand economically and without environmental detriment. ▪ Meets subregional employment capacity targets. ▪ Employment related land is provided in appropriately zoned areas. <p>Neighbourhood Centre Criteria</p> <ul style="list-style-type: none"> ▪ Convenience shopping needs of 1 – 5 shops such as Convenience store, Milkbar, Petrol Station, Takeaway (these to be within 1 km for rural residential development) 	<p>The Planning Proposal does not propose any business or industrial zoned land.</p> <p>Glossodia current contains a small village shopping centre providing for the daily convenience services of the local community with a small supermarket, butcher, bakery, chemist, bottle shop as well as a child care centre.</p>
Service Infrastructure	<p>All Centres Criteria</p> <ul style="list-style-type: none"> ▪ Following infrastructure is required for all centres: <ul style="list-style-type: none"> - Water (drinking/recycled) - Stormwater - Sewer - Energy (electricity/gas) - Communications (landline, mobile, broadband) - Road networks with links to key centres - Resolution of flood evacuation - Suitable public parking ▪ Infrastructure has capacity or can be augmented to cater for future growth and demand: 	<p>Water - Glossodia township is currently serviced by an existing Sydney Water elevated reservoir located to the west of the site. It has a capacity of approximately 990 cubic metres. The reservoir is supplied by an existing pipe and pump network that draws water from the Richmond Water Filtration Plant. Preliminary analysis has determined that the projected water demands can be met by existing reservoir. Amplification to some components to the water delivery system (pipes and pumps) may be required.</p> <p>Sewerage - As Council requested the proponent will build a new package plant sewer system for the site. The system will include a Sewerage Treatment Plant (STP) that will efficiently treat waste, while several Ha of land will be made available for irrigation purposes and wet-weather storage as part of the new system. The system will also allow for water recycling through third pipe connection to homes for use in toilets and gardens, and will accordingly reduce potable water consumption.</p> <p>Electricity - In terms of electricity, the area is serviced by the Glossodia Zone Substation (ZS), operated by Integral Energy. Augmentation works to this facility to cater for future growth in the area we understand have recently been completed providing sufficient capacity to service the intended future development on the site. Two distribution feeders from the substation will be required to provide a permanent source to the site.</p>

Sustainability Element	Criteria	Planning Proposal
	<ul style="list-style-type: none"> - Water: capacity to development sustainable water systems to reuse and recycle stormwater runoff and overland flows - Sewer: urban development in town centres and villages to be limited to areas services by reticulated sewerage. ▪ Urban development in small villages and neighbourhood centres to be limited to areas capable for onsite disposal and / or waste water irrigation. ▪ The infrastructure capacity of each centre must be able to support future dwelling projections and provided in a timely and efficient way. ▪ Development is located outside of 20+ ANEF noise contours. <p>Planning Action</p> <ul style="list-style-type: none"> ▪ D1.3.2 Optimise use of services and infrastructure. Prioritise and plan in a timely manner the augmentation and future provisions of infrastructure. ▪ D1.3.4 Capitalise on underutilised transport infrastructure and lobby for improved servicing. 	<p>Roads - The site is serviced by Westbus, connecting Glossodia township to Richmond and Windsor through regular services. The local road network has capacity to accommodate the future demand however further detailed traffic studies and discussion with the RTA will be required to analyse the impact on the peak performance of key intersections in Richmond and Windsor. The proponent is prepared to spend up to \$23.2 million on local infrastructure, a sizable majority of that funding could go towards road improvements.</p> <p>The site is located outside of the 20+ ANEF noise contour.</p>
Public Transport and Access	<p>All Centres Criteria</p> <ul style="list-style-type: none"> ▪ Future urban development: <ul style="list-style-type: none"> - Promotes high level of public transport to minimise car usage; - Is concentrated in proximity to CityRail Train Stations within the Hawkesbury LGA; - Is concentrated in proximity to regular and reliable bus networks and services; - Is accessible to transport options for efficient and sustainable travel between homes, jobs, services and recreation. ▪ Transport infrastructure is available or scheduled to be provided in a timely and efficient way to service future urban development. ▪ All centres provide cycle links within each centre and with linkages to other centres and key destinations. ▪ All centres contain universally accessible pedestrian facilities throughout the centre. <p>Neighbourhood Centre Criteria</p> <ul style="list-style-type: none"> ▪ Bus interchange (more than 1 bus) ▪ 14 hr service 	<p>Improvements to the road transport network and public transport are key matters that need to be resolved as part of the Planning Proposal.</p> <p>This is to be achieved via an additional traffic study and further consultation with Council, the RMS, and relevant public transport providers after the gateway determination.</p>

Sustainability Element	Criteria	Planning Proposal
	<ul style="list-style-type: none"> ▪ 10 – 15 minute frequency <p>Planning Action</p> <ul style="list-style-type: none"> ▪ E3.2 Capitalise on underutilised transport infrastructure and lobby for improved servicing including proposed new bus routes ▪ E3.3 Facilitate integration of a transport network and develop a hierarchy of roads. Existing road capacity issues should be addressed in consultation with the Roads and Traffic Authority (now Roads and Maritime Service) prior to or as part of the development for any planning within the Hawkesbury LGA ▪ E3.7 Encourage more sustainable transport, expanding bicycle and pedestrian networks, providing more transport options ▪ E3.7 Provide safe cycle links within each centre and with linkages to other centres and key destinations ▪ E3.8 Provide universally accessible pedestrian facilities throughout all centres. 	
Open Space and Recreation	<p>All Centres Criteria</p> <ul style="list-style-type: none"> ▪ Open space provision linking and contributing to district level open space network ▪ All future residents are located in proximity to local and district open space and recreation facilities. ▪ All centres meet open space and recreation benchmarks according to their catchments and population needs. <p>Neighbourhood Centre Criteria</p> <ul style="list-style-type: none"> ▪ Neighbourhood parks for local areas ▪ Cycle links to other centres and key destinations ▪ Universally accessible pedestrian facilities throughout the centre. <p>Planning Action</p> <ul style="list-style-type: none"> ▪ F3.1 Complete playground replacement program, to upgrade existing sites and improve the amenities for the community. 	<p>The Planning Proposal provides for</p> <ul style="list-style-type: none"> • Retention of the two large dams on the site will allow for aquatic and bird-life habitat. • Creation of a new public open space surrounding the largest dam in the north-eastern corner of the site that could accommodate walking and cycling tracks, picnic and entertainment areas. • Planting and rehabilitation of an extensive riparian corridor along the entire Currency Creek boundary of the site, this corridor will enhance the site's walking and bicycle tracks. • Creation of three contiguous north-south ecological corridors at the site. Vegetation species to be planted within the corridors will be selected to enhance the existing ecological communities at the site. <p>Improvements to the public domain will be considered in detail by Council during the preparation of the proposed VPA.</p>
Natural Environment and Resources		

Sustainability Element	Criteria	Planning Proposal
<i>Natural Areas</i>	<ul style="list-style-type: none"> ▪ No urban development in areas identified for conservation, environmental sensitivity and recreation. ▪ Maintains a high quality natural environment and respects elements of the natural environment. ▪ Protect and enhance biodiversity, air quality, heritage and waterway health. ▪ Maintains or improves areas of regionally significant terrestrial and aquatic biodiversity (as mapped and agreed by DECCW and DPI). This includes regionally significant vegetation communities; critical habitat; threatened species; populations; ecological communities and their habitats. <p>Planning Action</p> <ul style="list-style-type: none"> ▪ G1.3.2 Maintain or improve areas of regionally significant terrestrial and aquatic biodiversity (as mapped and agreed by DECCW and DPI). This includes regionally significant vegetation communities; critical habitat; threatened species; populations; ecological communities and their habitats. 	<p>Whilst the majority of the site consists of grassland, the existing vegetation has a medium to high quality condition and large portions of the site's vegetation will need to be retained. Furthermore, the site does contain some Cumberland Plain Woodland (CPW) and River Flat Eucalyptus Forest (RFEF).</p> <p>The zone map does respond to these matters by providing the opportunity for:</p> <ul style="list-style-type: none"> • Connectivity between existing dams and vegetation by way of the proposed Public Recreation and Large Lot Residential zones. • Public access to the riparian buffer along Currency Creek. This will ensure passive recreation opportunities and access for maintenance by authorities and contractors. • Open space and recreation areas that can be utilised as play grounds, exercise circuits, dog off leash areas etc. <p>It is anticipated that an updated flora and fauna report will be prepared after gateway determination and relevant recommendation incorporated into the Planning Proposal, future VPA and DCP for the site.</p>
<i>Water and Air Quality</i>	<ul style="list-style-type: none"> ▪ Maintain or improve existing environmental condition of air quality. ▪ Maintain or improve existing environmental condition for water quality and quantity. ▪ Further development is consistent with community water quality objectives for recreational water use and river health (DECCW and CMA). <p>Planning Action</p> <ul style="list-style-type: none"> ▪ G2.3.2 Achieve and exceed State Government standards for recycling and reduction of waste water. ▪ G2.3.4 Undertake broad-scale stream mapping at a strategic level to determine the significance of riparian lands and their management requirements in areas that are potentially being developed or redeveloped. 	<p>The proposal will not detrimentally affect existing air quality. The only potential to negatively affect air quality will arise during the construction process and this can be dealt with via appropriate management plans and controls.</p> <p>It is anticipated that a detailed a stormwater strategy will be prepared in association with the preparation of a DCP for the site.</p> <p>The applicant proposed to build a new package plant sewer system for the site. The system will include a Sewerage Treatment Plant (STP) that will efficiently treat waste, while several Ha of land will be made available for irrigation purposes and wet-weather storage as part of the new system. The system will also allow for water recycling through third pipe connection to homes for use in toilets and gardens, and will accordingly reduce potable water consumption.</p> <p>Planning Actions G2.3.2 and 2.3.4 can be met through the inclusion of appropriate provisions in the site specific DCP.</p>
<i>Flood Prone Land</i>	<ul style="list-style-type: none"> ▪ Further urban development: <ul style="list-style-type: none"> - Must avoid high risk flood areas below 1:100 flood level; - In flood prone or at risk areas is to prepare a Flood Risk Management Plan; - Must demonstrate and undertake appropriate construction methods to be used in areas identified as at risk of flooding; and - Is consistent with catchment and stormwater management planning (CMA and local council). 	<p>The subject site is not subject to flooding from the Hawkesbury River however preliminary advice provided by EGPG is that the site would be subject to localised flooding from Currency Creek. At present the extent of flooding, including all floods up to the Probable Maximum Flood, is unknown however the advice is that the in 1 in 100 year flood event extends approximately 70m from the top of Currency Creek's bank. It is recommended that flood modelling of the local catchment applicable to the site be undertaken after the gateway determination.</p>

Sustainability Element	Criteria	Planning Proposal
<i>Wetlands</i>	<ul style="list-style-type: none"> ▪ Future urban development is to be avoided in (or in close proximity to) wetland areas, to continue to protect wetlands in the Hawkesbury LGA. ▪ Future urban development to be located outside of riparian zones. ▪ Location of future urban development is to be cognisant of acid sulphate soils classifications. <p>Planning Action</p> <ul style="list-style-type: none"> ▪ G7.3.1 Identify riparian zones, prepare LEP/DCP to limit development within riparian zones within the LGA. 	<p>The Planning Proposal proposes to zone the riparian areas of Currency Creek and the two significant dams on the site RE1 Public Recreation.</p>
<i>Acid Sulphate Soils</i>	<ul style="list-style-type: none"> ▪ Site specific studies should be carried out on areas identified as subject to an Acid Sulphate Soil and Urban Salinity Classification before urban development is approved. ▪ Appropriate construction methods must be used for urban development in areas identified as at risk of acid sulphate soils, in line with Hawkesbury Local Environmental Plan 1989. 	<p>EGPG has submitted a report which investigated the potential for acid sulphate soils. The report found that of the soil samples taken from the site none of them contained acid sulfate soils.</p>
<i>Heritage</i>	<ul style="list-style-type: none"> ▪ Future development is cognisant of and responsive to archaeological and cultural heritage. <p>Future urban development to protect areas of Aboriginal cultural heritage value (as agreed by DECCW).</p> <p>Planning Action</p> <ul style="list-style-type: none"> ▪ I1.3.2 Develop plans to enhance the character and identity of towns and villages and conserve and promote heritage. 	<p>The site does not contain any heritage items as listed under HLEP 1989 or DHLEP 2011. Notwithstanding this, a combined indigenous and non-indigenous heritage assessment has been carried out by Godden MacKay Logan. The report concluded the following:</p> <ul style="list-style-type: none"> • Two sites of indigenous isolated mudstone artefacts identified are of low significance. The report recommends that if future development occurs in the areas of moderate and high archaeological potential (hill crest and creek line) that an Aboriginal archaeological testing program in accordance with OEH guidelines would be appropriate. • In terms of non-indigenous heritage, it found that the site does not have any non-indigenous archaeological potential or heritage significance. This means that there would be no approval required from the Heritage Branch of DOP in order to develop the site.
<i>Scenic Landscapes</i>	<ul style="list-style-type: none"> ▪ The existing landscape and its retention form an important consideration for further development of the LGA. Its significance is both local and regional and a considerable asset to tourism and increasingly important to marketing of local products as an adjunct to tourism. ▪ Urban development to minimise impacts on view corridors to significant rural and natural landscapes. <p>Planning Action</p> <ul style="list-style-type: none"> ▪ G8.3.1 LEP and DCP to protect scenic views. 	<p>Views to the site are primarily from the north-east, west and south. The north-eastern portion of the site is primarily visible from James Street and Spinks Road east of James Street. The western and southern portions of site are primarily visible from Spinks Road and Kumond Road, these views are partially obscured by the existing vegetation adjoining Currency Creek however the views to the southern face of the ridgeline running through the site are generally unobscured.</p> <p>Accordingly, the southern face of the ridgeline is proposed to be zoned R5 Large Lot Residential which is proposed to incorporate a wildlife corridor and the retention/revegetation of significant vegetation on site.</p> <p>Further detailed provisions can be provided within the site specific DCP.</p>
<i>Steep Terrain</i>	<ul style="list-style-type: none"> ▪ Urban development to be limited to areas with a slope of 15% or lower. ▪ Development on slopes greater than 15% are required to demonstrate there is no impact on soil erosion subsidence, landslip and mass movements. 	<p>A steep sloping section through the middle of the site therefore a constraint to development of the site. Accordingly, development of this land has been limited to large lot residential development. Further investigation of this land and determination of appropriate minimum lot size in order to avoid building on land in excess of 15% and provide a wildlife corridor and the retention/revegetation of significant vegetation onsite will be undertaken after the gateway determination.</p>

Sustainability Element	Criteria	Planning Proposal
	<p>Planning Action</p> <ul style="list-style-type: none"> ▪ G3.3.2 LEP/DCP controls to specify maximum slope permissible for urban development and other forms of development. 	<p>More detailed provisions relating to development on sloping land can be included in the site specific DCP in accordance with Planning Action G3.3.2.</p>
<i>Prime Agricultural Land</i>	<ul style="list-style-type: none"> ▪ Prime agricultural land is to be protected. ▪ Urban development in rural and agricultural areas should be avoided to minimise conflicts between uses and to maintain economic and tourism resources of the LGA. ▪ There is a need to protect the potential for future agricultural productions as circumstances and opportunities change. The protection of agricultural land is also seen as important by the local community for protecting the rural, scenic quality of the Hawkesbury. ▪ Future urban development on prime agricultural land and loss of economic activity, employment and food source in the LGA and should be clearly assessed for its benefits before approval. <p>Planning Action</p> <ul style="list-style-type: none"> ▪ G9.3.1 Maintain agriculture as a viable industry ▪ G9.3.2 LEP and DCP to protect existing high quality agricultural lands from urban expansion or conflicting landuses. 	<p>The investigations by GSS Environmental have determined that the soils are generally of fair (Class 3) to poor (Class 4) agricultural quality. They are not ideally suitable for cultivation or cropping and are highly susceptible to erosion. Rezoning this site for residential uses will not diminish the Hawkesbury's overall stock of high quality agricultural land.</p> <p>Due to concerns about potential odour and noise impacts Council has resolved not to consider a PP for this site that includes retention of the existing egg farm and/or poultry farm. Accordingly, the application will relocate the farms and jobs to another location.</p>
<i>Bushfire Prone Land</i>	<ul style="list-style-type: none"> ▪ Urban development in Category 1 and 2 Bushfire areas is to be avoided. ▪ Urban development is to be subject to meeting the requirements of the NSW Rural Fire Service Planning for Bushfire Protection Version 3 in June 2006 guidelines. ▪ Detailed site specific studies are to be carried out in areas identified as being within a bushfire vegetation category before urban development can occur. 	<p>The subject site is shown as bushfire prone land of Council's Bushfire Prone land Map. Accordingly, the PP will require referral to the NSW Rural Fire Service.</p>
<i>Special Use Land</i>	<ul style="list-style-type: none"> ▪ Future urban development is not to impact on the continued use and existence of significant special uses, such as the RAAF Base at Richmond and the University and TAFE College sites. ▪ Future urban development avoids impacts on productive resource lands; extractive industries and other mining. 	<p>The proposal will not adversely impact upon the RAAF Base or other special uses, or resource land, extractive industries in the locality. No mines are in the locality.</p>
<i>Noise Exposure</i>	<ul style="list-style-type: none"> ▪ Urban development with noise exposure contour of 20 or higher ANEF should not occur. ▪ Australian Standard 2021:2001 criteria should be adopted as a measure of appropriate noise zones for future development. 	<p>The site is located outside of the ANEF contour and is therefore unaffected by potential aircraft noise. The site is acceptable for development of all buildings types without additional noise mitigation.</p>

Sustainability Element	Criteria	Planning Proposal
Community Facilities	<p>All Centres Criteria</p> <ul style="list-style-type: none"> ▪ All centres to provide a level of community facilities and services that are accessible and meet the needs of their local community. ▪ Some services and facilities may exist in areas outside of the centres therefore long term planning of future facility provision to create community hubs which seek to co-locate and consolidate services and facilities in key nodes. ▪ Future urban development is to ensure that: <ul style="list-style-type: none"> - Quality health, education, legal, recreational, cultural and community development and other government services are accessible. - Adequate community services and facilities exist to meet the needs of the future residents. - Existing community services and facilities have the capacity to service the future development. - Future service provisions has been planned and budgeted. - Developer funding for required service upgrade / access is available. <p>Neighbourhood Centre Criteria</p> <ul style="list-style-type: none"> ▪ 1 small community health centre ▪ 1 small community centre ▪ 1 preschool ▪ 1 public primary school ▪ Child care facilities ▪ Aged care facilities <p>Planning Action</p> <ul style="list-style-type: none"> ▪ H3.2 Seek to ensure all community facilities are accessible ▪ H3.4 Undertake consultation with key service providers and the wider community to more accurately determine future community facility needs. 	<p>The provision of the community facilities will form part of a future VPA considerations. It is anticipated the VPA provide for a range of human services infrastructure responding to the identified demands of the incoming population.</p>
Character and Public Domain	<p>All Centres Criteria</p> <ul style="list-style-type: none"> ▪ Future urban development is to have little or no impact on items of indigenous, European or Natural heritage. ▪ Future urban development to be cognisant of the character of surrounding areas. 	<p>The future character and public domain will be developed as part of detailed design, and during the development of DCP controls for the site.</p> <p>Planning Actions 12.3.1 and 12.3.2 will be met through the development of site specific provisions and requirements relating to public domain and sustainability to be incorporated into the site specific DCP.</p>

Sustainability Element	Criteria	Planning Proposal
	<ul style="list-style-type: none"> ▪ Future urban development to be cognisant of the landscape character and its setting. ▪ Future urban development is to focus around or be proximate to active urban space which facilitates formal and informal meeting and gathering spaces both during day and night i.e. plaza, square, mall etc. ▪ Creation of high quality and safe public domain both during day and night. <p>Neighbourhood Centre Criteria</p> <ul style="list-style-type: none"> ▪ High quality and safe public domain ▪ Active urban space which facilities formal and informal meeting and gathering spaces <p>Planning Action</p> <ul style="list-style-type: none"> ▪ I2.3.1 Integrate sustainable practices into Council plans and policies ▪ I2.3.2 Undertake public domain plans to guide the development of the public domain to ensure the individual character of each centre is retained and enhanced. 	
Sustainable Development	<p>All Centres Criteria</p> <ul style="list-style-type: none"> ▪ All new housing to be adaptable, and where possible accessible, and embrace principles of sustainable housing design. ▪ Define the environmental and infrastructure capacity for each centre and ensure that new development does not exceed the defined capacities. ▪ Ensure all development is constructed to the highest environmental standards. ▪ Natural resource limits not exceeded / environmental footprint minimised. ▪ Demand for water does not place unacceptable pressure on infrastructure capacity to supply water and on environmental flows ▪ Demand for sewer does not place unacceptable pressure on infrastructure capacity to supply sewer ▪ Demonstrates most efficient / suitable use of land ▪ Demand for energy does not place unacceptable pressure on infrastructure capacity to supply energy; requires demonstration of efficient and sustainable supply solution. 	<p>Planning Action J3.2 will be met through the preparation of the site specific DCP which can contain provisions relating to sustainable built form.</p>

Sustainability Element	Criteria	Planning Proposal
	<p data-bbox="360 154 947 183">Neighbourhood Centre Criteria</p> <ul data-bbox="360 215 947 271" style="list-style-type: none"><li data-bbox="360 215 947 271">▪ All new housing to be adaptable and embrace principles of sustainable housing design. <p data-bbox="360 303 947 331">Planning Action</p> <ul data-bbox="360 363 947 427" style="list-style-type: none"><li data-bbox="360 363 947 427">▪ J3.2 LEP and DCP controls require sustainable built form to maximise solar access, cross ventilation and minimise waste.	

Attachment 4

**Council reports dated 26 July 2011, 29 November 2011,
27 March 2012.**

Agenda Report**ACTION ITEM****ADOPTED**

At the ORDINARY Meeting held on *26 July 2011*

User Instructions

To view the original Agenda Item, double-click on 'Agenda Report' blue hyperlink above.

Resolved Items Action Statement

Action is required for the following item as per the Council Decision or Resolution Under Delegated Authority.

ITEM: 161 **CP - Planning Proposal for Jacaranda Ponds, Glossodia - (LEP89001/10, 111745, 120418, 95498)**

Mr Jeremy Spinak, proponent, addressed Council.
Mr Michael Want, respondent, addressed Council.

MOTION:

A MOTION was moved by Councillor Ford, seconded by Councillor Tree.

That:

1. Council support, in principle, the preparation of a Planning Proposal for the land comprising of:
 - Lot 2 DP 533402 and Lot 52 DP 1104504, 103 Spinks Road, Glossodia
 - Lot 20 DP 214753, 213 Spinks Road, Glossodia
 - Lot 75 DP 214752, 361 Spinks Road, Glossodia
 - Lot 3 DP 230943, James Street, Glossodia
 - Lot 44 DP 214755, 3 Derby Place, Glossodia
 - Lot 50 DP 751637, 746A Kurmond Road, Freemans Reach
 - Lots 1, 2 and 3DP 784300, 780A - 780C Kurmond Road, North Richmond

to rezone the land for large lot residential development.
2. The planning proposal, submitted by the applicant, in its current form not be supported.
3. The concept plan titled "Jacaranda Ponds Planning Proposal Concept Plan, July 2011" attached to this report be adopted for the purposes of investigating the issues raised in this report and preparing an amended planning proposal.
4. The Department of Planning and Infrastructure and NSW Roads and Traffic Authority be advised of this planning proposal and invited to provide comment on the current proposal and input into the preparation of an amended planning proposal.

5. The applicant be responsible for preparing an amended planning proposal to be reported back to Council.

An AMENDMENT was moved by Councillor Williams, seconded by Councillor Paine.

Refer to RESOLUTION

The amendment was carried.

The amendment then became the motion which was put and carried.

In accordance with Section 375A of the Local Government Act 1993 a division is required to be called whenever a planning decision is put at a council or committee meeting. Accordingly, the Chairperson called for a division in respect of the Amendment, the results of which were as follows:

For the Amendment	Against the Amendment
Councillor Calvert	Councillor Ford
Councillor Conolly	Councillor Tree
Councillor Mackay	
Councillor Paine	
Councillor Porter	
Councillor Rasmussen	
Councillor Reardon	
Councillor Williams	

Councillors Bassett and Whelan were absent from the meeting.

0 RESOLUTION:

RESOLVED on the AMENDMENT moved by Councillor Williams, seconded by Councillor Paine.

That this matter be deferred pending the resolution of the "Policy for Provision of Infrastructure for Rezoning Matters" report (Item 160) deferred from the Ordinary Meeting on 26 July 2011.

In accordance with Section 375A of the Local Government Act 1993 a division is required to be called whenever a planning decision is put at a council or committee meeting. Accordingly, the Chairperson called for a division in respect of the Amendment which had become motion, the results of which were as follows:

For the Motion	Against the Motion
Councillor Calvert	Councillor Conolly
Councillor Mackay	Councillor Ford
Councillor Paine	Councillor Tree
Councillor Porter	
Councillor Rasmussen	
Councillor Reardon	

ITEM: CP - Planning Proposal for Jacaranda Ponds, Glossodia - (LEP89001/10, 111745, 120418, 95498)

REPORT:

Executive Summary

This report discusses a planning proposal which seeks to rezone land immediately to the south of the Glossodia township to allow for a 179 lot rural-residential subdivision and the retention of an existing egg production farm.

The applicant for the proposal is E J Cooper & Son Pty Ltd (represented by EG Property Group) and the planning proposal has been prepared by Urbis Pty Ltd. The planning proposal is supported by expert assessments of traffic, heritage, flora and fauna, bushfire, stream classifications, contamination, noise, odour and agricultural land capability.

The applicant's objectives for the planning proposal are:

1. *To refine the boundary of the current Rural – Mixed Agriculture zoning across the site in order to incorporate a Rural Housing zone that will provide rural residential lots that will compliment the rural village-like character of the area.*
2. *To ensure that future development on the site creates a natural expansion of the town of Glossodia allowing for a seamless southward extension.*
3. *To retain full employment in the area. The existing free-range egg farm will continue to be one of the region's most important employers. Appropriate buffers will be created to ensure that the free range farm does not impose upon the site's residential amenity.*
4. *To create a riparian corridor along Currency Creek as well as preserve and enhance other environmentally-significant areas within the site in a manner that achieves a harmonious relationship between the site and its surrounds."*

A plan showing the indicative lot layout is attached to this report. This layout shows a number of proposed lots which are severely constrained due to existing vegetation and dams and/or have poor street access. The applicant's representative has advised that the lot layout is indicative only and they are open to amendment subject to the lot yield of 179 being achieved. Accordingly, this report will not focus too greatly on the difficulties of the proposed lot layout, but rather make recommendations for amendments to the lot layout and yield in the event that the planning proposal is to proceed.

This report identifies various constraints to development of the site as proposed by the applicant and recommends that the planning proposal in its current form not be supported. However, in order to progress this matter it is also recommended that the applicant, in consultation with Council and other relevant public authorities, submit an amended planning proposal.

Consultation

The planning proposal has not been exhibited. If the planning proposal is to proceed it will be exhibited in accordance with the relevant provisions of the *Environmental Planning and Assessment Act 1979* and associated Regulations.

Site and Surrounds

The site is irregular in shape and in total has an area of approximately 185.3ha consisting of the following properties:

Lot 2 DP 533402 and Lot 52 DP 1104504, 103 Spinks Road, Glossodia
 Lot 20 DP 214753, 213 Spinks Road, Glossodia
 Lot 75 DP 214752, 361 Spinks Road, Glossodia
 Lot 3 DP 230943, James Street, Glossodia
 Lot 44 DP 214755, 3 Derby Place, Glossodia
 Lot 50 DP 751637, 746A Kurmond Road, Freemans Reach
 Lots 1, 2 and 3DP 784300, 780A – 780C Kurmond Road, North Richmond

213 and 361 Spinks Road, Glossodia are currently zoned Housing under *Hawkesbury Local Environmental Plan 1989* (HLEP 1989) and are proposed to be zoned R2 Low Density Residential under *Draft Hawkesbury Local Environmental Plan 2011* (DHLEP 2011). Clause 12(5) of HLEP 1989 prohibits the subdivision of Housing zoned land in Glossodia, except for the purposes of a boundary adjustment. All of the other properties are currently zoned Mixed Agriculture under HLEP 1989, proposed to be zoned RU1 Primary Production under DHLEP 2011, with a minimum lot size for subdivision of 10ha.

The site is bounded to the north by Spinks Road and Housing zoned land, to the east by Mixed Agriculture zoned land, to the south by Currency Creek with Mixed Agriculture zoned land beyond, and to the west by Spinks Road and Housing and Mixed Agriculture zoned land. The adjoining Housing zoned land to the north and west is generally 1ha – 2 ha in area with smaller 550m² to 4000m² (approx) properties fronting Spinks Road. Surrounding Mixed Agriculture zoned land to the west, south and east is generally 10ha – 15ha in area.

The majority of the site is cleared and undeveloped. The site is undulating and varies in elevation from approximately 80m westerly, 70m northerly, 40m easterly, and 30m southerly. A steep sloping section generally in excess of 15% passes through the middle of the site in an east-west direction.

The primary development on the site is a free range egg production farm (Pace Eggs) consisting of 10 sheds each with up to 19,000 birds located in the north western portion of the site and a chicken rearing farm (Baiada) consisting of 24 sheds is located in the south and south western portion of the site. The rearing farm is proposed to be removed as part of the development of the site. The site also contains eight dwellings and associated farm buildings.

The site also contains a number of dams. Eight are proposed to be retained the others will be filled in. Currency Creek forms the southern boundary of the site and is bounded by riparian vegetation. The planning proposal describes Currency Creek as being a watercourse with significant value, the main creek channel is continuously flowing, it provides habitat for riparian fauna, and the creek holds aquatic fauna.

The site is not subject to flood water inundation from the Hawkesbury River. The extent of any localised flooding from Currency Creek is unknown, however preliminary advice provided by the applicant suggests that the 1 in 100 year flood event level extends approximately 70m from the top of Currency Creek's bank.

All of the site is "bushfire prone land" (primarily vegetation category 2) according to NSW Rural Fire Service's Bushfire Prone Land Map and the site is "Class 5" land as shown on Council's Acid Sulfate Soils Planning Map.

The site falls within the Middle Nepean & Hawkesbury River Catchment Area of *Sydney Regional Environmental Plan No.20 Hawkesbury – Nepean River (No.2 – 1997)* and is not within an area of scenic significance under this SREP.

Views to the site are primarily from the north-east, west and south. The north-eastern portion of the site is primarily visible from James Street and Spinks Road east of James Street. The western and southern portions of site are primarily visible from Spinks Road and Kurmond Road, these views are partially obscured by the existing vegetation adjoining Currency Creek however the views to the southern face of the ridgeline running through the site are generally unobscured.

Description of Proposal

The proposal is to create 179 rural-residential lots and to retain the existing egg production farm. The rural-residential lots are proposed to vary in size from 4000m² up to 2ha with most lots being between 4000m² and 6000m².

Vehicular access to the development would be via an extension of James Street and two new access points from Spinks Road.

Amplification of existing electricity, telecommunications and potable water infrastructure services would be required to serve the development. The applicant proposes that each lot is to have its own aerated wastewater treatment system (AWTS).

A 50m rehabilitated riparian zone adjoining Currency Creek is proposed as well as a north-south ecological corridors between the egg production farm and the Currency Creek riparian area and along the western boundary of the site. Riparian buffer area for the two watercourses is 13.2ha.

Eight dams are to be retained. The land surrounding the large dam in the north-eastern corner of the site is proposed for public open space with walking and cycling tracks, picnic and entertainment areas.

The applicant advises that the egg farm currently contributes \$10-\$15 million annually to the local economy and employs up to 15 people depending on the time of year/production cycle. Enhancements to the egg farm are not proposed as part of the planning proposal however the applicant advises that the owner intends to use the proceeds of the subdivision to upgrade the packing floor with a grading and packing machine which would allow eggs produced at the farm and other affiliated egg farms to be graded and packaged on the property. This would be a \$5 million plus investment in new equipment and directly employ an additional 12 – 15 employees.

To achieve the proposed rezoning and resultant subdivision the applicant proposes that the zoning map of HLEP 1989 be amended to incorporate a Rural Housing zone over most of the site and Clause 10 of the LEP be amended to include a site specific Lot Size Map.

If the planning proposal is to proceed through to gazettal, it is unlikely that it would result in an amendment to HLEP 1989 as it is expected that DHLEP 2011 will be made before this proposal would be gazetted. In this case the proposal would result in an amendment to the new LEP 2011 by way of zoning the affected land R5 Large Lot Residential and amending the Lot Size Map and other affected maps.

NSW Department of Planning's Gateway Process

In July 2009, the NSW Government changed the way that local environmental plans (LEPs) are developed and approved. This system is known as the 'gateway' plan-making process.

The gateway process has the following steps:

Planning proposal — This is prepared by a Council or the Minister for Planning and Infrastructure and is to explain the intended effect of a proposed local environmental plan and sets out the justification for making that plan.

Gateway — The Minister (or delegate) determines whether the planning proposal is to proceed. This gateway acts as a checkpoint to ensure that the proposal is justified before further studies are done and resources are allocated to the preparation of a plan. A community consultation process is also determined at this time. Consultation occurs with relevant public authorities and, if necessary, the proposal is varied.

Community consultation — The proposal is publicly exhibited for a minimum period of either 14 or 28 days depending of the nature of the proposal. Any person making a submission may also request a public hearing be held.

Assessment — The relevant planning authority considers public submissions and the proposal is varied as necessary. Parliamentary Counsel then prepares a draft local environmental plan, the legal instrument.

Decision — With the Minister's (or delegate's) approval the plan becomes law and is published on the NSW legislation website.

The Department of Planning and Infrastructure (DP&I) has published two guides to assist in understanding the gateway process. These are *Guide to Preparing Local Environmental Plans* and *Guide to Preparing Planning Proposals*. Throughout this report some matters will be identified as requiring further investigation. Key issues of concern have been raised with the applicant during the initial assessment of the proposal however, in the absence of a resolution of Council regarding the progression of the proposal, the applicant has not been requested to undertake further detailed and potentially costly investigations. Upon Council resolution and any subsequent gateway determination these areas of concern can be further examined. This approach is supported by the *Guide to Preparing Planning Proposals* which states:

"In some cases it will be necessary to undertake technical studies or investigations to justify different aspects of a planning proposal. Generally, these studies or investigations should not be carried out in the first instance. Instead, the issues giving rise to the need for these studies or investigations should be identified in the planning proposal. The initial gateway determination will then confirm the studies or investigations required and the process for continuing the assessment of the proposal, including whether it will need to be resubmitted following completion of the studies or investigations."

The applicant has prepared a planning proposal in accordance with DP&I's guide and is supported by expert assessments of traffic, heritage, flora and fauna, bushfire, stream classifications, contamination, noise, odour and agricultural land capability. Furthermore the applicant, through the planning proposal, has advised that:

"All relevant supporting material to the Planning Proposal will be made available during the community consultation period. If required by Council, the proponent will provide a response to questions or queries raised by stakeholders at any point during the process."

Conformance with Hawkesbury Community Strategic Plan 2010 – 2030 (CSP)

Provisions of the CSP which are of most relevance to the planning proposal are:

Looking after people and place

Vision: *In 2030 we want the Hawkesbury to be a place where we have: A community in which the area's character is preserved and lifestyle choices are provided with sustainable planned, well serviced development, within strongly connected, safe and friendly neighbourhoods.*

Directions:

- *Be a place where we value, protect and enhance the historical, social, cultural and environmental character of Hawkesbury's towns, villages and rural landscapes.*
- *Offer residents a choice of housing options that meets their needs whilst being sympathetic to the qualities of the Hawkesbury.*
- *Population growth is matched with the provision of infrastructure and is sympathetic to the rural, environmental, heritage values and character of the Hawkesbury.*
- *Have development on both sides of the river supported by appropriate physical and community infrastructure.*

- *Have friendly neighbourhoods, connected communities, and supported households and families.*
- *Have future residential and commercial development designed and planned to minimise impacts on local transport systems allowing easy access to main metropolitan gateways.*

Goals:

- *Maintain and foster the rural character of villages within the Hawkesbury.*
- *Accommodate at least 5,000 new dwellings to provide a range of housing options (including rural residential) for diverse population groups whilst minimising environmental footprint.*
- *Towns and villages to be vibrant place that people choose to live in and visit.*
- *Plan, provide and advocate for a range of community, cultural, recreational, sporting, health and education services and facilities to meet the needs of residents and visitors.*

Caring for Our Environment

Vision: *In 2030 we want the Hawkesbury to be a place where we have: A community dedicated to minimising its ecological footprint, enjoying a clean river and an environment that is nurtured, healthy, protected and provides opportunities for its sustainable use.*

Directions:

- *Be a place where we value, protect, and enhance the cultural and environmental character of Hawkesbury's towns, villages and rural landscapes.*
- *To look after our cultural and environmental assets for future generations so that they too can enjoy and benefit from a clean river and natural eco-systems, rural and cultural landscape.*
- *Take active steps to encourage lifestyle choices that minimise our ecological footprint.*
- *Work with our communities and businesses to use our resources in a sustainable way and employ best practices and technologies that are in harmony with our natural environment.*

Goals:

- *Balance the needs of our ecology, recreational and commercial activities.*
- *Sustainable use of potable and recycled water.*
- *Reduce greenhouse gas emissions*

Linking the Hawkesbury

Vision: *In 2030 we want the Hawkesbury to be a place where we have: A community which is provided with facilities and services efficiently linked by well maintained roads and accessible and integrated transport and communication systems which also connect surrounding regions.*

Directions:

- *Have a comprehensive system of transport connections which link people and products across the Hawkesbury and with surrounding regions.*
- *Be linked by accessible, viable public transport, cycleways and pathways to the major growth and commercial centres within and beyond the Hawkesbury.*

- *Have a comprehensive system of well maintained local and regional roads to serve the needs of the community.*
- *Plan for, maintain and renew our physical infrastructure and community services, facilities and communication connections for the benefit of residents, visitors and businesses.*

Goals:

- *An efficient transport network that links the Hawkesbury internally and to regional growth centres.*

Supporting Business and Local Jobs

Vision: *In 2030 we want the Hawkesbury to be a place where we have: New and existing industries which provide opportunities for a range of local employment and training options, complemented by thriving town centres.*

Directions

- *Help create thriving town centres, each with its own character that attracts residents, visitors and businesses.*

Goals:

- *Increased patronage of local businesses and attract new residents and visitors.*

Shaping Our Future Together

Vision: *In 2030 we want the Hawkesbury to be a place where we have: An independent, strong and engaged community, with a respected leadership which provides for the future needs of its people in a sustainable and financially responsible manner.*

Directions

- *A balanced set of decisions that integrate jobs, housing, infrastructure, heritage, and environment that incorporates sustainability principles.*

Goals

- *Work together with the community to achieve a balanced set of decisions that integrate jobs, housing, infrastructure, heritage and environment.*
- *Council demonstrate leadership by implementing sustainability principles.*

The planning proposal in its current form would assist in the achievement of some of the above mentioned Directions and Goals, e.g., the 5000 dwelling house target, provision of recreational facilities, increased patronage of local business, attracting new residents to the Hawkesbury. However, there are some key environmental, traffic generation and sustainability impacts of the proposal that would be in conflict with the above mentioned Directions and Goals. These impacts are discussed later in the report.

Council Policy – Rezoning of Land for Residential Purposes - Infrastructure Issues

On 13 October 2009 Council adopted the following Policy:

"That as a matter of policy Council indicate that it will not consider nor support any further applications to rezone land for residential purposes in the area west of the Hawkesbury

River until such time as the existing infrastructure issues, particularly as related to traffic, have been addressed to Council's satisfaction."

The existing infrastructure issues as referred to in the Policy mainly relate to the traffic volume capacity of the intersection at Grose Vale Road/Terrace Road/Bells Line of Road, North Richmond, the traffic volume capacity of North Richmond bridge and the construction of a second bridge across the upper Hawkesbury, and provision of sewer infrastructure. These issues are yet to be addressed to Council's satisfaction. The planning proposal if made would rezone the affected land to R5 Large Lot Residential and, hence, Council support of this planning proposal would therefore be in conflict with this Policy.

However, there is another report on this agenda that proposes an amendment to this Policy that, if supported, would allow for consideration of this matter in relation to the Hawkesbury Residential Land Strategy and the sustainability criteria contained in that Strategy.

Metropolitan Strategy, Draft North West Subregional Strategy and Hawkesbury Residential Land Strategy

The NSW Government's Metropolitan Strategy and Draft North West Subregional Strategy establishes the broad planning directions for the Sydney metropolitan area and north-western sector of Sydney respectively. These documents identify a number of strategies, objectives and actions relating to the economy and employment, centres and corridors, housing, transport, environment and resources, parks and public places, implementation and governance.

The Hawkesbury Residential Land Strategy (HRLS) is in part a response to these strategies and has identified residential investigation areas and sustainable development criteria which are consistent with the NSW government's strategies. The HRLS was adopted by Council on 10 May 2011. This section of the report will focus on the provisions of the HRLS as, of the three strategies, it is the one most directly applicable to the proposal.

Section 5.6 of the HRLS identifies future investigation areas for new housing development. The HRLS nominates the existing Housing zoned land of Glossodia and land immediately to the south as an investigation area. The subject site is within this investigation area. The HRLS recommends that within the Glossodia investigation area, the extent and type of residential zoned land be reviewed subject to resolution of transport, access and traffic issues particularly road infrastructure crossing the river, provision of sewerage, the expansion of commercial, retail and community services to accommodate a larger population, and that larger lot residential is to be investigated within the urban zoned land around fringe.

The capability of the land to adequately cater for onsite sewerage disposal, from 179 lots, and the environmental constraints and impacts of the proposal will be discussed in detail later in this report.

Glossodia currently satisfies many of the Neighbourhood Centre criteria, specified in the HRLS, as it contains 840 private dwellings, 99% being detached dwellings (ABS Census 2006) and is currently served by a small shopping village, community centre, public school, child care centre, before and after school care, Woodbury Park, rural fire service brigade, reticulated water, sewer, electricity, communications, roads connecting to key centres. However, Glossodia does not meet the public transport target of a bus interchange and 14hr bus service with a 10-15 minute frequency.

The proposal can be described as a rural residential / large lot residential development on the fringe of the Glossodia residential area. The HRLS contains the following specific criteria for such development:

- be able to have onsite sewerage disposal,
- cluster around or on the periphery of villages,
- cluster around villages within services that meet the existing neighbourhood criteria services as a minimum (within 1km radius),
- address environmental constraints and with minimal environmental impacts,
- within the capacity of the rural village.

The HRLS also contains Sustainability Criteria which is to be applied to residential development. Where relevant the criteria are provided in various sub-sections of the "Assessment of Key Environmental Impacts" section of this report. Some of the criteria refer to "urban development". Rural residential / large lot residential development should be seen as a limited or reduced type of "urban development" given that the relatively low density of development and relatively small future population will still create the need for similar services and transport and access, albeit on a reduced scale, as urban development. In fact "rural residential" development will also create some additional servicing issues that urban development may not necessarily create, e.g., additional need for parking at commercial centres, additional costs in servicing/maintenance for waste and roads etc. Hence, consideration and application of the "urban development" criteria should be weighted accordingly.

Section 117 Directions

Section 117 directions are issued by the Minister for Planning and Infrastructure and apply to planning proposals. Typically, the 117 directions will require certain matters to be complied with and/or require consultation with government authorities during the preparation of the planning proposal. The key 117 directions are as follows:

1.2 Rural Zones –planning proposals must not rezone land from a rural zone to a residential, business, industrial, village or tourist zone and must not contain provisions that will increase the permissible density of land within a rural zone (other than land within an existing town or village).

1.3 Mining, Petroleum Production and Extractive Industries – requires consultation with NSW Industry and Investment.

2.1 Environment Protection Zones – planning proposals must include provisions that facilitate the protection and conservation of environmentally sensitive areas.

3.1 Residential Zones – planning proposals must include provisions that encourage the provision of housing that will:

- broaden the choice of building types and locations available in the housing market, and
- make more efficient use of existing infrastructure and services, and
- reduce the consumption of land for housing and associated urban development on the urban fringe, and
- be of good design.

Furthermore a planning proposal must 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).

3.4 Integrating Land Use and Transport –planning proposals must locate zones for urban purposes and include provisions that give effect to and are consistent with the aims, objectives and principles of Improving Transport Choice – Guidelines for planning and development (DUAP 2001)

In summary this document seeks to provide guidance on how future development may reduce growth in the number and length of private car journeys and make walking, cycling and public transport more attractive. It contains 10 "Accessible Development" principles which promote concentration within centres, mixed uses in centres, aligning centres with corridors, linking public transport with land use strategies, street connections, pedestrian access, cycle access, management of parking supply, road management, and good urban design.

The document is very much centres based and not readily applicable to consideration of a rural-residential planning proposal. Notwithstanding this, it is considered that the principles of most relevance would be those relating to public transport (for access to Richmond and Windsor), pedestrian and cycle access (for access to Glossodia shops). The document also provides guidance regarding consultation to be undertaken as part of the planning proposal process and various investigations/plans to be undertaken. It is recommended that if this planning proposal is to proceed

Council seek guidance from the DP&I, via the gateway process, regarding the applicability of this document.

4.1 Acid Sulfate Soils – requires consideration of the Acid Sulfate Soils Planning Guidelines adopted by the Director-General of DP&I. The applicant has submitted a report which investigates the potential for acid sulphate soils. The report found that of the soil samples taken from the site none of them contained acid sulfate soils.

4.3 Flood Prone Land – planning proposals 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). A planning proposal must not rezone land within the flood planning areas from special use, special purpose, recreation, rural or environmental protection zones to a residential, business, industrial, special use or special purpose zone. As stated previously the site is not subject to flood water inundation from the Hawkesbury River. The extent of any localised flooding from Currency Creek is unknown, however preliminary advice provided to the applicant by one of their consultants suggests that the 1 in 100 year flood event level extends approximately 70m from the top of Currency Creek's bank. If this planning proposal is to proceed it is recommended that flood modelling of the local catchment applicable to the site be undertaken.

4.4 Planning for Bushfire Protection – requires consultation with the NSW Rural Fire Service, compliance with Planning for Bushfire Protection 2006, and compliance with various Asset Protection Zones, vehicular access, water supply, layout, and building material provisions.

7.1 Implementation of the Metropolitan Strategy – requires planning proposals to be consistent with the NSW Government's Metropolitan Strategy City of Cities, A Plan for Sydney's Future.

The 117 directions do allow for planning proposals to be inconsistent with the directions. In general terms a planning proposal may be inconsistent with a direction only if the DP&I is satisfied that the proposal is:

- (a) justified by a strategy which:
 - gives consideration to the objectives of the direction, and
 - identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and
 - is approved by the Director-General of the Department of Planning, or
- (b) justified by a study prepared in support of the planning proposal which gives consideration to the objectives of this direction, or
- (c) in accordance with the relevant Regional Strategy or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or
- (d) is of minor significance.

State Environmental Planning Policies

Relevant State Environmental Planning Policies (SEPPs) are SEPP No.1 Development Standards, SEPP No. 19 Bushland in Urban Areas, SEPP No. 55 Remediation of Land, SREP No. 20 Hawkesbury - Nepean River (No.2 – 1997).

The planning proposal is consistent with the provisions of SEPP No.1 Development Standards, SEPP No. 19 Bushland in Urban Areas, SEPP No. 55 Remediation of Land.

The aim of SREP No 20 (No. 2 – 1997) 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. This requires consideration of the impacts of the development on the environment, the feasibility of alternatives and consideration of specific matters such as environmentally sensitive areas, water quality, water quantity, cultural heritage, flora and fauna, agriculture, rural-residential development and metropolitan strategy. These matters are discussed in the following section of this report.

SREP No 20 recommends that priority be given to agricultural production in rural zones, that zone objectives and minimum lot sizes support the continued agricultural use of Class 1, 2 and 3 agricultural land and any other rural land that is currently sustaining agricultural production; incorporation of effective separation between intensive agriculture and adjoining uses to mitigate noise, odour and visual impacts; protection of agricultural sustainability from the adverse impacts of other forms of development; consideration of the ability of a site to sustain over the long term the development concerned (including on-site effluent disposal); maintenance or introduction of appropriate separation between rural-residential use and agricultural use on the land that is proposed for development; consideration of any adverse environmental impacts of infrastructure associated with the development concerned.

Assessment of Key Environmental Impacts

Character of the area

Relevant HRLS Criteria:

- A2.4 Provide suitable transition between different dwelling densities*
- G8.2.1 Urban development to minimise impacts on view corridors to significant rural and natural landscapes*
- I2.2.2 Be cognisant of the character of surrounding areas*
- I2.2.3 Be cognisant of the landscape character and its setting*

A key goal of the CSP in the *Looking after people and place* theme is to:

Maintain and foster the rural character of the villages with the Hawkesbury

Furthermore, community surveys undertaken on behalf of Council in 2007 and 2009 show that "rural lifestyle" was by far the dominant response when residents were asked to describe the character of the Hawkesbury.

Rural character/lifestyle can be defined by such matters as the existence of agricultural uses, size of lots, density of development, the type, location, bulk and size of buildings and outbuildings, vegetation and fencing.

The area surrounding the subject site has a mix of lot sizes ranging from small residential lots of 550m² to 1000m², large residential lots of approximately 4000m², rural-residential lots of 1ha to 2ha, and then rural lots of 10ha and greater. The lots immediately adjoining the site to the north and east are generally 1ha – 2ha in area, lots immediately to the south are typically 10ha – 16ha in area, and lots immediately to the west range from 2ha to 10ha.

Most adjoining properties to the west and north contain a substantial coverage of open woodland with dwellings and outbuildings located amongst the woodland vegetation. Separation between adjoining dwellings is typically 40m to 80m. Fencing is typically post and rail along the frontage of properties with star picket and wire fencing for the other boundaries.

Adjoining properties to the east and south are typically used for agricultural purposes such as grazing, turf farming and market gardening. Dwellings, outbuildings and native vegetation are sparse.

In summary the immediately surrounding area has two distinct visual characters. One area having a residential/rural-residential character, the other area having an agricultural production character. As discussed earlier, views to the site are primarily from the north-east (i.e the residential/rural-residential area) and the west and south (i.e the agricultural production area). The site sits between these areas and it is considered that if the planning proposal is to proceed the site should act as a transition between these two areas. The current proposal does not act as a transition between these two areas. Rather, it proposes an extensive coverage of lots which are typically smaller than surrounding lots and will result in a relatively dense form of dwelling and outbuilding development and place at risk the proposed retention of native vegetation.

Traffic and Public Transport

Relevant HRLS Criteria:

- E2.1 Upgrade road transport infrastructure to facilitate economic development and enhanced access within the Hawkesbury LGA
- E2.2 Promote high level public transport to minimise car usage.
- E2.3 Urban development to be accessible to transport options for efficient and sustainable travel between homes, jobs, services and recreation:
 - in proximity to City Rail train stations
 - in proximity to regular and reliable bus networks and services
- E2.4 Frequency and servicing of public transport services to be upgraded to meet current and future community needs
- E2.5 Bicycle networks to be expanded to facilitate recreation and commuter use in a safe environment
- E2.6 Pedestrian footpaths are provided in all urban areas and centres

A traffic impact study has been submitted with the planning proposal. The study examined the likely impacts of the development on the surrounding road networks as well as the Bells Line of Road/Terrace Road/Grose Vale Road, Bells Line of Road/Crooked Lane and Freemans Reach Road/Wilberforce Road intersections and both Windsor and North Richmond bridges.

The study investigated current, and with development, morning (AM) and afternoon (PM) peak hour traffic conditions and congestion/delays at the two bridge crossings over the Hawkesbury River at Windsor and North Richmond and three nearby adjoining intersections at Grose Vale Road/Terrace Road at North Richmond, Crooked Lane, North Richmond and Freemans Reach Road, Windsor.

The study is based on the following assumptions:

- an external vehicular traffic generation rate of 10 vehicle trips per day per household and 1 vehicle trip per hour per household in both the morning and afternoon peak hours
- approximately 40% peak hours traffic will be to and from Richmond or regional destinations, most likely via the North Richmond bridge
- approximately 40% peak hours traffic will be to and from Windsor or regional destinations, most likely via the Windsor bridge
- approximately 15% peak hours traffic to and from local destinations in Glossodia, North Richmond and Kurrajong area
- approximately 5% peak hours traffic to and from other local destinations eg Freemans Reach and Wilberforce
- that East Market Street, Richmond and Macquarie Street, Windsor are not heavily congested and impact from the proposed development will be dispersed by the time they reach these locations and no significant traffic impacts are likely

The study did not examine in detail the existing and future traffic conditions at the main Windsor and Richmond Town Centre intersections.

The study included intersection performance assessment, which is described by a level of service (LOS) ranging between A to F. LOS are based on delay for any vehicle movement at intersection with the criteria shown in the following table:

Level of Service Criteria for Intersection Modelling

Level of Service	Average Delay Per Vehicle (seconds)	Traffic Signals, Roundabout	Give way & Stop Signs
A	< 14	Good operation	Good operation

Level of Service	Average Delay Per Vehicle (seconds)	Traffic Signals, Roundabout	Give way & Stop Signs
B	15-28	Good with acceptable (min) delays & spare capacity	Acceptable delays (min) & spare capacity
C	29-42	Satisfactory	Satisfactory, but accident study required
D	43-56	Operating near capacity	Near capacity and accident study required
E	57-70	At capacity; at signals, incidents will cause excessive delays; Roundabout require other control mode	At capacity and requires other control mode
F	>70	Unsatisfactory and requires other control modes	Unsatisfactory and requires other control modes

The key findings of the study were:

Traffic Volumes

There will be likely peak hour traffic increases of approximately 3-4% on the two major road bridge crossings of the Hawkesbury River and likely peak hour traffic increases generally in the range 10-12% on all major local roads in the affected area. These increases will all, however, be below the general threshold limits of any significant or noticeable adverse traffic related amenity or safety impacts on any of these roads, thus requiring minimal or no road upgrade works as a result of the proposed development. Beyond the two Hawkesbury River bridge crossings at Windsor and North Richmond, the future peak hour traffic increases on other major roads will be 1 – 2% as the site generated traffic disperses onto a range of other regional traffic route.

The traffic volume count reveals that the peak traffic on Bells Line of Road at the North Richmond Bridge is significantly busier in the AM peak compared to the PM peak period while correspondingly the Windsor Bridge traffic is less busy in the AM peak but significantly busier in the PM peak period.

The study concludes that given these differences some local traffic in the area already switches routes between the two bridges in the AM and PM peak periods, most probably in response to specific traffic congestion factors at critical locations on the road network during either the morning or afternoon peak traffic periods.

Freemans Reach Road/Wilberforce Road intersection at Windsor

During peak hours vehicles queue on Freemans Reach Road waiting for gaps to turn right into Wilberforce Road, approaching the Windsor Bridge. The intersection analysis reveals that the intersection is functioning safely and operating reasonably smoothly with minimal overall traffic delays. The current Level of Service 'A' at AM Peak and 'B' at PM Peak periods remains unchanged as a result of the proposed development, although there is a marginal increase in delay pre and post development (AM Peak from 10.8 to 11.3 sec (+0.5 sec) and PM Peak from 16.4 to 17.1 sec (+0.7 sec) however the values are within the LOS range.

Terrace Road/Grose Vale Road/Bells Line of Road at North Richmond

This major intersection is relatively congested at both AM and PM peak hour. The intersection has limited capacity to accommodate additional traffic without deterioration in the LOS. The current LOS is AM Peak 'D' and PM Peak 'E'. With development, the LOS will change the AM Peak to 'D' and PM Peak to 'F'. This means that the average delay for pre and post development will change AM Peak from 52.1 sec to 53.4 sec (+1.3 sec) and PM Peak from 62.2 to 71.4 sec (+9.2 sec). It is worth noting that the 53.4 sec and 71.4 sec delay is equivalent to a maximum queue length of 303 and 532 metres respectively.

The study recommended changing the PM Peak hour intersection cycle time from 120 seconds to 150 seconds to bring the LOS back from 'F' to 'E' without undertaking any physical works at the intersection.

Crooked Lane/Bells Line of Road at North Richmond

The intersection is moderately congested during AM and PM peak hour (Level of Service C/B) but still has spare capacity to service additional traffic generated from proposed development. The current Level of Service 'C' at AM Peak and 'B' at PM Peak periods remain unchanged with the proposed development, although there is a marginal increase in delay pre and post development (AM Peak from 28.9 to 29.2 sec (+0.3 sec) and PM Peak from 27.0 to 27.9 sec (+0.9 sec) however the values are within the LOS range.

Capacity of Bridges

The bridge traffic capacity calculation is carried out based on AUSROADS guide. The study indicates that the North Richmond Bridge capacity varies in range between approximately 2250 and 2480 vph during AM and PM peak periods, while the Windsor Bridge capacity is generally much lower at approximately 1750 vph during both peak periods.

The analysis reveals that North Richmond Bridge is now effectively operating at capacity at AM peak traffic period and the Windsor Bridge is operating at capacity at PM peak periods.

The study concludes that the future traffic growth in the area from the proposed Glossodia rural-residential lots should ideally be flexible in terms of its ability to use either bridge during AM and PM peak periods.

Public Transport

Glossodia is currently serviced by WestBus Route 668 which traverses between Richmond-Windsor and Windsor-Richmond via Glossodia and Wilberforce. The bus services are infrequent and does not provide many day time travel options outside the peak hours.

Comments on Traffic Study Findings

Initial assessment of the traffic report raised the following matters of concern.

The recommended change in traffic light cycle from 120 to 150 seconds for the Grose Vale Road/Terrace Road/Bells Line of Road intersection is outside of Council's jurisdiction and must be referred to RTA for their comment. Notwithstanding this it is considered that there is high likelihood of significant community opposition to the proposed cycle change.

The study does not take into account the potential traffic growth or impacts on the Grose Vale Road/Terrace Road/Bells Line of Road intersection and North Richmond Bridge capacity at AM and PM peak hour from the approved seniors living development at 108 Grose Vale Road, North Richmond (the old Peels Dairy farm site). The bridge and the intersection are already operating at full capacity during the AM peak period and cumulative additional traffic of developments will have significant impact on this intersection and the bridge. More detailed investigation is needed that takes into account the traffic from the seniors living development.

The RTA propose to replace the Windsor Bridge in the near future. The preferred option (Option 1) proposes a new bridge about 35 metres downstream of the existing bridge. It is assumed that the design and construction of the new bridge at this location will address the current intersection issues at Freemans Reach Road and Wilberforce Road. However, until this option and design is confirmed it would be premature to assume this improvement.

The study emphasised the need for the community to be flexible during peak periods in using either North Richmond or Windsor bridges. This flexibility cannot be assured as route and bridge usage will

solely depend on the individual and is too subjective to use as a basis for development decisions. In any event, both of these bridges and approaches already have significant problems.

A section of the proposed western access road from Spinks Road will also service the existing egg production farm road. Further investigation is required to determine traffic volume and type that will service the egg production farm and to determine whether it is appropriate or if any control measure is needed along the shared section of residential road to mitigate traffic risk.

The proposed northern access point located along the bend section of Spinks road is not desirable and further investigation (e.g. safe sight distance etc) will be needed.

As a result of this initial assessment Council staff expressed concern to the applicant regarding the proposed increase to the traffic lights cycle, requested more information regarding the cumulative affects of development on the Grose Vale Road/Terrace Road/Bells Line of Road intersection, potential impacts on the Windsor and Richmond townships, and the operation of the egg production farm.

In reply the applicant has advised:

- a re-run of the traffic model incorporating the senior living development finds that it does not affect the findings of the original traffic report and that all the conclusions in that report remain valid.
- the traffic impact on Windsor and Richmond town centre intersections will be very negligible and does not warrant undertaking traffic modelling to assess the impact on those intersections from proposed development.
- as an alternative to increasing intersection cycle time from 120 to 150 seconds the following three options were considered, with the consultant recommending options 2 and 3 as suitable:
 - Option 1 - to reconfigure and add an extra left turn lane, westbound into the intersection, for about 60 metres on the Terrace Road approach, which would make three lanes on this approach
 - Option 2 - to reconfigure the Grose Vale Road approach as three lanes heading north-east into the intersection and one lane heading south-west away from the intersection. This would mean some loss of existing on street car parking downstream from the intersection.
 - Option 3 - make Bells Line of Road no right turn south-eastbound at the intersection, remove the right turn lane and reconfigure the north-eastbound as two through lanes eg one through and one through plus left lane. Traffic lights and a longer right turn lane would need to be installed at Charles Street on Bells Line of Road to accommodate the diverted right turn traffic.

The consultant's comments regarding the cumulative impacts of the proposal and the senior living development and the likely impacts on the Windsor and Richmond town centres are accepted for the interim. If the planning proposal is to proceed these comments should be further tested by Council and RTA staff.

It is considered that Option 2 is not practical and may not be acceptable to the community and business owners as this involves removing street parking along the Grose Vale Road adjacent to the intersection along a 60 metre strip. However, again this would need to be modelled and considered following community consultation.

Option 3 involves removing right turn south-eastbound lane at the intersection and reconfiguring the north-west bound lane as two through lanes. This change would retain the existing level of service in the AM Peak at D and an improvement in the PM Peak from current level of service E to D. However, this option requires new traffic lights at Charles Street on Bells Line of Road and a longer right turn lane to accommodate the diverted right turn traffic. The consultant's report does not address the issue of traffic flow and capacity along Charles Street and does not address access to shops on Riverview

Street for traffic coming down on the south-eastbound lane along Bells Line of Road. This traffic will have to use the right turn bay at Charles street to access the shops. This is a major change which may be opposed by the affected business owners and community.

The reconfiguration, traffic light installation and traffic diversion proposed in Option 3 is a major change in the traffic flow and intersection configuration. This matter must also be referred to the RTA as the road is under state control. At this stage proposed Option 3 solution cannot be accepted without a full and thorough investigation with all relevant stakeholders. The applicant's representative has not suggested who should pay for or implement such options other than to state the applicant is open to a traffic solution that works for the intersection provided it is adequately costed.

It should be noted that the RTA is currently undertaking traffic assessment and modelling of Bells Line of Road between Richmond and North Richmond. These options could be referred to the RTA for testing as part of the existing work, prior to serious consideration of any option. However, the traffic study does indicate that, whilst the impact may be relatively small, an immediate amendment to the traffic issues, at least at North Richmond, is required prior to full consideration of the planning proposal. As mentioned, the RTA are currently undertaking the modelling work with a range of actions to be considered that would address the immediate, medium and long term options for this issue.

Topography

Relevant HRLS Criteria:

G3.2.1 Urban development to be limited to areas with a slope of 15% or lower

The site is undulating and varies in elevation from approximately 80m westerly, 70m northerly, 40m easterly, and 30m southerly. A steep sloping section of land, generally in excess of 15%, passes through the middle of the site in an east-west direction. Land in the southern portion of the site towards Currency Creek is relatively flat, being generally less than 6%. Land in the north-eastern portion of the site towards is of moderate slope, generally 6-10%.

The Sustainability Criteria of the HRLS recommends that urban development be limited to areas with a slope of 15% or lower. The steep sloping section through the middle of the site therefore represents a constraint to development of the site and, as will be discussed in the following section, areas greater than 6% slope act as a constraint to the on-site irrigation of waste water.

Water Management

Relevant HRLS Criteria:

D1.2.4 Urban development in small villages and neighbourhood centres be limited to areas capable for onsite disposal and/or waste water irrigation.

G1.2.3 Protect and enhance biodiversity, air quality, heritage and waterway health.

G5.2.4 Be consistent with catchment and stormwater management planning (CMA and local council) and the NSW Floodplain Development Manual.

G6.2.2 Maintain or improve existing environmental condition for water quality and quantity.

G6.2.3 Development to be consistent with community water quality objectives for recreational water use and river health.

G7.2.1 Development is to avoid wetland areas.

G7.2.2 Future urban development to be located outside of riparian zones.

G7.2.3 Development should not adversely impact on the drainage regime of wetland areas.

A water management strategy has been submitted with the planning proposal. The strategy proposes:

- individual lots being provided with individual aerated waste water treatment systems (AWTS) with surface irrigation areas of 1200m² and 3 kilolitres for wet weather storage

- stormwater being treated initially in local rain gardens (250m² in area) before being discharged to a trunk drainage network where together with runoff from roads and swales it will be treated in bio-retention basins prior to being discharged offsite
- peak stormwater flow rates from the proposed development not to exceed existing conditions in the 5, 20 and 100 year Average Reoccurrence Intervals (ARI) events

Concern was raised with the applicant regarding the proposed AWTs to serve the subdivision. In particular concern was raised that only one type of waste water treatment system was proposed and that the water management strategy appeared not to adequately consider the significant slope of parts of the site. The applicant was requested to give consideration to the suitability of other types of systems, provide advice regarding the ongoing management of proposed systems, and consider the constraints imposed by the slope of the land bearing in mind that the relevant Australian Standard recommends a maximum slope of 6% for surface irrigation systems.

In reply the applicant advises:

- the appropriateness of other systems such as a centralised sewage treatment system and various lot based sewage solutions was considered and as a result AWTs were selected
- given the topography of the site it is likely that some lots will not be capable of providing a maximum 6% grade for the irrigation area. For these lots it has been assumed that the irrigation area will be benched to match the design requirements or sub-surface irrigation will be installed
- it is proposed to incorporate a series of measures to manage the risk associated with the inclusion of AWTs on each lot. Throughout the life cycle of the AWTs the lot owner will be responsible for:
 - the inspection and servicing of the AWTs four times per year by a Council approved contractor
 - the inspection of sludge and scum levels in each of the AWTs' tanks and performance of irrigation areas
 - the de-sludging of each tank every three years as a minimum
 - quarterly inspection and testing of the disinfection chamber to ensure that the correct disinfection levels are capable of being achieved on an ongoing basis
 - the cleaning of the grease trap every two months as a minimum
 - maintaining records of de-sludging activities, inspections and all other maintenance associated with the AWTs
 - AWTs will be equipped with an emergency alarm containing both visual and audible components. This emergency alarm will be triggered when the AWTs is not operating effectively. The emergency alarm will only be able to be reset by an approved contractor. In the event that the AWTs is not operational the wet weather storage component of the AWTs will provide sufficient capacity to enable tankering of the sewerage by an approved contractor.

The landowner will also be responsible for the licensing to operate the system with Council.

Notwithstanding this, concern is still raised that only one system is proposed and hence there is no alternative system available in the event that upon site specific investigation an AWTs is unsuitable or after a period of time requires replacement with another type of system. The applicant has not provided any reasons why an AWTs was selected instead of other types of communal or individual systems. An option for "pump-out" systems (not proposed by the applicant) is unsustainable and should not be considered acceptable by Council.

Benching of some lots to cater for the irrigation areas is considered unacceptable due to potential visual impacts and long term soil stability. Sub-surface irrigation can be installed on slope greater than 6%; however, there is an increased risk of polluted surface run-off when the ground becomes saturated.

The land area required by an AWTS (1200m² irrigation area plus area required for buffer zones and tanks) would take up a considerable portion of a 4000m² lot constraining the location of any proposed dwelling, outbuildings, swimming pools, gardens, play areas and alternative disposal areas should the disposal area become unsuitable in the long term.

Finally, the water management strategy did not make an assessment of the potential cumulative impacts of the proposed 179 individual systems on Currency Creek catchment, groundwater, and long term water logging of the site. In this regard additional investigation of the 'catchment' capacity to accept on-site waste water systems should be considered to determine the density of systems that the catchment could sustainably accept.

It is considered that a larger minimum lot size would assist in overcoming these concerns as other systems could be considered/used, steep slopes could be avoided, and the land area required by the system would not be such a significant portion of the site and hence provide more land area for dwellings, outbuilding, swimming pools, gardens and play areas.

Ecology

Relevant HRLS Criteria:

- G1.2.1 No urban development in areas identified for conservation, environmental sensitivity and recreation*
- G1.2.2 Maintain a high quality natural environment and respect elements of natural environment*
- G1.2.3 Protect and enhance biodiversity, air quality, heritage and waterway health*
- G1.2.4 Future urban development to occur in areas where there is limited impacts on significant vegetation communities*

A flora and fauna assessment has been submitted with the planning proposal. In summary the assessment reveals that whilst the majority of the site consists of grassland, the existing vegetation has a medium to high quality condition and large portions of the site's vegetation will need to be retained. The assessment found:

- three threatened fauna species (East-coast Freetail-bat, Eastern Bentwing-bat and a Large-footed Myotis)
- one threatened flora species (*Pimelea spicata*)
- two endangered ecological communities - 18.4ha of Cumberland Plain Woodland (CPW) and 7.45ha of River-flat Eucalypt Forest on Coastal Floodplains (RFEF). Most of the RFEF is contained within the Currency Creek riparian corridor

The assessment concluded that the proposed residential development of the site would be constrained by the presence of the following ecological features:

- two large dams that provide high aquatic habitat for a diversity of bird species. These large dams are located in the north-eastern corner of the site and in the western part of the site
- the two endangered ecological communities
- hollow-bearing trees that provide suitable habitat for recorded threatened bats and other hollow-dependent species
- riparian buffers along Currency Creek and one unnamed watercourse located in the north-western corner of the site

The assessment made the following recommendations:

- To adopt a Vegetation Management Strategy that conserves as much of the existing vegetation as possible, offsets the loss of significant vegetation in the form of wildlife corridors, riparian corridors, retained vegetation and waterbird reserves
- Ongoing ecological site management of the site would need to be firmly incorporated within the sites development layout and managed in the form of a Vegetation Management Plan. Ecological site management would need to include restoration of native vegetation within the proposed riparian corridor, the two wildlife corridors, within and adjoining the two large dams to be retained onsite and within natural retained vegetation. Restoration works will need to specifically restore CPW and RFEF vegetation communities onsite.
- In regard to the Cumberland Plain Land Snail, a further target search in more appropriate conditions (during and following rain) is recommended to provide a conclusive assessment for this species. The presence of Cumberland Plain Land Snail within a remnant patch of vegetation would result in full protection of that remnant and the need to provide vegetated connectivity to support the population.
- A comprehensive assessment of hollow bearing trees will be required to identify the potential impact of the proposed development on threatened hollow dependent threatened species for the Section 5A assessment of the EPA Act 7-part test
- Stormwater management of the site will need to maintain or improve the management of water on-site

The assessment included a Constraints / Opportunities map which is included as an attachment to this report. The map shows:

- a 50m riparian buffer zone adjoining Currency Creek
- retention of scattered stands of CPW throughout the western part of the site
- waterbird reserves around the two large dams
- a 20m riparian buffer zone adjoining watercourses in the north-west of the site
- fenced, revegetated and regenerated CPW areas of variable width along the western and part of the northern boundary of the site and
- a north-south 50m wide fenced, revegetated and regenerated CPW area in the eastern part of the site

Whilst it is agreed that the majority of the site consists of open grassland it is important to note that CPW can exist in an open grassy woodland formation and the importance of partially native grassland should not be overlooked in assessing whether the vegetation (including ground layer) is of environmental significance. These open grasslands can provide habitat and a food source for many faunal species that developed land cannot and open grasslands do not restrict movement that can cause faunal fatalities, unlike structures such as roads, solid fencing and buildings.

Whilst the proposal provides for the retention of CPW and RFEF the resultant subdivision will fragment these endangered ecological communities and place these communities at greater risk to harm from "key threatening processes" identified by the *Threatened Species Act 1995*. These processes include clearing of native vegetation, dieback associated with over-abundant psyllids and bell miners, high frequency fire resulting in the disruption of life cycle processes in plants and animals and loss of vegetation structure and composition, infection of native plants by *Phytophthora cinnamomi*, invasion and establishment of exotic vines and scramblers, invasion, establishment and spread of *Lantana camara*, invasion of native plant communities by exotic perennial grasses, predation by feral cats, and removal of dead wood and dead trees.

As discussed above the site adjoins Currency Creek along its southern boundary. Currency Creek is an iconic catchment that feeds many reserves and inhabits a range of threatened species. The proposal does have the potential to have substantial ecological impacts both locally and regionally on this catchment. In particular increased hard surfaces can increase weed infestation and erosion along the creek and fenced boundaries restricts fauna movement.

Therefore, in addition to the above mentioned recommendations it is considered that the following should be incorporated into the proposal:

- amendment to the lot layout in order to create greater connectivity/vegetation paths between existing dams and vegetation. In some cases this will serve a dual purpose of enhancing habitat, connectivity and biodiversity values to the site for the threatened species and acting as a visual screen and windbreak for the poultry sheds. Where recommended connecting vegetation lies to the north of the proposed subdivision this vegetation should mainly comprise CPW i.e. open woodland vegetation as to allow for solar access for properties to the south
- greater access to the riparian buffer along currency creek. This will ensure greater user enjoyment as it provides a greater area for passive recreation and access for maintenance by authorities and contractors
- provision of a wider riparian buffer. This buffer is to include pathways to prevent vandalism through informal tracks; identify to the community that the area is for public use to encourage visitation and hence the aforementioned passive surveillance. The widening of the buffer will also assist to protect the creek bank from erosion and compaction
- greater open space and recreation areas situated within green areas that can be utilised as play grounds, exercise circuits, dog off leash areas etc
- where development is proposed near the creek line it should be in strict accordance with environmentally sensitive design principles.

It is considered that if these recommendations are implemented the proposal would have greater compliance with the following Sustainability Criteria of the HRLS:

- No urban development in areas identified for conservation, environmental sensitivity and recreation
- Maintain a high quality natural environmental and respect elements of natural environment
- Protect and enhance biodiversity . . .and waterway health
- Maintain or improve areas of regionally significant terrestrial and aquatic biodiversity, including regionally significant vegetation communities, critical habitat, threatened species, populations, ecological communities and their habitats

Bushfire Prone Land

Relevant HRLS Criteria:

- G2.2.1 Urban development in Category 1 and 2 bushfire areas is to be avoided*
- G2.2.2 Urban development in Category 1 or 2 bushfire areas is subject to meeting the requirement of the NSW Rural Fire Service "Planning for Bushfire Protection" Version 3 June 2006 guidelines or as amended from time to time*

The site predominantly contains a mix of Category 1 vegetation (i.e. forest or woodland) and Category 2 vegetation (open woodlands and grasslands), with the majority of the site being Category 2 vegetation.

A bushfire assessment has been submitted with the planning proposal. The recommendations for residential development asset protection zones (APZ) are based on Level 3 construction under Australian Standard 3959-1999. The depth of recommended APZs vary throughout the site, however are generally 10m to 25m in depth.

The Standard nominates four categories of construction standards that fall within the scope of the Standard. These are Low (no construction requirements), Medium (Level 1), High (Level 2) and Extreme (Level 3). Level 3 has the most onerous and costly construction requirements of the Standard. By building to a higher construction standard the depth of the APZ can be reduced. Alternatively, if larger lot sizes were proposed which offered greater separation distance of the resultant dwelling and to surrounding bushfire prone vegetation then the level and cost of construction could be reduced.

If the planning proposal is to proceed it is anticipated that it will be referred to the NSW Rural Fire Service, being the responsible authority of bushfire protection, for comment.

Noise

An acoustic assessment has been submitted with the planning proposal. The assessment took into consideration the current traffic noise generated from Spinks Road and likely impact on future residences, and the current noise generated from the egg farm and the likely impact on future residences.

The assessment found that:

- predicted noise impacts from Spinks Road affecting the future residences are within acceptable NSW government noise criteria. Therefore, noise treatment will not be necessary for residential building facades facing or near Spinks Road
- measured operational noise from the existing egg farm is within NSW government noise criteria at the nearest proposed residential site

The conclusion of the assessment is that there is no acoustic impediment to the proposed rezoning.

It is noted however that the predicted noise impact of the egg farm on the nearest proposed residence for the "evening" and "night" time periods is above the recommended "acceptable" noise criteria and is marginally below or equal to the "recommended maximum" noise criteria. Whilst compliance with the criteria is achieved physical noise attenuation measures and/or a greater separation distance from the egg farm could bring the noise impacts to within the "acceptable" noise level. Given that the proposed rezoning is a "greenfield" development and not constrained "infill" development it is considered appropriate that the "acceptable" criteria be achieved.

If the planning proposal is to proceed it is anticipated that it will be referred to the OEHL, being the responsible authority of noise criteria, for comment.

Odour

Relevant HRLS Criteria:

G6.2.1 Maintain or improve existing environmental condition for air quality

An odour impact assessment has been submitted with the planning proposal. The assessment took into consideration the existing design, operations and odour emissions of the egg farm, local meteorological conditions, the topography of the locality, and the location of surrounding and proposed allotments. As a result predicted odour impact data and maps were produced.

The NSW Office of Environment and Heritage's receptor odour performance criteria of 2 odour units per cubic metre of air (OU/m³) was adopted as the standard to be achieved. This is the highest standard of the OEHL and is to be complied with 99% of the time. In summary, the standard means

that for 99% of the time the surrounding community should not receive more than 2OU of odour generated from the egg farm. Odour emission less than 2OU are considered to be negligible.

The assessment found that with the retention of the egg farm, proposed Lots E8 to E17, E18 to E28, E42 to E49 and E60 and E61 would experience odour greater than the 2OU. As a result vegetative earth berms and foggers/misters around the facility are proposed to reduce odour below the 2OU threshold.

The author of the assessment claims that the vegetative earth berms will reduce odour in the following ways:

- absorbing some of the odour
- providing windbreaks to winds blowing towards the facility thus preventing strong winds from carrying the odour off site
- preventing disturbance of remaining odour lingering within the proximity of the facility
- improving the visual appearance of the facility, preventing any biased perspective on odour emission from the farm that could trigger odour complaints (i.e. "out of sight, out of mind")

The earth berm would typically be 8 metres wide and consist of 4 rows of vegetation. Suitable vegetation includes bamboo, snowy river wattle, and lilly pilly.

It is claimed that foggers/misters will allow odorous substances to be collected on the soil next to the earth berms. Sketches of the proposed earth berms and fogger/misters are attached to this report.

The assessment concedes that "researchers worldwide are still incapable of scientifically determining in detail the exact figure of odour reductions associated with using vegetation". However, based on the assessment author's research and experience, odour reduction in the order of 50% is expected, and if foggers/misters are added then an odour reduction of 80% is predicted.

The assessment concludes that with the proposed vegetated earth berms and foggers/misters no proposed lots would experience odour impacts greater than 2OU.

The author of the assessment advises that a range of mechanical options to reduce odour impacts were considered. These included biofilters, biomass filters, washing walls and wet scrubbers, ozonation using ozone generator electrostatic precipitators, dry dust filtration, litter aeration, odour neutralising products, and dust control structures. These were discounted due to a number of reasons including cost of installation and/or operation, maintenance needs, inefficiency of systems; energy needs to operate the system, and health risks associated with some systems.

The recommendations of the assessment do not present a significant impediment to the proposal. However, it is noted that odour impact analysis is a very specialised and complex vocation which can be quite subjective. As a result further detailed examination of the assessment may be required. If the planning proposal is to proceed it is anticipated that it will be referred to the OEH, being the responsible authority of air quality, for comment.

Contamination

The environmental site assessment submitted with the planning proposal records that the site has been variously used for agricultural and grazing purposes with parts of the site being used as orchards. The site is currently being used as a poultry farm, grazing of cattle and horses and for residential purposes. The chicken hatchery commenced around 1971 on Lot 2 and 3 DP 784300, with the egg production farm commencing in 1981 on Lot 3 DP 230943.

The assessment records the presence of asbestos containing materials, dead cows and chickens, stockpiles of assorted building materials, abandoned motor vehicles, tyre stockpiles, concrete stockpiles, fuel storage tanks, the potential for saline soils.

The report found there is the potential for some contamination in limited areas of the site due to past and current uses; however, it is likely that any such contamination can be cleaned up by the application of commonly used methods. The contaminants of concern were heavy metals, pesticides, total petroleum hydrocarbons, asbestos, benzene, toluene, ethylbenzene and xylenes, polycyclic aromatic hydrocarbons, organochlorine pesticides, organophosphorus pesticides, and polychlorinated biphenyls.

It is considered these findings do not present a significant impediment to the proposal. Further sampling can be carried out to inform the preparation and implementation of a Remedial Action Plan. This sampling is not considered necessary at this stage in the planning proposal process. If the planning proposal is to proceed it is anticipated that it will be referred to the OEH, being the responsible authority of land contamination, for comment.

Agricultural Land Resource Assessment

Relevant HRLS Criteria:

- G9.2.1 Prime agricultural land is to be protected*
- G9.2.2 Urban development in rural and agricultural areas should be avoided to minimise conflicts between uses and to maintain economic and tourism resources for the LGA*
- G9.2.3 Protect the potential for future agricultural productions as circumstances and opportunities change*

The agricultural land resource assessment submitted with the planning proposal finds that the soils on the site are generally of fair (Class 3 – 149ha) to poor (Class 4 – 34.6ha) agricultural quality.

The Class 3 land is generally the low level land in the western, southern and eastern portions of the site and the Class 4 land is generally the higher level land in the western and northern portions of the site. The soils on slopes are highly susceptible to soil erosion, and acidic to strongly acidic thus preventing abundant growth of many perennial pastures and crops. The soils along flats are saline at the surface and highly saline at depth, making it difficult for salt sensitive crops to grow. The assessment concludes that the entire site is not suitable for regularly cultivating soil to grow crops.

The NSW Land and Water Conservation's 1988 Agricultural Suitability Classification System describes Class 3 and Class 4 land as follows:

Class 3 – Moderately productive lands suited to improved pasture and to cropping within a pasture rotation. The overall level of production is moderate as a result of edaphic or environmental constraints. Erosion hazard or soil structural breakdown limit the frequency of ground disturbance, and conservation or drainage works may be required.

Class 4 – Marginal lands not suitable for cultivation and with a low to very low productivity for grazing. Agriculture is based on native or improved pastures established using minimum tillage. Production may be high seasonally but the overall level of production is low as a result of a number of major constraints, both environmental and edaphic.

Whilst the site may not be suitable for regular cultivation this does not exclude other agricultural pursuits being undertaken on the land such as grazing, orcharding, greenhouses, poultry farms, aquaculture, hydroponics or other agricultural pursuits not reliant on soil suitability. Indeed the site is currently used for grazing and poultry farms, and orcharding has been a previous use of the land.

Indigenous and Non-Indigenous Heritage

Relevant HRLS Criteria:

- I1.2.1 Future development is cognisant of and responsive to archaeological and cultural heritage*
- I1.2.2 Future urban development to protect areas of Aboriginal cultural heritage value*

The site does not contain any heritage items as listed under HLEP 1989 or DHLEP 2011. An Indigenous and Non-Indigenous Heritage Assessment has been submitted with the planning proposal. The assessment found:

- two isolated indigenous mudstone artefacts, considered to be of low overall significance given their limited research potential and educational value
- one area in the eastern part of the site as having high potential for surface and/or subsurface indigenous archaeological deposits with any identified sites probably being of low to moderate significance
- the site may have some potential for fragmentary non-indigenous archaeological evidence associated with generic farming activities with limited research potential to contribute new or substantial information about the site
- built structures on the site are limited to twentieth-century houses, sheds and outbuildings
- the site is considered to have little or no non-indigenous archaeological potential or heritage significance

It is considered these findings do not present a significant impediment to the proposal. If the planning proposal is to proceed it is anticipated that it will be referred to the OEH, being the responsible authority for heritage, for comment.

Development Control Plan and Section 94 Development

If the planning proposal is to proceed the need for a site specific Development Control Plan, Development Contributions Plan or Voluntary Planning Agreement should be considered and reported back to Council. This could be considered after the "gateway" determination of DP&I.

Financial Implications

The applicant has paid the fees required by Council's Revenue Pricing Policy for the preparation of a local environmental plan.

Conclusion

The site falls within the Glossodia Future Investigation Area of the HRLS. The HRLS recommends that for this investigation area:

- *[The] extent and type of residential zoned land to be reviewed subject to sewerage, the expansion of commercial, retail and community services to accommodate a larger population*
- *Larger lot residential is to be investigated within the urban zoned [land] around fringe*
- *Resolution of transport, access and traffic issues particularly road infrastructure crossing the river.*

The site has a relatively large area variously owned by eight persons/companies. It immediately adjoins the Glossodia residential area and the majority of the site is cleared and of gentle to moderate slope. These factors present an opportunity for the site to be considered for some form of residential development.

This report however has identified a number of physical, environmental and development issues that act as a constraint to the proposed development of the site. Key identified issues, at this initial stage of assessment, include:

- the impact of the proposed development on the character of the area
- traffic generation and impact on surrounding road network

- slope of the site
- flora and fauna impacts
- feasibility of on-site effluent disposal
- compatibility of future development with retention of egg production farm

It is considered that these constraints have primarily arisen due to the density of the development and the proposed layout of the development and accordingly it is recommended that the proposal not be supported in its current form.

However, in order to progress this matter and examine possible alternatives an amended concept plan for rural-residential development of the site has been prepared by staff for Council's consideration and is attached to this report. This concept plan has been primarily based on consideration of the physical and environmental constraints of the site and proposes a density and location of development more in keeping with the rural / rural-residential character of the area. It is considered that the concept plan could yield approximately 75 lots.

It is not suggested that this alternative concept plan resolves concerns identified with respect to traffic generation and impact on surrounding road network or feasibility of on-site effluent disposal, or should be adopted as a final plan. However, it is recommended that this plan be used as a basis for further consideration of these issues. In doing so it is recommended that the applicant and Council staff, representatives from the RTA and DP&I be involved in further consideration of these matters with the applicant being responsible for preparing an amended planning proposal for consideration by Council.

Planning Decision

As this matter is covered by the definition of a "planning decision" under Section 375A of the Local Government Act 1993, details of those Councillors supporting or opposing a decision on the matter must be recorded in a register. For this purpose a division must be called when a motion in relation to the matter is put to the meeting. This will enable the names of those Councillors voting for or against the motion to be recorded in the minutes of the meeting and subsequently included in the required register.

RECOMMENDATION:

That:

1. Council support, in principle, the preparation of a Planning Proposal for the land comprising of:
 - Lot 2 DP 533402 and Lot 52 DP 1104504, 103 Spinks Road, Glossodia
 - Lot 20 DP 214753, 213 Spinks Road, Glossodia
 - Lot 75 DP 214752, 361 Spinks Road, Glossodia
 - Lot 3 DP 230943, James Street, Glossodia
 - Lot 44 DP 214755, 3 Derby Place, Glossodia
 - Lot 50 DP 751637, 746A Kurmond Road, Freemans Reach
 - Lots 1, 2 and 3DP 784300, 780A – 780C Kurmond Road, North Richmond
 to rezone the land for large lot residential development.
2. The planning proposal, submitted by the applicant, in its current form not be supported.
3. The concept plan titled "Jacaranda Ponds Planning Proposal Concept Plan, July 2011" attached to this report be adopted for the purposes of investigating the issues raised in this report and preparing an amended planning proposal.
4. The Department of Planning and Infrastructure and NSW Roads and Traffic Authority be advised of this planning proposal and invited to provide comment on the current proposal and input into the preparation of an amended planning proposal.

5. The applicant be responsible for preparing an amended planning proposal to be reported back to Council.

ATTACHMENTS:

- AT - 1** Aerial Photo of Site.
- AT - 2** Plan of Proposed Rezoning and Lot Layout.
- AT - 3** Extract from Hawkesbury Residential Land Strategy 2011 – Glossodia Future Investigation Areas.
- AT - 4** Typical Lot Arrangement for Waste Water Management.
- AT - 5** Flora and Fauna Constraints and Opportunities Plan.
- AT - 6** Plans of Proposed Odour Control Vegetated Earth Berms.
- AT - 7** Jacaranda Ponds Planning Proposal Concept Plan, July 2011.



HAWKESBURY CITY COUNCIL

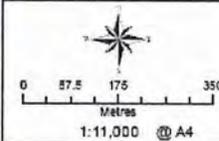
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Email: council@hawkesbury.nsw.gov.au
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Phone: 02 4652 4644



Legend

Subject Area

50 Lot Number



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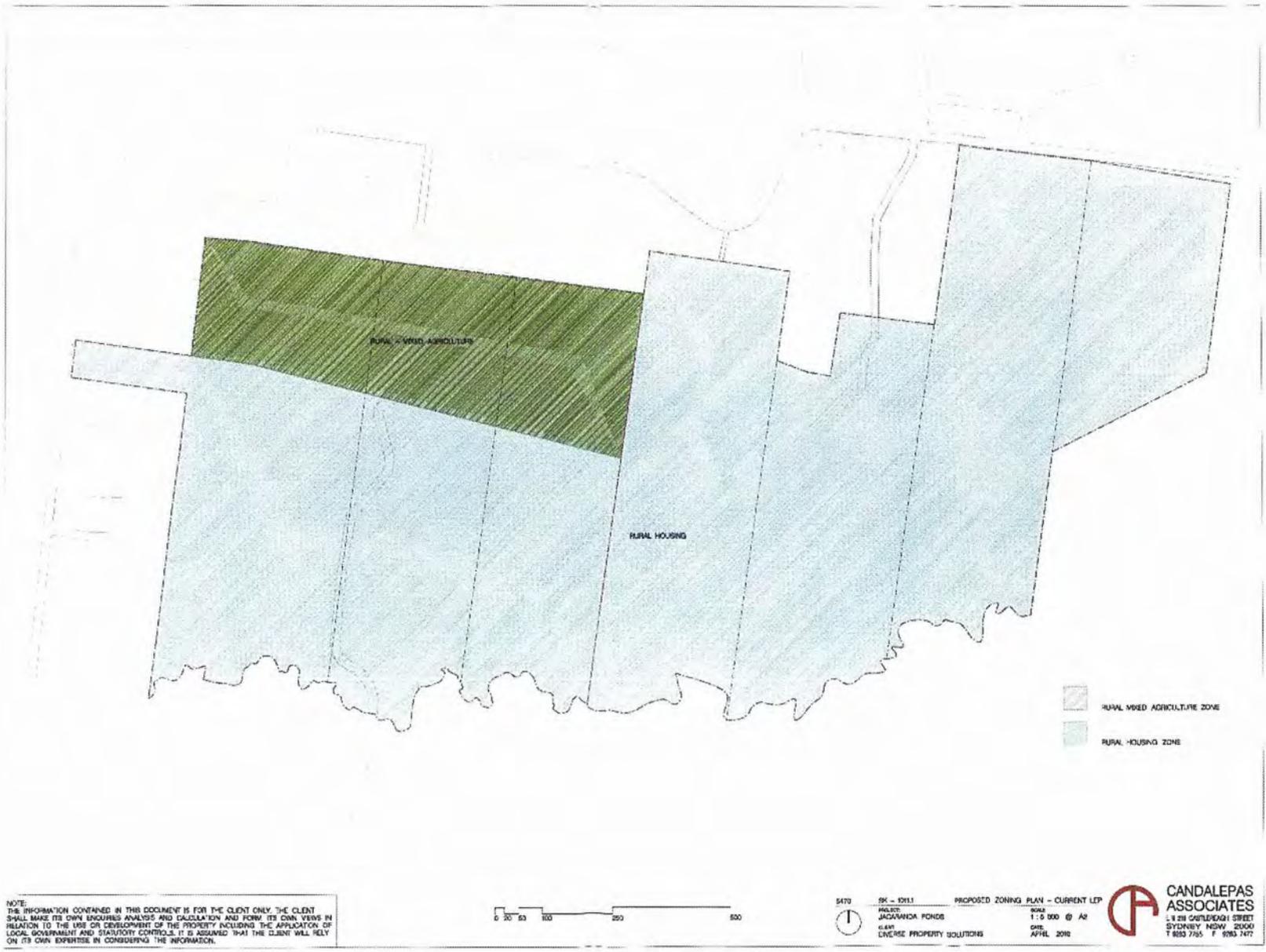
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AT - 1 Aerial Photo of Site

JACARANDA PONDS SUBJECT AREA, JULY 2011

Printing Date: 18 July 2011

AT - 2 Plan of Proposed Rezoning and Lot Layout





PERM. EXISTING FREE WASTE WATER FACILITY FACILITIES

PERM. EXISTING - METAL DAM

PUBLIC OPEN SPACE

INDICATIVE YIELD
RESIDENTIAL: 179 X 4,000sqm LOTS

LOT AREA SCHEDULE

W79	1000	1000	1000
W80	1000	1000	1000
W81	1000	1000	1000
W82	1000	1000	1000
W83	1000	1000	1000
W84	1000	1000	1000
W85	1000	1000	1000
W86	1000	1000	1000
W87	1000	1000	1000
W88	1000	1000	1000
W89	1000	1000	1000
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W193	1000	1000	1000
W194	1000	1000	1000
W195	1000	1000	1000
W196	1000	1000	1000
W197	1000	1000	1000
W198	1000	1000	1000
W199	1000	1000	1000
W200	1000	1000	1000

NOTE: LOT AREAS ARE APPROXIMATE ONLY.

THE INFORMATION CONTAINED IN THIS DOCUMENT IS FOR THE CLIENT ONLY. THE CLIENT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM LOCAL GOVERNMENT AND STATUTORY CONTROLS. IT IS ASSUMED THAT THE CLIENT WILL RELY ON ITS OWN EXPERTISE IN CONSIDERING THE INFORMATION.



SK 1018
OPTION 10.7
DATE: 10/11/20
DRAWN: JAC
CHECKED: JAC
DATE: 10/11/20

1000mm
500
250
0 250 500 750 1000

5.6.4_Glossodia Future Investigation Areas



Investigations must consider the Sustainability Matrix criteria for a **Neighbourhood Centre** to ensure the centre has the required level of services and facilities to accommodate future population.

Increased intensity of development and investigation areas subject to:

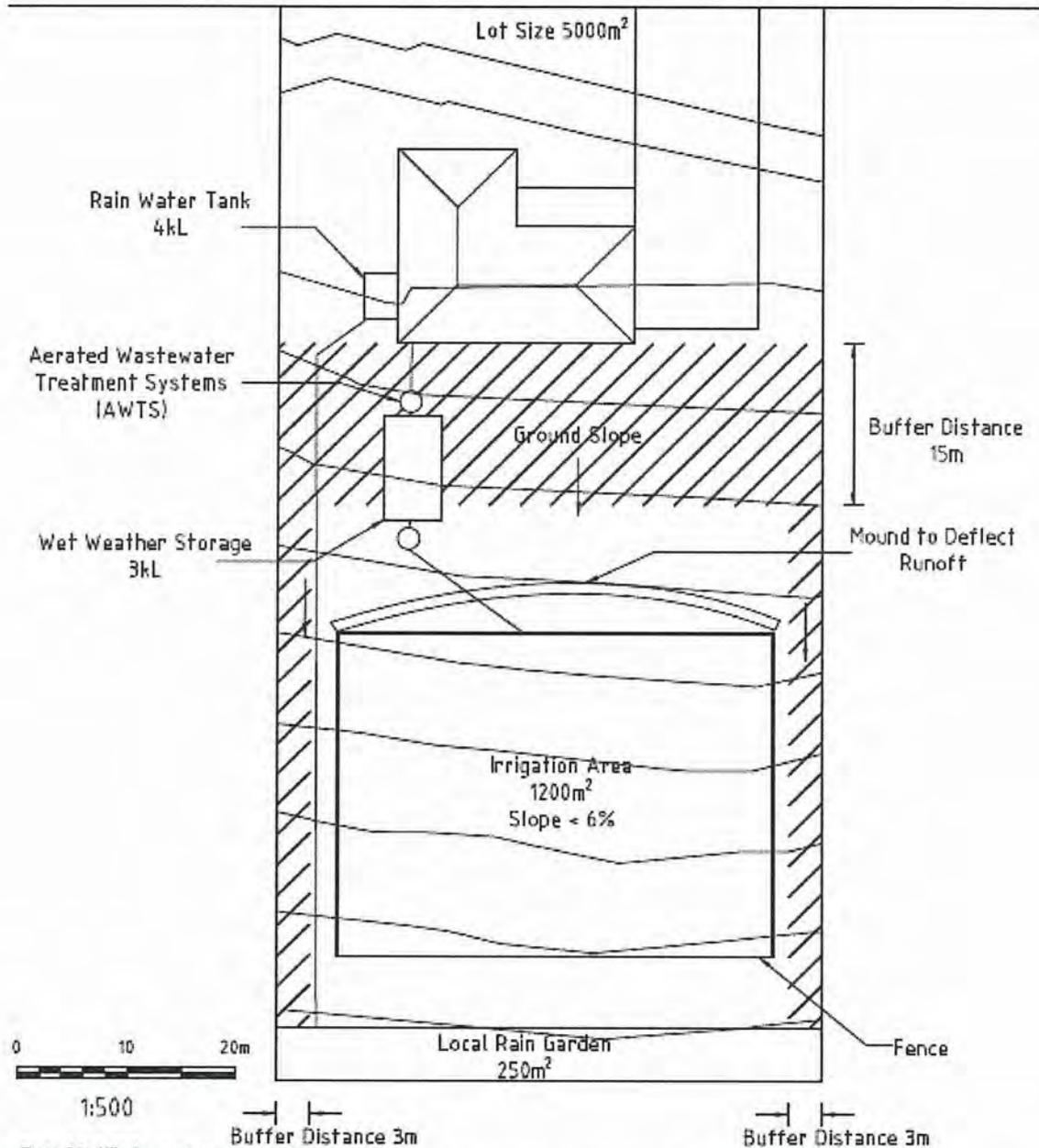
- Resolution of transport, access and traffic issues particularly road infrastructure crossing the river
- Provision of sewerage for increase in density of development
- Detailed structure planning to review residential types and distribution
- Review of extent of zoning to determine appropriateness of the scale and density of development within the centre

Source: HASSELL (September, 2010)

*Investigation areas identified may extend beyond the time scales of this Residential Study.

*The inclusion of the areas for investigation does not guarantee that the whole of that land can be developed in the future.

AT - 4 Typical Lot Arrangement for Waste Water Management



Date Modified : 28/05/2013 11:48:16 AM
 File Identity : W:\Infrastructure\Projects\2013\1501569_Glassook Sewer Treatment & Disposal\1.0 Drawings\Models\3d\AutoCad\Figures\23.dwg



EcoNomics



FIGURE 4
 TYPICAL LOT ARRANGEMENT
 JACARANDA PONDS DEVELOPMENT

AT - 5 Flora and Fauna Constraints and Opportunities Plan

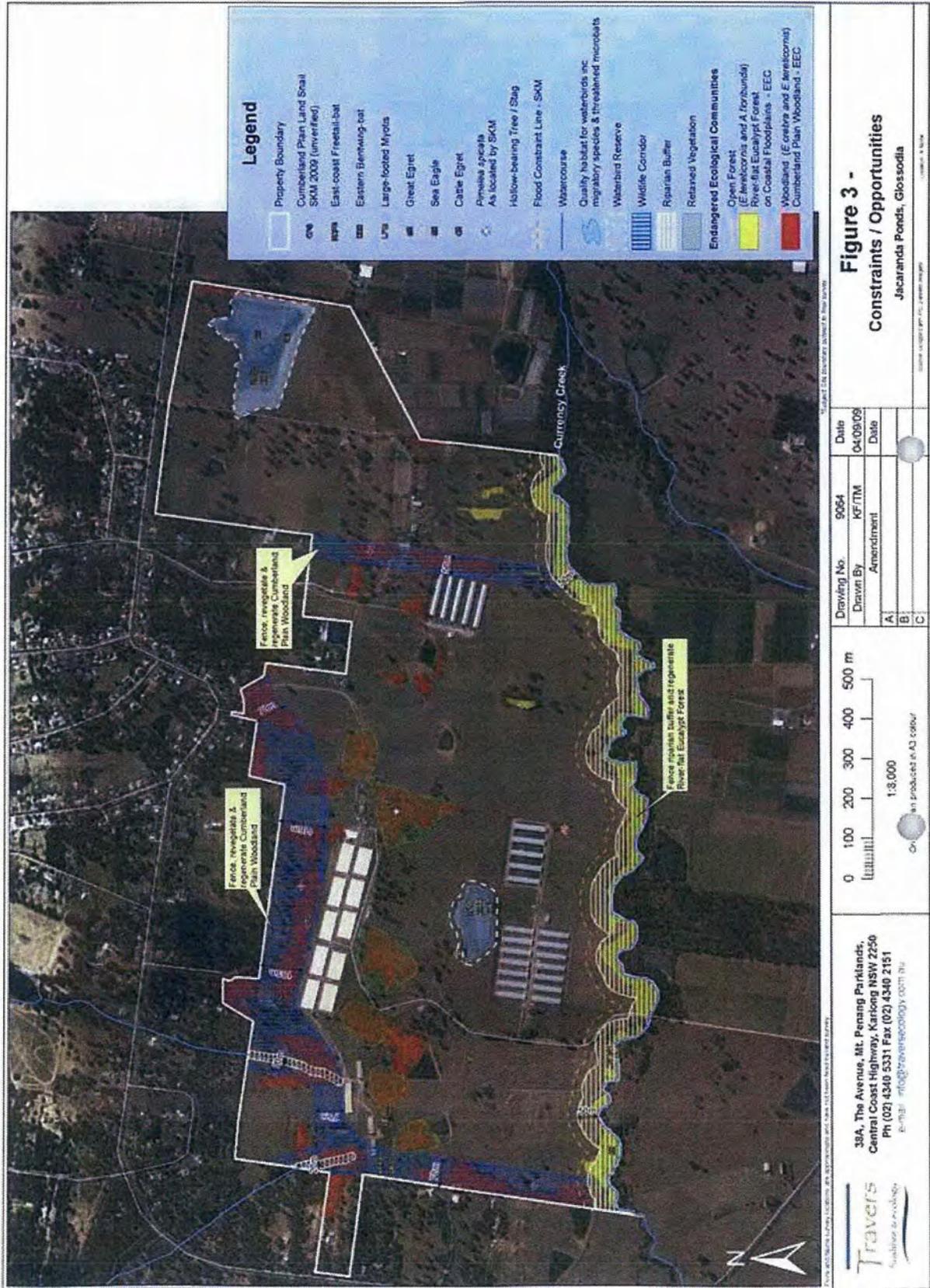


Figure 3: Indicative Map Showing the Recommended Location of the Proposed Vegetated earth Berms

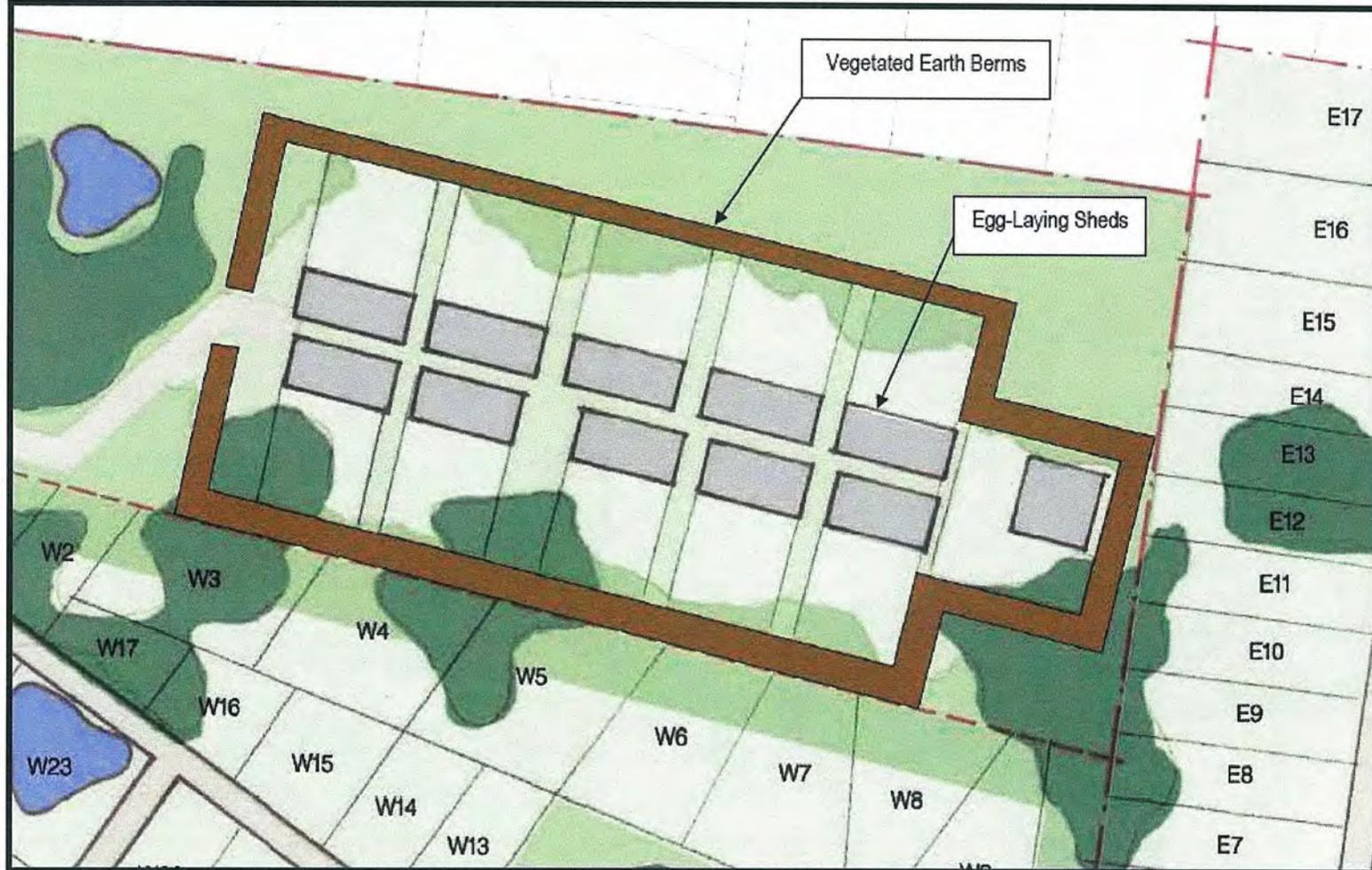
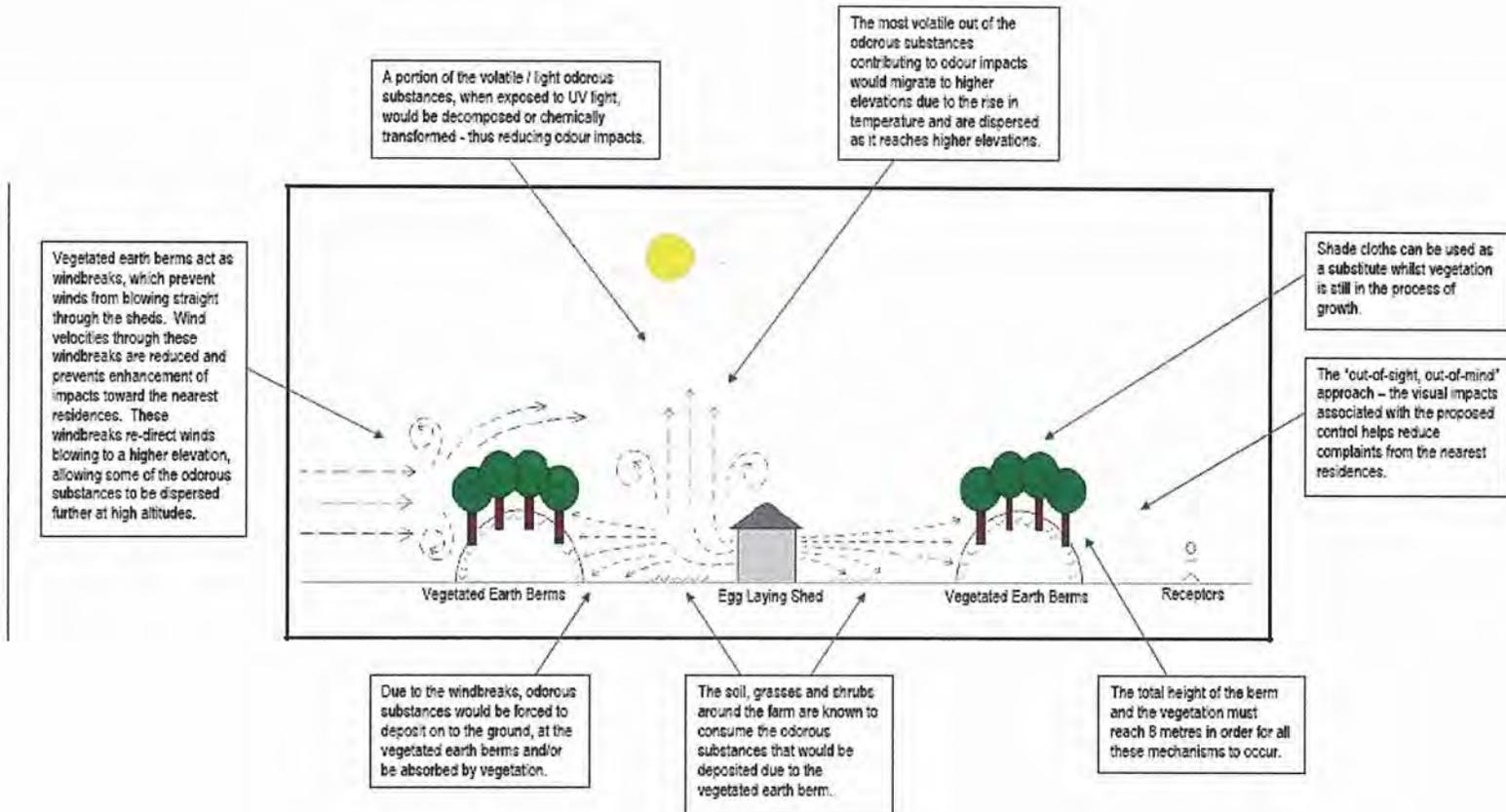


Figure 1: Simple Sketch of How the Proposed Odour Control Works

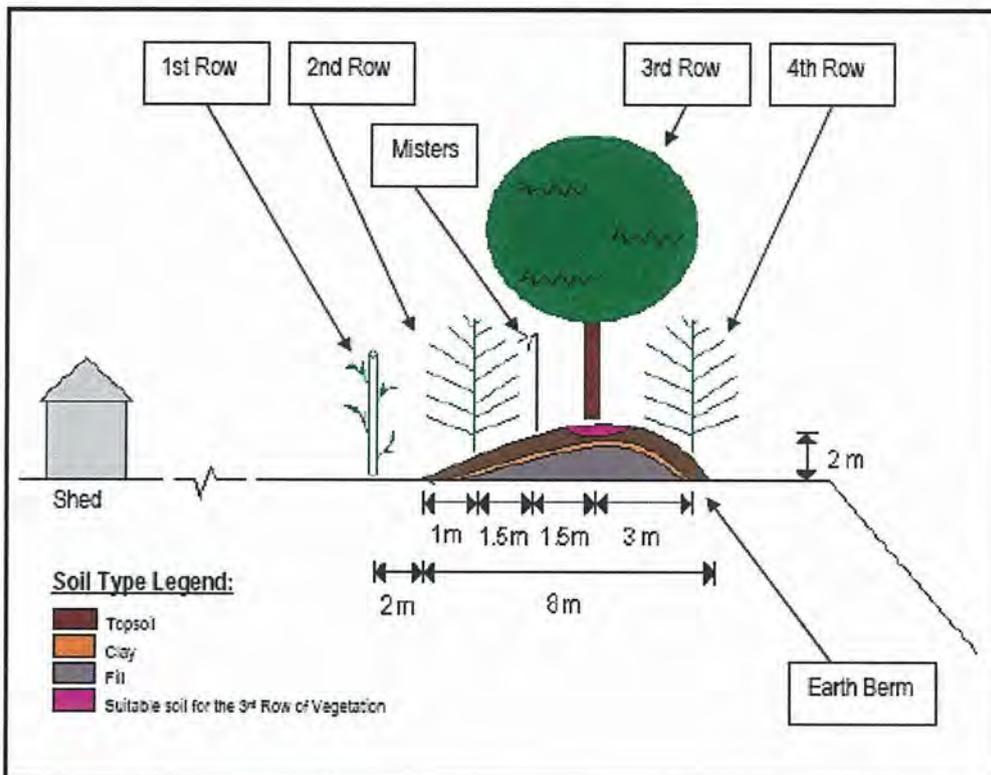


Proposed Vegetative Earth Berm Plan

Figure 2 below provides a schematic diagram of a cross-sectional area of the vegetated earth berms, which also shows the location of where the foggers / water misters would be located with reference to the dimensions of the proposed earth berms.

Figure 3 shows a site plan highlighting the locations of the proposed vegetated earth berms. This is based on Benbow Environmental's recommendation with consideration to the location of the egg-laying sheds.

Figure 2: Schematic Diagram of the Cross Sectional Area of a Vegetated Earth Berm

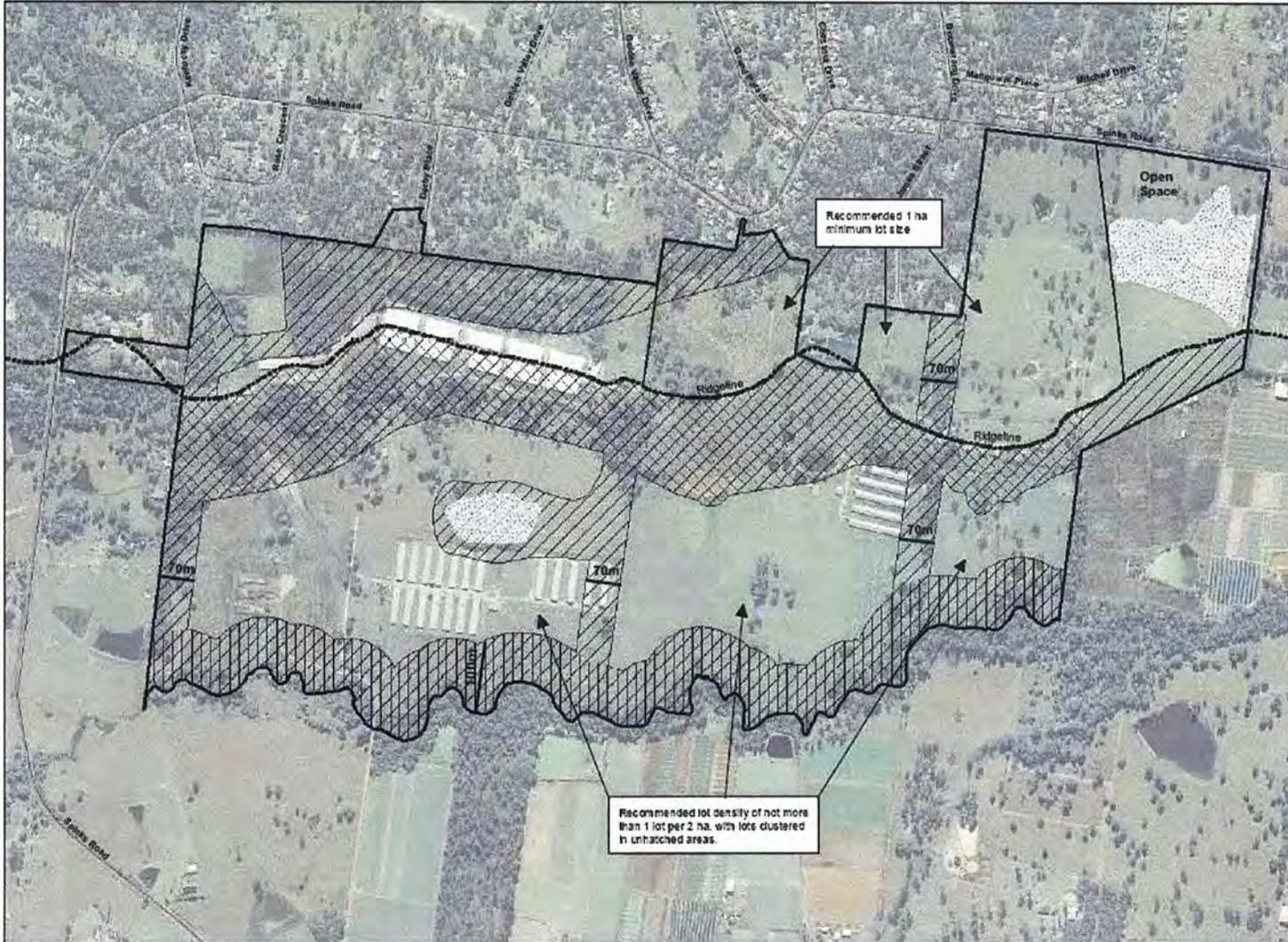




HAWKESBURY CITY COUNCIL

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0000 END OF REPORT 0000



Legend

- Subject Area
- Dams
- Ridgeline
- Wildlife Corridor
- Riparian Buffer
- Land generally >15%

Note:
Measurements are approx.



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Jacaranda Ponds Planning Proposal Concept Plan, July 2011

Printing Date: 19 July 2011

ACTION ITEM

ADOPTED

At the ORDINARY Meeting held on 29 November 2011

User Instructions

To view the original Agenda Item, double-click on 'Agenda Report' blue hyperlink above.

Resolved Items Action Statement

Action is required for the following item as per the Council Decision or Resolution Under Delegated Authority.

ITEM: 263 **CP - Planning Proposal for Jacaranda Ponds, Glossodia - (LEP89001/10, 111745, 120418, 95498)**

Previous Item: 161, Ordinary - (26 July 2011)

Mr Jeremy Spinak, proponent, addressed Council.
Mr Peter Gooley and Mr Michael Want, respondents, addressed Council.

MOTION:

RESOLVED on the motion of Councillor Whelan, seconded by Councillor Conolly.

Refer to RESOLUTION

426 RESOLUTION:

RESOLVED on the motion of Councillor Whelan, seconded by Councillor Conolly.

That:

1. Council support, in principle, the preparation of a Planning Proposal for the land comprising of:

Lot 2 DP 533402 and Lot 52 DP 1104504, 103 Spinks Road, Glossodia
Lot 20 DP 214753, 213 Spinks Road, Glossodia
Lot 75 DP 214752, 361 Spinks Road, Glossodia
Lot 3 DP 230943, James Street, Glossodia
Lot 44 DP 214755, 3 Derby Place, Glossodia
Lot 50 DP 751637, 746A Kurmond Road, Freemans Reach
Lots 1, 2 and 3DP 784300, 780A – 780C Kurmond Road, North Richmond

to rezone the land for large lot residential and/or residential development.

2. The planning proposal, submitted by the applicant, in its current form not be supported.
3. The concept plan titled "Jacaranda Ponds Planning Proposal Concept Plan, November 2011" attached to this report be adopted for the purposes of investigating the issues raised in this report and the report to Council on 26 July 2011, and for the purposes of preparing an amended planning proposal.
4. Council consider no future planning proposal for this site that includes the retention of the existing egg farm and/or poultry facility.
5. The Department of Planning and Infrastructure and NSW Roads and Traffic Authority be advised of this planning proposal and invited to provide comment on the current proposal and input into the preparation of an amended planning proposal.
6. The applicant be responsible for preparing an amended planning proposal to be reported back to Council.

In accordance with Section 375A of the Local Government Act 1993 a division is required to be called whenever a planning decision is put at a council or committee meeting. Accordingly, the Chairperson called for a division in respect of the motion, the results of which were as follows:

For the Motion	Against the Motion
Councillor Bassett	Councillor Rasmussen
Councillor Gonolly	Councillor Calvert
Councillor Ford	Councillor Paine
Councillor Mackay	
Councillor Reardon	
Councillor Whelan	

Councillors Porter, Tree and Williams were absent from the meeting.

ITEM: CP - Planning Proposal for Jacaranda Ponds, Glossodia - (LEP89001/10, 111745, 120418, 95498)

Previous Item: 161, Ordinary - (26 July 2011)

REPORT:

Executive Summary

This report discusses a planning proposal which seeks to rezone land immediately to the south of the Glossodia township to allow for a 179 rural-residential subdivision and the retention of an existing egg production farm.

This matter was reported to Council on 26 July 2011 where Council resolved to defer the matter pending reconsideration of a Council policy dealing with residential development west of the Hawkesbury River.

The policy matter has been resolved and, in response to the previous report to Council, the proponent has provided additional information.

This report provides commentary on the additional information and is to be considered in conjunction with the previous report to Council. The report of the 26 July 2011 is attached to this report.

Consultation

The planning proposal has not been exhibited. If the planning proposal is to proceed it will be exhibited in accordance with the relevant provisions of the *Environmental Planning and Assessment Act 1979* and associated Regulations.

Background

On 26 July 2011 Council considered a report concerning a planning proposal for the rezoning of land known as Jacaranda Ponds for 179 rural-residential allotments. At the same Meeting, Council considered a report regarding a policy for the provision of infrastructure for rezoning matters.

With respect to the planning proposal the recommendation to Council was:

1. *Council support, in principle, the preparation of a Planning Proposal for the land comprising of:*
Lot 2 DP 533402 and Lot 52 DP 1104504, 103 Spinks Road, Glossodia
Lot 20 DP 214753, 213 Spinks Road, Glossodia
Lot 75 DP 214752, 361 Spinks Road, Glossodia
Lot 3 DP 230943, James Street, Glossodia
Lot 44 DP 214755, 3 Derby Place, Glossodia
Lot 50 DP 751637, 746A Kurmond Road, Freemans Reach
Lots 1, 2 and 3 DP 784300, 780A - 780C Kurmond Road, North Richmond
to rezone the land for large lot residential development.
2. *The planning proposal, submitted by the applicant, in its current form not be supported.*
3. *The concept plan titled "Jacaranda Ponds Planning Proposal Concept Plan, July 2011" attached to this report be adopted for the purposes of investigating the issues raised in this report and preparing an amended planning proposal.*

4. *The Department of Planning and Infrastructure and NSW Roads and Traffic Authority be advised of this planning proposal and invited to provide comment on the current proposal and input into the preparation of an amended planning proposal.*
5. *The applicant be responsible for preparing an amended planning proposal to be reported back to Council.*

Council subsequently resolved as follows:

"That this matter be deferred pending the resolution of the "Policy for Provision of Infrastructure for Rezoning Matters" report (Item 160) deferred from the Ordinary Meeting on 26 July 2011."

This Policy was reconsidered by Council on 30 August 2011 and Council resolved as follows:

"That as a matter of policy, Council indicates that it will consider applications to rezone land for residential purposes in the Hawkesbury LGA only if the application is consistent with the directions and strategies contained in Council's adopted Community Strategic Plan, has adequately considered the existing infrastructure issues in the locality of the development (and the impacts of the proposed development on that infrastructure) and has made appropriate provision for the required infrastructure for the proposed development in accordance with the sustainability criteria contained in Council's adopted Hawkesbury Residential Land Strategy.

Note 1:

In relation to the term "adequately considered the existing infrastructure" above, this will be determined ultimately by Council resolution following full merit assessments, Council resolution to go to public exhibition and Council resolution to finally adopt the proposal, with or without amendment.

Note 2:

The requirements of the term "appropriate provision for the required infrastructure" are set out in the sustainability matrix and criteria for development/settlement types in chapter six and other relevant sections of the Hawkesbury Residential Land Strategy 2011."

The report to Council of 26 July 2011 identified a number of concerns with the proposal with the key immediate issues being character of the area, topography, wastewater, ecology, traffic, and odour. As a result an alternative concept plan that would yield approximately 75 lots was proposed by Council staff.

The proponent has provided additional information with respect to all of these matters except character of the area and these are discussed below.

Topography

Additional Information Submitted by the Applicant

The Officers' Report expresses concern that "[a] steep sloping section of land, generally in excess of 15% passes through the middle of the site in an east west direction" and then states that land slope of this magnitude is unsuitable for development. In fact, the map published in the Report, appears to show that between 80-100 lots are affected by a slope of greater than a 15% gradient.

JWP analysed the survey data taken at the site and determined that, in fact, only 23 individual - non contiguous lots (or only 13% of the total site area) have slopes greater than 15%. Significantly, JWP also found that each of these 23 lots was suitable for development. It seems that Council's map incorrectly designated a large portion of the site as having a slope of greater than 15%

Response

The report to Council and accompanying map states that the relevant hatched area is "generally" greater than 15%. It did not claim that the subject land was entirely greater than 15%. The hatched area was derived from a detailed slope map which identified the following land slope categories, 0-6%, 6-10%, 10-15% and > 15%. The hatched area represents a "line of best fit" band between the substantially contiguous areas that are greater than 15%, hence the categorisation as "generally" greater than 15%.

The proponents slope map was compared with the slope map generated by Council staff and both maps were consistent with each other in terms of the greater than 15% slope category.

This area represents a constraint to development and one of the sustainability criteria of Council's Residential Land Strategy (G3.2.1) states that urban development is to be limited to areas with a slope of 15% or lower. In this regard, the purpose of the comments is to define a constraint to the site that can be taken into account when revising any proposed lot layout.

Wastewater

Additional Information Submitted by the Applicant

In relation to the treatment of wastewater, the Officers' Report raised the following concerns:

- (1) That AWT systems located on properties with greater than 6% slopes would require benching.**

The JWP report demonstrates that for lots with slopes greater than 6% sub surface land application by either traditional absorption trench, evapotranspiration beds or sub-surface drip irrigation systems are all suitable (in fact they are suitable for slopes up to 25%) and no benching is required.

- (2) That the Land Application Area required by the AWT (1200sqm as outlined in the Worley Parson report submitted with the application) is too large and constrains the location of proposed dwellings, swimming pools, gardens play areas etc**

A series of alternative approaches and calculations in the determination of the required Land Application Area (LAA) are presented in the JWP report. All of these alternative methods have indicated that the required LAA is significantly less than the 1200 m² identified in the Worley Parson report.

The reduction in required LAA, frees up land within the proposed lots to allow for other domestic uses such as swimming pools, garden areas and outbuildings to be easily accommodated within the average lot size of 4000 m². The required LAA is actually shown to be as little as 98 m² – ten times smaller than the original size first suggested to Council.

- (3) That 179 individual on-site AWT systems would have an adverse cumulative effect on the water quality of the Currency Creek catchment**

The JWP report modelled rainfall data at hourly intervals in the local area over a 40-year period. This modelling showed that effluent run-off from a lot would only occur approximately 1.8 days per year if the AWT system did not have a 3 day storage tank. If a 3-day storage tank was in place then there would only be effluent run off in every 1 day in 2.7 years.

JWP's modelling showed that even on these rare occasions where run-off occurs the 98 m² LAA area on each site would be sufficient to ensure there is virtually no (significantly

less than 1% risk) of wastewater runoff from the site, let alone travelling to Currency Creek.

The JWP report demonstrates that all of Council's concerns regarding wastewater can be satisfactorily addressed and that none should be a barrier to a planning proposal being drawn up for this site on the basis of the original 179-lot density.

Response

The proponent has provided a report prepared by J. Wyndham Prince (JPW) which reconsiders the proposed onsite wastewater solutions proposed by the proponent's original consultant Worley Parsons. The JWP report confirmed that the Worley Parsons strategy would satisfy requirements for the on-site management of effluent however the JWP report also investigated a wider range of aerated wastewater treatment systems, alternative Land Application Area (LAA) techniques, and considered AS 1547:2000 On-site domestic-wastewater management.

As stated in the previous report to Council, slope of land is a potential constraint that needs careful consideration when choosing a system and the type of disposal system. AS1547:2000 provides guidance with respect to slope and, in summary, recommends:

- a maximum slope of 6% for surface irrigation systems (spray and drip). When this is exceeded there is an increased risk of polluted surface water run-off when the ground becomes saturated.
- sub-surface irrigation can be installed on a higher slope gradient. Installation is more difficult on slopes of greater than 25% and there is an increased risk of polluted surface run-off when the ground becomes saturated.
- conventional absorption trenches can be difficult to install on slopes greater than 25% and there is more soil disturbance and erosion during construction on steep slopes. During extended rainy periods there is an increased risk of polluted surface run-off.
- evapo-transpiration/absorption seepage trenches and beds are recommended for a maximum slope of 5%.

Further, the NSW Department of Local Government's "On-site Sewage Management for Single Households" advises:

- slope greater than 12% present as a major limitation and slopes between 6-12 present as a moderate limitation for surface irrigation
- slope greater than 20% present as a major limitation and slopes between 10%-20% present as a moderate limitation for sub-surface irrigation and absorption trench

The subject land is essentially a "greenfield" site and hence there exists now, at the planning proposal stage, an opportunity to avoid lands which are unduly constrained due to excessive slope and which may present run-off and erosion problems in the future.

The LAAs proposed by JWP have been derived from a design flow of 1080 litres per day and are based on both clay type soils and loam type soils. A range of LAAs have been proposed based on "typical" and "best" AWTs and a leading brand AWTs. The difference between the "typical", "best" and leading brand AWTs primarily comes down to how technologically advanced the system is and how it will be configured and operated in order to reduce nitrogen and phosphorus levels in the waste water to be irrigated.

JWPs report states that if using a "best" AWTs on a site that has predominately clay type soils the LAAs would be 423m² for evapotranspiration beds and 298m² for spray irrigation/subsurface drip irrigation. Using a "best" AWTs on sites that have predominately loam soils the LAAs would be 98m² for evapotranspiration beds and 250m² for spray irrigation/subsurface drip irrigation. The LAAs for the leading brand AWTs would be 682m² for clay sites and 406m² for loam sites. JWP advises that the

"best" system has a base cost of \$21,000 whereas the leading brand cost is \$10,500 – \$11,500 for surface irrigation and \$14,500 - \$15,500 for subsurface irrigation.

JWP advise that these LAAs have been determined by using the Clarence Valley Onsite Wastewater Model (CVOWM). This model has been developed by Clarence Valley Council and is a spreadsheet based tool which allows for the inputting of various parameters to suit particular block sizes, water supplies, water usages, soil types, system configurations and methods of irrigation. JWP advise that the model complies with AS1547-2000 and claim that it is more relevant than the basic methodology outlined in NSW Department of Local Government's "On-site Sewage Management for Single Households" which was employed by Worley Parsons.

A key consideration in determining the size of LAAs is the local climatic conditions in particular rainfall and evaporation rates. The CVOWM relies on climate conditions relevant to the Clarence Valley. JWP advises that the results from the CVOWM would be conservative because the Jacaranda Ponds site experiences less rainfall and has a higher evaporation rate than Clarence Valley and therefore waste water applied to the site would be disposed of more quickly or over a smaller area than is estimated in the CVOWM.

Hawkesbury City Council staff contacted Clarence Valley Council staff to discuss the model and its appropriateness to be used in this case. The Clarence Valley staff advised that whilst they have confidence in the outputs of the model as it relates to the Clarence Valley. However, they did not recommend its use for this site because the model is based on the specific soil types and climatic conditions of the Clarence Valley. Further, they advised that in addition to the LAAs calculated by the model a secondary (or reserve) LAA of the same size is also required. This secondary LAA allows for the primary LAA to be periodically rested.

The proposed spray/subsurface irrigation areas are significantly smaller in area than what may be considered the norm for the Hawkesbury LGA which is generally 1000m² to 1200m². Whilst evapotranspiration beds are a solution, Council staff's experience is that they are generally only used when no other solution is suitable, i.e. they are typically a solution of last resort. Based on Council staff's experience and precautionary approach with relatively small irrigation areas an additional secondary LAA equivalent to 100% of the primary LAA would most likely be required. This means that the LAAs nominated by JWP would need to be doubled to create primary and secondary LAAs.

Buffer distances to dams and to Currency Creek will need to be adhered to help prevent the water quality of Currency Creek being compromised. Monitoring of each individual system by council through the "Approval to Operate" inspection regime will be required to protect the Currency Creek Catchment and each system will be required to be inspected every 3 months as per NSW Health's Accreditation.

Ecology

Additional Information Submitted by the Applicant

The proposed 70m riparian corridor contained in the original site plan is in excess of NSW Office of Water requirements despite . . . the fact that there is negligible risk of effluent pollution discharges. It appears that the need for an increase in the riparian corridor to 100 m as proposed by HCC is unwarranted.

The largest buffer zone designated by the NSW Office of Water is 50m. The Nepean River commands a 50m buffer. Currency Creek is arguably a less significant waterway, yet EJC has still provided a 70m buffer.

EJC also plans to design walking tracks that connect through the riparian corridor. To place these tracks at a 100m distance from Currency Creek puts them in close proximity to the houses that will be occupied by sub-division residents. That is not a good land use outcome for the residents or those using the walking tracks.

Response

The proposed riparian buffer and wildlife corridors shown in the concept plan attached to the report to Council on 26 July 2011 seek to provide opportunity for fauna to travel between isolated patches of vegetation in order to access water and suitable habitat, encourage regeneration of Cumberland Plain Woodland and River-flat Eucalypt Forest on Coastal Floodplains (both ecologically endangered communities) and provide protection to Currency Creek. Furthermore, passive recreation areas and walking tracks would be permitted within the riparian buffer and do not have to be located outside of the buffer. Hence the 100m wide riparian buffer adjacent to Currency Creek would be inclusive of land required for walking tracks.

The proposed width of the buffer and corridor is in recognition of the criteria of the Hawkesbury Residential Land Strategy, existence of threatened fauna (e.g. East-coast Freetail-bat, Eastern Bentwing-bat and a Large-footed Myotis on the site and Yellow Bellied Gliders within vicinity of the site), the existence of endangered ecological communities on the site, the significance of Currency Creek, and the proximity of the site to downstream OEH defined "priority conservation lands" (PCLs) in Wilberforce/Ebenezer (this comprises an area of land along Currency Creek east of McKinnons Road extending to Sackville Road).

OEH in the *Cumberland Plan Recovery Plan*, January 2011 state that PCLs represent the best remaining opportunities in the region to maximize long-term biodiversity benefits for the lowest possible cost, including the least likelihood of restricting land supply and that they are the highest priority for future efforts to conserve the threatened biodiversity of the region. Further OEH recognize that smaller remnants and corridors outside of the PCLs are important and may play a role in linking the PCLs and/or supporting biodiversity in the PCLs. They may also contain biodiversity that is otherwise significant and play a role in assisting species movement in the face of climate change.

Discussion with Office of Water staff reveal that their guidelines for riparian corridors are based on stream order classification and seek to address matters such as bank stability and water quality. They have not been based on other considerations such as use as a wildlife corridor, the preservation or regeneration of endangered ecological communities, or the extent of flood water inundation. Hence, in this case Council is not bound by the Office of Water's guidelines.

It should be noted that the concept plan is not a final plan and the recommendation to Council on 26 July 2011 was that the concept plan be adopted for the purposes of further investigation of issues, i.e., identify and agree on site constraints, and preparing an amended planning proposal. Hence, it is envisaged that further detailed consideration of the buffer and its width would occur during preparation of an amended planning proposal.

If the planning proposal is to proceed it would be referred to the NSW Office of Water and NSW Office of Environment and Heritage for comment, including assessment of the proposed width of the riparian buffer.

Traffic

Additional Information Submitted by the Applicant

EJC understands that the local community believes development should be accompanied by a commensurate increase in infrastructure provision.

EJC is therefore prepared to enter into a voluntary planning agreement that will specifically designate up to 2/3rds of its development contributions to local road upgrades

Furthermore, EJC understands that the Windsor Bridge upgrade is now on exhibition. Stage One, which will provide for one lane in each direction, is to be fully funded by the NSW State Government.

It is also apparent that there is no funding for Stage Two of the project. Stage Two is necessary in order to deliver the works that will allow the bridge to become three lanes.

Currently, it appears that there is no funding available from any level of Government for this second stage of the project, which means that the bridge will remain one lane in each direction for the foreseeable future.

EJC would be more than willing to, as part of its voluntary planning agreement with Council, designate 1/3rd of its total contributions specifically to Stage Two of the Windsor Bridge upgrade (being 1/2 of the contributions for local road upgrades referred to above). Depending on the density achieved at Jacaranda Ponds, this would be several million dollars worth of contributions set aside specifically towards delivering three lanes over the Hawkesbury at Windsor.

Response

This response attempts to address one matter of concern discussed in the report of 26 July 2011, that being the capacity of Windsor Bridge. It does not address the other concerns relating to the development's likely impacts on the Grose Vale Road/Terrace Road/Bells Line of Road intersection, the proponent's claim that the new community would be flexible during peak periods in switching between using either North Richmond or Windsor bridges, and the undesirable proposed northern access point located along the bend section of Spinks Road.

In principle no objection is raised into entering into a voluntary planning agreement for infrastructure upgrades. The rationale behind the proposed ratio of 2/3 for local roads and 1/3 for Windsor Bridge has not been explained by the proponent and there is no indication as yet in regards to the quantum of contributions applicable. However, this could be further examined by Council, RTA and the proponent.

Odour

Additional Information Submitted by the Applicant

At the Council meeting on July 26th 2011 some councillors raised concerns about approving a residential subdivision next to an operational poultry farm. Even though odour reports have been conducted at the site that show a negligible odour impact on the planned subdivision, there is still concern at the prospect of accommodating successfully the two land uses at the site.

As the poultry farm is a well-established local employer and an efficient modern operation, the owner has been reluctant to relocate it. Indeed, the land upon which the farm is located is proposed to remain zoned rural by the applicant to reflect the ongoing use as a poultry farm.

Despite the loss of employment that would result, given the concerns raised by some councillors of the potential for land use conflict, the owner has indicated its willingness to consider relocating the farm, if that is indeed a desired outcome.

Relocation would be subject to agreement and on the basis that the land upon which the farm is located would also be rezoned for residential uses for consistency and to assist in offsetting relocation costs to another site in the LGA (which will be substantial). The agreement would include a sunset provision giving Council the power to serve notice upon the poultry farm to cease operations within an agreed time period not less than three years. This period would be the minimum time required to acquire an alternative property, obtain all necessary approvals and construct the farm.

The terms of this agreement would need to be determined at a later stage of the detailed design process and would be publicly exhibited with the Voluntary Planning Agreement and other rezoning documentation.

Response

The proposed removal of the poultry farm is supported in terms of minimising potential future land use conflict, however this would mean that all current agricultural activity would be removed from the site and this would have a negative impact on the local economy and employment. If the planning proposal is to precede this matter can be investigated in greater detail and reported back to Council for consideration.

Open Space

In addition to responding to the key matters of concern raised in the report of 26 July 2011 the proponent has made the following offer with respect to the provision of open space.

EJC also wishes to put 1/3 of its contributions towards a myriad of parks, walkways and open space at the Jacaranda Ponds site. We have also been approached by residents of Glossodia who would like a skate park developed at the site. EJC would be happy to build the skate park as part of its open space contribution in the VPA.

The proponent has provided an artist's impression of this open space area and Skate Park and this is attached to this report.

Whilst this offer is noted the preferred method of determining future public service and amenity requirements is to firstly determine the likely additional lot yield and population, calculate the corresponding additional demand for open space, recreational facilities, community facilities, road works etc generated by the additional population, estimate the cost of these works, and apportion this cost across the number of additional lots. In this case the proponent has, in a similar manner to their offer in relation to road contributions, merely nominated an arbitrary proportion of an unknown contribution amount towards open space and its embellishment. If the planning proposal is to proceed these matter can be investigated in greater detail and reported back to Council for consideration.

Conformance to Community Strategic Plan

The planning proposal's compliance with Council's Community Strategic Plan in the previous report to Council.

Financial Implications

The applicant has paid the fees required by Council's Revenue Pricing Policy for the preparation of a local environmental plan.

Conclusion

The report to Council of 26 July 2011 raised a number of concerns with the proponent's planning proposal and recommended that it not be supported in its current form. Notwithstanding these concerns, it was considered that the site did have development potential and hence the main purpose of the report was to obtain Council's "in principle" support to an amended large lot residential planning proposal and agreement on a concept plan identifying various constraints of land.

In recommending an alternative development scenario it was intended that the proponent would be provided with sufficient direction and incentive to pursue a rezoning of the land within the confines imposed by the constraints of the land.

The additional information provided by the proponent has assisted in resolving odour concerns and, in part, waste water concerns. Although, it is noted that the proponent, in relation to waste water concerns, still seeks to rely on a single type of individual, lot based, system. Other individual waste water systems or a package treatment plant has not been investigated.

It is considered that the additional information relating to topography and ecology do not, at this stage, warrant amendment to the constraints shown on the concept plan. Although with further detailed investigation the map could be refined.

The additional information regarding traffic impacts only examines Windsor Bridge and not the other matters raised in the previous report dealing with the intersection of Grose Vale Road/Terrace Road/Bells Line of Road and the capacity of North Richmond Bridge.

It is therefore recommended that the planning proposal submitted by the applicant not be support in its current form. However, as previously recommended to Council, it is considered that the site does have development potential and the preparation of an amended planning proposal should be pursued. Furthermore, it is recommended that Council adopt the concept plan and therefore define the constraints of the land and provide the proponent and Council staff with direction for the preparation of an amended planning proposal.

It is noted that the July concept plan showed indicative lot sizes and densities. These lot sizes and densities were primarily based on assessments concerning rural-residential character, traffic impacts and effluent disposal. Council is advised that due to the potentially significant costs involved in resolving the concerns regarding traffic impacts and possibly waste water, higher lot yields than that shown on the July concept plan, and even possibly higher than that shown on the proponents plan, may be required in order to make the development economically viable. For this reason a revised concept plan (attached to this report) has been prepared that has removed the indicative lot sizes and densities. Further it is recommended that the amended planning proposal not be restricted to only large lot residential development and that other forms of residential development be considered, noting that higher density development would require a different approach to waste water solutions, such as a package treatment plant.

Planning Decision

As this matter is covered by the definition of a "planning decision" under Section 375A of the Local Government Act 1993, details of those Councillors supporting or opposing a decision on the matter must be recorded in a register. For this purpose a division must be called when a motion in relation to the matter is put to the meeting. This will enable the names of those Councillors voting for or against the motion to be recorded in the minutes of the meeting and subsequently included in the required register.

RECOMMENDATION:

That:

1. Council support, in principle, the preparation of a Planning Proposal for the land comprising of:
 - Lot 2 DP 533402 and Lot 52 DP 1104504, 103 Spinks Road, Glossodia
 - Lot 20 DP 214753, 213 Spinks Road, Glossodia
 - Lot 75 DP 214752, 361 Spinks Road, Glossodia
 - Lot 3 DP 230943, James Street, Glossodia
 - Lot 44 DP 214755, 3 Derby Place, Glossodia
 - Lot 50 DP 751637, 746A Kurmond Road, Freemans Reach
 - Lots 1, 2 and 3DP 784300, 780A – 780C Kurmond Road, North Richmond

to rezone the land for large lot residential and/or residential development.
2. The planning proposal, submitted by the applicant, in its current form not be supported.
3. The concept plan titled "Jacaranda Ponds Planning Proposal Concept Plan, November 2011" attached to this report be adopted for the purposes of investigating the issues raised in this report and the report to Council on 26 July 2011, and for the purposes of preparing an amended planning proposal.

4. The Department of Planning and Infrastructure and NSW Roads and Traffic Authority be advised of this planning proposal and invited to provide comment on the current proposal and input into the preparation of an amended planning proposal.
5. The applicant be responsible for preparing an amended planning proposal to be reported back to Council.

ATTACHMENTS:

AT - 1 Previous report to Council on 26 July 2011.

AT - 2 Jacaranda Ponds Planning Proposal Concept Plan, November 2011.

AT - 1 Previous report to Council on 26 July 2011.

ITEM: 161

CP - Planning Proposal for Jacaranda Ponds, Glossodia - (LEP89001/10, 111745, 120418, 95498)

REPORT:

Executive Summary

This report discusses a planning proposal which seeks to rezone land immediately to the south of the Glossodia township to allow for a 179 lot rural-residential subdivision and the retention of an existing egg production farm.

The applicant for the proposal is E J Cooper & Son Pty Ltd (represented by EG Property Group) and the planning proposal has been prepared by Urbis Pty Ltd. The planning proposal is supported by expert assessments of traffic, heritage, flora and fauna, bushfire, stream classifications, contamination, noise, odour and agricultural land capability.

The applicant's objectives for the planning proposal are:

1. *To refine the boundary of the current Rural – Mixed Agriculture zoning across the site in order to incorporate a Rural Housing zone that will provide rural residential lots that will compliment the rural village-like character of the area.*
2. *To ensure that future development on the site creates a natural expansion of the town of Glossodia allowing for a seamless southward extension.*
3. *To retain full employment in the area. The existing free-range egg farm will continue to be one of the region's most important employers. Appropriate buffers will be created to ensure that the free range farm does not impose upon the site's residential amenity.*
4. *To create a riparian corridor along Currency Creek as well as preserve and enhance other environmentally-significant areas within the site in a manner that achieves a harmonious relationship between the site and its surrounds."*

A plan showing the indicative lot layout is attached to this report. This layout shows a number of proposed lots which are severely constrained due to existing vegetation and dams and/or have poor street access. The applicant's representative has advised that the lot layout is indicative only and they are open to amendment subject to the lot yield of 179 being achieved. Accordingly, this report will not focus too greatly on the difficulties of the proposed lot layout, but rather make recommendations for amendments to the lot layout and yield in the event that the planning proposal is to proceed.

This report identifies various constraints to development of the site as proposed by the applicant and recommends that the planning proposal in its current form not be supported. However, in order to progress this matter it is also recommended that the applicant, in consultation with Council and other relevant public authorities, submit an amended planning proposal.

Consultation

The planning proposal has not been exhibited. If the planning proposal is to proceed it will be exhibited in accordance with the relevant provisions of the *Environmental Planning and Assessment Act 1979* and associated Regulations.

Site and Surrounds

The site is irregular in shape and in total has an area of approximately 185.3ha consisting of the following properties:

Lot 2 DP 533402 and Lot 52 DP 1104504, 103 Spinks Road, Glossodia
 Lot 20 DP 214753, 213 Spinks Road, Glossodia
 Lot 75 DP 214752, 361 Spinks Road, Glossodia
 Lot 3 DP 230943, James Street, Glossodia
 Lot 44 DP 214755, 3 Derby Place, Glossodia
 Lot 50 DP 751637, 746A Kurmond Road, Freemans Reach
 Lots 1, 2 and 3DP 784300, 780A – 780C Kurmond Road, North Richmond

213 and 361 Spinks Road, Glossodia are currently zoned Housing under *Hawkesbury Local Environmental Plan 1989* (HLEP 1989) and are proposed to be zoned R2 Low Density Residential under *Draft Hawkesbury Local Environmental Plan 2011* (DHLEP 2011). Clause 12(5) of HLEP 1989 prohibits the subdivision of Housing zoned land in Glossodia, except for the purposes of a boundary adjustment. All of the other properties are currently zoned Mixed Agriculture under HLEP 1989, proposed to be zoned RU1 Primary Production under DHLEP 2011, with a minimum lot size for subdivision of 10ha.

The site is bounded to the north by Spinks Road and Housing zoned land, to the east by Mixed Agriculture zoned land, to the south by Currency Creek with Mixed Agriculture zoned land beyond, and to the west by Spinks Road and Housing and Mixed Agriculture zoned land. The adjoining Housing zoned land to the north and west is generally 1ha – 2 ha in area with smaller 550m² to 4000m² (approx) properties fronting Spinks Road. Surrounding Mixed Agriculture zoned land to the west, south and east is generally 10ha – 15ha in area.

The majority of the site is cleared and undeveloped. The site is undulating and varies in elevation from approximately 80m westerly, 70m northerly, 40m easterly, and 30m southerly. A steep sloping section generally in excess of 15% passes through the middle of the site in an east-west direction.

The primary development on the site is a free range egg production farm (Pace Eggs) consisting of 10 sheds each with up to 19,000 birds located in the north western portion of the site and a chicken rearing farm (Baiada) consisting of 24 sheds is located in the south and south western portion of the site. The rearing farm is proposed to be removed as part of the development of the site. The site also contains eight dwellings and associated farm buildings.

The site also contains a number of dams. Eight are proposed to be retained the others will be filled in. Currency Creek forms the southern boundary of the site and is bounded by riparian vegetation. The planning proposal describes Currency Creek as being a watercourse with significant value, the main creek channel is continuously flowing, it provides habitat for riparian fauna, and the creek holds aquatic fauna.

The site is not subject to flood water inundation from the Hawkesbury River. The extent of any localised flooding from Currency Creek is unknown, however preliminary advice provided by the applicant suggests that the 1 in 100 year flood event level extends approximately 70m from the top of Currency Creek's bank.

All of the site is "bushfire prone land" (primarily vegetation category 2) according to NSW Rural Fire Service's Bushfire Prone Land Map and the site is "Class 5" land as shown on Council's Acid Sulfate Soils Planning Map.

The site falls within the Middle Nepean & Hawkesbury River Catchment Area of *Sydney Regional Environmental Plan No.20 Hawkesbury – Nepean River (No.2 – 1997)* and is not within an area of scenic significance under this SREP.

Views to the site are primarily from the north-east, west and south. The north-eastern portion of the site is primarily visible from James Street and Spinks Road east of James Street. The western and southern portions of site are primarily visible from Spinks Road and Kurmond Road, these views are

partially obscured by the existing vegetation adjoining Currency Creek however the views to the southern face of the ridgeline running through the site are generally unobscured.

Description of Proposal

The proposal is to create 179 rural-residential lots and to retain the existing egg production farm. The rural-residential lots are proposed to vary in size from 4000m² up to 2ha with most lots being between 4000m² and 6000m².

Vehicular access to the development would be via an extension of James Street and two new access points from Spinks Road.

Amplification of existing electricity, telecommunications and potable water infrastructure services would be required to serve the development. The applicant proposes that each lot is to have its own aerated wastewater treatment system (AWTS).

A 50m rehabilitated riparian zone adjoining Currency Creek is proposed as well as a north-south ecological corridors between the egg production farm and the Currency Creek riparian area and along the western boundary of the site. Riparian buffer area for the two watercourses is 13.2ha.

Eight dams are to be retained. The land surrounding the large dam in the north-eastern corner of the site is proposed for public open space with walking and cycling tracks, picnic and entertainment areas.

The applicant advises that the egg farm currently contributes \$10-\$15 million annually to the local economy and employs up to 15 people depending on the time of year/production cycle. Enhancements to the egg farm are not proposed as part of the planning proposal however the applicant advises that the owner intends to use the proceeds of the subdivision to upgrade the packing floor with a grading and packing machine which would allow eggs produced at the farm and other affiliated egg farms to be graded and packaged on the property. This would be a \$5 million plus investment in new equipment and directly employ an additional 12 – 15 employees.

To achieve the proposed rezoning and resultant subdivision the applicant proposes that the zoning map of HLEP 1989 be amended to incorporate a Rural Housing zone over most of the site and Clause 10 of the LEP be amended to include a site specific Lot Size Map.

If the planning proposal is to proceed through to gazettal, it is unlikely that it would result in an amendment to HLEP 1989 as it is expected that DHLEP 2011 will be made before this proposal would be gazetted. In this case the proposal would result in an amendment to the new LEP 2011 by way of zoning the affected land R5 Large Lot Residential and amending the Lot Size Map and other affected maps.

NSW Department of Planning's Gateway Process

In July 2009, the NSW Government changed the way that local environmental plans (LEPs) are developed and approved. This system is known as the 'gateway' plan-making process.

The gateway process has the following steps:

Planning proposal — This is prepared by a Council or the Minister for Planning and Infrastructure and is to explain the intended effect of a proposed local environmental plan and sets out the justification for making that plan.

Gateway — The Minister (or delegate) determines whether the planning proposal is to proceed. This gateway acts as a checkpoint to ensure that the proposal is justified before further studies are done and resources are allocated to the preparation of a plan. A community consultation process is also determined at this time. Consultation occurs with relevant public authorities and, if necessary, the proposal is varied.

Community consultation — The proposal is publicly exhibited for a minimum period of either 14 or 28 days depending of the nature of the proposal. Any person making a submission may also request a public hearing be held.

Assessment — The relevant planning authority considers public submissions and the proposal is varied as necessary. Parliamentary Counsel then prepares a draft local environmental plan, the legal instrument.

Decision — With the Minister's (or delegate's) approval the plan becomes law and is published on the NSW legislation website.

The Department of Planning and Infrastructure (DP&I) has published two guides to assist in understanding the gateway process. These are *Guide to Preparing Local Environmental Plans* and *Guide to Preparing Planning Proposals*. Throughout this report some matters will be identified as requiring further investigation. Key issues of concern have been raised with the applicant during the initial assessment of the proposal however, in the absence of a resolution of Council regarding the progression of the proposal, the applicant has not been requested to undertake further detailed and potentially costly investigations. Upon Council resolution and any subsequent gateway determination these areas of concern can be further examined. This approach is supported by the *Guide to Preparing Planning Proposals* which states:

"In some cases it will be necessary to undertake technical studies or investigations to justify different aspects of a planning proposal. Generally, these studies or investigations should not be carried out in the first instance. Instead, the issues giving rise to the need for these studies or investigations should be identified in the planning proposal. The initial gateway determination will then confirm the studies or investigations required and the process for continuing the assessment of the proposal, including whether it will need to be resubmitted following completion of the studies or investigations."

The applicant has prepared a planning proposal in accordance with DP&I's guide and is supported by expert assessments of traffic, heritage, flora and fauna, bushfire, stream classifications, contamination, noise, odour and agricultural land capability. Furthermore the applicant, through the planning proposal, has advised that:

"All relevant supporting material to the Planning Proposal will be made available during the community consultation period. If required by Council, the proponent will provide a response to questions or queries raised by stakeholders at any point during the process."

Conformance with Hawkesbury Community Strategic Plan 2010 – 2030 (CSP)

Provisions of the CSP which are of most relevance to the planning proposal are:

Looking after people and place

Vision: In 2030 we want the Hawkesbury to be a place where we have: A community in which the area's character is preserved and lifestyle choices are provided with sustainable planned, well serviced development, within strongly connected, safe and friendly neighbourhoods.

Directions:

- *Be a place where we value, protect and enhance the historical, social, cultural and environmental character of Hawkesbury's towns, villages and rural landscapes.*
- *Offer residents a choice of housing options that meets their needs whilst being sympathetic to the qualities of the Hawkesbury.*
- *Population growth is matched with the provision of infrastructure and is sympathetic to the rural, environmental, heritage values and character of the Hawkesbury.*

- *Have development on both sides of the river supported by appropriate physical and community infrastructure.*
- *Have friendly neighbourhoods, connected communities, and supported households and families.*
- *Have future residential and commercial development designed and planned to minimise impacts on local transport systems allowing easy access to main metropolitan gateways.*

Goals:

- *Maintain and foster the rural character of villages within the Hawkesbury.*
- *Accommodate at least 5,000 new dwellings to provide a range of housing options (including rural residential) for diverse population groups whilst minimising environmental footprint.*
- *Towns and villages to be vibrant place that people choose to live in and visit.*
- *Plan, provide and advocate for a range of community, cultural, recreational, sporting, health and education services and facilities to meet the needs of residents and visitors.*

Caring for Our Environment

Vision: *In 2030 we want the Hawkesbury to be a place where we have: A community dedicated to minimising its ecological footprint, enjoying a clean river and an environment that is nurtured, healthy, protected and provides opportunities for its sustainable use.*

Directions:

- *Be a place where we value, protect, and enhance the cultural and environmental character of Hawkesbury's towns, villages and rural landscapes.*
- *To look after our cultural and environmental assets for future generations so that they too can enjoy and benefit from a clean river and natural eco-systems, rural and cultural landscape.*
- *Take active steps to encourage lifestyle choices that minimise our ecological footprint.*
- *Work with our communities and businesses to use our resources in a sustainable way and employ best practices and technologies that are in harmony with our natural environment.*

Goals:

- *Balance the needs of our ecology, recreational and commercial activities.*
- *Sustainable use of potable and recycled water.*
- *Reduce greenhouse gas emissions*

Linking the Hawkesbury

Vision: *In 2030 we want the Hawkesbury to be a place where we have: A community which is provided with facilities and services efficiently linked by well maintained roads and accessible and integrated transport and communication systems which also connect surrounding regions.*

Directions:

- *Have a comprehensive system of transport connections which link people and products across the Hawkesbury and with surrounding regions.*

- *Be linked by accessible, viable public transport, cycleways and pathways to the major growth and commercial centres within and beyond the Hawkesbury.*
- *Have a comprehensive system of well maintained local and regional roads to serve the needs of the community.*
- *Plan for, maintain and renew our physical infrastructure and community services, facilities and communication connections for the benefit of residents, visitors and businesses.*

Goals:

- *An efficient transport network that links the Hawkesbury internally and to regional growth centres.*

Supporting Business and Local Jobs

Vision: In 2030 we want the Hawkesbury to be a place where we have: New and existing industries which provide opportunities for a range of local employment and training options, complemented by thriving town centres.

Directions

- *Help create thriving town centres, each with its own character that attracts residents, visitors and businesses.*

Goals:

- *Increased patronage of local businesses and attract new residents and visitors.*

Shaping Our Future Together

Vision: In 2030 we want the Hawkesbury to be a place where we have: An independent, strong and engaged community, with a respected leadership which provides for the future needs of its people in a sustainable and financially responsible manner.

Directions

- *A balanced set of decisions that integrate jobs, housing, infrastructure, heritage, and environment that incorporates sustainability principles.*

Goals

- *Work together with the community to achieve a balanced set of decisions that integrate jobs, housing, infrastructure, heritage and environment.*
- *Council demonstrate leadership by implementing sustainability principles.*

The planning proposal in its current form would assist in the achievement of some of the above mentioned Directions and Goals, e.g., the 5000 dwelling house target, provision of recreational facilities, increased patronage of local business, attracting new residents to the Hawkesbury. However, there are some key environmental, traffic generation and sustainability impacts of the proposal that would be in conflict with the above mentioned Directions and Goals. These impacts are discussed later in the report.

Council Policy – Rezoning of Land for Residential Purposes - Infrastructure Issues

On 13 October 2009 Council adopted the following Policy:

"That as a matter of policy Council indicate that it will not consider nor support any further applications to rezone land for residential purposes in the area west of the Hawkesbury River until such time as the existing infrastructure issues, particularly as related to traffic, have been addressed to Council's satisfaction."

The existing infrastructure issues as referred to in the Policy mainly relate to the traffic volume capacity of the intersection at Grose Vale Road/Terrace Road/Bells Line of Road, North Richmond, the traffic volume capacity of North Richmond bridge and the construction of a second bridge across the upper Hawkesbury, and provision of sewer infrastructure. These issues are yet to be addressed to Council's satisfaction. The planning proposal if made would rezone the affected land to R5 Large Lot Residential and, hence, Council support of this planning proposal would therefore be in conflict with this Policy.

However, there is another report on this agenda that proposes an amendment to this Policy that, if supported, would allow for consideration of this matter in relation to the Hawkesbury Residential Land Strategy and the sustainability criteria contained in that Strategy.

Metropolitan Strategy, Draft North West Subregional Strategy and Hawkesbury Residential Land Strategy

The NSW Government's Metropolitan Strategy and Draft North West Subregional Strategy establishes the broad planning directions for the Sydney metropolitan area and north-western sector of Sydney respectively. These documents identify a number of strategies, objectives and actions relating to the economy and employment, centres and corridors, housing, transport, environment and resources, parks and public places, implementation and governance.

The Hawkesbury Residential Land Strategy (HRLS) is in part a response to these strategies and has identified residential investigation areas and sustainable development criteria which are consistent with the NSW government's strategies. The HRLS was adopted by Council on 10 May 2011. This section of the report will focus on the provisions of the HRLS as, of the three strategies, it is the one most directly applicable to the proposal.

Section 5.6 of the HRLS identifies future investigation areas for new housing development. The HRLS nominates the existing Housing zoned land of Glossodia and land immediately to the south as an investigation area. The subject site is within this investigation area. The HRLS recommends that within the Glossodia investigation area, the extent and type of residential zoned land be reviewed subject to resolution of transport, access and traffic issues particularly road infrastructure crossing the river, provision of sewerage, the expansion of commercial, retail and community services to accommodate a larger population, and that larger lot residential is to be investigated within the urban zoned land around fringe.

The capability of the land to adequately cater for onsite sewerage disposal, from 179 lots, and the environmental constraints and impacts of the proposal will be discussed in detail later in this report.

Glossodia currently satisfies many of the Neighbourhood Centre criteria, specified in the HRLS, as it contains 840 private dwellings, 99% being detached dwellings (ABS Census 2006) and is currently served by a small shopping village, community centre, public school, child care centre, before and after school care, Woodbury Park, rural fire service brigade, reticulated water, sewer, electricity, communications, roads connecting to key centres. However, Glossodia does not meet the public transport target of a bus interchange and 14hr bus service with a 10-15 minute frequency.

The proposal can be described as a rural residential / large lot residential development on the fringe of the Glossodia residential area. The HRLS contains the following specific criteria for such development:

- be able to have onsite sewerage disposal,
- cluster around or on the periphery of villages,
- cluster around villages within services that meet the existing neighbourhood criteria services as a minimum (within 1km radius),

- address environmental constraints and with minimal environmental impacts,
- within the capacity of the rural village.

The HRLS also contains Sustainability Criteria which is to be applied to residential development. Where relevant the criteria are provided in various sub-sections of the "Assessment of Key Environmental Impacts" section of this report. Some of the criteria refer to "urban development". Rural residential / large lot residential development should be seen as a limited or reduced type of "urban development" given that the relatively low density of development and relatively small future population will still create the need for similar services and transport and access, albeit on a reduced scale, as urban development. In fact "rural residential" development will also create some additional servicing issues that urban development may not necessarily create, e.g., additional need for parking at commercial centres, additional costs in servicing/maintenance for waste and roads etc. Hence, consideration and application of the "urban development" criteria should be weighted accordingly.

Section 117 Directions

Section 117 directions are issued by the Minister for Planning and Infrastructure and apply to planning proposals. Typically, the 117 directions will require certain matters to be complied with and/or require consultation with government authorities during the preparation of the planning proposal. The key 117 directions are as follows:

1.2 Rural Zones –planning proposals must not rezone land from a rural zone to a residential, business, industrial, village or tourist zone and must not contain provisions that will increase the permissible density of land within a rural zone (other than land within an existing town or village).

1.3 Mining, Petroleum Production and Extractive Industries – requires consultation with NSW Industry and Investment.

2.1 Environment Protection Zones – planning proposals must include provisions that facilitate the protection and conservation of environmentally sensitive areas.

3.1 Residential Zones – planning proposals must include provisions that encourage the provision of housing that will:

- broaden the choice of building types and locations available in the housing market, and
- make more efficient use of existing infrastructure and services, and
- reduce the consumption of land for housing and associated urban development on the urban fringe, and
- be of good design.

Furthermore a planning proposal must 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).

3.4 Integrating Land Use and Transport –planning proposals must locate zones for urban purposes and include provisions that give effect to and are consistent with the aims, objectives and principles of Improving Transport Choice – Guidelines for planning and development (DUAP 2001)

In summary this document seeks to provide guidance on how future development may reduce growth in the number and length of private car journeys and make walking, cycling and public transport more attractive. It contains 10 "Accessible Development" principles which promote concentration within centres, mixed uses in centres, aligning centres with corridors, linking public transport with land use strategies, street connections, pedestrian access, cycle access, management of parking supply, road management, and good urban design.

The document is very much centres based and not readily applicable to consideration of a rural-residential planning proposal. Notwithstanding this, it is considered that the principles of most relevance would be those relating to public transport (for access to Richmond and Windsor), pedestrian and cycle access (for access to Glossodia shops). The document also provides guidance

regarding consultation to be undertaken as part of the planning proposal process and various investigations/plans to be undertaken. It is recommended that if this planning proposal is to proceed Council seek guidance from the DP&I, via the gateway process, regarding the applicability of this document.

4.1 Acid Sulfate Soils – requires consideration of the Acid Sulfate Soils Planning Guidelines adopted by the Director-General of DP&I. The applicant has submitted a report which investigates the potential for acid sulphate soils. The report found that of the soil samples taken from the site none of them contained acid sulfate soils.

4.3 Flood Prone Land – planning proposals 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). A planning proposal must not rezone land within the flood planning areas from special use, special purpose, recreation, rural or environmental protection zones to a residential, business, industrial, special use or special purpose zone. As stated previously the site is not subject to flood water inundation from the Hawkesbury River. The extent of any localised flooding from Currency Creek is unknown, however preliminary advice provided to the applicant by one of their consultants suggests that the 1 in 100 year flood event level extends approximately 70m from the top of Currency Creek's bank. If this planning proposal is to proceed it is recommended that flood modelling of the local catchment applicable to the site be undertaken.

4.4 Planning for Bushfire Protection – requires consultation with the NSW Rural Fire Service, compliance with Planning for Bushfire Protection 2006, and compliance with various Asset Protection Zones, vehicular access, water supply, layout, and building material provisions.

7.1 Implementation of the Metropolitan Strategy – requires planning proposals to be consistent with the NSW Government's Metropolitan Strategy City of Cities, A Plan for Sydney's Future.

The 117 directions do allow for planning proposals to be inconsistent with the directions. In general terms a planning proposal may be inconsistent with a direction only if the DP&I is satisfied that the proposal is:

- (a) justified by a strategy which:
 - gives consideration to the objectives of the direction, and
 - identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and
 - is approved by the Director-General of the Department of Planning, or
- (b) justified by a study prepared in support of the planning proposal which gives consideration to the objectives of this direction, or
- (c) in accordance with the relevant Regional Strategy or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or
- (d) is of minor significance.

State Environmental Planning Policies

Relevant State Environmental Planning Policies (SEPPs) are SEPP No.1 Development Standards, SEPP No. 19 Bushland in Urban Areas, SEPP No. 55 Remediation of Land, SREP No. 20 Hawkesbury - Nepean River (No.2 – 1997).

The planning proposal is consistent with the provisions of SEPP No.1 Development Standards, SEPP No. 19 Bushland in Urban Areas, SEPP No. 55 Remediation of Land.

The aim of SREP No 20 (No. 2 – 1997) 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. This requires consideration of the impacts of the development on the environment, the feasibility of alternatives and consideration of specific matters such as environmentally sensitive areas, water

quality, water quantity, cultural heritage, flora and fauna, agriculture, rural-residential development and metropolitan strategy. These matters are discussed in the following section of this report.

SREP No 20 recommends that priority be given to agricultural production in rural zones, that zone objectives and minimum lot sizes support the continued agricultural use of Class 1, 2 and 3 agricultural land and any other rural land that is currently sustaining agricultural production; incorporation of effective separation between intensive agriculture and adjoining uses to mitigate noise, odour and visual impacts; protection of agricultural sustainability from the adverse impacts of other forms of development; consideration of the ability of a site to sustain over the long term the development concerned (including on-site effluent disposal); maintenance or introduction of appropriate separation between rural-residential use and agricultural use on the land that is proposed for development; consideration of any adverse environmental impacts of infrastructure associated with the development concerned.

Assessment of Key Environmental Impacts

Character of the area

Relevant HRLS Criteria:

- A2.4 Provide suitable transition between different dwelling densities*
- G8.2.1 Urban development to minimise impacts on view corridors to significant rural and natural landscapes*
- I2.2.2 Be cognisant of the character of surrounding areas*
- I2.2.3 Be cognisant of the landscape character and its setting*

A key goal of the CSP in the *Looking after people and place* theme is to:

Maintain and foster the rural character of the villages with the Hawkesbury

Furthermore, community surveys undertaken on behalf of Council in 2007 and 2009 show that "rural lifestyle" was by far the dominant response when residents were asked to describe the character of the Hawkesbury.

Rural character/lifestyle can be defined by such matters as the existence of agricultural uses, size of lots, density of development, the type, location, bulk and size of buildings and outbuildings, vegetation and fencing.

The area surrounding the subject site has a mix of lot sizes ranging from small residential lots of 550m² to 1000m², large residential lots of approximately 4000m², rural-residential lots of 1ha to 2ha, and then rural lots of 10ha and greater. The lots immediately adjoining the site to the north and east are generally 1ha – 2ha in area, lots immediately to the south are typically 10ha – 16ha in area, and lots immediately to the west range from 2ha to 10ha.

Most adjoining properties to the west and north contain a substantial coverage of open woodland with dwellings and outbuildings located amongst the woodland vegetation. Separation between adjoining dwellings is typically 40m to 80m. Fencing is typically post and rail along the frontage of properties with star picket and wire fencing for the other boundaries.

Adjoining properties to the east and south are typically used for agricultural purposes such as grazing, turf farming and market gardening. Dwellings, outbuildings and native vegetation are sparse.

In summary the immediately surrounding area has two distinct visual characters. One area having a residential/rural-residential character, the other area having an agricultural production character. As discussed earlier, views to the site are primarily from the north-east (i.e the residential/rural-residential area) and the west and south (i.e the agricultural production area). The site sits between these areas and it is considered that if the planning proposal is to proceed the site should act as a transition between these two areas. The current proposal does not act as a transition between these two areas. Rather, it proposes an extensive coverage of lots which are typically smaller than surrounding lots and

will result in a relatively dense form of dwelling and outbuilding development and place at risk the proposed retention of native vegetation.

Traffic and Public Transport

Relevant HRLS Criteria:

- E2.1 Upgrade road transport infrastructure to facilitate economic development and enhanced access within the Hawkesbury LGA*
- E2.2 Promote high level public transport to minimise car usage.*
- E2.3 Urban development to be accessible to transport options for efficient and sustainable travel between homes, jobs, services and recreation:

 - *in proximity to City Rail train stations*
 - *in proximity to regular and reliable bus networks and services**
- E2.4 Frequency and servicing of public transport services to be upgraded to meet current and future community needs*
- E2.5 Bicycle networks to be expanded to facilitate recreation and commuter use in a safe environment*
- E2.6 Pedestrian footpaths are provided in all urban areas and centres*

A traffic impact study has been submitted with the planning proposal. The study examined the likely impacts of the development on the surrounding road networks as well as the Bells Line of Road/Terrace Road/Grose Vale Road, Bells Line of Road/Crooked Lane and Freemans Reach Road/Wilberforce Road intersections and both Windsor and North Richmond bridges.

The study investigated current, and with development, morning (AM) and afternoon (PM) peak hour traffic conditions and congestion/delays at the two bridge crossings over the Hawkesbury River at Windsor and North Richmond and three nearby adjoining intersections at Grose Vale Road/Terrace Road at North Richmond, Crooked Lane, North Richmond and Freemans Reach Road, Windsor.

The study is based on the following assumptions:

- an external vehicular traffic generation rate of 10 vehicle trips per day per household and 1 vehicle trip per hour per household in both the morning and afternoon peak hours
- approximately 40% peak hours traffic will be to and from Richmond or regional destinations, most likely via the North Richmond bridge
- approximately 40% peak hours traffic will be to and from Windsor or regional destinations, most likely via the Windsor bridge
- approximately 15% peak hours traffic to and from local destinations in Glossodia, North Richmond and Kurrajong area
- approximately 5% peak hours traffic to and from other local destinations eg Freemans Reach and Wilberforce
- that East Market Street, Richmond and Macquarie Street, Windsor are not heavily congested and impact from the proposed development will be dispersed by the time they reach these locations and no significant traffic impacts are likely

The study did not examine in detail the existing and future traffic conditions at the main Windsor and Richmond Town Centre intersections.

The study included intersection performance assessment, which is described by a level of service (LOS) ranging between A to F. LOS are based on delay for any vehicle movement at intersection with the criteria shown in the following table:

Level of Service Criteria for Intersection Modelling

Level of Service	Average Delay Per Vehicle (seconds)	Traffic Signals, Roundabout	Give way & Stop Signs

Level of Service	Average Delay Per Vehicle (seconds)	Traffic Signals, Roundabout	Give way & Stop Signs
A	< 14	Good operation	Good operation
B	15-28	Good with acceptable (min) delays & spare capacity	Acceptable delays (min) & spare capacity
C	29-42	Satisfactory	Satisfactory, but accident study required
D	43-56	Operating near capacity	Near capacity and accident study required
E	57-70	At capacity; at signals, incidents will cause excessive delays; Roundabout require other control mode	At capacity and requires other control mode
F	>70	Unsatisfactory and requires other control modes	Unsatisfactory and requires other control modes

The key findings of the study were:

Traffic Volumes

There will be likely peak hour traffic increases of approximately 3-4% on the two major road bridge crossings of the Hawkesbury River and likely peak hour traffic increases generally in the range 10-12% on all major local roads in the affected area. These increases will all, however, be below the general threshold limits of any significant or noticeable adverse traffic related amenity or safety impacts on any of these roads, thus requiring minimal or no road upgrade works as a result of the proposed development. Beyond the two Hawkesbury River bridge crossings at Windsor and North Richmond, the future peak hour traffic increases on other major roads will be 1 – 2% as the site generated traffic disperses onto a range of other regional traffic route.

The traffic volume count reveals that the peak traffic on Bells Line of Road at the North Richmond Bridge is significantly busier in the AM peak compared to the PM peak period while correspondingly the Windsor Bridge traffic is less busy in the AM peak but significantly busier in the PM peak period.

The study concludes that given these differences some local traffic in the area already switches routes between the two bridges in the AM and PM peak periods, most probably in response to specific traffic congestion factors at critical locations on the road network during either the morning or afternoon peak traffic periods.

Freemans Reach Road/Wilberforce Road intersection at Windsor

During peak hours vehicles queue on Freemans Reach Road waiting for gaps to turn right into Wilberforce Road, approaching the Windsor Bridge. The intersection analysis reveals that the intersection is functioning safely and operating reasonably smoothly with minimal overall traffic delays. The current Level of Service 'A' at AM Peak and 'B' at PM Peak periods remains unchanged as a result of the proposed development, although there is a marginal increase in delay pre and post development (AM Peak from 10.8 to 11.3 sec (+0.5 sec) and PM Peak from 16.4 to 17.1 sec (+0.7 sec) however the values are within the LOS range.

Terrace Road/Grose Vale Road/Bells Line of Road at North Richmond

This major intersection is relatively congested at both AM and PM peak hour. The intersection has limited capacity to accommodate additional traffic without deterioration in the LOS. The current LOS is AM Peak 'D' and PM Peak 'E'. With development, the LOS will change the AM Peak to 'D' and PM Peak to 'F'. This means that the average delay for pre and post development will change AM Peak from 52.1 sec to 53.4 sec (+1.3 sec) and PM Peak from 62.2 to 71.4 sec (+9.2 sec). It is worth noting

that the 53.4 sec and 71.4 sec delay is equivalent to a maximum queue length of 303 and 532 metres respectively.

The study recommended changing the PM Peak hour intersection cycle time from 120 seconds to 150 seconds to bring the LOS back from 'F' to 'E' without undertaking any physical works at the intersection.

Crooked Lane/Bells Line of Road at North Richmond

The intersection is moderately congested during AM and PM peak hour (Level of Service C/B) but still has spare capacity to service additional traffic generated from proposed development. The current Level of Service 'C' at AM Peak and 'B' at PM Peak periods remain unchanged with the proposed development, although there is a marginal increase in delay pre and post development (AM Peak from 28.9 to 29.2 sec (+0.3 sec) and PM Peak from 27.0 to 27.9 sec (+0.9 sec) however the values are within the LOS range.

Capacity of Bridges

The bridge traffic capacity calculation is carried out based on AUSROADS guide. The study indicates that the North Richmond Bridge capacity varies in range between approximately 2250 and 2480 vph during AM and PM peak periods, while the Windsor Bridge capacity is generally much lower at approximately 1750 vph during both peak periods.

The analysis reveals that North Richmond Bridge is now effectively operating at capacity at AM peak traffic period and the Windsor Bridge is operating at capacity at PM peak periods.

The study concludes that the future traffic growth in the area from the proposed Glossodia rural-residential lots should ideally be flexible in terms of its ability to use either bridge during AM and PM peak periods.

Public Transport

Glossodia is currently serviced by WestBus Route 668 which traverses between Richmond-Windsor and Windsor-Richmond via Glossodia and Wilberforce. The bus services are infrequent and does not provide many day time travel options outside the peak hours.

Comments on Traffic Study Findings

Initial assessment of the traffic report raised the following matters of concern.

The recommended change in traffic light cycle from 120 to 150 seconds for the Grose Vale Road/Terrace Road/Bells Line of Road intersection is outside of Council's jurisdiction and must be referred to RTA for their comment. Notwithstanding this it is considered that there is high likelihood of significant community opposition to the proposed cycle change.

The study does not take into account the potential traffic growth or impacts on the Grose Vale Road/Terrace Road/Bells Line of Road intersection and North Richmond Bridge capacity at AM and PM peak hour from the approved seniors living development at 108 Grose Vale Road, North Richmond (the old Peels Dairy farm site). The bridge and the intersection are already operating at full capacity during the AM peak period and cumulative additional traffic of developments will have significant impact on this intersection and the bridge. More detailed investigation is needed that takes into account the traffic from the seniors living development.

The RTA propose to replace the Windsor Bridge in the near future. The preferred option (Option 1) proposes a new bridge about 35 metres downstream of the existing bridge. It is assumed that the design and construction of the new bridge at this location will address the current intersection issues at Freemans Reach Road and Wilberforce Road. However, until this option and design is confirmed it would be premature to assume this improvement.

The study emphasised the need for the community to be flexible during peak periods in using either North Richmond or Windsor bridges. This flexibility cannot be assured as route and bridge usage will solely depend on the individual and is too subjective to use as a basis for development decisions. In any event, both of these bridges and approaches already have significant problems.

A section of the proposed western access road from Spinks Road will also service the existing egg production farm road. Further investigation is required to determine traffic volume and type that will service the egg production farm and to determine whether it is appropriate or if any control measure is needed along the shared section of residential road to mitigate traffic risk.

The proposed northern access point located along the bend section of Spinks road is not desirable and further investigation (e.g. safe sight distance etc) will be needed.

As a result of this initial assessment Council staff expressed concern to the applicant regarding the proposed increase to the traffic lights cycle, requested more information regarding the cumulative affects of development on the Grose Vale Road/Terrace Road/Bells Line of Road intersection, potential impacts on the Windsor and Richmond townships, and the operation of the egg production farm.

In reply the applicant has advised:

- a re-run of the traffic model incorporating the senior living development finds that it does not affect the findings of the original traffic report and that all the conclusions in that report remain valid.
- the traffic impact on Windsor and Richmond town centre intersections will be very negligible and does not warrant undertaking traffic modelling to assess the impact on those intersections from proposed development.
- as an alternative to increasing intersection cycle time from 120 to 150 seconds the following three options were considered, with the consultant recommending options 2 and 3 as suitable:
 - Option 1 - to reconfigure and add an extra left turn lane, westbound into the intersection, for about 60 metres on the Terrace Road approach, which would make three lanes on this approach
 - Option 2 - to reconfigure the Grose Vale Road approach as three lanes heading north-east into the intersection and one lane heading south-west away from the intersection. This would mean some loss of existing on street car parking downstream from the intersection.
 - Option 3 - make Bells Line of Road no right turn south-eastbound at the intersection, remove the right turn lane and reconfigure the north-eastbound as two through lanes eg one through and one through plus left lane. Traffic lights and a longer right turn lane would need to be installed at Charles Street on Bells Line of Road to accommodate the diverted right turn traffic.

The consultant's comments regarding the cumulative impacts of the proposal and the senior living development and the likely impacts on the Windsor and Richmond town centres are accepted for the interim. If the planning proposal is to proceed these comments should be further tested by Council and RTA staff.

It is considered that Option 2 is not practical and may not be acceptable to the community and business owners as this involves removing street parking along the Grose Vale Road adjacent to the intersection along a 60 metre strip. However, again this would need to be modelled and considered following community consultation.

Option 3 involves removing right turn south-eastbound lane at the intersection and reconfiguring the north-west bound lane as two through lanes. This change would retain the existing level of service in the AM Peak at D and an improvement in the PM Peak from current level of service E to D. However, this option requires new traffic lights at Charles Street on Bells Line of Road and a longer right turn

lane to accommodate the diverted right turn traffic. The consultant's report does not address the issue of traffic flow and capacity along Charles Street and does not address access to shops on Riverview Street for traffic coming down on the south-eastbound lane along Bells Line of Road. This traffic will have to use the right turn bay at Charles street to access the shops. This is a major change which may be opposed by the affected business owners and community.

The reconfiguration, traffic light installation and traffic diversion proposed in Option 3 is a major change in the traffic flow and intersection configuration. This matter must also be referred to the RTA as the road is under state control. At this stage proposed Option 3 solution cannot be accepted without a full and thorough investigation with all relevant stakeholders. The applicant's representative has not suggested who should pay for or implement such options other than to state the applicant is open to a traffic solution that works for the intersection provided it is adequately costed.

It should be noted that the RTA is currently undertaking traffic assessment and modelling of Bells Line of Road between Richmond and North Richmond. These options could be referred to the RTA for testing as part of the existing work, prior to serious consideration of any option. However, the traffic study does indicate that, whilst the impact may be relatively small, an immediate amendment to the traffic issues, at least at North Richmond, is required prior to full consideration of the planning proposal. As mentioned, the RTA are currently undertaking the modelling work with a range of actions to be considered that would address the immediate, medium and long term options for this issue.

Topography

Relevant HRLS Criteria:

G3.2.1 Urban development to be limited to areas with a slope of 15% or lower

The site is undulating and varies in elevation from approximately 80m westerly, 70m northerly, 40m easterly, and 30m southerly. A steep sloping section of land, generally in excess of 15%, passes through the middle of the site in an east-west direction. Land in the southern portion of the site towards Currency Creek is relatively flat, being generally less than 6%. Land in the north-eastern portion of the site towards is of moderate slope, generally 6-10%.

The Sustainability Criteria of the HRLS recommends that urban development be limited to areas with a slope of 15% or lower. The steep sloping section through the middle of the site therefore represents a constraint to development of the site and, as will be discussed in the following section, areas greater than 6% slope act as a constraint to the on-site irrigation of waste water.

Water Management

Relevant HRLS Criteria:

- D1.2.4 Urban development in small villages and neighbourhood centres be limited to areas capable for onsite disposal and/or waste water irrigation.*
- G1.2.3 Protect and enhance biodiversity, air quality, heritage and waterway health.*
- G5.2.4 Be consistent with catchment and stormwater management planning (CMA and local council) and the NSW Floodplain Development Manual.*
- G6.2.2 Maintain or improve existing environmental condition for water quality and quantity.*
- G6.2.3 Development to be consistent with community water quality objectives for recreational water use and river health.*
- G7.2.1 Development is to avoid wetland areas.*
- G7.2.2 Future urban development to be located outside of riparian zones.*
- G7.2.3 Development should not adversely impact on the drainage regime of wetland areas.*

A water management strategy has been submitted with the planning proposal. The strategy proposes:

- individual lots being provided with individual aerated waste water treatment systems (AWTS) with surface irrigation areas of 1200m² and 3 kilolitres for wet weather storage

- stormwater being treated initially in local rain gardens (250m² in area) before being discharged to a trunk drainage network where together with runoff from roads and swales it will be treated in bio-retention basins prior to being discharged offsite
- peak stormwater flow rates from the proposed development not to exceed existing conditions in the 5, 20 and 100 year Average Reoccurrence Intervals (ARI) events

Concern was raised with the applicant regarding the proposed AWTSs to serve the subdivision. In particular concern was raised that only one type of waste water treatment system was proposed and that the water management strategy appeared not to adequately consider the significant slope of parts of the site. The applicant was requested to give consideration to the suitability of other types of systems, provide advice regarding the ongoing management of proposed systems, and consider the constraints imposed by the slope of the land bearing in mind that the relevant Australian Standard recommends a maximum slope of 6% for surface irrigation systems.

In reply the applicant advises:

- the appropriateness of other systems such as a centralised sewage treatment system and various lot based sewage solutions was considered and as a result AWTSs were selected
- given the topography of the site it is likely that some lots will not be capable of providing a maximum 6% grade for the irrigation area. For these lots it has been assumed that the irrigation area will be benched to match the design requirements or sub-surface irrigation will be installed
- it is proposed to incorporate a series of measures to manage the risk associated with the inclusion of AWTS on each lot. Throughout the life cycle of the AWTS the lot owner will be responsible for:
 - the inspection and servicing of the ATWS four times per year by a Council approved contractor
 - the inspection of sludge and scum levels in each of the AWTS' tanks and performance of irrigation areas
 - the de-sludging of each tank every three years as a minimum
 - quarterly inspection and testing of the disinfection chamber to ensure that the correct disinfection levels are capable of being achieved on an ongoing basis
 - the cleaning of the grease trap every two months as a minimum
 - maintaining records of de-sludging activities, inspections and all other maintenance associated with the AWTS
 - AWTS will be equipped with an emergency alarm containing both visual and audible components. This emergency alarm will be triggered when the AWTS is not operating effectively. The emergency alarm will only be able to be reset by an approved contractor. In the event that the AWTS is not operational the wet weather storage component of the AWTS will provide sufficient capacity to enable tankering of the sewerage by an approved contractor.

The landowner will also be responsible for the licensing to operate the system with Council.

Notwithstanding this, concern is still raised that only one system is proposed and hence there is no alternative system available in the event that upon site specific investigation an AWTS is unsuitable or after a period of time requires replacement with another type of system. The applicant has not provided any reasons why an AWTS was selected instead of other types of communal or individual systems. An option for "pump-out" systems (not proposed by the applicant) is unsustainable and should not be considered acceptable by Council.

Benching of some lots to cater for the irrigation areas is considered unacceptable due to potential visual impacts and long term soil stability. Sub-surface irrigation can be installed on slope greater than 6%; however, there is an increased risk of polluted surface run-off when the ground becomes saturated.

The land area required by an AWTS (1200m² irrigation area plus area required for buffer zones and tanks) would take up a considerable portion of a 4000m² lot constraining the location of any proposed dwelling, outbuildings, swimming pools, gardens, play areas and alternative disposal areas should the disposal area become unsuitable in the long term.

Finally, the water management strategy did not make an assessment of the potential cumulative impacts of the proposed 179 individual systems on Currency Creek catchment, groundwater, and long term water logging of the site. In this regard additional investigation of the 'catchment' capacity to accept on-site waste water systems should be considered to determine the density of systems that the catchment could sustainably accept.

It is considered that a larger minimum lot size would assist in overcoming these concerns as other systems could be considered/used, steep slopes could be avoided, and the land area required by the system would not be such a significant portion of the site and hence provide more land area for dwellings, outbuilding, swimming pools, gardens and play areas.

Ecology

Relevant HRLS Criteria:

- G1.2.1 No urban development in areas identified for conservation, environmental sensitivity and recreation*
- G1.2.2 Maintain a high quality natural environment and respect elements of natural environment*
- G1.2.3 Protect and enhance biodiversity, air quality, heritage and waterway health*
- G1.2.4 Future urban development to occur in areas where there is limited impacts on significant vegetation communities*

A flora and fauna assessment has been submitted with the planning proposal. In summary the assessment reveals that whilst the majority of the site consists of grassland, the existing vegetation has a medium to high quality condition and large portions of the site's vegetation will need to be retained. The assessment found:

- three threatened fauna species (East-coast Freetail-bat, Eastern Bentwing-bat and a Large-footed Myotis)
- one threatened flora species (*Pimelea spicata*)
- two endangered ecological communities - 18.4ha of Cumberland Plain Woodland (CPW) and 7.45ha of River-flat Eucalypt Forest on Coastal Floodplains (RFEF). Most of the RFEF is contained within the Currency Creek riparian corridor

The assessment concluded that the proposed residential development of the site would be constrained by the presence of the following ecological features:

- two large dams that provide high aquatic habitat for a diversity of bird species. These large dams are located in the north-eastern corner of the site and in the western part of the site
- the two endangered ecological communities
- hollow-bearing trees that provide suitable habitat for recorded threatened bats and other hollow-dependent species
- riparian buffers along Currency Creek and one unnamed watercourse located in the north-western corner of the site

The assessment made the following recommendations:

- To adopt a Vegetation Management Strategy that conserves as much of the existing vegetation as possible, offsets the loss of significant vegetation in the form of wildlife corridors, riparian corridors, retained vegetation and waterbird reserves
- Ongoing ecological site management of the site would need to be firmly incorporated within the sites development layout and managed in the form of a Vegetation Management Plan. Ecological site management would need to include restoration of native vegetation within the proposed riparian corridor, the two wildlife corridors, within and adjoining the two large dams to be retained onsite and within natural retained vegetation. Restoration works will need to specifically restore CPW and RFEF vegetation communities onsite.
- In regard to the Cumberland Plain Land Snail, a further target search in more appropriate conditions (during and following rain) is recommended to provide a conclusive assessment for this species. The presence of Cumberland Plain Land Snail within a remnant patch of vegetation would result in full protection of that remnant and the need to provide vegetated connectivity to support the population.
- A comprehensive assessment of hollow bearing trees will be required to identify the potential impact of the proposed development on threatened hollow dependent threatened species for the Section 5A assessment of the EPA Act 7-part test
- Stormwater management of the site will need to maintain or improve the management of water on-site

The assessment included a Constraints / Opportunities map which is included as an attachment to this report. The map shows:

- a 50m riparian buffer zone adjoining Currency Creek
- retention of scattered stands of CPW throughout the western part of the site
- waterbird reserves around the two large dams
- a 20m riparian buffer zone adjoining watercourses in the north-west of the site
- fenced, revegetated and regenerated CPW areas of variable width along the western and part of the northern boundary of the site and
- a north-south 50m wide fenced, revegetated and regenerated CPW area in the eastern part of the site

Whilst it is agreed that the majority of the site consists of open grassland it is important to note that CPW can exist in an open grassy woodland formation and the importance of partially native grassland should not be overlooked in assessing whether the vegetation (including ground layer) is of environmental significance. These open grasslands can provide habitat and a food source for many faunal species that developed land cannot and open grasslands do not restrict movement that can cause faunal fatalities, unlike structures such as roads, solid fencing and buildings.

Whilst the proposal provides for the retention of CPW and RFEF the resultant subdivision will fragment these endangered ecological communities and place these communities at greater risk to harm from "key threatening processes" identified by the *Threatened Species Act 1995*. These processes include clearing of native vegetation, dieback associated with over-abundant psyllids and bell miners, high frequency fire resulting in the disruption of life cycle processes in plants and animals and loss of vegetation structure and composition, infection of native plants by *Phytophthora cinnamomi*, invasion and establishment of exotic vines and scramblers, invasion, establishment and spread of *Lantana camara*, invasion of native plant communities by exotic perennial grasses, predation by feral cats, and removal of dead wood and dead trees.

As discussed above the site adjoins Currency Creek along its southern boundary. Currency Creek is an iconic catchment that feeds many reserves and inhabits a range of threatened species. The proposal does have the potential to have substantial ecological impacts both locally and regionally on this catchment. In particular increased hard surfaces can increase weed infestation and erosion along the creek and fenced boundaries restricts fauna movement.

Therefore, in addition to the above mentioned recommendations it is considered that the following should be incorporated into the proposal:

- amendment to the lot layout in order to create greater connectivity/vegetation paths between existing dams and vegetation. In some cases this will serve a dual purpose of enhancing habitat, connectivity and biodiversity values to the site for the threatened species and acting as a visual screen and windbreak for the poultry sheds. Where recommended connecting vegetation lies to the north of the proposed subdivision this vegetation should mainly comprise CPW i.e. open woodland vegetation as to allow for solar access for properties to the south
- greater access to the riparian buffer along currency creek. This will ensure greater user enjoyment as it provides a greater area for passive recreation and access for maintenance by authorities and contractors
- provision of a wider riparian buffer. This buffer is to include pathways to prevent vandalism through informal tracks; identify to the community that the area is for public use to encourage visitation and hence the aforementioned passive surveillance. The widening of the buffer will also assist to protect the creek bank from erosion and compaction
- greater open space and recreation areas situated within green areas that can be utilised as play grounds, exercise circuits, dog off leash areas etc
- where development is proposed near the creek line it should be in strict accordance with environmentally sensitive design principles.

It is considered that if these recommendations are implemented the proposal would have greater compliance with the following Sustainability Criteria of the HRLS:

- No urban development in areas identified for conservation, environmental sensitivity and recreation
- Maintain a high quality natural environmental and respect elements of natural environment
- Protect and enhance biodiversity and waterway health
- Maintain or improve areas of regionally significant terrestrial and aquatic biodiversity, including regionally significant vegetation communities, critical habitat, threatened species, populations, ecological communities and their habitats

Bushfire Prone Land

Relevant HRLS Criteria:

G2.2.1 Urban development in Category 1 and 2 bushfire areas is to be avoided

G2.2.2 Urban development in Category 1 or 2 bushfire areas is subject to meeting the requirement of the NSW Rural Fire Service "Planning for Bushfire Protection" Version 3 June 2006 guidelines or as amended from time to time

The site predominantly contains a mix of Category 1 vegetation (i.e. forest or woodland) and Category 2 vegetation (open woodlands and grasslands), with the majority of the site being Category 2 vegetation.

A bushfire assessment has been submitted with the planning proposal. The recommendations for residential development asset protection zones (APZ) are based on Level 3 construction under Australian Standard 3959-1999. The depth of recommended APZs vary throughout the site, however are generally 10m to 25m in depth.

The Standard nominates four categories of construction standards that fall within the scope of the Standard. These are Low (no construction requirements), Medium (Level 1), High (Level 2) and Extreme (Level 3). Level 3 has the most onerous and costly construction requirements of the Standard. By building to a higher construction standard the depth of the APZ can be reduced. Alternatively, if larger lot sizes were proposed which offered greater separation distance of the resultant dwelling and to surrounding bushfire prone vegetation then the level and cost of construction could be reduced.

If the planning proposal is to proceed it is anticipated that it will be referred to the NSW Rural Fire Service, being the responsible authority of bushfire protection, for comment.

Noise

An acoustic assessment has been submitted with the planning proposal. The assessment took into consideration the current traffic noise generated from Spinks Road and likely impact on future residences, and the current noise generated from the egg farm and the likely impact on future residences.

The assessment found that:

- predicted noise impacts from Spinks Road affecting the future residences are within acceptable NSW government noise criteria. Therefore, noise treatment will not be necessary for residential building facades facing or near Spinks Road
- measured operational noise from the existing egg farm is within NSW government noise criteria at the nearest proposed residential site

The conclusion of the assessment is that there is no acoustic impediment to the proposed rezoning.

It is noted however that the predicted noise impact of the egg farm on the nearest proposed residence for the "evening" and "night" time periods is above the recommended "acceptable" noise criteria and is marginally below or equal to the "recommended maximum" noise criteria. Whilst compliance with the criteria is achieved physical noise attenuation measures and/or a greater separation distance from the egg farm could bring the noise impacts to within the "acceptable" noise level. Given that the proposed rezoning is a "greenfield" development and not constrained "infill" development it is considered appropriate that the "acceptable" criteria be achieved.

If the planning proposal is to proceed it is anticipated that it will be referred to the OEH, being the responsible authority of noise criteria, for comment.

Odour

Relevant HRLS Criteria:

G6.2.1 Maintain or improve existing environmental condition for air quality

An odour impact assessment has been submitted with the planning proposal. The assessment took into consideration the existing design, operations and odour emissions of the egg farm, local meteorological conditions, the topography of the locality, and the location of surrounding and proposed allotments. As a result predicted odour impact data and maps were produced.

The NSW Office of Environment and Heritage's receptor odour performance criteria of 2 odour units per cubic metre of air (OU/m³) was adopted as the standard to be achieved. This is the highest standard of the OEH and is to be complied with 99% of the time. In summary, the standard means

that for 99% of the time the surrounding community should not receive more than 2OU of odour generated from the egg farm. Odour emission less than 2OU are considered to be negligible.

The assessment found that with the retention of the egg farm, proposed Lots E8 to E17, E18 to E28, E42 to E49 and E60 and E61 would experience odour greater than the 2OU. As a result vegetative earth berms and foggers/misters around the facility are proposed to reduce odour below the 2OU threshold.

The author of the assessment claims that the vegetative earth berms will reduce odour in the following ways:

- absorbing some of the odour
- providing windbreaks to winds blowing towards the facility thus preventing strong winds from carrying the odour off site
- preventing disturbance of remaining odour lingering within the proximity of the facility
- improving the visual appearance of the facility, preventing any biased perspective on odour emission from the farm that could trigger odour complaints (i.e. "out of sight, out of mind")

The earth berm would typically be 8 metres wide and consist of 4 rows of vegetation. Suitable vegetation includes bamboo, snowy river wattle, and lilly pilly.

It is claimed that foggers/misters will allow odorous substances to be collected on the soil next to the earth berms. Sketches of the proposed earth berms and fogger/misters are attached to this report.

The assessment concedes that "researchers worldwide are still incapable of scientifically determining in detail the exact figure of odour reductions associated with using vegetation". However, based on the assessment author's research and experience, odour reduction in the order of 50% is expected, and if foggers/misters are added then an odour reduction of 80% is predicted.

The assessment concludes that with the proposed vegetated earth berms and foggers/misters no proposed lots would experience odour impacts greater than 2OU.

The author of the assessment advises that a range of mechanical options to reduce odour impacts were considered. These included biofilters, biomass filters, washing walls and wet scrubbers, ozonation using ozone generator electrostatic precipitators, dry dust filtration, litter aeration, odour neutralising products, and dust control structures. These were discounted due to a number of reasons including cost of installation and/or operation, maintenance needs, inefficiency of systems; energy needs to operate the system, and health risks associated with some systems.

The recommendations of the assessment do not present a significant impediment to the proposal. However, it is noted that odour impact analysis is a very specialised and complex vocation which can be quite subjective. As a result further detailed examination of the assessment may be required. If the planning proposal is to proceed it is anticipated that it will be referred to the OEH, being the responsible authority of air quality, for comment.

Contamination

The environmental site assessment submitted with the planning proposal records that the site has been variously used for agricultural and grazing purposes with parts of the site being used as orchards. The site is currently being used as a poultry farm, grazing of cattle and horses and for residential purposes. The chicken hatchery commenced around 1971 on Lot 2 and 3 DP 784300, with the egg production farm commencing in 1981 on Lot 3 DP 230943.

The assessment records the presence of asbestos containing materials, dead cows and chickens, stockpiles of assorted building materials, abandoned motor vehicles, tyre stockpiles, concrete stockpiles, fuel storage tanks, the potential for saline soils.

The report found there is the potential for some contamination in limited areas of the site due to past and current uses; however, it is likely that any such contamination can be cleaned up by the application of commonly used methods. The contaminants of concern were heavy metals, pesticides, total petroleum hydrocarbons, asbestos, benzene, toluene, ethylbenzene and xylenes, polycyclic aromatic hydrocarbons, organochlorine pesticides, organophosphorus pesticides, and polychlorinated biphenyls.

It is considered these findings do not present a significant impediment to the proposal. Further sampling can be carried out to inform the preparation and implementation of a Remedial Action Plan. This sampling is not considered necessary at this stage in the planning proposal process. If the planning proposal is to proceed it is anticipated that it will be referred to the OEH, being the responsible authority of land contamination, for comment.

Agricultural Land Resource Assessment

Relevant HRLS Criteria:

- G9.2.1 Prime agricultural land is to be protected*
- G9.2.2 Urban development in rural and agricultural areas should be avoided to minimise conflicts between uses and to maintain economic and tourism resources for the LGA*
- G9.2.3 Protect the potential for future agricultural productions as circumstances and opportunities change*

The agricultural land resource assessment submitted with the planning proposal finds that the soils on the site are generally of fair (Class 3 – 149ha) to poor (Class 4 – 34.6ha) agricultural quality.

The Class 3 land is generally the low level land in the western, southern and eastern portions of the site and the Class 4 land is generally the higher level land in the western and northern portions of the site. The soils on slopes are highly susceptible to soil erosion, and acidic to strongly acidic thus preventing abundant growth of many perennial pastures and crops. The soils along flats are saline at the surface and highly saline at depth, making it difficult for salt sensitive crops to grow. The assessment concludes that the entire site is not suitable for regularly cultivating soil to grow crops.

The NSW Land and Water Conservation's 1988 Agricultural Suitability Classification System describes Class 3 and Class 4 land as follows:

Class 3 – Moderately productive lands suited to improved pasture and to cropping within a pasture rotation. The overall level of production is moderate as a result of edaphic or environmental constraints. Erosion hazard or soil structural breakdown limit the frequency of ground disturbance, and conservation or drainage works may be required.

Class 4 – Marginal lands not suitable for cultivation and with a low to very low productivity for grazing. Agriculture is based on native or improved pastures established using minimum tillage. Production may be high seasonally but the overall level of production is low as a result of a number of major constraints, both environmental and edaphic.

Whilst the site may not be suitable for regular cultivation this does not exclude other agricultural pursuits being undertaken on the land such as grazing, orcharding, greenhouses, poultry farms, aquaculture, hydroponics or other agricultural pursuits not reliant on soil suitability. Indeed the site is currently used for grazing and poultry farms, and orcharding has been a previous use of the land.

Indigenous and Non-Indigenous Heritage

Relevant HRLS Criteria:

- I1.2.1 Future development is cognisant of and responsive to archaeological and cultural heritage*
- I1.2.2 Future urban development to protect areas of Aboriginal cultural heritage value*

The site does not contain any heritage items as listed under HLEP 1989 or DHLEP 2011. An Indigenous and Non-Indigenous Heritage Assessment has been submitted with the planning proposal. The assessment found:

- two isolated indigenous mudstone artefacts, considered to be of low overall significance given their limited research potential and educational value
- one area in the eastern part of the site as having high potential for surface and/or subsurface indigenous archaeological deposits with any identified sites probably being of low to moderate significance
- the site may have some potential for fragmentary non-indigenous archaeological evidence associated with generic farming activities with limited research potential to contribute new or substantial information about the site
- built structures on the site are limited to twentieth-century houses, sheds and outbuildings
- the site is considered to have little or no non-indigenous archaeological potential or heritage significance

It is considered these findings do not present a significant impediment to the proposal. If the planning proposal is to proceed it is anticipated that it will be referred to the OEH, being the responsible authority for heritage, for comment.

Development Control Plan and Section 94 Development

If the planning proposal is to proceed the need for a site specific Development Control Plan, Development Contributions Plan or Voluntary Planning Agreement should be considered and reported back to Council. This could be considered after the "gateway" determination of DP&I.

Financial Implications

The applicant has paid the fees required by Council's Revenue Pricing Policy for the preparation of a local environmental plan.

Conclusion

The site falls within the Glossodia Future Investigation Area of the HRLS. The HRLS recommends that for this investigation area:

- *[The] extent and type of residential zoned land to be reviewed subject to sewerage, the expansion of commercial, retail and community services to accommodate a larger population*
- *Larger lot residential is to be investigated within the urban zoned [land] around fringe*
- *Resolution of transport, access and traffic issues particularly road infrastructure crossing the river.*

The site has a relatively large area variously owned by eight persons/companies. It immediately adjoins the Glossodia residential area and the majority of the site is cleared and of gentle to moderate slope. These factors present an opportunity for the site to be considered for some form of residential development.

This report however has identified a number of physical, environmental and development issues that act as a constraint to the proposed development of the site. Key identified issues, at this initial stage of assessment, include:

- the impact of the proposed development on the character of the area
- traffic generation and impact on surrounding road network

- slope of the site
- flora and fauna impacts
- feasibility of on-site effluent disposal
- compatibility of future development with retention of egg production farm

It is considered that these constraints have primarily arisen due to the density of the development and the proposed layout of the development and accordingly it is recommended that the proposal not be supported in its current form.

However, in order to progress this matter and examine possible alternatives an amended concept plan for rural-residential development of the site has been prepared by staff for Council's consideration and is attached to this report. This concept plan has been primarily based on consideration of the physical and environmental constraints of the site and proposes a density and location of development more in keeping with the rural / rural-residential character of the area. It is considered that the concept plan could yield approximately 75 lots.

It is not suggested that this alternative concept plan resolves concerns identified with respect to traffic generation and impact on surrounding road network or feasibility of on-site effluent disposal, or should be adopted as a final plan. However, it is recommended that this plan be used as a basis for further consideration of these issues. In doing so it is recommended that the applicant and Council staff, representatives from the RTA and DP&I be involved in further consideration of these matters with the applicant being responsible for preparing an amended planning proposal for consideration by Council.

Planning Decision

As this matter is covered by the definition of a "planning decision" under Section 375A of the Local Government Act 1993, details of those Councillors supporting or opposing a decision on the matter must be recorded in a register. For this purpose a division must be called when a motion in relation to the matter is put to the meeting. This will enable the names of those Councillors voting for or against the motion to be recorded in the minutes of the meeting and subsequently included in the required register.

RECOMMENDATION:

That:

1. Council support, in principle, the preparation of a Planning Proposal for the land comprising of:
 - Lot 2 DP 533402 and Lot 52 DP 1104504, 103 Spinks Road, Glossodia
 - Lot 20 DP 214753, 213 Spinks Road, Glossodia
 - Lot 75 DP 214752, 361 Spinks Road, Glossodia
 - Lot 3 DP 230943, James Street, Glossodia
 - Lot 44 DP 214755, 3 Derby Place, Glossodia
 - Lot 50 DP 751637, 746A Kurmond Road, Freemans Reach
 - Lots 1, 2 and 3DP 784300, 780A – 780C Kurmond Road, North Richmond
 to rezone the land for large lot residential development.
2. The planning proposal, submitted by the applicant, in its current form not be supported
3. The concept plan titled "Jacaranda Ponds Planning Proposal Concept Plan, July 2011" attached to this report be adopted for the purposes of investigating the issues raised in this report and preparing an amended planning proposal.
4. The Department of Planning and Infrastructure and NSW Roads and Traffic Authority be advised of this planning proposal and invited to provide comment on the current proposal and input into the preparation of an amended planning proposal.

5. The applicant be responsible for preparing an amended planning proposal to be reported back to Council.

ATTACHMENTS:

- AT - 1** Aerial Photo of Site.
- AT - 2** Plan of Proposed Rezoning and Lot Layout.
- AT - 3** Extract from Hawkesbury Residential Land Strategy 2011 – Glossodia Future Investigation Areas.
- AT - 4** Typical Lot Arrangement for Waste Water Management.
- AT - 5** Flora and Fauna Constraints and Opportunities Plan.
- AT - 6** Plans of Proposed Odour Control Vegetated Earth Berms.
- AT - 7** Jacaranda Ponds Planning Proposal Concept Plan, July 2011.



HAWKESBURY CITY COUNCIL

PO Box 146, Windsor NSW 2766
Website: www.hawkesbury.nsw.gov.au
Email: council@hawkesbury.nsw.gov.au
Hours: Monday to Friday 8.30am - 5.00pm
Phone: 02 4603 4444



Legend

Subject Area

50 Lot Number



This map cannot be reproduced without the permission of Hawkesbury City Council
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Hawkesbury City Council 2011
The scale depicted is approximate only. Hawkesbury City Council takes no responsibility for any errors or omissions. The facts shown on this map indicate the presence and general location only. The accuracy or completeness is not guaranteed. Customers are to be used as a guide. A survey may be required for more accuracy.

AT - 1 Aerial Photo of Site

Printing Date: 18 July 2011

JACARANDA PONDS SUBJECT AREA, JULY 2011

AT - 2 Plan of Proposed Rezoning and Lot Layout





PETALS EXISTING TREE RANGE /BANK POULTRY FACILITIES

HUMAN EXISTING -HARBOR LAM PUBLIC OPEN SPACE

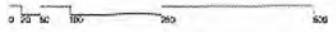
INDICATIVE YIELD
RESIDENTIAL: 179 x 4000sqm LOTS

LOT AREA SCHEDULE

W1- 100 sqm	W2- 100 sqm	W3- 100 sqm	W4- 100 sqm	W5- 100 sqm	W6- 100 sqm	W7- 100 sqm	W8- 100 sqm	W9- 100 sqm	W10- 100 sqm	W11- 100 sqm	W12- 100 sqm	W13- 100 sqm	W14- 100 sqm	W15- 100 sqm	W16- 100 sqm	W17- 100 sqm	W18- 100 sqm	W19- 100 sqm	W20- 100 sqm	W21- 100 sqm	W22- 100 sqm	W23- 100 sqm	W24- 100 sqm	W25- 100 sqm	W26- 100 sqm	W27- 100 sqm	W28- 100 sqm	W29- 100 sqm	W30- 100 sqm	W31- 100 sqm	W32- 100 sqm	W33- 100 sqm	W34- 100 sqm	W35- 100 sqm	W36- 100 sqm	W37- 100 sqm	W38- 100 sqm	W39- 100 sqm	W40- 100 sqm	W41- 100 sqm	W42- 100 sqm	W43- 100 sqm	W44- 100 sqm	W45- 100 sqm	W46- 100 sqm	W47- 100 sqm	W48- 100 sqm	W49- 100 sqm	W50- 100 sqm	W51- 100 sqm	W52- 100 sqm	W53- 100 sqm	W54- 100 sqm	W55- 100 sqm	W56- 100 sqm	W57- 100 sqm	W58- 100 sqm	W59- 100 sqm	W60- 100 sqm	W61- 100 sqm	W62- 100 sqm	W63- 100 sqm	W64- 100 sqm	W65- 100 sqm	W66- 100 sqm	W67- 100 sqm	W68- 100 sqm	W69- 100 sqm	W70- 100 sqm	W71- 100 sqm	W72- 100 sqm	W73- 100 sqm	W74- 100 sqm	W75- 100 sqm	W76- 100 sqm	W77- 100 sqm	W78- 100 sqm	W79- 100 sqm	W80- 100 sqm	W81- 100 sqm	W82- 100 sqm	W83- 100 sqm	W84- 100 sqm	W85- 100 sqm	W86- 100 sqm	W87- 100 sqm	W88- 100 sqm	W89- 100 sqm	W90- 100 sqm	W91- 100 sqm	W92- 100 sqm	W93- 100 sqm	W94- 100 sqm	W95- 100 sqm	W96- 100 sqm	W97- 100 sqm	W98- 100 sqm	W99- 100 sqm	W100- 100 sqm
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NOTE: LOT AREAS ARE APPROXIMATE ONLY.

NOTE:
THE INFORMATION CONTAINED IN THIS DOCUMENT IS FOR THE CLIENT ONLY. THE CLIENT SHALL MAKE ITS OWN ENGINEER ANALYSIS AND CALCULATION AND FORM ITS OWN VIEWS IN RELATION TO THE USE OR DEVELOPMENT OF THE PROPERTY INCLUDING THE APPLICATION OF LOCAL GOVERNMENT AND STATUTORY CONTROLS. IT IS ASSUMED THAT THE CLIENT WILL RELY ON ITS OWN EXPERTISE IN CONSIDERING THE INFORMATION.



0470 3K 1019
PROJECT
JACARANDA PONDS
CLIENT
CALPINE PROPERTY SOLUTIONS

OPENED 10.2
SCALE 1:5 001 @ A2
DATE MARCH 2018



5.6.4_Glossodia Future Investigation Areas



Investigations must consider the Sustainability Matrix criteria for a **Neighbourhood Centre** to ensure the centre has the required level of services and facilities to accommodate future population.

Increased intensity of development and investigation areas subject to:

- Resolution of transport, access and traffic issues particularly road infrastructure crossing the river
- Provision of sewage for increase in density of development
- Detailed structure planning to review residential types and distribution
- Review of extent of zoning to determine appropriateness of the scale and density of development within the centre

Source: HASSELL (September, 2010)

*Investigation areas identified may extend beyond the time scales of this Residential Study.

*The inclusion of the areas for investigation does not guarantee that the whole of that land can be developed in the future.

AT - 5 Flora and Fauna Constraints and Opportunities Plan

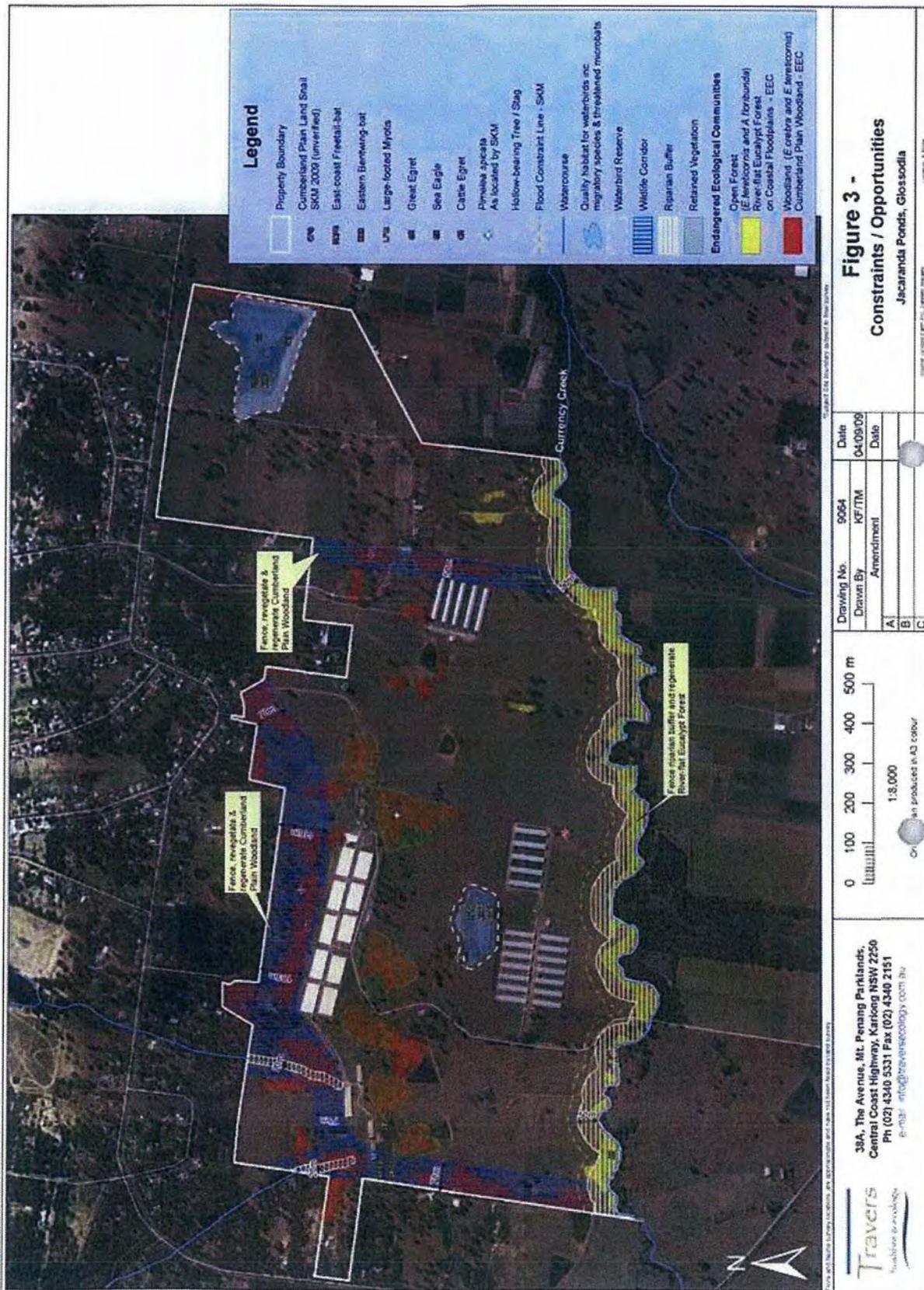


Figure 3: Indicative Map Showing the Recommended Location of the Proposed Vegetated earth Berms

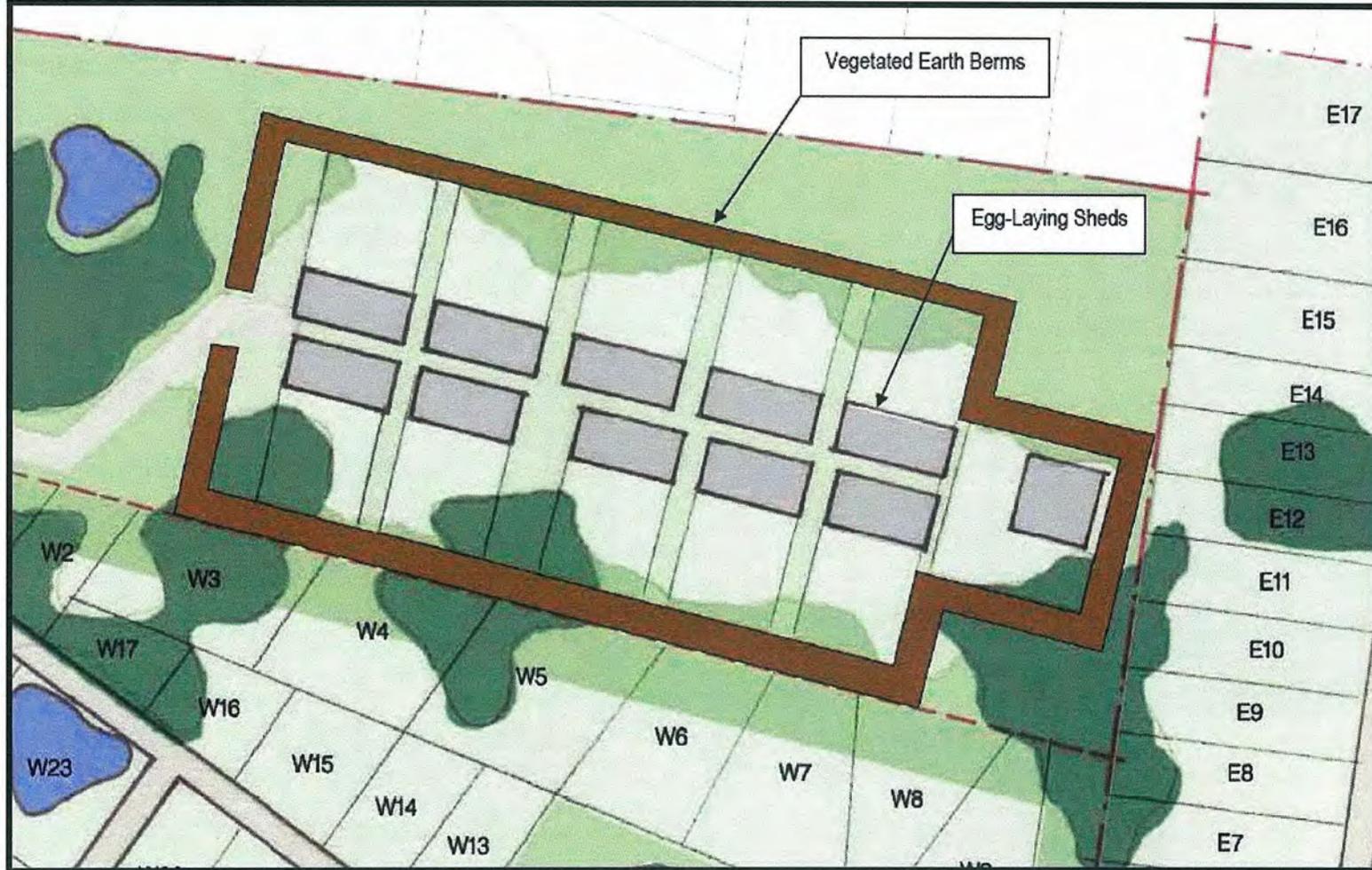
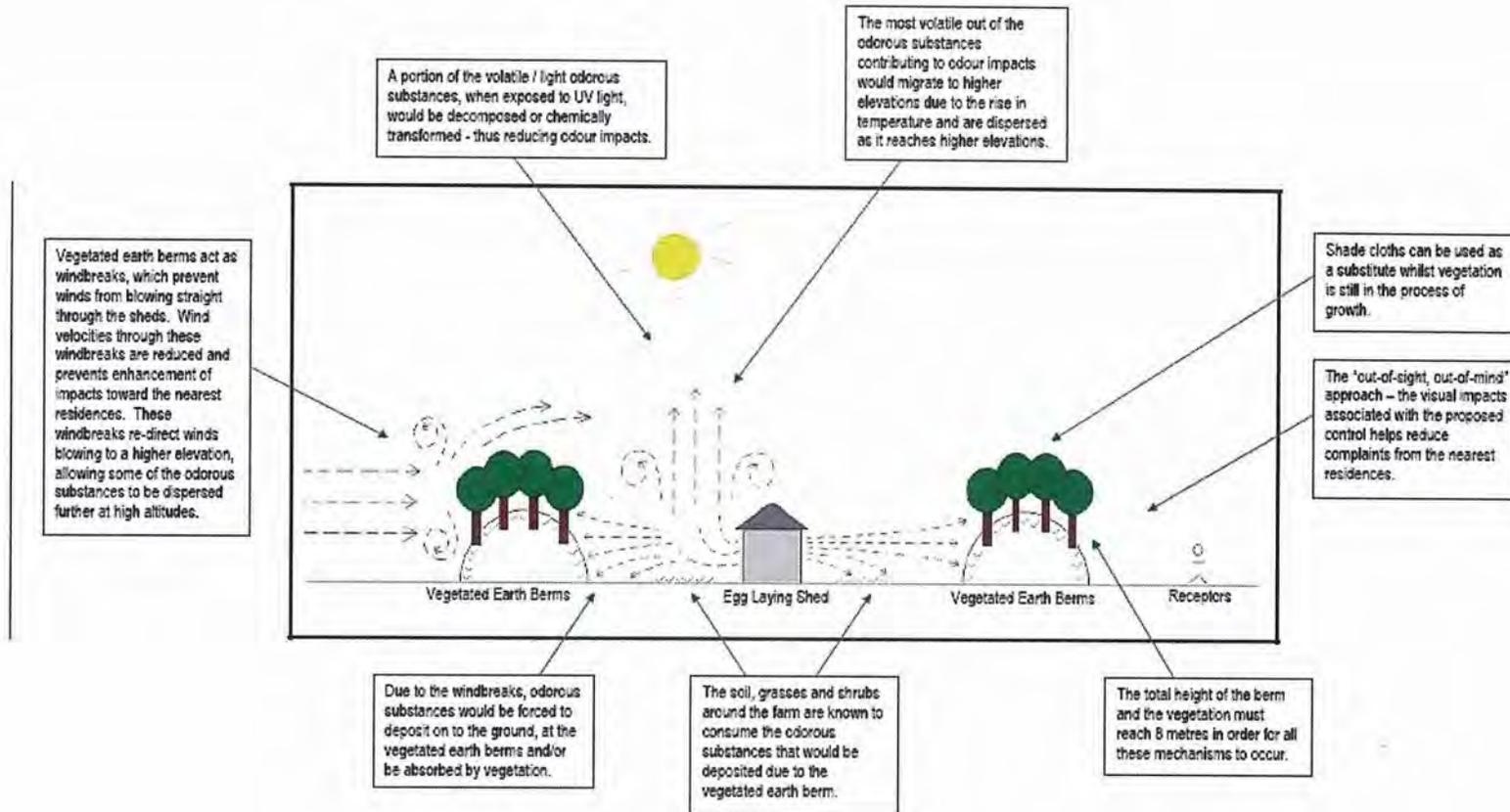


Figure 1: Simple Sketch of How the Proposed Odour Control Works

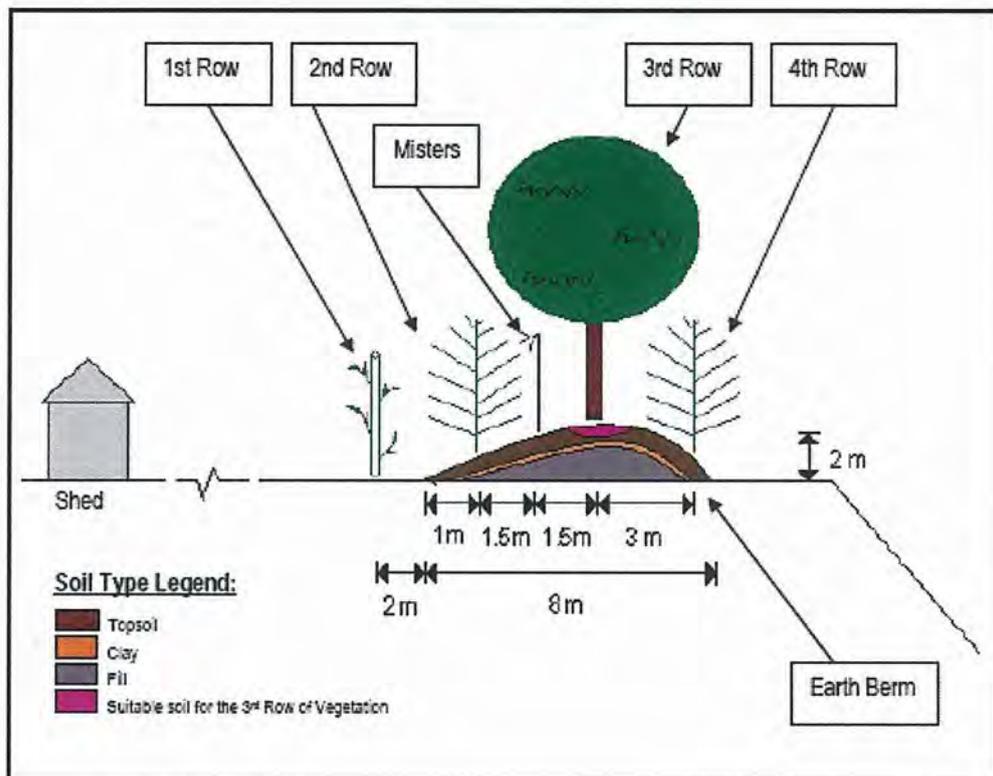


Proposed Vegetative Earth Berm Plan

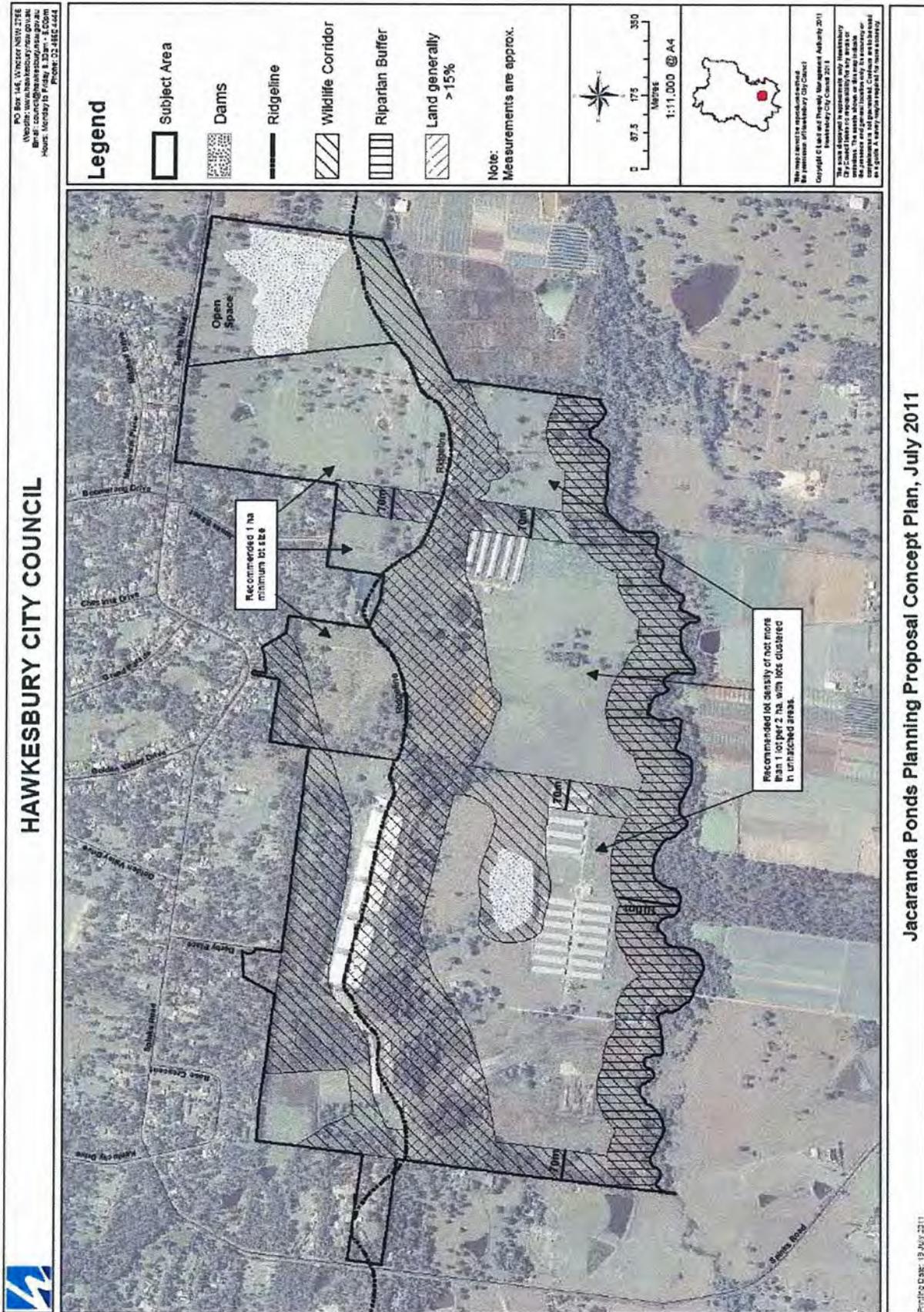
Figure 2 below provides a schematic diagram of a cross-sectional area of the vegetated earth berms, which also shows the location of where the foggers / water misters would be located with reference to the dimensions of the proposed earth berms.

Figure 3 shows a site plan highlighting the locations of the proposed vegetated earth berms. This is based on Benbow Environmental's recommendation with consideration to the location of the egg-laying sheds.

Figure 2: Schematic Diagram of the Cross Sectional Area of a Vegetated Earth Berm



AT - 7 Jacaranda Ponds Planning Proposal Concept Plan, July 2011



ACTION ITEM

ADOPTED

At the ORDINARY Meeting held on *27 March 2012*

User Instructions

To view the original Agenda Item, double-click on 'Agenda Report' blue hyperlink above.

Resolved Items Action Statement

Action is required for the following item as per the Council Decision or Resolution Under Delegated Authority.

ITEM: CP - Planning Proposal for Jacaranda Ponds, Glossodia - (LEP89001/10, 111745, 120418, 95498)

Previous Item: 161, Ordinary (26 July 2011)
263, Ordinary (29 November 2011)

Mr Peter Gooley, Mr Jeremy Spinak and Mr John Vassallo, proponents, addressed Council.
Ms Mary Buckett, Mr Bryan Newey Smith and Mr Michael Want, respondents, addressed Council.

MOTION:

RESOLVED on the motion of Councillor Whelan, seconded by Councillor Reardon.

Refer to RESOLUTION

70 RESOLUTION:

RESOLVED on the motion of Councillor Whelan, seconded by Councillor Reardon.

That:

1. Council support the preparation of a Planning Proposal for the land comprising of:

Lot 2 DP 533402 and Lot 52 DP 1104504, 103 Spinks Road, Glossodia
Lot 20 DP 214753, 213 Spinks Road, Glossodia
Lot 75 DP 214752, 361 Spinks Road, Glossodia
Lot 3 DP 230943, James Street, Glossodia
Lot 44 DP 214755, 3 Derby Place, Glossodia
Lot 50 DP 751637, 746A Kurmond Road, Freemans Reach
Lots 1, 2 and 3DP 784300, 780A - 780C Kurmond Road, North Richmond

to rezone the land primarily for large lot residential and/or residential development.

2. The concept plan titled "Jacaranda Ponds Planning Proposal Concept Plan, November 2011" and plan titled "Glossodia - Jacaranda Ponds Proposed Layout and Recreational Areas", reference number 9420/SK07 A, prepared by J. Wyndham Prince attached to this report be adopted for the purposes of preparing the planning proposal.
3. EG Property Group, in consultation with Council staff, be requested to provide Council with a planning proposal consistent with resolution 1 and 2 and Department of Planning and Infrastructure's "A guide to preparing planning proposals".
4. The planning proposal be forwarded to the Department of Planning and Infrastructure for a "gateway" determination.
5. If the Department of Planning and Infrastructure determines that the planning proposal is to proceed, Council commence Voluntary Planning Agreement negotiations with EG Property Group and any other relevant party.
6. The Department of Planning and Infrastructure and EG Property Group be advised that in addition to all other relevant planning considerations being addressed, final Council support for the proposal will only be given if Council is satisfied that satisfactory progress has been made:
 - a. Towards resolving the existing traffic problems.
 - b. Replacement of the Windsor Bridge.
 - c. Measures to upgrade local roads affected by the proposal.

In accordance with Section 375A of the Local Government Act 1993 a division is required to be called whenever a planning decision is put at a council or committee meeting. Accordingly, the Chairperson called for a division in respect of the motion, the results of which were as follows:

For the Motion	Against the Motion
Councillor Bassett	Councillor Calvert
Councillor Conolly	Councillor Paine
Councillor Ford	Councillor Rasmussen
Councillor Mackay	Councillor Williams
Councillor Porter	
Councillor Reardon	
Councillor Tree	
Councillor Whelan	

ORDINARY MEETING

Meeting Date: 27 March 2012

Item: 40 CP - Planning Proposal for Jacaranda Ponds, Glossodia - (LEP89001/10, 111745, 120418, 95498)

Previous Item: 161, Ordinary (26 July 2011)
263, Ordinary (29 November 2011)

REPORT:

Executive Summary

This report discusses a planning proposal which seeks to rezone land immediately to the south of the Glossodia township for residential purposes.

The proposal has been previously reported to Council on 26 July 2011 and 29 November 2011. When previously reported the proposal was for 179 rural-residential subdivision and the retention of an existing egg production farm.

As a result of previous assessments and Council resolutions that required the removal of the existing egg production farm, the proponent (EG Property Group) has provided additional information including an increase in the proposed lot yield, to cover the costs of the farm removal, etc, to approximately 580 lots.

This report provides commentary on the additional information and is to be considered in conjunction with the previous reports to Council.

The purpose of this report is for Council to provide the proponent suitable direction in terms of proposed zone, infrastructure provision, and site constraints to enable an amended planning proposal to be prepared.

Consultation

The planning proposal has not been formally exhibited as Council must initially resolve to proceed to a Gateway determination and that determination from the Department of Planning & Infrastructure will advise Council of the minimum exhibition requirements. If the planning proposal is to proceed it will be exhibited in accordance with the relevant provisions of the *Environmental Planning and Assessment Act 1979* and associated Regulations.

Background

On 29 November 2011 Council considered a report concerning a planning proposal for the rezoning of land known as Jacaranda Ponds for 179 rural-residential allotments. Note this report followed a previous report to Council on 26 July 2011.

Council resolved as follows:

"That:

1. *Council support, in principle, the preparation of a Planning Proposal for the land comprising of:*

*Lot 2 DP 533402 and Lot 52 DP 1104504, 103 Spinks Road, Glossodia
Lot 20 DP 214753, 213 Spinks Road, Glossodia
Lot 75 DP 214752, 361 Spinks Road, Glossodia
Lot 3 DP 230943, James Street, Glossodia
Lot 44 DP 214755, 3 Derby Place, Glossodia
Lot 50 DP 751637, 746A Kurmond Road, Freemans Reach*

ORDINARY MEETING

Meeting Date: 27 March 2012

Lots 1, 2 and 3DP 784300, 780A – 780C Kurmond Road, North Richmond

to rezone the land for large lot residential and/or residential development.

2. *The planning proposal, submitted by the applicant, in its current form not be supported.*
3. *The concept plan titled "Jacaranda Ponds Planning Proposal Concept Plan, November 2011" attached to this report be adopted for the purposes of investigating the issues raised in this report and the report to Council on 26 July 2011, and for the purposes of preparing an amended planning proposal.*
4. *Council consider no future planning proposal for this site that includes the retention of the existing egg farm and/or poultry facility.*
5. *The Department of Planning and Infrastructure and NSW Roads and Traffic Authority be advised of this planning proposal and invited to provide comment on the current proposal and input into the preparation of an amended planning proposal.*
6. *The applicant be responsible for preparing an amended planning proposal to be reported back to Council".*

In response to this resolution, particularly Part 4 of the resolution, the proponent now proposes a 580 lot (approximately) residential development and has provided an amended concept plan (attached to this report) and the following additional information.

Poultry Farm

Additional Information

Council's resolution stipulates that it will not accept a residential rezoning of this site if the poultry farm is to be retained. Pace (the owner and operator), has therefore agreed to remove the poultry farm as part of any residential development at the site.

In order to cover the cost of the farm's removal (and to also accommodate a package plant sewerage system) the proponent has increased the number of lots on the site to approximately 580. These are still large, non-urban, lots of approximately 2,000sqm (1/2 acre) to 1,000sqm (1/4 acre). The cost of relocating a large egg-producing facility is otherwise prohibitive and the development unfeasible if this extra lot yield is not achieved.

Response

The possibility of increasing the number of proposed lots in order to make the development economically viable was discussed in the 29 November 2011 report to Council.

The removal of the poultry farm and increase in the number of lots is consistent with Council's previous resolution and report to Council.

Wastewater

Additional Information

In both its July and November reports, Council expressed concern regarding the proposed on-site enviro-cycle sewer treatment system. In their report for the November 29th Council meeting, the Officers expressed the view that a site-specific package plant system with its own Sewerage Treatment Plant would be preferable in terms of effects on Currency Creek, maintenance requirements and accommodating the slope of lots.

Council Officers acknowledged however the significant expense of a package plant and suggested that the feasible delivery of one may require a significantly higher lot yield at the development.

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Following Council's suggestion, the proponent entered into discussions with Veolia Water Group, an international operator that has constructed and operated similar package plant schemes across NSW, including at Bingara Gorge in Wilton. Veolia has confirmed that it is possible to implement a package plant system at Jacaranda Ponds with:

- (1) A high quality recycled water scheme for toilet flushing and lot irrigation, delivering a 30% reduction in potable water demands*
- (2) A recycled water plant that will incorporate screening, disinfection and will discharge excess recycled water onto dedicated irrigation/disposable areas.*
- (3) Irrigation will be via conventional spray application onto a designated area.*
- (4) An emergency/disaster management system run by Veolia.*
- (5) 24-Hour monitoring and customer website.*
- (6) Thorough customer accounts.*

This clean, efficient, Package Plant system will be operated by a respected provider and will have full maintenance and disaster management procedures in place. We believe this solution addresses Council's issues with respect to wastewater.

Response

The commitment to serve the development with a site-specific package sewage treatment plant is preferable to the previously proposed individual on-site systems. Further details regarding the treatment plant can be provided if the planning proposal progresses. Note; buffer zones required for the sewage treatment plant and/or irrigation area may impact on its location and selection of zone. This can be further investigated during consultation with government authorities, in particular the Office Environment and Heritage and IPART who would be the licensing authorities for the facility.

Infrastructure

Additional Information

The proponent appreciates that the local community expect proposals for residential housing to be accompanied by appropriate levels of new infrastructure. At the Council meeting on November 29th the proponent's representative stated that it would be prepared to put 2/3rds of its contributions towards maintaining local roads and 1/3rd towards other community facilities.

Several Councillors stated that this undertaking was insufficient and that the proponent must make clear the dollar amounts it is prepared to provide in the way of infrastructure. At 580 lots this development will generate approximately \$17.5 million worth of developer contributions that can be spent on local infrastructure. Given the importance of this issue to the local community, the proponent is prepared to agree to add a bonus \$10,000 per lot towards infrastructure provision in the local area. This equates to a \$6 million bonus payment above the statutory contributions requirement. We have suggested that this money could contribute towards a fund that would enable the construction of a third-lane over the Hawkesbury River at Windsor. This is just one suggestion of many. In total, this development will make approximately \$23.5 million available to the local community for infrastructure provision.

To allay the local community's understandable scepticism about the delivery of promised infrastructure, the developer will enter into a legally enforceable Voluntary Planning Agreement prior to the final rezoning of the site which will publicly describe exactly where the \$23.5 million will be spent.

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Response

As previously stated in the report to Council on 29 November 2011 the preferred method of determining future public services and amenity requirements is to firstly determine the likely additional lot yield and population, calculate the corresponding additional demand for open space, recreational facilities, community facilities, road works etc, generated by the additional population, estimate the cost of these works, and apportion this cost across the number of additional lots.

If the planning proposal is to proceed, this matter would be investigated in greater detail and reported back to Council for consideration as part of a Voluntary Planning Agreement negotiation. Voluntary Planning Agreements have specific public exhibition periods and procedures to be followed that are set out in the Environmental Planning and Assessment Act 1979 and Regulations. This includes a separate exhibition period of 28 days for that draft agreement.

Preliminary discussions with the applicant have indicated that there is a need to update the original traffic study that was submitted with the original application. This is primarily due to the increase in proposed lot yield from 179 to 580. The discussions also included some indicative local road improvements and costs that may be considered as part of any Planning Agreement. A copy of a plan showing some of the possible local road improvements in the Glossodia locality is shown in attachment 3 to this report.

The discussions to date have been preliminary only so that some indicative works could be identified to determine if a Voluntary Planning Agreement was possible. As stated previously the applicant has made an offer to enter into a Voluntary Planning Agreement that will address all the required detail of any proposed works and costings. However, this work, including the upgrading of the traffic study, is not proposed to commence until there is some certainty in the planning proposal proceeding. It is recommended that Council support the preparation of the planning proposal and forwarding to the DP&I to gain a Gateway determination so that the required detailed investigations and negotiations can proceed with more certainty.

RMS

Additional Information

Council's resolution of 29th November states that consultation should be sought from the RTA. The proponent has been in contact with RTA representatives who have expressed a desire to review the project but only once it has been through the Gateway Process.

Response

Council staff have discussed this proposal with representatives of the Roads and Maritime Services (RMS) (Formally the RTA) during other discussions regarding the Windsor Bridge process. The response to Council staff is similar to the above response received by the applicant in that the RMS do not enter into discussions regarding planning proposals until there has been a Gateway determination.

Should the planning proposal be supported and receive a Gateway determination to proceed, discussions with the Roads and Maritime Services will again raise the concerns of the community and Council in relation to the significant existing traffic problems along Bells Line of Road through North Richmond and Richmond and the delays in the replacement of Windsor Bridge and request that these issues be addressed as soon as possible.

Community Consultation

Additional Information

While there has been some discussion at Council about the local community objecting to any new development on the northern/western side of the Hawkesbury River we have found otherwise.

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We have found out first-hand, especially in Glossodia, that there is support for appropriate development provided developers honour their infrastructure commitments and deliver local improvements.

We understand that there have been concerns in the past regarding the level of communication developers have had with local residents and that residents understandably want assurances that development in the region will be accompanied by high quality infrastructure. To this end we held, at our own initiative, a non-statutory community consultation at the Glossodia Community Centre on Saturday 11th of February from 4-8pm. The response we received was excellent, with several hundred people attending.

On arrival, each person was handed a fact sheet outlining the following ten points about the proposed development:

- (1) The development as proposed is for approximately 580 lots and will include over 30ha of open space, bike paths, walkways, picnic areas, sports and recreation facilities and revegetated creek lines.*
- (2) This is a large lot development. The average lot size is 2000sqm (1/2 acre) with a small area of approximately 5% of the site allocated for 1000sqm (1/4 acre) lots. It is not a typical urban development.*
- (3) If approved, these lots will be built over the next 10-15 years.*
- (4) Following future community consultation and before the site is rezoned we will announce what infrastructure we plan to build as part of the development.*
- (5) With our development contributions this development will provide up to \$17.5 million that can be spent on infrastructure in the local area. An example of what that money could do for the local road network, community centre and other local infrastructure is shown on the boards at this afternoon's information session (it should be noted that the level of contribution relates to the number of lots. The law requires a max contribution of \$30,000 per lot).*
- (6) In addition, we will also contribute an extra \$10,000 per lot above what we are required to pay into a fund that can be used solely to upgrade Windsor Bridge to 3 lanes. Up to \$6 million dollars can be paid into this fund as a result of the development. No government funding is currently available to upgrade the bridge to 3 lanes. Our voluntary contribution equates to approximately 50% of the cost of the 3rd lane.*
- (7) This makes a total of up to \$23 million to be spent on infrastructure in the local area as a result of the development.*
- (8) There are many steps to come before this site is rezoned. At this stage we are just asking for Hawkesbury City Council to send the proposal to the Department of Planning for further investigation.*
- (9) If the Department believes the project has merit then there will be a formal community consultation where the community can give detailed feedback.*
- (10) It is our hope that as a result of the development the State Government and Council will be encouraged to increase the number of public services to Glossodia including bus routes and a GP Clinic.*

It was a very constructive session. Residents liked the proposed large lot sizes, were pleased to see major infrastructure upgrades being discussed, and had many suggestions regarding the infrastructure upgrades that they would like to see in the local area. There was a real sense that Glossodia had been "left behind" to date.

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120 people took our feedback forms, of which only 7 objected to the development. The overwhelming majority either supported the development or had suggestions about what should be built if the planning proposal proceeds. Since the consultation several people have even been in touch to enquire about purchasing lots at the site.

We got the message that people are very keen for infrastructure, specifically roads infrastructure from Glossodia to Windsor Bridge, to be provided but they want adequate assurances that it will be delivered along with the housing. As mentioned previously, in order to put the public's mind at ease we will outline the infrastructure that we will be delivering in a VPA prior to the site's final rezoning.

We believe that the majority of suggestions, in particular the road upgrades, can be met. We informed residents that the next Council vote was not for the site's rezoning but for a planning proposal to be sent to the Department of Planning & Infrastructure for further investigation.

Response

Councillors were advised previous to the holding of the "non-statutory community consultation at the Glossodia Community Centre" on Saturday 11 February 2012 and residents were advised by the applicant via a letterbox drop. It is noted that this consultation was an informal information display and was attended by some Councillors and the Director City Planning. The information display included the plan that is shown as attachment 3 to this report.

The proponent has provided Council with copies of the completed feedback forms. The feedback form requested respondents provide general feedback as well as to nominate the three most important pieces of infrastructure or public amenities to be delivered as part of the proposed development. Assessment of the feedback forms shows that 11 respondents clearly said they supported the development, 12 respondents opposed the development totally or in part, and 34 respondents provided comment about the development/infrastructure without necessarily supporting or opposing the development.

Comment regarding the development mainly related to the provision of infrastructure with road improvements (including kerb and gutter), road safety, pedestrian and cyclist safety and Windsor Bridge upgrade being the most common. Other comments related to the capacity of local schools, expansion to the Glossodia Shopping Centre, provision of a medical centre, provision of a public swimming pool, improvements to Woodbury Reserve, increased car parking in Glossodia Town Centre, provision of public transport, provision of a bicycle track to Windsor and North Richmond, James Street and Derby Place not to be used to gain access to the development, no small residential lots (in this regard 2000m² lots seemed an acceptable minimum lot size), retain vegetation and widen fauna corridor.

The community consultation undertaken by the proponent, whilst not part of the statutory requirements, is of value and the results can be used by Council and the proponent if the planning proposal is to proceed.

If the planning proposal is to proceed it will be formally exhibited in accordance with the relevant provisions of the *Environmental Planning and Assessment Act 1979* and associated Regulations and comments reported back to Council for consideration. In this regard the previous, non-statutory, consultation can inform this process.

Topography

The additional information provided by the proponent has not addressed the previously identified site constraint concerning land with a slope generally in excess of 15% running through the middle of the site. This is shown in the concept plan attached to the November 2011 report. However, the submitted, concept information is sufficient for this stage of the process.

The Hawkesbury Residential Land Strategy, at Sustainability Criteria G3.2.1, states that urban development is to be limited to areas with a slope of 15% or lower. Developing land with a slope in excess of 15% is problematic in that it creates the potential for:

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- reduced slope stability,
- changed drainage patterns and increased soil erosion,
- increased cost and difficulty in the provision and maintenance of infrastructure
- longer roads and driveway with more curves and switchbacks with increased erosion and runoff, higher accident rates and difficulty for emergency vehicles to access to the development
- increased cut and fill or elevated development with associated privacy, overshadowing and visual amenity issues
- loss of vegetation and wildlife habitat
- increased fire risk

If Council wishes to exclude land on the site that is greater than 15% from future development it can be achieved:

- broadly at the local environmental plan amendment stage via zone selection, minimum lot size provisions, site specific special provisions; or
- with detailed controls in an additional chapter to the Hawkesbury Development Control Plan and future development applications demonstrating, on a case by case basis, compliance with the development controls.

Excluding the land via the LEP would remove any doubt as to the development potential of the land; however, the blanket exclusion may be seen as being overly restrictive. Excluding the land via development control provisions (DCP) allows for a more detailed consideration of slope at the development application stage. However, this could be seen as a weaker control to the LEP and subject to ad-hoc variation.

Both approaches have advantages and disadvantages and this matter requires further consideration by the proponent and Council prior to the planning proposal advancing. In light of this the recommendation to Council reiterates the importance of the November 2011 concept plan by requiring it be adopted for the purposes of preparing an amended planning proposal.

Ecology

In terms of wildlife corridors and riparian corridors the proponent's amended plan is generally consistent with the November 2011 concept plan with respect to the north-south running corridors and the land adjacent to Currency Creek.

The concept plan's wildlife corridor running through the middle of the site for the most part is shown as being for residential development on the proponent's amendment plan. This area generally coincides with the above mentioned steep sloping land and therefore the potential for residential development in this area requires further consideration.

The concept plan showed a wildlife corridor to the north of the existing egg farm sheds. Given the proposed removal of the egg farm, the increased yield required to make the development economically feasible and the existing residential development to the north it is considered appropriate that the extent of the wildlife corridor as shown on the November 2011 concept plan be reconsidered. This can be further investigated with the proponent if the planning proposal is to proceed.

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Conformance to Community Strategic Plan

Provisions of the CSP which are of most relevance to the planning proposal are:

Looking after people and place

Directions

- *Be a place where we value, protect and enhance the historical, social, cultural and environmental character of Hawkesbury's towns, villages and rural landscapes.*
- *Offer residents a choice of housing options that meets their needs whilst being sympathetic to the qualities of the Hawkesbury.*
- *Population growth is matched with the provision of infrastructure and is sympathetic to the rural, environmental, heritage values and character of the Hawkesbury.*
- *Have development on both sides of the river supported by appropriate physical and community infrastructure.*
- *Have friendly neighbourhoods, connected communities, and supported households and families.*
- *Have future residential and commercial development designed and planned to minimise impacts on local transport systems allowing easy access to main metropolitan gateways.*

Goals

- *Maintain and foster the rural character of villages within the Hawkesbury.*
- *Accommodate at least 5,000 new dwellings to provide a range of housing options (including rural residential) for diverse population groups whilst minimising environmental footprint.*
- *Towns and villages to be vibrant place that people choose to live in and visit.*
- *Plan, provide and advocate for a range of community, cultural, recreational, sporting, health and education services and facilities to meet the needs of residents and visitors.*

Caring for Our Environment

Directions

- *Be a place where we value, protect, and enhance the cultural and environmental character of Hawkesbury's towns, villages and rural landscapes.*
- *To look after our cultural and environmental assets for future generations so that they too can enjoy and benefit from a clean river and natural eco-systems, rural and cultural landscape.*
- *Take active steps to encourage lifestyle choices that minimise our ecological footprint.*
- *Work with our communities and businesses to use our resources in a sustainable way and employ best practices and technologies that are in harmony with our natural environment.*

Goals

- *Balance the needs of our ecology, recreational and commercial activities.*

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- *Sustainable use of potable and recycled water.*
- *Reduce greenhouse gas emissions*

Linking the Hawkesbury

Directions

- *Have a comprehensive system of transport connections which link people and products across the Hawkesbury and with surrounding regions.*
- *Be linked by accessible, viable public transport, cycleways and pathways to the major growth and commercial centres within and beyond the Hawkesbury.*
- *Have a comprehensive system of well maintained local and regional roads to serve the needs of the community.*
- *Plan for, maintain and renew our physical infrastructure and community services, facilities and communication connections for the benefit of residents, visitors and businesses.*

Goals

- *An efficient transport network that links the Hawkesbury internally and to regional growth centres.*

Supporting Business and Local Jobs

Directions

- *Help create thriving town centres, each with its own character that attracts residents, visitors and businesses.*

Goals

- *Increased patronage of local businesses and attract new residents and visitors.*

Shaping Our Future Together

Directions

- *A balanced set of decisions that integrate jobs, housing, infrastructure, heritage, and environment that incorporates sustainability principles.*

Goals

- *Work together with the community to achieve a balanced set of decisions that integrate jobs, housing, infrastructure, heritage and environment.*
- *Council demonstrate leadership by implementing sustainability principles.*

The planning proposal would assist in the achievement of some of the above mentioned Directions and Goals, e.g., the dwelling house target, provision of recreational facilities, increased patronage of local business, attracting new residents to the Hawkesbury.

Financial Implications

The applicant has paid the fees required by Council's Revenue Pricing Policy for the preparation of a local environmental plan.

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Conclusion

Previous reports to Council have concluded that the site does have development potential notwithstanding various constraints of the site and potential off-site impacts. Council resolutions have supported the proposal "In Principle".

The proponent has sought to address previously raised concerns regarding the retention of the egg farm, sewage management, and provision of infrastructure. In doing so, the proponent, in order to make the development economically feasible, has proposed an increase in the lot yield from 179 to approximately 580 lots.

There are issues that still require resolution of details prior to the planning proposal advancing to public exhibition and finalisation. These primarily relate to traffic management, road and bridge improvements, provision of public infrastructure and facilities, restricting development from land in excess of 15% in slope, and refinement of proposed wildlife corridors.

Finally, as the planning proposal originally reported to Council has been significantly amended a revised planning proposal that satisfies DP&I's required format and content for planning proposals needs to be prepared prior to the matter being forwarded to DP&I for "gateway" determination.

Planning Decision

As this matter is covered by the definition of a "planning decision" under Section 375A of the Local Government Act 1993, details of those Councillors supporting or opposing a decision on the matter must be recorded in a register. For this purpose a division must be called when a motion in relation to the matter is put to the meeting. This will enable the names of those Councillors voting for or against the motion to be recorded in the minutes of the meeting and subsequently included in the required register.

RECOMMENDATION:

That:

1. Council support the preparation of a Planning Proposal for the land comprising of:
Lot 2 DP 533402 and Lot 52 DP 1104504, 103 Spinks Road, Glossodia
Lot 20 DP 214753, 213 Spinks Road, Glossodia
Lot 75 DP 214752, 361 Spinks Road, Glossodia
Lot 3 DP 230943, James Street, Glossodia
Lot 44 DP 214755, 3 Derby Place, Glossodia
Lot 50 DP 751637, 746A Kurmond Road, Freemans Reach
Lots 1, 2 and 3DP 784300, 780A - 780C Kurmond Road, North Richmond

to rezone the land primarily for large lot residential and/or residential development.
2. The concept plan titled "Jacaranda Ponds Planning Proposal Concept Plan, November 2011" and plan titled "Glossodia - Jacaranda Ponds Proposed Layout and Recreational Areas", reference number 9420/SK07 A, prepared by J. Wyndham Prince attached to this report be adopted for the purposes of preparing the planning proposal.
3. EG Property Group, in consultation with Council staff, be requested to provide Council with a planning proposal consistent with resolution 1 and 2 and Department of Planning and Infrastructure's "A guide to preparing planning proposals".
4. The planning proposal be forwarded to the Department of Planning and Infrastructure for a "gateway" determination.

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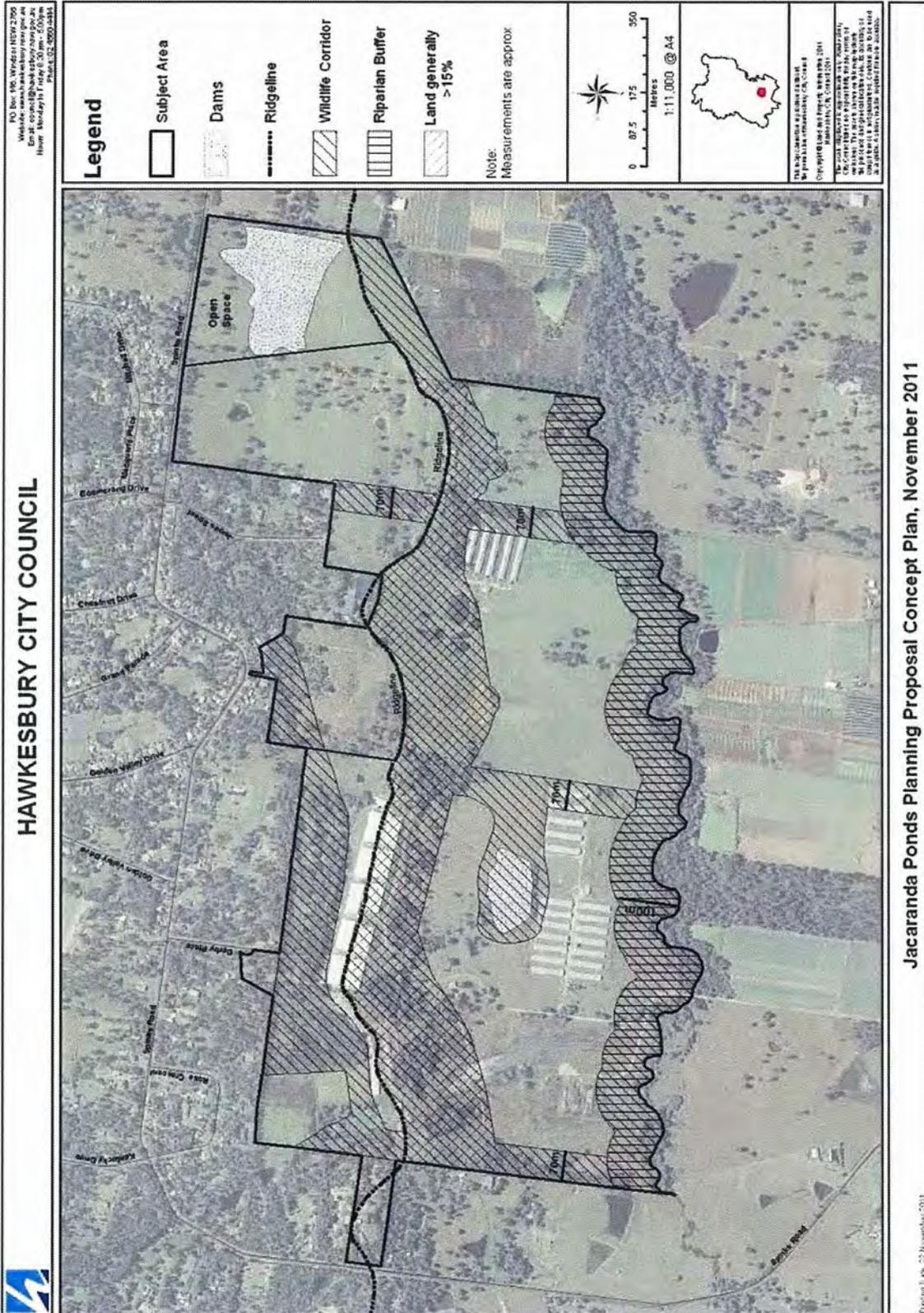
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5. If the Department of Planning and Infrastructure determines that the planning proposal is to proceed, Council commence Voluntary Planning Agreement negotiations with EG Property Group and any other relevant party.
6. The Department of Planning and Infrastructure and EG Property Group be advised that in addition to all other relevant planning considerations being addressed, final Council support for the proposal will only be given if Council is satisfied that satisfactory progress has been made by the Roads and Maritime Service towards resolving the existing traffic problems along Bells Line of Road through North Richmond and Richmond and replacement of the Windsor Bridge.

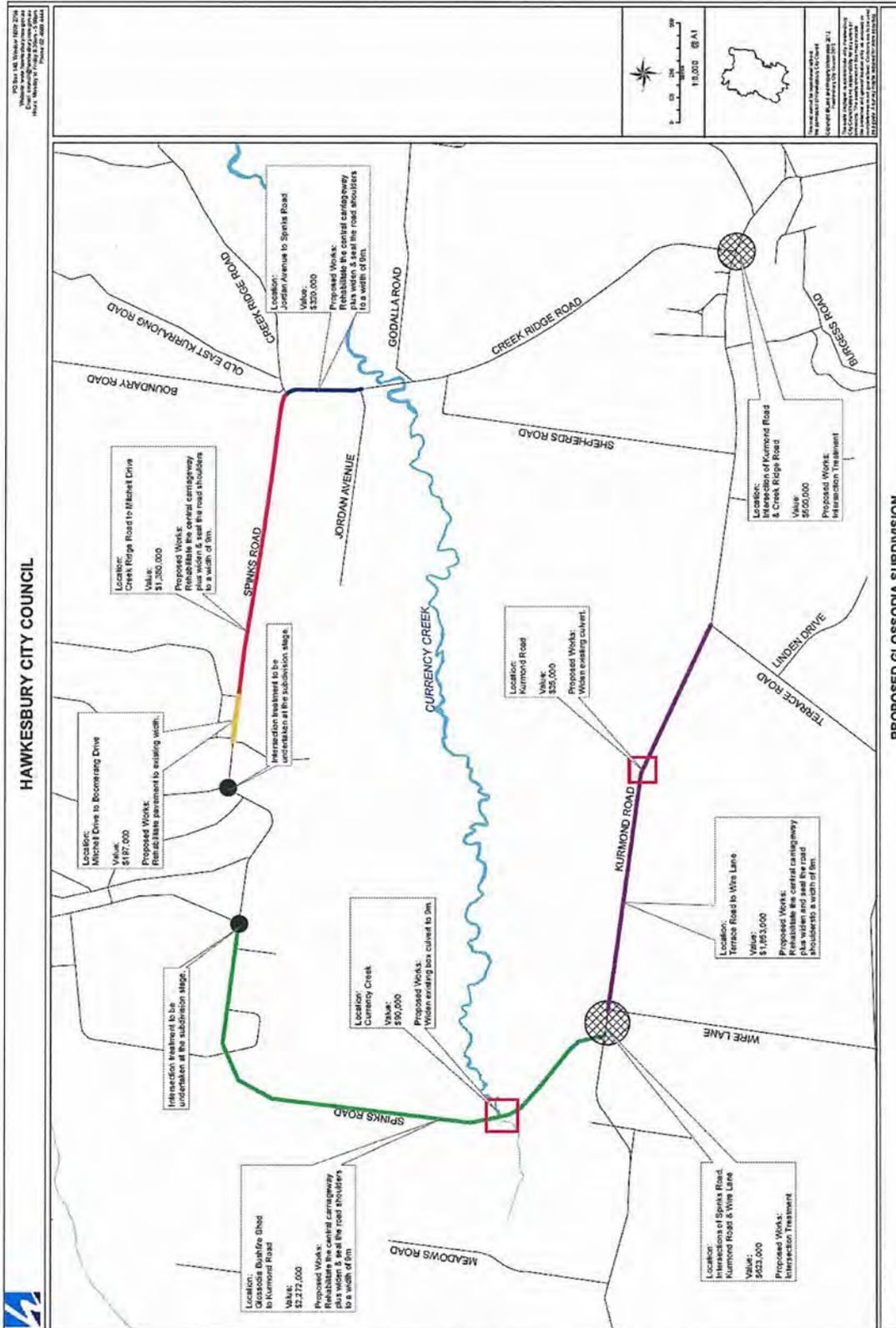
ATTACHMENTS:

- AT - 1 Jacaranda Ponds Planning Proposal Concept Plan, November 2011
- AT - 2 "Glossodia - Jacaranda Ponds Proposed Layout and Recreational Areas", reference number 9420/SK07 A, prepared by J. Wyndham Prince
- AT - 3 Possible Local Infrastructure Improvements for consideration

AT - 1 Jacaranda Ponds Planning Proposal Concept Plan - November 2011



AT - 3 Possible Local Infrastructure Improvements for Consideration



Attachment 5

**Traffic Impact Study, prepared by ARUP, March 2010
and additional information dated 16 December 2010**