

**Hawkesbury City Council Planning Proposal - Jacaranda Ponds**

|                    |                                                                                                                                |               |                 |
|--------------------|--------------------------------------------------------------------------------------------------------------------------------|---------------|-----------------|
| Proposal Title :   | <b>Hawkesbury City Council Planning Proposal - Jacaranda Ponds</b>                                                             |               |                 |
| Proposal Summary : | <b>Rezoning of 185.3 ha of rural land at Glossodia to allow for up to 580 large lot residential and residential allotments</b> |               |                 |
| PP Number :        | <b>PP_2012_HAWKE_003_00</b>                                                                                                    | Dop File No : | <b>12/11016</b> |

**Proposal Details**

|                                   |                           |                      |                                |
|-----------------------------------|---------------------------|----------------------|--------------------------------|
| Date Planning Proposal Received : | <b>02-Jul-2012</b>        | LGA covered :        | <b>Hawkesbury</b>              |
| Region :                          | <b>Sydney Region West</b> | RPA :                | <b>Hawkesbury City Council</b> |
| State Electorate :                | <b>HAWKESBURY</b>         | Section of the Act : | <b>55 - Planning Proposal</b>  |
| LEP Type :                        | <b>Precinct</b>           |                      |                                |

**Location Details**

|               |                                                                               |        |                       |
|---------------|-------------------------------------------------------------------------------|--------|-----------------------|
| Street :      | <b>103, 213 &amp; 361 Spinks Road</b>                                         |        |                       |
| Suburb :      | <b>Glossodia</b>                                                              | City : | <b>Glossodia</b>      |
| Land Parcel : | <b>Lot 2 DP 533402, Lot 52 DP 1104504, Lot 20 DP 214753, Lot 75 DP 214752</b> |        |                       |
| Street :      | <b>James Street</b>                                                           |        |                       |
| Suburb :      | <b>Glossodia</b>                                                              | City : | <b>Glossodia</b>      |
| Land Parcel : | <b>Lot 3 DP 230943</b>                                                        |        |                       |
| Street :      | <b>3 Derby Place</b>                                                          |        |                       |
| Suburb :      | <b>Glossodia</b>                                                              | City : | <b>Glossodia</b>      |
| Land Parcel : | <b>Lot 44 DP 214755</b>                                                       |        |                       |
| Street :      | <b>746A Kurmond Road</b>                                                      |        |                       |
| Suburb :      | <b>Freemans Reach</b>                                                         | City : | <b>Freemans Reach</b> |
| Land Parcel : | <b>Lot 50 DP 751637</b>                                                       |        |                       |
| Street :      | <b>780A-780C Kurmond Road</b>                                                 |        |                       |
| Suburb :      | <b>North Richmond</b>                                                         | City : | <b>North Richmond</b> |
| Land Parcel : | <b>Lots 1,2 &amp; 3 DP 784300</b>                                             |        |                       |

## DoP Planning Officer Contact Details

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## Land Release Data

|                                    |                                   |                                                      |            |
|------------------------------------|-----------------------------------|------------------------------------------------------|------------|
| Growth Centre :                    | <b>N/A</b>                        | Release Area Name :                                  | <b>N/A</b> |
| Regional / Sub Regional Strategy : | <b>Metro North West subregion</b> | Consistent with Strategy :                           | <b>Yes</b> |
| MDP Number :                       |                                   | Date of Release :                                    |            |
| Area of Release (Ha) :             |                                   | Type of Release (eg Residential / Employment land) : | <b>N/A</b> |
| No. of Lots :                      | <b>580</b>                        | No. of Dwellings (where relevant) :                  | <b>0</b>   |
| Gross Floor Area :                 | <b>0</b>                          | No of Jobs Created :                                 | <b>0</b>   |

The NSW Government Lobbyists Code of Conduct has been complied with : **Yes**  
 If No, comment :

Have there been meetings or communications with registered lobbyists? : **No**

If Yes, comment : **LOBBYIST STATEMENT**

**At this time, to the best of the Regional Team's knowledge, there have been no meetings or communications with lobbyists regarding this Planning Proposal.**

## Supporting notes

Internal Supporting Notes : **The planning proposal was referred to the Department's Strategies and Infrastructure Planning Team.**

**At the time of submission, no formal response from Strategies and Infrastructure team was received. However another significant proposal at North Richmond (Red Banks) highlights the major issue of transport access in the area. This is as pertinent with this proposal specifically in relation to bridge access capacities at both Richmond and Windsor.**

External Supporting  
Notes :

## **PLANNING PROPOSAL**

The PP has been prepared by Council staff with the assistance of information provided by EG Planning Group's (EGPG) planning consultant Urbis Pty Ltd (Urbis).

The PP can be summarised 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; and
- New infrastructure opportunities for the town, with over \$23 million to be made available for new and improved local infrastructure.

### **THE SITE AND SURROUNDS (Refer to location and aerial maps attached)**

The 185.3ha site consists of multiple lots. 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 proposed 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 550m<sup>2</sup> to 4000m<sup>2</sup> (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 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, however,

preliminary advice provided by EPGG 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.

### GLOSSODIA

Glossodia is classified as a rural 'village' within Hawkesbury LGA, 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 including Glossodia Shopping Village, a community centre, Glossodia Public School and active and passive recreational areas.

Glossodia is Hawkesbury's second largest urban settlement north of the Hawkesbury River, behind North Richmond. It has a total of 840 dwellings, 99% of which are detached houses.

### TRANSPORT AND ACCESS (refer to access road map attached)

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) provides a direct link from the site to both Richmond and Windsor. The service has direct links to the metropolitan Western Line rail services.

### SUPPORTING STUDIES

The planning proposal is accompanied by the following reports/studies which have been either prepared or commissioned by EPGG (EG Property Group):

- 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; and
- Preliminary Environmental Site Assessment, prepared by JBS Environmental Pty Ltd, October, 2009.

These reports are based on an earlier planning proposal to rezone the site for 179 rural residential lots and will require updating to reflect the current proposal. It is anticipated that some of these reports (e.g. Bushfire and Traffic) will be updated as a result of the gateway determination.

Furthermore, EPGP have advised Council that they are prepared to enter into a Voluntary Planning Agreement for the provision of public infrastructure including open space, recreational facilities, community facilities and road works equivalent to over \$23 million.

Council has advised that, if the planning proposal is to proceed, a site specific Development Control Plan (DCP) will be prepared.

### Adequacy Assessment

#### Statement of the objectives - s55(2)(a)

Is a statement of the objectives provided? **Yes**

Comment : **The stated objectives of the planning proposal 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; and**
- **ensure this development includes new local infrastructure that will benefit the community.**

#### Explanation of provisions provided - s55(2)(b)

Is an explanation of provisions provided? **Yes**

Comment : **The effect of the planning proposal would be to amend the yet to be gazetted draft Hawkesbury 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 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 has been included as part of the planning proposal.**

#### Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? **No**

b) S.117 directions identified by RPA :

\* May need the Director General's agreement

**1.2 Rural Zones**

**1.3 Mining, Petroleum Production and Extractive Industries**

**2.1 Environment Protection Zones**

**2.3 Heritage Conservation**

**3.1 Residential Zones**

**3.4 Integrating Land Use and Transport**

**4.1 Acid Sulfate Soils**

**4.3 Flood Prone Land**

**4.4 Planning for Bushfire Protection**

**6.2 Reserving Land for Public Purposes**

**7.1 Implementation of the Metropolitan Plan for Sydney 2036**

Is the Director General's agreement required? **Yes**

c) Consistent with Standard Instrument (LEPs) Order 2006 : **Yes**

d) Which SEPPs have the RPA identified?

**SEPP No 1—Development Standards  
SEPP No 19—Bushland in Urban Areas  
SEPP No 55—Remediation of Land  
SEPP (Building Sustainability Index: BASIX) 2004  
SEPP (Infrastructure) 2007  
SREP No. 20 - Hawkesbury–Nepean River (No. 2 - 1997)**

e) List any other matters that need to be considered :

**RELEVANT SEPPs/DEEMED SEPPs****SEPP No19 Bushland in Urban Areas**

The planning proposal is consistent with the aims of this policy to protect bushland.

**SEPP No.55 Remediation of Land**

The potential contamination of the site has been assessed in the Preliminary Environmental Site Assessment Report by JBS Environmental Pty Ltd (October 2009) 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 addressed at development assessment stage.

**SREP No.20 – Hawkesbury Nepean River**

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.

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.

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.

**RELEVANT S117 DIRECTIONS****1.2 RURAL ZONES**

The planning proposal is consistent with this direction because:

- The Hawkesbury Residential Land Strategy (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.

**Comments:**

The planning proposal will have a minimum impact on the surrounding development and the agricultural production value of rural land. However, it is noted that it will result in the loss of a Chicken growing and an Egg production enterprise. Nevertheless these activities are not reliant on highly productive agricultural land.

It is agreed that the planning proposal will facilitate residential development

opportunity in an area generally free from environmental constraints and to the north of Hawkesbury River, consistent with the objectives of the draft NW Subregional Strategy and Council's Residential Lands Strategy (not approved by the Director General). The loss of rural zoned land outweighs the potential delivery of housing choices together with other conservation and community benefits in the area.

### 1.3 MINING, PETEROLEUM PRODUCTION AND EXTRACTIVE INDUSTRIES

The planning proposal may require consultation with NSW Industry and Investment as a result of this Direction.

#### Comments:

This does not appear relevant as it is not in an area that is identified as being suitable for extractive industry.

### 2.1 ENVIRONMENTAL PROTECTION ZONES

#### Comments:

The planning proposal 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.

### 2.3 HERITAGE CONSERVATION

#### Comments:

The planning proposal 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.

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.

### 3.1 RESIDENTIAL ZONES

#### Comments:

The planning proposal is consistent with this direction because:

- 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 such as the public school, local roads, public transport services and the local shopping village.
- The proposal constitutes an expansion to the existing urban area that is consistent with State and local strategic planning policy.

### 3.4 INTEGRATED LAND USE AND TRANSPORT

#### Comments:

The planning proposal is consistent with this direction as:

- 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.

It is recommended that a traffic study, prepared by ARUP for the previous rural residential development proposal is to be updated to support/consider the current proposal on the site.

#### 4.1 ACID SULFATE SOILS

EGPG has submitted a report which, investigates the potential for acid sulfate soils. The report found that of the soil samples taken from the site none of them contained acid sulfate soils.

##### Comments:

This direction applies as the site is identified in the draft Hawkesbury LEP 2012 as containing Class 5 Acid Sulfate Soils. The planning proposal is inconsistent with the direction as it is to intensify land uses without a study consistent with the Acid Sulfate Soils Planning Guidelines. In this regard, the Director General's approval is required that the provisions of the planning proposal that are inconsistent are of minor significance.

#### 4.3 FLOOD PRONE LAND

The 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.

##### Comments:

Council has advised that the flood affected area is within the confines of the Creek within the riparian area proposed for RE1. It is considered that the impact of the flooding on the site and proposed development would be of a minor nature and that flooding on the site is considered to be of minor significance. The draft Hawkesbury LEP 2012 includes provisions to consider flooding and can be considered as part of the development assessment process.

It is considered that inconsistency with this direction is of minor significance and approval of the Director General is required.

#### 4.4 PLANNING FOR BUSHFIRE PROTECTION

The subject site is shown as bushfire prone land of Council's Bushfire Prone land Map. Accordingly, the planning proposal will require referral to the NSW Rural Fire Service.

##### Comment:

Council and RFS staff are currently reviewing the Bushfire Prone Land Map for the whole City and the findings of the Bushfire Planning Assessment can be considered in this review. Council staff have advised that a draft revised map was prepared and forwarded to RFS Hawkesbury Branch in February 2012, however, the timeframe to finalise the map is not known. The outcome of the review may have impact on the zone boundary and residential yield.

As required in the direction Council is to consult the RFS prior to the public exhibition of the planning proposal. The DG's approval will be required subject to the outcome of the review of bushfire prone land map.

#### 6.2 – RESERVING LAND FOR PUBLIC PURPOSES

**Comments:**

The planning proposal is not inconsistent with the direction as it will not reduce the existing zonings for public purposes. The creation of RE1 zone is considered to be of a minor significance and the Director General's approval is required.

**7.1 IMPLEMENTATION OF THE METROPOLITAN STRATEGY**

Council's detailed assessment of the proposal against the Metropolitan Plan for Sydney 2036, Draft NW Subregional Strategy are in the planning proposal (page 19).

**Comments:**

As discussed in the 'Assessment' section, the planning proposal is consistent with this direction.

Have inconsistencies with items a), b) and d) being adequately justified? **Yes**

If No, explain :

**Mapping Provided - s55(2)(d)**

Is mapping provided? **Yes**

Comment : The planning proposal is to amend the draft Hawkesbury Local Environmental Plan 2012 (LEP 2012). Council has advised that the amendments to the land zoning, height of building and lot size maps are proposed. An indicative zoning map and height of buildings map are attached.

Council proposes to prepare a lot size 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 zoning, and minimum lot sizes.

**Community consultation - s55(2)(e)**

Has community consultation been proposed? **Yes**

Comment : A community consultation period of 28 days is proposed. This is supported as the proposal is significant and may generate a high level of community interest.

**Additional Director General's requirements**

Are there any additional Director General's requirements? **No**

If Yes, reasons :

**Overall adequacy of the proposal**

Does the proposal meet the adequacy criteria? **No**

If No, comment : **The Bushfire and Traffic studies/reports must be updated to reflect the current proposal.**

**Proposal Assessment**

**Principal LEP:**

Due Date : **July 2012**

Comments in relation to Principal LEP : **The planning proposal is to amend the yet to be made Hawkesbury 2012 LEP.**

**The draft Hawkesbury LEP 2012 has been exhibited and reported to Council under section 68. The draft LEP is currently with the Department for review and is expected to be completed by July, 2012.**

The majority of the site is proposed to be zoned RU1 Primary Production under the draft LEP 2012, with a minimum lot size proposed for subdivision of 10ha.

The proposed zones include R2 Low Density Residential, R5 Large Lot Residential, RE1 Public Recreation and SP2 Infrastructure (Sewerage system) to facilitate a mix of 580 residential dwellings on the site.

## **Assessment Criteria**

Need for planning proposal :

The proposed RU1 Primary Production zoning of the site under the draft Hawkesbury LEP 2012 will not allow the proposed residential development on the site.

The proposed amendment will assist in Council achieving the housing delivery in the draft NW Subregional Strategy of 5,000 new dwellings by 2036 and Council's Residential Land Strategy which aims to accommodate between 5,000 - 6,000 new dwellings by 2031.

A Constraints Severity Index (CSI) analysis undertaken as part of the Hakesbury Residential Land Strategy identified 'Glossodia' 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 planning proposal 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.

Consistency with strategic planning framework :

As discussed in the 'Adequacy' section, the planning proposal is consistent with the relevant SEPPs and SREPs. It is generally consistent with the main aims of the Metropolitan Plan for Sydney 2036 and the draft NW Subregional Strategy except that there is no agreed approach to transport infrastructure required to support the propsoed development.

Council has advised that the planning proposal is consistent with its Residential Lands Strategy. This strategy has not been endorsed by the Director General.

Environmental social economic impacts :

### **FLORA AND FAUNA**

A flora and fauna assessment for the site identifies that whilst the majority of the site consists of grassland, the remaining 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- and a Large-footed Myotis);
- One threatened flora species (Pimelea spicata); and
- 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.

The assessment concluded that the proposed residential development of the site would be physically constrained by the presence of riparian buffers along Currency Creek and one unnamed watercourse, two large dams and the above flora/ fauna species and their habitats. The proposed zoning map responds to these constraints.

A Vegetation Management Strategy, a further assessment on the Cumberland Plain Land Snail, 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 were recommended as part of the fauna and flora assessment.

### **TRAFFIC IMPACT**

Traffic Impact assessment was prepared by Arup in March 2010. The study was based on a previous proposal for a 180 rural residential subdivision.

The proposed development was to be accessed via a proposed loop road through the site connecting to Spinks Road at two locations, north of Kurmond Road and the other further east. Three major intersections which will carry the majority of the future traffic associated with the development have been examined. The intersections are Bells Line of Road/Terrace Road/Grose Vale Road, Bells Line of Road/Crooked Lane and Freemans Reach Road/Wilberforce Road. Arup's assessment has found that there is unlikely to be any significant traffic congestion impacts resulting from a rural residential development of this size and scale at Glossodia. Further the traffic capacity of Windsor and Richmond Bridges were looked into and overall, the two bridges have spare capacity to accommodate the proposed rural residential development in either of the peak period (am and pm).

RMS has currently commenced work on the proposed (funded) upgrade of the Windsor Bridge to increase the peak period traffic capacity and to provide flood free access to the Freemans Reach, Wilberforce and Glossodia areas. The capacity of Richmond Bridge, however, is currently at peak and the RMS is currently undertaking several studies to explore/identify short to medium term solutions to these problems/congestion issues and are expected to be completed later this year and in 2013. As part of the consultations for Redbank planning proposal (North Richmond) for 1400-2000 residential dwellings, the RMS has indicated that the State Government funding is not available to undertake the works required in the short term for Richmond Bridge.

To assist in resolving road, intersection and bridge capacity issues the proponent, EPGP is committed to providing \$23.2 million towards infrastructure in the locality. This can be used on roads, the Windsor Bridge or any other items of infrastructure Council and residents wish. However, the planning proposal has not identified any state infrastructure improvement works required as a result of the proposal. Further, it is not clear that the proposal can meet transport access requirements and therefore Arup's study needs to be reviewed to assess traffic impacts in the area based on the proposed 580 residential dwellings and the need for any infrastructure upgrades as a result.

### 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 steep sloping section through the middle of the site is a constraint to development of the site. Accordingly, development of this land has been designated as being limited to large lot residential development.

### 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 and 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
- The soils along flats are saline at the surface and highly saline at depth which makes it difficult for salt sensitive crops to grow well due to this subsoil constraint.

### STREAM CLASSIFICATION

A Stream Classification Report has been prepared by the proponent. 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 was required along the north side of the creek. The proposed RE1 zone reflects this requirement.

### SEWER MANAGEMENT

It is proposed to build a new package plant sewer system for the site. The proposed system will include a Sewerage Treatment Plant (STP) that will efficiently treat waste, while the proposed SP2 Infrastructure (Sewerage System) zoned land will be made available for irrigation purposes and wet-weather storage as part of the new system. The proposed system will also allow for water recycling and will accordingly reduce potable water consumption.

### 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. It is considered that this issue can be addressed in detail at development assessment stage.

### 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 were primarily located along the lower areas adjoining Currency Creek.

Council has advised that additional consideration will be given to salinity after the gateway determination and appropriate development controls incorporated into the LEP and/or DCP.

### SOCIAL AND ECONOMIC IMPACTS

The proponent has claimed that the proposal will provide a net community benefit (refer to Table 1 of Council's planning proposal) 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.; and
- The development will inject \$250 million worth of investment into the local economy.

## Comment:

The planning proposal does not address the economic impact of the cessation and removal of the chicken raising and egg production enterprises. These appear to be large scale going concerns. It is recommended that assessment of the impact of cessation of these enterprises be made and reasons provided that demonstrate the cost benefit of replacing them with residential development.

It is still to be demonstrated that the funding contribution proposed will be sufficient to provide the required infrastructure necessary for the development; i.e. road network.

## Assessment Process

Proposal type : **Inconsistent** Community Consultation Period : **28 Days**

Timeframe to make LEP : **24 Month** Delegation : **Minister**

Public Authority : **Hawkesbury - Nepean Catchment Management Authority**  
 Consultation - 56(2)(d) : **Office of Environment and Heritage**  
**NSW Department of Primary Industries - Agriculture**  
**NSW Rural Fire Service**  
**Transport for NSW - Roads and Maritime Services**  
**State Water Corporation**

Is Public Hearing by the PAC required? **No**

(2)(a) Should the matter proceed ? **No**

If no, provide reasons :

Resubmission - s56(2)(b) : **Yes**

If Yes, reasons :

Identify any additional studies, if required. :

If Other, provide reasons :

Identify any internal consultations, if required :

## Residential Land Release (MDP)

Is the provision and funding of state infrastructure relevant to this plan? **Yes**

If Yes, reasons : **It is not clear any commitment has been proposed for state infrastructure as a result of the planning proposal.**

**The planning proposal was referred to the Department's Strategies and Infrastructure Planning Team. At the time of submission, no formal response was received.**

## Documents

| Document File Name                          | DocumentType Name        | Is Public |
|---------------------------------------------|--------------------------|-----------|
| Aerail_map.pdf                              | Map                      | Yes       |
| Site_location_map.pdf                       | Map                      | Yes       |
| Relevant_Draft_Hawkesbury_LEP_2012_maps.pdf | Map                      | Yes       |
| Cover Letter.pdf                            | Proposal Covering Letter | Yes       |
| Planning Proposal.pdf                       | Proposal                 | Yes       |

|                                               |       |     |
|-----------------------------------------------|-------|-----|
| Traffic Study.pdf                             | Study | Yes |
| Heritage Assessment.pdf                       | Study | Yes |
| Flora and Fauna Constraints Assessment.pdf    | Study | Yes |
| Land Resource Assessment.pdf                  | Study | Yes |
| Preliminary Bushfire Constraints.pdf          | Study | Yes |
| Stream Classification.pdf                     | Study | Yes |
| Preliminary Environmental Site Assessment.pdf | Study | Yes |

## Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Resubmit**

S.117 directions:

- 1.2 Rural Zones
- 1.3 Mining, Petroleum Production and Extractive Industries
- 2.1 Environment Protection Zones
- 2.3 Heritage Conservation
- 3.1 Residential Zones
- 3.4 Integrating Land Use and Transport
- 4.1 Acid Sulfate Soils
- 4.3 Flood Prone Land
- 4.4 Planning for Bushfire Protection
- 6.2 Reserving Land for Public Purposes
- 7.1 Implementation of the Metropolitan Plan for Sydney 2036

Additional Information :

**IT IS RECOMMENDED THAT THE PLANNING PROPOSAL NOT PROCEED BUT BE RESUBMITTED WITH THE FOLLOWING CONDITIONS THAT:**

- . a traffic study be undertaken in respect of the updated proposal for 580 residential dwellings and that consultation with RMS be undertaken regarding the impact of the proposal on peak performance of key intersections and bridge capacities at both Richmond and Windsor. Additionally, that this have the endorsement of RMS, or at least comment on the impact of the proposal on State roads, and adequacy of any offset arrangements offered by Council or the proponent;
- . a review of the Bushfire Prone Land Map for the LGA completed by Council and RFS staff, and the outcomes of the review reflected on the proposed zoning and residential yield for the site; and
- . an assessment of the economic impact of the cessation and removal of the chicken raising and egg production enterprises be prepared and reasons be provided that demonstrate the cost benefit of replacing them with residential development.

If the planning proposal is to proceed, it should be with the following conditions:

- (1) The Director General's delegate agrees to any inconsistency with section 117 directions:
  - 4.1 Acid Sulfate Soils; and
  - 4.3 Flood Prone Lands;
- (2) Consultation with:
  - . Transport for NSW;
  - . Roads and Maritime Authority;
  - . Sydney Water;
  - . NSW Aboriginal Land Council; and
  - . Hawkesbury - Nepean Catchment Management Authority;
- (3) consultation with the Commissioner of the NSW Rural Fire Service, in accordance with S.117 Direction 4.4 Planning for Bushfire Protection, prior to undertaking community consultation in satisfaction of section 57 of the Act, and take into account any comments so made;

**(4) Council is to:**

- . prepare a Traffic Study and approved an approach to access and funding arrangements, and signed off by RMS;
- . review of Bushfire Prone Land map in consultation with the RFS and RFS comments reflected on the proposed residential yield and zoning maps; and
- . undertake an assessment of the economic impact of the cessation and removal of the chicken raising and egg production enterprises and reasons be provided that demonstrate the cost benefit of replacing them with residential development.

**(5) Council is to ensure that satisfactory arrangements are made to accommodate the impacts of increased traffic generation; and**

**(6) Council is to submit the planning proposal to the Gateway before exhibition when the work identified in paragraph (4) has been finalised.**

**Supporting Reasons :**

In general, the planning proposal is consistent with the Metropolitan Plan for Sydney 2036, the draft NW Subregional Strategy and relevant State and regional environmental plans. It will largely contribute to the LGA's housing targets. However there is the outstanding concern that it may rely on already failing state infrastructure and that the proposal may impose unreasonable demand on the state to provide infrastructure that has minimal benefits but large costs.

**The Panel and the Gateway need to consider the following:**

- . Whilst the Government is very focussed on the delivery of new housing, it is important to note that the Government's focus is on sites that can actually deliver housing in the short to medium term. The Housing Opportunities Review program has a criteria regarding the likelihood that housing can be delivered within three years.
- . The Government's MDP indicates that there is currently an oversupply (ie. a supply in excess of the Government's target) of land that is zoned residential and land that is zoned residential and partially serviced.
- . The uncertainty associated with the transport access for the proposal means that this proposal will contribute to the (already) oversupply of land zoned and partially serviced.
- . This proposal appears to have more prospect of addressing the transport access issues than other proposals in the LGA. The study for this proposal will look in part at the already funded Windsor bridge which has some access capacity for access and in part at the unfunded North Richmond Bridge, whereas the Redbank proposal is studying two bridges, Yarramundi and North Richmond, which are both unfunded and without excess capacity.

Notwithstanding this better (relative) prospect, it is not yet clear that the proposal can meet transport access requirements.

- . If it is not the case that transport access can be provided, the proposal does not have a prospect of becoming deliverable housing in the short or medium term and will therefore not be a priority for government land release.
- . In this light, it is proposed that the Planning Proposal be resubmitted only once traffic studies demonstrate that all infrastructure access issues are capable of being addressed and that housing delivery is possible at least in the medium term.

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_ Date: \_\_\_\_\_