



**REQUEST TO PREPARE A PLANNING
PROPOSAL
(AMENDMENT TO HAWKESBURY LEP 2012)**



Change of zone from R2 to B1

**2-8 Hawkesbury Valley Way and 383-395
George Street Windsor**

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(Revision 2)
Job No.150369

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1.0 INTRODUCTION

This report constitutes a Planning Proposal submission request to the Hawkesbury City Council seeking to amend the Hawkesbury Local Environmental Plan 2012 to alter the zone from R2 Low Density Residential to B1 Neighborhood Centre lots 7-12 DP 1093, Lot 13 DP 1089172, Lot A DP 108510 and lots 11-13 DP 16626 –2-8 Hawkesbury Valley Way and 383-395 George Street Windsor.

1.1 Scope

The purpose of this planning proposal report is to assess the following matters:

1. Provide details of the existing land uses in the locality and the relevant planning controls.
2. Provide details of the planning proposal as outlined by the Department of Planning guidelines.

2.0 DESCRIPTION

2.1 Legal Description

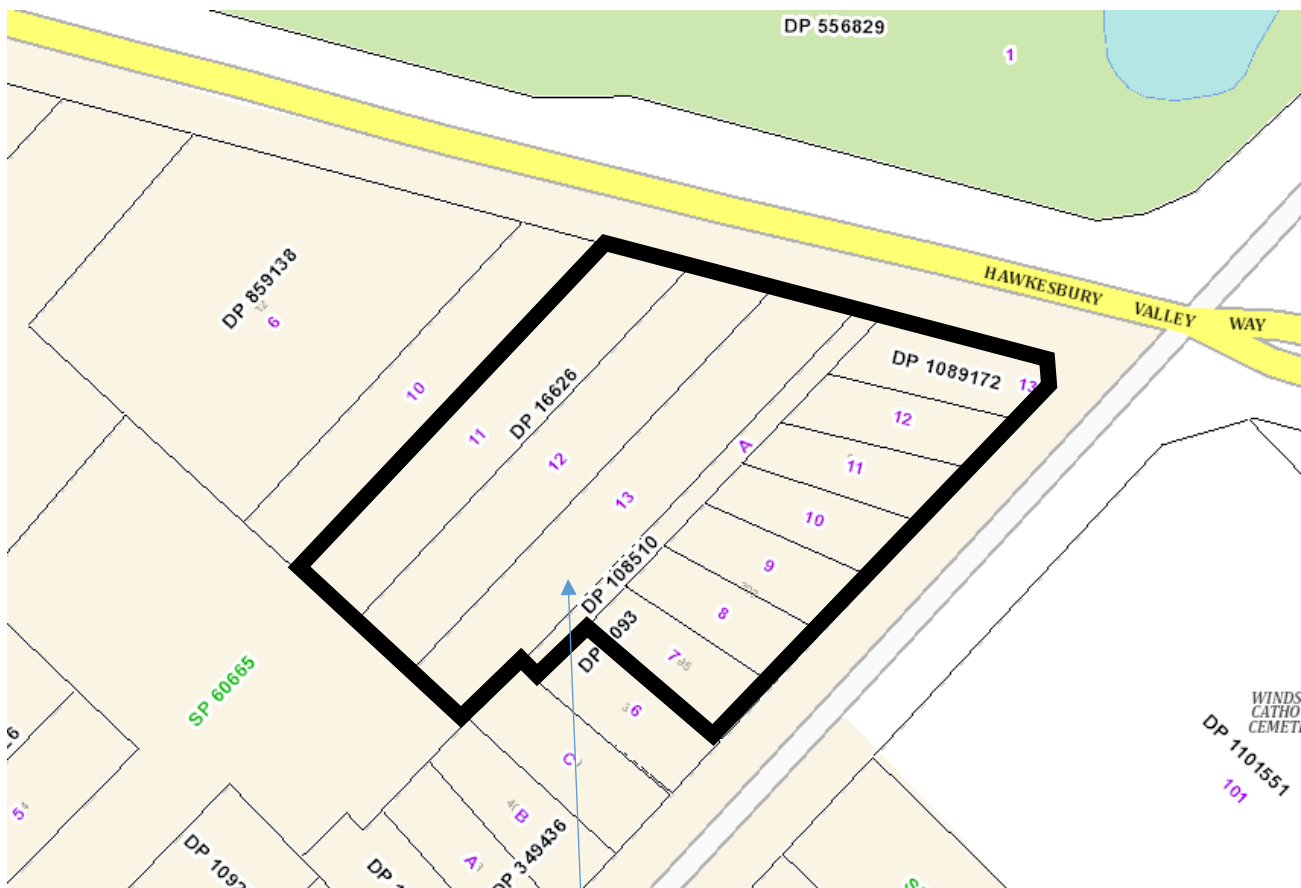
The site is legally described as lots 7-12 DP 1093, Lot 13 DP 1089172, Lot A DP 108510 and lots 11-13 DP 16626 – 2-8 Hawkesbury Valley Way and 383-395 George Street Windsor.

The site has a total area of approximately 5468sqm.

2.2 Site Location

The site is located on the south western corner of Hawkesbury Valley Way and George Street.

The site is accessed via existing access driveways from both Hawkesbury Valley Way and George Street. The location of the site is illustrated in Figure 1



Subject Site

2.3 Existing Development

The site contains a several separate dwellings on 4-6 Hawkesbury Valley Way and the former motor vehicle sales yard and office/garage on 2 Hawkesbury Valley Way and 393-395 George Street. The buildings are located adjacent to the Hawkesbury Valley Way and George Street.

(Refer to photos below)



Car yard and heritage item corner George Street and Hawkesbury Valley Way



Heritage item



Heritage item



2-8 Hawkesbury Valley Way



2-8 Hawkesbury Valley Way



2-8 Hawkesbury Valley Way

2.4 Neighbouring Development

The site is bounded by residential properties to the west and south, recreation park to the north and a cemetery and commercial shops to the east. The surrounding area is best described as containing a mixture of residential, recreational and retail/commercial land uses.

Refer photos below



Adjoining commercial uses in George Street



Service station along Hawkesbury Valley Way to the west of the site



Cemetery in George Street opposite site



Existing commercial development in George Street to the south of the site



Existing Windsor Railway Station and Bus Interchange



Existing commercial development in George Street adjacent to Windsor Railway Station



Looking along George Street towards the site



Existing commercial development in George Street to the south of the site



Existing commercial development in George Street to the south of the site

3.0 ZONING

The site and surrounding area is affected by Hawkesbury Local Environmental Plan 2012. The site is presently zoned **R2 Low Density Residential** under HLEP 2012 with surrounding properties zoned B1, SP1 Cemetery, RE1 McQuade Park (refer **Figure 2**).

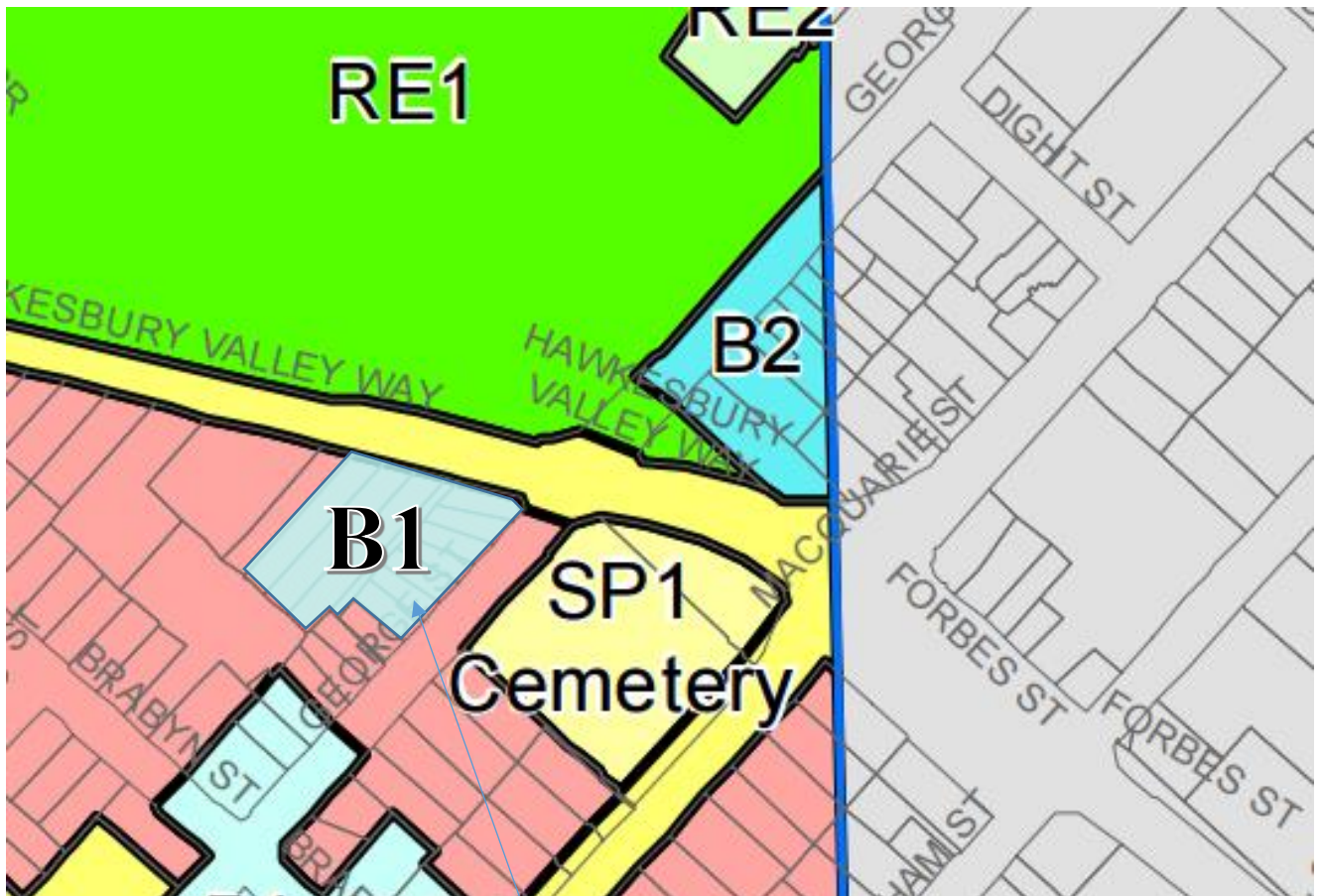


Figure 2. Proposed Land
Zoning Map

Hawkesbury LEP 2012

Land Zoning Map - Sheet LZN_008DA

Zone
B1 Neighbourhood Centre

4.0 Background

The site at 2-8 Hawkesbury Valley Way and 393-395 George Street has been the subject of the following development consents:

- **D0133/90 Car workshop service area**
- **D0342/81 Demolition of building for extension of car yard**

5.0 THE PLANNING PROPOSAL

The purpose of the planning proposal is to alter the existing R2 Low Density Residential zone to B1 Neighborhood Centre zone:

The altering of the existing zone to B1 Neighborhood Centre will allow a range of commercial development and uses.

At this point of time no specific design has been prepared but the site would be suited for a mixed development incorporating retail/commercial on the ground and upper floors together with some residential units provided on the upper levels.

The current land of the planning proposal consists of 11 residential zoned allotments in which 10 are capable of having a single dwelling established. (3 already have an established dwelling) which is permissible under the current R2 zone.

It is considered the proposal would be generally consistent with surrounding land uses of the site which contain a number of commercial uses.
(Refer to photos above)

6.0 POTENTIAL ENVIRONMENTAL ISSUES

A review of potential environmental issues has identified the following issues:

6.1 Traffic

The site has an existing access from Hawkesbury Valley Way and George Street. Any future commercial development of the site has the potential to impact on existing road network and safety.

This can be carefully consider during the development assessment process.

The site will be developed as one entity and there is adequate area and distances from the existing signalised intersection at George Street and Hawkesbury Valley Way for a proposed access arrangement to meet the requirements of the RMS and Council.

The future design will most be a left in and left out from Hawkesbury Valley Way and if supported by the gateway further reports can be commissioned to provide more details on the appropriate traffic management of the site and the future development.

6.2 Noise (ANEF)

The site is within the 25-30 ANEF contour.

AS 2021—2000, *Acoustics—Aircraft noise intrusion—Building siting and construction* is the relevant AS in respect to future development of a property that is within the ANEF 25-30 noise contour.

Table 2.1 contained in the AS attached to the Appendix 2.

Any future development of the site needs to carefully consider any potential impact on the residents of adjoining properties as well as the future occupants of the commercial development.

6.3 Flooding

The site is partly below the 1:100 year flood level but above the 1:50 year flood level. The design of the future mixed commercial development will consider the requirements of the adopted Council flood development policy.

The primary objective of the NSW Governments Flood Prone land Policy is

To reduce the impact of flooding and flood liability on individual owners and occupiers of flood prone property and to reduce private and public losses resulting from floods, utilizing ecologically positive methods wherever possible.

This is achieved by using a flexible merit based approach for all development decisions that take into account social, economic and ecological factors as well as flooding considerations.

Appendix I Land use and Development Guidelines contained in the Floodplain Development Manual provides guides for development of flood liable land.

The site would be considered to be Low hazard Flood Fringe.

The site levels would permit the future development of the site to meet the guidelines being floor levels above the Flood level and construction of flood compatible material.

The planning proposal does not involve any land currently zoned special use, recreation, rural or environmental protection.

The site currently has capacity for the erection of a single dwelling on the existing allotments and the proposed mixed development will maintain this current situation in terms of existing residential capacity.

The future residential units on the upper levels will be located above the 1:100 year flood level.

Windsor Flood Evacuation Route - Hawkesbury Valley Way and Jim Anderson Bridge. As part of the Windsor Road Upgrade program, the NSW Roads and Maritime Services (RMS) has built a 2.6km, two-lane road between Richmond Road/Macquarie Street at Windsor, and Groves Avenue/Windsor Road at Mulgrave, with a high-level bridge across South Creek. This is now known as the Hawkesbury Valley Way and Jim Anderson Bridge.

The site is located on this evacuation route and within 50m of the intersection with Macquarie Street.

The level of the site along the Hawkesbury Valley Way frontage is above the 1:50 year flood level.

6.4 Heritage

The property along George Street (Learholm 391-393 George Street Lots 8-9 DP 1093) is a local listed heritage item under Hawkesbury Local Environmental Plan 2012.

The future development of the site for mixed commercial development needs to consider the item with the design of any proposed development.

A suitable heritage assessment can be provided if the planning proposal is supported by the gateway as a requirement of the support.

7.0 Planning Proposal

The planning proposal prepared in accordance with the Department of Planning Guidelines - refer **Appendix 1**.

8.0 CONCLUSION

The planning proposal seeks the support of Hawkesbury Council to alter the current zone from R2 Low Density Residential to B1 Neighbourhood Centre under Hawkesbury Local Environmental Plan 2012 on the site known as lots 7-12 DP 1093, Lot 13 DP 108510, Lot A DP 101089172 and lots 11-13 DP 16626 2-8 Hawkesbury Valley Way and 393-395 George Street Windsor.

The planning proposal will allow for the future development of the site which is a main gateway to the Hawkesbury for a range of commercial developments.

The planning proposal while not specifically identified in the Hawkesbury Employment Land Strategy it is consistent with strategy 3 and provides a commercial link from the Windsor Railway Station to the Windsor Town Centre along George Street.

The planning proposal is consistent with the relevant s117(2) directions and the site has no constraints that would prevent or prohibit the use of the site for commercial purposes.

It is considered the future development of the site for a commercial use is unlikely to have any significant impact on the amenity of the residential development adjoining the site.

The future development on such a key gateway site will improve the current streetscape which has a mixture of developments on small allotments.

The planning proposal for the site will allow additional employment and business development opportunities in Windsor that is in close proximity to the major public transport hub at Windsor railway station.

9.0 RECOMMENDATION

It is recommended that Hawkesbury Council prepare a draft LEP amendment to alter the zone from R2 Low Density Residential to B1 Neighbourhood Centre under Hawkesbury LEP 2012 to allow for a range of commercial developments to occur on the site.

APPENDIX 1 – PLANNING PROPOSAL

Part 1 - Objectives and Intended Outcomes

The intended outcome and objectives of the Planning Proposal are:

- To alter the zone of the subject site from R2 Low Density Residential to B1 Neighbourhood Centre to allow for the development and use of the site for a range of commercial , business and residential uses and development that is permitted in the B1 zone.
- Provide development that will not have a significant impact on locality
- Provide a development that addresses the importance of the site as a major gateway entry to the Hawkesbury in close proximity to the main public transport hub for Windsor at Windsor railway station to the south of the site.

Part 2 – An explanation of the provisions that are to be included in the proposed instrument

The planning proposal will be achieved by:

- Amending the Hawkesbury LEP 2012 Land Use Map for the subject site in accordance with the proposed zoning map shown at attachment 1 from R2 Low Density Residential to B1 Neighborhood Centre.

Amending the Hawkesbury LEP 2012 Height of Building Map in accordance with the proposed height map shown at attachment 2 which indicates a maximum permissible height of 12m on site.

Amending the Hawkesbury LEP 2012 Lot Size Map in accordance with the proposed lot size map at attachment 3 which provides no minimum lot size .

Part 3 – The justification for those objectives, outcomes and the process for their implementation

Section A – Need for the planning proposal

Q1. Is the planning proposal a result of any strategic study or report?

No.

The Plan for Growing Sydney, and the Hawkesbury employment Lands Strategy identify the Hawkesbury as a growing region of north-west Sydney.

While the area of the proposed planning proposal is not specifically identified in the *Hawkesbury employment Lands Strategy* as the area of further investigation near the Windsor Railway precinct strategy 3 from the recommended strategies contained in this strategy is as follows:

Facilitate renewal of existing centres with capacity for growth whilst ensuring high quality urban design and structure planning.

The strategy then specifically indicates for Windsor Station the following:

Windsor Station (identify opportunities for minor commercial and retail development for local population)

The employment land strategy identified an area for further investigation to the south of the Windsor Railway station in South Windsor.

The area of the proposed planning proposal while being outside this investigation area will still meet this strategy by facilitating renewal of the Windsor Town Centre to the north by encouraging the capacity for growth and continuing the current commercial link between the main Windsor commercial town center to the north and the Windsor Railway precinct.

When you look at the current zoning along George Street there is no continuous commercial link from the Windsor Town Centre to the railway station and this planning proposal will assist in partly establishing and promoting part of this link by allowing the future development of the site for a range of commercial and business uses and development permissible under the proposed B1 zone.

(Refer to extract of land zone map from Hawkesbury LEP 2012 attached to the submission)

The Metropolitan NW subregional strategies places a clear focus on centres as the preferred locations for growth and employment.

The area of the planning proposal is in the immediate vicinity of the Windsor Centre and is the a preferred location for an employment opportunity that is provided by planning proposal.

The planning proposal being located in close proximity to the Windsor Railway precinct and Commercial centre of Windsor is consistent with the centre based planning principle outlined in the Hawkesbury Employment Land Strategy being the importance of proximity to a rail network in reducing the use of cars for the journey to work. (Page 33 of the strategy)

Altering the zone from R2 Low Density Residential to B1 Neighborhood Centre while not being specifically land identified in the Hawkesbury Employment Land Strategy still meets the aims and strategy 3 by promoting the employment objectives and identified in the local and regional strategic plans as well as facilitating the opportunity for growth around the Windsor Station precinct and providing a commercial link with the main Windsor Town Centre to the north of the site.

Q2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

The options available to achieve the objective and intended outcome are as follows:

- Maintain the existing R2 low density residential zone and extend the range of uses permissible on this site under schedule 1 of Hawkesbury Local Environmental Plan 2012.
- Rezone the site from R2 Low Density Residential to B1 Neighbourhood Centre (Map Amendment) under Hawkesbury Local Environmental Plan 2012. This will also involve amendments to several other maps attached to the LEP such as building height, lot size.
- The lots that currently contain the existing car sales yard contains a heritage item and is an existing use under the provisions of the EPA Act.

The current heritage incentive provisions contained in Hawkesbury LEP 2012 and the existing use provisions of the EPA Act would allow some further commercial development of the portion of the site that benefits from the existing use and the heritage item.

This approach could not be used for all the proposed allotments and would maintain the existing pattern of development and land uses being a mixture of commercial and residential with no pattern to the land use and current zoning.

Considering the options above the map amendment to B1 Neighbourhood Centre zone is the best solution to achieve the intended outcome of the planning proposal as it provides greater flexibility for future development of the site and the zone would be more appropriate for a future mixed commercial development of the site rather than maintaining the R2 zone.

The other options have limitation of the development options for the site with limited flexibility for further development of the area.

As a result the planning proposal is considered the most appropriate means of achieving the intended outcome by altering the zone from R2 to B1.

The planning proposal will amend The Hawkesbury LEP 2012 land use map, height

map and lot size map.

The planning proposal allows for the commercial development and use of a site located within the Hawkesbury LGA without compromising the objectives of the State or Regional strategic plans that affect the Hawkesbury local government area.

Section B – Relationship to strategic planning framework.

Q3. Is the planning proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

Assessment Criteria:

- a. Does the proposal have **strategic merit** and:
- Is consistent with a relevant local strategy endorsed by the Director – General or
 - Is consistent with the relevant regional strategy or Metropolitan Plan or
 - Can it otherwise demonstrate strategic merit, giving consideration to the relevant section 117 Directions applying to the site and other strategic considerations (e.g. proximity to existing urban areas, public transport and infrastructure accessibility, providing jobs closer to home etc).

The planning proposal addresses the objectives of the following identified regional strategies:

- **NSW 2021**

NSW 2021

NSW 2021 sets the plan for the Government's agenda for NSW.

NSW 2021 Western Sydney and Blue Mountains Regional Action Plan

The Western Sydney and the Blue Mountains area is a region of focus identified within the plan.

Regional priorities and actions are identified including:

Growing the economy and providing jobs closer to home is the number one priority for the NSW Government.

- *Improve integrated regional transport*
- *Deliver appropriate services to disadvantaged and vulnerable members of the community*
- *Improve access to quality health services*
- *Improve education outcomes*
- *Protect our environment and heritage*

- *Provide more affordable housing options*

The Plan identifies a growing economic pressure on the region's two largest employers – the manufacturing and retail sectors and 'A more diverse economy is required to support future job growth in Western Sydney'.

Industry Action Plans have been undertaken to improve growth, resilience, productivity, global competitiveness and investment opportunities, manufacturing, professional services, digital economy and international education and research sectors.

The site of the planning proposal is located close to a major public transport hub (Windsor Railway and Bus Interchange) and assists in building a well-connected region reducing travel time to work and allowing better use of the existing established public transport networks.

The planning proposal provides for employment opportunities that are created closer to home for the growing population of the Hawkesbury and wider region. This will meet the demand for such land to be close to good existing public transport networks.

The planning proposal will provide a large site for commercial development which is currently not available in the Windsor commercial area.

□ *A Plan for Growing Sydney*

A Plan for Growing Sydney

A Plan for Growing Sydney was published in December 2014 and supersedes the *Metropolitan Plan for Sydney to 2036*. It aims to build on the former plan's policies and identifies the challenges facing Sydney including identifying general goals such as population growth, urban consolidation and renewal, transport and infrastructure, protection of the natural environment and the need for investment in arts, culture, entertainment and heritage.

The Planning Proposal is consistent with *A Plan for Growing Sydney* as it is consistent with *Goal 1: A competitive economy with world-class services and transport*, providing for jobs that are located closer to homes. The site is located in close proximity to the Windsor town centre and the T1 northern and western railway line. (Windsor Railway Station and bus interchange).

The Planning Proposal is consistent with *A Plan for Growing Sydney* as it is consistent with *Goal 1 A competitive economy with world-class services and transport*

One of the directions and actions of this goal is
Grow Strategic Centres-providing more jobs closer to home.
This involves investing in strategic centres across Sydney to grow jobs and create a vibrant hub of activity.

The planning proposal will allow investment to occur in the Windsor commercial centre to grow more jobs in the centre and create a hub of activity between the Windsor Railway station and the main commercial centre to the north of the site along George Street.

The site is located within the 'west' sub-region which includes the Blue Mountains, Hawkesbury and Penrith areas and is one of six sub-regions identified in *A Plan for Growing Sydney* (refer **Figure 1**).

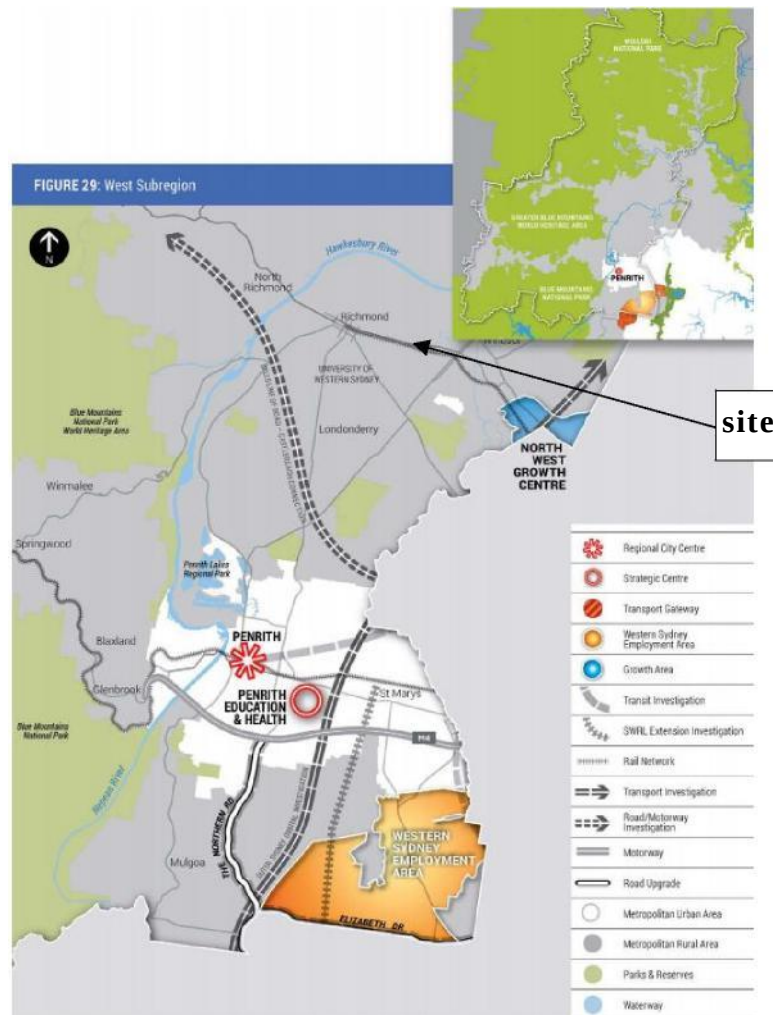


Figure 1 – Extract Map from *A Plan for Growing Sydney*
West Sub region

The priorities identified for the west sub region are:

- A competitive economy
- Accelerate housing supply, choice and affordability and build great places to live
- Protect the natural environment and promote its sustainability and resilience

Sub-regional planning is identified as the next stage in planning for the growth of Sydney, including the government working with local councils to prepare sub-regional plans.

The Planning Proposal is consistent with the priorities of the west sub-region, providing for employment opportunities while minimizing potential impacts on the natural environment.

Q4. Is the planning proposal consistent with a council's local strategy or other local strategic plan?

The planning proposal is consistent with Council strategies, including:

- ***Hawkesbury Employment Lands Strategy***
- ***Hawkesbury Community Strategic Plan 2013-2032.***

Hawkesbury Employment Land Strategy

The *Hawkesbury Employment Land Strategy* was published in 2008 and provides a planning framework that aims to support the economic and competitiveness of the Hawkesbury Region.

The Planning Proposal is consistent with the aims of the plan to provide employment near strategic centres and transport corridors. The site is located along the pedestrian access route from the Windsor railway station to the Windsor Town Centre and will continue to provide a commercial link between the railway station and the town centre. The Planning Proposal is consistent with the finding that employment within the Hawkesbury LGA

One of the challenges identified in the strategy in respect to retail and commercial floor space was the configuration of existing sites or the barrier of existing development constrains demand.

There is few opportunities for prime commercial development given the current supply opportunities.

The site represents a significant area for commercial development in a gateway /prime location in close proximity to the existing Windsor public transport hub located at the Windsor Railway Station.

The strategy reviewed the employment land supply/gap analysis and found the following for business land

The overall analysis found potential additional supply of around 129,600 square metres in existing business zones. This was spread across all precincts except in the Windsor centre where there was no additional potential in the controls after 'netting' out heritage floorspace.

The strategy found that in Windsor there was no additional potential in floor area in the current controls.

The planning proposal will provide the opportunity for additional business floor area to be established in Windsor on a site that is suitable located in relation to the main public transport hub at Windsor railway station and the existing main town centre to the north of the site along George Street.

The key finding of the strategy for commercial/business zones is as follows:

In commercial / business areas existing lot configurations, heritage and existing development constrains the potential for renewal and reinvestment.

For Windsor centre, the lack of notional supply is within a highly constrained centre and as such additional retail/commercial floorspace would need to be provided through redevelopment of existing sites at higher densities than currently allowed or by an expansion of areas zoned for business elsewhere in the Windsor area.

The planning proposal is consistent with the above key finding as it is proposing an expansion of the area zoned for business in close proximity to the railway station and provides a commercial link between the Windsor railway station and the Windsor town centre.

The strategy made a number of recommendations and one involves:

Facilitate renewal of existing centres with capacity for growth whilst ensuring high quality urban design and structure planning.

- *Richmond (around Richmond station and by redeveloping between Windsor Street and Bosworth Street to provide a 'forum' space and mixed use opportunities)*
- *North Richmond (investigate scope to create a high amenity and mixed use main street along Riverview Road)*
- *Windsor Station (identify opportunities for minor commercial and retail development for local populations)*

The site of the planning proposal is located close to Windsor Railway Station and the future development of the site will have the opportunity to provide a high quality urban design for a major gateway site and entry to the Hawkesbury.

Hawkesbury Community Strategic Plan 2013-2032

The Community Strategic Plan contains 5 themes which are supported with directions, strategies, goals and measures to assist in achieving the objectives.

The 5 themes are:

1. Looking after People and Place
2. Caring for Our Environment
3. Linking the Hawkesbury
4. Supporting Business and Local Jobs
5. Shaping Our Future Together

The relevant sections of the strategic plan that relate to the planning proposal are as follows:

1. Looking after People and Place	
Directions 1. Be a place where we value, protect and enhance the historical, social, cultural and environmental character of Hawkesbury's towns, villages and rural landscapes 3. Have development on both sides of the river supported by appropriate physical and community infrastructure 6. Have future residential and commercial development designed and planned to minimize impacts on local transport systems, allowing easy access to main metropolitan gateways	Comment The proposal involves a site with a local heritage item identified under Hawkesbury LEP 2012. The development is proposed on the eastern side of the river in an area that has well established infrastructure and services. This matter will be considered in the future development of the site for commercial building. The site has easy access to a main gateway being Hawkesbury Valley Way.
2. Caring for Our Environment	
Directions 1. Be a place where we value, protect, and enhance the cultural and environmental character of Hawkesbury's towns, villages and rural landscapes. 4. 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	Comment Not applicable . The future commercial development has the ability to promote sustainable resource use and best practices that minimize any impacts on the environment.
3. Linking the Hawkesbury	
Directions 1. Have a comprehensive system of transport connections which link people and products across the Hawkesbury and with surrounding regions 2. Be linked by accessible, viable public transport, cycleways and pathways to the major growth, administrative, commercial and service centres within and beyond the Hawkesbury 3. Have a comprehensive system of well-maintained local and regional roads to serve the needs of the community.	Comment The proposed site of the planning proposal has good and easy access to the Windsor railway transport hub. See the above comment. The site is located on both Hawkesbury Valley Way and George Street which in turn connects with Windsor Road and the Windsor and Kellyville areas for increased transport options.

4. Supporting Business and local jobs	
Directions 1. Plan for a range of industries that build on the strengths of the Hawkesbury to stimulate investment and employment in the region. 2. Offer an increased choice and number of local jobs and training opportunities to meet the needs of Hawkesbury residents and to reduce their travel times 3. Help create thriving town centres, each with its own character that attracts residents, visitors and businesses	Comment The future development of the land to allow for a range of commercial development and uses will provide for future employment generation that will stimulate both investment and employment in the area both during construction and operation of the business to the Hawkesbury region. The future uses of the site will provide opportunities for employment stimulation elsewhere through the increased connection with other employment sectors. The planning proposal will allow the opportunity to attract other businesses to Windsor and create a thriving commercial centre.
5. Shaping Our Future Together	
Directions 4. A balanced set of decisions that integrate jobs, housing, infrastructure, heritage, and environment that incorporates sustainability principles	Comment The proposal provides an opportunity to incorporate heritage, and sustainability principles.

Q5. Is the planning proposal consistent with applicable State Environmental Planning Policies?

The planning proposal is consistent with all relevant applicable State planning policies, including:

- *State Environmental Planning Policy No 55 Remediation of Land*
- *SREP No 20 Hawkesbury-Nepean River*

State Environmental Planning Policy No 55 Remediation of Land

State Environmental Planning Policy (SEPP) No 55 – Remediation of Land aims to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment. The Policy requires a planning authority to consider the possibility that a previous land use has caused contamination of the site as well as the potential risk to health or the environment from that contamination. The site has been developed for residential uses and a motor showroom with ancillary car repairs.

The land has not been identified as being the subject of a management order or identified as significantly contaminated land within the meaning of the Contaminated Land Management Act (CLMA), 1997.

The use of part of the site associated with the repair of vehicles may have the potential for site contamination.

Further investigations under the provisions of SEPP 55 can be undertaken to determine if any remediation works are to be undertaken to permit the site to be developed for a mixed development involving commercial, business and residential uses.

Sydney Regional Environmental Plan No.20 (SREP No. 20)

SREP No. 20 aims to protect the environment of the Hawkesbury-Nepean River by ensuring that the impacts of future land uses are considered in a regional context.

The SEPP provides that any proposal must be assessed in terms of its' potential to impact upon the environment, including any potential impacts on environmentally sensitive areas, water quality, water quantity, scenic quality and agriculture. Controls for future development require consideration of these matters in relation to any proposed development.

The site is partly identified as impacted by flooding and any future development will need to address this matter. It is considered that the planning proposal does not prevent the achievement of the aims identified within SREP No 20.

Q6. Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?

Yes. The following Section 117 Ministerial Directions are considered to apply to the proposal.

- > 1.1 Business and Industrial Zones
- > 2.3 Heritage Conservation
- > 3.1 Residential Zones
- > 3.4 Integrating Land Use and Transport
- > 3.5 Development Near Licensed Aerodromes
- > 4.1 Acid Sulfate Soils
- > 4.3 Flood Prone Land
- > 6.3 Site Specific Provisions
- > 7.1 Implementation of A Plan for Growing Sydney

An identification of the relevant s.117 Ministerial Directions which apply to the proposal and the consistency of the proposal with each Direction are provided in **Table 1**.

Table 1: List of Section 117 Directions

Direction	Applicable	Relevant (Yes/no)	If Relevant (Consistent/inconsistent)
1. Employment and Resources			
1.1 Business and Industrial Zones	Yes	Yes	Consistent
1.2 Rural Zones	No	No	
1.3 Mining, Petroleum Production and Extractive Industries	No	-	-
1.4 Oyster Aquaculture	No	-	-
1.5 Rural Lands	No	No.	-
2. Environment and Heritage			
2.1 Environment Protection Zones	No		
2.2 Coastal Protection	No	-	-
2.3 Heritage Conservation	Yes	-Yes	Consistent
2.4 Recreation Vehicle Areas	No	-	-

Direction	Applicable	Relevant (Yes/no)	If Relevant (Consistent/inconsistent)
3. Housing, Infrastructure and Urban Development			
3.1 Residential Zones	Yes	-Yes	Consistent
3.2 Caravan Parks and Manufactured Home Estates	No	-	-
3.3 Home Occupations	No	-	-
3.4 Integrating Land Use and Transport	No	-	-
3.5 Development Near Licensed Aerodromes	Yes	Yes	Consistent
3.6 Shooting Ranges	No	-	-
4. Hazard and Risk			
4.1 Acid Sulfate Soils	Yes	Yes	Consistent
4.2 Mine Subsidence and Unstable Land	No	-	-
4.3 Flood Prone Land	Yes	-Yes	Consistent
4.4 Planning for Bushfire Protection	No		
5. Regional Planning			
5.1 Implementation of Regional Strategies	No	-	-
5.2 Sydney Drinking Water Catchments	No	-	-
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	No	-	-
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	No	-	-
5.5 Development in the vicinity of Ellalong,	No	-	-

Direction	Applicable	Relevant (Yes/no)	If Relevant (Consistent/inconsistent)
Paxton and Millfield (Cessnock LGA) (Revoked 18 June 2010)			
5.6 Sydney to Canberra Corridor (Revoked 10 July 2008. See amended Direction 5.1)	No	-	-
5.7 Central Coast (Revoked 10 July 2008. See amended Direction 5.1)	No	-	-
5.8 Second Sydney Airport: Badgerys Creek	No	-	-
5.9 North West Rail Link Corridor Strategy	No	-	-
6. Local Plan Making			
6.1 Approval and Referral Requirements	No	-	-
6.2 Reserving Land for Public Purposes	No	-	-
6.3 Site Specific Provisions	Yes	Yes	Consistent
7. Metropolitan Planning			
7.1 Implementation of A Plan for Growing Sydney	Yes	Yes	Consistent

The objectives relating to the applicable s117 Directions are discussed in greater detail below.

Direction 1.1 Business and Industrial Zones

Objectives

- (1) *The objectives of this direction are to:*
- (a) *encourage employment growth in suitable locations,*
 - (b) *protect employment land in business and industrial zones, and*
 - (c) *support the viability of identified strategic centres.*

Where this direction applies

- (2) *This direction applies to all relevant planning authorities.*

When this direction applies

(3) This direction applies when a relevant planning authority prepares a planning proposal that will affect land within an existing or proposed business or industrial zone

(including the alteration of any existing business or industrial zone boundary).

What a relevant planning authority must do if this direction applies

(4) A planning proposal must:

- (a) give effect to the objectives of this direction,*
- (b) retain the areas and locations of existing business and industrial zones,*
- (c) not reduce the total potential floor space area for employment uses and related public services in business zones,*
- (d) not reduce the total potential floor space area for industrial uses in industrial zones, and*
- (e) ensure that proposed new employment areas are in accordance with a strategy that is approved by the Director-General of the Department of Planning.*

Consistency

(5) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are:

(a) justified by a strategy which:

- (i) gives consideration to the objective of this direction, and*
- (ii) identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and*
- (iii) is approved by the Director-General of the Department of Planning, or*

(b) justified by a study (prepared in support of the planning proposal) which gives consideration to the objective 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) of minor significance.

Comment:

The proposal involves changing the current R2 Low Density Residential Zone to B1 Neighbourhood Centre.

The objectives of this direction are to encourage employment growth in suitable locations and protect employment land in business and industrial zones.

The planning proposal encourages potential employment growth in a location that is adjacent to other commercial uses as well as being in close proximity to the Windsor railway station and public transport hub.

The planning proposal is consistent with the Councils adopted employment land strategy.

The planning proposal protects the existing zoned business and industrial zones.

The planning proposal does not reduce any current potential floor space for employment uses but increase the potential.

The planning proposal is consistent with the objectives of the direction.

Direction 2.3 Heritage Conservation

Objective

(1) The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.

Where this direction applies

(2) This direction applies to all relevant planning authorities.

When this direction applies

(3) This direction applies when a relevant planning authority prepares a planning proposal.

What a relevant planning authority must do if this direction applies

(4) A planning proposal must contain provisions that facilitate the conservation of:

- (a) items, places, buildings, works, relics, moveable objects or precincts of environmental heritage significance to an area, in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of the item, area, object or place, identified in a study of the environmental heritage of the area,*
- (b) Aboriginal objects or Aboriginal places that are protected under the National Parks and Wildlife Act 1974, and*
- (c) Aboriginal areas, Aboriginal objects, Aboriginal places or landscapes identified by an Aboriginal heritage survey prepared by or on behalf of an Aboriginal Land Council, Aboriginal body or public authority and provided to the relevant planning authority, which identifies the area, object, place or landscape as being of heritage significance to Aboriginal culture and people.*

Consistency

(5) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that:

- (a) the environmental or indigenous heritage significance of the item, area, object or place is conserved by existing or draft environmental planning instruments, legislation, or regulations that apply to the land, or*
- (b) the provisions of the planning proposal that are inconsistent are of minor significance.*

Comment:

The subject site has a current local heritage item that is identified under Hawkesbury Local Environmental Plan 2012.

The planning proposal does not involve the removal from the heritage listing contained in Hawkesbury Local Environmental Plan 2012 and the current heritage provision in the Hawkesbury LEP 2012 will continue to apply with the planning proposal.

A Heritage impact assessment will be prepared as part of the proposed future mixed development for the site.

The planning proposal is consistent with the objectives of the direction.

Direction 3.1 Residential Zones

Objectives

(1) *The objectives of this direction are:*

- (a) to encourage a variety and choice of housing types to provide for existing and future housing needs,*
- (b) to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and*
- (c) to minimize the impact of residential development on the environment and resource lands.*

Where this direction applies

(2) *This direction applies to all relevant planning authorities.*

When this direction applies

(3) *This direction applies when a relevant planning authority prepares a planning proposal that will affect land within:*

- (a) an existing or proposed residential zone (including the alteration of any existing residential zone boundary),*
- (b) any other zone in which significant residential development is permitted or proposed to be permitted.*

What a relevant planning authority must do if this direction applies

(4) *A planning proposal must include provisions that encourage the provision of housing that will:*

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

(5) *A planning proposal must, in relation to land to which this direction applies:*

- (a) contain a requirement that residential development is not permitted until land is adequately serviced (or arrangements satisfactory to the council, or other appropriate authority, have been made to service it), and*
- (b) not contain provisions which will reduce the permissible residential density of land.*

Consistency

(6) *A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are:*

- (a) justified by a strategy which:*
 - (i) gives consideration to the objective of this direction, and*
 - (ii) identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and*
 - (iii) is approved by the Director-General of the Department of Planning, or*

- (b) justified by a study prepared in support of the planning proposal which gives consideration to the objective 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) of minor significance.*

Comment:

The planning proposal altering the zone from R2 Low Density Residential to B1 Neighbourhood Centre will still permit a form of residential development being *Shop top housing* which provides a variety of housing choice and type for the existing and future housing needs.

The site currently has good and convenient access to a range of infrastructures and services that will be available to the future tenants of the development.

The planning proposal is not located on an urban fringe.

The planning proposal is consistent with the planning direction.

Direction 3.4 Integrating Land use and Transport

Objective

(1) The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives:

- (a) improving access to housing, jobs and services by walking, cycling and public transport, and*
- (b) increasing the choice of available transport and reducing dependence on cars, and*
- (c) reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and*
- (d) supporting the efficient and viable operation of public transport services, and providing for the efficient movement of freight.*

Where this direction applies

(2) This direction applies to all relevant planning authorities.

When this direction applies

(3) This direction applies when a relevant planning authority prepares a planning proposal that will create, alter or remove a zone or a provision relating to urban land, including land zoned for residential, business, industrial, village or tourist purposes.

What a relevant planning authority must do if this direction applies

(4) A planning proposal must locate zones for urban purposes and include provisions that give effect to and are consistent with the aims, objectives and principles of

- (a) Improving Transport Choice – Guidelines for planning and development (DUAP 2001), and*
- (b) The Right Place for Business and Services – Planning Policy (DUAP 2001).*

Consistency

(5) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are:

(a) justified by a strategy which:

(i) gives consideration to the objective of this direction, and

(ii) identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and

(iii) is approved by the Director-General of the Department of Planning, or

(b) justified by a study prepared in support of the planning proposal which gives consideration to the objective 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) of minor significance.

Comment:

The site of the planning proposal is in close proximity (200m) of the Windsor Railway Station and bus interchange as well as other public transport that services the Windsor Commercial Centre.

This will assist in reducing the need for future employees and customers to use cars to access the future development but will have the option of public transport in a close and convenient location to the site.

The planning proposal is consistent with this planning direction.

Direction 3.5 Development Near Licensed Aerodromes**Objectives**

(1) The objectives of this direction are:

(a) to ensure the effective and safe operation of aerodromes, and

(b) to ensure that their operation is not compromised by development that constitutes an obstruction, hazard or potential hazard to aircraft flying in the vicinity, and

(c) to ensure development for residential purposes or human occupation, if situated on land within the Australian Noise Exposure Forecast (ANEF) contours of between 20 and 25, incorporates appropriate mitigation measures so that the development is not adversely affected by aircraft noise.

Where this direction applies

(2) This direction applies to all relevant planning authorities.

When this direction applies

(3) This direction applies when a relevant planning authority prepares a planning proposal that will create, alter or remove a zone or a provision relating to land in the vicinity of a licensed aerodrome.

What a relevant planning authority must do if this direction applies

(4) In the preparation of a planning proposal that sets controls for the development of land in the vicinity of a licensed aerodrome, the relevant planning authority must:

- (a) consult with the Department of the Commonwealth responsible for aerodromes and the lessee of the aerodrome,*
- (b) take into consideration the Obstacle Limitation Surface (OLS) as defined by that Department of the Commonwealth,*
- (c) for land affected by the OLS: (i) prepare appropriate development standards, such as height, and (ii) allow as permissible with consent development types that are compatible with the operation of an aerodrome*
- (d) obtain permission from that Department of the Commonwealth, or their delegate, where a planning proposal proposes to allow, as permissible with consent, development that encroaches above the OLS. This permission must be obtained prior to undertaking community consultation in satisfaction of section 57 of the Act.*
- (5) A planning proposal must not rezone land:*
 - (a) for residential purposes, nor increase residential densities in areas where the ANEF, as from time to time advised by that Department of the Commonwealth, exceeds 25, or*
 - (b) for schools, hospitals, churches and theatres where the ANEF exceeds 20, or*
 - (c) for hotels, motels, offices or public buildings where the ANEF exceeds 30.*
- (6) A planning proposal that rezones land:*
 - (a) for residential purposes or to increase residential densities in areas where the ANEF is between 20 and 25, or*
 - (b) for hotels, motels, offices or public buildings where the ANEF is between 25 and 30, or*
 - (c) for commercial or industrial purposes where the ANEF is above 30, must include a provision to ensure that development meets AS 2021 regarding interior noise levels.*

Consistency

- (7) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are:*
 - (a) justified by a strategy which:*
 - (i) gives consideration to the objectives of this direction, and*
 - (ii) identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and*
 - (iii) is approved by the Director-General of the Department of Planning, or*
 - (b) justified by a study prepared in support of the planning proposal which gives consideration to the objective 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) of minor significance.*

Comment:

The site is located to the east of the Richmond RAAF base.

The site within 25-30 ANEF noise contour.

The site is located some 1-2 km from the Richmond RAAF base.

The maximum height of 12m is consistent with the other current height controls within the flight path of the Richmond base.

The current zone of the site is residential and the planning proposal does not involve increasing of the current residential density or dwelling entitlements based on the current lots.

The site is below the 30ANEF contour and the planning proposal to permit commercial development is within the acceptable noise contour being less than 30 ANEF.

The residential component can be designed to meet the requirements of the relevant Australian Standard 2021-2000 with the implementation of suitable construction materials at the building stage.

The planning proposal is consistent with the planning direction.

Direction 4.1 Acid Sulfate Soils

Objective

- (1) *The objective of this direction is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils.*

Where this direction applies

- (2) *This direction applies to all relevant planning authorities that are responsible for land having a probability of containing acid sulfate soils, as shown on Acid Sulfate Soils Planning Maps held by the Department of Planning.*

When this direction applies

- (3) *This direction applies when a relevant planning authority prepares a planning proposal that will apply to land having a probability of containing acid sulfate soils as shown on the Acid Sulfate Soils Planning Maps.*

What a relevant planning authority must do if this direction applies

- (4) *The relevant planning authority must consider the Acid Sulfate Soils Planning Guidelines adopted by the Director-General of the Department of Planning when preparing a planning proposal that applies to any land identified on the Acid Sulfate Soils Planning Maps as having a probability of acid sulfate soils being present.*
- (5) *When a relevant planning authority is preparing a planning proposal to introduce provisions to regulate works in acid sulfate soils, those provisions must be consistent with:*
 - (a) *the Acid Sulfate Soils Model LEP in the Acid Sulfate Soils Planning Guidelines adopted by the Director-General, or*
 - (b) *such other provisions provided by the Director-General of the Department of Planning that are consistent with the Acid Sulfate Soils Planning Guidelines.*
- (6) *A relevant planning authority must not prepare a planning proposal that proposes an intensification of land uses on land identified as having a probability of containing acid sulfate soils on the Acid Sulfate Soils Planning Maps unless the relevant planning authority has considered an acid sulfate soils study assessing the appropriateness of the change of land use given the presence of acid sulfate soils. The relevant planning authority must provide a copy of any such study to the Director-General prior to undertaking community consultation in satisfaction of section 57 of the Act.*
- (7) *Where provisions referred to under paragraph (5) of this direction have not been introduced and the relevant planning authority is preparing a planning proposal that proposes an intensification of land uses on land identified as having a probability of acid sulfate soils on the Acid Sulfate Soils Planning Maps, the planning proposal must contain provisions consistent with paragraph (5).*

Consistency

- (8) *A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are:*
 - (a) *justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or*
 - (b) *of minor significance.*

Comment:

The subject site of the planning proposal is identified on the Hawkesbury LEP 2012 map as containing Class 5 acid sulfate soils.

The planning proposal is unlikely to have a significant adverse environmental impact on the acid sulfate soil. The future development of the site for commercial development will need to comply with identified criteria in relation to the impact on acid sulfate soils. It is considered the proposal is capable of satisfying the necessary statutory controls and therefore complies with Direction 4.1.

The planning proposal is consistent with this planning direction.

Direction 4.3 Flood Prone Land**Objectives**

(1) The objectives of this direction are:

- (a) to ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005, and*
- (b) to ensure that the provisions of an LEP on flood prone land is commensurate with flood hazard and includes consideration of the potential flood impacts both on and off the subject land.*

Where this direction applies

(2) This direction applies to all relevant planning authorities that are responsible for flood prone land within their LGA.

When this direction applies

(3) This direction applies when a relevant planning authority prepares a planning proposal that creates, removes or alters a zone or a provision that affects flood prone land.

What a relevant planning authority must do if this direction applies

(4) A planning proposal must include provisions that give effect to and are consistent with the NSW Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005 (including the Guideline on Development Controls on Low Flood Risk Areas).

(5) 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.

(6) A planning proposal must not contain provisions that apply to the flood planning areas which:

- (a) permit development in floodway areas,*
- (b) permit development that will result in significant flood impacts to other properties,*
- (c) permit a significant increase in the development of that land,*
- (d) are likely to result in a substantially increased requirement for government spending on flood mitigation measures, infrastructure or services, or*
- (e) permit development to be carried out without development consent except for the purposes of agriculture (not including dams, drainage canals, levees, buildings or structures in floodways or high hazard areas), roads or exempt development.*

(7) A planning proposal must not impose flood related development controls above the residential flood planning level for residential development on land, unless a relevant planning authority provides adequate justification for those controls to the satisfaction of the Director-General (or an officer of the Department nominated by the Director-

General).

(8) For the purposes of a planning proposal, a relevant planning authority must not determine a flood planning level that is inconsistent with the Floodplain Development Manual 2005 (including the Guideline on Development Controls on Low Flood Risk Areas) unless a relevant planning authority provides adequate justification for the proposed departure from that Manual to the satisfaction of the Director-General (or an officer of the Department nominated by the Director-General).

Consistency

(9) A planning proposal may be inconsistent with this direction only if the relevant planning authority can satisfy the Director-General (or an officer of the Department nominated by the Director-General) that:

(a) the planning proposal is in accordance with a floodplain risk management plan prepared in accordance with the principles and guidelines of the Floodplain Development Manual 2005, or

(b) the provisions of the planning proposal that are inconsistent are of minor significance. Note: "flood planning area", "flood planning level", "flood prone land" and "floodway area" have the same meaning as in the Floodplain Development Manual 2005.

Comment:

The 1:100 year flood level for the locality is 17.3m AHD.

The site has ground levels ranging from 15.65m in the north eastern corner to over 18m in the south western corner.

The primary objective of the NSW Governments Flood Prone land Policy is

To reduce the impact of flooding and flood liability on individual owners and occupiers of flood prone property and to reduce private and public losses resulting from floods, utilizing ecologically positive methods wherever possible.

This is achieved by using a flexible merit based approach for all development decisions that take into account social, economic and ecological factors as well as flooding considerations.

Appendix I Land use and Development Guidelines contained in the Floodplain Development Manual provides guides for development of flood liable land.

The site would be considered to be Low hazard Flood Fringe.

The site levels would permit the future development of the site to meet the guidelines being floor levels above the Flood level and construction of flood compatible material.

The planning proposal does not involve any land currently zoned special use, recreation, rural or environmental protection.

The site based on the current residential zone has the capacity for the erection of a single dwelling on the existing allotments and the proposed mixed development will maintain this current situation in terms of existing residential density and development capacity of the site for residential development.

Already 3 of the allotments along Hawkesbury Valley Way have a single dwelling established.

Any future residential units associated with a mixed development will be located above the 1:100 year flood level.

Windsor Flood Evacuation Route - Hawkesbury Valley Way and Jim Anderson Bridge. As part of the Windsor Road Upgrade program, the NSW Roads and Maritime Services (RMS) has built a 2.6km, two-lane road between Richmond Road/Macquarie Street at Windsor, and Groves Avenue/Windsor Road at Mulgrave, with a high-level bridge across South Creek. This is now known as the Hawkesbury Valley Way and Jim Anderson Bridge.

The site is located on this evacuation route and within 50m of the intersection with Macquarie Street.

The level of the site along the Hawkesbury Valley Way frontage is above the 1:50 year flood level.

The planning proposal is consistent with this planning direction.

Direction 6.3 Site Specific Provisions

Objective

- (9) *The objective of this direction is to discourage unnecessarily restrictive site specific planning controls.*

Where this direction applies

- (10) *This direction applies to all relevant planning authorities.*

When this direction applies

- (11) *This direction applies when a relevant planning authority prepares a planning proposal that will allow a particular development to be carried out.*

What a relevant planning authority must do if this direction applies

- (12) *A planning proposal that will amend another environmental planning instrument in order to allow a particular development proposal to be carried out must either:*
- (a) *allow that land use to be carried out in the zone the land is situated on, or*
 - (b) *rezone the site to an existing zone already applying in the environmental planning instrument that allows that land use without imposing any development standards or requirements in addition to those already contained in that zone, or*
 - (c) *allow that land use on the relevant land without imposing any development standards or requirements in addition to those already contained in the principal environmental planning instrument being amended.*
- (13) *A planning proposal must not contain or refer to drawings that show details of the development proposal.*

Consistency

- (14) *A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are of minor significance.*

Comment:

The objective of this Direction is to discourage unreasonably restrictive site specific planning controls. It is considered that the proposal for the change of zone use can be allowed on the relevant land without imposing any development standards or requirements in addition to those already contained within Hawkesbury LEP 2012 and the B1 Neighbourhood Centre zone.

Direction 7.1 Implementation of a Plan for Growing Sydney

Objective

- (1) *The objective of this direction is to give legal effect to the planning principles; directions; and priorities for subregions, strategic centres and transport gateways contained in A Plan for Growing Sydney.*

Where this direction applies

- (2) *This direction applies to land comprising of the following local government areas:*

<i>Ashfield</i>	<i>Hornsby</i>	<i>Randwick</i>
<i>Auburn</i>	<i>Hunters Hill</i>	<i>Rockdale</i>
<i>Bankstown</i>	<i>Hurstville</i>	<i>Ryde</i>
<i>Blacktown Blue</i>	<i>Kogarah</i>	<i>Strathfield</i>
<i>Mountains</i>	<i>Ku-ring-gai</i>	<i>Sutherland</i>
<i>Botany Bay</i>	<i>Lane Cove</i>	<i>The Hills</i>
<i>Burwood</i>	<i>Leichhardt</i>	<i>Warringah</i>
<i>Camden</i>	<i>Liverpool</i>	<i>Waverley</i>
<i>Campbelltown</i>	<i>Manly</i>	<i>Willoughby</i>
<i>Canada Bay</i>	<i>Marrickville</i>	<i>Wollondilly</i>
<i>Canterbury</i>	<i>Mosman</i>	<i>Woollahra</i>
<i>City of Sydney</i>	<i>North Sydney</i>	
<i>Fairfield</i>	<i>Parramatta</i>	
<i>Hawkesbury</i>	<i>Penrith</i>	
<i>Holroyd</i>	<i>Pittwater</i>	

When this direction applies

- (3) *This direction applies when a Relevant Planning Authority prepares a planning proposal.*

What a Relevant Planning Authority must do if this direction applies

- (4) *Planning proposals shall be consistent with:*
- (a) *the NSW Government's A Plan for Growing Sydney published in December 2014.*

Consistency

- (5) *A planning proposal may be inconsistent with the terms of this direction only if the Relevant Planning Authority can satisfy the Secretary of the Department of Planning & Environment (or an officer of the Department nominated by the Secretary), that the extent of inconsistency with A Plan for Growing Sydney:*
- (a) *is of minor significance, and*
- (b) *the planning proposal achieves the overall intent of the Plan and does not undermine the achievement of its planning principles; directions; and priorities for subregions, strategic centres and transport gateways.*

Comment:

The planning proposal is consistent with the implementation of A Plan for Growing Sydney as identified previously in this report.

Section C – Environmental, social and economic impact

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

The site is not identified as containing any area of 'biodiversity' mapped under Hawkesbury LEP 2012.

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

The main potential environmental effects of the planning proposal relate to potential impacts on the adjacent residential areas that adjoin the site in terms of noise impact and additional traffic generated by any future use as well as overshadowing and overlooking associated with the future commercial development design.

An acoustic and traffic impact study could be prepared that would address the likely additional impact of noise and traffic on the existing area adjacent to the site. The proposed commercial use of the site can be managed at development assessment stage.

The existing heritage item on the site needs to be considered as part of the future design for a commercial development.

Q9. Has the planning proposal adequately addressed any social and economic effects?

The planning proposal is unlikely to have any negative impact or effect on social or economic matters.

The impact from an economic and social view are seen to be positive by allowing the potential for employment opportunities in the future both during the construction stage and with the likely uses of the building.

Section D – State and Commonwealth interests

Q10. Is there adequate public infrastructure for the planning proposal?

Yes.

The land to which the Planning Proposal relates is accessible primarily by road and public transport.

The site connects to existing local infrastructure for water, sewer electricity and telephone. It is considered further consultation will be required ,with service providers following the Gateway Determination (Hawkesbury Council, Sydney Water and Endeavour Energy). It is considered there is suitable public infrastructure within the vicinity of the site to support the proposed future development.

Q11. What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?

The views of State and Commonwealth Public Authorities will not be known until after the Gateway Determination. This section of the planning proposal is completed following consultation with those public authorities identified in the Gateway Determination.

Part 4 – Maps, where relevant, to identify the intent of the planning proposal and the area to which it applies

The planning proposal seeks to amend the Land Zoning and Height of Buildings Maps of The Hawkesbury Local Environmental Plan 2012

Part 5 – Details of the community consultation that is to be undertaken on the planning proposal

The Planning Proposal will be exhibited for a period of between 14 - 28 days and notified in local newspapers and on display at Council's administration building, located at George Street Windsor. The Planning Proposal will also be made available to view on Council's website. In addition, letters will be issued to adjoining and nearby property owners, advising them of the proposal.

ATTACHMENTS:

LAND ZONING MAP

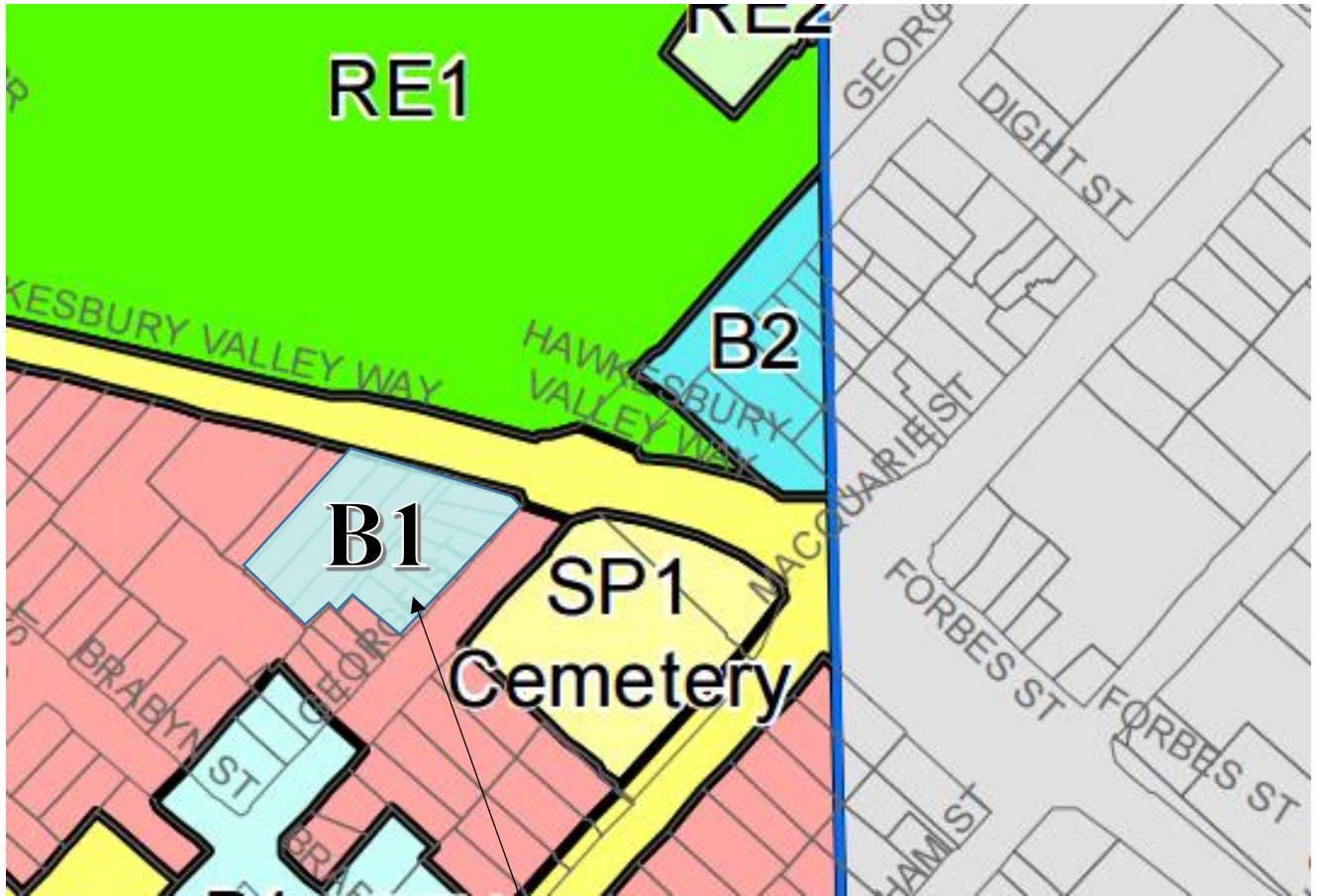


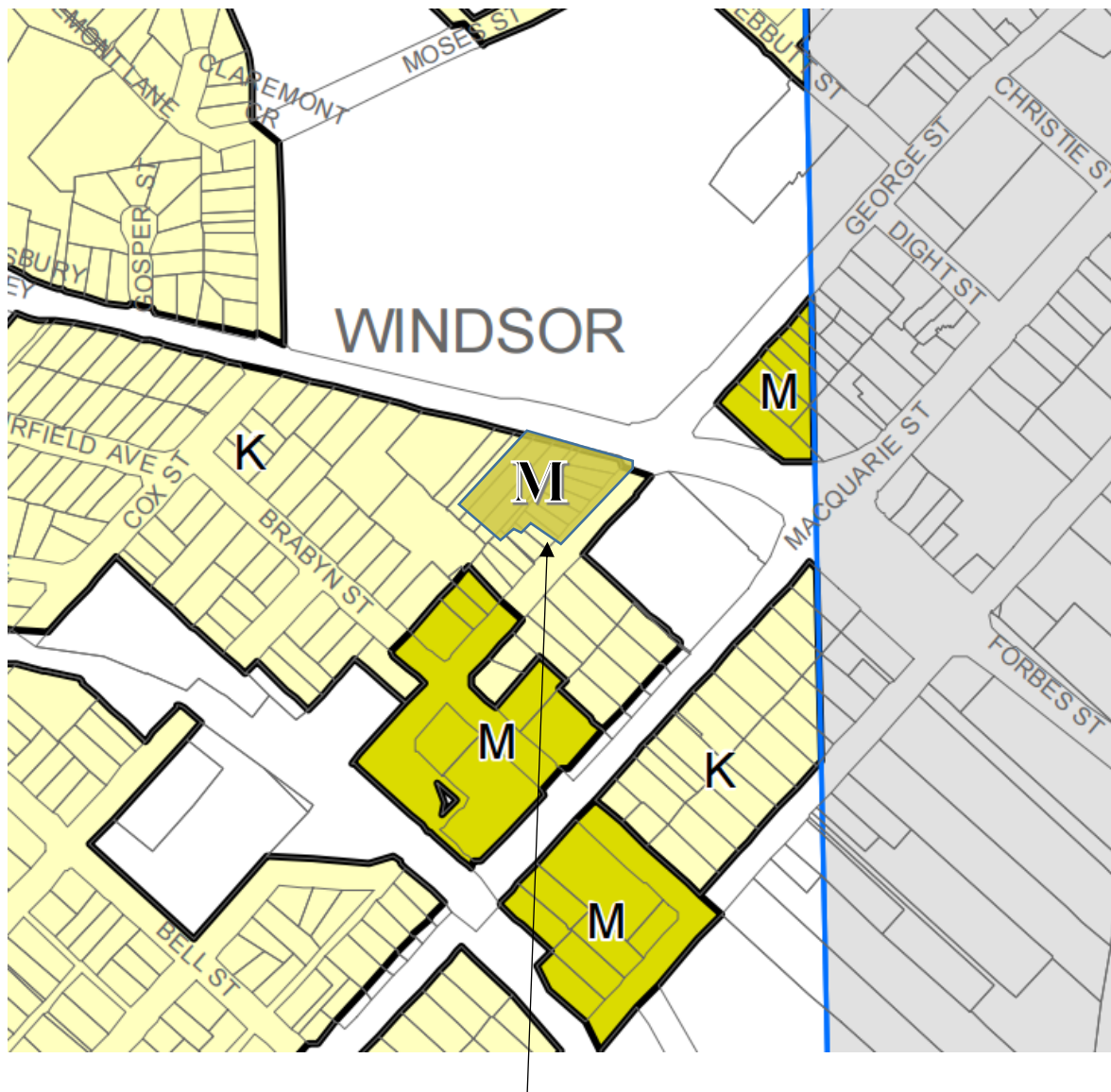
Figure 2. Proposed Land
Zoning Map

Hawkesbury LEP 2012

Land Zoning Map - Sheet LZN_008DA

Zone
 B1 Neighbourhood Centre

HEIGHT OF BUILDING MAP

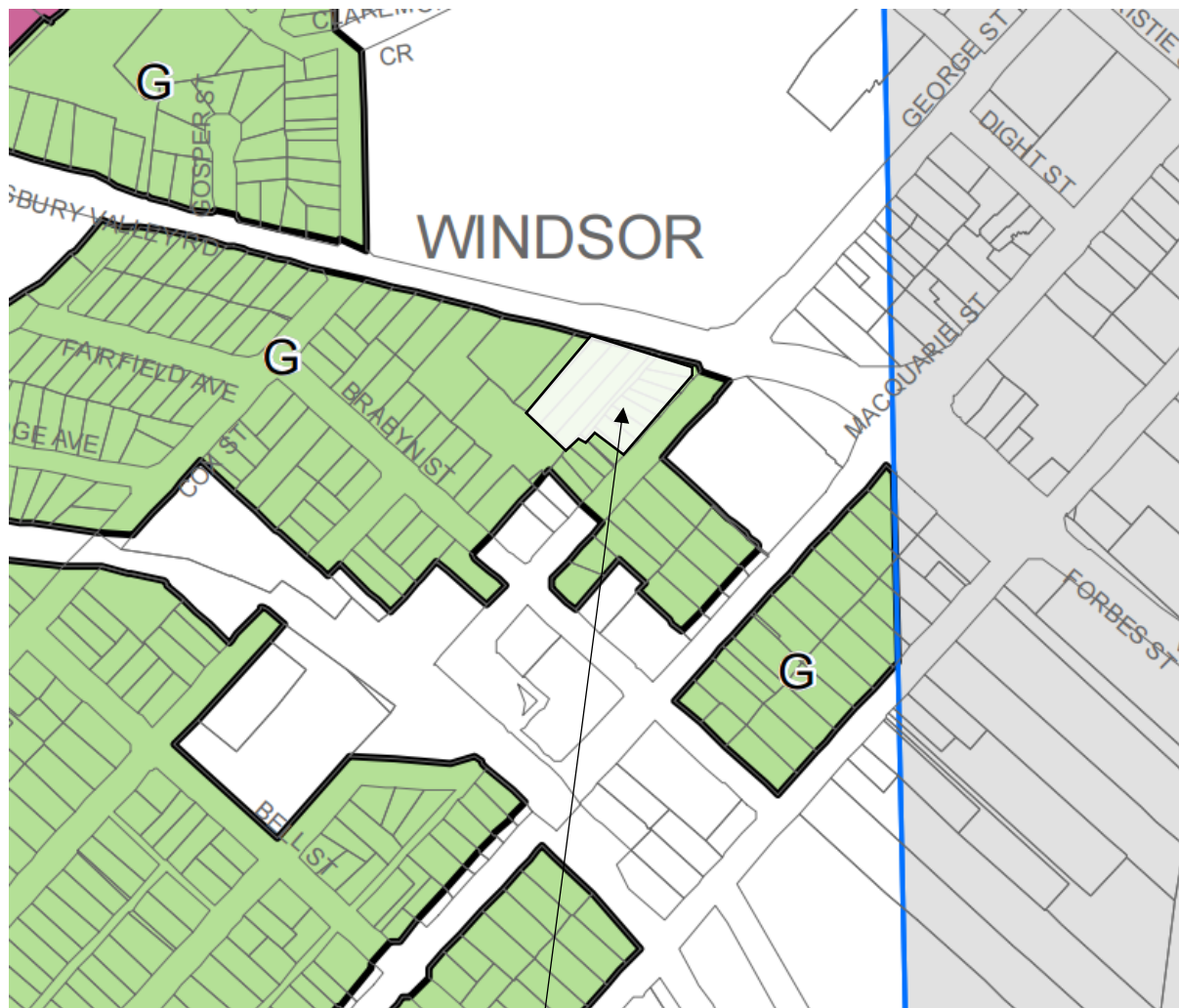


Proposed Height of Building Map
Hawkesbury Local Environmental Plan 2012

Maximum Building Height (m)

K	10
M	12

LOT SIZE MAP



**Proposed Lot Size Map
Hawkesbury Local Environmental Plan 2012**

APPENDIX 2 – TABLE 2.1 AS 2021-2000

TABLE 2.1
BUILDING SITE ACCEPTABILITY BASED ON ANEF ZONES
 (To be used in conjunction with Table 3.3)

Building type	ANEF zone of site		
	Acceptable	Conditionally acceptable	Unacceptable
House, home unit, flat, caravan park	Less than 20 ANEF (Note 1)	20 to 25 ANEF (Note 2)	Greater than 25 ANEF
Hotel, motel, hostel	Less than 25 ANEF	25 to 35 ANEF	Greater than 30 ANEF
School, university	Less than 20 ANEF (Note 1)	20 to 25 ANEF (Note 2)	Greater than 25 ANEF
Hospital, nursing home	Less than 20 ANEF (Note 1)	20 to 25 ANEF	Greater than 25 ANEF
Public building	Less than 20 ANEF (Note 1)	20 to 30 ANEF	Greater than 30 ANEF
Commercial building	Less than 25 ANEF	25 to 35 ANEF	Greater than 35 ANEF
Light industrial	Less than 30 ANEF		Greater than 40 ANEF
Other industrial	Acceptable in all ANEF zones		

NOTES:

1. The actual location of the 20 ANEF contour is difficult to define accurately, mainly because of variation in aircraft flight paths. Because of this, the procedure of Clause 2.3.2 may be followed for building sites outside but near to the 20 ANEF contour.
2. Within 20 ANEF to 25 ANEF, some people may find that the land is not compatible with residential or educational uses. Land use authorities may consider that the 'incorporation of noise control features in the construction of residences or schools is appropriate (see also Figure A1 of Appendix A).
3. There will be cases where a building of a particular type will contain spaces used for activities which would generally be found in a different type of building (e.g. an office in an industrial building). In these cases Table 2.1 should be used to determine site acceptability, but internal design noise levels within the specific spaces should be determined by Table 3.3.
4. This Standard does not recommend development in unacceptable areas. However, where the relevant planning authority determines that any development may be necessary within existing built-up areas designated as unacceptable, it is recommended that such development should achieve the required ANR determined according to Clause 3.2. For residences, schools, etc., the effect of aircraft noise on outdoor areas associated with the buildings should be considered.
5. In no case should new development take place in greenfield sites deemed unacceptable because such development may impact airport operations.