



Planning Proposal

Proposed Housekeeping Amendment to the
Hawkesbury Local Environmental Plan 2012

Reclassification of Community Land to Operational Land at Various Sites

- 9 Industry Road, Vineyard
- Fernadell Park, Fernadell Drive, Pitt Town



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1. Introduction

1.1 Executive summary

This planning proposal contains an explanation of the intended effect and justification for a proposed amendment to the *Hawkesbury Local Environmental Plan (HLEP) 2012*. The planning proposal has been prepared in accordance with section 3.33 of the *Environmental Planning and Assessment (EP&A) Act 1979* and the relevant Department of Planning and Environment guidelines including '*A Guide to Preparing Local Environmental Plans*' and '*A Guide to Preparing Planning Proposals*'. NSW Department of Planning and Environment's Practice Note PN16-001 'Classification of public land through a local environmental plan' was also referred to when preparing this planning proposal.

This Planning Proposal provides an explanation of the intended effect and justification for the following proposed amendments to the *HLEP 2012* :

- ITEM 1 - *Reclassification of 9 Industry Road, Vineyard from 'Community' to 'Operational' land.*
- ITEM 2 - *Reclassification of Fernadell Park, Fernadell Drive, Pitt Town from 'Community' to 'Operational' land associated zoning and updating of the Lot Size Map.*

ITEM 1: 9 Industry Road, Vineyard

9 Industry Road, Vineyard is under the ownership of Hawkesbury City Council. The subject site is located between Windsor Road and Industry Road in Vineyard. The subject site consists of three parcels of lots as illustrated in Table 1 below.

Table 1: Property Description of 9 Industry Road, Vineyard.

| Legal Description | Street Address | Zoning | Area | Current Land Use |
|-----------------------------|------------------------------|----------------------------|---------|------------------|
| Lot 9 DP 1149340 | 9 Industry Road, Vineyard | B5 Business Development | 1.227ha | Public Reserve |
| Lot 13 DP 815849 | 9 Industry Road, Vineyard | B5 Business Development | 3646m2 | Public Reserve |
| Lot 6 DP 777933 | 9 Industry Road, Vineyard | B5 Business Development | 1204m2 | Public Reserve |

Specifically, the reason for the reclassification is to enable Council to lease the subject land for advertising purposes, noting there is an existing billboard advertising sign on Lot 9 DP 1149340 for which a lease or licence agreement can't be entered into as the land is classified as 'community land' under the Local Government Act 1993.

Following the reclassification, Council may consider new advertising models, such as updated billboard signage, electronic signage or an advertising structure for multiple businesses subject to appropriate development considerations.

The planning proposal is supported by Council's report considered at the Ordinary Meeting on 11 September 2018, where Council resolved as follows:

1. *That Council lodge a Planning Proposal to reclassify the following properties from 'Community' land to 'Operational' land in accordance with the Local Government Act 1993.*
 - a) *Lot 9 in Deposited Plan 1149340*
 - b) *Lot 13 in Deposited Plan 815849*
 - c) *Lot 6 in Deposited Plan 777933*
2. *The Planning Proposal is prepared in accordance with the Environmental Planning and Assessment Act 1979 and the Department of Planning and Environments guidelines.*

ITEM 2: Fernadell Park

Fernadell Park is located at 7 Fernadell Drive, Pitt Town and is under the ownership of Hawkesbury City Council. The subject site is located within the urban expansion area of Pitt Town and is surrounded by a mix of new urban development and rural land. Details of the subject site are illustrated in Table 2 below.

Table 2: Property Description of Fernadell Park.

| Legal Description | Street Address | Zoning | Area | Current Land Use |
|--------------------------------------|---|------------------------|-------|-------------------|
| Lot 6028 DP 1169449 | Fernadell Park 7 Fernadell Drive, Pitt Town | RU2 Rural Landscape | 9.9ha | Rural Vacant Land |

The subject land is made up of two distinct sites, being:

1. The currently proposed Pitt Town Community Precinct site which is commonly referred to as Fernadell Park (approx. 9.5ha)
2. The previously proposed Pitt Town Community Centre site (approx. 0.4ha)

These sites are highlighted in figure 1 below, noting all areas highlighted in yellow are part of Lot 6028 DP 1169449.

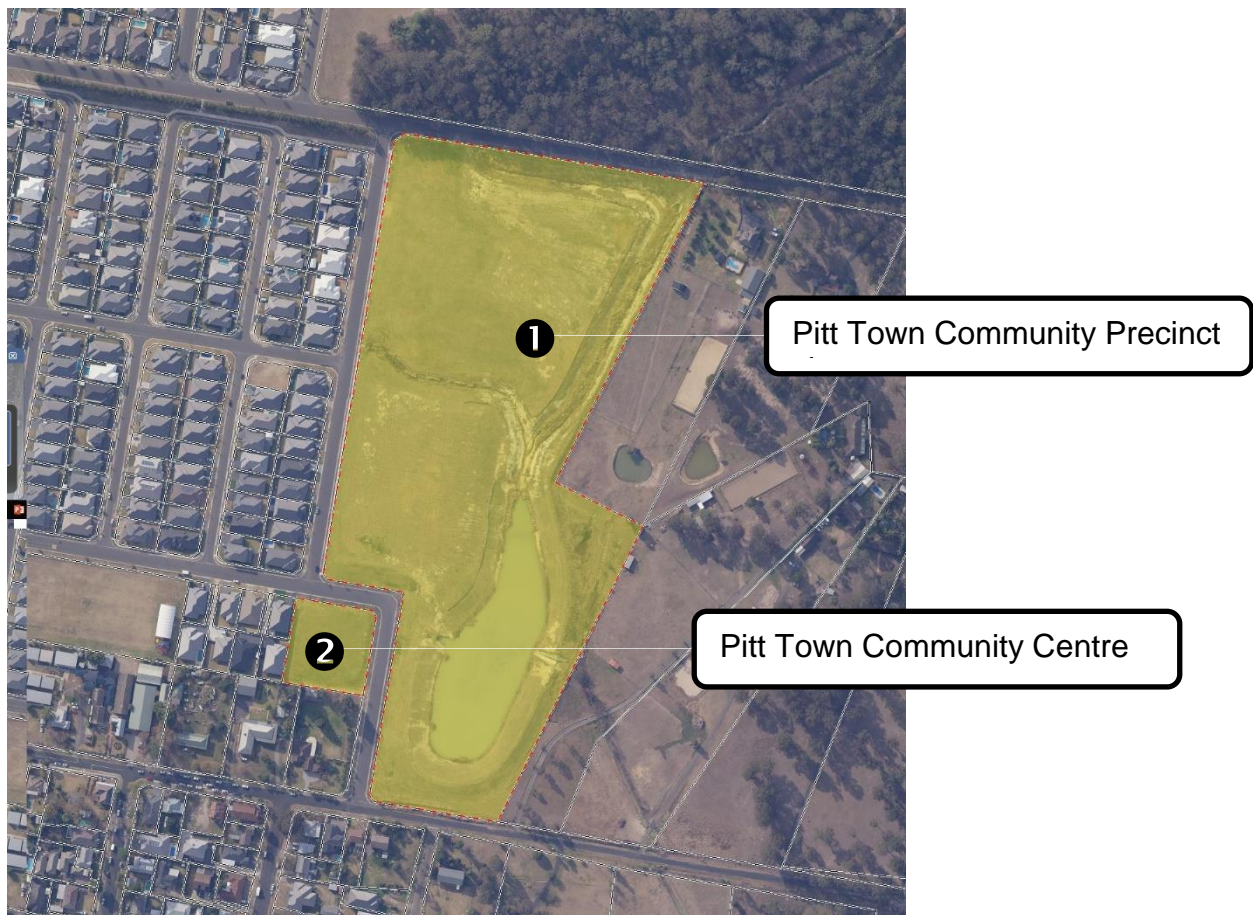


Figure 1 – Subject Land indicating respective site areas

The Planning Proposal seeks to amend HLEP 2012 to:

- Rezone the larger section of Lot 6028 DP 1169449 (to the north-east of Fernadell Drive and known as the Pitt Town Community Precinct Site) from RU2 Rural Landscape to RE1 Public Recreation.
- Reclassify the smaller section of Lot 6028 DP 1169449 (to the south-west of Fernadell Drive and known as the Pitt Town Community Centre site) from 'community' land to 'operational' land.
- Update the Lot Size Map for the smaller section of Lot 6028 DP 1169449 (to the south-west of Fernadell Drive and known as the Pitt Town Community Centre site).

The Planning Proposal would enable the Pitt Town Community Precinct Site to be used for the purpose for which Council acquired it, which was to provide community facilities, recreational buildings and park improvements for the Pitt Town community. This is not possible under the current RU2 zone, as 'community facilities' and 'recreation facilities' are prohibited land uses in the zone.

The Planning Proposal would also enable the potential sale of the previously proposed Pitt Town Community Centre site and reinvestment of any proceeds from the sale back into community facilities within the Pitt Town Community Precinct site. This is as a result of Council resolving that there is sufficient space for community and recreation facilities on the Pitt Town Community Precinct site, possibly in the form of an integrated multi-functional community precinct model.

The planning proposal is supported by Council's report considered at the Ordinary Meeting on 30 October 2018, where Council resolved as follows:

1. *Approve the preparation of a planning proposal to:*
 - a) *Rezone Fernadell Park - the proposed Pitt Town Community Precinct site (Lot 6028 DP 1169449) from RU2 – Rural Landscape to RE1 – Public Recreation to enable the construction of a multi-function community, recreational and sporting facility*
 - b) *Reclassify the 4,299m² Community Centre Site on Fernadell Drive from Community Land to Operational Land under the Local Government Act, 1993, and amend the minimum lot size map to accommodate a lot this size*
 - c) *Maintain the current RU2 – Rural Landscape zone for the Community Centre Site.*
2. *Include within the proposed update of the Section 94 Contributions Plan 2015, a provision to delete the requirement for Council to retain the 4,299m² Community Centre Site on the corner of Fernadell Drive for a public amenity purpose.*
3. *Commence the preparation of a Master Plan and Plan of Management for the Pitt Town Community Precinct on Fernadell Park fronting Stables Street.*
4. *Further consult with the Pitt Town Progress Association to develop and implement a community engagement strategy to inform residents and seek their views on the development of the Pitt Town Community Precinct on Fernadell Park fronting Stables Street.*
5. *Note the \$4M grant application under the NSW Greater Sydney Sports Facility Fund seeking additional external investment for the Pitt Town Community Centre.*
6. *Specifically consult with residents opposite and adjacent to the proposed Pitt Town Community Precinct site.*
7. *Consult with the entire Pitt Town community to ascertain the best use of the 4,299m² Community Centre site on Fernadell Drive.*

1.2 Purpose of this planning proposal

This planning proposal has been prepared in response to the Council Resolutions of 11 September 2018 and 30 October 2018. The Planning Proposal seeks an amendment to HLEP 2012:

- Reclassify 9 Industry Road, Vineyard from 'Community' to 'Operational' land.
- Reclassify Fernadell Park, Fernadell Drive, Pitt Town from 'Community' to 'Operational' land, undertake associated rezoning from RU2 Rural Landscape to RE1 Public Recreation and update the Lot Size Map.

2. Background

2.1 Chronology of events

Item 1: 9 Industry Road, Vineyard

| Date/ Year | Event |
|------------|---|
| 2003-2010 | Council undertook the construction of Industry Road, Vineyard. As part of the Deed with the adjoining landowners Council would take ownership of a strip of land 45 metres wide, 20 metres for road and 25 metres for public recreation across the frontage of their land. |
| 2010 | Council had completed all the construction works, including the creation of Industry Road, Industry Road Reserve, and the creation and registration of the properties along Industry Road. On 22 December 2010, Industry Road Reserve was dedicated as 'Community' land under the Local Government Act, 1993. |
| 2017 | It was discovered that when Council took ownership of the subject land, no agreement between Council and APN Outdoor was ever entered into. When Council took ownership of Lot 9 in DP 1149340 there was a billboard advertising sign located on the site, which had been approved under DA0289/95. The billboard advertising sign was originally constructed by APN Outdoor and they had an agreement with the previous owner of Lot 9 in DP 1149340 to lease the area where the sign is located. |
| 2017 | Council sought legal advice to rectify this matter and to pursue appropriate compensation for use of the sign on Council property. Council's Solicitors advised that whilst existing use rights remain for the sign, the Local Government Act 1993 prohibits Council from entering into a lease or licence agreement because the land is classified as 'Community'. |
| | Section 46 of the Local Government Act 1993, deals with the leasing of 'Community' land, and states that Council is not authorised to use public reserves for an advertising structure regardless of the Plan of Management for the property. To remedy this anomaly, Council is required to reclassify the land via a Planning Proposal. |
| | Council has been approached by APN Outdoor and also neighbouring retailers to continue to utilise the space for advertising purposes. If Council were to reclassify the parcels of land it would create an opportunity to look at new advertising models such as electronic signage, updated billboard signage or another advertising structure for multiple businesses, and hence an increased income stream for Council. |
| 2017-2036 | Further, the reclassification conforms with the 'Our Leadership' Focus Area, Direction 1.3 Financial Sustainability – 'Build strong financial sustainability for now and future generations', Strategy 1.3.1 – 'In all of Council's strategies, plans and decision making there will be a strong focus on financial sustainability' of the Hawkesbury Community Strategic Plan (CSP) 2017-2036. |
| 2018 | Council resolved to reclassify 9 Industry Road, Vineyard from 'Community' land to 'Operational' land. |

Item 2: Fernadell Park

| Date/ Year | Event |
|---------------|--|
| February 2014 | Council resolved to ratify the proposed settlement of purchasing Fernadell Park from Johnson Property Group Pty Ltd. |

| | |
|----------------|---|
| November 2014 | Council resolved to note the ongoing negotiations for Fernadell Park and approve an offer being made to Johnson Property Group Pty Ltd for the acquisition. |
| 2015 | Council became the registered owner of Fernadell Park. |
| 2017-2036 | Further, the reclassification conforms with the 'Our Leadership' Focus Area, Direction 1.3 Financial Sustainability – 'Build strong financial sustainability for now and future generations', Strategy 1.3.1 – 'In all of Council's strategies, plans and decision making there will be a strong focus on financial sustainability' of the Hawkesbury Community Strategic Plan (CSP) 2017-2036. |
| June 2018 | Council undertakes 'Connecting with our Community' town meetings. Council gave an undertaking to consult with the residents of Pitt Town on the development of concept plans for the Pitt Town Community Centre and Fernadell Park. |
| September 2018 | Council staff met with Pitt Town Progress Association to commence the community engagement process. At the meeting, the Association provided a summary of their expectations and Council provided preliminary concept designs. |
| October 2018 | Council resolved to rezone part of and reclassify Fernadell Park, 7 Fernadell Drive, Pitt Town from 'Community' to 'Operational' land, to enable the use of the site for the intended purpose. |

3. Existing situation

3.1 Land to which the planning proposal applies

Item 1: 9 Industry Road, Vineyard

The planning proposal applies to 9 Industry Road, Vineyard. The site consists of:

- a) Lot 9 in Deposited Plan 1149340
- b) Lot 13 in Deposited Plan 815849
- c) Lot 6 in Deposited Plan 777933

The subject site is zoned B5 Business Development within the *HLEP 2012*. The subject site currently functions as a passive public reserve.

Lot 9 DP 1149340 is the largest of the three parcels that are subject to this Planning Proposal, and is mostly occupied by vegetation (mainly stands of trees), drainage infrastructure, a footpath and cleared grass areas. The only substantial structure located on Lot 9 is the existing billboard / advertising sign.

Lot 13 DP 815849 and Lot 6 DP 777933 are also mostly occupied by vegetation, drainage infrastructure, a footpath and cleared grass areas. However, it is noted Lot 6 DP 777933 contains some signage and flag/ banner advertising structures.

It is noted that the public reserve known as 9 Industry Road contains one other lot, being Lot 8 DP 804460. Lot 8 is not subject to this Planning Proposal as it is already classified as 'operational land' and houses a sewer pumping station.

Lots 9, 13 & 6 are of a location, size, shape, configuration and use that reflect their public reserve status, but they also support the opportunity that exists for Council to utilise the land for advertising purposes, as has occurred in the past.

Currently, a lease or licence agreement can't be entered into for advertising purposes, (including the existing billboard advertising sign located on Lot 9) as the land is classified as 'community land' under the Local Government Act 1993. Hence, there is a need for this Planning Proposal to reclassify the subject land to 'operational land'. Figure 2 below illustrates the zoning of the subject site.

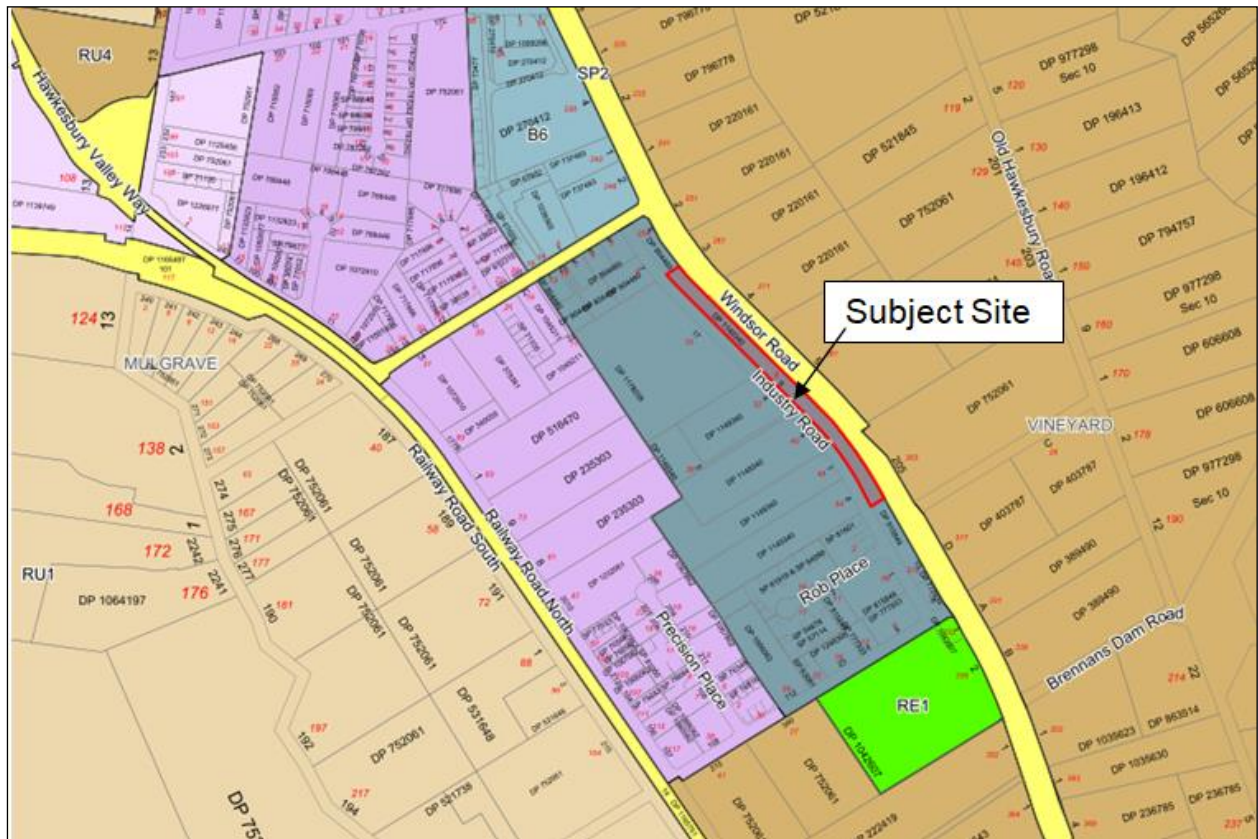


Figure 2: Subject Site zoned B5 Business Development

The subject site is located within the Mulgrave Industrial and Business Precinct surrounded by a mix of business and industrial activities. The subject site forms a slither of generally flat land parallel to Windsor Road, with a low point being located on Lot 9 where there is a culvert under Windsor Rd and a riparian area. The location of the site gives it the potential to be used for advertising purposes to promote business within the Mulgrave Business Precinct.

The site is surrounded by B5 Business Development, IN1 General Industrial and across Windsor Road, the land is zoned RU4 Primary Production Small Lots. The subject land includes a footpath that forms part of a bigger pedestrian network, generally connecting people between Vineyard and McGraths Hill, and onto Windsor. The subject site is affected by 1:100 ARI floodplains. Figure 3 below illustrates the Flood Planning Map of the subject site.

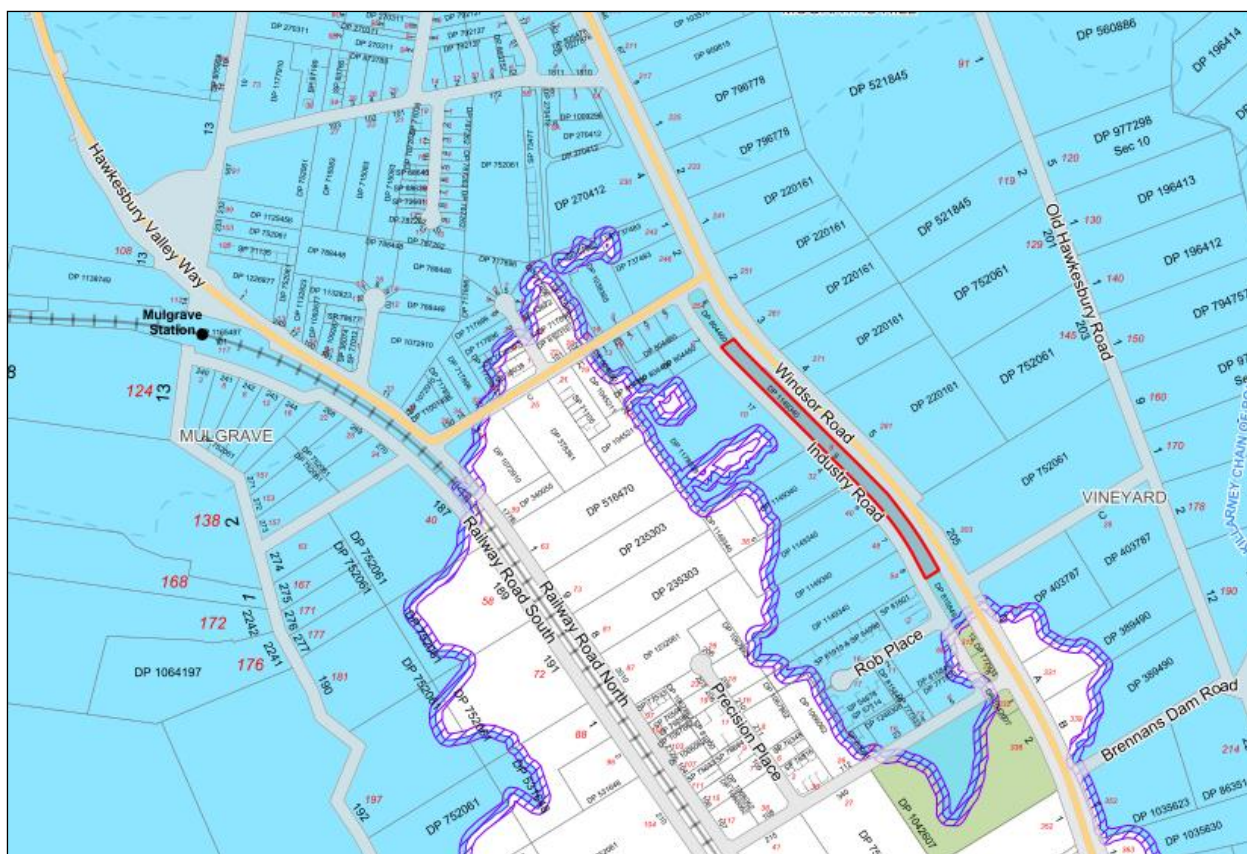


Figure 3: Flood Planning Map 1:100ARI

The majority of the subject land is cleared with a mown understorey including a number of exotic grasses; however there is a small patch of *Cumberland Plains Woodland* (*Shale Plains woodland*) and a smaller clump of trees aligning with *Shale Gravel Transition Forest* on the site. Figure 4 below illustrates the Conservation Significant Assessment of the subject site.



Figure 4: Conservation Significant Assessment

Photographs of the subject site:



Culvert and footpath on subject land



View of subject land looking south along Vineyard Rd



Existing billboard advertising sign on subject land (Lot 9)



View looking towards site (Lot 6) from Park Rd



Sewer pumping station - adjoining part of reserve (Lot 8)



Low lying part of subject land

Item 2: Fernadell Park

The planning proposal also applies to Fernadell Park, 7 Fernadell Drive, Pitt Town (Lot 6028 in Deposited Plan 1169449). It is located approximately 400m from the Pitt Town centre and approximately 7km via road from Windsor.

Lot 6028 DP 1169449 was acquired by Council for the purposes of developing a "Community Precinct", to provide community facilities, recreational buildings and park improvements for the Pitt Town community. The Hawkesbury Section 94 (now known as Section 7.11) Contributions Plan 2015 makes provision for this project. The Pitt Town Community Precinct is made up of two distinct sections, with the sections being divided by Fernadell Drive. To the south-west of Fernadell Drive is the smaller section (4,299m²) which has been previously identified as the proposed community centre site. To the north-east of Fernadell Drive is the larger section (9.5ha) which has now been identified as the proposed location of a larger community, recreation and sporting site (or Community Precinct site). This section is commonly referred to as Fernadell Park. These two sections were highlighted earlier in Figure 1.

Council has commenced consultation with residents of Pitt Town in relation to developing concept plans for the Community Precinct. The evolving concept plan that was discussed and generally supported by the community (which included the Pitt Town Progress Association), involved a single multi-function community, recreation and sporting facility building. Under this option the proposed community centre site (being the 4,299m² section to the south-west of Fernadell Drive) would no longer be required for public purposes. At the current time the site of the proposed Community Precinct can't be developed for the purposes for which it was acquired by Council, whilst the smaller portion of the subject land (that is separated by a road from the main site) is surplus to Council and community needs. Hence, the need for this Planning Proposal to rezone part of the subject land, reclassify part of the subject land to 'operational land' and amend the Lot Size Map in HLEP 2012 to reduce the applicable lot size to 4,000m² to enable this portion to be subdivided from the larger Community Precinct area.

Further, this Planning Proposal is consistent with Council's recent resolution, made at its Ordinary Meeting on 30 October 2018.

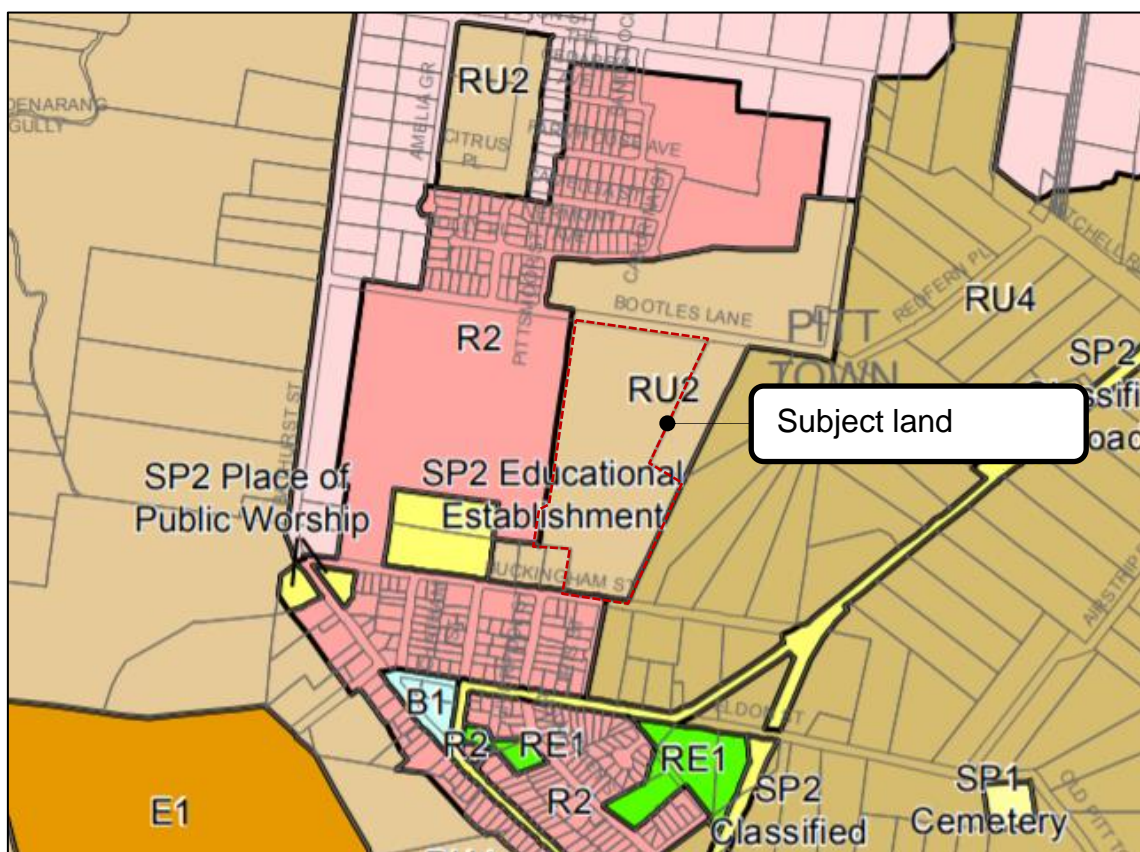


Figure 5: Subject Site zoned RU2 Rural Landscape

The subject site is zoned RU2 Rural Landscape within the *HLEP 2012*, as shown in Figure 5 above. The site has an area of 9.9ha and is primarily vacant, with a relatively large dam/ detention basin located in the south-eastern corner. No buildings exist on the subject land.

The subject site is partly affected by 1:100 ARI floodplains. Figure 6 below illustrates the Flood Planning Map of the subject site.

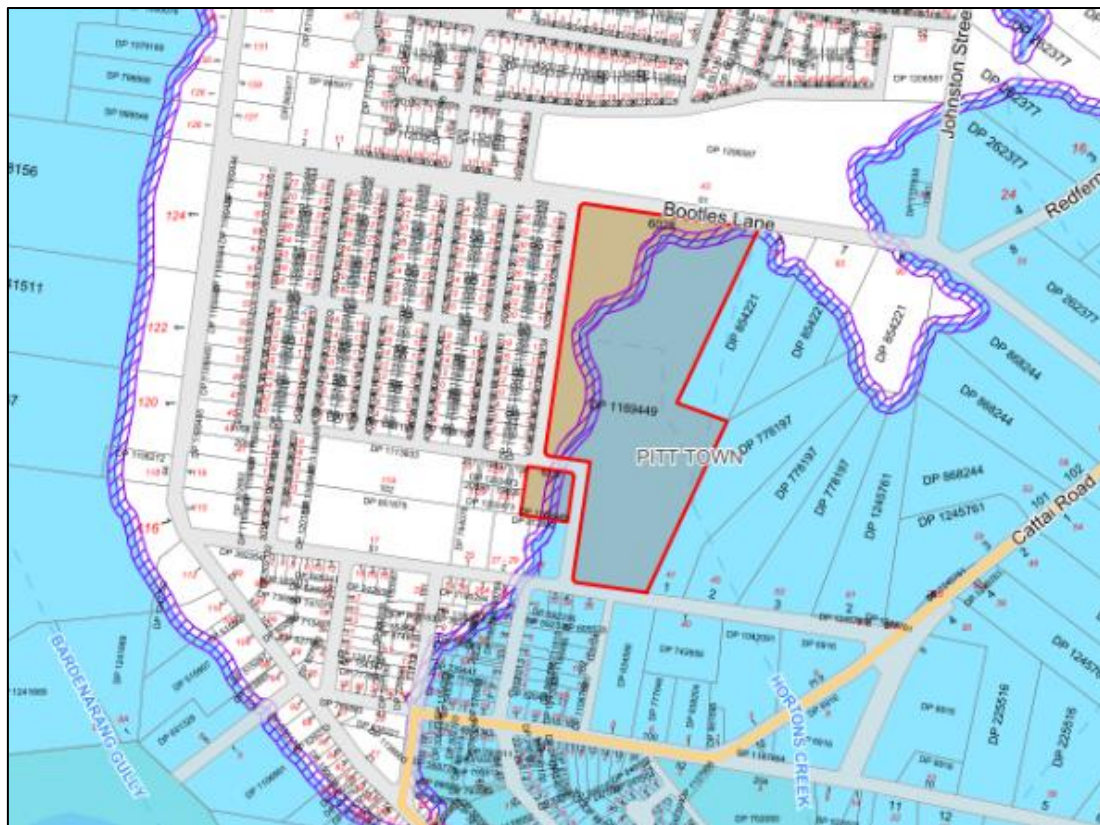


Figure 6: Flood Planning Map 1:100ARI

The subject land is generally flat, with a gentle slope to the south and south-east with a low point being located in the south-eastern portion of the site where a large dam/ detention basin has been constructed. The smaller component of the site to the south-west of Fernadell Drive is lower in elevation than the now proposed Community Precinct site. The topography of the site is the result of recent earthworks as part of the creation of the urban area, which includes substantial drainage works associated with the flood prone nature of the broader locality in which the site is located.

The majority of the subject land is cleared with some boundary street trees, which are introduced species.

The general locality that surrounds the subject land is new, low density urban development to the west, rural land to the north and east, and older, low density urban development to the south. The subject land is primarily vacant in preparation for future development of the Pitt Town Community Precinct, and sits on the newly developed urban fringe of Pitt Town. The subject land is shown on the Locality Plan in Figure 7Error! Reference source not found. elow.

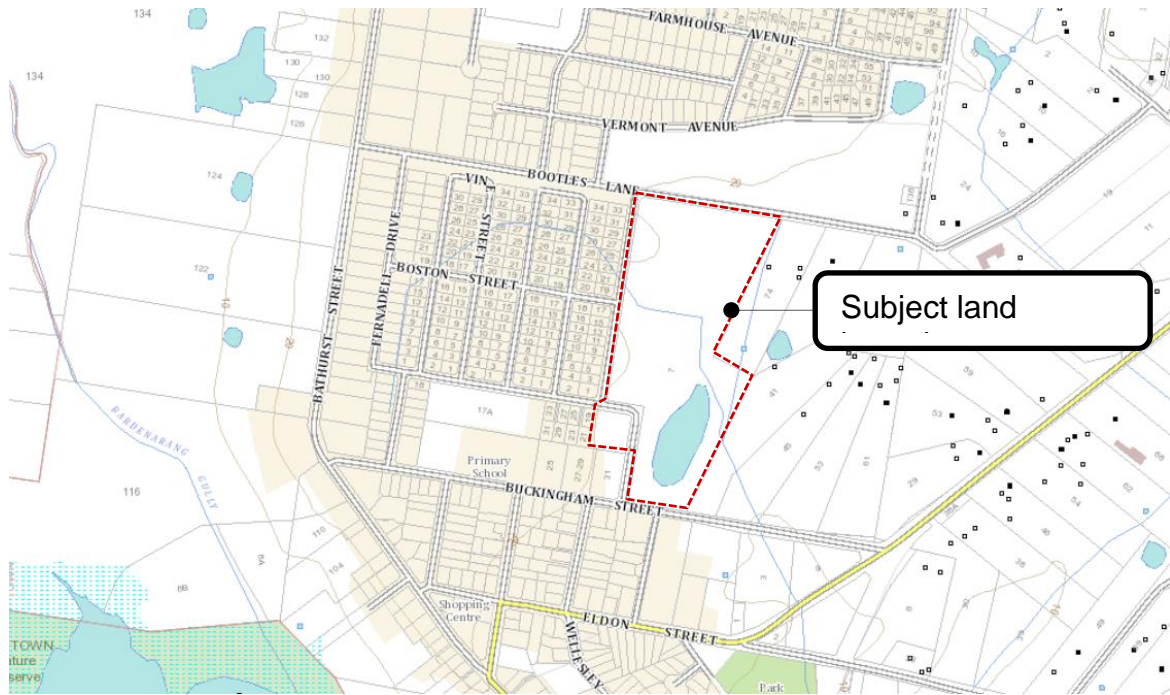


Figure 7: Locality Plan

Site photographs of the subject land are shown in the site images below.



Looking south across subject land from Bootles Lane.



Looking east across the dam/ detention basin on the subject land.



Looking north-east from proposed community centre site across Fernadell Drive.



Looking north-west from the proposed community centre site.



The proposed community centre site (from Fernadell Drive).

4 Part 1 – Objectives and Intended Outcomes

The objective and intended outcomes of the planning proposal are as follows:

- Item 1 - Amend the *Hawkesbury Local Environmental Plan (HLEP) 2012*; to reclassify 9 Industry Road, Vineyard from 'Community' to 'Operational' land.

This amendment will enable Council to lease the subject site for advertising purposes as there is an existing billboard standing on the subject site.

The Planning Proposal will also enable Council to consider new advertising models, such as updated billboard signage, electronic signage or an advertising structure for multiple businesses (subject to appropriate approvals as required). Any income stream generated will pay for the fees associated with this Planning Proposal and Council can also put income towards other activities and services.

- Item 2 - Amend the *Hawkesbury Local Environmental Plan (HLEP) 2012*; to reclassify (from 'Community' to 'Operational') and rezone part of Fernadell Park, Fernadell Drive, Pitt Town.

This amendment will enable Council to continue the strategic planning process to ensure the subject land is able to be used for the purposes for which it was acquired by Council, being the provision of the Pitt Town Community Precinct. This will provide community, recreation and sporting facilities for public use.

The Planning Proposal will also allow Council to dispose of surplus land, with any sale proceeds being reinvested in community facilities for the Pitt Town community. The minimum lot size applying to this land will also be reduced to enable it to be subdivided from the larger Community Precinct site.

5 Part 2 – Explanation of Provisions

To achieve the objectives mentioned above, the Planning Proposal will need to amend the *HLEP 2012* as follows:

- Item 1 - Amend *HLEP 2012*, Part 5 Miscellaneous Provisions, Clause 5.2 – Classification and reclassification of public land to change the classification of the subject site from 'Community' land to 'Operational' land (Include within Schedule 4 – as shown below).
- Item 2 - Amend the *HLEP 2012*, as outlined below:
 1. Rezone the larger section of Lot 6028 DP 1169449 (to the north-east of Fernadell Drive and known as the Pitt Town Community Precinct Site) from RU2 Rural Landscape to RE1 Public Recreation.
 2. Update the Lot Size Map for the smaller section of Lot 6028 DP 1169449 (to the south-west of Fernadell Drive and known as the Pitt Town Community Centre site) to allow a minimum lot size of 4000m².
 3. Reclassify the subject land from Community to Operational (Include within Schedule 4 – as shown below).

Schedule 4 Classification and reclassification of public land

Part 1 Land classified, or reclassified, as operational land – no interests changed

| Column 1 | Column 2 |
|-----------|---|
| Locality | Description |
| Vineyard | Lot 9 DP1149340 |
| Vineyard | Lot 13 DP815849 |
| Vineyard | Lot 6 DP777933 |
| Pitt Town | Part of Lot 6028 DP1169449 (located south-west of Fernadell Drive, Pitt Town – 4,299m ² in area) |

There are no other mechanisms that would enable the intended outcomes of the Planning Proposal to be achieved. The proposed changes to be *HLEP 2012* are considered to be the most efficient and effective way to ensure that the subject lands can be developed for their intended and resolved use.

6. Part 3 - Justification

This section sets out the reasons for the proposed outcomes and development standards in the planning proposal. The following questions are set in the Department of Planning and Environment's '*A Guide to Preparing Planning Proposals*' and addresses the need for the planning proposal, its strategic planning context, the environmental, social and economic impacts and the implications for State and Commonwealth government agencies.

6.1 Need for a planning proposal

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

Item 1: 9 Industry Road, Vineyard

This planning proposal is initiated in response to Council's Resolution dated 11 September 2018, where Council resolved to lodge a Planning Proposal to reclassify 9 Industry Road, Vineyard from 'Community' land to 'Operational' land.

Council's Property Development Strategy notes that leasing of Council owned property allows flexibility to retain ownership of land not required for core activities of Council whilst providing an income source. In this case the Planning Proposal aims to allow for the leasing of a small part of the subject land whilst the land continues to operate as a public reserve.

Item 2: Fernadell Park

This planning proposal is initiated in response to Council's Resolution dated 30 October 2018, where Council resolved to lodge a Planning Proposal to reclassify and rezoning on the following basis:

- Lot 6028 DP 1169449 was acquired by Council for the purposes of developing a Community Precinct, to provide community facilities, recreational buildings and park improvements for the Pitt Town community.
- The Hawkesbury Section 94 (now known as Section 7.11) Contributions Plan 2015 makes provision for this project, and Council has collected \$3.95million of the total contribution for the project. These funds are held in the Section 94 Reserve.
- Despite the clear intent of the Hawkesbury Section 94 Contributions Plan the land retained a rural zoning during the conversion of HELP 1989 to HELP 2012. This was an anomaly and the current RU2 Rural Landscape zone prohibits 'community facilities' and 'recreation facilities'. This prevents these land uses being developed on land that Council has acquired for these purposes.
- Council commenced consultation with residents of Pitt Town in relation to developing concept plans for the Community Precinct. The evolving concept plan that was discussed and generally supported by the community (which included the Pitt Town Progress Association), involved a single multi-function community, recreation and sporting facility building. Under this option the proposed community centre site (being the 4,299m² section to the south-west of Fernadell Drive) would no longer be required for public purposes.
- Further, the reclassification conforms with the 'Our Community' Focus Area, Direction 2.3 Community Partnerships continue to evolve in the Hawkesbury Community Strategic Plan (CSP) 2017-2036.

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

HLEP 2012 is Council's principle planning instrument. A Planning Proposal is the most appropriate means to achieve the objectives and intended outcomes in this case.

Item 1: 9 Industry Road, Vineyard

The proposed reclassification from 'community land' to 'operational land' will:

- be consistent with a Council resolution and legal advice;
- allow the subject land to continue to operate as a public reserve;
- not impact the environmental attributes of the land; and
- enable Council to lease existing advertising signage and explore new advertising models that might be appropriate for the site.

Item 2: Fernadell Park

The proposed rezoning and reclassification will:

- enable the subject land to be used for its intended purpose;
- be consistent with a Council resolution;
- not impact the environmental attributes of the land; and
- allow for the timely delivery of community and recreation facilities.

6.2 Relationship to strategic planning framework

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

6.2.1 A Plan for Growing Sydney

The planning proposal is consistent with the goal, directions and actions of **A Plan for Growing Sydney** as follows:

| Goal | Consistency |
|--|--|
| Goal 1, Direction 1.6: Expand the Global Economic Corridor Action 1.6.2: Invest to improve infrastructure and remove bottlenecks to grow economic activity. | <p><u>Item 1:</u> The planning proposal is consistent with this action. The planning proposal seeks to reclassify 9 Industry Road, Vineyard from 'Community' land to 'Operational' land.</p> <p>The reclassification of land to operational land will allow Council to lease the billboard to companies to promote their business unlocking capacity for economic activity in the Mulgrave precinct and within the Strategic Centres of Richmond and Windsor.</p> <p><u>Item 2:</u> This Planning Proposal will support the Infrastructure Directions and Liveability Directions included in the Greater Sydney Region Plan, by collaborating with communities to see increased provision and use of community facilities and providing those services and infrastructure that meet the changing needs of the community.</p> |

6.2.2 A Metropolis of Three Cities- Greater Sydney Region Plan

The planning proposal is consistent with the actions of the **Greater Sydney Region Plan** as follows:

Item 1

| Direction | Consistency |
|--|--|
| Direction – Jobs and Skills for the City Objective 22: Investment and Business activity in centres. Strategy 22.1: <ul style="list-style-type: none"> Diversify a range of activities in centres Objective 24: Economic sectors are targeted for success. Strategy 24.2: <ul style="list-style-type: none"> encouraging the development of a well-designed and located facilities. Developing industry skills critical to growing the visitor economy. | <p>The Planning Proposal is consistent with this Direction and Objective of the Plan.</p> <p><u>Item 1:</u> The Planning Proposal will facilitate reclassification of the land to operational land to allow Council to lease the existing billboard on the site to promote a range of business activities within the Mulgrave Precinct and within the LGA.</p> <p><u>Item 2:</u> The Planning Proposal will facilitate rezoning and reclassification of the land to operational land to allow Council to optimise the community use of the site to construct the ancillary infrastructure within the Pitt Town Precinct.</p> |

6.2.3 Western City District Plan

The planning proposal is consistent with the actions of **Western City District Plan** as follows:

| Direction | Consistency |
|---|--|
| Direction: Productivity Planning Priority W11: Growing investment, business opportunities and jobs in strategic centres. | <p>This direction and planning priority has identified Richmond-Windsor centres as a strategic centre within the Western District.</p> <p><u>Item 1:</u> The Planning Proposal is consistent with this Direction and Planning Priority as the reclassification of land will allow the billboard to be leased to businesses to advertise their activities and jobs enabling to promote the diversity of services provided at the Mulgrave Precinct and within the Windsor and Richmond centres.</p> <p><u>Item 2:</u> The Planning Proposal is consistent with the broad intent of this district plan. Specifically the Planning Proposal supports the key direction of “<i>creating the conditions for a stronger economy</i>” with the subject land providing advertising opportunities for local businesses once reclassified. Further, the Planning Proposal will retain the subject land</p> |

as a public reserve, providing pedestrian access, vegetation and passive space thus supporting the key direction “*valuing green spaces and landscape*”.

Is the planning proposal consistent with the local Council's community strategic plan, or other local strategic plan?

6.2.4 Hawkesbury Community Strategic Plan 2017-2036

The Hawkesbury Community Strategic Plan sits above all other Council plans and policies. Its purpose is to identify the Hawkesbury community's priorities and aspirations for the future.

The strategies within it should take into consideration the issues and pressures that affect the community, and the level of resources realistically available. Given this, the significance of the Community Strategic Plan to the community and to the Council is of the highest order, and ensuring that it is fully reflective of the Hawkesbury community's aspirations is viewed as critical.

As expressed through the Hawkesbury Community Strategic Plan 2017-2036, the vision for the Hawkesbury is that:

'We see the Hawkesbury as a vibrant and collaborative community living in harmony with our history and environment, whilst valuing our diversity, striving for innovation, a strong economy and retaining our lifestyle and identity'.

Item 1:

| Relevant HCSP Outcome within the theme | Council's commitment to the outcome | How the planning proposal achieves the outcome |
|--|--|--|
| Theme 1.3 Financial Sustainability. Build strong financial sustainability for now and future generations. | <p>1.3.1 – In all of Council's strategies, plans and decision making there will be a strong focus on financial sustainability.</p> <p>1.3.2 – Meet the needs of the community now and into the future by managing Council's assets with a long-term focus.</p> <p>1.3.3 – Decisions relating to determining priorities will be made in the long term interests of the community.</p> | <p>The Planning Proposal seeks to amend the Hawkesbury LEP 2012 to reclassify 9 Industry Road, Vineyard from 'Community' land to 'Operational' land.</p> <p>The Planning Proposal will assist with the creation of a financially sustainable future of Council by creating an income stream by utilising the land and the billboard on it, whilst retaining the land for use as a public reserve and part of a pedestrian network.</p> |

Item 2:

| Relevant HCSP Outcome within the theme | Council's commitment to the outcome | How the planning proposal achieves the outcome |
|---|---|---|
| Theme 2.3 Community partnerships continue to evolve. | 2.3.1 - Encourage and facilitate community partnerships | The Planning Proposal will assist with the creation of a healthy and resilient future by ensuring that the provision of |

| | | |
|--|---|---|
| | 2.3.3 - Advocate and facilitate constructive and productive partnerships with residents, community groups and institutions. | community and recreation facilities are timely and meet the needs of the community that will be using them. The current strategic planning process involves a collaborative community engagement process to ensure a Council / community partnership in the design of the Pitt Town Community Precinct. |
|--|---|---|

Hawkesbury Property Development Strategy

The Strategy identifies future options and recommendations for Council's commercial property portfolio. The strategy identified 9 Industry Road having potential to be reclassified from 'Community' land to 'Operational' for leasing or licensing purposes.

Is the planning proposal consistent with the applicable state environmental policies?

The relevant State Environmental Planning Policies are outlined in the table below:

| No. | Title | Summary | PP application's consistency with the SEPP |
|-----|-------------------------|---|--|
| 1 | Development Standards | Aim to provide flexibility in the application of planning controls operating by virtue of development standards in circumstances where strict compliance with those standards would, in particular case, be unreasonable or unnecessary or tend to hinder the attainment of the objectives specified in section 5 (a)(i) and (ii) of the Act. | Applies to State (except certain land marked in Map of SEPP- Development Standards). Consistent. |
| 14 | Coastal Wetlands | Aims to ensure that the coastal wetlands are preserved and protected in the environmental and economic interests of the State. | Applies to State (except to land included under SEPP 26- Littoral Rainforest and does not apply to development that is State Significant Infrastructure) Consistent. |
| 19 | Bushland in Urban Areas | Aims to protect bushland within urban areas. Specific | Applies to State Consistent. |

| No. | Title | Summary | PP application's consistency with the SEPP |
|-----|-------|--|---|
| | | attention to bushland, remnant and endangered vegetation and bushland zoned or reserved for public open space. | <p><u>Item 1:</u> Although the subject lands are not in an open space zone, they are a Council owned public reserve. It is noted the Planning Proposal does propose to reclassify the subject land, but does not propose any rezoning or urban development. As such, the Planning Proposal does not propose to clear or disturb any of the bushland located on the site, including the small stands of Shale Plains Woodland (which is an Endangered Ecological Community) and Shale/ Gravel Transition Forest. Albeit, Council's consulting ecologist (Eco Logical Australia, 2018) has advised:</p> <ul style="list-style-type: none"> • <i>"The majority of the reserve is cleared with a mown understory including a number of exotic grasses.</i> • <i>Small patch of Cumberland Plains Woodland (Shale Plains Woodland) in relatively good condition (rated as high biodiversity priority rank) at the northern parts of Industry Reserve.</i> • <i>Small clump of</i> |

| No. | Title | Summary | PP application's consistency with the SEPP |
|-----|---|--|--|
| | | | <p><i>trees aligning with Shale Gravel Transition Forest in a disturbed condition with an exotic understory towards the southern parts of the Reserve.</i></p> <ul style="list-style-type: none"> <i>No connectivity with adjoining habitat.</i> <i>No recorded threatened flora or fauna species.</i> <i>Longer term viability of the existing Cumberland Plains Woodland (Shale Plains Woodland) is low."</i> |
| 20 | Hawkesbury-Nepean River (No. 2 1997) – Deemed SEPP | The aim of this deemed SEPP is to ensure impacts of future land uses are considered in a regional context, via a series of planning policies, strategies and development controls. | The likely future land uses, being community and recreational facilities, are considered able to satisfy the planning policies, strategies and development controls contained in the deemed SEPP. As planning continues for the site the impacts on the Hawkesbury-Nepean will continue to be considered, and ultimately addressed in a future development application. |
| 21 | Caravan Parks | Aims to facilitate the proper management and development of land used for caravan parks catering to the provision of | Applies to State except land to which SEPP (Western Sydney Parklands) applies. |

| No. | Title | Summary | PP application's consistency with the SEPP |
|-----|-------------------------------------|--|---|
| 26 | Littoral Rainforests | accommodation to short and long term residents. Aim is to provide a mechanism for the consideration for development that is likely to damage or destroy littoral areas with a view to the preservation of those areas in their natural state. | The planning proposal is consistent with this SEPP. Applies to State The planning proposal is consistent with this SEPP. |
| 30 | Intensive Agriculture | Establishes the requirement for development consent and additional requirements for cattle feedlots and piggeries. | Applies to State Consistent |
| 33 | Hazardous and Offensive Development | Aims to provide additional support and requirements for hazardous and offensive development | Applies to State Consistent |
| 44 | Koala Habitat Protection | Aims to encourage the proper conservation and management of areas of natural vegetation that provide habitat for koalas to ensure a permanent free-living population over their present range and reserve the current trend of koala population. | Applies to LGAs listed in Schedule 1 – including Hawkesbury LGA. Consistent |
| 50 | Canal Estate Development | Prohibits canal estate development | Applies to State Consistent |
| 55 | Remediation of Land | Provides a State wide planning approach for the remediation of contaminated land. | Applies to State Consistent |
| 62 | Sustainable Aquaculture | Aims to encourage and regulate sustainable aquaculture development | Applies to State Consistent |
| 64 | Advertising and Signage | Aims to regulate signage (but not content) and ensure | Applies to State Consistent |

| No. | Title | Summary | PP application's consistency with the SEPP |
|-----|---|--|--|
| 65 | | signage is compatible with desired amenity and visual character of the area. | <p><u>Item 1:</u> The planning proposal is seeking to reclassify the current community land to operational to enable council to utilise the existing billboard on the subject site for advertising purposes.</p> <p>A DA will be submitted to Council to seek consent for the use once the land has been reclassified to operational land.</p> |
| | Design Quality of Residential Flat Development | Aims to improve the design qualities of residential flat building development in New South Wales. | Applies to State, except Kosciusko SEPP area Consistent |
| | Housing for Seniors or People with a Disability 2004 | Aims to encourage the provision of housing to meet the needs of seniors or people with a disability. | Applies to State Consistent |
| | Building Sustainability Index: BASIX 2004 | Aims to ensure consistency in the implementation of the BASIX scheme throughout the State | Applies to State Consistent |
| | Major Development 2005 | Aims to facilitate the development or protection of important urban, coastal and regional sites of economic, environmental or social significance to the State. Also to facilitate service delivery outcomes for a range of public services. | Applies to State Consistent |
| | Mining, Petroleum and Extractive Industries 2007 | Aims to provide for the proper management and development of mineral, petroleum and extractive material resources | Applies to State Consistent |

| No. | Title | Summary | PP application's consistency with the SEPP |
|-----|---|--|---|
| | Miscellaneous Concerns Provisions 2007 | Aims to provide that the erection of temporary structures is permissible with consent across the State, development comprising the subdivision of land, the erection of a building or the demolition of a building, to the extent to which it does not already require development consent under another environmental planning instrument, cannot be carried out except with development consent. | Applies to State Consistent |
| | Infrastructure 2007 | Aims to facilitate the effective delivery of infrastructure across the State. Specifies exempt and complying development controls to apply to the range of development types listed in the SEPP. | Applies to State Consistent |
| | Rural Lands 2008 | Aims to facilitate the orderly and economic use and development of rural lands for rural and related purposes | Does not apply to Hawkesbury LGA Consistent <u>Item 2:</u> The Planning Proposal rezones RU2 land on an urban interface that has been acquired by Council for the purposes of providing community and recreation facilities. This is consistent with an adopted Section 7.11 Contributions Plan. The rural land is no longer being utilised for agricultural purposes and the site is of a size and location that will allow for potential land use conflicts to be managed as the master planning, preparation of a plan |

| No. | Title | Summary | PP application's consistency with the SEPP |
|-----|--|--|---|
| 70 | Exempt and Complying Development Codes 2008 | Aims to provide streamlined assessment process for development that complies with specified development standards. | of management and development application processes progress. Applies to State To be considered at DA stage if required. |
| | Western Sydney Parklands 2009 | Aims to ensure the Western Sydney Parkland can be developed as urban parkland to serve the Western Sydney Region. | Does not apply to Hawkesbury LGA Applies to land within the Blacktown, Fairfield and Holroyd LGAs (Quakers Hill to West Hoxton) |
| | Affordable Rental Housing 2009 | Aims to provide a consistent planning regime for the provision of affordable rental housing and facilitate the effective delivery of affordable housing | Applies to State To be considered at DA stage if required. |
| | State and Regional Development 2011 | Aims to identify State significant development and State significant infrastructure. Also to confer functions on joint regional planning panels to determine development applications. | Applies to State Consistent |
| | Coastal Protection | Aims to protect and manage the natural, recreational and economic attributes of the NSW coast. | Applies to State (whole or any part of which is thin the coastal zone) Consistent |

The relevant Sydney Regional Environmental Plans are outlined in the table below:

| No | Title | Summary | Application |
|----|----------------------------|---|--|
| 9 | Extractive Industry | Aims to facilitate the development of extractive industry in proximity to the population of the Sydney Metropolitan Area by identifying land which contains extractive materials of | Applies to Hawkesbury LGA Consistent |

| | | | |
|----|-------------------|---|---|
| 20 | Hawkesbury Nepean | regional significance. | |
| | | Aims to protect the Hawkesbury-Nepean River System. | <p>Applies to Hawkesbury LGA. Applies to certain LGAs within Greater Metropolitan Region.</p> <p>Consistent.</p> |

Is the planning proposal consistent with applicable Ministerial Directions s.9.1 (previously S117) directions?

The relevant Section 9.1 Directions contained within the Environmental Planning and Assessment Act 1979 is outlined in the table below:

| Section 9.1 Direction No. and Title | Contents of Section 9.1 Direction | Planning Proposal | Comply |
|-------------------------------------|---|--|--------|
| 1. Employment and Resources | | | |
| 1.1 Business and Industrial Zones | <ul style="list-style-type: none"> Encourage employment growth in suitable locations Protect employment land in business and industrial zones Support the viability of identified strategic centres. | <p><u>Item 1:</u> The planning proposal seeks to reclassify the subject site from community to operational land to enable Council to utilise the billboard for advertising purposes.</p> <p>The proposed reclassification will allow to promote business and industrial activities of the Mulgrave Precinct and also assist promote business within the Richmond and Windsor centres.</p> <p><u>Item 2:</u> N/A</p> | Yes |
| 1.2 Rural Zones | <ul style="list-style-type: none"> Protect agricultural production value of rural land. | <p><u>Item 1:</u> N/A</p> <p><u>Item 2:</u> Consistent. The Planning Proposal does not rezone land from a rural zone to a residential, business, industrial, village or tourist zone and does not contain provisions that will increase the permissible density of land within a rural zone. Rather it rezones RU2 Rural Landscape land that no longer has agricultural production value to RE1 Public Recreation as it has been acquired by Council for the provision of community and recreation facilities. The</p> | Yes |

| Section 9.1 Direction No. and Title | Contents of Section 9.1 Direction | Planning Proposal | Comply |
|--|---|--|--------|
| | | Planning Proposal is therefore consistent with this s.9.1 direction. | |
| 1.3 Mining, Petroleum Production and Extractive Industries | <ul style="list-style-type: none"> Ensure future extraction of State and regionally significant reserves of coal, other minerals, petroleum and extractive materials are not compromised by inappropriate development. | N/A | N/A |
| 1.4 Oyster Aquaculture | <ul style="list-style-type: none"> Protect oyster aquaculture areas. | N/A | N/A |
| 1.5 Rural Lands | <ul style="list-style-type: none"> Protect agricultural production value of rural land and facilitate orderly and economic development of rural lands and related purposes. | <p><u>Item 1:</u> N/A</p> <p><u>Item 2:</u> Consistent. The Planning Proposal rezones land from RU2 Rural Landscape to RE1 Public Recreation on an urban interface. The land has been acquired by Council for the purposes of providing community and recreation facilities. This is consistent with an adopted Section 7.11 Contributions Plan. The rural land is no longer being utilised for agricultural purposes and the site is of a size and location that will allow for potential land use conflicts to be managed as the master planning, PoM and development application process progress. The Planning Proposal also proposes to change the minimum lot size on land with an RU2 zoning, however the overall land holding is only 4,299m² in area where a minimum of 4,000m² is proposed on the Lot Size Map. Therefore, fragmentation rural land holdings will not be an issue in the case, as no subdivision potential is being created by the proposed change to the minimum lot size. The Planning Proposal is therefore consistent with this s.9.1 direction.</p> | N/A |
| 2. Environment and Heritage | | | |
| 2.1 Environment Protection Zones | <ul style="list-style-type: none"> Protect and conserve environmentally sensitive areas. | The planning proposal is consistent with this direction. | Yes |

| Section 9.1 Direction No. and Title | Contents of Section 9.1 Direction | Planning Proposal | Comply |
|---|---|-------------------|--------|
| | | | |
| 2.2 Coastal Protection | <ul style="list-style-type: none"> Implement the principles in the NSW Coastal Policy. | N/A | N/A |
| 2.3 Heritage Conservation | <ul style="list-style-type: none"> Conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance. | N/A | N/A |
| 2.4 Recreation Vehicle Areas | <ul style="list-style-type: none"> Protect sensitive land or land with significant conservation values from adverse impacts from recreation vehicles. | N/A | N/A |
| 2.5 Application of E2 & E3 Zones and Environmental Overlays in Far North Coast LEPs | <ul style="list-style-type: none"> Balanced and consistent approach is taken when applying environmental zones in the NSW Far North Coast | N/A | N/A |
| 3. Housing, Infrastructure and Urban Development | | | |
| 3.1 Residential Zones | <ul style="list-style-type: none"> Encourage a variety and choice of housing types to provide for existing and future housing needs Make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services Minimise the impact of residential development on the environment and resource lands. | N/A | N/A |
| 3.2 Caravan Parks and Manufactured Home Estates | <ul style="list-style-type: none"> Provide for a variety of housing types Provide opportunities for caravan parks and manufactured home estates. | N/A | N/A |
| 3.3 Home Occupations | <ul style="list-style-type: none"> Encourage the carrying out of low-impact small businesses in dwelling houses. | N/A | N/A |
| 3.4 Integrating Land Use and Transport | <ul style="list-style-type: none"> Improve access to housing, jobs and services by walking, cycling and public transport. Increase choice of available transport and reducing car dependency. Reduce travel demand and distance (especially by car) Support the efficient and viable operation of public | N/A | N/A |

| Section 9.1 Direction No. and Title | Contents of Section 9.1 Direction | Planning Proposal | Comply |
|--|---|---|--------|
| | <ul style="list-style-type: none"> transport services ▪ Provide for the efficient movement of freight | | |
| 3.5 Development Near Licensed Aerodromes | <ul style="list-style-type: none"> ▪ Ensure effective and safe operation of aerodromes ▪ Ensure aerodrome operation is not compromised by development ▪ Ensure development for residential purposes or human occupation, if situated on land within the ANEF contours between 20 and 25, incorporate noise mitigation measures. | N/A | N/A |
| 3.6 Shooting Ranges | <ul style="list-style-type: none"> ▪ Maintain appropriate levels of public safety and amenity when rezoning land adjacent to an existing shooting range, ▪ Reduce land use conflict arising between existing shooting ranges and rezoning of adjacent land ▪ Identify issues that must be addressed when giving consideration to rezoning land adjacent to an existing shooting range. | N/A | N/A |
| 4. Hazard and Risk | | | |
| 4.1 Acid Sulfate Soils | <ul style="list-style-type: none"> ▪ Avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils. | <p><u>Item 1:</u> The subject site is affected by Class 3, 4 and 5 Acid Sulfate Soils.</p> <p><u>Item 2:</u> N/A</p> | Yes |
| 4.2 Mine Subsidence and Unstable Land | <ul style="list-style-type: none"> ▪ Prevent damage to life, property and the environment on land identified as unstable or potentially subject to mine subsidence. | N/A | N/A |
| 4.3 Flood Prone Land | <ul style="list-style-type: none"> ▪ Ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the <i>Floodplain Development Manual 2005</i>. ▪ Ensure that the provisions of an LEP on flood prone land are commensurate with flood hazard and includes consideration of the potential flood impacts | <p><u>Item 1:</u> The subject site is affected by flood prone land (1:100 ARI).</p> <p><u>Item 2:</u> Consistent. Council's Flood Extent maps indicate the land is subject to the 1 in 100 year flood event. The Planning Proposal therefore does rezone flood prone land but does not contain additional provisions or flood related</p> | Yes |

| Section 9.1 Direction No. and Title | Contents of Section 9.1 Direction | Planning Proposal | Comply |
|--|--|--|--------|
| | both on and off the subject land. | <p>development controls that apply to flood planning areas. The rezoning of the majority of the subject land from RU2 Rural Landscape to RE1 Public Recreation is consistent with the reason Council acquired the land and 4.3 (5) which requires that rural land not be rezoned to a “Residential, Business, Industrial, Special Use or Special Purpose Zone”. The Planning Proposal is therefore consistent with this s.9.1 direction.</p> <p>Stormwater drainage easements and associated infrastructure were implemented as part of the development approvals process for the creation of Lot 6028 DP 1169449.</p> | |
| 4.4 Planning for Bushfire Protection | <ul style="list-style-type: none"> Protect life, property and the environment from bush fire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas. Encourage sound management of bush fire prone areas. | N/A | N/A |
| 5. Regional Planning | | | |
| 5.1 Implementation of Regional Strategies | <ul style="list-style-type: none"> To give legal effect to the vision, land use strategy, policies, outcomes and actions contained in regional strategies. | Consistent. As discussed in Section 4.2 the Planning Proposal is consistent with the objectives and actions of ‘A Plan For Growing Sydney’ 2014. The Planning Proposal is also consistent with the <i>Greater Sydney Region Plan – Our Greater Sydney 2056</i> , which replaces ‘A Plan for Growing Sydney’. | N/A |
| 5.2 Sydney Drinking Water Catchments | <ul style="list-style-type: none"> To protect water quality in the hydrological catchment. | N/A | N/A |
| 5.3 Farmland of State and Regional Significance on the NSW Far North Coast | <ul style="list-style-type: none"> Ensure that the best agricultural land will be available for current and future generations to grow food and fibre Provide more certainty on the status of the best | N/A | N/A |

| Section 9.1 Direction No. and Title | Contents of Section 9.1 Direction | Planning Proposal | Comply |
|--|--|---|--------|
| | agricultural land, thereby assisting councils with their local strategic settlement planning <ul style="list-style-type: none"> Reduce land use conflict arising between agricultural use and non-agricultural use of farmland as caused by urban encroachment into farming areas | | |
| 5.4 Commercial and Retail Development along the Pacific Highway, North Coast | <ul style="list-style-type: none"> Protect the Pacific Highway's function, that is to operate as the North Coast's primary inter and intra-regional road traffic route Prevent inappropriate development fronting the highway Protect public expenditure invested in the Pacific Highway Protect and improve highway safety and efficiency Provide for the food, vehicle service and rest needs of travellers on the highway Reinforce the role of retail and commercial development in town centres, where they can best serve the population of the towns. | N/A | N/A |
| 5.8 Second Sydney Airport: Badgerys Creek | <ul style="list-style-type: none"> Avoid incompatible development in the vicinity of any future second Sydney Airport at Badgerys Creek | The subject sites are not in the vicinity of the Badgerys Creek airport site. | N/A |
| 5.9 North West Rail Link Corridor Strategy | <ul style="list-style-type: none"> Avoid incompatible development in the vicinity of the North West Rail Link | N/A | N/A |
| 5.10 Implementation of Regional Plans | <ul style="list-style-type: none"> Ensure development complied with actions in Regional Plans | As discussed in Section 4.2 the Planning Proposal is consistent with the ' <i>Greater Sydney Region Plan – Our Greater Sydney 2056</i> '. | Yes |
| 6. Local Plan Making | | | |
| 6.1 Approval and Referral Requirements | <ul style="list-style-type: none"> Ensure LEP provisions encourage the efficient and appropriate assessment of development | <u>Item 1:</u> The Planning Proposal does not include new or proposed provisions that require concurrence, consultation or referral of development applications to a Minister or | Yes |

| Section 9.1 Direction No. and Title | Contents of Section 9.1 Direction | Planning Proposal | Comply |
|---|---|---|--------|
| | | public authority. <u>Item 2:</u> The Planning Proposal does not include new or proposed provisions that require concurrence, consultation or referral of development applications to a Minister or public authority. | |
| 6.2 Reserving Land for Public Purposes | <ul style="list-style-type: none"> Planning proposal to facilitate the provision of public services and facilities by reserving land for public purposes Facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition. | N/A | N/A |
| 6.3 Site Specific Provisions | <ul style="list-style-type: none"> Discourage unnecessarily restrictive site specific planning controls | <u>Item 1:</u> The planning proposal seeks to reclassify community land to operational land. The current zoning of the land B5 Business Development does not prohibit Advertising Sign usage. <u>Item 2:</u> The Planning Proposal is for the part rezoning and part reclassification of the subject land and will change the land uses than can be carried out on the land. The Planning Proposal does not contain additional site specific planning controls for a proposed land use. However, the Planning Proposal does contain additional provisions in Schedule 4 of HLEP 2012, to ensure the subject land is appropriately classified. Therefore, although the Planning Proposal is inconsistent with this s.9.1 direction, it is considered to be a minor and necessary inconsistency. | Yes |
| 7. Metropolitan Planning | | | |
| 7.1 Implementation of A Plan for Growing Sydney | <ul style="list-style-type: none"> Planning proposal shall give legal effect to the planning principles; directions; and priorities for subregions, | <u>Item 1:</u> The planning proposal seeks reclassify 9 Industry Road, Vineyard from Community to | Yes |

| Section 9.1 Direction No. and Title | Contents of Section 9.1 Direction | Planning Proposal | Comply |
|--|---|--|--------|
| | strategic centres and transport gateways contained in A Plan for Growing Sydney | Operational land. The planning proposal is consistent with the principles and directions contained within 'A Plan for Growing Sydney'. <u>Item 2:</u> As discussed in Section 4.2 the Planning Proposal is consistent with the <i>Greater Sydney Region Plan – Our Greater Sydney 2056</i> , which replaces 'A Plan for Growing Sydney'. The Planning Proposal is therefore consistent with this s.9.1 direction. | |
| 7.2 Implementation of Greater Macarthur Land Release Investigation | <ul style="list-style-type: none"> Avoid incompatible development in the Greater Macarthur Land Release Investigation Area | N/A | N/A |

Section C – Environmental, social and economic impact

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?

Item 1: 9 Industry Road Vineyard

The subject lands are largely cleared but do contain some vegetated areas, including exotic grasses and some stands of *Shale Plains Woodland* and *Shale Gravel Transition Forest*. Council's consulting ecologist (Eco Logical Australia, 2018) has advised:

- *"The majority of the reserve is cleared with a mown understory including a number of exotic grasses.*
- *Small patch of Cumberland Plains Woodland (Shale Plains Woodland) in relatively good condition (rated as high biodiversity priority rank) at the northern parts of Industry Reserve.*
- *Small clump of trees aligning with Shale Gravel Transition Forest in a disturbed condition with an exotic understory towards the southern parts of the Reserve.*
- *No connectivity with adjoining habitat.*
- *No recorded threatened flora or fauna species.*
- *Longer term viability of the existing Cumberland Plains Woodland (Shale Plains Woodland) is low."*

Therefore, there are no likely impacts on threatened species or ecological communities that would preclude the reclassification of the subject sites. Any future development of the land is similarly unlikely to have such impacts and these can be appropriately managed through Council's development assessment processes.

Item 2: Fernadell Park

The subject lands are largely cleared but do contain some vegetated areas along the site boundaries. This vegetation is introduced species.

Therefore, there are no likely impacts on threatened species or ecological communities that would preclude the rezoning and reclassification of the subject sites. Any future development of the land is similarly unlikely to have such impacts and these can be appropriately managed through Council's proposed master planning, plan of management and development assessment processes.

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

Item 1: 9 Industry Road Vineyard

The intent of the planning proposal is to reclassify the subject land to facilitate the leasing of the existing advertising billboard. In the event of any future upgrade of the billboard, the potential environmental impacts to be further assessed during the DA stage will be:

- flooding and drainage;
- vegetation / flora and fauna; and
- urban design and visual impacts.

Item 2: Fernadell Park

The intent of the proposed rezoning and reclassification is to facilitate the provision of the Pitt Town Community Precinct, including community, recreation and sporting facilities. Therefore, the main potential environmental impacts to be further examined as the master planning, plan of management and development application processes progress for the subject land would be:

- flooding and drainage;
- traffic and parking;
- public access and safety/ security; and
- urban design and visual impacts.

These matters would be best addressed at the time of any future development assessment process.

How has the planning proposal adequately addressed any social and economic effects?

Item 1: 9 Industry Road, Vineyard

The Planning Proposal has been prepared to reclassify the subject site from 'Community' to 'Operational' land to enable Council to lease the existing billboard on the site for business advertisement purposes. As a result, this will promote and enhance economic growth for Mulgrave precinct and the Richmond and Windsor town centres.

Item 2: Fernadell Park

This Planning Proposal will provide beneficial economic and social effects in the Hawkesbury community for the following reasons:

- the Planning Proposal is consistent with the purpose that Council acquired the subject land, being the provision of a Pitt Town Community Precinct;
- the Planning Proposal is consistent with the Hawkesbury Section 94 (now known as Section 7.11) Contributions Plan 2015;
- the Planning Proposal will enable the provision of community and recreation facilities to meet the needs of a local community; and
- initial community engagement with the residents of Pitt Town indicates support for the project.

The overarching purpose of the Planning Proposal is to facilitate ongoing planning of social infrastructure to service the needs of the community.

Section D – State and Commonwealth interests

Is there adequate public infrastructure for the planning proposal?

Item 1: 9 Industry Road, Vineyard

Although rezoning is not proposed as part of this Planning Proposal, the subject land is located in an area that is well serviced by public infrastructure, including:

- Water: Water mains are located within the site.
- Drainage: A stormwater drain/ culvert is located within the site.
- Electricity: Low voltage electricity is available to the site.
- Telecommunications: underground and mobile telecommunications are available at the site.
- Sewer: Sewer mains are located within the site, and a sewer pumping station is located adjacent to the site.
- Transport: Both subject properties are located within 1km of Mulgrave Train Station, and major bus routes operate within walking distance of the subject lands on Windsor Road.

Item 2: Fernadell Park

The subject land is located in an area that is relatively well serviced by public infrastructure, including:

- Water: Water mains are located at the site.
- Drainage: A stormwater drain/ culvert and major detention basin is located within the site.
- Electricity: Low voltage electricity is available to the site.
- Telecommunications: underground and mobile telecommunications are available at the site.
- Sewer: Sewer mains are located at the site.
- Transport: Bus routes operate within walking distance of the subject land, along Pitt Town Rd, Bathurst St and Cattai Rd.

Given the comprehensive planning processes that are underway for the area, any necessary augmentation and integration of public infrastructure will be undertaken as required and to meet the detailed design requirements in future stages.

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

The planning proposal does not require consultation with any State and Commonwealth public authorities with the exception of the Department of Planning and Environment at this stage.

However, the Gateway Determination will determine Commonwealth public authorities to be contacted for consultation.

6. Part 4 - Maps

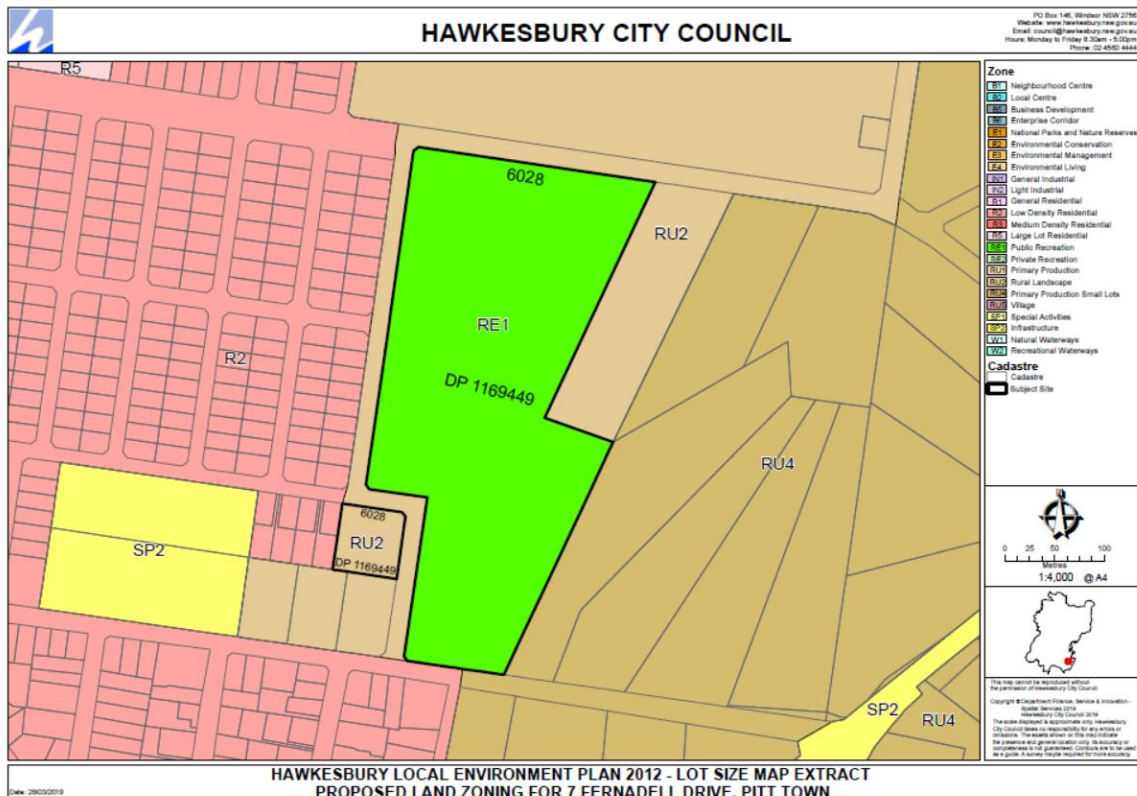
Item 1: 9 Industry Road, Vineyard

The Planning Proposal does not require any mapping changes.

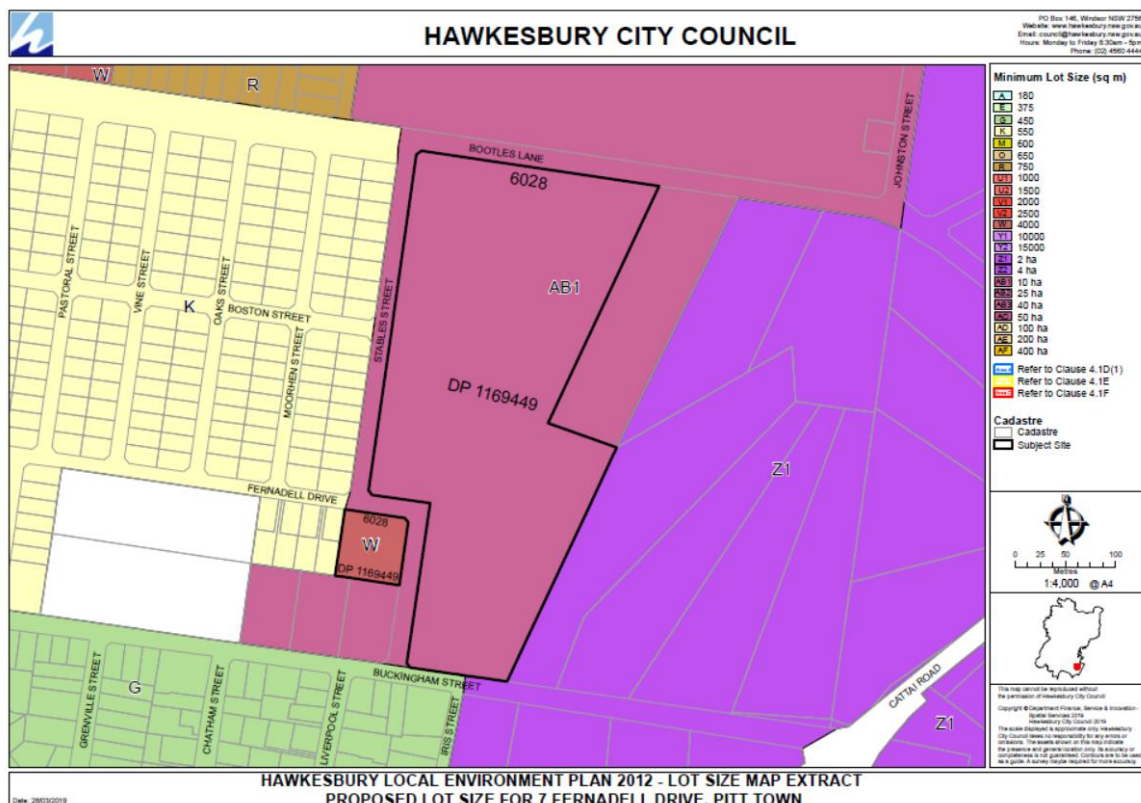
Item 2: Fernadell Park

The Planning Proposal will require amendments to the existing Land Zoning Map (Sheet 8C) and Lot Size Map (Sheet 8C) relevant to the subject site contained within the Hawkesbury LEP 2012.

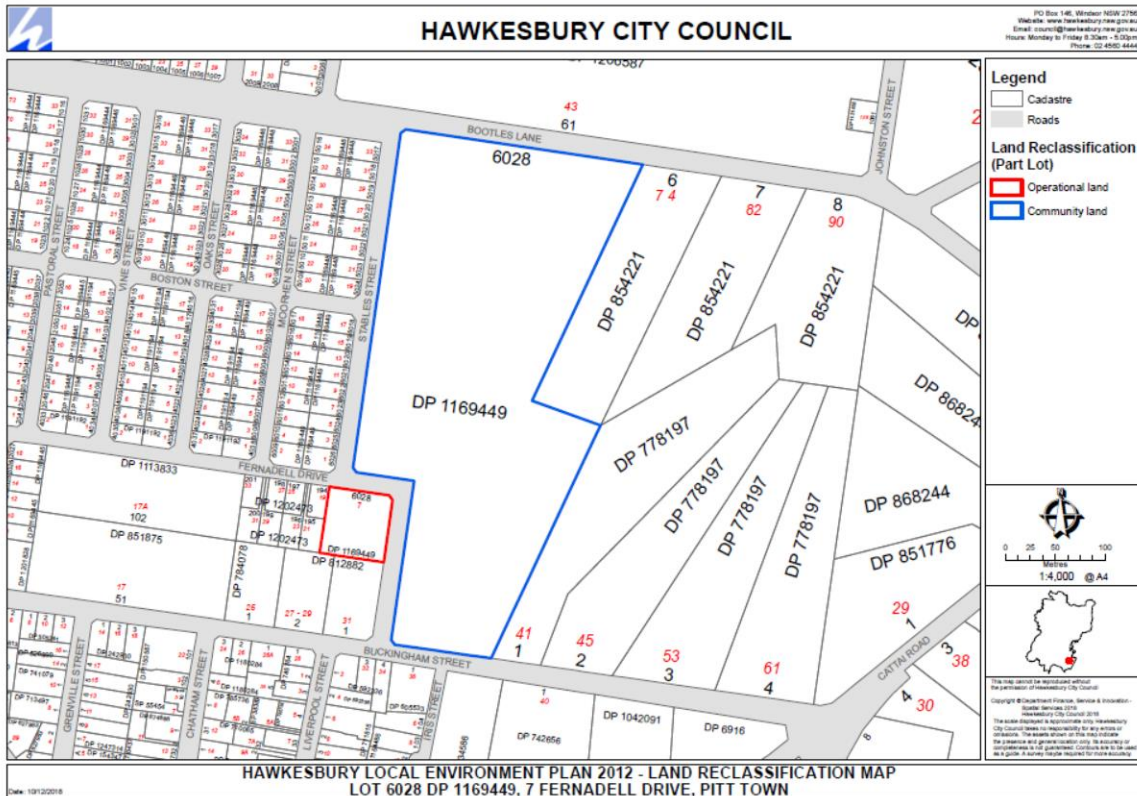
The proposed amendments to the maps are shown below and on the following pages. Further, a Land Reclassification (part lots) Map is also provided.



Land Zoning Map – Proposed



Lot Size Map – Proposed



Land Reclassification (part lots) Map

7. Part 5 - Community Consultation

Community consultation is required under *Sections 2.23 of the Environmental Planning and Assessment Act 1979*.

The Act sets out the community consultation requirement for planning proposals and these are determined or confirmed at the Gateway process.

It is proposed that the notification of the public exhibition of the planning proposal will include but not be limited to:

- Newspaper publication;
- Hard copies of the exhibition placed at the Council administration centre;
- Exhibition placed on Council's Website and at Your Hawkesbury Your Say online engagement; and
- Letters sent to owners of the subject site and adjacent owners to notify them of the exhibition.

8. Part 6 - Project Timeline

The project timeline is intended to be used only as a guide and may be subject to changes such as changes to issues that may arise during the public consultation process and/or community submissions.

| No. | Step | Process content | Timeframe |
|-----------------------------|---|--|------------------|
| 1 | s.3.34 – request for Gateway Determination | <ul style="list-style-type: none"> Prepare and submit Planning Proposal to DP&E | July 2019 |
| 2 | Gateway Determination | <ul style="list-style-type: none"> Assessment by DP&E (including LEP Panel) Advice to Council | August 2019 |
| 3 | Completion of required technical information and report (if required) back to Council | <ul style="list-style-type: none"> Prepare draft controls for Planning Proposal Update report on the Gateway requirements | August 2019 |
| 4 | Public consultation for Planning Proposal | <ul style="list-style-type: none"> In accordance with Council resolution and conditions of the Gateway Determination. | September 2019 |
| 5 | Government Agency consultation | <ul style="list-style-type: none"> Notification letters to Government Agencies as required by Gateway Determination | October 2019 |
| 6 | Public Hearing (if required) following public consultation for Planning Proposal | <ul style="list-style-type: none"> Subject to the Gateway Determination issued by DP&E, and a public hearing is not required. | October 2019 |
| 7 | Consideration of submission | <ul style="list-style-type: none"> Assessment and consideration of submissions | November 2019 |
| 8 | Report to Council on submissions to public exhibition and public hearing | <ul style="list-style-type: none"> Includes assessment and preparation of report to Council | December 2019 |
| 9 | Possible re-exhibition | <ul style="list-style-type: none"> Covering possible changes to draft Planning Proposal in light of community consultation | February 2019 |
| 10 | Report back to Council | <ul style="list-style-type: none"> Includes assessment and preparation of report to Council | March 2020 |
| 11 | Referral to PCO and notify DP&I | <ul style="list-style-type: none"> Draft Planning Proposal assessed by PCO, legal instrument finalised Copy of the draft Planning Proposal forwarded to DP&E | April 2020 |
| 12 | Plan is made | <ul style="list-style-type: none"> Notified on Legislation web site | May/June 2020 |
| Estimated Time Frame | | | 12 Months |

10. Appendices

10.1 LEP Practice Note PN 16-001

Classification and reclassification of public land through a LEP – Matters to be addressed

NSW Planning and Environment has published *LEP Practice Note 16-001: Classification and reclassification of public land through a local environmental plan*. This practice note provides guidance on matters to be addressed in Planning Proposals to classify or reclassify public land. The table below addresses these matters and identifies where matters are addressed in this Planning Proposal.

Item 1: 9 Industry Road, Vineyard Item 2: Fernadell Park, Fernadell Drive, Pitt Town

| MINISTERIAL (s. 9.1) DIRECTION | | COMMENT |
|--------------------------------|--|---|
| 1 | Employment & Resources | |
| 1.1 | Business & Industrial Zones | <p><u>Item 1:</u> Consistent. The Planning Proposal does not reduce the area of land zoned for business or industrial purposes and does not contain provisions that reduce the floor area available for business or industrial purposes.</p> <p><u>Item 2:</u> Not applicable.</p> |
| 1.2 | Rural Zones | <p><u>Item 1:</u> Not applicable.</p> <p><u>Item 2:</u> Consistent. The Planning Proposal does not rezone land from a rural zone to a residential, business, industrial, village or tourist zone and does not contain provisions that will increase the permissible density of land within a rural zone. Rather it rezones RU2 Rural Landscape land that no longer has agricultural production value to RE1 Public Recreation as it has been acquired by Council for the provision of community and recreation facilities. The Planning Proposal is therefore consistent with this s.9.1 direction.</p> |
| 1.3 | Mining, Petroleum Production & Extractive Industries | Not applicable. |
| 1.4 | Oyster Aquaculture | Not applicable. |

| MINISTERIAL (s. 9.1) DIRECTION | | COMMENT |
|--------------------------------|---|--|
| 1.5 | Rural Lands | <p><u>Item 1:</u> Not applicable.</p> <p><u>Item 2:</u> Consistent. The Planning Proposal rezones land from RU2 Rural Landscape to RE1 Public Recreation on an urban interface. The land has been acquired by Council for the purposes of providing community and recreation facilities. This is consistent with an adopted Section 7.11 Contributions Plan. The rural land is no longer being utilised for agricultural purposes and the site is of a size and location that will allow for potential land use conflicts to be managed as the master planning, PoM and development application process progress. The Planning Proposal also proposes to change the minimum lot size on land with an RU2 zoning, however the overall land holding is only 4,299m² in area where a minimum of 4,000m² is proposed on the Lot Size Map. Therefore, fragmentation rural land holdings will not be an issue in the case, as no subdivision potential is being created by the proposed change to the minimum lot size. The Planning Proposal is therefore consistent with this s.9.1 direction.</p> |
| 2 | Environment & Heritage | |
| 2.1 | Environment Protection Zones | Not applicable. |
| 2.2 | Coastal Protection | Not applicable. |
| 2.3 | Heritage Conservation | Not applicable. |
| 2.4 | Recreation Vehicle Areas | Not applicable. |
| 2.5 | Application of E2 & E3 Zones and Environmental Overlays in Far North Coast LEPs | Not applicable. |
| 3 | Housing, Infrastructure & Urban Development | |
| 3.1 | Residential Zones | Not applicable. |
| 3.2 | Caravan Parks & Manufactured Home Estates | Not applicable. |
| 3.3 | Home Occupations | Not applicable. |
| 3.4 | Integrating Land Use & Transport | Not applicable. |
| 3.5 | Development Near Licensed Aerodromes | Not applicable. |

| MINISTERIAL (s. 9.1) DIRECTION | | COMMENT |
|--------------------------------|--|--|
| 3.6 | Shooting Ranges | Not applicable. |
| 4 | Hazard & Risk | |
| 4.1 | Acid Sulfate Soils | Not applicable. |
| 4.2 | Mine Subsidence & Unstable Land | Not applicable. |
| 4.3 | Flood Prone Land | <p><u>Item 1:</u> Consistent. The Planning Proposal does not rezone flood prone land and does not contain additional provisions or flood related development controls that apply to flood planning areas.</p> <p><u>Item 2:</u> Consistent. Council's Flood Extent maps indicate the land is subject to the 1 in 100 year flood event. The Planning Proposal therefore does rezone flood prone land but does not contain additional provisions or flood related development controls that apply to flood planning areas. The rezoning of the majority of the subject land from RU2 Rural Landscape to RE1 Public Recreation is consistent with the reason Council acquired the land and 4.3 (5) which requires that rural land not be rezoned to a "Residential, Business, Industrial, Special Use or Special Purpose Zone". The Planning Proposal is therefore consistent with this s.9.1 direction. Stormwater drainage easements and associated infrastructure were implemented as part of the development approvals process for the creation of Lot 6028 DP 1169449.</p> |
| 4.4 | Planning for Bushfire Protection | Not applicable. |
| 5 | Regional Planning | |
| 5.1 | Implementation of Regional Strategies | Consistent. As discussed in Section 6.2 the Planning Proposal is consistent with the objectives and actions of 'A Plan For Growing Sydney' 2014. The Planning Proposal is also consistent with the <i>Greater Sydney Region Plan – Our Greater Sydney 2056</i> , which replaces 'A Plan for Growing Sydney'. |
| 5.2 | Sydney Drinking Water Catchments | Not applicable. |
| 5.3 | Farmland of State & Regional Significance on the NSW Far North Coast | Not applicable. |
| 5.4 | Commercial & Retail Development along the Pacific Highway, North Coast | Not applicable. |

| MINISTERIAL (s. 9.1) DIRECTION | | COMMENT |
|--------------------------------|--|---|
| 5.5 | Revoked 18 June 2010 | Not applicable. |
| 5.6 | Revoked 10 July 2008 | Not applicable. |
| 5.7 | Revoked 10 July 2008 | Not applicable. |
| 5.8 | Second Sydney Airport: Badgerys Creek | Not applicable. |
| 5.9 | North West Rail Link Corridor Strategy | Not applicable. |
| 5.10 | Implementation of Regional Plans | Consistent. As discussed in Section 6.2 the Planning Proposal is consistent with the 'Greater Sydney Region Plan – Our Greater Sydney 2056'. |
| 6 | Local Plan Making | |
| 6.1 | Approval & Referral Requirements | Consistent. The Planning Proposal does not include new or proposed provisions that require concurrence, consultation or referral of development applications to a Minister or public authority. |
| 6.2 | Reserving Land for Public Purposes | Not applicable. |
| 6.3 | Site Specific Provisions | <p><u>Item 1:</u> The Planning Proposal is for the reclassification of the subject land and will not change the land uses than can be carried out on the land and does not contain additional site specific planning controls for a proposed land use. However, the Planning Proposal does contain additional provisions in Schedule 4 of HLEP 2015, to ensure the subject land is appropriately classified. Therefore, although the Planning Proposal is inconsistent with this s.9.1 direction, it is considered to be a minor and necessary inconsistency.</p> <p><u>Item 2:</u> The Planning Proposal is for the part rezoning and part reclassification of the subject land and will change the land uses than can be carried out on the land. The Planning Proposal does not contain additional site specific planning controls for a proposed land use. However, the Planning Proposal does contain additional provisions in Schedule 4 of HLEP 2012, to ensure the subject land is appropriately classified. Therefore, although the Planning Proposal is inconsistent with this s.9.1 direction, it is considered to be a minor and necessary inconsistency.</p> |
| 7 | Metropolitan Planning | |

| MINISTERIAL (s. 9.1) DIRECTION | | COMMENT |
|--------------------------------|--|---|
| 7.1 | Implementation of 'A Plan for Growing Sydney' | Consistent. As discussed in Section 6.2 the Planning Proposal is consistent with the <i>Greater Sydney Region Plan – Our Greater Sydney 2056</i> , which replaces 'A Plan for Growing Sydney'. The Planning Proposal is therefore consistent with this s.9.1 direction. |
| 7.2 | Implementation of Greater Macarthur Land Release Investigation | Not applicable. |

10.2 Council Reports and Minutes

Item 1: 9 Industry Road, Vineyard

https://www.hawkesbury.nsw.gov.au/data/assets/pdf_file/0005/116825/ORD_SEP1_BP.pdf

ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 11 September 2018

SECTION 3 – Reports for Determination

PLANNING DECISIONS

Item: 221 **SS - Classification of Land - Industry Road Reserve, Industry and Windsor Roads, Vineyard - (95496)**

Directorate: Support Services

PURPOSE OF THE REPORT:

The purpose of this report is to seek Council's endorsement to lodge a Planning Proposal to reclassify three parcels of land located in Industry and Windsor Roads, Vineyard from 'Community' land to 'Operational' land under the Local Government Act, 1993.

EXECUTIVE SUMMARY:

Council owns land known as Industry Road Reserve, which comprises of four parcels of land which are located between Industry and Windsor Roads, Vineyard. Three of these parcels of land are classified as 'Community' and one is classified as 'Operational' under the Local Government Act, 1993.

To change the classification of the three parcels of land to 'Operational', Council is required to lodge a Planning Proposal. Changing the classification to 'Operational' will allow Council to lease the parcels for purposes such as advertising.

RECOMMENDATION SUMMARY:

That a Planning Proposal be prepared and lodged regarding the reclassification of Council owned properties located between Industry and Windsor Roads, Vineyard.

REPORT:

Context and Background

Between the years of 2003 and 2010, Council undertook the construction of Industry Road, Vineyard. As part of the Deed with the adjoining landowners Council would take ownership of a strip of land 45 metres wide, 20 metres for road and 25 metres for public recreation across the frontage of their land.

By 2010 Council had completed all the construction works, including the creation of Industry Road, Industry Road Reserve, and the creation and registration of the properties along Industry Road. On 22 December 2010, Industry Road Reserve was dedicated as 'Community' land under the Local Government Act, 1993. A plan of Industry Road Reserve is attached as Attachment 1 to this report.

The four parcels owned by Council are:

- Lot 8 in Deposited Plan 804460 – classified as 'Operational'
- Lot 9 in Deposited Plan 1149340 – classified as 'Community'
- Lot 13 in Deposited Plan 815849 – classified as 'Community'
- Lot 6 in Deposited Plan 777933 – classified as 'Community'

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As part of Council's conversion of the Hawkesbury Local Environmental Plan 1989 to the NSW Government Standard Local Environmental Plan, one of the Industry Road Reserve parcels, being Lot 8 in DP 804460, was reclassified as 'Operational'. This was due to 'Sewer Pumping Station R' being located on this lot.

When Council took ownership of Lot 9 in DP 1149340 there was a billboard advertising sign located on the site, which had been approved under DA0289/95. The billboard advertising sign was originally constructed by APN Outdoor and they had an agreement with the previous owner of Lot 9 in DP 1149340 to lease the area where the sign is located. In late 2017, it was discovered that when Council took ownership of the subject land, no agreement between Council and APN Outdoor was ever entered into.

Council sought legal advice to rectify this matter and to pursue appropriate compensation for use of the sign on Council property. Council's Solicitors advised that whilst existing use rights remain for the sign, the Local Government Act 1993 prohibits Council from entering into a lease or licence agreement because the land is classified as 'Community' under the Local Government Act 1993.

Section 46 of the Local Government Act 1993, deals with the leasing of 'Community' land, and states that Council is not authorised to use public reserves for an advertising structure regardless of the Plan of Management for the property. To remedy this abnormality, Council is required to reclassify the land via the Local Environmental Planning amendment process.

For Council to be able to legally lease the site for advertising purposes, the three parcels would need to be reclassified to 'Operational'. The reclassification of these parcels requires an amendment to the Hawkesbury Local Environmental Plan and a Planning Proposal is required to be prepared and submitted. Once assessed, the Planning Proposal would proceed through the State Government Gateway process, seek appropriate approval by the Minister for Planning, and gazetted accordingly.

Council has been approached by APN Outdoor and also neighbouring retailers to continue to utilise the space for advertising purposes. If Council were to reclassify the parcels of land it would create an opportunity to look at new advertising models such as electronic signage, updated billboard signage or another advertising structure for multiple businesses.

It is recommended that Council prepare and submit the Planning Proposal Application to commence the process and necessitate the immediate assessment of the proposal.

The associated fees total approximately \$16,975, which includes application fees, advertising and notification fees, as well as the fee for the required public hearing to be held. The fees for this Planning Proposal would be paid out of the Property Development Reserve. Once reclassified, the income generated from any potential agreement entered into for advertising signage will be used to repay the cost of the fees back to the Property Development Reserve.

Under Section 57 of the Environmental Planning and Assessment Act 1979, Council will need to undertake community consultation in the form of public exhibition of the LEP Amendment and a public hearing.

Detailed History, including previous Council decisions

No previous Council decisions applicable to this report.

Consultation

The issues raised in this report concern matters which constitute a trigger for Community Engagement under Council's Community Engagement Policy. The community engagement required for this matter will be undertaken as part of the public exhibition process for the planning proposal.

Conformance to the Hawkesbury Community Strategic Plan 2017-2036

The proposal is consistent with the following Focus Area, Direction and Strategy within the CSP.

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Our Leadership

1.3 Financial Sustainability - Build strong financial sustainability for now and future generations.

- 1.3.1 In all of Council's strategies, plans and decision making there will be a strong focus on financial sustainability

Financial Implications

The matters raised in this report have direct financial implications. The expenditure applicable of approximately \$18,975 for the planning proposal fees, is not provided for in the 2018/2019 Adopted Operational Plan. The funds for the planning proposal fees will be paid out of the Property Development Reserve.

Once reclassified, the income generated from any potential agreement entered into for advertising signage will be used to repay the cost of the fees back to the Property Development Reserve. This adjustment will need to be addressed as part of the next Quarterly Budget Review.

Fit For The Future Strategy Considerations

The proposal is aligned with Council's long term plan to improve and maintain organisational sustainability and achieve Fit for the Future financial benchmarks. The proposal will enable Council to continue to provide and maintain service levels to meet established community expectations as budgeted for in the Long-Term Financial Plan.

Planning Decision

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

Conclusion

Industry Road Reserve is located, between Industry and Windsor Roads, Vineyard. The Reserve comprises of four parcels of land, three of these parcels of land are classified as 'Community' and one is classified as 'Operational' under the Local Government Act, 1993.

It is recommended that Council proceed with the lodgement of a Planning Proposal to have the three parcels listed in the report reclassified from 'Community' to 'Operational' land. The reclassification will enable Council to generate income by leasing the site for advertising purposes and accordingly, the matter is submitted for the consideration of Council.

RECOMMENDATION:

That:

1. Council lodge a Planning Proposal to reclassify for the following properties from 'Community' land to 'Operational' land, in accordance with the Local Government Act, 1993:
 - a) Lot 9 in Deposited Plan 1149340
 - b) Lot 13 in Deposited Plan 815849
 - c) Lot 6 in Deposited Plan 777933

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2. The Planning Proposal be prepared in accordance with the Environmental Planning and Assessment Act 1979 and the Department of Planning and Environment guidelines.

ATTACHMENTS:

AT - 1 Map of the Subject Properties

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AT - 1 Map of the Subject Properties



oooO END OF REPORT Oooo

ORDINARY MEETING
Minutes: 11 September 2018

SECTION 3 – Reports for Determination

PLANNING DECISIONS

Item: 221 **SS - Classification of Land - Industry Road Reserve, Industry and Windsor Roads, Vineyard - (95496)**

Directorate: Support Services

MOTION:

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

Refer to RESOLUTION

9 RESOLUTION:

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

That:

1. Council lodge a Planning Proposal to reclassify for the following properties from 'Community' land to 'Operational' land, in accordance with the Local Government Act, 1993:
 - a) Lot 9 in Deposited Plan 1149340
 - b) Lot 13 in Deposited Plan 815849
 - c) Lot 6 in Deposited Plan 777933
2. The Planning Proposal be prepared in accordance with the Environmental Planning and Assessment Act 1979 and the Department of Planning and Environment guidelines.

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

| For the Motion | Against the Motion |
|--------------------------|--------------------|
| Councillor Calvert | NIL |
| Councillor Conolly | |
| Councillor Garrow | |
| Councillor Kotlash | |
| Councillor Lyons-Buckett | |
| Councillor Rasmussen | |
| Councillor Reynolds | |
| Councillor Richards | |
| Councillor Ross | |
| Councillor Wheeler | |
| Councillor Zamprogno | |

Councillor Tree was absent from the meeting.

This is Page 5 of the Minutes of the ORDINARY MEETING of the HAWKESBURY CITY COUNCIL held at the Council Chambers, Windsor, on Tuesday, 11 September 2018

Item 2: Fernadell Park, Fernadell Drive, Pitt Town
https://www.hawkesbury.nsw.gov.au/_data/assets/pdf_file/0006/119382/ORD_OCT2_2018_BP.pdf

ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 30 October 2018

SECTION 3 – Reports for Determination

PLANNING DECISIONS

Item: 251 CP - Pitt Town Community Precinct - (95498, 96328)

Division: City Planning

PURPOSE OF THE REPORT:

The purpose of this report is to inform Council of preliminary consultations for the Pitt Town Community Precinct, and to seek Council approval for the preparation of a planning proposal to facilitate the development of the Community Precinct.

EXECUTIVE SUMMARY:

The Hawkesbury Section 94 (now known as Section 7.11) Contributions Plan 2015 includes provision for the construction of community facilities, recreational buildings and park improvements within the Pitt Town Release Area.

Council has acquired 9.95 hectares of land on Fernadell Drive for this purpose and this site is referred to in this report as the Pitt Town Community Precinct. The Precinct is made up of two sections of land divided by Fernadell Drive refer to (Figure 1). A 4,299m² section of land to the west of Fernadell Drive has been identified as the site for a proposed community centre, with the balance of 9.5 hectares to the east and north of Fernadell Drive, identified as the site for a recreation and sporting facilities and referred to as Fernadell Park.

Council has commenced consultation with residents of Pitt Town on the development of concept plans for the Precinct. During these preliminary discussions, the option of constructing a single multi-function community, recreation and sporting facility was canvassed and provisionally endorsed. Under this option, the 4,299m² community centre site would no longer be required for public amenity purposes and could potentially be sold with sale proceeds reinvested in additional community facilities for the Pitt Town community. This report outlines the process that would be required to be implemented should Council resolve to proceed down this path.

The report also identifies a need for Council to prepare a planning proposal to rezone the Pitt Town Community Precinct from its current RU2 – Rural Landscape zone to a RE1 – Public Recreation zone. The rezoning is required as the current RU2 zone does not permit the construction of a community or recreation facility. The report outlines the zoning history of the site.

The report notes that the requirement for the rezoning is not anticipated to be an impediment to progressing the planning and proposed development of the Pitt Town Community Precinct to advance the timely delivery of community facilities for residents of Pitt Town. To this end, the report also proposes that Council commence the preparation of a comprehensive Master Plan, and details Plan of Management, for the Precinct to be informed by extensive community consultation.

RECOMMENDATION SUMMARY:

The report recommends:

- That Council commence the preparation of a planning proposal to rezone land for the Pitt Town Community Precinct to enable the construction of the community facilities.

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REPORT:

The Hawkesbury Section 94 Contributions Plan 2015

The Hawkesbury Section 94 Contributions Plan 2015 includes provision for land acquisition for community facilities, recreational buildings and park improvements within the Pitt Town Release Area.

The schedule of land acquisition for the Pitt Town Release Area includes a 9.95 hectare parcel of land (Lot 6028 DP 1169449) set aside for Femadell Park and the proposed Pitt Town Community Centre.

The land parcel is divided by Fernadell Drive with the 4,290m² community centre site lying to the west of Fernadell Drive as shown in Figure 1. This land parcel is currently zoned RU2 – Rural Landscape and is classified as Community Land under the Local Government Act, 1993. In 2015, Council acquired the lot that makes up the proposed community centre site and Fernadell Park at a cost of \$5.78M.

The Hawkesbury Section 94 Contributions Plan 2015 also includes an allocation of \$3.1M for the construction of a community centre and \$4.4M for the development of Fernadell Park. The total contribution to be collected for these community facilities is \$7.5M. As at 30 June 2018, Council has collected \$3.95M of this total contribution and these funds are held within the Section 94 Reserve.

Council is currently in the process of reviewing and updating The Hawkesbury Section 94 Contributions Plan 2015 for a report to Council to seek approval for the public exhibition of the updated Plan.



Figure 1 : Location of land parcels acquired for recreational and community facilities
Pitt Town Release Area (Pitt Town Community Precinct)

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Planning for the Pitt Town Community Precinct

In June 2018, as part of its 'Connecting with our Community' town meetings, Council gave an undertaking to consult with the residents of Pitt Town on the development of concept plans for the Pitt Town Community Centre and Fernadell Park (the Pitt Town Community Precinct). Council has allocated \$100,000 in the 2018/2019 Operational Plan to facilitate this process.

In September 2018, Council staff met with representatives of the Pitt Town Progress Association to commence the community engagement process. The Association provided Council with a summary of design suggestions and expectations collected from residents for community facilities in Pitt Town (Attachment 1). At this meeting, Council tabled a preliminary concept design for Fernadell Park noting that the plan was intended to provide a starting point for the development of a more detailed Master Plan for Fernadell Park, which would be subject to community consultation. The draft concept plan was based on Council's *Regional Open Space Planning and Design Guidelines* for a district level parkland and sporting facility.

During these discussions, the option of combining the Section 94 funds available for community facilities, recreational facilities and park improvements was canvassed with the intention of constructing a single multi-function centre to be located on Fernadell Park. Council was advised that this option was one that had been previously canvassed by the Pitt Town Progress Association.

As part of this option, the 4,299m² community centre site would no longer be required for public amenity purposes and could potentially be sold in the future with the sale proceeds reinvested in community facilities within the Pitt Town Release Area. Council has obtained legal advice indicating that this course of action would be possible subject to Council meeting the relevant provisions of the Environmental Planning and Assessment Act, 1979 and the Local Government Act, 1993, as covered later in this report.

The Pitt Town Progress Association supported this proposal but requested that if possible consideration should be given to using the community centre site for a senior's housing development.

The Association also expressed a strong preference for the timely delivery of the planned community facilities for Pitt Town. It was agreed that a further meeting with the Association would be held following Council's determination regarding the proposal for an integrated, multi-functional community precinct model to enable Council staff and the Association to develop a community engagement plan to inform residents and seek their views on the development of the Pitt Town Community Precinct.

The Association also endorsed Council's proposed application under the NSW Greater Sydney Sports Facility Fund for a \$4M additional funding contribution towards the Pitt Town Community Precinct which, if successful, would expand the proposed scope of works for the Precinct.

Requirement for Rezoning

As shown in [Figure 2](#), Fernadell Park incorporating the adjoining community centre site is currently zoned RU2 – Rural Landscape. The RU2 zoning was established in 2012 following the conversion of the 1989 Hawkesbury Local Environment Plan (HLEP) into the current 2012 HLEP.

Under the HLEP 1989, the land was zoned EPA - Environmental Protection – Agricultural Protection (Scenic). This EPA zoning was one of only 3 of the 21 zones in the HLEP 1989 where a community or recreational facility was not permissible. The conversion of the 1989 EPA zone into the 2012 RU2 zone retained this prohibition.

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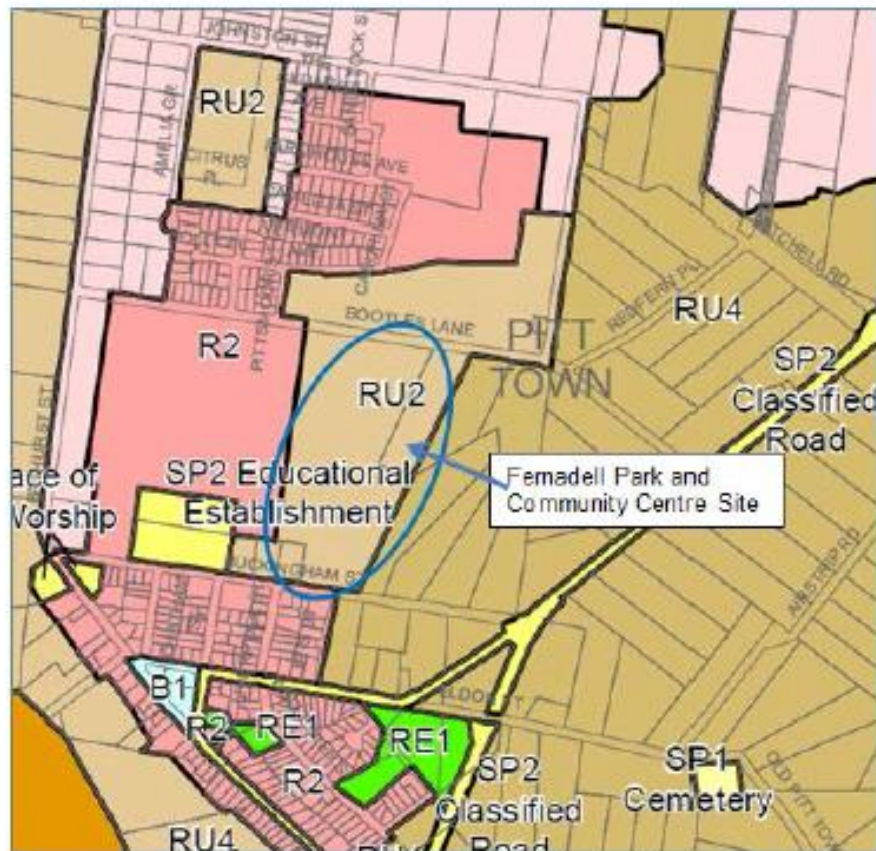


Figure 2: Map - Land Zonings Pitt Town

Land Use Table: RU2 Zone

Permitted without consent

Bed and breakfast accommodation; Environmental protection works; Extensive agriculture; Home occupations

Permitted with consent

Agriculture; Animal boarding or training establishments; Boat sheds; Building identification signs; Business identification signs; Cemeteries; Charter and tourism boating facilities; Crematoria; Dual occupancies (attached); Dwelling houses; Educational establishments; Entertainment facilities; Environmental facilities; Farm buildings; Farm stay accommodation; Flood mitigation works; Forestry; Funeral homes; Helipads; Home-based child care; Home industries; Jetties; Landscaping material supplies; Moorings; Places of public worship; Plant nurseries; Recreation areas; Restaurants or cafes; Roads; Roadside stalls; Rural industries; Rural supplies; Rural workers' dwellings; Water recreation structures; Water storage facilities

Prohibited

Any development not specified above.

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The particulars of permitted developments under the RU2 Rural Landscape zones are summarised below.

Despite the clear intent of the Section 94 Plan, the land has retained the elements of its previous pre-2012 zoning under which a community or recreational facility is a prohibited development. This anomaly was not picked up during the conversion of the 1989 HLEP into the 2012 HLEP.

Advice from the Manager Strategic Planning indicates that under the current RU2 zoning, it will not be possible for Council to construct a community or recreational facility on the land that Council has acquired for this purpose. Therefore, a planning proposal to rezone the land from RU2 – Rural Landscape to RE1 - Public Recreation will need to be prepared to facilitate the timely development of the Pitt Town Community Precinct.

The planning proposal would be reported to the Hawkesbury Local Planning Panel for advice prior to being reported to Council in order to seek approval to submit the planning proposal to the Department of Planning and Environment for a Gateway determination.

Reclassification and Development of Community Centre Site

Should Council determine to proceed with the proposal for an integrated, multi-functional community precinct model, then, as outlined above, the community centre site would no longer be required for a public amenity purpose and could be sold with sale proceeds reinvested in community facilities for Pitt Town. Based on legal advice this would require:

1. the preparation of an amended Section 94 (now Section 7.11) Development Contribution Plan as provided for under Clause 32 of the Environment and Planning Assessment Regulation 2000, which would effectively delete the requirement for Council to retain the community centre site for a public amenity purpose. The amended Plan would be reported to Council and placed on public exhibition. Council is currently in the process of updating the Section 94 Contributions Plan 2015, and the amendment to the Plan, as outlined above, could be dealt with as part of that process;
2. the inclusion within the proposed rezoning planning proposal of a provision to reclassify the 4,299m² community centre site from Community Land to Operational Land and amend the minimum lot size map to accommodate a lot of this size;
3. a public hearing into the proposed reclassification of the community centre site as required under Sections 29 and 47G of the Local Government Act, 1993;
4. a rezoning to facilitate the future development of the community centre site. Based on advice from the Manager Strategic Planning it is proposed that the community centre should retain its current RU2 zoning. Due to unresolved flood evacuation issues, it is unlikely that approval would be granted to amend the RU2 zone to a residential or other zone to permit the intensification of development outcomes for the site beyond a single residential dwelling (assuming that a low-impact, residential type development would be community's and Council's preferred permissible development outcome).

Progressing Planning for the Pitt Town Community Precinct

The requirement for the rezoning will not necessarily be an impediment to progressing the planning and proposed development of the Pitt Town Community Precinct to advance the timely delivery of community facilities for residents of Pitt Town as advocated by the Pitt Town Progress Association.

Council has set aside \$100,000 in the 2018/2019 Operational Plan to prepare initial concept plans for the Pitt Town Community Precinct. It is proposed that these funds be supplemented through a quarterly review budget adjustment to draw down additional available funds from the Pitt Town Section 94 Reserve to facilitate the preparation of a more comprehensive Master Plan and detailed Plan of Management for the Precinct informed by extensive community consultation.

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These documents would be required to be prepared prior to the construction of any proposed facility. Their preparation will provide the opportunity for residents to meaningfully participate in the planning and design of their community precinct.

While a community or recreational facility cannot be commenced before the proposed rezoning, the RU2 Zone does permit the development of a 'recreation area' which is defined as:

"a place used for outdoor recreation that is normally open to the public, and includes:

- (a) a children's playground, or*
- (b) an area used for community sporting activities, or*
- (c) a public park, reserve or garden or the like, and any ancillary buildings, but does not include a recreation facility (indoor), recreation facility (major) or recreation facility (outdoor)."*

Council could therefore reasonably commence the staged implementation of the Master Plan should the Plan be complete before the rezoning planning proposal is finalised. The current RU2 zone would permit the landscaping, sporting fields, park amenities, and playground elements of the Master Plan to be delivered.

In addition, the preparation and lodgment of a Development Application for the multi- function community/recreational facility component of the Master Plan could be commenced once Council has approved a rezoning planning proposal for submission to the Department of Planning and Environment for a Gateway determination.

Policy considerations

Council should have regard to the relevant provisions of the Environmental Planning and Assessment Act, 1979 and the Local Government Act, 1993, in determining its position in relation to the proposals outlined in this report. The report recommendations are consistent with the legal advice Council has received about its obligations in relation to these matters.

Consultation

The issues raised in this report concern matters which constitute a trigger for Community Engagement under Council's Community Engagement Policy. The report outlines a number of statutory processes which carry with them a requirement for community notification, consultation and public hearings as well as broader community consultation requirements for the preparation of plans for the design of community facilities.

Preliminary consultation has been undertaken with the Pitt Town Progress Association and it is proposed that following Council's determination of the matters in this report, that further meetings be held with the Association to develop and implement a community engagement strategy to inform residents and seek their views on the development of the Pitt Town Community Precinct.

Conformance to the Hawkesbury Community Strategic Plan 2017-2036

The proposal is consistent with the following Focus Area, Directions and Strategies within the CSP.

Our Community

2.3 Community partnerships continue to evolve

- 2.3.1 Encourage and facilitate community partnerships.**
- 2.3.2 Support and expand active volunteering.**
- 2.3.3 Advocate and facilitate constructive and productive partnerships with residents, community groups and institutions.**

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2.3.4 Develop opportunities for active involvement of residents in the management of parks and public spaces in the Hawkesbury.

2.4 Community wellbeing and local services

2.4.1 Work in partnership with government and community organisations to improve services and facilities for disadvantaged and vulnerable groups, and to build stronger and more cohesive communities.

2.4.2 Provide flexible services that can adapt to changing community needs and service demands.

2.5 Cultural Development and Heritage

2.5.1 Encourage and support all residents to participate in all aspects of community, cultural and civic life.

2.5.2 Provide community and cultural services through a range of affordable and accessible facilities.

2.5.3 Recognise, conserve and promote the area's history and heritage for current and future generations.

Discussion

The allocation of funding for the construction of the Pitt Town Community Precinct provides an opportunity for Council to work with residents and community agencies to design and plan for facilities to increase the provision of services and facilities for the community.

Council has commenced consultation with representatives from the Pitt Town community who have expressed a desire to work closely with Council to bring about the timely delivery of contemporary and quality community facilities to meet the current and projected needs of the community. The proposals outlined in this report speak to that aim. They reflect the documented ideas and expectations of residents as provided to Council, and are consistent with legal advice that Council has received.

Financial Implications

The matters raised in this report have direct financial implications. The report recommends the preparation of a planning proposal to rezone the land, and a comprehensive Master Plan for the Pitt Town Community Precinct including a related Plan of Management. Funding of \$100,000 has been allocated in the 2018/2019 Operational Plan to progress planning for the Precinct. It is likely that these funds will be insufficient to cover the additional requirements outlined in this report and the increased expenditure will need to be addressed as part of a Quarterly Budget Review. However, the additional funding required can be drawn down from the relevant Pitt Town Section 94 Reserve and will not materially impact on Council's 2018/2019 budgetary position.

The report also notes that Council is seeking additional external investment for the Pitt Town Community Precinct by way of a \$4M grant application under the NSW Greater Sydney Sports Facility Fund which will augment the available Section 94 funds for this project.

Fit For The Future Strategy Considerations

The proposal is aligned with Council's long term plan to improve and maintain organisational sustainability and achieve Fit for the Future benchmarks. The proposal has no resourcing implications outside of Council's adopted Long Term Financial Plan and will enable Council to sustainably manage community assets in accordance with the scheduled program of works in the Long Term Financial Plan.

The proposal to construct a single, multi-function centre in Fernadell Park, rather than two buildings in close proximity to each other has the capacity to generate operational and asset maintenance efficiencies over the long term. The proposed sale of the community centre site will also generate additional one-off revenue for reinvestment in community facilities for the benefit of the residents of Pitt Town. These outcomes are consistent with Council's Fit for the Future Strategy.

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Planning Decision

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

Conclusion

The report highlights a number of planning issues that will need to be resolved to progress the planning for the Pitt Town Community Precinct and the timely delivery of community facilities. The proposal to commence a comprehensive Master-planning process will also support the active participation of the residents of Pitt Town in this process. The report also canvasses options which would deliver additional community facilities for the benefit of residents. These outcomes are consistent with a number of strategies within the Hawkesbury Community Strategic Plan 2017-2036.

RECOMMENDATION:

That Council:

1. Approve the preparation of a planning proposal to rezone the Pitt Town Community Precinct site (Lot 6028 DP 1169449) from RU2 – Rural Landscape to RE1 – Public Recreation to enable the construction of a multi-function community, recreational and sporting facility.
2. Include within the planning proposal the provision to reclassify the 4,299m² community centre site on Fernadell Drive from Community Land to Operational Land under the Local Government Act, 1993, and amend the minimum lot size map to accommodate a lot this size.
3. Include within the planning proposal the provision to retain the current RU2 – Rural Landscape zone for the community centre site.
4. Include within the proposed update of the Section 94 Contributions Plan 2015, a provision to delete the requirement for Council to retain the 4,299m² community centre site on Fernadell Drive for a public amenity purpose.
5. Commence the preparation of a Master Plan and Plan of Management for the Pitt Town Community Precinct.
6. Further consult with the Pitt Town Progress Association to develop and implement a community engagement strategy to inform residents and seek their views on the development of the Pitt Town Community Precinct.
7. Note the \$4M grant application under the NSW Greater Sydney Sports Facility Fund seeking additional external investment for the Pitt Town Community Centre.

ATTACHMENTS:

- AT - 1** Pitt Town Community Centre proposed design elements and facilities - Pitt Town Progress Association Inc. 25 August 2018.

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AT - 1 Pitt Town Community Centre Proposed Design Elements and Facilities - Pitt Town Progress Association Inc. 25 August 2018.

Pitt Town Progress Association Inc.
Pitt Town Community Centre

Updated 25/8/2018

Background

A community centre at Pitt Town was included as part of the original development plans around 2005. Since then approximately 1,000 new families have moved to the area with an equivalent number of land purchasers contributing to facilities and infrastructure via various levies and developer contributions. Residents have waited far too long for delivery of infrastructure and community facilities. They have a reasonable expectation for the speedy delivery of a quality community centre that meets the current and projected needs and wants of the community.

The following details come from the Hawkesbury City Council Section 94 Contributions Plan 2015:

3.1.7 Community facilities

Future development in the Pitt Town Catchment will generate the need for a new local community facility.

A 4,299m² site to the north of the Pitt Town Public School will accommodate the facility. The location of the proposed facility is shown in Figure 7.



Figure 7 Location of proposed local community facility

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Since the Pitt Town Catchment contributions scheme first commenced in 2005, Council has applied a standard of 0.3 square metres per resident in order to provide for the baseline community facility needs of the future population of the area.

Hence, based on an assumed additional 2,864 persons, the community facility will have an area of not less than 859m². The likely design of this new community facility will be a multi-purpose building that will enable use by different age groups at different times for different purposes.

The anticipated cost of this facility was assessed in the initial contributions scheme in November 2005 as \$1,685,250. However, that assessment was carried out when the anticipated future net additional population for Pitt Town Catchment was 2,020 persons (i.e. a 606m² centre). For the population of Pitt Town Catchment now envisaged (i.e. 2,864 persons) a larger centre is proposed.

A breakdown of the adjusted costs for this facility is shown in Table 6.

Table 6 Community facility costs

| Item (for a 606m ² facility) | Estimated Value of Works (Nov 2005) |
|---|-------------------------------------|
| Construction costs | \$1,200,000 |
| Carpark (50 spaces and lighting) | \$80,000 |
| Landscaping | \$80,000 |
| Application fees and administration costs | \$87,000 |
| Architectural services | \$15,000 |
| Site safety and building security | \$28,000 |
| Utilities | \$45,000 |
| Fill-out | \$70,000 |
| Contingencies (5%) | \$80,250 |
| TOTAL | \$1,685,250 |
| TOTAL (CPI updated for March 2008) | \$1,811,644 |
| ADJUSTED TOTAL FOR A 859m² FACILITY | \$2,567,990 |
| TOTAL (CPI updated for December 2014) | \$3,037,224 |

The contribution formula for local community facilities in Pitt Town Catchment can be expressed as:

$$\text{Contribution per lot} = (\text{CCf} / \text{T}) + \text{A}$$

Where CCf = the cost of community facilities, in dollars T = the number of additional lots (i.e. 895)

A = Administration cost (\$40 per lot as at November 2005 and adjusted using Sydney CPI)

The contribution rate per lot at January 2015 is shown in the table in Appendix A.

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The following ideas, suggestions and expectations have come from Pitt Town residents:

General guidelines for design and construction

- Initial site preparation should include retaining walls on the eastern and northern boundaries to provide the largest, level, usable area possible. Council should have required the developer to do this before handing over the land to council.
- The building design should be in keeping with the style and quality of homes in the area, i.e. high quality, modern and attractive.
- Construction should be functional, sturdy, quality materials and aesthetically pleasing.
- Design could reflect the historic aspects of Pitt Town and the future direction of the community.
- Design and building materials should be "low maintenance" and avoid external surfaces that attract birds or other vermin.
- Large capacity rainwater collection & use in landscaping watering
- Large capacity solar electrical system
- Separate air conditioning (heating and cooling) systems for different areas

Range of uses the community foresee

- Community meetings, social events, entertainment functions, private functions, dinners, dances, parties, presentations, play groups, children's activities, dance classes, exercise groups, talent quests etc.
- The community centre could be a business hub and cater for business meetings, conferences / gatherings, small offices where people can work. It could cater for people who are working from home who may need somewhere to meet clients or work in peace and quiet for a day here and there.
- It should be a place where people can network and gather.
- Emergency accommodation during major flood event.

Facilities to be included

- Main function room (with stage area?), sound, lighting etc. accommodate at least 100 seated
- Smaller function room to accommodate 40 seated
- Meeting room to accommodate 12
- Storage for tables & chairs suitably stored and convenient to area of use
- Casual meeting areas / lounge areas would be important.
- Include an entry area with the facility to display items, such as the honour rolls, the history of our community up until present time, etc.
- Should include a covered alfresco area including BBQ facilities on the eastern side outside the main hall that takes advantage of the views over Fernadell Park (which should be suitably landscaped as part of its development).
- Possible inclusion of a café as in Glenwood Community Hub
- Suitable furniture – tables & chairs, that are practical, sturdy, light and functional
- Kitchen facilities – commercial grade

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- Toilets, including disabled and baby changing facilities (mothers' room). Include shower facilities for emergency use during a major flood event.
- NBN connectivity is important for conference and general office facilities.
- Pin pad for entry and exit - specific code given to each user on application that can then be linked to an invoicing system based on number of hours of use?
- Online booking system for use of facilities, details of which are posted on website and suitable social media page.
- Business "Smart Hub" with small single or shared office space.
- Secure storage room for valuable equipment
- Secure, children's play area
- Good quality AV system
- Internet (NBN) and Wi-Fi facilities
- Off-street parking for at least 50 vehicles
- Landscaping
- Security system including CCTV
- Quality design and construction
- Purpose designed space for play groups including an outdoor area
- Administration office
- Cleaners' cupboard for storage

Information about other community centres within the Hawkesbury can be found by following this link: <http://www.hawkesbury.nsw.gov.au/search/HCC-Search-Results?q=community%20centre>

Management and Organisation

- A management committee made up of community members under the authority of HCC, such as a "section 355 committee".
- Constitution or Statute document clearly stating rules and guidelines for ongoing use, management, maintenance and future development
- Financial management and budget for ongoing expenses, repairs & maintenance and security.
- Possibly a paid caretaker and or office person for administration.

oooO END OF REPORT Ooo

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PLANNING DECISIONS

Item: 251 CP - Pitt Town Community Precinct - (95498, 96328)

Division: City Planning

Mr Peter Ryan addressed Council speaking for the recommendation.

MOTION:

RESOLVED on the motion of Councillor Rasmussen, seconded by Councillor Zamprogno.

Refer to RESOLUTION

! RESOLUTION:

RESOLVED on the motion of Councillor Rasmussen, seconded by Councillor Zamprogno.

That Council:

1. Approve the preparation of a planning proposal to:
 - a. Rezone Fernadell Park - the proposed Pitt Town Community Precinct site (Lot 6028 DP 1189449) from RU2 – Rural Landscape to RE1 – Public Recreation to enable the construction of a multi-function community, recreational and sporting facility
 - b. Reclassify the 4,299m² Community Centre Site on Fernadell Drive from Community Land to Operational Land under the Local Government Act, 1993, and amend the minimum lot size map to accommodate a lot this size
 - c. Maintain the current RU2 – Rural Landscape zone for the Community Centre Site.
2. Include within the proposed update of the Section 94 Contributions Plan 2015, a provision to delete the requirement for Council to retain the 4,299m² Community Centre Site on the corner of Fernadell Drive for a public amenity purpose.
3. Commence the preparation of a Master Plan and Plan of Management for the Pitt Town Community Precinct on Fernadell Park fronting Stables Street.
4. Further consult with the Pitt Town Progress Association to develop and implement a community engagement strategy to inform residents and seek their views on the development of the Pitt Town Community Precinct on Fernadell Park fronting Stables Street.
5. Note the \$4M grant application under the NSW Greater Sydney Sports Facility Fund seeking additional external investment for the Pitt Town Community Centre.
6. Specifically consult with residents opposite and adjacent to the proposed Pitt Town Community Precinct site.
7. Consult with the entire Pitt Town community to ascertain the best use of the 4,299m² Community Centre site on Fernadell Drive.

This is Page 5 of the Minutes of the ORDINARY MEETING of the HAWKESBURY CITY COUNCIL held at the Council Chambers, Windsor, on Tuesday, 30 October 2018

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

| For the Motion | Against the Motion |
|--------------------------|--------------------|
| Councillor Calvert | Nil |
| Councillor Conolly | |
| Councillor Garrow | |
| Councillor Kotlash | |
| Councillor Lyons-Buckett | |
| Councillor Rasmussen | |
| Councillor Reynolds | |
| Councillor Richards | |
| Councillor Ross | |
| Councillor Tree | |
| Councillor Wheeler | |
| Councillor Zamprogno | |