Planning Proposal

Redbank, North Richmond

Submitted to Hawkesbury City Council
On behalf of North Richmond Joint Venture

Ethos Urban

Prepared by Ethos Urban

19 September 2024 | 2190387

'Gura Bulga'
Liz Belanjee Cameron

'Gura Bulga' – translates to Warm Green Country. Representing New South Wales.

By using the green and blue colours to represent NSW, this painting unites the contrasting landscapes. The use of green symbolises tranquillity and health. The colour cyan, a greenish-blue, sparks feelings of calmness and reminds us of the importance of nature, while various shades of blue hues denote emotions of new beginnings and growth. The use of emerald green in this image speaks of place as a fluid moving topography of rhythmical connection, echoed by densely layered patterning and symbolic shapes which project the hypnotic vibrations of the earth, waterways and skies.

Ethos Urban acknowledges the Traditional Custodians of Country throughout Australia and recognises their continuing connection to land, waters and culture.

We acknowledge the Gadigal people, of the Eora Nation, the Traditional Custodians of the land where this document was prepared, and all peoples and nations from lands affected.

We pay our respects to their Elders past, present and emerging.

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1.0 Introduction

Ethos Urban has prepared this report on behalf of North Richmond Joint Venture (the Proponent) in support of a Planning Proposal to amend the *Hawkesbury Local Environmental Plan 2012* (the Hawkesbury LEP 2012) at the Redbank, North Richmond site to rezone several portions of land to resolve zoning issues and planning anomalies that have arisen throughout the subdivision design development process.

The Planning Proposal submitted to Hawkesbury City Council is of a basic housekeeping nature and intends to achieve the following objectives:

- Resolve zoning anomalies that have arisen throughout the subdivision design development process of the individual lots, that now require adjustments to the RE1 Public Recreation, E1 Local Centre zone, R2 Low Density Residential zone, R3 Medium Density Residential zone and R5 Large Lot Residential zone boundaries.
- Adjust the medium density zone adjacent to the Redbank Village Centre to reflect the subdivision layout of the Southern Valley development approved under DA0092/22. The minor reduction in area zoned R3 Medium Density Residential adjacent to the Redbank Village Centre will not affect the achievement of the originally envisaged number of dwellings for the broader Redbank site.
- Expand the E1 Local Centre zoning for the Redbank Village Centre, which currently contains a small temporary playground as an ancillary use to the retail offering, to provide flexibility of future uses as the surrounding residential lots are delivered.
- Rezone land that is privately owned by the seniors living development north of the existing seniors living development from the RE1 Public Recreation Zone to the RE2 Private Recreation zone. This land is demarcated by the new fence and public path which was recently constructed in consultation with Council Within the fence, in the area proposed to be rezoned from the RE1 Public Recreation zone to the RE2 Private Recreation zone, there is private property containing landscaped space for seniors living residents, and several stormwater management rain gardens and basins which service run off from the existing independent living units. Beyond the fence, there is a new public path and public open space.
- Ensure that the existing minimum subdivision lot size and height of buildings development standards correspond and align with the proposed rezonings.

The intended outcomes of the Planning Proposal are:

- Align the allotment subdivisions as approved within all DAs relating to Redbank (refer to **Table 2**) with the relevant zoning under the Hawkesbury LEP 2012.
- Minor reduction of 569m^2 in area of land zoned R3 Medium Density Residential (total area of 8,532m^2) adjacent to the Redbank Village Centre.
- Conversion of 3,306m^2 of land zoned R2 Low Density Residential and R3 Medium Density Residential to E1 Local Centre (total area of land zoned E1 Local Centre is 16,800m^2). However, this will not affect and traffic or infrastructure outcomes of the development.
- Rezoning of 11,163m^2 of land zoned RE1 Public Recreation to RE2 Private Recreation to reflect the new fence constructed in consultation with Council which demarcates public open space from land privately owned by the existing seniors living development.
- The Planning Proposal does not intend to increase overall density, and will not affect the achievement of the approximately 1,400 dwellings originally envisaged for the broader Redbank site under the masterplan at the time of making the original Planning Proposal PP_2012_HAWKE_002_00 and execution of the related Voluntary Planning Agreement dated 7 July 2014.
- Realign the existing minimum lot size development standards to correspond with the proposed zoning alignments.
- Realign the existing height of building development standards to correspond with the proposed zoning alignments.

A Draft Zoning Plan outlining the proposed zoning for the site prepared by Arterra is provided at **Appendix A**.

This report describes the site, outlines the proposed amendments to the Hawkesbury LEP 2012 and provides the strategic justification and environmental, social and economic assessment for the proposed zoning adjustments.

The report should be read in conjunction with the specialist consultant reports appended to this Planning Proposal (refer Table of Contents).

Ethos Urban has prepared this report in accordance with Section 3.33 of the *Environmental Planning & Assessment Act 1979* (EP&A Act), and the NSW Department of Planning and Environment's (DPE) *'Local Environmental Plan Making Guidelines'* (the LEP Making Guidelines). As shown in **Table 1**, the report addresses the specific matters for a Planning Proposal outlined in the LEP Making Guidelines.

Table 1 LEP Making Guidelines Planning Proposal Components

Component	Relevant Report Section
Part 1 - Objectives and intended outcomes	**Section 5.1**
Part 2 - Explanation of provisions	**Section 5.2**
Part 3 - Justification of strategic and Site-specific merit	**Section 6**
Part 4 - Maps	**Section 5.3**
Part 5 - Community Consultation	**Section 8**
Part 6 – Project Timeline	**Section 9**

2.0 Background and context

The broader Redbank Communities site has been the subject of ongoing investigations for several years, with an original submission made in 2009 requesting the site be listed on the Metropolitan Development Program. In May 2011, the Council adopted a Residential Land Strategy for the LGA which identified the Redbank site as a 'High Priority Future Investigation area' for urban release.

A Planning Proposal was subsequently submitted to Hawkesbury City Council to amend the Hawkesbury LEP 2012 to rezone the site to enable residential development. The rezoning, which was gazetted on 11 April 2014, facilitates the delivery of approximately 150 dwellings on the site per annum from early 2015. To date, all residential lots have been approved via DAs, over 1000 urban lots registered to date.

A DCP has been prepared for the site, under Part E Chapter 8 of the Hawkesbury DCP 2002. This DCP was prepared in close consultation with the NSW Heritage Branch and is consistent with the endorsed Conservation Management Plan for the site. The final agreed version of the DCP was adopted by Council on 25 November 2014, as Part E, Chapter 8 of the DCP, and is current.

At the Council meeting on 1 July 2014, the Council resolved to execute the Voluntary Planning Agreement (VPA) for the site. The VPA prescribes the timing of infrastructure delivery across the entire Redbank site as it is developed. This Planning Proposal does not affect the delivery of infrastructure required by the VPA.

Major development applications that have been determined as part of the broader Redbank Communities site to date are listed in **Table 2**.

Table 2 Redbank development applications

DA	Description	Determination
DA0092/22	Subdivision – Land Clearing, Earthworks, Decommissioning of Water Storage Facility, Construction of Roads & Service Infrastructure, Upgrade and Intersection Works on Grose Vale Road, Associated Landscaping, Torrens Title Subdivision to Create 375 Residential Lots, 1 Super Lot and 4 Open Space Lots	Approved (29/05/2023)
DA0498/18	Subdivision – Torrens title subdivision of Lot 548 to create 254 residential lots, 4 open space lots and a residue lot	Approved by LEC (24/09/2020)

DA	Description	Determination
DA0334/18	Concept Masterplan for the Redbank Village Centre, and detailed design of commercial building.	Approved by LEC (31/10/2019)
DA0430/19	Subdivision – Torrens title subdivision of Lot 548 to create 25 residential lots.	Approved (29/07/2020)
DA0412/17	Subdivision – Torrens title subdivision of Lot 796 to create 50 residential lots.	Approved (31/01/2019)
DA0284/17	Subdivision – Torrens title subdivision of Super Lots 795 and 796 to create 19 residential lots.	Approved (11/01/2018)
DA0412/17	Subdivision – Torrens title subdivision of Proposed Lot 798 to create an additional 57 residential lots, forming a precinct known as 'Ploughmans'.	Lodged (12/07/2017)
DA0216/16 (S960071/17 and S960144/17)	Subdivision – Earthworks, alterations to four dams, the construction of roads and a Torrens title subdivision to create 244 residential lots, one (1) neighbourhood centre lot, six open space lots, two super lots and two residual lots forming a precinct known as 'Yeomans'.	Approved (22/12/2016)
DA0467/15	Subdivision – Torrens title subdivision to create 59 residential lots, two open space lots and 1 x residual lot known as 'Belmont'.	Approved (5/05/2016)
DA0451/14 (S960154/16)	Subdivision – Torrens title subdivision to create 12 additional residential lots.	Approved (9/06/2015)
DA0452/14	Subdivision – Torrens title subdivision to create 1 x additional residential lot.	Approved (02/06/2015)
DA0471/14	Subdivision – Torrens title subdivision to create 237 additional residential lots, forming three (3) precincts known as 'Yobarnie Rise', 'Mountain View' and 'The Gallery'.	Approved (12/03/2015)
DA0450/14	Subdivision – Torrens title subdivision to create 13 additional residential lots to be included in the 'Yobarnie Rise' precinct (DA0471/14).	Approved (28/01/2015)
DA0434/14 (S960042/15)	Subdivision – Torrens title subdivision to create 1 x superlot.	Approved (30/12/2014)
DA0439/14	Subdivision – Torrens title subdivision to create 1 x additional residential lot.	Approved (24/12/2014)
DA0437/14	Subdivision – Torrens title subdivision to create two (2) additional residential lots.	Approved (11/12/2014)
DA0440/14	Subdivision – Torrens title subdivision to create 1 x additional residential lot.	Approved (11/12/2014)
DA0852/08	Seniors Housing Development comprising 197 independent living units and an 80-bed aged care facility. The approval has been subject to multiple modification applications.	Approved (15/09/2009)

2.1 Pre-lodgement consultation

The Proponent submitted attended a pre-lodgement meeting with Council officers on 18 May 2023 as required by the LEP Making Guidelines. The following items were discussed:

- Overview of the proposed zone boundary adjustments.
- Inclusion of consistency statements from relevant consultants as the Planning Proposal will not generate any additional impacts nor need for assessment than that covered in the detailed consultant reports prepared for the previous subdivision DAs for Redbank.
- Timing of lodgement of Planning Proposal in July 2023.

Council did not raise any issues regarding the items discussed above in the Scoping Meeting.

3.0 Site Analysis

3.1 Site Location

Redbank at North Richmond (the site) is located approximately 55km north west of the Sydney CBD, and 1km west of the North Richmond town centre (refer to **Figure 1**). North Richmond is one of the three major towns in Hawkesbury LGA, the others being Richmond and Windsor.

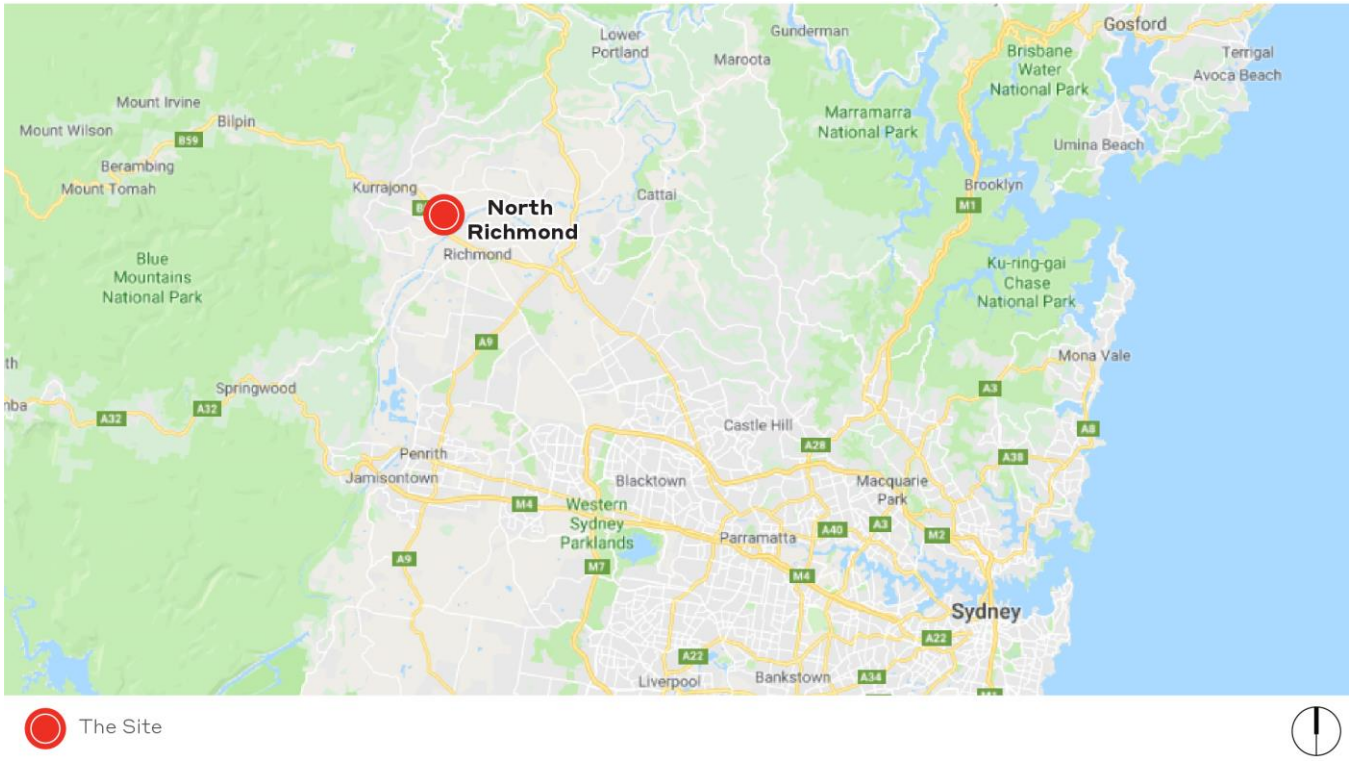


Figure 1 Site context

Source: Google Maps & Ethos Urban

3.2 Site Description

The broader Redbank Communities site has an area of 180 hectares and is in the process of being progressively subdivided. When complete, it will accommodate approximately 1,400 dwellings.

This Planning Proposal relates to land located within these 180 hectares as shown shaded red in **Figure 2**, and is herein referred to as 'the impacted areas'. The site is within the following precincts of the broader Redbank site:

- 'Southern Valley'
- 'Southern Heights'
- 'Mountain View'
- 'The Gallery'
- 'Village Centre'
- 'Ploughmans'
- 'Yobarnie Rise'
- 'Yeomans'
- 'Belmont'

The registered land owner is BDNSW (MR) Project 0007 Pty Ltd.

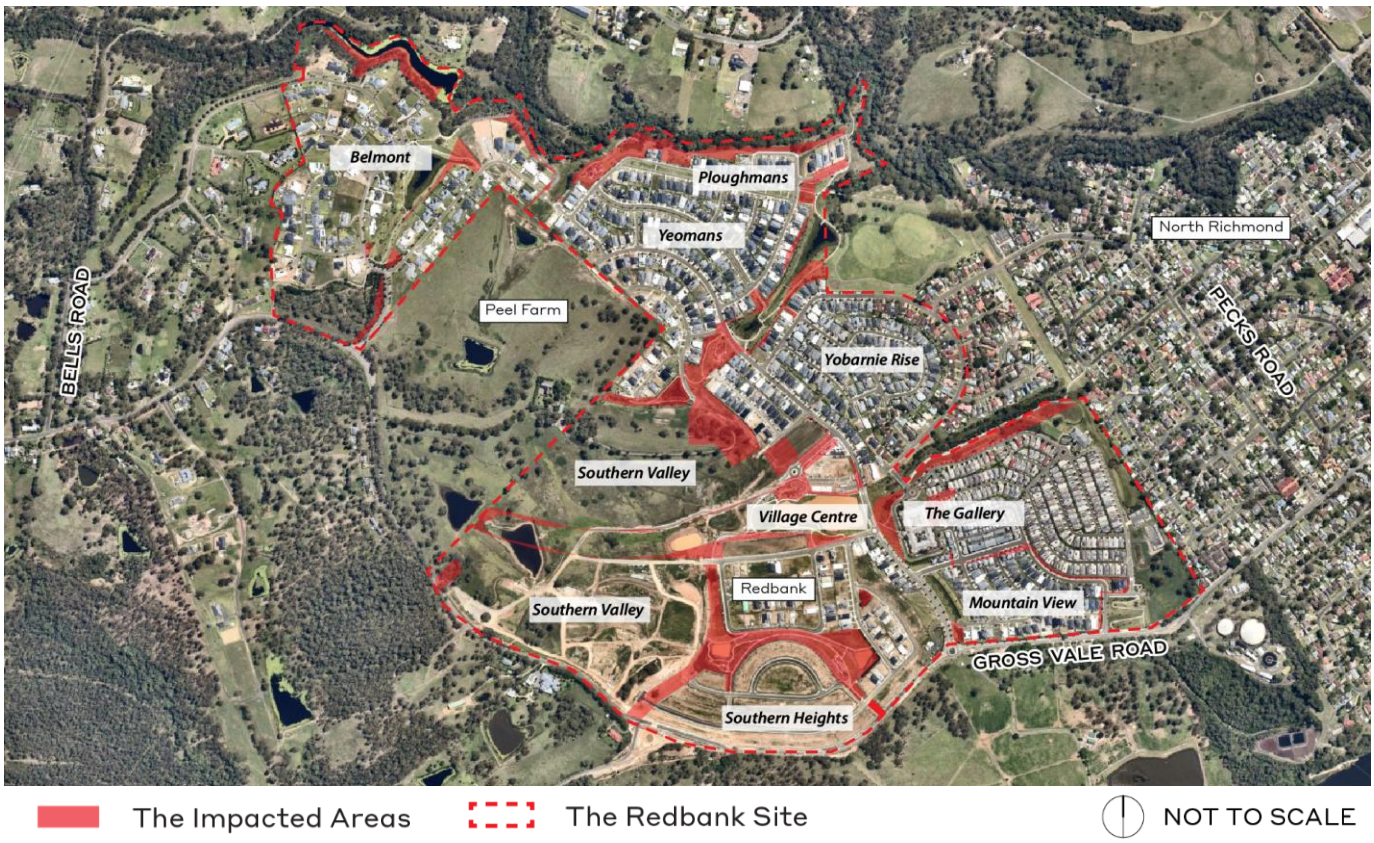


Figure 2 Location of the Impacted Areas

Source: Nearmap & Ethos Urban

3.2.1 Topography

The broader Redbank site varies in height from approximately 60-90m AHD along Grose Vale Road down to Redbank Creek at approximately 20-40m AHD and, it varies in slopes from reasonably flat terrain to land in excess of 15%. The undulation of the broader Redbank site results in a central saddle running approximately east-west creating two distinct valleys. It is above the 1 in 100 year Hawkesbury River flood event level and a small part of the land (generally within the confines of the Redbank Creek riparian area) is below the Hawkesbury River Probable Maximum Flood Level.

3.2.2 Heritage

The site was formerly a grazing property known as 'Yobarnie', where the Yeoman's Keyline system of agriculture was first developed, trialled and demonstrated. Therefore, the whole of the broader Redbank Communities site is listed on the State Heritage Register (listing number 01826) under the *Heritage Act 1977* for its historic, associative, and aesthetic values and for its research potential and rarity relating to the Keyline farming system. Multiple dams associated with this method of irrigation remain onsite (reinterpreted as part of the landscape design) and the majority of the land is located within the Peel Farm (Kemsley Park) area, previously owned by Leonard Martin Peel.

3.2.3 Vegetation and Bushfire Hazard

As a result of previous subdivision approvals (see **Table 2**), the site has been cleared from its former agricultural use, with the development areasrelatively free of vegetation. Therefore, bushfire hazard is significantly reduced. It is to be noted the north western and southern perimeters of the site are considered to be bushfire prone. The areas are shown to be a combination of Category 1 vegetation zone along the northern boundary of the Redbank site and Category 3 vegetation zone in the north western corner and along the south-western and southern boundaries of the site.

3.3 Existing and Future Land Uses

The rezoning, as proposed within this Planning Proposal affects all precincts within the broader Redbank site, which will comprise approximately 1,400 residential dwellings for an estimated 3,900 residents once fully developed. A description of each precinct is provided below (refer to **Figure 3** for an aerial photograph which shows the existing development and identifies the location of these precincts):

- 'Belmont' contains large lots with R5 large lot residential zoning. It contains low rise single storey detached residential dwellings and is completed. It contains open space on its northern flank and through its eastern extent which contains an existing modified dam.
- 'Ploughmans' contains low rise single and double storey detached dwellings on standard residential lots with R2 low density residential zoning and is now completed. It has open space along its northern flank.
- 'Yeomans' contains low rise single and double storey detached dwellings on standard residential lots with R2 low density residential zoning and is now completed. It has open space along its eastern flank.
- 'Yobarnie Rise' contains low rise single and double storey detached dwellings on standard residential lots with R2 low density residential zoning and is now completed. It has open space along its north-western, northern, eastern and southern flanks.
- 'The Gallery' contains low rise single and double storey detached dwellings on standard residential lots with R3 medium density residential zoning and is now completed. To the north and east of the Gallery is the RSL Lifecare retirement village site which contains open space on its northern and eastern flanks. The RSL Lifecare site is located within the broader Redbank site.
- 'Mountain View' contains low rise single and double storey detached dwellings on standard residential lots with R2 low density residential zoning and is now completed.
- 'Southern Heights' has an approved subdivision development consent to provide lots suitable for residential use within the R2 low Density Residential zone. While some lots, dwellings and roads are completed, a large portion of this precinct remains in the site preparation and construction phase. The precinct will include a large park with dams in the area immediately north of the crescent-like streets.
- 'Village Centre' has an approved concept masterplan and detailed design for a commercial building, which will include retail, commercial, office, food and beverage offerings, and a function centre, as well as a variety of open space. The function centre and playground are now complete. Site preparation has commenced on the remainder of the site. A subdivision application has also been lodged for a super lot immediately north of the Neighbourhood Centre that is suitable for residential use within the R3 Medium Density Residential zone. This area is currently vacant grassland.
- 'Southern Valley' has an approved subdivision development consent to provide lots suitable for residential use within the R2 low Density Residential zone. The Southern Valley will include a large park on its eastern flank which is not currently contemplated by the concept masterplan. The northern half of the Southern Valley is currently vacant grassland while construction of roads has begun in the southern half of the precinct.

A photograph of existing low rise detached dwellings is shown below in **Figure 4**.

Each of these precincts include a network of open spaces and dams which interpret Yeoman's Keyline system of agriculture. This planning proposal predominantly pertains to sites that are existing and planned open spaces which are currently zoned for residential purposes but either are not or will not be located within privately-owned residential lots.

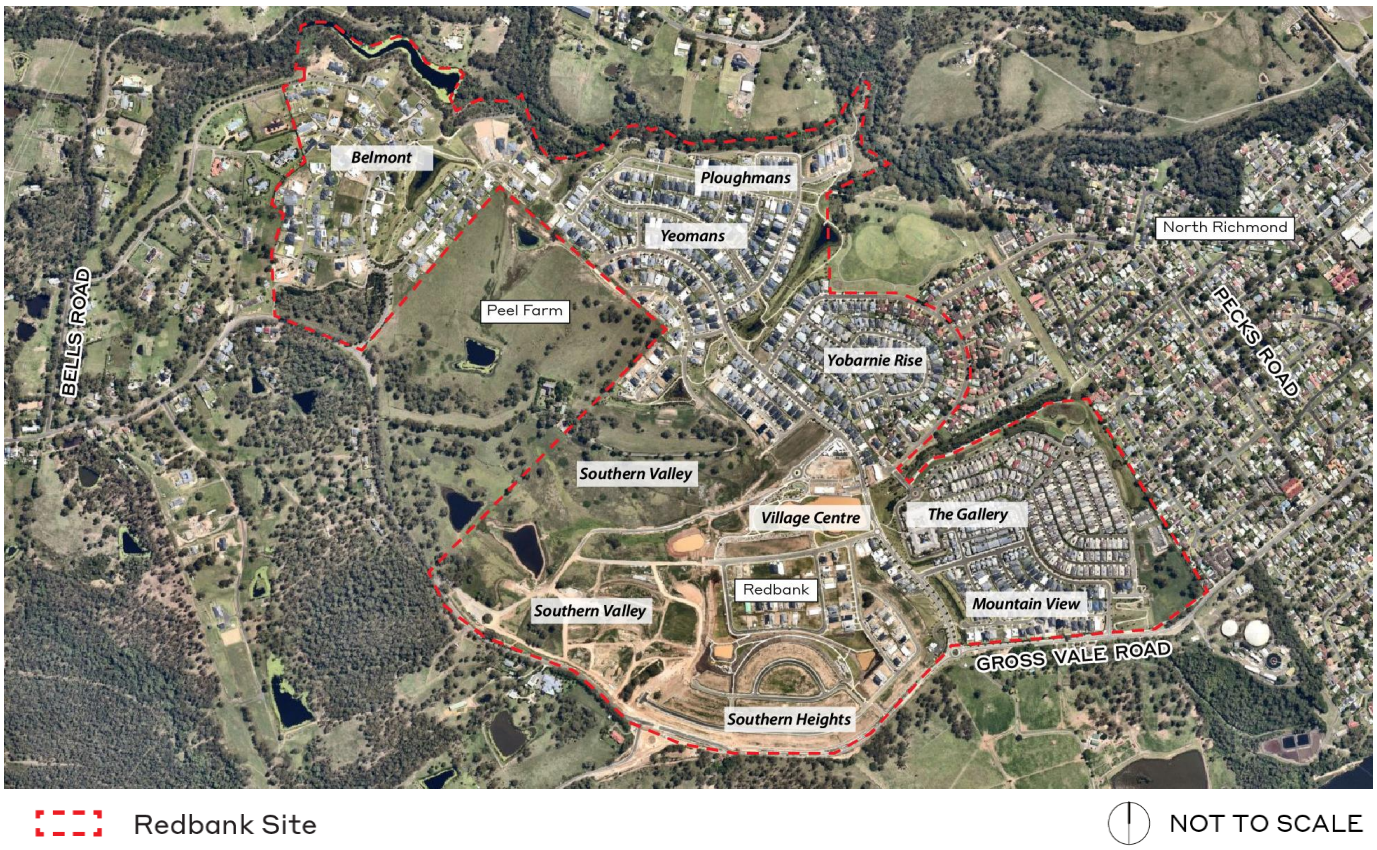


Figure 3 Existing development

Source: Nearmap

Figure 4 Surrounding detached housing within broader Redbank site

Source: Google Street View

3.4 Surrounding Development

Beyond the broader Redbank site, to the south (on the opposite side of Grose Vale Road) and west, is primarily rural, agricultural properties. To the east development is of a similar style to that included within the Redbank site, being detached housing.

4.0 Current Planning Controls

4.1 Hawkesbury LEP 2012

The primary environmental planning instrument applying to the impacted areas on the site is the Hawkesbury LEP 2012. The key planning controls that currently apply to the site are detailed below.

4.1.1 Land Use Zoning

The site currently comprises a combination of recreational and residential zones, including:

- RE1 Public Recreation;
- R2 Low Density Residential;
- R3 Medium Density Residential
- R5 Large Lot Residential; and
- E1 Local Centre.

The site's current zoning is detailed in **Figure 5**. **Table 3** provides a summary of the objectives and land use permissibility of each zone.

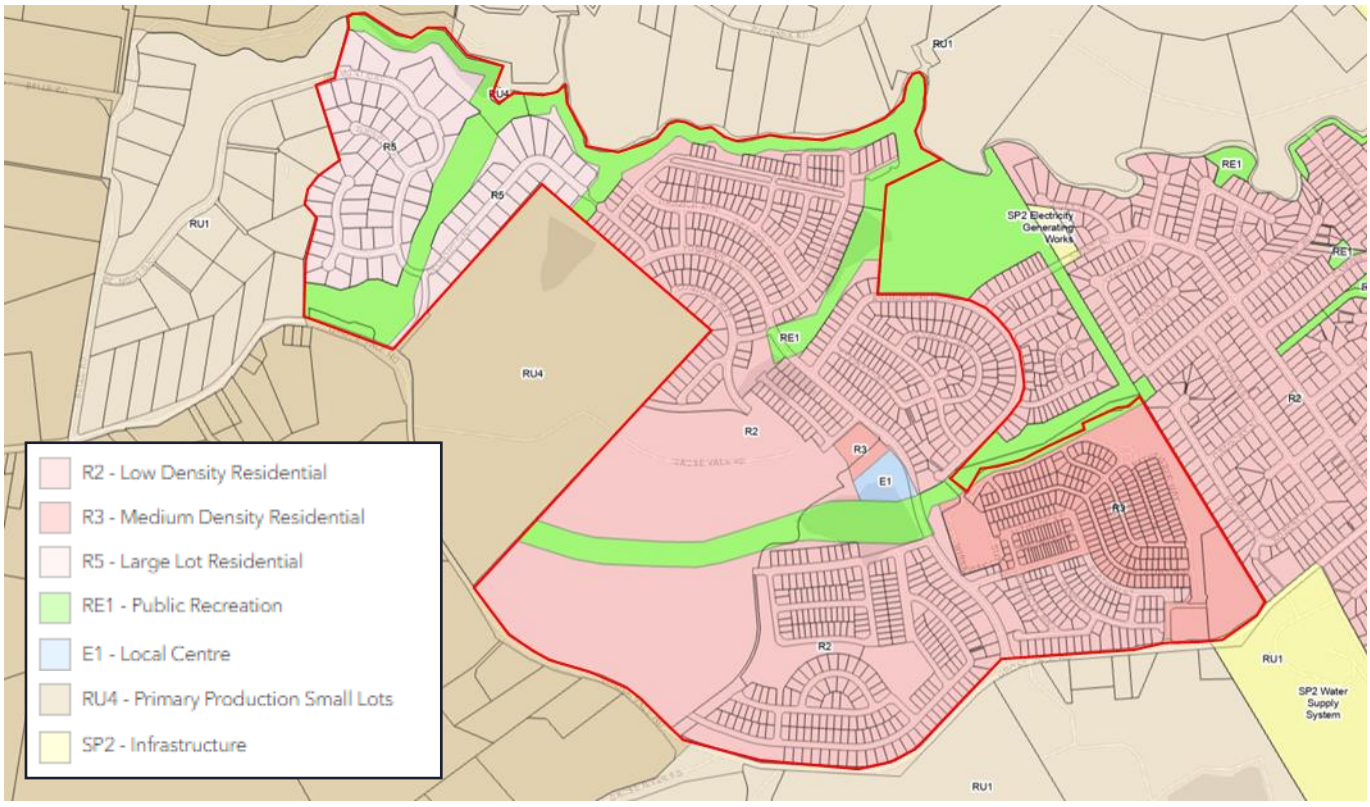


Figure 5 Existing land use zoning

Source: NSW Planning Portal

Zone Objectives and Permissible Uses

Table 3 Existing zone objectives and permissibility

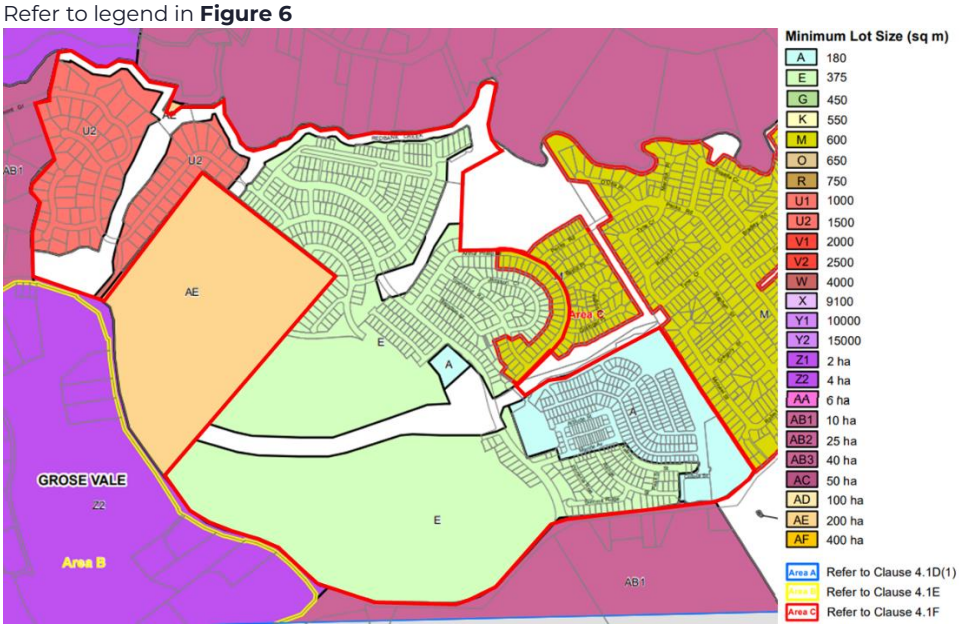
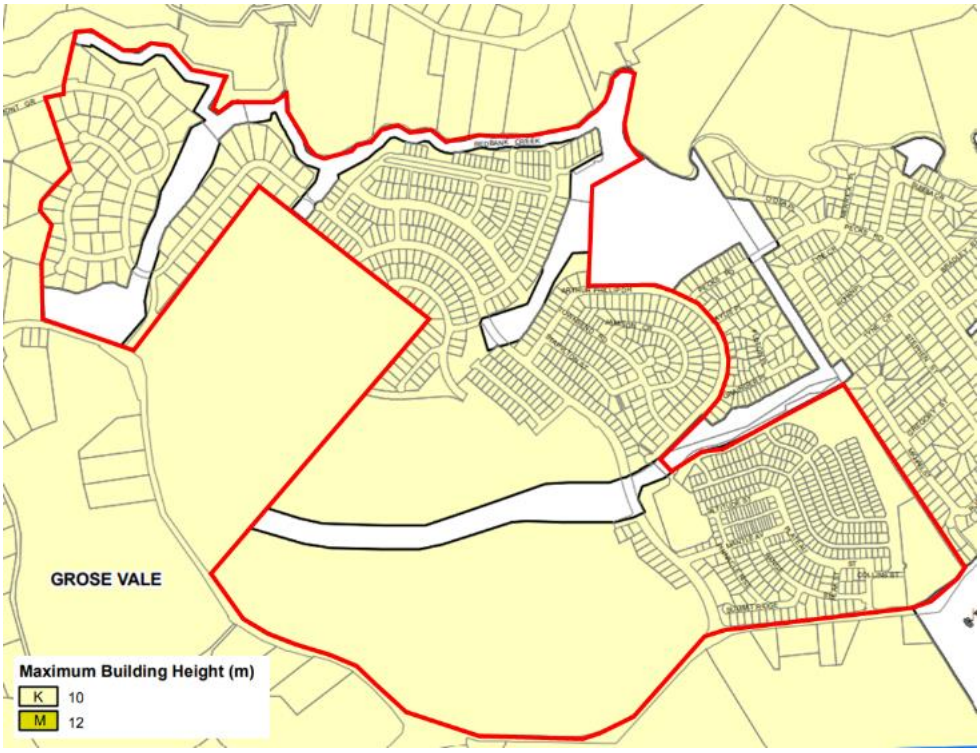
Zone objectives	Permitted without consent	Permitted with consent	Prohibited
RE1 Public Recreation			
• *To enable land to be used for public open space or recreational purposes.* • *To provide a range of recreational settings and activities and compatible land uses.* • *To protect and enhance the natural environment for recreational purposes.* • *To protect and enhance the natural environment for environmental purposes.* • *To restrict development on land required for future open space purposes.*	*Environmental protection works.*	*Aquaculture; Boat sheds; Centre-based child care facilities; Charter and tourism boating facilities; Community facilities; Environmental facilities; Extensive agriculture; Farm buildings; Flood mitigation works; Food and drink premises; Forestry; Helipads; Information and education facilities; Jetties; Kiosks; Markets; Moorings; Public administration buildings; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Respite day care centres; Roads; Signage; Water recreation structures; Water storage facilities*	*Any development not specified in permitted with consent or permitted without consent.*
R2 Low Density Residential			
• *To provide for the housing needs of the community within a low density residential environment.* • *To enable other land uses that provide facilities or services to meet the day to day needs of residents.* • *To protect the character of traditional residential development and streetscapes.* • *To ensure that new development retains and enhances that character.* • *To ensure that development is sympathetic to the natural environment and ecological processes of the area.* • *To enable development for purposes other than residential only if it is compatible with the character of the living area and has a domestic scale.* • *To ensure that water supply and sewage disposal on each resultant lot of a subdivision is provided to the satisfaction of the Council.* • *To ensure that development does not create unreasonable demands for the provision or extension of public amenities or services.*	*Environmental protection works; Home occupations.*	*Animal boarding or training establishments; Boarding houses; Building identification signs; Business identification signs; Camping grounds; Caravan parks; Centre-based child care facilities; Community facilities; Dwelling houses; Eco-tourist facilities; Educational establishments; Environmental facilities; Exhibition homes; Exhibition villages; Extensive agriculture; Farm buildings; Flood mitigation works; Group homes; Health consulting rooms; Home-based child care; Home industries; Hospitals; Neighbourhood shops; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Public administration buildings; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Registered clubs; Respite day care centres; Roads; Tank-based aquaculture; Tourist and visitor accommodation; Veterinary hospitals; Water storage facilities*	*Any development not specified in permitted with consent or permitted without consent.*

Zone objectives	Permitted without consent	Permitted with consent	Prohibited
R3 Medium Density Residential			
• *To provide for the housing needs of the community within a medium density residential environment.* • *To provide a variety of housing types within a medium density residential environment.* • *To enable other land uses that provide facilities or services to meet the day to day needs of residents.* • *To provide a wide range of housing choices in close proximity to commercial centres and railway stations.* • *To ensure that development is sympathetic to the natural amenity and ecological processes of the area.* • *To ensure that development does not create unreasonable demands for the provision or extension of public amenities or services.*	*Environmental protection works; Home occupations*	*Animal boarding or training establishments; Attached dwellings; Boarding houses; Building identification signs; Business identification signs; Camping grounds; Caravan parks; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Eco-tourist facilities; Educational establishments; Environmental facilities; Exhibition homes; Exhibition villages; Flood mitigation works; Group homes; Home-based child care; Home industries; Hostels; Multi dwelling housing; Neighbourhood shops; Oyster aquaculture; Places of public worship; Public administration buildings; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Registered clubs; Respite day care centres; Roads; Semi-detached dwellings; Seniors housing; Tank-based aquaculture; Tourist and visitor accommodation; Veterinary hospitals; Water storage facilities*	*Any development not specified in permitted with consent or permitted without consent.*
R5 Large Lot Residential			
• *To provide residential housing in a rural setting while preserving, and minimising impacts on, environmentally sensitive locations and scenic quality.* • *To ensure that large residential lots do not hinder the proper and orderly development of urban areas in the future.* • *To ensure that development in the area does not unreasonably increase the demand for public services or public facilities.* • *To minimise conflict between land uses within this zone and land uses within adjoining zones.* • *To provide primarily for low density residential housing and associated facilities.*	*Environmental protection works; Home occupations*	*Animal boarding or training establishments; Building identification signs; Business identification signs; Camping grounds; Caravan parks; Centre-based child care facilities; Community facilities; Dwelling houses; Eco-tourist facilities; Educational establishments; Entertainment facilities; Environmental facilities; Exhibition homes; Exhibition villages; Extensive agriculture; Farm buildings; Flood mitigation works; Home-based child care; Home industries; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Public administration buildings; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Registered clubs; Respite day care centres; Roads; Tank-based aquaculture; Tourist and visitor accommodation; Veterinary hospitals; Water storage facilities*	*Any development not specified in permitted with consent or permitted without consent.*

Zone objectives	Permitted without consent	Permitted with consent	Prohibited
E1 Local Centre			
• *To provide a range of retail, business and community uses that serve the needs of people who live in, work in or visit the area.* • *To encourage investment in local commercial development that generates employment opportunities and economic growth.* • *To enable residential development that contributes to a vibrant and active local centre and is consistent with the Council's strategic planning for residential development in the area.* • *To encourage business, retail, community and other non-residential land uses on the ground floor of buildings.* • *To ensure the scale and type of development is compatible with the character and amenity of the area.*	*Environmental protection works; Home occupations*	*Amusement centres; Artisan food and drink industries; Boarding houses; Centre-based child care facilities; Commercial premises; Community facilities; Entertainment facilities; Function centres; Home industries; Hotel or motel accommodation; Information and education facilities; Local distribution premises; Medical centres; Oyster aquaculture; Places of public worship; Public administration buildings; Recreation facilities (indoor); Respite day care centres; Service stations; Shop top housing; Tank-based aquaculture; Veterinary hospitals; Warehouse or distribution centres; Any other development not specified in permitted without consent or prohibited*	*Airports; Airstrips; Boat building and repair facilities; Boat sheds; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Depots; Extensive agriculture; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Heavy industrial storage establishments; Home occupations (sex services); Hostels; Industrial retail outlets; Industries; Intensive livestock agriculture; Intensive plant agriculture; Jetties; Marinas; Moorings; Open cut mining; Recreation facilities (major); Research stations; Resource recovery facilities; Rural industries; Rural workers' dwellings; Sewerage systems; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Waste disposal facilities; Water recreation structures*

4.1.2 Other Relevant Controls under Hawkesbury LEP 2012

Table 4 Other Relevant Controls under Hawkesbury LEP 2012

Clause	Existing Control
Clause 4.1 – Minimum Subdivision Lot Size	Refer to legend in **Figure 6**  **Figure 6 Minimum Subdivision Lot Size Map** Source: Hawkesbury LEP 2012 Lot Size Map Sheet – LSZ_008AA
Clause 4.1F – Exceptions to minimum subdivision lot size for certain land in North Richmond	Despite clauses 4.1, 4.1AA and 4.1A, development consent must not be granted for the subdivision of land in North Richmond that is identified as "Area C" and edged heavy red on the Lot Size Map if any lot that would result from the subdivision would be a battle-axe-lot (or a lot with an access handle) with an area of less than 700 square metres, excluding the area of an access handle.
Clause 4.3 – Height of Buildings	10m  **Figure 7 Height of Buildings Map** Source: Hawkesbury LEP 2012 Height of Buildings Map Sheet – HOB_008AA

Clause	Existing Control
Clause 5.10 – Heritage Conservation	The majority of the site is identified as a state heritage item 01826. However, it is not listed as a local heritage item under the Hawkesbury LEP 2012 nor is it located within a Heritage Conservation Area.
Part 5A Urban release areas: Clause 5.13A – Arrangements for certain designated State public infrastructure Clause 5.13B – Public utility Infrastructure	Applicable

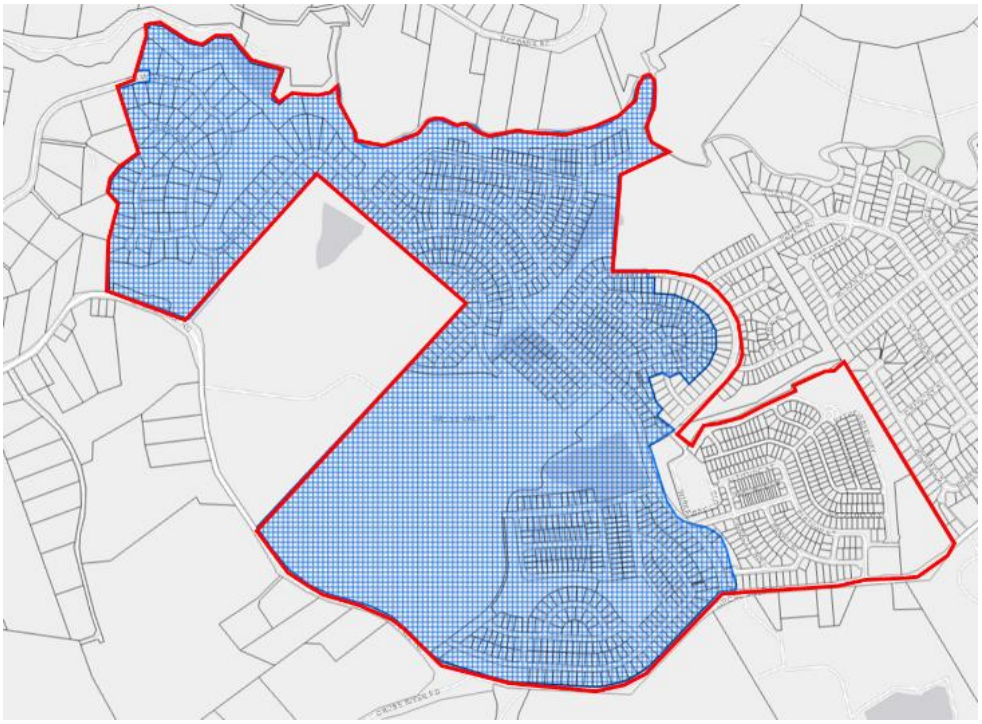


Figure 8 State Heritage Register Map

Source: Planning Portal

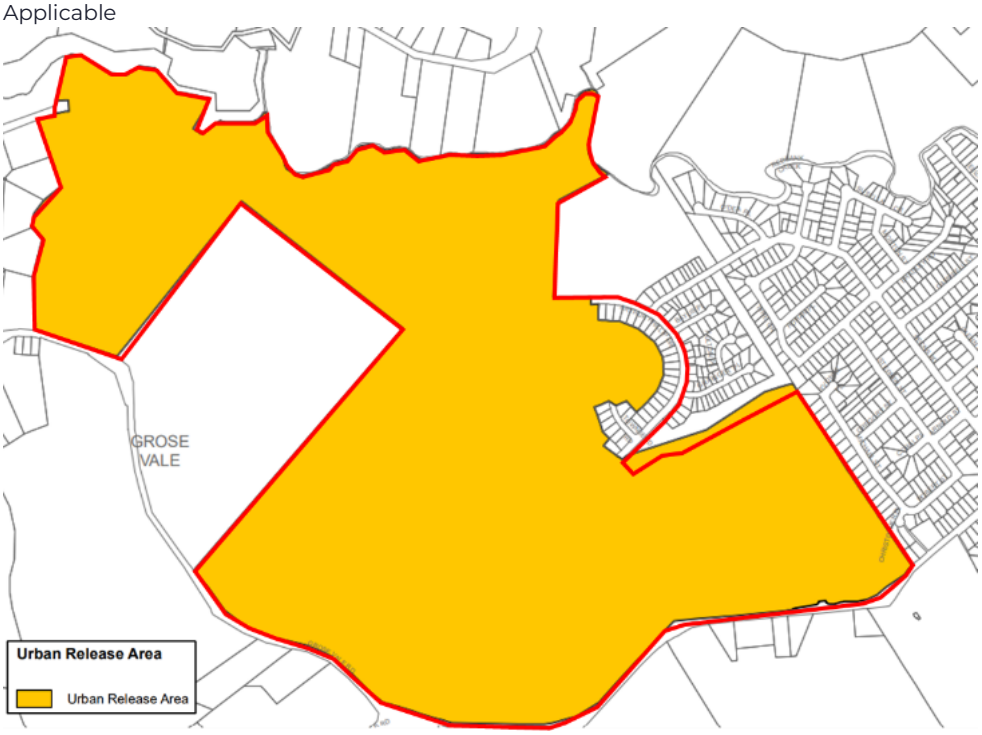


Figure 9 Height of Buildings Map

Source: Hawkesbury LEP 2012 Urban Release Area Map Sheet – URA_008AA

Clause	Existing Control
Clause 6.4 – Terrestrial biodiversity	Applicable

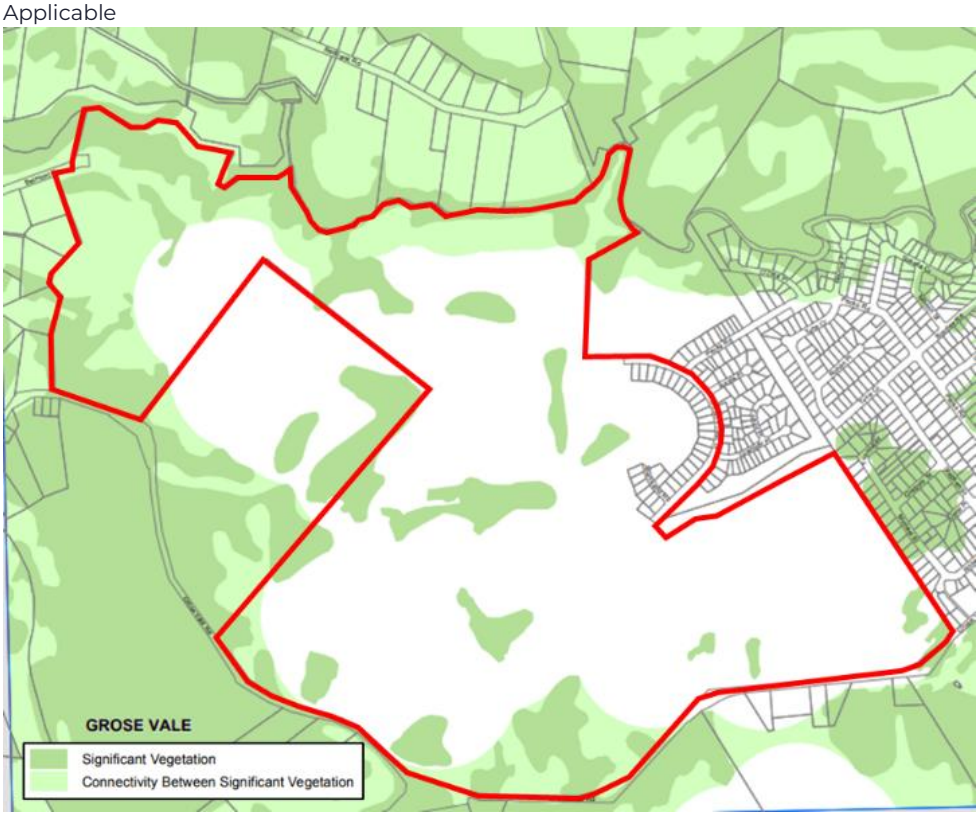


Figure 10 Height of Buildings Map

Source: Hawkesbury LEP 2012 Terrestrial Biodiversity Map Sheet – BIO_008AA

4.2 Hawkesbury Development Control Plan 2002

The Hawkesbury Development Control Plan 2002 (Hawkesbury DCP 2002) provides detailed guidance regarding development matters beyond those development standards within the Hawkesbury LEP 2012. Chapter 8 Redbank at North Richmond within Part E: Specific Area of the Hawkesbury DCP 2002 contains detailed development objectives and controls that guide development of the broader Redbank site, including the desired future character and controls relating to development precincts, subdivision, heritage conservation, open space, water management, environmental management, movement networks, residential lot parameters, utility services, and built form and character.

5.0 The Planning Proposal

This section sets out the Planning Proposal, including its objectives, intended outcomes, explanation of provisions and relevant mapping. The justification and evaluation of impacts is set out in **Sections 6.0 and 7.0** of this report, respectively.

5.1 Objectives and intended outcomes (Pt 1)

The objectives of the Planning Proposal are to:

- Resolve zoning anomalies that have arisen throughout the subdivision design development process of the individual lots, that now require adjustments to the RE1 Public Recreation, E1 Local Centre zone, R2 Low Density Residential zone, R3 Medium Density Residential zone and R5 Large Lot Residential zone boundaries.
- Adjust the medium density zone adjacent to the Redbank Village Centre to reflect the subdivision layout of the Southern Valley development approved under DA0092/22. The minor reduction in area zoned R3 Medium Density Residential adjacent to the Redbank Village Centre will not affect the achievement of the originally envisaged number of dwellings for the broader Redbank site.
- Expand the E1 Local Centre zoning for the Redbank Village Centre, which currently contains a small temporary playground as an ancillary use to the retail offering, to provide flexibility of future uses as the surrounding residential lots are delivered.
- Rezone land that is privately owned by the seniors living development north of the existing seniors living development from the RE1 Public Recreation Zone to the RE2 Private Recreation zone. This land is demarcated by the new fence and public path which was recently constructed in consultation with Council Within the fence, in the area proposed to be rezoned from the RE1 Public Recreation zone to the RE2 Private Recreation zone, there is private property containing landscaped space for seniors living residents, and several stormwater management rain gardens and basins which service run off from the existing independent living units. Beyond the fence, there is a new public path and public open space.
- Ensure that the existing minimum lot subdivision size and height of buildings development standards correspond and align with the proposed rezonings.

The intended outcomes of the Planning Proposal are:

- Align the allotment subdivisions as approved within all DAs relating to Redbank (refer to **Table 2**) with the relevant zoning under the Hawkesbury LEP 2012
- Minor reduction of 569m^2 in area of land zoned R3 Medium Density Residential (total area of 8,532m^2) adjacent to the Redbank Village Centre.
- Conversion of 3,306m^2 of land zoned R2 Low Density Residential and R3 Medium Density Residential to E1 Local Centre (total area of land zoned E1 Local Centre is 16,800m^2). However, this will not affect and traffic or infrastructure outcomes of the development.
- Rezoning of 11,163m^2 of land zoned RE1 Public Recreation to RE2 Private Recreation to reflect the new fence constructed in consultation with Council which demarcates public open space from land privately owned by the existing seniors living development.
- The Planning Proposal does not intend to increase overall density, and will not affect the achievement of the approximately 1,400 dwellings originally envisaged for the broader Redbank site under the masterplan at the time of making the original Planning Proposal PP_2012_HAWKE_002_00 and execution of the related Voluntary Planning Agreement dated 7 July 2014.
- Realign the existing minimum subdivision lot size development standards to correspond with the proposed zoning alignments.
- Realign the existing height of building development standards to correspond with the proposed zoning alignments.

Arterra has prepared a Draft Zoning Plan, Draft Height of Buildings Plan and Draft MinimumLot Size Plan provided at **Appendix A** and shown at **Figures 11-16** below.

5.2 Explanation of provisions (Pt 2)

5.2.1 Administrative Zoning Boundary Realignments

The Planning Proposal's overarching purpose is to realign zoning boundaries to reflect the approved subdivision of the broader Redbank site and achieve the envisaged number of dwellings on the broader Redbank site.

The Planning Proposal incorporates the following amendment to the LEP as it relates to the impacted areas (see **Table 5**, **Table 6** and **Table 7**). Detailed plans demonstrating the change in proposed zoning prepared by Arterra are provided at **Appendix A**. A table of lots affected by the proposed rezonings prepared by Arterra is provided at **Appendix H**.

Table 5 Summary of proposed amendments to Hawkesbury LEP

Provision	Existing	Proposed
Land Use Zone	RE1 Public Recreation, R2 Low Density Residential, R3 Medium Density Residential, R5 Large Lot Residential and E1 Local Centre	Amendment to zoning boundary between RE1 Public Recreation, R2 Low Density Residential, R3 Medium Density Residential, R5 Large Lot Residential, E1 Local Centre and RE2 Private Recreation zones

Table 6 Detailed summary of proposed rezonings

Existing Zoning	Proposed Zoning	Area (m^2) Subject to Proposed Rezoning
E1 Local Centre	R2 Low Density Residential	691
R2 Low Density Residential	E1 Local Centre	2,143
R2 Low Density Residential	RE1 Public Recreation	110,175
R2 Low Density Residential	R3 Medium Density Residential	3,047
R3 Medium Density Residential	E1 Local Centre	1,164
R3 Medium Density Residential	RE1 Public Recreation	892
R3 Medium Density Residential	R2 Low Density Residential	2,670
R5 Large Lot Residential	RE1 Public Recreation	26,335
RE1 Public Recreation	E1 Local Centre	2,525
RE1 Public Recreation	R2 Low Density Residential	8,845
RE1 Public Recreation	RE2 Private Recreation	11,163
RE1 Public Recreation	R5 Large Lot Residential	1,078

Table 7 Summary of net changes to zone areas

Zone	Proposed increase (m^2)	Proposed decrease (m^2)	Proposed net change (m^2)
E1 Local Centre	5,832	691	+ 5,141
R2 Low Density Residential	12,206	115,365	- 103,159
R3 Medium Density Residential	3,047	4,726	- 1,679
R5 Large Lot Residential	1,078	26,335	- 25,257
RE1 Public Recreation	137,402	23,611	+ 113,791
RE2 Private Recreation	11,163	0	+ 11,163

5.2.2 Expansion of E1 Local Centre for Village Centre Playground

It is proposed to expand the E1 Local Centre zone which currently contains a small ancillary playground that forms part of the Village Centre retail offering. This playground is owned by Redbank. It was approved as part of DA0334/18 approved by the Land and Environment Court on 31/10/2019 for Masterplan Concept Approval for "Redbank Neighbourhood Centre" and Stage One Development Application for Function Centre, Cafe, Car Parking, Access Road, Landscaping Works and Associated Infrastructure. The playground, which is now complete, is small in scale, and contains three slides, three swing, a fountain and a climbing rope. The playground was installed by Redbank to activate the Village Centre and enhance the amenity of its retail offering while the remainder of the Village Centre is constructed. Essentially, it functions as a playground within a retail precinct, as opposed to a local park. As such, it is part of and subservient to the broader retail use of the Village Centre that will serve the needs of the people who live in the Redbank Community. As such, it meets the objectives of the E1 Local Centre Zone.

As Redbank will retain ownership of this playground, the E1 Local Centre zone provides flexibility to allow the playground to be converted to retail, business or other community uses once the Village Centre development is more progressed and sufficiently activated. This will provide flexibility for future uses to meet the day-to-day needs of the growing community.

It is important to note that there are sufficient permanent public open spaces within the Redbank development that have been dedicated to Council. The largest is a district playground and sporting facility at Peel Park, 500m to the north, which is being delivered by Redbank as part of its VPA with Council. There are another four playgrounds within the Redbank Development which are zoned RE1 Public Recreation. By way of background, the original Redbank DCP only required two public playgrounds. However, throughout the various DA approvals and Land and Environment Court proceedings, Council and Heritage NSW imposed additional playgrounds in place of developable land. As a result, there are double the amount of public playgrounds originally envisaged for Redbank, which is considered to be ample provision of public playgrounds. We understand that Council does not intend nor desire to have any additional playgrounds dedicated to it.

Therefore, it is appropriate for Redbank to retain ownership of its playground and retain flexibility to enable potential future conversion of the playground into another use to support the Village Centre as it evolves, or relocate the playground within the Village Centre. This will allow that land to continue to meet the zone objectives by enabling provision of a range of retail, business and community uses that serve the needs of people who live in the area and that encourages investment in local commercial development that generates employment opportunities and economic growth.

5.2.3 Administrative Minimum Subdivision Lot Size Map Realignments

For completeness, the Planning Proposal also seeks to realign the minimum subdivision lot size development standard to reflect the realignment of zone boundaries, as follows:

- Land zoned R2 Low Density Residential has an existing minimum subdivision lot size development standard of 375m^2. To align with this, for land proposed to be rezoned to R2 Low Density Residential, a 375m^2 minimum subdivision lot size development standard is proposed to be applied.
- Land zoned R3 Medium Density Residential has an existing minimum subdivision lot size development standard of 180m^2. To align with this, for land proposed to be rezoned to R3 Medium Density Residential, a 180m^2 minimum subdivision lot size development standard is proposed to be applied.
- Land zoned R5 Large Lot Residential has an existing minimum subdivision lot size development standard of 180m^2. To align with this, for land proposed to be rezoned to R5 Large Lot Residential, a 1,500m^2 minimum subdivision lot size development standard is proposed to be applied.

The proposed minimum subdivision lot size map is provided at **Appendix A** and in **Figure 13** below.

5.2.4 Administrative Height of Buildings Map Realignments

For completeness, the Planning Proposal also seeks to realign the height of buildings development standard to reflect the realignment of zone boundaries. A 10m height limit currently applies to all residential zones in Redbank. Consistent with this, the Planning Proposal applies a 10m height limit to all land proposed to be located within the R2 Low Density Residential zone, R3 Medium Density Residential zone and R5 Large Lot Residential zone.

The proposed height of buildings map is provided at **Appendix A** and in **Figure 15** below.

5.3 Mapping (Pt 3)

5.3.1 Land Zoning Map

This Planning Proposal will amend the Land Zoning Map (sheet LZN_008AA) of the Hawkesbury LEP 2012 as shown at **Figure 112**. The existing zoning map is shown at **Figure 121** for comparison.

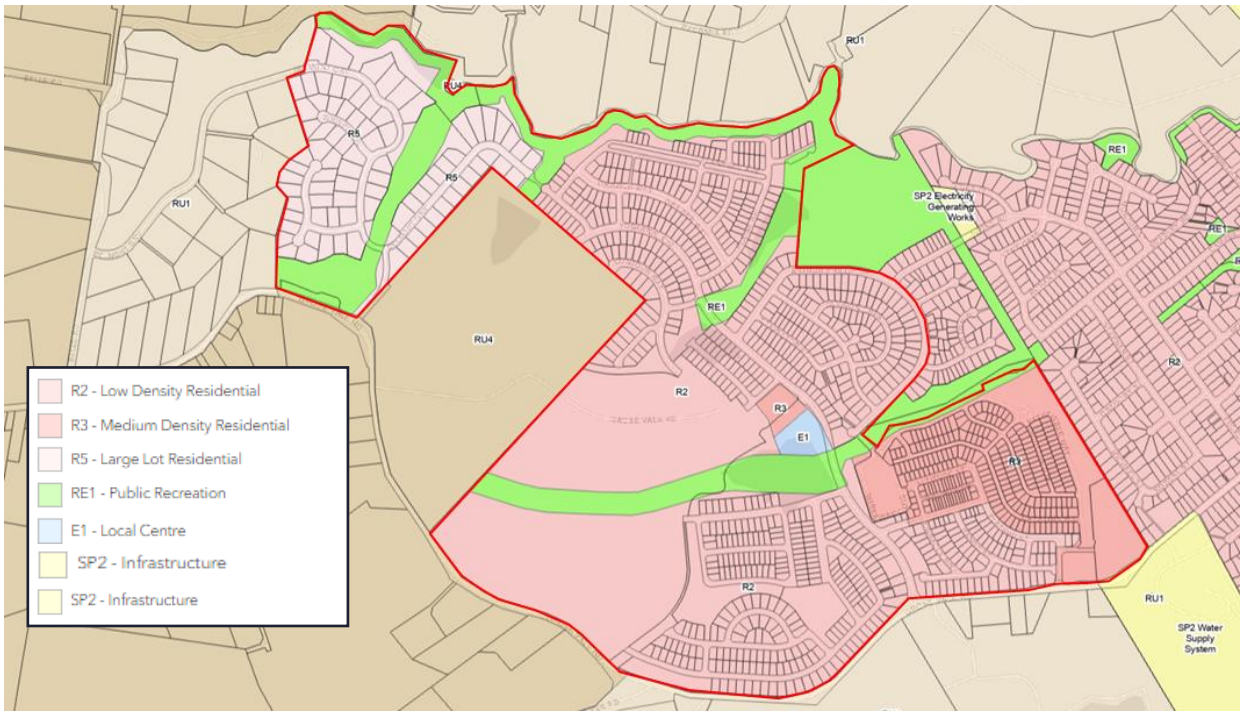


Figure 11 Existing Zoning Map

Source: Planning Portal

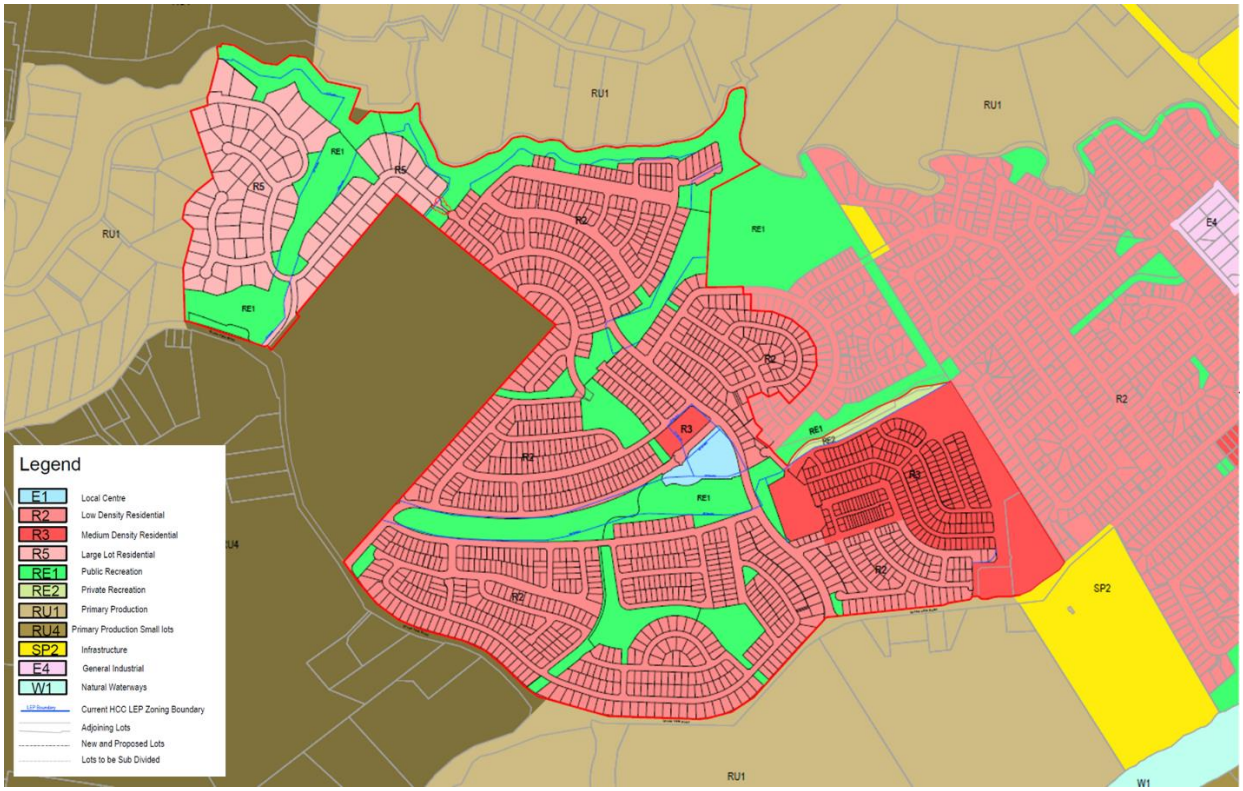


Figure 12 Proposed land use zoning map

Source: Arterra

5.3.2 Minimum Subdivision Lot Size Map

This Planning Proposal will amend the Minimum Subdivision Lot Size Map (sheet LZN_008AA) of the Hawkesbury LEP 2012 as shown at **Figure 114**. The existing Minimum Subdivision Lot Size Map is shown at **Figure 123** for comparison. All land outside of the Redbank site will continue to be subject to the existing minimum subdivision lot size controls.

Figure 13 Existing Minimum Subdivision Lot Size Map

Source: Hawkesbury LEP 2012

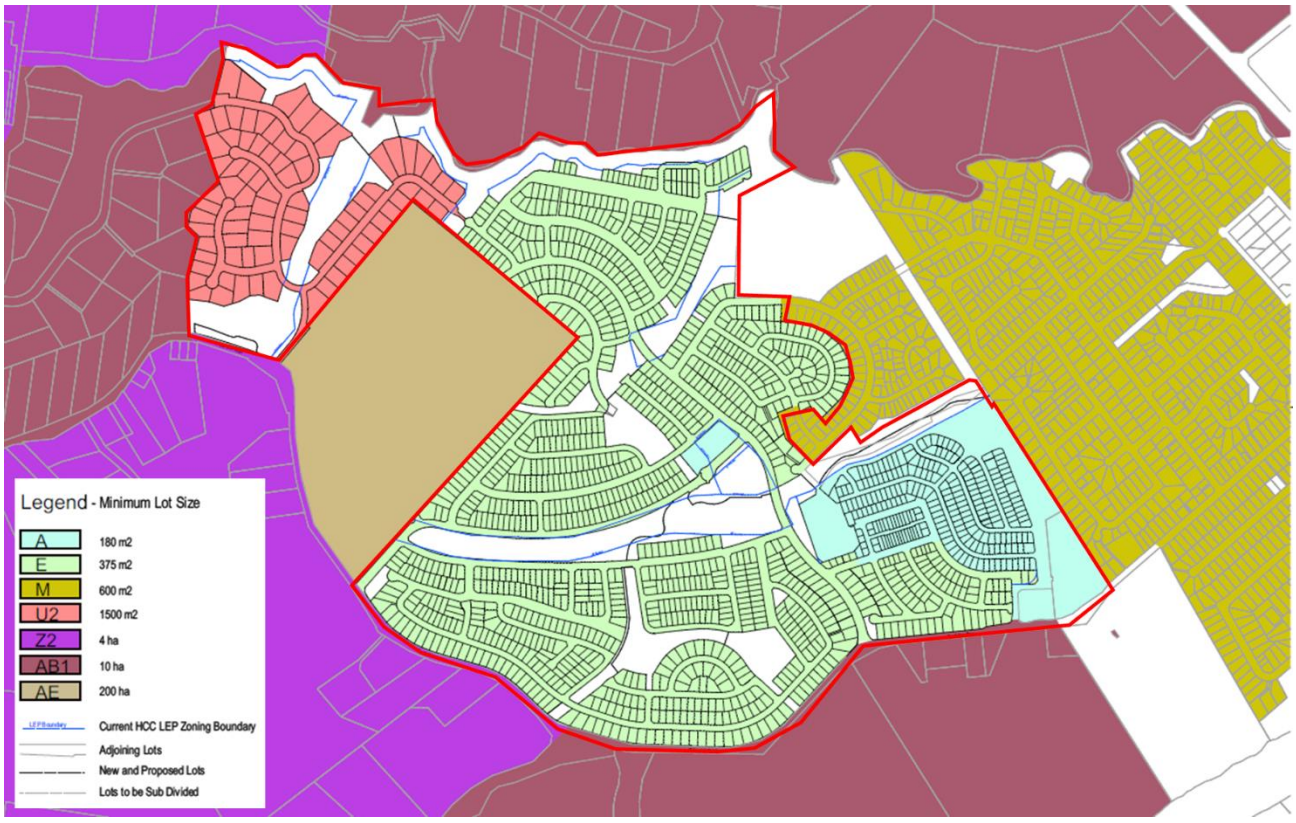


Figure 14 Proposed Minimum Subdivision Lot Size Map

Source: Arterra

5.3.3 Height of Buildings Map

This Planning Proposal will amend the Height of Buildings Map (sheet LZN_008AA) of the Hawkesbury LEP 2012 as shown at **Figure 116**. The existing height of Buildings Map is shown at **Figure 125** for comparison. All land outside of the Redbank site will continue to be subject to the existing height of buildings controls.

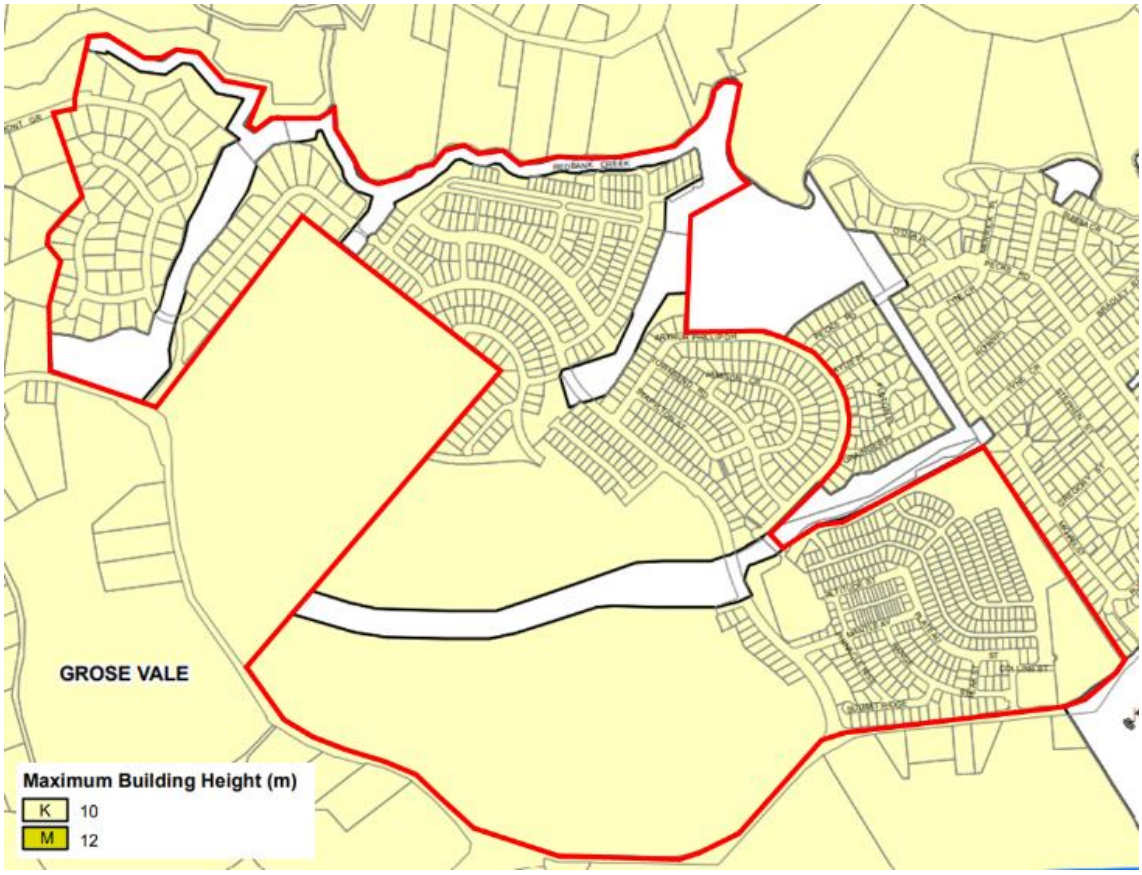


Figure 15 Existing Height of Buildings Map

Source: Hawkesbury LEP 2012

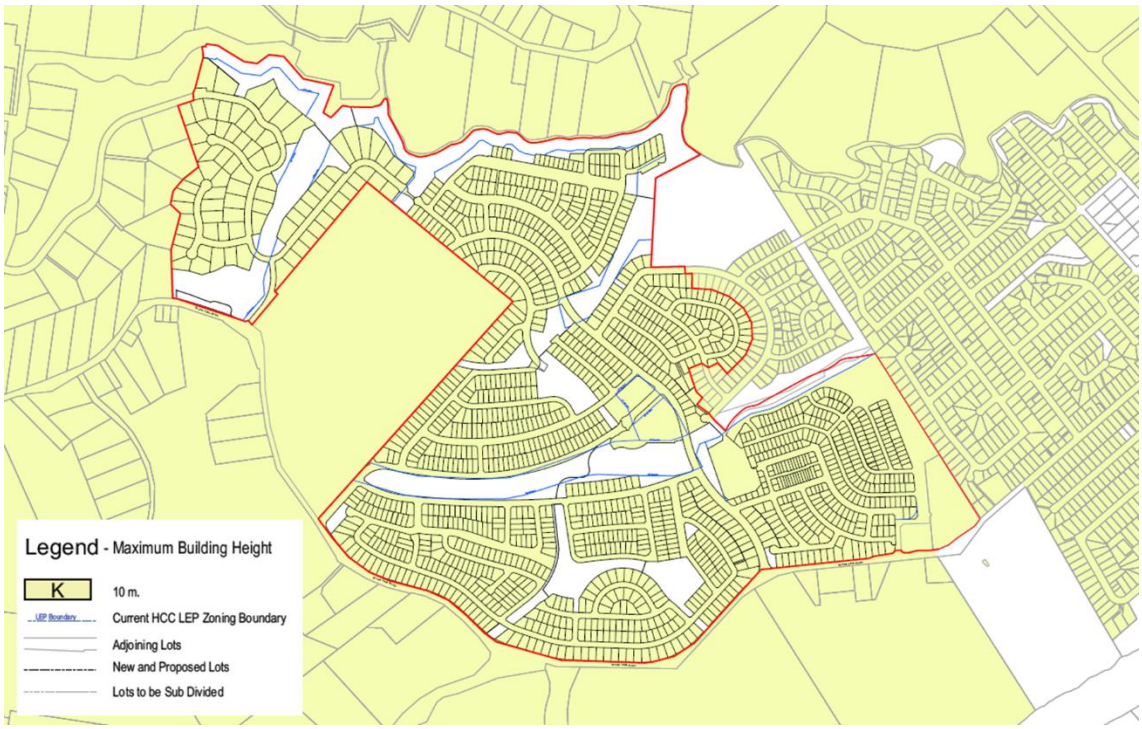


Figure 16 Proposed Height of Buildings Map

Source: Arterra

6.0 Justification (Pt 4)

6.1 Section A – The Need for a Planning Proposal

The following section of the report addresses the need for the Planning Proposal.

6.1.1 Q1 – Is the Planning Proposal a result of any strategic study or report?

Council's Residential Land Strategy (May 2011) identified the need to deliver 5,000-6,000 new homes in the Hawkesbury LGA to 2031. In this Strategy, the Redbank site was identified as a 'High Priority Investigation Area' for urban release, having the potential to make a significant contribution towards meeting Government housing targets for the Hawkesbury LGA.

Council's Local Housing Strategy (December 2020) has identified Redbank as a key contributor to its short-term housing target of approximately 4,000 additional dwellings by 2036, which has the capacity for 1,400 new dwellings, a significant portion of which are yet to be delivered.

The Planning Proposal seeks to regularise zone boundaries in accordance with both approved and proposed subdivisions to enable residential development to occur. Even though the quantum of R3 Medium Density zoned land adjacent to the Village Centre will be slightly reduced, this will not affect the ability of the broader Redbank site to achieve the 1,400 new dwellings envisioned for the broader Redbank site.

The R3 Medium Density zoned land adjacent to the Redbank Village Centre will continue to enable increased housing diversity and choice in area by providing a medium density dwelling options in an otherwise low density residential area.

The use of the LEP Gateway determination process will enable the strategic outcome of the Sub-Regional Strategy and Hawkesbury Local Housing Strategy by streamlining the plan-making process to the Minister.

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

Yes, the Planning Proposal is the only means of resolving the misalignment between the zone boundaries and approved/proposed subdivisions. Resolving the minor zoning issues is the only means of enabling the sale and development of the residential lots on the site which were originally subdivided for residential purposes. The rezoning of the R3 Medium Density Residential zoned land adjacent to the Redbank Village Centre is the only means of enabling the approved super-lot for medium density housing to be constructed and sold to meet Redbank's envisaged strategic housing outcomes. The site continues to demonstrate the State and Regional objectives and strategic outcomes within the Hawkesbury LGA, specifically the housing targets set by the Residential Land Strategy.

6.2 Section B – Relationship with the Strategic Planning Framework

This section of the report outlines the proposal's consistency with the strategic planning framework.

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

Greater Sydney Region Plan – A Metropolis of Three Cities

The NSW Government released 'A Metropolis of Three Cities – The Greater Sydney Regional Plan' in March 2018. It outlines actions to achieve the Government's vision for Sydney to 'enhance its status as one of the most liveable global cities'. Hawkesbury is within the Western City District (a review of the Western City District Plan is provided further below).

The Planning Proposal will not affect the approved development to be delivered on the site. As such it remains consistent with the Greater Sydney Region Plan in that it will:

- Provide greater housing supply that is affordable.
- Provide public open space that is accessible, protected and enhanced.

Western City District Plan

The Western City District Plan provides sub-regional guidance for the implementation of the Greater Sydney Region Plan. The proposal remains consistent with the Western City District Plan in that it will:

- Contribute to the minimum 20-year housing target of 184,500 dwellings for the whole of the Western City District, to support the predicted district population of approximately 464,000 by 2036.
- Increase the delivery of permanent high quality open space that is accessible by the surrounding residential population.

6.2.2 Q4 – Is the planning proposal consistent with a council LSPS that has been endorsed by the Planning Secretary or GSC, or another endorsed local strategy or strategic plan?

Hawkesbury Local Strategic Planning Statement 2040

The Hawkesbury Local Strategic Planning Statement outlines the economic, social and environmental land use needs over the next 20 years and supports the directions and actions included in the Region and District plans. The LSPS identifies that the Redbank site will deliver 1,400 lots contributing to the LGA's overall housing supply. Council is committed to providing an attractive alternate lifestyle option to inner city living. It is also an important priority to offer a range of affordable housing in convenient and walkable locations. The proposed zone boundary realignments will enable these lots to be practically developed and sold, and enable the realisation of the 1,400 envisaged lots at Redbank. These proposed zone boundaries are consistent with the approved subdivisions which meet the objectives of the Hawkesbury Local Strategic Planning Statement by delivering a range of housing products to maximise diversity, affordability, and choices at the lower and median end of the market, including larger rural-residential development, and housing products that are be designed to suit the requirements of the households and match the ability of the market to pay.

Hawkesbury Local Housing Strategy 2020

In accordance with the Hawkesbury Local Strategic Planning Policy, the Hawkesbury Local Housing Strategy adopted by Hawkesbury Council identifies the Redbank urban release area as an opportunity for housing growth that will deliver 1,400 lots, contributing a net dwelling yield of 1,396 dwellings to the LGA's overall housing supply with 35 hectares of open space.

This Planning Proposal to resolve the misalignment between the zone boundaries and approved/proposed subdivisions, and increase the area zoned for R3 Medium Density Residential housing is consistent with the following principles, strategies and actions of the Hawkesbury Local Housing Strategy:

- Principles:
  - 2. Plan for delivery of up to around 4,000 new dwellings between 2016-2036, while balancing character and environmental considerations – in that the Planning Proposal will enable the sale and development of the residential lots on the site which were originally subdivided for residential purposes while rezoning surplus residentially-zoned land to RE1 Public Recreation zoning to increase the amount of permanent public open space.
  - 8. Refine planning controls to address current issues and encourage increased housing diversity in selected locations – in that adjustment to the boundary of the R3 Medium Density Residential zoned land will promote the practical realisation of increased housing diversity and allow the achievement of the envisaged 1,400 new lots in a location that is immediately adjacent to the Village Centre which contains retail, commercial, office, food and beverage offerings and a function centre, as well as a variety of open space that will serve the needs of denser population.
- Strategies and actions:
  - 6.3.1 Focus new housing growth in urban release areas – this Planning Proposal will enable the continued orderly development and sale of new housing growth in the Redbank urban release area.

Hawkesbury Community Strategic Plan 2022-2042

Hawkesbury Council updated its Community Strategic Plan in 2022 which provides the overarching vision and strategy for the Hawkesbury LGA from 2022-2042 to ensure it reflects the community's aspirations. The Plan identifies the Hawkesbury community's priorities and aspirations for the future and sets the essential direction for future Council activities and decision making. The community outcomes and objectives which apply to this Planning Proposal are provided below:

- Community outcome 1: A great place to live
  - Long term objective 1.2: Encourage and enable our community to participate in a healthy lifestyle – this will be achieved by rezoning residential land that does not comprise dwelling lots to RE1 Public Recreation zoned land to ensure permanent public open space that will encourage and enable a healthy lifestyle for the Redbank community.
- Community outcome 3: Strong economy
  - Consideration for our future: Ensuring our place and identity in Metropolitan Sydney West District Plan and managing future growth targets linked to State and Regional plans – this Planning Proposal is consistent with the housing targets, informed by population growth targets, set by the Greater Sydney Region Plan and Western City District Plan. The expansion of the E1 Local Centre zoned land will also enable the ongoing management and flexibility of commercial land to promote strong economic growth.

Hawkesbury Residential Land Strategy 2011

The Hawkesbury Residential Land Strategy 2011 (the HRLS) provides a strategic framework to determine the future residential needs of the Hawkesbury LGA and identifies localities which may be suitable for further residential development.

The HRLS aims to achieve between 5,000 and 6,000 additional residential dwellings within existing urban areas within the LGA by 2031. The Strategy also seeks to:

- Guide the preservation of the high quality and natural environment within the LGA;
- Accommodate a changing population with demands for housing, access and servicing;
- Recognise pressures which seek to expand development into natural and rural areas, and identify development within and around existing centres; and
- Identify physical constraints which may influence native vegetation, flood and or bushfire risk.

The broader Redbank site is located within the North Richmond Future Investigation Area and was identified as a 'high priority future investigation area' for urban release.

This Planning Proposal is consistent with the HRLS as both the administrative realignment of lot and zoning boundaries are critical in allowing the broader Redbank site to achieve the 1,400 new dwellings originally envisioned in Council's strategic planning policies and the original Planning Proposal for the site.

6.2.3 Is the planning proposal consistent with any other applicable State and regional studies or strategies?

Cumberland Plain Conservation Plan

The Cumberland Plain Conservation Plan is a conservation plan for Western Sydney that identifies strategically important biodiversity areas within the Cumberland subregion to offset the biodiversity impacts of future urban development to facilitate a vibrant, green and liveable city.

As detailed in the Biodiversity Statement prepared by Ecological Australia (**Appendix E**), the Planning Proposal does not result in any additional biodiversity impacts nor requirement for any biodiversity offsets. It does not affect any nominated areas for conservation in the Cumberland Plain Conservation Plan nor any Koala Reserves or reserve investigation areas. Therefore, this Planning Proposal is consistent with the Cumberland Plain Conservation Plan.

Q6 - Is the planning proposal consistent with any other applicable State and regional studies or strategies?

An assessment of the Planning Proposal against relevant State Environmental Planning Policies (SEPPs) is set out in **Table 6** below.

Table 8 Consistency with applicable SEPPs

SEPP	Consistency			Comment
	Yes	No	N/A	
SEPP (Planning Systems)			✓	As the Planning Proposal is of a housekeeping nature, it is unlikely to directly result in any state or regionally significant development in the future. This Planning Proposal does not apply to any land owned by Aboriginal Land
SEPP (Exempt and Complying Development Codes)			✓	Not relevant to this planning proposed amendment. May apply to future development on the site.
SEPP (Resilience and Hazards) 2021	✓			SEPP (Resilience and Hazards) 2021 aims to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment. It specifically requires consideration when rezoning land and in determining development applications and requires that remediation work meets certain standards and notification requirements. Previous assessment on the site has concluded that the site is suitable for residential development, including the previous Planning Proposal (PP_2012_HAWKE_002_00) which led to the rezoning of the site
SEPP (Industry and Employment) 2021			✓	The site is not located within the Western Sydney Employment Area. No signage is proposed.
SEPP (Transport and Infrastructure) 2021	✓			This SEPP will continue to apply to the land following its rezoning. Future development will need to be assessed in accordance with the ISEPP where relevant. Future development applications may be classified as traffic-generating development and require referral to TfNSW.
SEPP (BASIX) 2004	✓			The Planning Proposal will not preclude future compliance with SEPP (BASIX) 2004.
State Environmental Planning Policy (Biodiversity and Conservation) 2021	✓			The Planning Proposal will not affect the Redbank Creek Corridor within the Hawkesbury-Nepean Catchment. While Chapter 4 Koala Habitat Protection 2021 applies to the entire Hawkesbury LGA, no approved koala plan of management exists for the land subject to this Planning Proposal, and previously undertaken biodiversity assessment have concluded that the site is unlikely to have any impact on koalas or koala habitat. The Planning Proposal also will not affect any areas of significant vegetation within the site. Therefore, the Planning Proposal is consistent with this SEPP.
State Environmental Planning Policy (Precincts—Western Parkland City) 2021			✓	The site of this Planning Proposal is not identified as a State Significant Precinct nor is the site located in a Sydney region growth centre.
State Environmental Planning Policy (Housing) 2021			✓	Not relevant to this Planning Proposal amendment. May apply to future development on the site.

Q7 - Is the planning proposal consistent with applicable Ministerial Directions (section 9.1 Directions)?

An assessment of the Planning Proposal against all Ministerial Directions is set out in **Table 7** below.

Table 9 Consistency of the Planning Proposal with the relevant Section 9.1 Directions

Ministerial Direction	Consistency			Comment
	Yes	No	N/A	
1. Planning Systems				
1.1 Implementation of Regional plans	✓			As demonstrated in **Section 6.2.1**, the Planning Proposal is consistent with the Greater Sydney Regional Plan.
1.2 Development of Aboriginal Land Council Land			✓	Not applicable
1.3 Approval and Referral Requirements	✓			The Planning Proposal does not contain provisions requiring concurrence, consultation or referral to the Minister or public authority nor does it identify any development as designated development.
1.4 Site Specific Provisions	✓			The Planning Proposal does not propose a site-specific additional permitted land use, nor a rezoning for the purpose of allowing a land use permitted under that zone.
1. Planning Systems Place-based				
1.5 Parramatta Road Corridor Urban Transformation Strategy			✓	Not applicable
1.6 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan			✓	Not applicable
1.7 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan			✓	Not applicable
1.8 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan			✓	Not applicable
1.9 Implementation of Glenfield to Macarthur Urban Renewal Corridor			✓	Not applicable
1.10 Implementation of Western Sydney Aerotropolis Interim Land Use and Infrastructure Implementation Plan			✓	Not applicable
1.11 Implementation of Bayside West Precincts 2036 Plan			✓	Not applicable.
1.12 Implementation of Planning Principles for the Cooks Cove Precinct			✓	Not applicable
1.13 Implementation of St Leonards and Crows Nest 2036 Plan			✓	Not applicable
1.14 Implementation of Greater Macarthur 2040			✓	Not applicable
1.15 Implementation of the Pyrmont Peninsula Place Strategy			✓	Not applicable
1.16 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan			✓	Not applicable

Ministerial Direction	Consistency			Comment
1.17 Implementation of the Bays West Place Strategy			✓	Not applicable
1.18 Implementation of the Macquarie Park Innovation Precinct			✓	Not applicable
1.19 Implementation of the Westmead Place Strategy			✓	Not applicable
1.20 Implementation of the Camellia-Rosehill Place Strategy			✓	Not applicable
1.21 Implementation of South West Growth Area Structure Plan			✓	Not applicable
1.22 Implementation of the Cherrybrook Station Place Strategy			✓	Not applicable
3. Biodiversity and Conservation				
3.1 Conservation Zone			✓	Not applicable
3.2 Heritage Conservation	✓			As outlined in **Section 7.1**, an Aboriginal Heritage Statement (**Appendix B**) and Heritage Statement (**Appendix C**) support the Planning Proposal, concluding that it will not have any additional heritage impact on the site or known heritage significant features.
3.3 Sydney Drinking Water Catchments			✓	Not applicable
3.4 Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs			✓	Not applicable
3.5 Recreation Vehicle Areas			✓	Not applicable
3.6 Strategic Conservation Planning	✓			The site is within a strategic conservation area. However, as explained in **Section 7.3**, the Planning Proposal is supported by a Biodiversity Statement (**Appendix E**) which confirms the Planning Proposal does not affect any land identified as a Strategic Conservation Area under Chapter 13 of the Biodiversity and Conservation SEPP 2021 and Cumberland Plain Conservation Plan. Therefore, it will not result in any negative biodiversity impacts to Strategic Conservation Areas, and is therefore consistent with the protection of native vegetation, minimisation of impacts on areas of regionally significant biodiversity, protection of koala habitat and corridors, and the maintenance and enhancement of ecological function.
3.7 Public Bushland	✓			The Planning Proposal will not affect the ecological viability of any public bushland on the site.
3.8 Willandra Lakes Region			✓	Not applicable
3.9 Sydney Harbour Foreshores and Waterways Area			✓	Not applicable
3.10 Water Catchment Protection			✓	Not applicable
4. Resilience and Hazards				
4.1 Flooding			✓	Not applicable. The site is not identified as flood prone land.
4.2 Coastal Management			✓	Not applicable
4.3 Planning for Bushfire Protection	✓			The site contains bushfire prone land. As explained in **Section 7.4**, the Planning Proposal is supported by a Bushfire Statement (**Appendix F**) that concludes that the Planning Proposal will not result in any negative effect on

Ministerial Direction	Consistency			Comment
				the bushfire risk assessments previously undertaken or those that maybe done in the future.
4.4 Remediation of contaminated land	✓			Previous assessment on the site has concluded that the site is suitable for residential development
4.5 Acid Sulfate Soils	✓			The site is identified as Class 5 Acid Sulfate Soils and is not located within the relevant distance from any Class 1-4 soils. As such, the Hawkesbury LEP 2012 does not require an Acid Sulfate Management Plan. Moreover, there is no actual intensification of land uses proposed in this Planning Proposal.
4.6 Mine Subsidence and Unstable Land			✓	Not applicable
5. Transport and Infrastructure				
5.1 Integrating Land Use and Transport	✓			Applicable. This Direction applies due to this Planning Proposal relating to a residential zone. The Direction states that a Planning Proposal must be consistent with the aims, objectives and principles of: • Improving Transport Choice – Guidelines for planning and development (DUAP 2001), and • The Right Place for Business and Services – Planning Policy (DUAP 2001). The Planning Proposal is broadly consistent with the aims, objectives and principles of the above documents in that it will provide residential accommodation which is appropriate to the level of public transport within the vicinity. It is noted that the Planning Proposal will not increase the number of lots or dwellings on the broader Redbank site, rather the Planning Proposal is for an administrative boundary adjustment on the zoning map. As such, no additional public or transport infrastructure is required as a result of the Planning Proposal.
5.2 Reserving Land for Public Purposes	✓			This Planning Proposal is consistent with this Direction in that it does not create, alter or reduce existing reservations of land for public purposes. Rather it results in a net increase to public open space at the site.
5.3 Development Near Regulated Airports and Defence Airfields			✓	Not applicable
5.4 Shooting Ranges			✓	Not applicable
6. Housing				
6.1 Residential zones	✓			The Planning Proposal will meet the objectives of this direction by: • Continuing to facilitate a choice of building types, including medium density housing, thereby facilitating the increase of the supply of diverse housing options in the Hawkesbury LGA. • Continuing to contain residential development within the existing broader Redbank site in order to not further expand consumption of land on Sydney's urban fringe. • Zoning surplus land as public recreational land that is not within residential lots but currently zoned for residential uses to make more efficient use of that land for public open space. • Not precluding good design.
6.2 Caravan Parks and Manufactured Home Estates			✓	Not applicable
7. Industry and Employment				
7.1 Business and Industrial Zone	✓			The Planning Proposal retains the E1 zoned employment land in the Village Centre and does not reduce the

Ministerial Direction	Consistency			Comment
				potential floor space for employment uses and related public services in the E1 Local Centre zone.
7.2 Reduction in non-hosted short term rental accommodation period			✓	Not applicable
7.3 Commercial and Retail Development along the Pacific Highway North Coast			✓	Not applicable
8. Resources and Energy				
8.1 Mining, Petroleum Production and Extractive Industries			✓	Not applicable
9. Primary Production				
9.1 Rural Zones			✓	Not applicable
9.2 Rural Lands			✓	Not applicable
9.3 Oyster Aquaculture			✓	Not applicable
9.4 Farmland of State and Regional Significance on the NSW Far North Coast			✓	Not applicable

6.3 Section C – Environmental, social and economic impact

Q8 - 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?

No. This Planning Proposal is considered minor in nature and will have no additional impacts on threatened species and ecological communities as previously assessed. An Ecological Statement has been prepared by Eco Logical Australia and is provided at **Appendix E**. It confirms that the Planning Proposal will not have any negative impact on biodiversity values, and that no further biodiversity assessment is required.

Q9 - Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?

No. Development is already approved on the site. There will be no significant change to the outcomes of the approved development resulting from the Planning Proposal. Rather, the planning proposal is for an administrative boundary adjustment on the zoning map. The expansion in E1 Local Centre zoned land will not result in any additional environmental effects. The environmental effects of this Planning Proposal are addressed in **Section 7.0**.

Q10 - Has the planning proposal adequately addressed any social and economic effects?

Yes. The Planning Proposal will not result in any adverse social or economic impacts. The Planning Proposal will ensure the effective delivery of the planned redevelopment of the site, of which the social and economic impacts have been adequately addressed through the initial planning proposal for the site (PP_2012_HAWKE_002_00).

6.4 Section D – Infrastructure (Local, State and Commonwealth)

Q11 - Is there adequate public infrastructure for the Planning Proposal?

Yes. The Planning Proposal will not increase the number of lots or dwellings on the broader Redbank site, rather the Planning Proposal is for an administrative boundary adjustment on the zoning map. As such, no additional public infrastructure is required as a result of the Planning Proposal beyond that which has been, and will be, delivered by Redbank, Council and public authorities as part of approved Development Applications to date, and the public infrastructure that is being delivered under the Voluntary Planning Agreement that the broader Redbank site is already subject to (executed in July 2014 as part of the initial planning proposal for the site - PP_2012_HAWKE_002_00).

6.5 Section E – State and Commonwealth interests

Q12 - What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?

The views of State and Commonwealth public authorities will be further known and reinforced once further consultation has occurred in accordance with the Gateway determination of the Planning Proposal.

6.6 Summary of strategic and site-specific merit

The *Local Environmental Plan Making Guideline* sets out that a Planning Proposal needs to demonstrate that it meets the Strategic Merit Test. The consistency of this Planning Proposal with the assessment criteria is set out below.

a) Does the proposal have strategic merit?

Part 3 of the *Local Environmental Plan Making Guideline* establishes assessment criteria for determining if Planning Proposals have strategic merit:

a) Does the proposal have strategic merit? Is it:
- *Consistent with the relevant regional plan outside of the Greater Sydney Region, the relevant district plan within the Greater Sydney Region, or corridor/precinct plants applying to the Site, including any draft regional, district or corridor/precinct plans released for public comment; or*
- *Consistent with a relevant local council strategy that has been endorsed by the Department; or*
- *Responding to a change in circumstances, such as the investment in new infrastructure or changing demographics trends that have not been recognised by existing planning controls.*

As outlined in the preceding sections, the Planning Proposal is:

- Consistent with all applicable strategic planning policies, including the Region Plan, District Plan, Hawkesbury LSPS and accompanying strategy for housing. Key aspects of consistency with these policies include:
  - Contributing to the minimum 20-year housing target of 184,500 dwellings for the whole of the Western City District, to support the predicted district population of approximately 464,000 by 2036.
  - Facilitating the orderly and actual delivery of the 1,400 lots as identified within the Hawksbury LSPS and Local Housing Strategy, contributing to the LGA's overall housing supply. Without the Planning Proposal, the site will fall short of the quantum of dwellings identified within these strategies.

b) Does the proposal have site-specific merit?

Part 3 of the *Local Environmental Plan Making Guideline* establishes assessment criteria for determining if Planning Proposals have site-specific merit:

b) Does the proposal have site-specific merit, having regard to the following?
- *the natural environment (including known significant environmental values, resources, or hazards); and*
- *the existing uses, approved uses, and likely future uses or land in the vicinity of the proposal; and*
- *the services and infrastructure that are or will be available to meet the demands arising from the proposal and any proposed financial arrangements for infrastructure provision.*

As outlined in the preceding sections of this report, the Planning Proposal has site-specific merit for the following reasons:

- It will not impact on the natural environment;
- It will not impact on the uses approved for the site as part of its redevelopment, rather it will ensure the approved uses will be successfully delivered; and
- The site is serviced by utilities and infrastructure to support the approved uses and density.

Summary

This Planning Proposal achieves both the strategic merit and site-specific merit criteria, and therefore the Planning Proposal should be supported.

7.0 Environmental assessment

The assessment of environmental planning issues of the Planning Proposal remains generally unchanged with respect to the matters raised as part of the subdivision applications relevant to the area listed in **Table 1**. As such, consistency statements have been prepared by the relevant specialist consultants, which reiterate that the Planning Proposal does not result in any further adverse environmental impacts beyond those already associated with the current zoning or as concluded in the specialist reports submitted as part of the subdivision applications relevant to the area listed in **Table 2**. These are summarised below.

7.1 Heritage

7.1.1 Aboriginal Heritage

Kelleher Nightingale has reviewed the Planning Proposal and concluded within its Aboriginal Heritage Statement (**Appendix B**) that it does not change the conclusions determined through previous development applications for Redbank, in that no Aboriginal archaeological sites will be impacted.

7.1.2 European Heritage

Urbis Heritage has reviewed the Planning Proposal and concluded within its Heritage Statement (**Appendix C**) that it will not require any further heritage assessment beyond that completed in the approved development applications for Redbank. Therefore, it has concluded that the Planning Proposal is acceptable on heritage grounds.

7.2 Stormwater Management and Flooding

J. Wyndham Prince has reviewed the Planning Proposal and concluded within its Stormwater and Flooding Statement (**Appendix D**) that it will not generate any adverse civil engineering, stormwater or flooding impacts, and is consistent with the relevant development approvals issued by Hawkesbury Council over the past decade.

7.3 Biodiversity Impacts

Eco Logical Australia has reviewed the Planning Proposal and concluded the following within its Biodiversity Statement (**Appendix E**):

- Where RE1 Public Recreation zoned land is proposed to increase, the likelihood of biodiversity impact is reduced.
- Where Residential zoned or Enterprise zoned land is proposed to replace RE1 Public Recreation zoned land to match the lot boundaries within the approved subdivision DAs, the biodiversity impacts have been assessed and approved within the previous subdivision DAs and therefore no additional biodiversity impacts are likely.
- The Planning Proposal does not affect any land identified as a Strategic Conservation Area under the Chapter 13 of the Biodiversity and Conservation SEPP 2021 and Cumberland Plain Conservation Plan.

Therefore, Eco Logical Australia has concluded that the Planning Proposal will not have any negative impact on biodiversity values, and that no further biodiversity assessment is required.

7.4 Bushfire

Control Line Consulting has reviewed the Planning Proposal and concluded within its Bushfire Statement (**Appendix F**) that it will not result in any negative effect on the bushfire risk assessments previously undertaken, nor negatively affect any future bushfire risk assessments.

7.5 Traffic

SCT has reviewed the Planning Proposal and concluded within its Traffic Statement (**Appendix G**) that the Planning Proposal will not result in any net changes in traffic impacts of the Redbank development. Hence all the traffic and transport impact assessment completed for any approved or pending development applications are still valid in terms of traffic impacts assessed. In relation to the conversion of land zoned R2 Low Density Residential and R3 Medium Density Residential to the E1 Local Centre zone, since the area of land zoned R3 Medium Density Residential is reducing considerably, SCT has determined that an overall reduction in traffic generation will occur. Moreover, SCT has determined that this overall reduction in traffic generation will not have any adverse impact upon the road or intersection performance.

8.0 Community consultation (Pt 5)

8.1 Consultation Undertaken

Table 8 below outlines the Proponent's consultation activities with relevant authorities and agencies.

Table 10 Consultation undertaken

Stakeholder	Purpose / Forum	Comments/Outcomes
Hawkesbury Council 18 May 2023	A pre-lodgement meeting was held with the project team and Council. The project team discussed the following items: • Overview of the proposed zone boundary adjustments • Inclusion of Statements only from the consultants as the Planning Proposal will not generate any additional impacts nor need for assessment than that covered in the detailed consultant reports prepared for the previous subdivision DAs for Redbank • Timing of lodgement of Planning Proposal in July 2023	Council did not raise any issues regarding the items discussed in the pre-lodgement meeting.

8.2 Proposed Consultation

The Proponent's consultation approach will be guided by the principles set out in the Hawkesbury Community Participation Plan and the NSW Government's *LEP Making Guidelines*. Formal public consultation will also take place in accordance with Sections 3.34 and 3.35 of the EP&A Act. This is likely to involve notification of the proposal:

- On Council's website.
- In newspapers that circulate widely in the Hawkesbury LGA.
- In writing to the adjoining and nearby landowners; relevant community groups; and the surrounding community in the immediate vicinity of the site.

It is noted that confirmation of the public exhibition period and requirements for the Planning Proposal will be given by the Minister as part of the LEP Gateway determination. Any future development application for the site would also be exhibited in accordance with Council's requirements, at which point the public and any authorities would have the opportunity to make further comment on the proposal.

9.0 Indicative project timeline (Pt 6)

Table 11 below provides an indicative timeline for the Planning Proposal, which will be updated as required as progress occurs.

Table 11 Indicative project timeline

Milestone	Timing	Date
Stage 1 – Pre-lodgement	**30 days**	**May – June 2023**
Stage 2 – Planning Proposal	**80 days**	**July – November 2023**
Consideration by Council		July – November 2023
Council decision		November 2023
Stage 3 – Gateway determination	**25 days**	**February 2024**
Stage 4 – Post-Gateway	**50 days**	**April 2024**
Stage 5 – Public Exhibition & Assessment	**95 days**	**April 2024 – June 2024**
Commencement and completion of public exhibition period		April 2024
Consideration of submissions		April – May 2024
Post-exhibition review and additional studies		June 2024
Stage 6 – Finalisation	**55 days**	**July – August 2024**
Submission to the Department of Planning for finalisation		July 2024
Gazettal of LEP amendment		August 2024

10.0 Conclusion

The Planning Proposal is of a housekeeping nature which intends to amend the *Hawkesbury Local Environmental Plan 2012* at the Redbank at North Richmond site to resolve zoning alignment issues and planning anomalies that have arisen throughout the design development and subdivision DA process.

The intended outcomes of the Planning Proposal are to:

- Align the allotment subdivisions as approved within all DAs relating to Redbank (refer to **Table 2**) with the relevant zoning under the Hawkesbury LEP 2012
- Minor reduction of 569m^2 in area of land zoned R3 Medium Density Residential (total area of 8,532m^2) adjacent to the Redbank Village Centre.
- Conversion of 3,306m^2 of land zoned R2 Low Density Residential and R3 Medium Density Residential to E1 Local Centre (total area of land zoned E1 Local Centre is 16,800m^2). However, this will not affect and traffic or infrastructure outcomes of the development.
- Rezoning of 11,163m^2 of land zoned RE1 Public Recreation to RE2 Private Recreation to reflect the new fence constructed in consultation with Council which demarcates public open space from land privately owned by the existing seniors living development.
- The Planning Proposal does not intend to increase overall density, and will not affect the achievement of the approximately 1,400 dwellings originally envisaged for the broader Redbank site under the masterplan at the time of making the original Planning Proposal PP_2012_HAWKE_002_00 and execution of the related Voluntary Planning Agreement dated 7 July 2014.
- Realign the existing minimum subdivision lot size development standards to correspond with the proposed zoning alignments.
- Realign the existing height of building development standards to correspond with the proposed zoning alignments.

This Planning Proposal is justified given the Planning Proposal:

- Is of an administrative housekeeping nature and is consistent with every previous subdivision DA approval for the Redbank site.
- Is consistent with all applicable strategic planning policies, including the Region Plan, District Plan, including contributing to minimum 20-year housing target of 184,500 dwellings for the whole of the Western City District, to support the predicted district population of approximately 464,000 by 2036.
- Will facilitate the orderly and actual delivery of the 1,400 lots as identified within the Hawksbury LSPS and Local Housing Strategy, contributing to the LGA's overall housing supply.
- Is consistent with the objects of the EP&A Act, applicable SEPPs and Ministerial Directions.
- Will not result in any heritage, stormwater, flooding, biodiversity, bushfire or traffic impacts.
- Will not impact on the uses approved for the site as part of its redevelopment, rather it will ensure the approved uses will be successfully delivered.
- Does not require any additional services, utilities and infrastructure to support the approved uses and density.