



# (LEP002/25) Detached Dual Occupancy in Rural and Environmental Zones

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PLANNING PROPOSAL

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## 1. INTRODUCTION

### 1.1 Overview

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, Housing and Infrastructure guidelines including 'Local Environmental Plan Making Guideline.'

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

- Amend the Hawkesbury LEP 2012 landuse table to permit Detached Dual Occupancy in zones RU1 Primary Production, RU2 Rural Landscape, RU4 Primary Production Small Lots, RU5 Village, C3 Environmental Management and C4 Environmental Living by deleting the word "Attached" before Dual Occupancy.

### 1.2 Background

Currently, the Hawkesbury LEP 2012 only permits 'attached' dual occupancy in zones RU1 Primary Production, RU2 Rural Landscape, RU4 Primary Production Small Lots, RU5 Village, C3 Environmental Management and C4 Environmental Living. Detached Dual Occupancies are currently not permitted in these zones.

Given the nature and size of these lots which are mostly larger, Council considers that detached dual occupancy development on these sites could be achievable. Council in 2015 and in 2016, through a house keeping amendment sought to permit detached dual occupancy development in these zones, however, was not supported by the Department of Planning and Environment. The reason for not supporting detached dual occupancy development on these zones was that the Infrastructure NSW led Hawkesbury-Nepean Flood Study was not complete and there were concerns at state level in terms of potential impacts on flood evacuation routes. Council also submitted a Planning Proposal in 2016 seeking to permit detached dual occupancy but was refused for the same reasons. However, since 2017, the Hawkesbury-Nepean Flood Management Strategy was released with various actions including release of the Hawkesbury – Nepean River Flood Study in 2024.

Furthermore, following adoption and endorsement of the Hawkesbury Local Strategic Planning Statement, Council prepared a Hawkesbury LEP 2012 Review and Update Planning Proposal. That Planning Proposal included a number of items that needed to be amended to bridge the gap between the current NSW Planning Framework requirements and the Hawkesbury LEP, including permissibility of detached dual occupancies in rural and environmental zones.

Council in its Meeting on 22 November 2022 endorsed the Planning Proposal to Review and Update the Hawkesbury LEP 2012 and submit it to the Department of Planning, Housing and Infrastructure for a Gateway Determination. To date a Gateway Determination has not been issued.

A "Notice of Motion" was considered by Council at its Meeting of 10 June 2025, where Council resolved to prepare a Planning Proposal to amend the Hawkesbury LEP 2012 with the following intent:

'That in every zone where Attached Dual Occupancies are currently permitted, that the word 'Attached' be deleted.'

#### **Recent reforms to enable housing supply:**

Additionally, in recent years, a number of housing related reforms have occurred that has allowed opportunities for more housing density within certain zones. These reforms include:



**Housing SEPP 2021** – the Housing SEPP consolidates several former SEPP's, including the Low-Rise Housing Diversity Code to promote housing diversity and affordability. It allows manor houses, dual occupancies and multi-dwelling housing in zones where residential development is permitted, subject to development standards.

While the SEPP does not override LEPs in rural or environmental zones by default, councils can opt-in to allow these housing types in rural zones to facilitate rural housing diversity, support family and worker accommodation on agricultural land, while ensuring that development is compatible with the rural character and environmental values.

### **The Low- and Mid-Rise Housing Policy:**

The Hawkesbury LGA was excluded from the NSW Government's Low to Mid Rise Housing Policy due to several significant concerns including:

- Flood risk and evacuation capacity
- Heritage preservation
- Infrastructure limitations.

Permitting Detached Dual Occupancy in the Hawkesbury can assist to compensate for the exclusion from the Low to Mid Rise Housing Policy. Detached dual occupancy permits two dwellings on a single lot, increasing housing supply without the scale of mid-rise developments. This is particularly suitable for rural and environmental zones where higher density is not viable. Detached dual occupancy development will maintain the low-density, rural character of the Hawkesbury, aligning with community values and heritage preservation goals.

Additionally, dual occupancy development places less strain on existing infrastructure compared to mid-rise apartments, making it a more feasible option given current limitation.

### **Clause 5.5 - Controls relating to secondary dwellings on land in a rural zone:**

While, Hawkesbury City Council had not yet adopted the LEP Standard Instrument Clause 5.5 Controls relating to secondary dwellings on land in rural zones, Council is seeking the adoption of this clause through the Hawkesbury LEP 2012 Review and Update Planning Proposal. Detached dual occupancy complements this provision by offering slightly larger, more independent housing options while still preserving rural character.

## **1.3 Purpose of the Planning Proposal**

This Planning Proposal seeks to amend the Hawkesbury LEP 2012 to permit detached dual occupancy development in zones RU1 Primary Production, RU2 Rural Landscape, RU4 Primary Production Small Lots, RU5 Village, C3 Environmental Management and C4 Environmental Living.

## **1.4 Detached Dual Occupancy**

In terms of impact on population, attached and detached dual occupancy does not have any significantly different impacts. Despite there being some disadvantages of detached dual occupancy such as:

- Less efficient in terms of land use; requires more land area per dwelling due to separation.
- Potentially higher infrastructure load due to being dispersed across a site and need for extended services.
- Also typically not subdivided but may encourage future subdivision pressure.

Detached dual occupancy provides additional housing but maintains a lower-density appearance, which is often preferred in rural zones to preserve the rural character and minimize environmental impacts. Negative impacts of detached dual occupancy development can be mitigated through Development Control Plan provisions where specific planning controls will be stipulated to guide appropriate development.



## 1.6 Comparative LEP Analysis

There are several Sydney Metropolitan Councils and others in NSW that permit detached dual occupancy development in rural zones. This indicates that permitting detached dual occupancy development in rural and environmental zone is not uncommon and can be managed through specific Development Control Plan provisions. Table 1 below illustrates the dual occupancy permissibility in different local government areas.

**Table 1 – Detached Dual Occupancy Permissibility in Rural and Environmental Zones of other Councils**

<b>Council</b>	<b>Zones Detached Dual Occupancy is permitted</b>
Penrith City Council	RU5 – subject to local constraints  RU1, RU2, RU4, C3, C4 – Requires lots to be greater than 2 Ha if not connected to reticulated sewer.
Liverpool City Council	RU1, and RU4 – Requires lots to be greater than 10 Ha for RU1 and 2 Ha for RU4.
Central Coast Council	RU1, RU2, RU6, C3 and C4- permitted
Mid-Coast Council	RU1, RU2, RU4, RU5, C3 and C4 – permitted (draft LEP)
Shoalhaven City Council	RU5 - permitted

### Development Control Plan Controls:

For Detached Dual Occupancy development in rural and environmental zones within the Hawkesbury Local Government Area (LGA), specific planning controls will mitigate environmental impacts and preserve rural character.

## 1.5 Site Context

This Planning Proposal applies to all land in zones RU1 Primary Production, RU2 Rural Landscape, RU4 Primary Production Small Lots, RU5 Village, C3 Environmental Management and C4 Environmental Living. Table 2 provides details of number of lots in the subject zones and number of lots above the Flood Planning Level (1 in 100-year).

**Table 2 – Approximate lot numbers for zones proposed for detached dual occupancy development.**

<b>Zone</b>	<b>Number of lots</b>	<b>Number of lots above 1 in 100-year flood levels</b>
RU1 Primary Production	2,087	1,708
RU2 Rural Landscape	1,491	799
RU4 Primary Production Small Lots	3,596	2,840
RU5 Village	1,016	780
C3 Environmental Management	14	14
C4 Environmental Living	1,669	957
<b>Total</b>	<b>9,873</b>	<b>7,098</b>

## 2. PART 1 - Objectives and Intended Outcomes

The objective and intended outcome of the Planning Proposal is to permit Detached Dual Occupancy in RU1 Primary Production, RU2 Rural Landscape, RU4 Primary Production Small Lots, RU5 Village, C3 Environmental Management and C4 Environmental Living.

Permitting Detached Dual Occupancy in the subject zones will enable the Hawkesbury LEP 2012 to align with the State Housing Policy, reflect best practises from other council LEP's. support Hawkesbury City



Council's local strategic goals and provide flexibility for rural and environmental landowners to meet their housing needs.

### 3. PART 2 – Explanation of Provisions

This Planning Proposal seeks to amend the *Hawkesbury LEP 2012* to permit Detached Dual Occupancy in zones RU1 Primary Production, RU2 Rural Landscape, RU4 Primary Production Small Lots, RU5 Village, C3 Environmental Management and C4 Environmental Living.

The proposed amendment will be made removing “(attached)”, from Dual Occupancies in “Permitted with consent” section of the Land Use Table for zones RU1, RU2, RU4, RU5. C3 and C4 of the *Hawkesbury LEP 2012*.

### 4. PART 3 – Justification

*Hawkesbury LEP 2012* is Council's principle planning instrument. This Planning Proposal seeks to amend the *Hawkesbury LEP 2012* to permit Detached Dual Occupancy Development in zones RU1 Primary Production, RU2 Rural Landscape, RU4 Primary Production Small Lots, RU5 Village, C3 Environmental Management and C4 Environmental Living.

A planning proposal is the most appropriate means to achieve this outcome and the objectives and intended outcomes of this planning proposal.

#### Section A - Need for the Planning Proposal

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

The matter included in this Planning Proposal resulted from the LEP Roadmap work that was commenced in 2018 after the amendment of the Environmental Planning and Assessment Act 1979, when Strategic Planning became the forefront of planning in NSW. Post the *Hawkesbury LEP Health Check*, a number of gaps were identified in the *Hawkesbury LEP 2012*. To bridge the gaps, the *Hawkesbury LEP 2012 Review and Update Planning Proposal* was prepared. A Gateway Determination has not been issued by the Department of Planning, Housing and Infrastructure for that Planning Proposal as yet.

However, the Detached Dual Occupancy matter is now being submitted as a separate Planning Proposal to expedite the permissibility of the Detached Dual Occupancy in certain rural and environmental zones.

##### ***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 best means of achieving the objectives and intended outcomes for permitting detached dual occupancy in certain rural and environmental zones.

The *Hawkesbury Local Strategic Planning Statement 2040*, states that the Hawkesbury LGA aims to balance growth with rural character and environmental protection. There is a need to support rural communities, enable aging in place and accommodate diverse housing types. Permitting Detached Dual Occupancy development in zones RU1 Primary Production, RU2 Rural Landscape, RU4 Primary Production Small Lots, RU5 Village, C3 Environmental Management and C4 Environmental Living can:

- Support rural landowners with additional income or family accommodation
- Provide low-density housing that aligns with the area's character
- Encourage sustainable development through design controls and environmental assessments.

Permitting Detached Dual Occupancy in the nominated rural and environmental zones with appropriate planning controls and development standards will enable the Hawkesbury to:



- Align with state housing policy and targets.
- Reflect best practise from other councils in NSW.
- Support local strategic goals (from LSPS).
- Provide flexibility for rural and environmental landowners.

Other additional benefits of detached dual occupancy developments in rural zones includes:

- Enables families to live on the same property while maintaining privacy and independence.
- Allows farm workers or family members involved in agricultural operations to reside on-site.
- Offers cost-effective housing solutions without the need for subdivision or new infrastructure.
- Detached dwellings can be designed to blend with the landscape, preserving the visual amenity of rural areas.
- Provides options for landowners to accommodate changing family or business needs without rezoning.
- Helps address housing shortages in rural areas without urban sprawl.

## **Section B - Relationship to Strategic Planning Framework**

***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)?***

Yes, the Planning Proposal gives effect to the objectives and actions of the applicable regional plan, district plan and strategies.

### **Greater Sydney Region Plan - Metropolis of Three Cities:**

The Metropolis of Three Cities – the NSW Planning Framework provides a strategic vision for the sustainable growth of Greater Sydney, including the Western Parkland City, in which the Hawkesbury LGA is located. One of the key objectives of this framework is to promote housing diversity and supply while preserving the unique environmental and rural characteristics of the region.

In alignment with this regional strategy, the Hawkesbury Local Environmental Plan (LEP) 2012 is proposed to be amended to support the delivery of more diverse housing options, by permitting Detached Dual Occupancy in rural and environmental zones of the LGA. These amendments are designed to:

- Provide greater flexibility for landowners in rural areas to accommodate extended families or generate supplementary income.
- Support the strategic intent of the Metropolis of Three Cities by enabling context-sensitive infill development that does not compromise the rural character or environmental values of the Hawkesbury.
- Ensure that any such development is consistent with infrastructure capacity, environmental constraints, and local heritage considerations.

The Planning Proposal to amend the Hawkesbury LEP 2012 explicitly states its purpose is to align local planning controls with the objectives of the Metropolis of Three Cities and the Western City District Plan. This includes facilitating low-impact rural housing forms such as Detached Dual Occupancy, which can contribute to housing supply without necessitating large-scale rezoning or urban expansion.

It is considered that, the permissibility of Detached Dual Occupancy in rural and environmental zones of the Hawkesbury is a direct implementation of the broader strategic goals outlined in the Metropolis of Three Cities framework. It reflects a balanced approach to growth—supporting housing needs while maintaining the rural and environmental character of the area.





### **The Western City District Plan:**

The Western City District Plan is a key component of the broader Metropolis of Three Cities Strategy. It provides a district-level planning framework for the Western Parkland City, which includes the Hawkesbury Local Government Area. This plan outlines priorities for sustainable growth, housing diversity, environmental protection, and infrastructure coordination across the district.

One of the core planning priorities of the Western City District Plan is to "deliver housing supply, choice and affordability with access to jobs, services and public transport". It encourages councils to support diverse housing typologies, including dual occupancies, particularly in areas where they can be sensitively integrated into the existing landscape and infrastructure.

In response to this strategic direction, the Hawkesbury Local Environmental Plan (LEP) 2012 has been reviewed and is undergoing amendments to better align with both the Metropolis of Three Cities and the Western City District Plan. According to the proposed amendment of the Hawkesbury LEP 2012, the purpose of the LEP amendment is to:

- Facilitate Detached Dual Occupancy in rural and environmental zones including RU1 Primary Production, RU2 Rural Landscape, RU4 Primary Production Small Lots, RU5 Village, C3 Environmental Management and C4 Environmental Living.
- Support rural housing diversity while maintaining the environmental and agricultural values of the area.
- Implement the housing and land use priorities of the Western City District Plan by enabling low-impact, small-scale development that meets local needs.

This proposed amendment reflects a strategic alignment between local planning controls and regional planning objectives. It ensures that rural areas of the Hawkesbury can contribute to housing supply in a way that is sustainable, context-sensitive, and consistent with the broader vision for the Western Parkland City.

The proposed changes to the Hawkesbury LEP 2012 to permit Detached Dual Occupancy in rural and environmental zones are a direct response to the priorities set out in the Western City District Plan. They represent a practical implementation of regional planning goals at the local level, balancing growth with the preservation of rural character and environmental integrity.

### **Metropolitan Rural Area Context:**

The Hawkesbury LGA is classed as Metropolitan Rural Area except for the Vineyard Stage 1 Precinct in the Northwest Growth Area. The Hawkesbury LGA includes a mix of urban development, rural villages, agricultural lands and environmental conservation areas. Hawkesbury plays a strategic role in maintaining Metropolitan Sydney's rural framework and agricultural production. It is acknowledged that the Metropolitan Rural Area classification of the LGA has limited the capacity of urban expansion.

Permitting Detached Dual Occupancy in the LGA aligns with Objective 29 of the Metropolis of Three Cities – Greater Sydney Region Plan. The provision will allow low-impact housing diversification in rural areas, which provides opportunities for multi-generational living, or rental income without urban sprawl. Having the provision as a permitted use with consent will ensure that the adverse impacts of development on the environment and infrastructure are assessed and mitigated at the DA stage.

### **Hawkesbury Community Strategic Plan (CSP) 2045:**

The Hawkesbury Community Strategic Plan 2045 outlines the community's long-term vision and priorities for the region. It serves as a guiding document for all future planning and decision-making by Hawkesbury City Council. The CSP envisions Hawkesbury as:

*'We see 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, to preserve and enhance our lifestyle and identity.'*



The proposed amendment to the Hawkesbury LEP 2012 to permit Detached Dual Occupancy in rural and environmental zones aligns with the key themes of the Hawkesbury CSP 2045:

*A Great Place to Live:*

The Planning Proposal aligns with the theme – ‘A Great Place to Live’ as it will enhance housing diversity and affordability. It provides more flexible living arrangements for families, aging residents, and rural workers, particularly on larger lots where detached dwellings can be accommodated without disrupting the rural landscape. This supports the community’s desire for low-density living while addressing the need for more inclusive and adaptable housing options.

*Sustainable Environment and Heritage:*

The Planning Proposal aligns with the theme – ‘Sustainable Environment and Heritage’ as the proposal demonstrates a commitment to environmental stewardship by referencing updated flood studies and ensuring that development will be guided by environmental and hazard exclusions. It respects the ecological and heritage values of the region by maintaining low-density development patterns and avoiding the visual and environmental impacts associated with higher-density housing. This approach helps preserve the unique rural and environmental character of Hawkesbury while allowing for modest growth.

*Thriving Economy:*

The Planning Proposal aligns with the theme – ‘Thriving Economy’ as the proposal supports the local economy by enabling housing for rural workers and extended families on agricultural land, which can enhance productivity and operational flexibility for rural enterprises. It also aligns with broader housing reforms aimed at increasing supply and affordability, thereby contributing to economic resilience. By allowing for additional dwellings without subdividing land, the proposal supports sustainable land use and helps maintain the viability of rural industries.

*Effective Leadership:*

The Planning Proposal aligns with the theme – ‘Effective Leadership’ as the proposed development provision will adhere to statutory planning processes and alignment with Council resolutions, including the 10 June 2025 Notice of Motion Resolution. It is grounded in evidence-based planning, drawing on recent flood studies and strategic planning documents such as the Hawkesbury LEP Review. The proposal also responds to community values and planning priorities, demonstrating transparency and a proactive approach to addressing housing needs while preserving the local character and environmental values of the Hawkesbury.

**Hawkesbury Local Housing Strategy:**

The Hawkesbury Local Housing Strategy is a key strategic document that sets out a 20-year vision for housing in the Hawkesbury Local Government Area. It was developed to align with the Greater Sydney Region Plan, the Western City District Plan, and the Hawkesbury Local Strategic Planning Statement 2040. The Hawkesbury Local Housing Strategy identifies the need to provide diverse, affordable, and sustainable housing options that respond to the unique characteristics of the Hawkesbury.

One of the key recommendations of the Hawkesbury Local Housing Strategy is the consideration of Detached Dual Occupancies and Secondary Dwellings through a place-based approach, particularly in rural and environmental areas. This recommendation is informed by the Hawkesbury Rural Lands Strategy, which supports low-impact housing forms that maintain the rural landscape and support intergenerational living.

The proposed amendment to the Hawkesbury LEP 2012 to permit Detached Dual Occupancy in rural zones directly implements this recommendation by:



- Providing flexible housing options that meet the needs of rural families, including aging residents and younger generations seeking to remain on family land.
- Supporting rural landowners by enabling additional housing without requiring subdivision or urban expansion.
- Maintaining the rural character of the Hawkesbury through design and location controls that ensure development is compatible with the surrounding environment.

The Hawkesbury Local Housing Strategy also emphasizes the importance of monitoring housing supply and delivery, and the LEP amendment contributes to this by unlocking additional housing capacity in a controlled and sustainable manner.

The proposed LEP amendment is a direct response to the strategic directions of the Hawkesbury Local Housing Strategy, supporting housing diversity, rural and agricultural resilience, and sustainable land use planning.

### **Hawkesbury Rural Lands Strategy:**

The Hawkesbury Rural Lands Strategy is a key strategic document developed to guide the future use, management, and development of rural lands within the local government area. It identifies the economic, environmental, and social opportunities for preserving and enhancing rural areas, while also supporting sustainable rural living and land use practices.

A central theme of the Hawkesbury Rural Lands strategy is the need to balance rural character and productivity with housing flexibility. It recognizes that rural communities are evolving and that planning controls must adapt to support intergenerational living, aging in place, and economic resilience—all of which are increasingly important in rural settings.

The proposed amendment to the Hawkesbury LEP 2012 to permit Detached Dual Occupancy in RU1 Primary Production, RU2 Rural Landscape, RU4 Primary Production Small Lots, RU5 Village, C3 Environmental Management and C4 Environmental Living zones is a direct response to the recommendations of the Rural Lands Strategy.

Specifically, the strategy supports:

- Low-impact housing forms that do not compromise the rural landscape or agricultural viability.
- Housing diversity that enables families to remain on rural properties across generations.
- Planning flexibility that allows for modest intensification of land use without urban sprawl or subdivision.

By permitting Detached Dual Occupancy in rural and environmental zones, the Hawkesbury LEP 2012 amendment helps implement the strategy's vision of a resilient, adaptable, and sustainable rural Hawkesbury. It provides a practical mechanism for supporting rural landowners while maintaining the environmental and scenic values that define the region.

***Is the planning proposal consistent with a council Local Strategic Planning Statement that has been endorsed by the Planning secretary or Greater Sydney Commission, or another endorsed local strategy or strategic plan?***

### **Hawkesbury Local Strategic Planning Statement 2040:**

The Hawkesbury Local Strategic Planning Statement 2040 outlines the 20-year land use vision for the Hawkesbury Local Government Area. It is a key document that translates the objectives of the Greater Sydney Region Plan and the Western City District Plan into a local context, guiding how growth and development should occur in a way that reflects the unique character and values of the Hawkesbury.



One of the Hawkesbury Local Strategic Planning Statement's core planning priorities is to "provide housing choice to meet community needs", particularly through diversifying housing types while maintaining the rural and environmental character of the region. The Hawkesbury Local Strategic Planning Statement acknowledges the importance of enabling low-impact housing options in rural areas to support intergenerational living, aging in place, and local economic resilience.

In alignment with this strategic direction, the proposed amendment to the Hawkesbury Local Environmental Plan (LEP) 2012 seeks to permit Detached Dual Occupancy in rural and environmental zones. This amendment is directly informed by the Hawkesbury Local Strategic Planning Statement and aims to:

- Implement the housing diversity goals of the LSPS by enabling more flexible rural living arrangements.
- Support the rural economy and community cohesion by allowing families to live on the same property in separate dwellings.
- Ensure development is context-sensitive, maintaining the environmental, scenic, and agricultural values of the Hawkesbury.

The Hawkesbury Local Strategic Planning Statement also emphasizes the need for place-based planning and evidence-based decision-making, which is reflected in the LEP amendment process. The proposal to permit Detached Dual Occupancy in rural and environmental zones is supported by strategic studies such as the Hawkesbury Rural Lands Strategy and the Local Housing Strategy, both of which reinforce the need for more adaptable housing options in rural settings.

The proposed amendment to the Hawkesbury LEP 2012 to permit Detached Dual Occupancy in rural and environmental zones is a direct implementation of the priorities set out in the Hawkesbury Local Strategic Planning Statement 2040. It reflects a strategic, locally tailored approach to housing that balances growth with the preservation of the Hawkesbury's rural identity and environmental values.

#### **Hawkesbury Flood Policy 2020:**

The Hawkesbury Flood Policy 2020 provides a framework for guiding development within flood planning areas across the Hawkesbury Local Government Area. It aligns with Clause 5.21 of the Hawkesbury Local Environmental Plan (LEP) 2012 and supports the Hawkesbury-Nepean Valley Flood Risk Management Strategy – Resilient Valley, Resilient Communities. The policy sets out development standards aimed at managing flood risk and promoting safe, sustainable development. It applies to all development applications, including new constructions, additions, alterations, intensifications, rebuilding, or redevelopment of existing uses within designated floodplains.

The policy requires that new developments demonstrate flood resilience, avoid increasing flood risk to surrounding properties, and comply with current flood planning levels and hazard category controls. Specifically, the minimum habitable floor level must be set above the 1 in 100 Annual Recurrence Interval (ARI) flood level.

Furthermore, developments must demonstrate the availability of safe evacuation routes, and in some cases, emergency management plans may be required. The policy encourages the use of flood-resistant design principles, including structures capable of withstanding flood forces and the use of flood-compatible materials and construction techniques. It also ensures that development does not negatively impact floodplain ecology or compromise community safety.

#### ***Is the planning proposal consistent with applicable State Environmental Planning Policies (SEPP)?***

The Planning Proposal is considered to be consistent with the SEPPs. Appendix A provides a detailed analysis of the Planning Proposal against each SEPP.



***Is the planning proposal consistent with applicable Ministerial Directions (s.9.1 Directions)?***

The Planning Proposal is considered to be consistent with Section 9.1 Ministerial Directions. A table addressing consistency with the Ministerial Directions is provided as Appendix B.

**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?***

While the proposal to permit Detached Dual Occupancy in rural and environmental zones does not inherently pose a significant threat to biodiversity, its impact must be assessed on a case-by-case basis. The Hawkesbury LEP 2012 and other State legislations such as Biodiversity Conservation Act 2016 provide mechanisms to ensure that any development:

- Avoids or mitigates harm to threatened species and habitats.
- Complies with environmental protection objectives.
- Supports ecologically sustainable development, as outlined in the aims of the Hawkesbury LEP 2012.

Any development application for Detached Dual Occupancy development will be assessed against the Hawkesbury LEP 2012 and Development Control Plan provisions. Environmental impacts will be specifically considered under the relevant clause of the Hawkesbury LEP 2012 and relevant provisions of the Biodiversity Conservation Act 2016.

Additionally, factors such as site-specific provisions, scale and design, environmental constraints mapping will be considered to identify any adverse effect of the development on the biodiversity.

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

The proposed amendment to the Hawkesbury LEP 2012 to permit Detached Dual Occupancy in rural and environmental zones may give rise to several environmental considerations beyond impacts on threatened species. One concern is the potential for land fragmentation and visual impacts on the rural landscape. Detached dwellings, if not carefully sited and designed, could incrementally erode the rural character and agricultural viability of certain areas. Additionally, development on sloped or flood-prone land may affect natural drainage, increase erosion, and pose risks to water quality, particularly where on-site wastewater systems are used.

Another significant consideration is bushfire risk, as many rural areas in the Hawkesbury are bushfire prone. Permitting additional dwellings increases the number of people and assets exposed to fire hazards. To address this, developments must comply with the NSW Rural Fire Service's Planning for Bushfire Protection guidelines, which may require asset protection zones and bushfire-resistant construction. Similarly, vegetation clearing for access or building footprints can impact local biodiversity and habitat connectivity, even if the land is not classified as critical habitat.

To manage these risks, development applications must demonstrate site suitability, taking into account environmental constraints, slope, access, and hazard exposure. Environmental Constraints Mapping and Development Control Plan (DCP) guidelines will help ensure that development is appropriately located and designed. Where necessary, proposals may be subject to further ecological assessment under the Biodiversity Conservation Act 2016, including the preparation of a Biodiversity Development Assessment Report (BDAR). These measures aim to ensure that detached dual occupancy development proceeds in a way that is environmentally responsible and aligned with the Hawkesbury's rural character.





### ***Has the planning proposal adequately addressed any social and economic effects?***

#### **Social Effects:**

The proposal supports greater housing diversity, allowing families to live in separate dwellings on the same rural property. This is particularly beneficial for multi-generational households, young adults, and aging parents, helping to address housing affordability and availability in a way that maintains family and community ties.

By enabling families to remain on their land across generations, the proposal can strengthen social cohesion and rural community stability. It also supports aging in place, allowing older residents to downsize without leaving their local community. Detached Dual Occupancy offers more privacy and independence than attached dwellings, which can improve quality of life for residents while still maintaining proximity to family support and local networks.

#### **Economic Effects:**

Permitting Detached Dual Occupancy dwellings can enhance the economic viability of rural landholdings. The ability to construct a second dwelling may increase the value of rural properties, encouraging investment in land maintenance and infrastructure. However, this could also lead to rising land prices, potentially impacting affordability for new entrants into the rural housing market. Construction of additional dwellings may stimulate local building trades and suppliers and increased rural population density could support demand for local services, such as retail, education, and health.

### **Section D - Infrastructure (Local, State and Commonwealth)**

#### ***Is there adequate public infrastructure for the planning proposal?***

Permitting Detached Dual Occupancy in rural and environmental zones of the Hawkesbury LGA—where attached dual occupancy is already permitted—is unlikely to have a significant additional impact on existing public infrastructure, but there are a few nuanced considerations:

**Water, Sewer, and Electricity:** Most rural areas in the Hawkesbury rely on on-site systems (e.g., rainwater tanks, and effluent/ septic systems). Detached Dual Occupancy dwellings would typically use the same infrastructure as attached ones, so the incremental demand is minimal—especially if both dwellings are on the same lot and share services.

**Roads and Access:** There may be slightly increased traffic from additional households, but this is expected to be low-impact due to the dispersed nature of rural development. Existing rural roads are generally sufficient for the small increase in vehicle movements.

**Emergency Services:** More dwellings may increase the need for emergency response capacity, particularly in bushfire-prone areas, but this is mitigated by existing planning controls and bushfire protection measures.

**Waste Collection:** There will be a need for additional waste services, but this is typically managed through existing rural collection systems.

No subdivision is proposed as part of this amendment, which helps limit the scale of development and its cumulative impact on infrastructure.

Permitting Detached Dual Occupancy is not expected to place a significant additional burden on public infrastructure compared to attached dual occupancy. The impacts are likely to be modest and manageable, especially with appropriate planning controls and site-specific planning controls and assessments in place.



## Section E - State and Commonwealth Interests

### ***What are the views of State and Federal public authorities and government agencies consulted in order to inform the Gateway Determination.***

State and Federal public authorities and government agencies will be consulted once a Gateway Determination is received. The public exhibition and agency consultation will be in accordance with the conditions of the Gateway Determination.

## 5. PART 4 – Mapping

No maps will be amended as a result of this Planning Proposal.

## 6. PART 5 – Community Consultation

Stage	Timeframe and Dates
Consideration by Hawkesbury Local Planning Panel	July 2025
Consideration and Decision by Council	August 2025
Submission to Department for Gateway Determination	August 2025
Gateway Determination	October 2025
Pre-Exhibition	October 2025
Public Exhibition Period	November - December 2025
Consideration of Submissions	January - February 2026
Report back to Council	March 2026
Parliamentary Counsel Office Advice and Finalisation	April 2026



## Appendix A. Consistency with the State Environmental Planning Policies

State Environmental Planning Policy (Biodiversity and Conservation) 2021		
Chapter	Aims	Comment
Vegetation in Non-Rural Areas	The aims of this Chapter are— (a) to protect the biodiversity values of trees and other vegetation in non-rural areas of the State, and (b) to preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation.	Consistent
Koala habitat Protection 2020	This Chapter 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 reverse the current trend of koala population decline— (a) by requiring the preparation of plans of management before development consent can be granted in relation to areas of core koala habitat, and (b) by encouraging the identification of areas of core koala habitat, and (c) by encouraging the inclusion of areas of core koala habitat in environment protection zones.	Does not Apply to Hawkesbury LGA
Koala habitat Protection 2021	This Chapter aims to encourage the conservation and management of areas of natural vegetation that provide habitat for koalas to support a permanent free-living population over their present range and reverse the current trend of koala population decline.	Consistent
River Murray Lands	The aims of this Chapter are to conserve and enhance the riverine environment of the River Murray for the benefit of all users.	Does not Apply to Hawkesbury LGA
Water Catchments	This Chapter applies to land in the following catchments— (a) the Sydney Drinking Water Catchment, (b) the Sydney Harbour Catchment, (c) the Georges River Catchment, (d) the Hawkesbury-Nepean Catchment.	Consistent
State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004		
Building Sustainability Index: BASIX	Regulations under the Act have established a scheme to encourage sustainable residential development ( <b><i>the BASIX scheme</i></b> ) under which:	Consistent





	<p>(a) application for a development consent, complying development certificate or construction certificate in relation to certain kinds of residential development must be accompanied by a list of commitments by the applicant as to the manner in which the development will be carried out, and</p> <p>(b) the carrying out of residential development pursuant to the resulting development consent, complying development certificate or construction certificate will be subject to a condition requiring such commitments to be fulfilled.</p>	
<b>State Environmental Planning Policy (Exempt and Complying Development) 2008</b>		
Exempt and Complying development Codes	This Policy aims to provide streamlined assessment processes for development that complies with specified development standards.	Consistent
<b>State Environmental Planning Policy (Housing) 2021</b>		
Affordable Housing	(a) enabling the development of diverse housing types, including purpose-built rental housing,	Consistent
Diverse Housing	<p>(b) encouraging the development of housing that will meet the needs of more vulnerable members of the community, including very low to moderate income households, seniors and people with a disability,</p> <p>(c) ensuring new housing development provides residents with a reasonable level of amenity,</p> <p>(d) promoting the planning and delivery of housing in locations where it will make good use of existing and planned infrastructure and services,</p> <p>(e) minimising adverse climate and environmental impacts of new housing development,</p> <p>(f) reinforcing the importance of designing housing in a way that reflects and enhances its locality,</p> <p>(g) supporting short-term rental accommodation as a home-sharing activity and contributor to local economies, while managing the social and environmental impacts from this use,</p> <p>(h) mitigating the loss of existing affordable rental housing.</p>	<p>Consistent</p> <p>The Planning Proposal aims to permit detached dual occupancy development in rural and environmental zones where the Hawkesbury LEP 2012 already permits this development as attached. The Planning Proposal is considered to be consistent with Housing SEPP.</p>
Design of residential apartment development	The aim of this chapter is to improve the design of residential apartment development in New South Wales	Not Relevant
Transport orientated development	<p>The aims of this chapter are as follows—</p> <p>(a) to increase housing density within 400m of existing and planned public transport,</p> <p>(b) to deliver mid-rise residential flat buildings, seniors housing in the form of independent living</p>	Does not Apply to Hawkesbury LGA



	units and shop top housing around rail and metro stations that— (i) are well designed, and (ii) are of appropriate bulk and scale, and (iii) provide amenity and liveability, (c) to encourage the development of affordable housing to meet the needs of essential workers and vulnerable members of the community.	
Low and mid rise housing	The aim of this chapter is to encourage the development of low and mid rise housing in areas that are well located with regard to goods, services and public transport.	Does not Apply to Hawkesbury LGA
State Environmental Planning Policy (Industry and Employment) 2021		
Western Sydney Employment Area	This Chapter aims to protect and enhance the land to which this Chapter applies (the <b>Western Sydney Employment Area</b> ) for employment purposes.	Does not Apply to Hawkesbury LGA
Signage	This Chapter aims— (a) to ensure that signage (including advertising)— (i) is compatible with the desired amenity and visual character of an area, and (ii) provides effective communication in suitable locations, and (iii) is of high quality design and finish, and (b) to regulate signage (but not content) under Part 4 of the Act, and (c) to provide time-limited consents for the display of certain advertisements, and (d) to regulate the display of advertisements in transport corridors, and (e) . to ensure that public benefits may be derived from advertising in and adjacent to transport corridors.	Consistent
State Environmental Planning Policy No 65 (Design Quality of Residential Department Development) 2002		
Design Quality of Residential Department Development	This Policy aims to improve the design quality of residential apartment development in New South Wales.	Consistent
State Environmental Planning Policy (Planning Systems) 2021		
State and Regional Development	The aims of this Chapter are as follows— (a) to identify development that is State significant development, (b) to identify development that is State significant infrastructure and critical State significant infrastructure, (c) to identify development that is regionally significant development	Consistent



Aboriginal Land	The aims of this Chapter are— (a) to provide for development delivery plans for areas of land owned by Local Aboriginal Land Councils to be considered when development applications are considered, and (b) to declare specified development carried out on land owned by Local Aboriginal Land Councils to be regionally significant development.	Consistent
Concurrences and Consents	This Chapter demonstrated the role and function of the Planning Secretary as a concurrence authority.	Consistent
<b>State Environmental Planning Policy (Precincts – Central River City) 2021</b>		
Central River City	Provide planning policies for the Central River City	Does not apply to Hawkesbury LGA (Except for Vineyard in Hawkesbury North West Growth Area)  The planning proposal does not contain provisions applicable to the Sydney Region Growth Centres
<b>State Environmental Planning Policy (Precincts – Eastern Harbour City) 2021</b>		
Eastern Harbour City	Provides planning policies for the Eastern Harbour City	Does not apply to Hawkesbury LGA
<b>State Environmental Planning Policy (Precincts – Regional) 2021</b>		
Regional	Provides planning policies for the Regional NSW	Does not apply to Hawkesbury LGA
<b>State Environmental Planning Policy (Precincts – Western Parkland City) 2021</b>		
State Significant Precincts	The aims of this Chapter are as follows— (a) to facilitate the development, redevelopment or protection of important urban, coastal and regional sites of economic, environmental or social significance to the State so as to facilitate the orderly use, development or conservation of those State significant precincts for the benefit of the State,  (b) to facilitate service delivery outcomes for a range of public services and to provide for the development of major sites for a public purpose or redevelopment of major sites no longer appropriate or suitable for public purposes.	Does not apply to Hawkesbury LGA



Sydney Region Growth Centres	<p>The aims of this Chapter are (in conjunction with amendments to the regulations under the Act relating to precinct planning) as follows—</p> <ul style="list-style-type: none"> <li>(a) to co-ordinate the release of land for residential, employment and other urban development in the North West Growth Centre, the South West Growth Centre, the Wilton Growth Area and the Greater Macarthur Growth Area,</li> <li>(b) to enable the Minister from time to time to designate land in growth centres as ready for release for development,</li> <li>(c) to provide for comprehensive planning for growth centres,</li> <li>(d) to enable the establishment of vibrant, sustainable and liveable neighbourhoods that provide for community well-being and high quality local amenity,</li> <li>(e) to provide controls for the sustainability of land in growth centres that has conservation value,</li> <li>(f) to provide for the orderly and economic provision of infrastructure in and to growth centres,</li> <li>(g) to provide development controls in order to protect the health of the waterways in growth centres,</li> <li>(h) to protect and enhance land with natural and cultural heritage value,</li> <li>(i) to provide land use and development controls that will contribute to the conservation of biodiversity.</li> </ul>	<p>Consistent</p> <p>The planning proposal does not contain provisions applicable to the Sydney Region Growth Centres</p>
Western Sydney Aerotropolis	<p>The aims of this Chapter are as follows—</p> <ul style="list-style-type: none"> <li>(a) to facilitate development in the Western Sydney Aerotropolis in accordance with the objectives and principles of the Western Sydney Aerotropolis Plan</li> </ul>	Does not apply to Hawkesbury LGA
Penrith Lakes Scheme	<p>The aims of this Chapter are as follows—</p> <ul style="list-style-type: none"> <li>(a) to provide a development control process that ensures that environmental and technical matters are considered in the implementation of the Penrith Lakes Scheme,</li> <li>(b) to identify and protect items of the environmental heritage,</li> <li>(c) to identify certain land that may be rezoned for employment, environmental, parkland, residential, tourism and waterway purposes and land that will be rezoned as unzoned land,</li> <li>(d) to permit interim development that will not detrimentally impact on the implementation of the Penrith Lakes Scheme,</li> <li>(e) to ensure that the implementation of the Penrith Lakes Scheme does not detrimentally impact on the ongoing operation and use of olympic legacy infrastructure, including the Sydney International Regatta Centre and the Penrith Whitewater Stadium.</li> </ul>	Does not apply to Hawkesbury LGA



St Marys	The aims of this Chapter are to— a. support the <i>St Marys Environmental Planning Strategy, 2000</i> of the Department of Urban Affairs and Planning by providing a framework for the sustainable development and management of the land to which this Chapter applies	Does not apply to Hawkesbury LGA
Western Sydney Parklands	The aim of this Chapter is to put in place planning controls that will enable the Western Sydney Parklands Trust to develop the Western Parklands into a multi-use urban parkland for the region of western Sydney	Does not apply to Hawkesbury LGA
<b>State Environmental Planning Policy (Primary Production) 2021</b>		
Primary production and Rural Development	The aims of this Chapter are as follows— (a) to facilitate the orderly economic use and development of lands for primary production, (b) to reduce land use conflict and sterilisation of rural land by balancing primary production, residential development and the protection of native vegetation, biodiversity and water resources, (c) to identify State significant agricultural land for the purpose of ensuring the ongoing viability of agriculture on that land, having regard to social, economic and environmental considerations, (d) to simplify the regulatory process for smaller-scale low risk artificial waterbodies, and routine maintenance of artificial water supply or drainage, in irrigation areas and districts, and for routine and emergency work in irrigation areas and districts, (e) to encourage sustainable agriculture, including sustainable aquaculture, (f) to require consideration of the effects of all proposed development in the State on oyster aquaculture, (g) to identify aquaculture that is to be treated as designated development using a well-defined and concise development assessment regime based on environment risks associated with site and operational factors.	Consistent  The Planning Proposal only aims to permit detached dual occupancy in rural and environmental zones where attached dual occupancy is already permitted.
Central Coast Plateau Areas	The general aims of this Chapter are— (a) to provide for the environmental protection of the Central Coast plateau areas and to provide a basis for evaluating competing land uses	Does not apply to Hawkesbury LGA
<b>State Environmental Planning Policy (Resilience and Hazard) 2021</b>		
Coastal Management	The aim of this Chapter is to promote an integrated and co-ordinated approach to land use planning in the coastal zone in a manner consistent with the objects of the <i>Coastal Management Act 2016</i> ,	Consistent



	including the management objectives for each coastal management area	
Hazardous and offensive Development	This Chapter aims— (a) to amend the definitions of hazardous and offensive industries where used in environmental planning instruments, and (b) to render ineffective a provision of any environmental planning instrument that prohibits development for the purpose of a storage facility on the ground that the facility is hazardous or offensive if it is not a hazardous or offensive storage establishment as defined in this Chapter	Consistent
Remediation of Land	This Chapter 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— (a) by specifying when consent is required, and when it is not required, for a remediation work, and (b) by specifying certain considerations that are relevant in rezoning land and in determining development applications in general and development applications for consent to carry out a remediation work in particular, and (c) by requiring that a remediation work meet certain standards and notification requirements.	Consistent
<b>State Environmental Planning Policy (Resource and Energy) 2021</b>		
Mining, petroleum, and Extractive Industries	The aims of this Chapter are, in recognition of the importance to New South Wales of mining, petroleum production and extractive industries— (a) to provide for the proper management and development of mineral, petroleum and extractive material resources for the purpose of promoting the social and economic welfare of the State, and (b) to facilitate the orderly and economic use and development of land containing mineral, petroleum and extractive material resources, and (c) to promote the development of significant mineral resources, and (d) to establish appropriate planning controls to encourage ecologically sustainable development through the environmental assessment, and sustainable management, of development of mineral, petroleum and extractive material resources, and (e) to establish a gateway assessment process for certain mining and petroleum (oil and gas) development— (i) to recognise the importance of agricultural resources, and (ii) to ensure protection of strategic agricultural land and water resources, and	Consistent



	(iii) to ensure a balanced use of land by potentially competing industries, and (iv) to provide for the sustainable growth of mining, petroleum and agricultural industries	
Extractive industries in Greater Sydney	This Chapter aims— (a) to facilitate the development of extractive resources in proximity to the population of the Sydney Metropolitan Area by identifying land which contains extractive material of regional significance	Consistent
<b>State Environmental Planning Policy (Transport and Infrastructure) 2021</b>		
Infrastructure	The aim of this Chapter is to facilitate the effective delivery of infrastructure across the State	Consistent
Educational establishments and child care facilities	The aim of this Chapter is to facilitate the effective delivery of educational establishments and early education and care facilities across the State	Consistent
Major Infrastructure Corridors	The aims of this Chapter are as follows— (a) to identify land that is intended to be used in the future as an infrastructure corridor, (b) to establish appropriate planning controls for the land for the following purposes— (i) to allow the ongoing use and development of the land until it is needed for the future infrastructure corridor, (ii) to protect the land from development that would adversely impact on or prevent the land from being used as an infrastructure corridor in the future.	Consistent
Three ports – Port Botany, Port Kembla and port of Newcastle	The aims of this Chapter are as follows— (a) to provide a consistent planning regime for the development and delivery of infrastructure on land in Port Botany, Port Kembla and the Port of Newcastle, (b) to allow the efficient development, re-development and protection of land at Port Botany, Port Kembla and the Port of Newcastle for port purposes	Does not apply to Hawkesbury LGA



Appendix B. **Consistency with Section 9.1 Ministerial Directions.**

Planning Systems		
Implementation of Regional Plans	The objective of this direction is to give legal effect to the vision, land use strategy, goals, directions and actions contained in Regional Plans.	Consistent  This Planning Proposal is consistent with the objectives and provisions of relevant regional plans.
Development of Aboriginal land council	The objective of this direction is to provide for the consideration of development delivery plans prepared under chapter 3 of the State Environmental Planning Policy (Planning Systems) 2021 when planning proposals are prepared by a planning proposal authority.	Not Relevant
Approval and referral Requirements	The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development.	Not Relevant
Site Specific provisions	The objective of this direction is to discourage unnecessarily restrictive site-specific planning controls.	Not Relevant  The Planning Proposal does not aim to entertain site-specific planning controls for detached dual occupancy. However, the DCP chapter for Detached Dual Occupancy Development will stipulate planning controls to mitigate any adverse impact of the development on the environment and local character of the rural lands.
Planning Systems Place Based		
1.5-1.20	Site specific direction not relevant to the Hawkesbury LGA	Not Applicable to the Hawkesbury LGA
Biodiversity and Conservation		
Conservation Zones	The objective of this direction is to protect and conserve environmentally sensitive areas.	Not Relevant  The Planning Proposal has ensured that any development of detached dual occupancy will not occur within environmentally sensitive areas. The DCP





		chapter for Detached Dual Occupancy will ensure that appropriate planning controls are in place to mitigate any adverse impacts of development on environmentally sensitive areas.
Heritage Conservation	The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.	Consistent.  The Planning Proposal ensures that the development for detached dual occupancy does not have any adverse impact on Heritage Conservation areas.
Sydney Drinking Water Catchments	The objective of this direction is to protect water quality in the Sydney drinking water catchment.	Not Applicable to the Hawkesbury LGA
Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs	The objective of this direction is to ensure that a balanced and consistent approach is taken when applying conservation zones and overlays to land on the NSW Far North Coast.	Not Applicable to the Hawkesbury LGA
Recreation Vehicle Areas	The objective of this direction is to protect sensitive land or land with significant conservation values from adverse impacts from recreation vehicles	Not Relevant
Strategic Conservation Planning	The objective of this direction is to protect, conserve or enhance areas with high biodiversity value.	Not Relevant
Public Bushlands	The objective of this direction is to protect bushland in urban areas, including rehabilitated areas, and ensure the ecological viability of the bushland	Consistent  The Planning Proposal does not aim to threaten public bushland.
Willandra Lakes Region	The objectives of this direction are to protect, conserve and manage the Willandra Lakes Region World Heritage Property	Not Applicable to Hawkesbury LGA
Sydney Harbour Foreshores and Waterways Area	The objectives of this direction are to protect and enhance the natural assets and unique	Not Applicable to Hawkesbury LGA



	environmental, scenic and visual qualities of Sydney Harbour and its islands and foreshores	
Water Catchment Protection	The objectives of this direction are to maintain and improve the water quality (including ground water) and flows of natural waterbodies and environmental quality of water catchments, and reduce urban run-off and stormwater pollution through effective management, maintenance and rehabilitation.	Consistent  This Planning Proposal does not increase the development capacity in rural and environmental areas, given that attached dual occupancy development is already permitted in these zones. It is considered that the detached dual occupancy provisions will not have any major impact on water quality.
<b>Resilience and Hazards</b>		
Flooding	<p>The objectives of this direction are to:</p> <p>(a) ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005, and</p> <p>(b) ensure that the provisions of an LEP that apply to flood prone land are commensurate with flood behaviour and includes consideration of the potential flood impacts both on and off the subject land.</p>	<p>Consistent</p> <p>The Hawkesbury Flood Policy 2020 requires that new developments demonstrate flood resilience avoid increasing flood risk to surrounding properties and comply with current flood planning levels and hazard category controls. Specifically, the minimum habitable floor level must be set above the 1 in 100 Annual Recurrence Interval (ARI) flood level.</p> <p>Currently, attached dual occupancy is permitted in the subject zones, this is considered not to alter the population and impact the evacuation capacity in the event of a disaster.</p>
Coastal Management	The objective of this direction is to protect and manage coastal areas of NSW.	Not Relevant



Planning for Bushfire Protection	<p>The objectives of this direction are to:</p> <p>(a) protect life, property and the environment from bush fire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas, and</p> <p>(b) encourage sound management of bush fire prone areas</p>	<p>Consistent</p> <p>The Planning Proposal is considered to be consistent with this Direction. However, it is acknowledged that rural areas of the Hawkesbury are affected by bushfire. The planning controls for detached dual occupancy development will ensure that any proposed dual occupancy development does not exacerbate the impact of bushfire on lives, properties and environment and is consistent with the Greater Sydney Region Plan, Western City District Plan and Councils Strategic Planning Policies.</p>
Remediation of Contaminated Land	The objective of this direction is to reduce the risk of harm to human health and the environment by ensuring that contamination and remediation are considered by planning proposal authorities.	Not Relevant
Acid Sulfate Soils	The objective of this direction is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils	Not Relevant
Mine Substance and Unstable Land	The objective of this direction is to prevent damage to life, property and the environment on land identified as unstable or potentially subject to mine subsidence.	Not Relevant
<b>Transport and Infrastructure</b>		
Integrating land Use and Transport	<p>The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives:</p> <p>(a) improving access to housing, jobs and services by walking, cycling and public transport, and</p> <p>(b) increasing the choice of available transport and reducing dependence on cars, and</p> <p>(c) reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and</p>	Not Relevant



	<p>(d) supporting the efficient and viable operation of public transport services, and</p> <p>(e) providing for the efficient movement of freight.</p>	
Reserving Land for Public Purposes	<p>The objectives of this direction are to:</p> <p>(a) facilitate the provision of public services and facilities by reserving land for public purposes, and</p> <p>(b) facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition.</p>	Not Relevant
Development Near Regulated Airports and defence Airfields	<p>The objectives of this direction are to:</p> <p>(a) ensure the effective and safe operation of regulated airports and defence airfields;</p> <p>(b) ensure that their operation is not compromised by development that constitutes an obstruction, hazard or potential hazard to aircraft flying in the vicinity; and</p> <p>(c) ensure development, if situated on noise sensitive land, incorporates appropriate mitigation measures so that the development is not adversely affected by aircraft noise.</p>	Not Relevant
Shooting Ranges	<p>The objectives are to:</p> <p>(a) maintain appropriate levels of public safety and amenity when rezoning land adjacent to an existing shooting range,</p> <p>(b) reduce land use conflict arising between existing shooting ranges and rezoning of adjacent land,</p> <p>(c) identify issues that must be addressed when giving consideration to rezoning land adjacent to an existing shooting range.</p>	Not Relevant
<b>Housing</b>		
Residential Zones	<p>The objectives of this direction are to:</p> <p>(a) encourage a variety and choice of housing types to provide for existing and future housing needs,</p> <p>(b) make efficient use of existing infrastructure and services and ensure that new housing has</p>	<p>Consistent</p> <p>The Planning Proposal aims to permit detached dual occupancy development in rural zones, thus, it has no impact on residential zones.</p>



	<p>appropriate access to infrastructure and services, and</p> <p>(c) minimise the impact of residential development on the environment and resource lands.</p>	
Caravan Parks and Manufactured Home Estates	<p>The objectives of this direction are to:</p> <p>(a) provide for a variety of housing types, and</p> <p>(b) provide opportunities for caravan parks and manufactured home estates.</p>	Not Relevant
Business and Industrial Zones	<p>The objectives of this direction are to:</p> <p>(a) encourage employment growth in suitable locations,</p> <p>(b) protect employment land in business and industrial zones, and</p> <p>(c) support the viability of identified centres</p>	Not Relevant
Reduction in non-hosted short-term rental accommodation period	<p>The objectives of this direction are to:</p> <p>(a) mitigate significant impacts of short-term rental accommodation where non-hosted short-term rental accommodation period are to be reduced, and</p> <p>(b) ensure the impacts of short-term rental accommodation and views of the community are considered.</p>	Not Relevant
Commercial and Retail Development along Pacific Highway, North coast	<p>The objectives for managing commercial and retail development along the Pacific Highway are to:</p> <p>(a) protect the Pacific Highway's function, that is to operate as the North Coast's primary inter- and intra-regional road traffic route,</p> <p>(b) prevent inappropriate development fronting the highway,</p> <p>(c) protect public expenditure invested in the Pacific Highway,</p> <p>(d) protect and improve highway safety and highway efficiency,</p> <p>(e) provide for the food, vehicle service and rest needs of travellers on the highway, and</p>	Not Applicable to the Hawkesbury LGA



	(f) reinforce the role of retail and commercial development in town centres, where they can best serve the populations of the towns.	
<b>Resources and Energy</b>		
Mining, Petroleum production and Extractive Industries	The objective of this direction is to ensure that the future extraction of State or regionally significant reserves of coal, other minerals, petroleum and extractive materials are not compromised by inappropriate development.	Not Relevant
<b>Primary Production</b>		
Rural Zones	The objective of this direction is to protect the agricultural production value of rural land.	Consistent  The Planning Proposal is considered to be consistent with this Direction. However, it has also been considered that detached dual occupancy developments may cause a conflict with the intent to protect rural character, agricultural lands and the development footprints in rural areas. Robust Detached Dual Occupancy DCP chapter planning controls will ensure to mitigate this potential conflict.
Rural Lands	<p>The objectives of this direction are to:</p> <p>(a) protect the agricultural production value of rural land,</p> <p>(b) facilitate the orderly and economic use and development of rural lands for rural and related purposes,</p> <p>(c) assist in the proper management, development and protection of rural lands to promote the social, economic and environmental welfare of the State,</p> <p>(d) minimise the potential for land fragmentation and land use conflict in rural areas, particularly between residential and other rural land uses,</p> <p>(e) encourage sustainable land use practices and ensure the ongoing viability of agriculture on rural land,</p>	Consistent  This Planning Proposal is consistent with this direction.



	(f) support the delivery of the actions outlined in the NSW Right to Farm Policy.	
Oyster Aquaculture	<p>The objectives of this direction are to:</p> <p>(a) ensure that 'Priority Oyster Aquaculture Areas' and oyster aquaculture outside such an area are adequately considered when preparing a planning proposal, and</p> <p>(b) protect 'Priority Oyster Aquaculture Areas' and oyster aquaculture outside such an area from land uses that may result in adverse impacts on water quality and consequently, on the health of oysters and oyster consumers.</p>	Not Relevant
Farmland of State and regional Significance on the NSW Far North Coast	<p>The objectives of this direction are to: (a) ensure that the best agricultural land will be available for current and future generations to grow food and fibre, (b) provide more certainty on the status of the best agricultural land, thereby assisting councils with their local strategic settlement planning, and (c) reduce land use conflict arising between agricultural use and non-agricultural use of farmland as caused by urban encroachment into farming areas</p>	Not Applicable to the Hawkesbury LGA



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