



# **Attachment 1 to Item 4.1.1**

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## **The Planning Proposal**

Date of meeting: 12 December 2023  
Location: Council Chambers  
Time: 6:30 p.m.



# PLANNING PROPOSAL

**745 Old Pitt Town Road, Oakville**

**Prepared for:  
Frank and Elizabeth Gatt**

**SIR Ref: 631.20143.000000-R01  
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**SLR** 

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## BASIS OF REPORT

This report has been prepared by SLR Consulting Australia Pty Ltd (SLR) with all reasonable skill, care and diligence, and taking account of the timescale and resources allocated to it by agreement with Frank and Elizabeth Gatt (the Client). Information reported herein is based on the interpretation of data collected, which has been accepted in good faith as being accurate and valid.

This report is for the exclusive use of the Client. No warranties or guarantees are expressed or should be inferred by any third parties. This report may not be relied upon by other parties without written consent from SLR.

SLR disclaims any responsibility to the Client and others in respect of any matters outside the agreed scope of the work.

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# 1 Introduction

SLR Consulting Australia (SLR) acts on behalf of its clients Frank and Elizabeth Gatt in preparing this Planning Proposal for submission to Hawkesbury City Council (Council) in relation to the parcel of land 745 Old Pitt Town Road, Oakville (hereafter referred to as the site).

This Planning Proposal Report explains the intention, the intended effect of, and the justification for the Planning Proposal to amend the Hawkesbury Local Environmental Plan 2012 to allow for an 'Additional Permitted Use' on the site, being a 'service station' and "neighbourhood shop".

The Planning Proposal Report has been prepared having regard to Section 3.33 of the Environmental Planning and Assessment Act 1979 and the relevant Department of Planning, Industry and Environment guides, including the updated 'A Guide to Preparing Planning Proposals' and 'A Guide to Preparing Local Environmental Plans'.

The Report comprises the following sections:

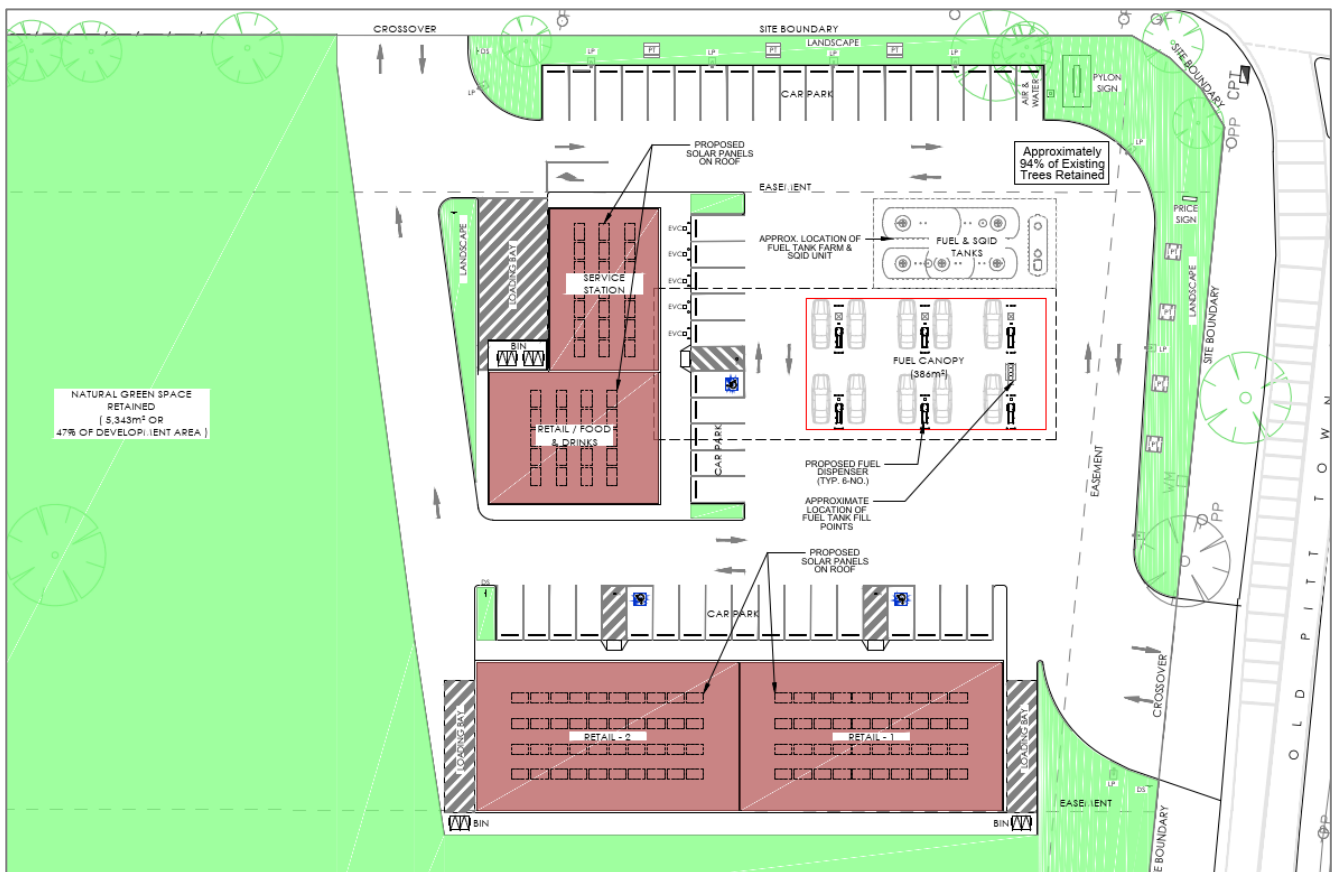
- Introduction;
- Background and summary details of the proposal;
- Part 1 – A Statement of Objectives or intended Outcomes of the proposal;
- Part 2 – Explanation of the Provisions that are to be included in the proposal;
- Part 3 – Justification of the Objectives, Outcomes and Provisions, and the process for their implementation
- Part 4 – Mapping;
- Part 5 – Details of the Community Consultation that is to be undertaken in relation to the Planning Proposal;
- Part 6 – Project Timelines; and
- Conclusion

## 2 Background and summary details of the proposal

The proposed 'Additional Permitted Use' being a 'service station' and 'neighbourhood shop' will enable the possibility for a future service station and associated neighbourhood shop development to occur on land within the subject site, which will cater for the needs of the surrounding residential population.

Prior to the preparation of this Planning Proposal (PP), a meeting was held with representatives from the Hawkesbury Strategic Planning Team. The meeting was held on 21 May 2020, where it was confirmed with Council that seeking an additional permitted use for a 'neighbourhood shop' and 'service station' would be a preferred pathway forward, rather than seeking a spot rezoning. In the meeting a high-level discussion on the intended outcomes of the PP was undertaken, with general support provided by Council, subject to all relevant information and justifications being formally submitted. A concept plan to demonstrate the intent of the PP was presented to Council, refer to **Figure 1**. As depicted within the plan, the intent of the PP would be to enable a service station and neighbourhood shop on the site, whilst still retaining the residential dwelling on the north of the site.

**Figure 1 Concept Plan**





## 2.1 Site Description and Surrounding Uses

The subject site is located at 745 Old Pitt Town Road, Oakville NSW 2765 (the site); legally described as Lot 11 DP1157046 (refer to **Figure 2** and **Figure 3**). As shown in **Figure 2**, the additional permitted uses are sought for the south-eastern half of the site. The site has an area of approximately 2 hectares.

**Figure 2 Site Aerial (Source: Near Maps)**



**Figure 3 Cadastral Plan (Source: SixMaps)**



The site is located on the corner of Old Pitt Town Road and Boundary Road, within the suburb of Oakville, and Local Government Area (LGA) of Hawkesbury. The site has an approximate frontage to Old Pitt Town Road of 152m along the south western boundary, and a 135m frontage to Boundary Road along its south eastern boundary. Boundary Road is a State Classified Road which is part of the Main Road 656 which extends from Pennant Hills Road at Pennant Hills to Old Northern Road at Dural. Existing vehicular access to the site is via Old Pitt Town Road, refer to **Photo 1** which shows the existing site access.

The site's current approved use is for residential purposes and the existing built form consists of a residential dwelling and rural garden shed, with associated driveway and vehicular access point off Old Pitt Town Road.

Relevant development history of the site is as follows:

- **DA0789/14 – Dwelling House – Construction of a dwelling house with attached garage** – On the 10 March 2015 approval was granted for the construction of a new residential dwelling and associated rural residential infrastructure. It was a requirement under this consent that the existing residential dwelling located at the southern corner of the site be demolished to obtain the Occupancy Certificate. The demolition of the previous residential dwelling was undertaken at the start of 2021 as demonstrated through Figure 4 **Figure 4**.
- **DA0080/15 – Tree Removal – Removal of Five Trees** – On the 20 March 2015 approval was granted for the removal of five (5) trees (3x Grey Box Gum Trees and 2x Iron Bark Trees).
- **DA0311/16 – Tree Removal – Removal of Two Trees** - On the 15 June 2016 approval was granted for the removal of two (2) trees (2x Grey Box Gums).

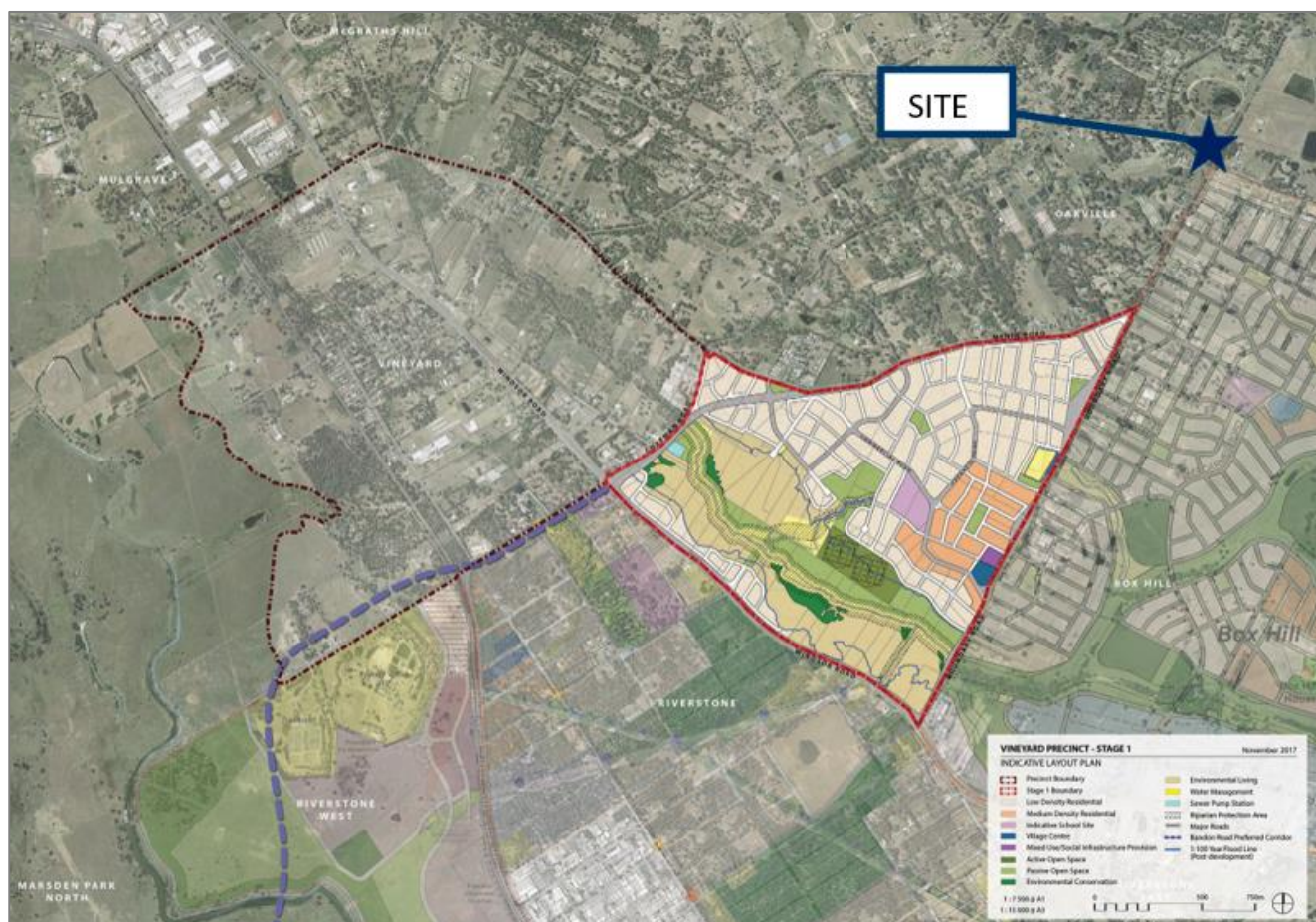
**Figure 4 Site Aerials Demonstrating Demolish of Previous Residential Dwelling (Source: NearMap)**



Under the Hawkesbury Local Environmental Plan 2012 (HLEP 2012) the site is zoned RU4 Primary Production Small Lots. The site is located to the south of land identified as the Vineyard Precinct, under the State Environmental Planning Policy (Precincts – Central River City) 2021, which is anticipated to experience growth in the region of an additional 2,427 houses and 7,400 people. Stage 1 of the Vineyard Precinct will involve the addition of 500 houses, a new village centre, mixed use areas and a new school. This precinct runs along Boundary Road, located approximately 800 metres south of the site in the Hawkesbury LGA. Refer to **Figure 5**, for the Stage 1 indicative layout plan for the Vineyard Precinct and its location to the site. The rezoning for the Stage 1 precinct has already occurred, with the previous RU4 Small Lot Primary Production zone land rezoned. The rezoned land includes R2 Low Density Residential, which as outlined in the Vineyard Precinct – Finalisation report Stage 1 is anticipated to have 15-18 dwellings per hectare, while the R3 Medium Density Residential zoned land is anticipated to have 20-30 dwellings per hectare.



**Figure 5 Stage 1 Vineyard Precinct Stage 1**

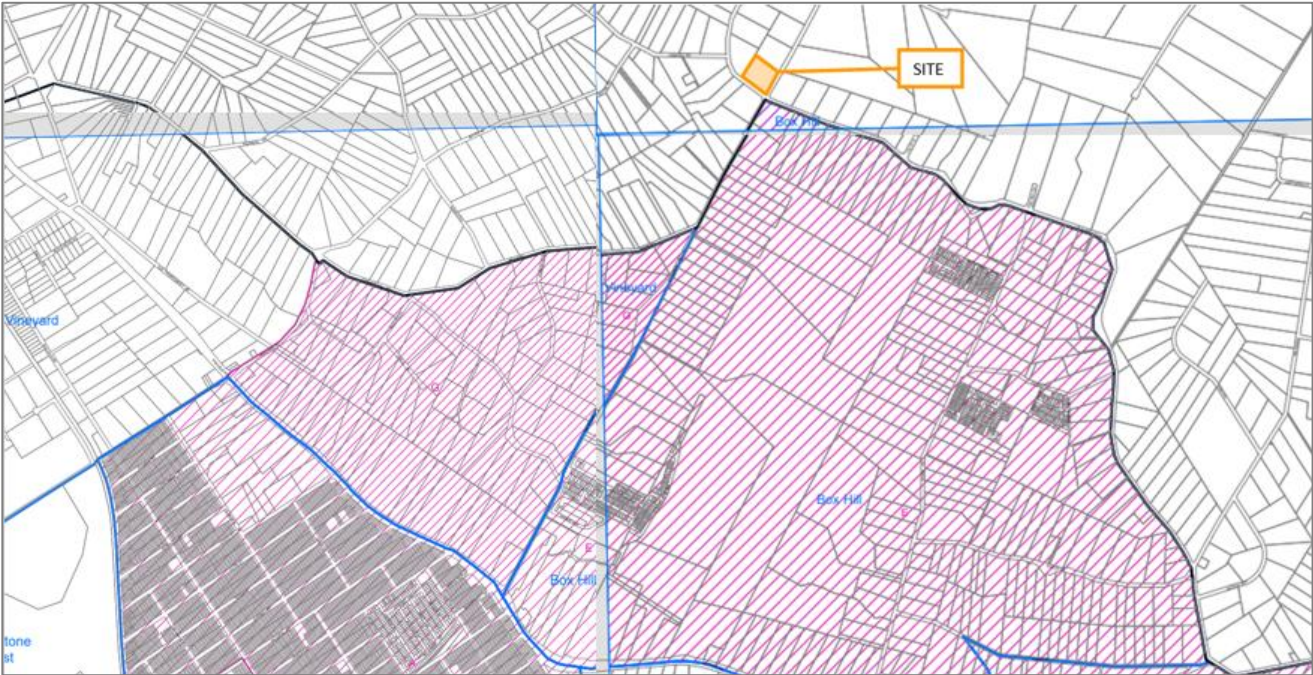


In addition to the Vineyard Precinct, directly to the south of the site across Boundary Road, within The Hills Local Government Area, is land identified as the Box Hill Release Area, under the Precincts-Central River City 2021 SEPP. This urban release area has already experienced a dramatic increase in residential development over the past decade in the R2 Low Density Residential and R3 Medium Density Residential zones. The Box Hill release area is anticipated to accommodate an additional 42,480 residents by 2038 with the area set to transition during this period from rural residential to urban residential. Further south across Windsor Road is the Riverstone urban release area, which is situated within the Blacktown LGA and is anticipated to provide an additional 9,000 new homes and approximately 26,000 new residents.

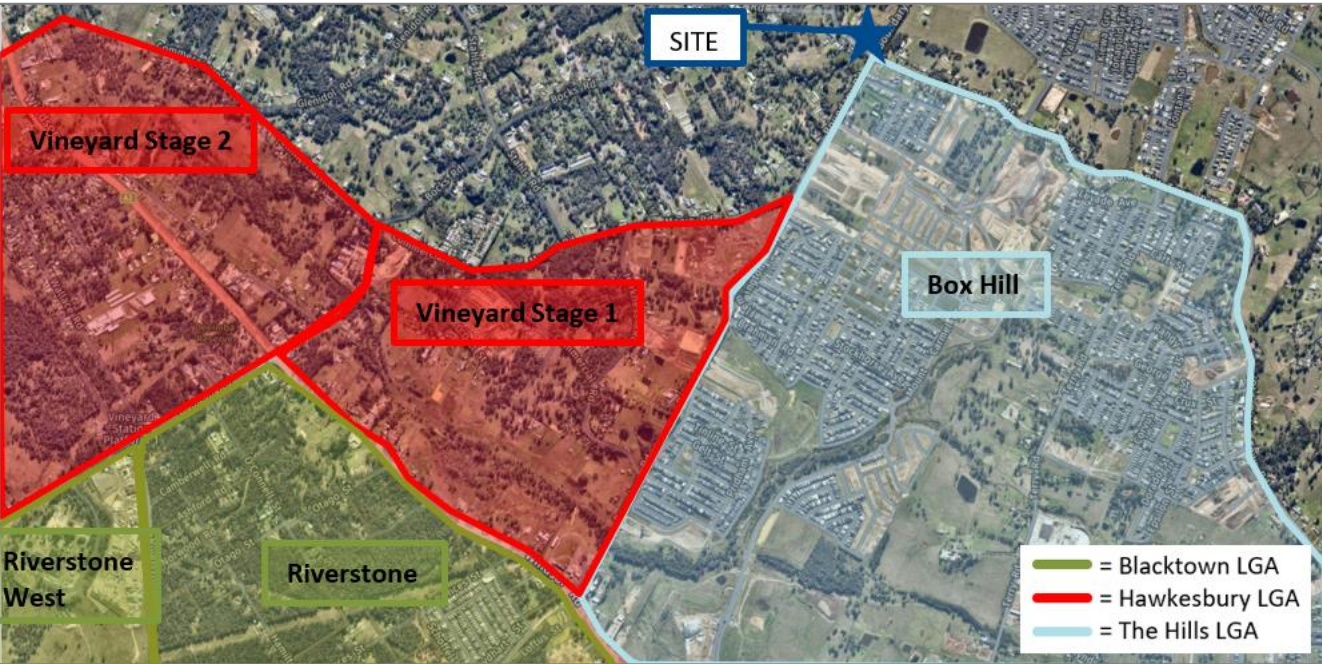
The predominant land uses in the immediate surrounding vicinity are rural residential style dwellings, however, as noted above there is significant growth and development occurring in the wider precinct. The surrounding land identified as being situated within the North West Growth Centre under the Precincts- Central River City SEPP 2021 is highlighted in **Figure 6** and **Figure 7**.



**Figure 6 Surrounding Land Identified Under Precincts – Central River City SEPP (IAP\_003, IAP\_004, IAP\_008 & IAP\_007)**



**Figure 7 Surrounding Land Identified Under Central River City SEPP (Source: NearMaps)**





**Photo 1 Existing Site Access of Old Pitt Town Road (Source: Google Streetview)**



**Photo 2 View looking south across the site and the Old Pit Road/Boundary Road Roundabout (Source: Google Streetview)**



**Photo 3 View of the southern boundary of the Site looking west along Boundary Road (Source: Google Streetview)**





**Photo 4** View of the western boundary of the Site looking North along Old Pitt Town Road (Source: Google Streetview)



**Photo 5** View of Existing Old Pitt Town Road/ Boundary Road Roundabout Intersection at South Western boundary of the Site (Source: Google Streetview)



### 3 Part 1 - Objectives or Intended Outcomes

This Planning Proposal (the Proposal) seeks to amend the HLEP 2012 to permit additional permitted uses of “service station” and “neighbourhood shop” on the site.

Under the Hawkesbury LEP 2012 a ‘service station’ is defined as:

***service station*** means a building or place used for the sale by retail of fuels and lubricants for motor vehicles, whether or not the building or place is also used for any one or more of the following—

- (a) the ancillary sale by retail of spare parts and accessories for motor vehicles,
- (b) the cleaning of motor vehicles,
- (c) installation of accessories,
- (d) inspecting, repairing and servicing of motor vehicles (other than body building, panel beating, spray painting, or chassis restoration),
- (e) the ancillary retail selling or hiring of general merchandise or services or both.

And a ‘neighbourhood shop’ is defined as

***Neighbourhood shop*** means premises used for the purposes of selling general merchandise such as foodstuffs, personal care products, newspapers and the like to provide for the day-to-day needs of people who live or work in the local area, and may include ancillary services such as a post office, bank or dry cleaning, but does not include neighbourhood supermarkets or restricted premises.

Service stations and neighbourhood shop are currently prohibited land uses on the site under the RU4 Primary Production Small Lots zoning. An amendment to the Hawkesbury LEP 2012 is therefore required in order to permit the proposed land uses.

The objective of undertaking the PP and having an additional permitted uses on the site for a neighbourhood shop and service station, is for the eventual construction and operation of a service station and associated neighbourhood shops to service the future demand anticipated from the Vineyard Precinct within the Hawkesbury LGA as well as the increasing residential population from the Box Hill Precinct and surrounds.

## 4 Part 2 - Explanation of the Provisions

The objective of this Planning Proposal will be achieved by an amendment to Schedule 1 Additional permitted uses of Hawkesbury LEP 2012 to list “service station” and “neighbourhood shop” as a land use permitted with consent on certain lands within the subject site. This method permits the proposed additional land use and retains the existing RU4 Primary Production Small Lots Zone of the site. The proposed outcome would be achieved by amending the Hawkesbury LEP by adding the following listing into Schedule 1 Additional Permitted Uses:

***“21 Use of Certain land at 745 Old Pitt Town Road, Oakville:***

- (1) This clause applies to land at 745 Old Pitt Town Road, being part of Lot 11 DP1157046, identified as “8” on the Additional Permitted Uses Map.*
- (2) Development Consent for the purposes of a service station and neighbourhood shops are permitted with consent*
- (3) Development consent under subclause (2) must not be granted—*
  - (a) if the total gross floor area of all neighbourhood shop tenancies within the site is greater than 800m<sup>2</sup>*

The Additional Permitted Uses Map (APU\_013) of Hawkesbury LEP 2012 shall also be amended to identify the site and the proposed additional permitted land use. This is illustrated in Part 4 of this report.



## 5 Part 3 - Justification

### 5.1 Section A – Need for the Planning Proposal

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

No, the Planning Proposal is as a result of a request to amend the HELP 2012 in order to achieve the aforementioned objective. Notwithstanding, the proposal is generally consistent with the strategic studies for the area. Although the planning proposal is not a direct result of any strategic study or report it has been prepared to meet the demands of the growing population within the Hawkesbury LGA, as well as surrounding LGAs.

It is identified under the Vineyard Precinct Planning report that Stage 1 of the Vineyard urban release area will provide approximately 2,400 new homes with an additional population of 7,400 residents. The 2016 Census revealed that the Hawkesbury LGA had an average of 2.2 motor vehicles per household. Utilising this data, it is projected that upon completion of Vineyard Precinct Stage 1 there would be an additional 5,280 motor vehicles in the Vineyard area. Furthermore, it is acknowledged in the Hawkesbury Employment Lands Strategy that compared with Greater Sydney the number of commuters using public transport is significantly lower in the Hawkesbury LGA while having a higher proportion of vehicle use. It is also noted that the trend in Greater Sydney of falling use of vehicles for travel to work has not followed in Hawkesbury, where it has increased. Therefore, it is anticipated that with the increased population at Vineyard, close to the site, there would be increased vehicle movements. This increase in vehicles will create a demand for vehicle servicing premises, including service stations. Furthermore, the proposed Outer Sydney Orbital Corridor will further increase traffic along Boundary Road and Old Pitt Town Road, as motorists travel through the local road network to access the corridor. This increased traffic will create a further demand for service stations along the local road network. This demand has been identified by a fuel supplier who are seeking to enter the market in the area, as shown at **Appendix B** with a letter from the fuel provider outlying interest for the site. The fuel providers have undertaken their own market research and have identified there is a strong demand for a service station in this location due to strong traffic volumes, strong population growth and limited fuel supply in the area.

Furthermore, according to The Hills Shire Council the suburb of Box Hill had a population of 950 residents in 2018 and is anticipated to reach 41,600 residents by 2036, with an approximate of 20,000 new dwellings. The Hills Shire Integrated Transport and Land Use strategy outlined that vehicle ownership across the Hills Shire LGA was an average of 2.1 vehicles per household. Utilising these statistics, it is anticipated that there would be an additional 40,000 vehicles in the Box Hill area by 2036. Although the Box Hill urban release area is not within the Hawkesbury LGA, it is directly south of the site, across Boundary Road, therefore it is considered residents of the Box Hill area, will utilise Boundary Road and would benefit from the proposed additional permitted uses.

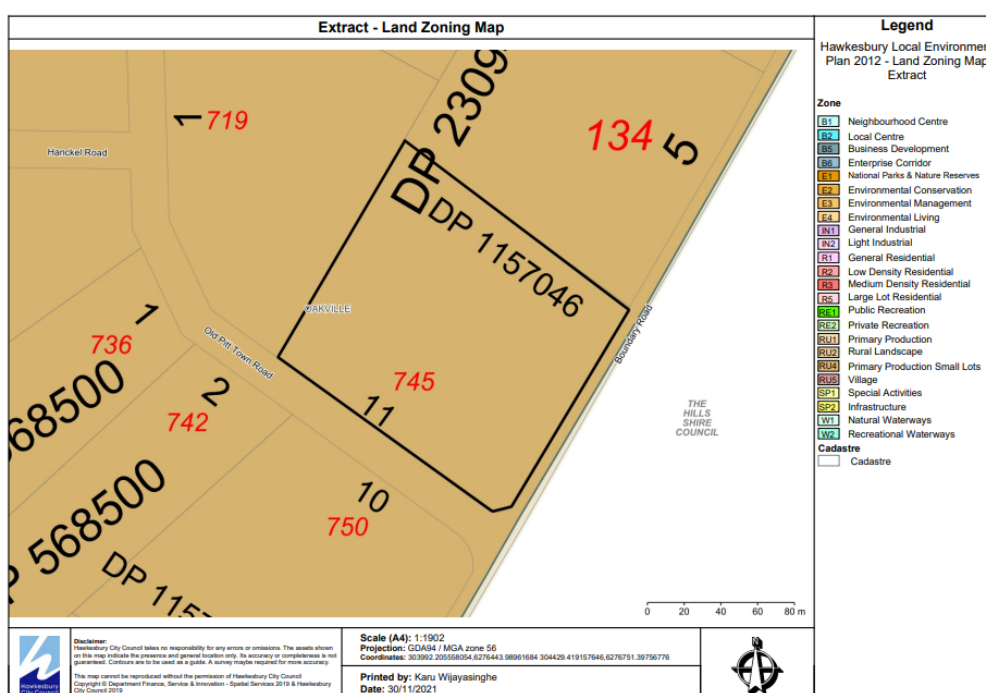
In addition, the increasing population of the Vineyard and Box Hill area will create an increased demand for local shops and business to meet the needs of the local population. By including the additional permitted use of 'neighbourhood shop' it will provide the opportunity for local business to be included in the future development of the site to meet the day-to-day needs of the people who live and work in the surrounding area. Not only will the neighbourhood shops meet the day-to-day needs of the surrounding population, it will also provide a place of employment for surrounding residents.

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

Yes, additional permitted uses within Hawkesbury LEP 2012 is considered the most appropriate means of enabling the site to be optimised for a service station and neighbourhood shop, to meet the current and future demands of the surrounding communities of Oakville, Vineyard and Box Hill. The objectives of this Planning Proposal are to provide a suitable space for future mixed-use development which will cater for the needs for the surrounding growing population. The site offers a suitable location for the development, taking into account the community demand and concept design for the future development. The site, with its transport connectivity and size is an ideal location for the proposed future development within the Hawkesbury LGA.

The site is identified under the Hawkesbury LEP 2012 as being in a RU4 Primary Production Small Lot zone, refer to **Figure 8**.

**Figure 8 Land Zoning Map**



Under the Hawkesbury LEP 2012 the RU4 Primary Production Small Lots zone is defined as follows:

**Zone RU4 Primary Production Small Lots**

**1 Objectives of zone**

- *To enable sustainable primary industry and other compatible land uses.*
- *To encourage and promote diversity and employment opportunities in relation to primary industry enterprises, particularly those that require smaller lots or that are more intensive in nature.*
- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*
- *To ensure that development occurs in a way that does not have a significant adverse effect on water catchments, including surface and groundwater quality and flows, land surface conditions and important ecosystems such as waterways.*

**2 Permitted without consent**

*Environmental protection works; Extensive agriculture; Home occupations*

### **3 Permitted with consent**

*Animal boarding or training establishments; Aquaculture; Boarding houses; Boat sheds; Building identification signs; Business identification signs; Camping grounds; Caravan parks; Cemeteries; Centre-based child care facilities; Charter and tourism boating facilities; Community facilities; Dual occupancies (attached); Dwelling houses; Eco-tourist facilities; Educational establishments; Entertainment facilities; Environmental facilities; Farm buildings; Flood mitigation works; Food and drink premises; Home-based child care; Home industries; Intensive livestock agriculture; Intensive plant agriculture; Jetties; Landscaping material supplies; Moorings; Places of public worship; Plant nurseries; Public administration buildings; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Registered clubs; Respite day care centres; Roads; Roadside stalls; Rural supplies; Rural workers' dwellings; Tourist and visitor accommodation; Veterinary hospitals; Water recreation structures; Water storage facilities*

### **4 Prohibited**

*Any development not specified in item 2 or 3*

Under the Hawkesbury LEP 2012, a service station and neighbourhood shop are prohibited land uses in the RU4 Zone, being listed as *any development not specified in item 2 or 3*. As such, this Planning Proposal seeks to allow a service station and a neighbourhood shop as a permitted land uses on the site.

The proposal is considered to be aligned with several of the current objectives of the RU4 Primary production Small Lot zone. One of the main objectives of the RU4 zone is '*to minimise conflict between land uses within this zone and land uses within adjoining zones*' and it is considered the PP achieves this objective. The proposed Additional Permitted Uses (APUs) are considered to be compatible land uses with the existing primary industry and surrounding locality which is becoming increasingly urbanised with residential land uses. Furthermore, the future development of the service station and neighbourhood shop will act as a buffer between the urban area to the south across Boundary Road and the rural area to the north, further protecting existing Metropolitan Rural Area land and reducing land use conflicts. The proposal would provide daily services required for surrounding population whilst also providing employment opportunities. This would not be at the expense of primary industry as the proposal seeks to add APUs and not rezone the site. It is therefore, considered that the proposal is aligned with several of the existing RU4 zone objectives.

Two potential land use planning operations to achieve the objective of the planning proposal were considered.

- a. Rezone the subject land from RU4 Rural Production Small Lots to Neighbourhood Centre Zone (B1).

This is not a recommended option. It would permit the full range of potential land uses that are permitted with the B1 Neighbourhood Centre Zone.

- b. Permit an additional permitted use on the site while retaining the existing RU4 Primary Production Small Lot

This is the recommended option. It limits the permitted additional use to “service station” and “neighbourhood shop ” (only) while retaining the existing RU4 Primary Production Small Lots zone. This option eliminates the scope for further general commercial land uses that could undermine local planning whilst also providing flexibility within the retail offering. This option will support the existing and future desired character of the area.

An amendment to the Schedule of Additional Permitted Uses is seen to be the most effective means of achieving the intended outcome. This will also require an amendment to the Hawkesbury LEP 2012 Additional Permitted Uses Map to include the site.

## 5.2 Section B – Relationship to Strategic Planning Framework

### 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)

#### 1. A Metropolis of Three Cities

A Metropolis of Three Cities is the overarching strategic plan for the Sydney Region. The plan is founded upon the vision of three cities within the Sydney Region, which would enable most residents to live within 30 minutes of their job, education and health facilities. The subject site is located within the 'Western parkland City', which is projected to increase in population by nearly 50 % from 740,000 in 2016 to 1.1 million by 2036. The PP is aligned with the strategic vision outlined within the regional plan, with the document prepared with key planning projects in mind.

Of relevance to the PP is the direction *'Infrastructure supporting new developments.'* With the additional housing capacity in the surrounding area with the urban release areas of Vineyard and Box Hill additional services are required in the surrounding locality or provide for the everyday needs of the residents. The direction highlights the importance of these services being delivered in a timely manner, aligned with the growing population. Objective 1 *'Infrastructure supports the three cities'*, which sits under this direction, outlines the needs for new infrastructure and services to be developed in the growth areas to support in shaping these new places. The intention of this PP is to facilitate the future development of key community services, that being 'service station' and 'neighbourhood shop.' The PP provides a place based approach by seeking an APU for additional community servicing land uses, which will be utilised by the residents of the Hawkesbury LGA, in particular those within the Vineyard Urban Release Area. The PP would deliver key services compatible with the surrounding residential and primary industry land uses. This regional plan provides the foundations for the district plans, including the Western City District Plan.

#### Metropolitan Rural Areas

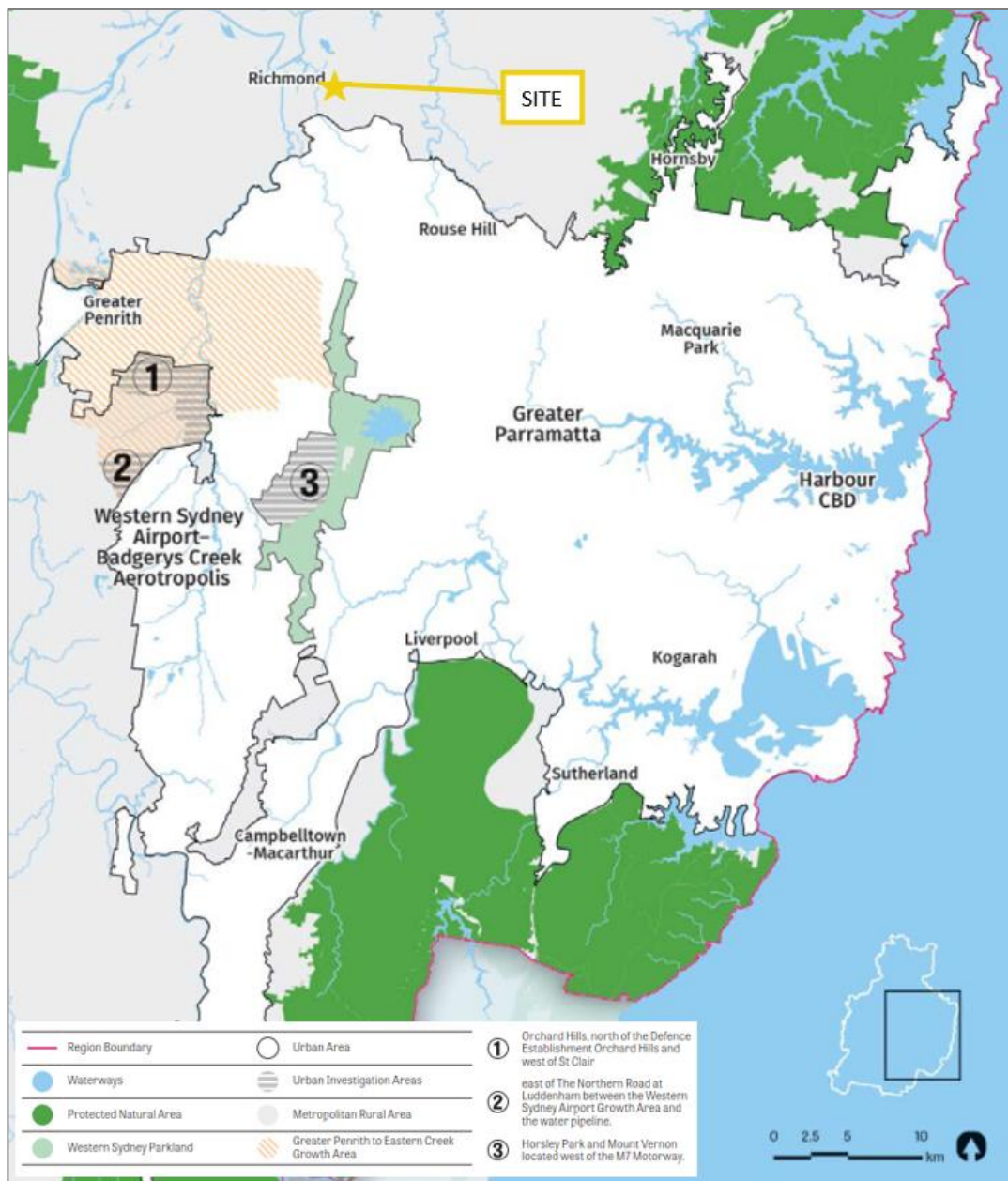
Objective 29 of a Metropolis of Three Cities focuses on maintaining and enhancing the existing rural areas. As the strategic plan states, planning policies and management 'need to respond to local demand for growth, the character of the town or village and the values of the surrounding landscape and rural activities'. The site has been identified on Figure 51 of A Metropolis of Three Cities as being in a Metropolitan Rural Area (MRA) (refer to **Figure 9**).

The Plan acknowledges that MRAs have been integral to Greater Sydney through agriculture and mineral resources, providing food and an economic stimulus to the region. These characteristics of the MRAs are to be protected to ensure the longevity of the area. Within MRAs the plan highlights land uses will be influenced by the local demand to live and work within a rural town or village. The planning proposal intends to enable the additional permitted use on the site of neighbourhood shop. This would facilitate the opportunity for local residents of the rural area to operate a small local business which meets the day to day needs of the surrounding population. This in turn meets one of the aims of the objective by assisting the local demand to live and work within a rural area.

One of the key strategies for Objective 29 is to 'Maintain or enhance the values of the Metropolitan Rural Area using place-based planning to deliver target environmental, social and economic outcomes.' Seeking an additional permitted use for this site directly addresses place based planning, with the PP not seeking to impact any other MRA land. Furthermore, this place based planning will deliver an economic outcome providing additional employment opportunities to residents, whilst not adversely impacting significant environmental landscapes. The future development of the service station and neighbourhood shop will act as a buffer between the urban area to the south across Boundary Road and the rural area to the north, further protecting existing MRA land.



**Figure 9 Identification of Metropolitan Rural Areas (A Metropolis of Three Cities, pg162)**



It is key to note, that although the site is technically situated within an MRA, it is on the fringes of the rural area. The site is directly adjacent to land identified under the Northwest Growth Centre, namely the Box Hill Urban Growth Area as well as the Vineyard Precinct, which is approximately 800 metres south of the site on Boundary Road. Furthermore, its current land use is for rural residential development and is bound by further rural residential dwellings to the north east and west. When combined with the intensification of residential developments in the Northwest Growth Centre to the south, it is generally considered the site would not be used to extract mineral resources, nor provide meaningful agriculture productivity. Notwithstanding the above, by undertaking an additional permitted use rather than a spot rezoning, the Planning Proposal seeks to maintain the MRA land.

## 2. Our Greater Sydney 2056 - Western City District Plan:

The Western City District Plan built upon the vision of the region plan for Greater Sydney outlined in 'A Metropolis of Three Cities'. The Western City District Plan sets out the planning priorities and actions required for the district to reach its full potential and cater for demand which will be applied through the forecasted population growth. The Western City District covers the Blue Mountains, Camden, Campbelltown, Fairfield, Hawkesbury, Liverpool, Penrith and Wollondilly Local Government Areas (LGAs) and is used to guide local strategic planning statements. The planning priorities and their actions are organised into four (4) core categories that being liveability, productivity, sustainability and infrastructure and collaboration.

This Planning Proposal is aligned with the Western City District Plan (WCDP) with the document been prepared with the planning priorities in mind.

The Planning Priority W3 '*Providing services and social infrastructure to meet people's changing needs*' outlines the services and infrastructure requirements to meet the needs of the growing population. As the priority explains, the increasing population will place additional demand on the existing services which are already near capacity. The APUs proposed, that being 'service station' and 'neighbourhood shop' are considered to be a part of the key service infrastructure for communities. Within the immediate locality although there has been and will continue to be a significant increase in residential development, there is an undersupply of the required supporting infrastructure and services. The PP would enable the opportunity to improve accessibility to the fundamental infrastructure and services to cater for the needs of the community. Furthermore, by placing the proposed land uses at the subject site it will contribute to improving the liveability of the local neighbourhood. The PP is aligned with Action 9 of the Planning Priority W3 as it would provide the opportunity for development that reflects the needs of the community now and into the future.

### Metropolitan Rural Areas

The Western City District Plan reinforces the objectives outlined in the Metropolis of Three Cities in seeking to better manage and protect the metropolitan rural areas. The District Plan emphasises the importance of the rural areas, with the western districts rural land producing egg production, dairy activities, irrigated horticulture, nurseries for cut flowers and turf and extractive industries for construction material resources. The Plan states the need to prevent 'inappropriately dispersed urban activities in rural areas.' This PP is aligned with the District Plan in seeking to preserve the rural areas within the western district, demonstrated by the proposal seeking an APU and not a spot rezoning. The Regional Plan has a strong emphasis on protection of MRA land to safeguard Sydney's agricultural areas. It is noted that the site and its immediate surrounding properties are not utilised for agricultural purposes. By enabling the APU of 'service station' and 'neighbourhood shop' the on the site there will not be any significant impact on important agricultural land.

The plan highlights the need to maintain and enhance the distinctive rural character in the western district. It is key to note that the site's location is on the immediate boundary of a regional growth area. The future proposal would seek to redevelopment only the southern component of the site, whilst still retaining the existing rural residential property to the north. By retaining the rural dwelling, it provides a buffer from the development into the rural area, therefore providing a screening barrier for the rural areas to the north from the urban growth area to the south. The development is oriented to the west, facing the adjacent residential development of the Box Hill urban growth area.

An important focus of MRAs is the rural towns and villages. The development of the service station and neighbourhood shops would service the surrounding villages and towns, including Oakville, Maraylya, Pitt Town, Pitt Town Bottom and Cattai. Under the Hawkesbury LEP 2012, a Neighbourhood Shop is defined as a '*premises used for the purposes of selling general merchandise such as foodstuffs, personal care products, newspapers and the like to provide for the day-to-day needs of people who live or work in the local area.*' The future development

of the neighbourhood shops will provide a local service to the identified surrounding rural towns and villages, reducing local residents need to travel far for day-to-day needs.

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

Yes, the Planning Proposal is considered to be consistent with the Hawkesbury Local Strategic Planning Statement, Hawkesbury Rural Lands Strategy and Draft Hawkesbury Employment Lands Strategy 2020.

##### **1. Hawkesbury City Council Community Strategic Plan 2022-2042**

The Hawkesbury City Council Community Strategic Plan 2022-2042 (HCCCSP) underpins the future planning and strategies of the Hawkesbury LGA over the next two (2) decades.

The strategy has been developed through community consultation contains four (4) community outcomes which will guide development and decisions. Of the four (4) community outcomes, Community Outcome 2 '*Protected Environment and Valued History*' and Community Outcome 3 '*Strong Economy*', is of relevance to the Planning Proposal.

The intent of Community Outcome 2 is to protect the existing natural and build environment within the region, which is sought to be done through integrating sustainability principles in all aspects of the LGA. This PP is aligned with this Outcome as it will assist in achieving the long term objective 2.4 '*Encourage and enable our community to make more sustainable choices*', and objective 2.6 '*achieve net zero emissions target.*'

Currently, the automotive industry in Australia is transitioning, with the adoption of new technologies transforming peoples travel with the increase of electric vehicles (EVs). The NSW State government in their Electric Vehicle Strategy stated that the vast majority of new car sales will be EVs by 2035. As shown in the concept plan (**Appendix A**), a future service station would be able to assist the community in transitioning towards EVs by providing electric charging stations. Although to be finalised at the DA stage, the concept plans have demonstrated that a minimum of five (5) EV charging stations could be provided on site. With the site's close proximity to the Sydney Outer Orbital Corridor and the new urban release area of Vineyard, the provision of EV charging stations will provide the infrastructure to assist and encourage the residents of the Hawkesbury LGA to transition to more sustainable choices to achieve the target of net zero emissions. The future development of the service station and neighbourhood shops would also encourage green energy solutions in addition to the EV charging stations, such as solar panels on the roof of the building and solar light poles. Other environmentally sustainable development items will be adopted at the DA and detailed design stage.

Community Outcome 3 seeks to ensure there is a strong economy for the Hawkesbury LGA by focusing on economic development that takes the region forward, whilst balancing future growth against the unique identity of the region. One of the key considerations identified under the HCCCSP for this outcome is to '*support diversity in local jobs to reduce residents need to commute.*' By enabling neighbourhood shops as a permitted land use, it will provide an opportunity for employment for local residents within the Hawkesbury LGA, reducing the requirements for commuting. Therefore, it is considered a PP is aligned with the HCCCSP.

##### **2. Hawkesbury Rural Lands Strategy**

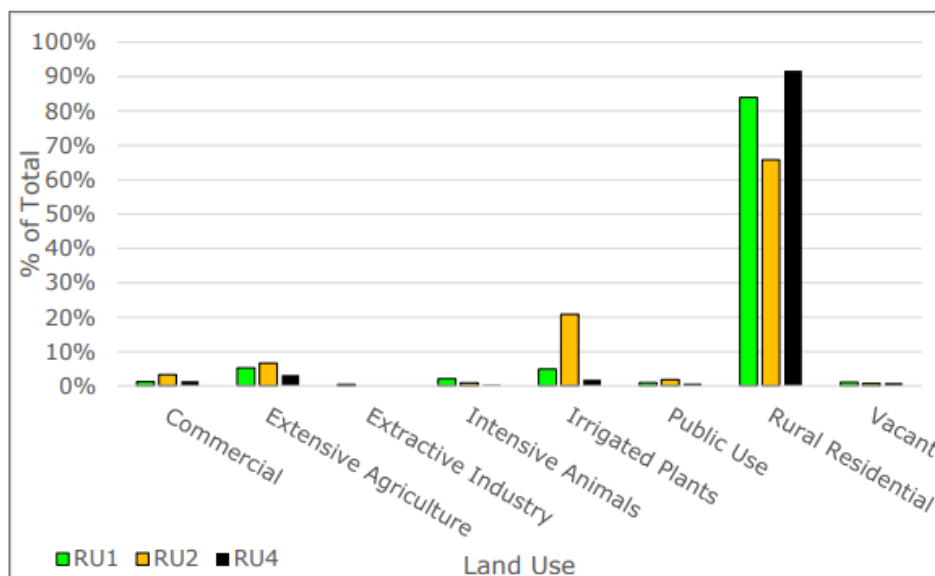
The Hawkesbury Rural Lands Strategy aims to identify the economic, environmental and social opportunities for the preservation, management and enhancement of rural lands within the Hawkesbury LGA. It provides a strategic overview for rural land use planning, seeking to minimise land use conflicts, resulting from urban sprawl.

The Strategy outlines the key planning considerations for individual localities within the LGA including Oakville. With regard to Oakville, future long term planning is required to consider infrastructure especially noting

TfNSW's future plans for the Outer Sydney Orbital Corridor. This PP would provide a daily service that meets the needs of the locality whilst also servicing the additional traffic from the proposed Outer Sydney Orbital Corridor.

Data from the strategy revealed 87.2% of land in Oakville is for rural residential use and the area is not considered to be of great agricultural significance. Furthermore, the strategic plan outlines that the Primary Production Small Lots are mainly made up of rural residential development with 91.7% of the zone comprising rural residential land uses as shown in Figure 10. The data reveals that majority of the land RU4 land in Oakville is utilised for rural residential and not agricultural farming. As such the PP will not impact on rural farming land.

**Figure 10 Land Uses in Existing Rural Zones (Source: Figure 6.3 Hawkesbury Rural Lands Strategy)**



### 3. Hawkesbury Employment Lands Strategy

The Hawkesbury Employment Lands Strategy, provides a strategic overview of the existing and future requirements for employment lands in the Hawkesbury LGA. The plan is a guiding document for future land use planning, as it outlines the requirements to service the projected population growth.

The strategy highlights the increasing challenges for 'brick and mortar' retail premises, with the increasing popularity of online retailing. The plan outlines that retail premises need to provide a compelling experience that would outweigh the convenience of online shopping. Advice provided in the strategic plan includes developments providing a mixture of uses to provide convenience of customers and increase amenity with higher pedestrian movement between retail premises. This PP would enable a future mixed use development of multiple neighbourhood shops and a service station. This mix of land uses would provide convenience to surrounding residents with the multiple shops, while also providing a service station to meet the daily needs as well. By incorporating carefully considered landscaping and unique built form it can provide an experience which is considered to bring pedestrian movement back, which is aligned with the strategic plan.

Furthermore, the strategic plan states that service stations should be located typically on main roads and busy road corridors. Boundary Road is experiencing increasing vehicle movements due to the residential developments associated with the Sydney Regional Growth SEPP, whilst the Outer Sydney Orbital Road Corridor is anticipated to pass through Oakville. It is therefore considered the subject site is in a strategic location for a service station which is aligned with the plan.



#### 4. Hawkesbury Local Strategic Planning Statement

Hawkesbury City Council have prepared the Hawkesbury Local Strategic Planning Statement (LSPS), which was on public exhibition during the later stages of 2019 and adopted in January 2021.

The aim of the LSPS is to provide the foundations for the strategic planning in the Hawkesbury area, with special regard for economic, social and environmental matters. The LSPS is aligned with the Western City District Plan and the HCCCSP 2022-2042. The LSPS is categorised into four (4) main themes, that being *'Infrastructure and Collaboration'*, *'Community'*, *'Economy and Productivity'* and *'Environment.'* This Planning Proposal has taken into consideration the productivity theme outlined in the LSPS and is aligned with several key planning priorities.

Planning Priority 1 *'Ensure infrastructure aligns with current needs and future growth'* is of importance to the PP. The Priority states that new infrastructure and development is required to support the urban release area of the Vineyard Precinct. The infrastructure required to assist with the Vineyard precinct includes transport infrastructure, stormwater drainage infrastructure and social infrastructure. The intended APU's will provide transport and social infrastructure which will service the Vineyard precinct, through enabling the future development of local neighbourhood shops and a service station which will meet the day to day needs of the residents.

The PP has also addressed Planning Priority 5 *'Managing Rural Areas.'* This objective is based of Objective 29 of the Great Sydney Regional Plan and W17 of the Western City District Plan north which have been addressed earlier in this report. It is reiterated that the site is not currently utilised for agricultural purposes and due to its location on the fringe of urban release area and surrounding land uses, it is considered that the land holds minimal agricultural value.

Planning Priority 7 of the LSPS seeks to *promote and support all sectors of industry and business in the Hawkesbury to meet current and future demands and trends.'* As the surrounding targeted urban growth areas continue to be developed there will be an increased demand for service stations and local shops to meet the daily needs of the growing population. Furthermore, the proposal will provide additional job opportunities for residents within the Hawkesbury LGA which is another indicator of the LSPS. As such, this proposal directly addresses these requirements and aligns with planning priority 7.

Planning Priority 10 *'An aware and resilient city that can adapt to natural hazards of flood, bushfire and climate change'* is also applicable to this PP. The priority's objective is to make the Hawkesbury community more resilient to natural disasters, through providing the necessary infrastructure and services. During the 2021 floods around the region the site was utilised as an evacuation point for the State Emergency Services (SES), due to its strategic location and minimal risk to flooding. It is anticipated that this site will continue to be utilised by the SES as an evacuation and meeting point during natural emergencies as required. Future development of this site will take into account the site's utilisation by the SES. As outlined in the concept plan, a significant component of the site would be maintained as natural green space that can be utilised by the SES.

With the ability to provide a minimum of 5 EV charging stations as well as adopting environmentally sustainable principles with solar panels and solar light poles the PP is also aligned with Planning priority 12 *'Champion, educate and support a transition to renewable energy and reduced waste.'* Action 12.1 of the LSPS is to *'undertake and promote solar energy initiatives to future proof its buildings to renewable energy'*, which is achieved through this PP.

## 5. Hawkesbury City Council Net Zero Emissions + Water Efficiency Strategy

The *Net Zero Emissions + Water Efficiency Strategy* outlines the Hawkesbury Council's plan to achieve emission and water reductions across the LGA. The strategy has been developed with six (6) key strategies to help make Hawkesbury more sustainable and resilient into the future. These six strategies are:

1. *A more resilient and renewable powered grid*
2. *Greener suburbs and better design*
3. *Low carbon and local transport*
4. *Towards a zero-waste community*
5. *Drought resilient, green centres*
6. *Council leading by example*

The PP is aligned with several of these key strategies. The future built form will incorporate solar PV panels on the roof of the building to generate greener energy and reduce emissions whilst increasing the community's energy security. The concept plan (**Appendix A**) provides an indicative footprint for the future development, which would enable the retention of 47% of the site as green space, with a tree retention rate across the site of 94%. This will enable new development to be delivered that retains green areas to assist in retaining greener suburbs.

In addition, the service station would seek to utilise modern innovations and technologies in keeping with the changing patterns of the automotive industry. A minimum of five (5) EV charging stations would be provided with the potential for additional stations as the market evolves. Although not indicated on the plans, the site could have future hydrogen capability which would allow the site to easily transition into hydrogen dispensing at the appropriate time in the future. By providing this green infrastructure it will assist the Hawkesbury LGA in achieving net zero and demonstrates the PP and future development is aligned with Council's Net Zero Emissions strategy.

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

The proposal is generally consistent with applicable SEPPs, as outlined in **Table 1**. There are no draft SEPPs relevant to the proposal.

**Table 1 Consistency with State Environmental Planning policies**

Title	Consistency with the Planning Proposal
State Environmental Planning Policy (Primary Production) 2021	The site is not listed in schedule 1 of the Primary Production SEPP as being state significant agricultural land. Furthermore, the PP will not impact on existing primary production uses within the locality.
State Environmental Planning Policy (Resources & Energy) 2021	Not applicable.
State Environmental Planning Policy (Resilience and Hazards) 2021	<p><b>Chapter 3 – Hazardous and Offensive Development</b></p> <p>Chapter 3 of this policy aims to ensure that in considering any application to carry out potentially hazardous or offensive development, the consent authority has sufficient information to assess whether the development is hazardous or offensive and to impose conditions to reduce or minimise any adverse impact. During the DA process the future applicant would be required to undertake a preliminary risk screening to ensure the development does not pose any significant risk and to determine if it is a hazardous or offensive development. During the DA process, under the SEPP, the consent authority are required to consider the impact of the development on likely future adjoining land uses as well as the likelihood of land sterilisation. Any future service station application will need to consider and comply with the requirements of the SEPP and provide a Preliminary Hazard Analysis. This screening process determines the minimum setback distances from the remote fill and dispensing points to the property boundary to ensure the development does not fall within the potentially hazardous region.</p> <p><b>Chapter 4 – Remediation of Land</b></p> <p>Chapter 4 of this Policy provides the state-wide framework and planning approach to the remediation of contaminated land. Clause 4.6(1) of the SEPP stipulates:</p> <p>(1) A consent authority must not consent to the carrying out of any development on land unless:</p> <p>(a) it has considered whether the land is contaminated, and</p> <p>(b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and</p> <p>(c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried</p>

Title	Consistency with the Planning Proposal
	<p>The previous and current approved uses of the site are for rural residential land uses. As such, it is considered there would be minimal risk of contamination of the land which would hinder the intended outcome of this Planning Proposal – the additional permitted uses “service station and “neighbourhood shop”. In addition, the site has not been identified on the EPA’s contaminated land register and the Site Investigation Report (<b>Appendix C</b>), prepared for the residential dwelling DA on the site did not identify any contaminants and found the site suitable for the required development.</p> <p>Notwithstanding, at the Development Application stage the application would demonstrate compliance with the planning policy by undertaking at minimum a Preliminary Site Investigation (PSI). If in the PSI, potential for contaminates was discovered the further requirements of a Detailed Site Investigation and Remediation Action Plan would be undertaken. Any recommendations from these reports would be adopted.</p>
<p>State Environmental Planning Policy (Industry &amp; Employment) 2021</p>	<p><b>Chapter 3 – Advertising and Signage</b></p> <p>Any future signage on the site will require an assessment against the assessment criteria outlined in Schedule 1 of this SEPP.</p>
<p>State Environmental Planning Policy (Transport and Infrastructure) 2021</p>	<p><b>Chapter 2 – Infrastructure</b></p> <p>The Planning Proposal will enable a suitable land use adjacent to a classified road and is consistent with Chapter 2 of the SEPP. A future Development Application will be referred to the TfNSW for concurrence as a service station development on a Classified Road triggers ‘traffic generating development.’</p>
<p>State Environmental Planning Policy (Biodiversity &amp; Conservation) 2021</p>	<p><b>Chapter 2 – Vegetation in Non-Rural Areas</b></p> <p>The PP will enable a suitable land use that is compatible with the surrounding natural biodiversity.</p> <p>A future development application will demonstrate compliance with the SEPP and demonstrate how the development would not impact on the biodiversity value of the land.</p> <p><b>Chapter 4 – Koala Habitat Protection 2021</b></p> <p>The Hawkesbury Local Government Area is specified in Schedule 2 of the SEPP as an LGA to which Chapter 4 of the SEPP applies. The PP is aligned with the objectives of this Chapter and would not have a significant impact on koala habitat. It is noted that Council approved the removal of two (2) trees from the subject site under DA0311/16. In Council’s development assessment report Council states that the subject site ‘<i>is not considered to be potential Koala habitat.</i>’ As such it is considered that Council have already confirmed that the site is not considered Koala habitat.</p>

Title	Consistency with the Planning Proposal
	<p><b>Chapter 6 – Water Catchment</b></p> <p><b>This chapter applies to the Hawkesbury-Nepean Catchment and sub-catchment, which the site is located within.</b></p> <p><b>Subclause 2 of Clause 6.13 stipulates that the consent authority must consider the following:</b></p> <ul style="list-style-type: none"> <li><b>a) whether the development will minimise human interference with the condition of the sub-catchment,</b></li> <li><b>b) whether the development will maintain and enhance the structure and floristics of native vegetation in the sub-catchment,</b></li> <li><b>c) whether the development will maintain or enhance the scenic quality of the locality,</b></li> <li><b>d) whether development has previously been carried out on the development site.</b></li> </ul> <p>The intended outcome of the PP is to enable the future development of a service station and neighbourhood shops. It is considered that the future development would not impact on the structure and floristics of native vegetation in the sub-catchment and will not impact on the scenic quality of the locality. Further consideration on the potential impacts will be undertaken with</p>
State Environmental Planning Policy (Planning Systems) 2021	Not applicable.
State Environmental Planning Policy (Precincts – Eastern Harbour City) 2021	Not applicable.
State Environmental Planning Policy (Precincts – Central River City) 2021	Not applicable.
State Environmental Planning Policy (Precincts – Western Parkland City) 2021	Not applicable.
State Environmental Planning Policy (Precincts - Regional) 2021	Not applicable.
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008	In accordance with this SEPP certain minor development may be undertaken as exempt or complying development. However, the intended outcome for the site will require lodgement of a Development Application with Council in future.
State Environmental Planning Policy (Housing) 2021	Not applicable.
State Environmental Planning Policy No. 65 - Design Quality of Residential Apartment Development	Not applicable.
State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004	Not applicable.

**Q6. Is the planning proposal consistent with applicable Ministerial Directions (s.9.1 Directions)**

**Table 2** reviews the consistency of the Planning Proposal with Ministerial Directions for Local Environmental Plans under section 9.1 of the Environmental Planning and Assessment Act 1979 (NSW) (Directions that do not apply to the Planning Proposal have been omitted).

**Table 2 Consistency with Section 9.1 Directions**

Section 9.1 Directions	Assessment
<b>1. Planning Systems</b>	
<p><b>1.1 Implementation of Regional Plans</b>            This direction applies to a relevant planning authority when preparing a planning proposal for land to which a Regional Plan has been released by the Minister for Planning</p>	The PP is aligned with the relevant strategic plans, including a Metropolis of 3 cities, Western City District Plan and the Hawkesbury Local Strategic Planning Statement. Refer to <b>Section 5.3</b> for a detailed review of the PP against these strategies.
<p><b>1.2 Development of Aboriginal Land Council Land</b>            This direction applies to all relevant planning proposal authorities when preparing a planning proposal for land shown on the Land Application Map of chapter 3 of the State Environmental Planning Policy (Planning Systems) 2021.</p>	N/A – The site is not identified on the Land Application Map of chapter 3 of the SEPP (Planning Systems)
<p><b>1.3 Approval and Referral Requirements</b>            This direction applies to all relevant planning authorities when preparing a planning proposal</p>	This Planning proposal is consistent with the relevant objectives of the direction.
<p><b>1.4 Site Specific Provisions</b>            This direction applies to all relevant planning authorities when preparing a planning proposal that will allow a particular development to be carried out.</p>	This Planning Proposal does not seek to implement unnecessarily restrictive site specific planning controls, instead the proposal seeks to include additional permitted uses.
<p><b>1.5 Parramatta Road Corridor Urban Transformation Strategy</b>            This direction applies when a relevant planning authority prepares a planning proposal for land in the City of Parramatta, Cumberland, Strathfield, Burwood, Canada Bay and Inner West local government areas, that applies to land within the Parramatta Road Corridor as identified on the Map titled Parramatta Road Corridor on pages 14 and 15 of the Parramatta Road Corridor Urban Transformation Strategy (November, 2016).</p>	N/A – This does not apply to the Hawkesbury LGA.
<p><b>1.6 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan</b>            This direction applies when a relevant planning authority prepares a planning proposal for land in the Blacktown, The Hills or Hawkesbury local government areas that applies to land within the North West Priority Growth Area.</p>	N/A - The subject site is situated just outside of the North West Priority Growth Area and therefore this direction does not apply
<p><b>1.7 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan</b>            This direction applies when a relevant planning authority prepares a planning proposal for land contained within the Greater Parramatta Priority Growth Area as indicated in the map attached.</p>	N/A – The site is not situated within the Greater Parramatta Priority Growth Area

Section 9.1 Directions	Assessment
<p><b>1.8 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan</b></p> <p>This direction applies when a relevant planning authority prepares a planning proposal for land in the Wollondilly local government area that applies to land within the Wilton Priority Growth Area (being the Wilton Priority Growth Area within the meaning of chapter 3 of the State Environmental Planning Policy (Precincts - Western Parkland City) 2021.</p>	N/A – This does not apply to the Hawkesbury LGA
<p><b>1.9 Implementation of Glenfield to Macarthur Urban Renewal Corridor</b></p> <p>This direction applies when a relevant planning authority prepares a planning proposal for land in the Campbelltown local government area that applies to land within the precincts between Glenfield and Macarthur.</p>	N/A – This does not apply to the Hawkesbury LGA
<p><b>1.10 Implementation of the Western Sydney Aerotropolis Sydney Aerotropolis Plan</b></p> <p>A planning proposal is to be consistent with the Western Sydney Aerotropolis Plan approved by the Minister for Planning and as published on 10 September 2020 on the website of the Department of Planning and Environment</p>	N/A – This does not apply to the Hawkesbury LGA
<p><b>1.11 Implementation of Bayside West Precincts 2036 Plan</b></p> <p>This direction applies when a planning proposal authority prepares a planning proposal for land in the Bayside local government area that applies to land within the Bayside West Precincts in the Arncliffe, Banksia and Cooks Cove Bayside</p>	N/A – This does not apply to the Hawkesbury LGA
<p><b>1.12 Implementation of Planning Principles for the Cooks Cove Precinct</b></p> <p>This direction applies when a planning proposal authority prepares a planning proposal for land within the Cooks Cove Precinct in the Bayside local government area, as shown on Map Sheet LAP_001 Cooks Cove Precinct Section 9.1 Direction.</p>	N/A – This does not apply to the Hawkesbury LGA
<p><b>1.13 Implementation of St Leonards and Crows Nest 2036 Plan</b></p> <p>This direction applies when a planning proposal authority prepares a planning proposal for land within the St Leonards and Crows Nest Precinct in the North Sydney, Lane Cove, and Willoughby local government areas as shown on Map LAP_001 St Leonards and Crows Nest 2036 Plan Ministerial direction published on the Department of Planning and Environment website on 29 August 2020.</p>	N/A – This does not apply to the Hawkesbury LGA
<p><b>1.14 Implementation of Greater Macarthur 2040</b></p> <p>This direction applies to when a planning proposal authority prepares a planning proposal for land in the Camden, Campbelltown and Wollondilly local government areas that applies to land identified within Greater Macarthur 2040 dated November 2018.</p>	N/A – This does not apply to the Hawkesbury LGA
<p><b>1.15 Implementation of the Pyrmont Peninsula Place Strategy</b></p> <p>This direction applies when a planning proposal authority prepares a planning proposal within land subject to the Pyrmont Peninsula Place Strategy in the City of Sydney local government area as shown on Map LAP_001 Pyrmont Peninsula Place Strategy Ministerial Direction</p>	N/A – The site is not situated within land identified within the Pyrmont Peninsular Place Strategy



Section 9.1 Directions	Assessment
published on the Department of Planning and Environment website on 11 December 2020.	
<p><b>1.16 North West Rail Link Corridor Strategy</b></p> <p>This direction applies when a relevant planning authority prepares a planning proposal for land in the Hornsby, The Hills and Blacktown local government areas that applies to land within the North West Rail Link Corridor, as identified in the NWRL Corridor Strategy and Structure Plans.</p>	N/A – Hawkesbury Council is not listed as a relevant LGA
<p><b>1.17 Implementation of the Bays West Place Strategy</b></p> <p>This direction applies when a planning proposal authority prepares a planning proposal for land in the Inner West Council local government area as shown on Map IAP_001 Bays West Place Strategy Ministerial Direction Map published on the Department of Planning and Environment website on 15 November 2021</p>	N/A – This does not apply to the Hawkesbury LGA
<p><b>2. Design and Place</b></p>	
<p><b>3. Biodiversity and Conservation</b></p>	
<p><b>3.1 Conservation Zones</b></p> <p>A planning proposal must include provisions that facilitate the protection and conservation of environmentally sensitive areas.</p> <p>A planning proposal that applies to land within a conservation zone or land otherwise identified for environment onservation/protection purposes in a LEP must not reduce the conservation standards that apply to the land (including by modifying development standards that apply to the land). This requirement does not apply to a change to a development standard for minimum lot size for a dwelling in accordance with Direction 9.2 (2) of “Rural Lands”.</p>	N/A – This direction is not applicable to the site as it is not located within a conservation zone.
<p><b>3.2 Heritage Conservation</b></p> <p>A planning proposal must contain provisions that facilitate the conservation of:</p> <p>(a) items, places, buildings, works, relics, moveable objects or precincts of environmental heritage significance to an area, in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of the item, area, object or place, identified in a study of the environmental heritage of the area,</p> <p>(b) Aboriginal objects or Aboriginal places that are protected under the National Parks and Wildlife Act 1974, and</p> <p>(c) Aboriginal areas, Aboriginal objects, Aboriginal places or landscapes identified by an Aboriginal heritage survey prepared by or on behalf of an Aboriginal Land Council, Aboriginal body or public authority and provided to the relevant planning authority, which identifies the area, object, place or landscape as being of heritage significance to Aboriginal culture and people</p>	N/A – no known European or Aboriginal objects or places of significance are located within the site.
<p><b>3.3 Sydney Water Drinking Catchment</b></p> <p>This direction applies when a relevant planning authority prepares a planning proposal for land in the following local government areas, that applies to land located within the Sydney drinking water catchment:</p>	N/A – Hawkesbury Council is not listed as a relevant LGA.



Section 9.1 Directions	Assessment
<p>Blue Mountains Kiama Sutherland Campbelltown Lithgow Upper Lachlan Cooma Monaro Oberon Wingecarribee Eurobodalla Palarang Wollondilly Goulburn Mulwaree Shoalhaven Wollongong.</p>	
<p><b>3.4 Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs</b></p> <p>This direction applies when a relevant planning authority prepares a planning proposal within the Ballina, Byron, Kyogle, Lismore and Tweed local government areas that introduces or alters an C2 Environmental Conservation or C3 Environmental Management zone or introduces or alters an overlay and associated clause</p>	<p>N/A – this direction does not apply to Hawkesbury LGA.</p>
<p><b>3.5 Recreation Vehicle Areas</b></p> <p>A planning proposal must not enable land to be developed for the purpose of a recreation vehicle area (within the meaning of the Recreation Vehicles Act 1983):</p> <p>(a) where the land is within a conservation zone,</p> <p>(b) where the land comprises a beach or a dune adjacent to or adjoining a beach,</p> <p>(c) where the land is not within an area or zone referred to in paragraphs (a) or (b) unless the relevant planning authority has taken into consideration:</p> <p>i. the provisions of the guidelines entitled Guidelines for Selection, Establishment and Maintenance of Recreation Vehicle Areas, Soil Conservation Service of New South Wales, September, 1985, and</p> <p>ii. the provisions of the guidelines entitled Recreation Vehicles Act 1983, Guidelines for Selection, Design, and Operation</p>	<p>N/A – this Planning Proposal will not enable land to be developed for the purpose of a recreation vehicle area.</p>
<p><b>4. Resilience and Hazards</b></p>	
<p><b>4.1 Flooding</b></p> <p>This direction applies to all relevant planning authorities that are responsible for flood prone land when preparing a planning proposal that creates, removes or alters a zone or a provision that affects flood prone land.</p>	<p>N/A- The site is not identified as being Flood Prone Land</p>
<p><b>4.2 Coastal Management</b></p> <p>This direction applies when a planning proposal authority prepares a planning proposal that applies to land that is within the coastal zone, as defined under the Coastal Management Act 2016 – comprising the coastal wetlands and littoral rainforests area, coastal vulnerability area, coastal environment area and coastal use area - and as identified by chapter 2 of the State Environmental Planning Policy (Resilience and Hazards) 2021.</p>	<p>N/A- The subject land is not identified in the Coastal Management Act 2016 and Chapter 2 of the State Environmental Planning Policy (Resilience and Hazards) 2021.</p>
<p><b>4.3 Planning for Bushfire Protection</b></p> <p>This direction applies to all local government areas when a relevant planning authority prepares a planning proposal that will affect, or is in proximity to, land mapped as bushfire prone land.</p> <p>This applies where the relevant planning authority is required to prepare a bush fire prone land map under section 10.3 of the EP&amp;A Act, or, until such a map has been certified by the Commissioner of the NSW Rural Fire Service, a map referred to in Schedule 6 of that Act.Revoked 9 November 2020</p>	<p>This direction applies when a Planning Proposal relates to land that is mapped as being bushfire prone land. The site is mapped as being Vegetation Category 3 and as such the Planning Proposal has been prepared with regard to <i>Planning for Bushfire Protection 2019</i>. Any future DA for the site will provide the necessary Asset Protection Zone as well as contain the required two-way access road. This may result</p>

Section 9.1 Directions	Assessment
	in clearing, which we can be addressed post gateway determination.
<p><b>4.4 Remediation of Contaminated Land</b></p> <p>This direction applies when a planning proposal authority prepares a planning proposal that applies to:</p> <p>(a) land that is within an investigation area within the meaning of the Contaminated Land Management Act 1997,</p> <p>(b) land on which development for a purpose referred to in Table 1 to the contaminated land planning guidelines is being, or is known to have been, carried out,</p> <p>(c) the extent to which it is proposed to carry out development on it for residential, educational, recreational or childcare purposes, or for the purposes of a hospital – land:</p> <p style="margin-left: 40px;">i. in relation to which there is no knowledge (or incomplete knowledge) as to whether development for a purpose referred to in Table 1 to the contaminated land planning guidelines has been carried out, and</p> <p style="margin-left: 40px;">ii. on which it would have been lawful to carry out such development during any period in respect of which there is no knowledge (or incomplete knowledge)</p>	<p>The site has a history of rural residential use with no known intensive agricultural or horticultural uses having been undertaken. Due to the site’s development history, it is unlikely that land contamination will have occurred. In addition, the site has not been identified on the EPA’s contaminated land register and the Site Investigation Report (<b>Appendix C</b>), prepared for the residential dwelling DA on the site did not identify any contaminants and found the site suitable for the required development. Notwithstanding, a preliminary investigation of the land will be carried out post gateway to satisfy the requirements of SEPP (Resilience and Hazards).</p>
<p><b>4.5 Acid Sulfate Soils</b></p> <p>This direction applies to all relevant planning authorities that are responsible for land having a probability of containing acid sulfate soils when preparing a planning proposal that will apply to land having a probability of containing acid sulfate soils as shown on the Acid Sulfate Soils Planning Maps held by the Department of Planning and Environment.</p>	<p>This direction applies when a Planning Proposal relates to land that is mapped as having a probability of containing ASS.</p> <p>The site is identified in the HLEP LEP 2012 maps as having Class 5 probability of ASS. The intended outcome of this Planning Proposal to permit a "service station" and “neighbourhood shop” can be suitably addressed with a future development application for the proposed future use and is a manageable risk. The probability of ASS is of minor significance.</p>
<p><b>4.6 Mine Subsidence and Unstable Land</b></p> <p>This direction applies when a relevant planning authority prepares a planning proposal that permits development on land that is within a declared mine subsidence district in the Coal Mine Subsidence Compensation Regulation 2017 pursuant to section 20 of the Coal Mine Subsidence Compensation Act 2017, or has been identified as unstable in a study, strategy or other assessment undertaken by or on behalf of the relevant planning authority or by or on behalf of a public authority and provided to the relevant planning authority.</p>	<p>N/A- The site is not identified as being in a Mine Subsidence district</p>
<b>5. Transport and Infrastructure</b>	
<p><b>5.1 Integrating Land Use and Transport</b></p> <p>This direction applies to all relevant planning authorities when preparing a planning proposal that will create, alter or remove a zone or a provision relating to urban land, including land zoned for residential, business, industrial, village or tourist purposes.</p>	<p>The PP will enable the additional land uses of service station and neighbourhood shop on the site. The sites immediate proximity to the Vineyard and Box Hill urban release areas, which are seeing a rapid increase in population growth, will provide a convenient location for residents to meet their everyday needs. The strategic location enables the PP to meet the objective of this direction as it will improve access to jobs and</p>

Section 9.1 Directions	Assessment
	<p>services for local residents who can walk and cycle to the site. The site is also close to existing public transport networks, with a bus stop approximately 60 metres south of the site.</p> <p>The PP will enable a mixed use development on the site, in close proximity to urban release areas. By providing a mixed development it will reduce trip generations on the road network as will utilise the site for multiple purposes, therefore, reducing the amount of trips required.</p>
<p><b>5.2 Reserving Land for Public Purposes</b></p> <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>	<p>N/A – this Planning Proposal will not create, alter or reduce existing zoning or reservation of land for a public purposes.</p>
<p><b>5.3 Development Near Regulated Airports and Defence Airfields</b></p> <p>This direction applies to all relevant planning authorities when preparing a planning proposal that will create, alter or remove a zone or a provision relating to land near a regulated airport which includes a defence airfield.</p>	<p>N/A – the site is not within close proximity to any licensed aerodromes. The closest major aerodrome is located approximately 30 km from the site.</p>
<p><b>5.4 Shooting Ranges</b></p> <p>This direction applies to all relevant planning authorities when preparing a planning proposal that will affect, create, alter or remove a zone or a provision relating to land adjacent to and/ or adjoining an existing shooting range</p>	<p>N/A – the Planning Proposal will not affect, create, alter or remove a zone or provision relating to an existing shooting range.</p>
<p><b>6. Housing</b></p>	
<p><b>6.1 Residential Zones</b></p> <p>This direction applies to all relevant planning authorities when preparing a planning proposal that will affect land within an existing or proposed residential zone (including the alteration of any existing residential zone boundary), or any other zone in which significant residential development is permitted or proposed to be permitted.</p>	<p>N/A – This direction is not applicable as the site is not located within a residential zone.</p>
<p><b>6.2 Caravan Parks and Manufactured Home Estates</b></p> <p>This direction applies to all relevant planning authorities when preparing a planning proposal.</p> <p>This direction does not apply to Crown land reserved or dedicated for any purposes under the Crown Land Management Act 2016, except Crown land reserved for accommodation purposes, or land dedicated or reserved under the National Parks and Wildlife Act 1974.</p>	<p>N/A – this Planning Proposal does not pertain to development for the purposes of a caravan park or manufactured home estate.</p>
<p><b>7. Industry and Employment</b></p>	
<p><b>7.1 Business and Industrial Zones</b></p> <p>This direction applies to all relevant planning authorities when preparing a planning proposal that will affect land within an existing</p>	<p>N/A – This Planning Proposal does not seek to rezone the site into a Business or Industrial Zone</p>

Section 9.1 Directions	Assessment
or proposed business or industrial zone (including the alteration of any existing business or industrial zone boundary). .	
<p><b>7.2 Reduction in non-hosted short-term rental accommodation period</b></p> <p>This direction applies to Byron Shire Council when the council prepares a planning proposal to identify or reduce the number of days that non-hosted short-term rental accommodation may be carried out in parts of its local government area</p>	N/A – Relates to Byron Shire Council area only and the Planning Proposal does not include rental accommodation.
<p><b>7.3 Commercial and Retail Development along the Pacific Highway, North Coast</b></p> <p>This direction applies when a relevant planning authority prepares a planning proposal for land within those council areas on the North Coast that the Pacific Highway traverses, being those council areas between Port Stephens Shire Council and Tweed Shire Council, inclusive, and that applies to land in the vicinity of the existing and/or proposed alignment of the Pacific Highway.</p>	N/A – The Site is not located along the Pacific Highway
<b>8. Resources and Energy</b>	
<p><b>8.1 Mining, Petroleum Production and Extractive Industries</b></p> <p>This direction applies to all relevant planning authorities when preparing a planning proposal that would have the effect of:</p> <p>(a) prohibiting the mining of coal or other minerals, production of petroleum, or winning or obtaining of extractive materials, or</p> <p>(b) restricting the potential development of resources of coal, other minerals, petroleum or extractive materials which are of State or regional significance by permitting a land use that is likely to be incompatible with such development</p>	This Planning Proposal does not involve any changes to mining, petroleum production and extractive industries. The nature of the future development is such that there would be no restrictions to future mining or extractive industries.
<b>9. Primary Production</b>	
<p><b>9.1 Rural Zones</b></p> <p>A planning proposal must:</p> <p>(a) not rezone land from a rural zone to a residential, business, industrial, village or tourist zone.</p> <p>(b) not contain provisions that will increase the permissible density of land within a rural zone (other than land within an existing town or village).</p>	<p>This direction applies when a proposal will affect land within an existing or proposed rural zone (including the alteration of any existing rural zone boundary).</p> <p>In this instance, the Planning Proposal is seeking to make a "service station" and "neighbourhood shop" additional permitted uses on the subject land and retain the existing RU4 Primary Production Small Lot Zone.</p> <p>Requirement (a) of this direction is a planning proposal must not rezone land from a rural zone to an urban-type zone. This Planning Proposal does not seek to rezone any rural land; it only seeks to add additional permitted uses within the existing RU4 Primary Production Small Lot Zone. By adding an APU it enables retention of the existing rural zoning and associated objectives. Furthermore, it is considered the proposed APU's are consistent with the existing permissible land uses with food and drink premises already permissible within the zone.</p>

Section 9.1 Directions	Assessment
	The proposal does not seek to increase the permissible density of land within a rural zone and therefore requirement (b) is not applicable.
<p><b>9.2 Rural Lands</b></p> <p>This direction applies when a relevant planning authority prepares a planning proposal for land outside the local government areas of lake Macquarie, Newcastle, Wollongong and LGAs in the Greater Sydney Region (as defined in the Greater Sydney Commission Act 2015) other than Wollondilly and Hawkesbury, that:</p> <p>(a) will affect land within an existing or proposed rural or conservation zone (including the alteration of any existing rural or conservation zone boundary) or</p> <p>(b) changes the existing minimum lot size on land within a rural or conservation zone.</p>	<p>This direction applies because the planning proposal will affect land within the existing RU4 Primary Production Small Lots zone. It is noted that existing land use of the site is for residential purposes and is not used for any significant agricultural or primary production. Considering the close proximity to the Vineyard and Box Hill urban release areas it unlikely that there would be any future significant agricultural or primary production uses on the site. Therefore, it is considered the proposal for the APU will not impact on existing or future rural activities or farmers.</p> <p>Furthermore, there are no changes proposed to the minimum lot size of the land. The PP will enable additional land uses of a service station and neighbourhood shop which will provide an economic and social improvement to the surrounding community.</p> <p>Any future "service station" and "neighbourhood shop" made permissible by this Planning Proposal would be required to consider the objectives of the RU4 Zone. A development application will be subject to assessment against the "heads of consideration" for development applications under section 4.15 Evaluation of the Environmental Planning and Assessment Act 1979 (NSW).</p>
<p><b>9.3 Oyster Aquaculture</b></p> <p>This direction applies to any relevant planning authority when preparing a planning proposal in 'Priority Oyster Aquaculture Areas' and oyster aquaculture outside such an area as identified in the NSW Oyster Industry Sustainable Aquaculture Strategy (2006) ("the Strategy"), when proposing a change in land use which could result in:</p> <p>(a) adverse impacts on a Priority Oyster Aquaculture Area' or a "current oyster aquaculture lease in the national parks estate", or</p> <p>(b) incompatible use of land between oyster aquaculture in a 'Priority Oyster Aquaculture Area' or a "current oyster aquaculture lease in the national parks estate" and other land uses.</p>	N/A – this Planning Proposal will not have any effect on oyster aquaculture.
<p><b>9.4 Farmland of State and Regional Significance on the NSW Far North Coast</b></p> <p>This direction applies when a relevant planning authority prepares a planning proposal for land within Ballina Shire, Byron Shire, Kyogle Shire, Lismore City, Richmond Valley and Tweed Shire local government areas, except land identified as "urban growth areas" mapped in the North Coast Regional Plan 2036 when preparing a planning proposal</p>	N/A – Hawkesbury Council is not listed as a relevant LGA.



## 5.3 Section C – Environmental, Social and Economic Impact

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

The site is identified on the Hawkesbury LEP 2012 Maps as having *significant vegetation and connectivity between significant vegetation*, refer to Figure 11. The site has an existing residential dwelling and associated landscaping across the site, with the residential dwelling located in the northern section of the lot. As such, development has already occurred across the site. An Ecological Constraints Assessment was undertaken by BIOSIS (refer to **Appendix D**) to identify potential critical habitats or threatened species. Within the assessment it identified the Cumberland Plain Woodland Threatened ecological community being on the site, in the south-western corner. To reduce the impact on this ecological community it was recommended to incorporate the existing trees in the southern-western corner of the site into any future development.

Overall, the Planning Proposal does not seek to alter the zoning of the site, as the intended outcome is to permit specific additional uses (service station and neighbourhood shop). As the site is predominantly cleared land, the intended outcome is achievable on the site with minimal disturbance to the natural environment including vegetation.

**Figure 11 Terrestrial Biodiversity Map Extract (BIO\_013)**



Any potential environmental impact must be addressed at development application stage for any proposal.

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

Traffic and Access:

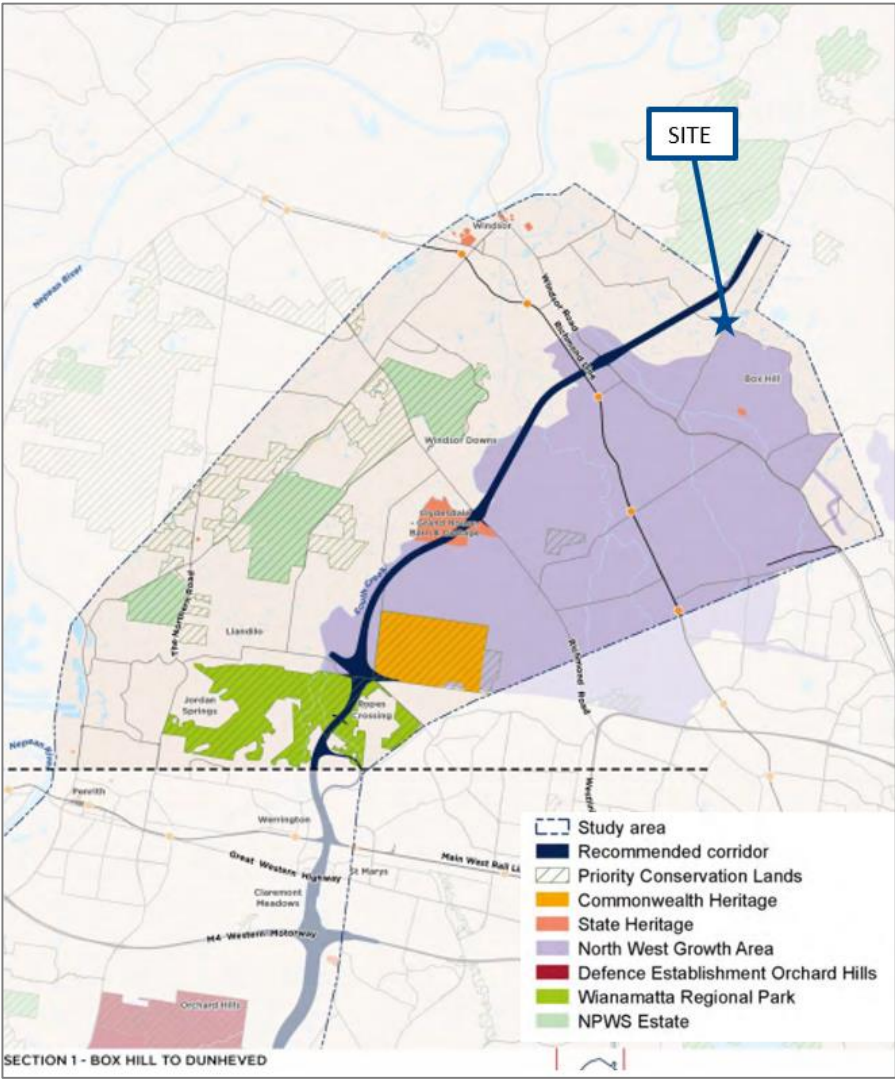
The site has frontage to Boundary Road which is a TfNSW classified road forming part of the Main Road 656 which extends from Pennant Hills Road at Pennant Hills to Old Northern Road at Dural. There are no existing physical constraints to accessing the site off either Old Pitt Town Road or Boundary Road. Existing approved

access to the site is via Old Pitt Town Road and a future DA would address access off Boundary Road. Sight distances along each road from the proposed accesses would meet Australian Standard or Austroad requirements for safe access.

It has been observed that current traffic volumes are relatively light and the Old Pitt Town Road / Boundary Road roundabout operates with uninterrupted flow conditions with little delay or queuing. This indicates current traffic volumes on these roads would be in the order of < 500 vph which is well below the expected road network capacity of between 1,400 and 1,800 vph. Therefore, the existing road network has the capacity to absorb the future proposal traffic generation. It is noted that Section 1 *Box Hill to Dunheved* of the Outer Sydney Orbital Road is proposed to pass through Oakville to the north of the site, refer to **Figure 12**. This proposal would increase the network capacity for the surrounding streets and the site would provide a key location for vehicles to utilise a service station prior to entering the orbital corridor.

Furthermore, the future development of the service station and neighbourhood shops would not result in a significant impact on traffic movements on the surrounding road network as it would not be a predetermined 'destination', rather the development would capture passing trade.

**Figure 12 Section 1 of Outer Sydney Orbital Transport Corridor (Source: TfNSW)**



A Traffic Impact Assessment (TIA) undertaken by a suitably qualified traffic engineer will be prepared at the development application stage. The assessment will evaluate access arrangements, parking, the existing and proposed operation and efficiency of the local road network and an assessment on the suitability of the surrounding public transport as well as cycle and pedestrian movements.

### Heritage

There are no listed items of environmental heritage on the site.

### Bushfire

According to the NSW Rural Fire Service online mapping system the land is identified as being in a bush fire risk zone. As such, the strategies of the bushfire protections measures outlined in *Planning for Bushfire Fire Protection 2019* have been adopted for this proposal. These measures include the following:

- Buffer zones and appropriate setbacks between the proposed built form and bush fire hazard vegetation.
- Underground services including electricity
- Appropriate access arrangement to enable safe egress and ingress for vehicles to leave the site in an emergency whilst there will be appropriate access widths and turning spaces for emergency vehicles to access the site.

More detailed bushfire mitigation measures and strategies will be adopted for the future development application. A future development application will include a detailed bushfire assessment to provide accurate design details on the mitigation measures. It is noted, consultation with Rural Fire Services will be undertaken post Gateway Determination.

### Mine Subsidence

The site is not located within a Mine Subsidence District. Therefore, this Planning Proposal will not need to be referred to Subsidence Advisory NSW.

### Amenity

The term 'amenity' relates to the qualities, characteristics and attributes people value about a place which contributes to their experience of a high quality of life. Urban or residential amenity encompasses a wide range of attributes and values which change over time. The spatial scale at which amenity can be defined also varies from across a city, a suburb, a neighbourhood, a street or even a specific site, with each level contributing to the identity of an area and providing a 'sense of place'.

The amenity attributes which people seek and appreciate often vary according to an individuals' own values. Nevertheless, there are a number of general elements that contribute to the amenity of urban or residential areas. These include the physical landscape or streetscape; areas of vegetation and public and private open space for recreation, such as parks, reserves and gardens; urban design, including the scale and dominance of buildings; historic and cultural heritage; public views and outlooks; privacy; physical safety; and the accessibility of places. Another component of amenity is the ability of people to lead their lives free of nuisances including those arising from noise, odour, vibration, dust, wastewater or waste products.



Amenity impacts associated with overshadowing, noise, odour, lighting and views are discussed below:

- **Overshadowing:** Overshadowing to residents will not occur due to the distance and the northerly direction from the Site
- **Noise:** The nature, orientation and location of the proposed development ensures that the proposal will not generate operational noise impacts which would cause nuisance to neighbours. Furthermore, the site will act as a sound barrier between Boundary Road and the residential properties to the north. Any future development application will be able to address potential noise emissions.
- **Visual Impact:** There are no scenic or landmark views available from neighbouring properties that will be impacted by the proposed development. Through the implementation of additional landscaping and retention of existing vegetation on site it is considered potential loss of views could be mitigated. Furthermore, the potential loss of views needs to be taken into context with the changing character of the locality with the increasing medium density residential developments occurring to the south, as shown in **Figure 13**. Therefore, it is considered there will be minimal adverse view impacts likely to result from the proposed development.

**Figure 13 Changing Locality Character 2009-2021 (Source: NearMaps)**



- **Traffic Generation -** Traffic growth in the area is likely to be quite high with all the new residential development occurring in the area. The existing road network has been observed to operate with uninterrupted flow conditions with little delay or queuing, with approximately 500vpth. The expected road network capacity for this intersection is between 1,400 and 1,800 vtpth and therefore the surrounding road network has the capacity for the future development and would not result in a negative impact on the surrounding amenity.
- **Odour:** No odour impacts are expected from the development. The ongoing operation of the site will comply with AS 1668.2-1991 to ensure air quality is maintained. This would be addressed as part of a future development application.
- **Lighting:** Appropriate external lighting is proposed in car parks and other outdoor areas which will limit light spill onto adjoining land and roadways. Internal lighting is not expected to cause any concerns for neighbours.

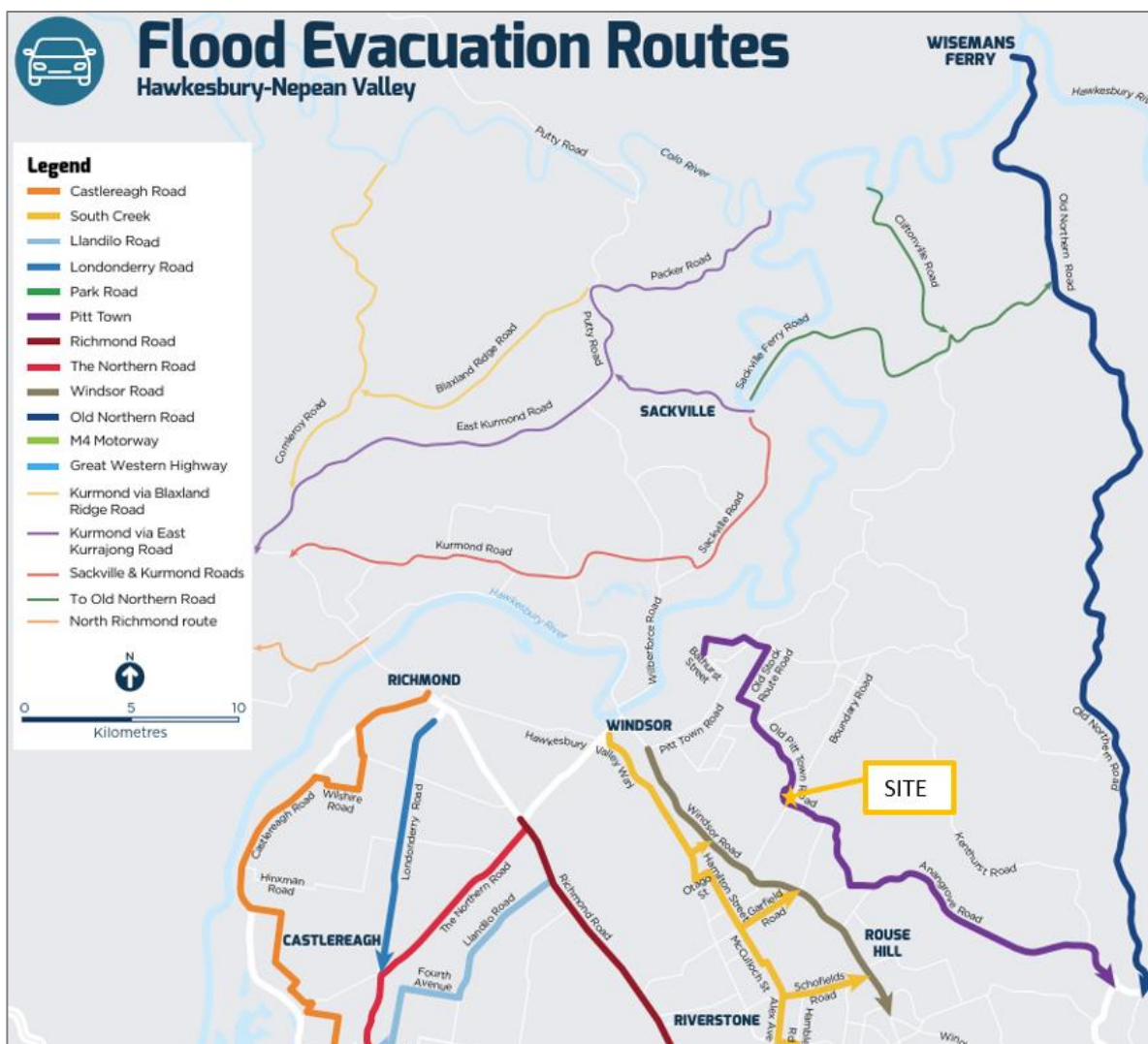
## Water Management:

The proposed site is located within the Hawkesbury Nepean River sub-catchment, under the Biodiversity and Conservation SEPP 2021. Appropriate Stormwater controls will be included in any future Development Application and outlined on a detailed stormwater concept plan provided upon lodgement. Furthermore, appropriate erosion and sediment control measures will be incorporated into the construction stage of the development as detailed a sedimentation control plan, to further mitigate the potential for water contamination.

## Emergency Services

The site has been identified as a key strategic location for the State Emergency Services (SES). During the recent flood events within the Hawkesbury LGA the site has been utilised as an evacuation assembly point by the SES as it is in a strategic location along the Pitt Town evacuation route (refer to **Figure 14**). The proponent would assist in ensuring that the site remains a key facility for the SES during emergencies. Through the development of the APUs, the businesses on site will have critical emergency supplies which can be utilised. Due to the sites location outside of identified flood prone land, services available on the site, and being situated in a key strategic location, it is considered the site is important for emergency services. As such the proponent would enable the use of the site for emergency services once developed.

**Figure 14 Hawkesbury-Nepean Evacuation Routes (Source: SES)**



## Contamination

As the proposed development would entail a service station, any future Development Application would be required to demonstrate compliance with the relevant legislation, which includes:

- Protection of the Environment Operations Act 1997
- Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2019
- State Environmental Planning (Resilience and Hazards) 2021

In addition, the site has not been identified on the EPA's contaminated land register and the Site Investigation Report (**Appendix C**), prepared for the residential dwelling DA on the site did not identify any contaminants and found the site suitable for the required development.

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

This Planning Proposal is considered to be in the public interest and will contribute towards the region achieving the objectives of the Hawkesbury LSPS, Western City District Plan and the Metropolis of Three Cities. The additional permitted uses will provide a high quality mixed use development which can service the Hawkesbury community and beyond.

The Planning Proposal will provide a number of significant economic and public benefits to the community, including –

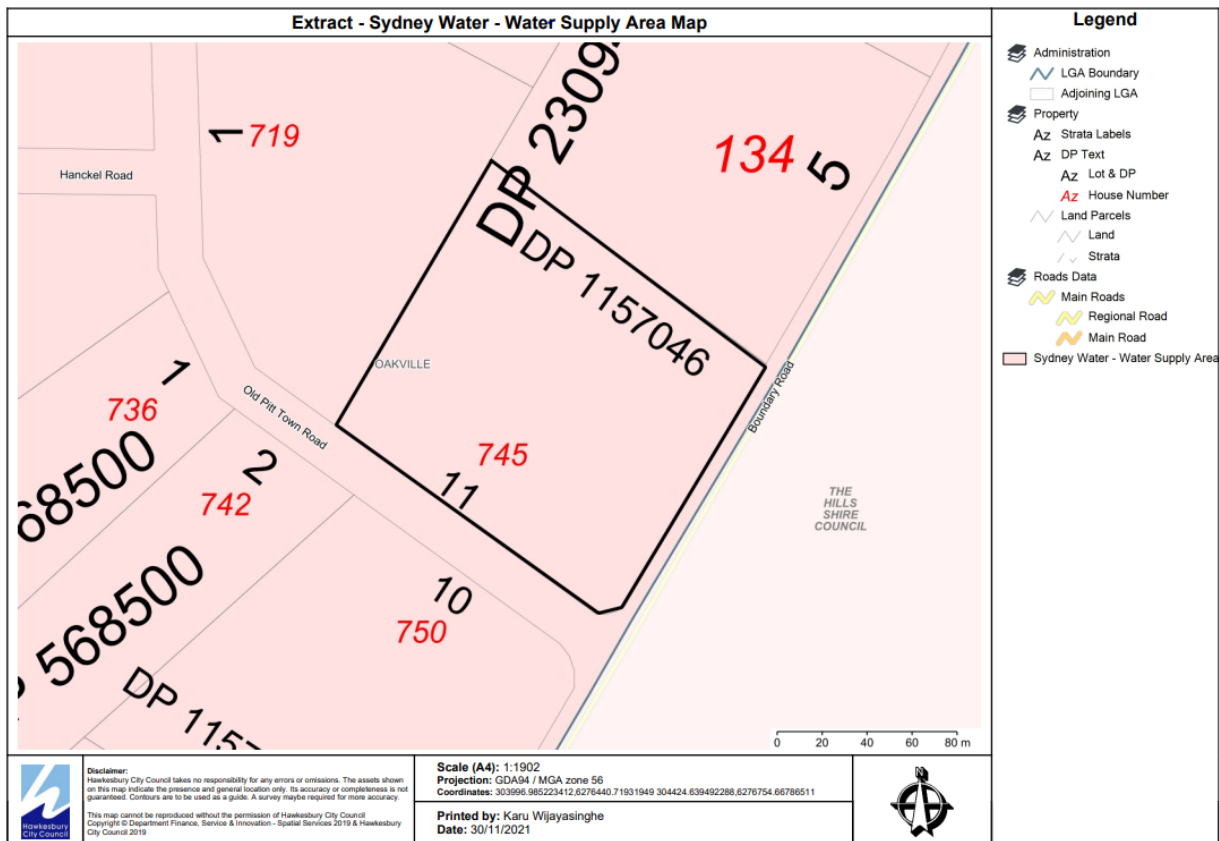
- Future development would result in economic benefits associated with the short-term construction works;
- The future development would support the local economy and provide additional neighbourhood shops that would cater to the demand of the increasing population in the locality whilst not undermining the established commercial centres in the Hawkesbury LGA.
- Future development will generate improved employment opportunities with flow on employment multipliers benefitting the local community;
- Development would be compliant with relevant disability standards, and will meet the needs of people with physical disabilities, sensory disabilities and intellectual disabilities;
- The operation would provide improved services to the area meeting the daily needs of surrounding residents, workers, tourists and travellers;
- Improved safety and security measures will be incorporated into the operational procedures of the future development
- The future development will provide the daily services required by the growing population with surrounding lands targeted for residential growth precincts under the Sydney Region Growth SEPP. Land identified under the Sydney Region Growth SEPP is in extremely close proximity to the site, being adjacent to the subject site, south of Boundary Road.

## 5.4 Section D –State and Commonwealth Interests

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

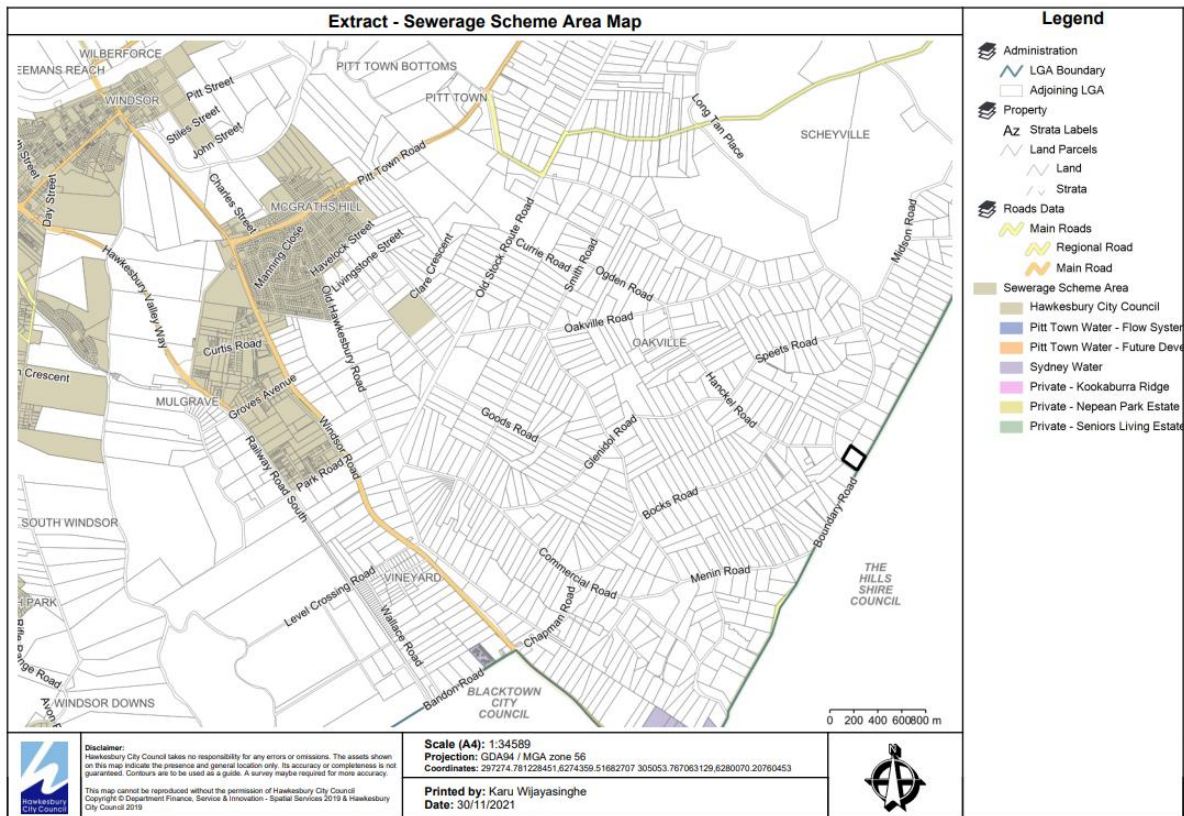
The Site does not currently have a sewer line connection, with septic treatment provided onsite for the existing residential dwelling. Appropriate servicing and design will be provided at DA stage. It is also noted that the surrounding road upgrade works are planned by Transport for New South Wales (TfNSW) for the Outer Sydney Orbital Corridor as outlined in Section 5.3 of this report.

Figure 15 Sydney Water Supply Area





**Figure 16 Sewerage Scheme Area**



**Q11. What are the views of the State and Commonwealth public authorities consulted in accordance with the gateway determination?**

No State or Commonwealth public authorities have been consulted at this stage. Consultation will be carried out in accordance with the requirements of any gateway determination.

TfNSW will be consulted prior to the commencement of broader community consultation.

## 6 Part 4 -Mapping

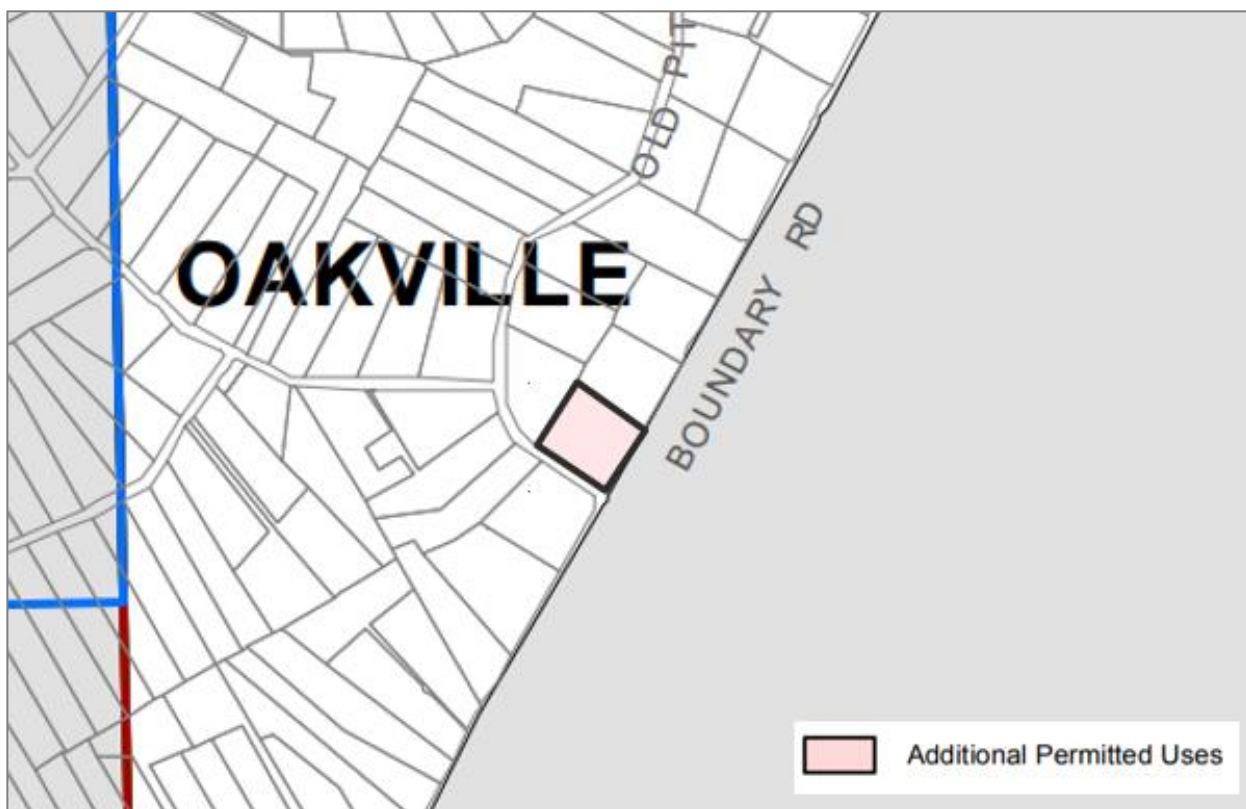
The Planning Proposal seeks to create the following maps in the Hawkesbury LEP 2012.

- Additional Permitted Uses Map -Sheet APU\_013

The following maps illustrate the mapping amendments proposed-

- Figure 17 – Proposed Permitted Uses Map (APU\_013)

**Figure 17 Proposed Permitted Uses Map (APU\_013)**



## **7 Part 5 - Community Consultation**

This Planning Proposal is considered to be low impact (in accordance with A guide to preparing local environmental plans' published by the Department of Planning) and requires to be publicly exhibited. The timeframe for the public exhibition and community consultation will be determined by DPIE. It is anticipated that the public exhibition would be notified through a local newspaper advertisement at the beginning of the notification period. It would also be advertised on Hawkesbury Council's website, as well as in writing to affected and adjoining landowners.

Consultation will also be held with relevant public authorities and agencies including, but not limited to the following:

- NSW Rural Fire Service (RFS);
- Transport for NSW;
- NSW Environment Protection Authority;
- Department of Primary Industries;
- Sydney Water
- Endeavour Energy
- Jemena Gas West

## 8 Part 6 - Project Timeline

**Table 3** outlines the projected timeframes for the Planning Proposal.

**Table 3** Project Timeline

<b>Part 6 - Project Timeline</b>	
<b>March 2023</b>	Lodge Planning Proposal with Hawkesbury Council
<b>April 2023</b>	Hawkesbury Council meeting to consider the Planning Proposal
<b>May 2023</b>	Gateway determination
<b>June 2023</b>	Anticipated timeframe for the completion of required technical information.
<b>June/July 2023</b>	Timeframe for government agency consultation (pre and post exhibition as required by Gateway determination)
<b>August 2023</b>	Public exhibition period
<b>August 2023</b>	Date for public hearing, if required
<b>September 2023</b>	Timeframe for consideration of submissions and lodgement of any additional information required
<b>October 2023</b>	Preparation of Council report / consideration of submissions following public exhibition
<b>October 2023</b>	Consideration of report by Council (Council meeting)
<b>November 2023</b>	Date of submission to the Department to finalise the LEP
<b>November 2023</b>	Anticipated date to make the plan (if delegated)
<b>December 2023</b>	Anticipated gazettal date



## 9 Conclusion

The Planning Proposal seeks to amend Hawkesbury LEP 2012 to add the Additional Permitted Uses of 'Service Station' and 'neighbourhood shop' at 745 Old Pitt Town Road, Oakville. The proposal will enable a service station and neighbourhood shop to become a permitted uses on the site. The proposal will provide an opportunity for development to occur on the site which will be utilised by the surrounding residential developments which are a part of the Sydney Regional Growth Centre, whilst enabling the existing rural residential premises to be maintained.

The Planning Proposal is consistent with adopted planning strategies and plans including:

- A Metropolis of Three Cities
- Our Greater Sydney 2056 - Western City District Plan
- Hawkesbury City Council Community Strategic Plan 2022-2042
- Hawkesbury Rural Lands Strategy
- Hawkesbury Employment Lands Strategy
- Hawkesbury Local Strategic Planning Statement
- Hawkesbury City Council Net Zero Emissions + Water Efficiency Strategy

Amending Hawkesbury LEP 2012, as proposed, will enable the appropriate use of the site for the benefit of the local community and will generate short term (construction) and long-term employment opportunities, without any significant or ongoing adverse effects.

It is therefore requested that Council resolve to support this Planning Proposal seeking an amendment as detailed in Part 2 of this Report and forward it to the Department of Planning, Industry and Environment for Gateway Determination.

# APPENDIX A

**Concept Plan**  
*Hazkem*

# APPENDIX B

## Service Station Demand Letter *Pearl Energy Pty Ltd*

# APPENDIX C

## Site Investigation Report *SMEC Testing Services Pty Ltd*



# APPENDIX D

## Ecological Constraints Assessment *Biosis*

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