



# **Attachment 1 to Item 199**

---

## **Draft LEP Review Planning Proposal Amendments**

Date of meeting: 22 November 2022  
Location: Council Chambers  
Time: 6:30 p.m.



### Attachment 1 - Draft LEP Review Planning Proposal

Proposed LEP Amendment	Feedback from Councillor Workshops	Feedback from LEP-DCP Reference Group	Amendments to Items/Additional Notes
3.1 Amendment of existing zone objectives of certain zones	Retain existing objectives as opposed to rationalising, and add new objectives	Support for retention of objectives and proposed additional objectives	To amend as a consequence of NSW Government Employment Zones Reform.  Retain in Planning Proposal with amendments to reflect new Employment Zones ie. Business (B) and Industrial (I) Zones becoming E Zones and new uses.
3.2 Amendment of Land Use Table to allow and remove certain uses from each zone	Support for the reviewed land use tables	Ensure land use definitions reflect Standard Instrument definitions in Planning Proposal, and be mindful that current LEP permitted uses are uses that aren't permitted in the same zones in other LGA's ie. opportunities available in Hawkesbury that aren't available in other LGA's	To amend as a consequence of NSW Government Employment Zones Reform.  Retain in Planning Proposal with amendments to reflect new Employment Zones ie. Business (B) and Industrial (I) Zones becoming E Zones and new uses.
3.2 (a) Sex Services	Support for proposed Sex Services provisions to ensure consistency and certainty	Support for proposed Sex Services provisions	Remove from Planning proposal as further work is currently being undertaken by the NSW Government regarding standardisation of LEP and DCP provisions for Sex Services Premises.
3.2 (b) Seniors Housing	Support for proposed Seniors Housing provisions particularly given broadscale changes to NSW Government legislation associated with the Metropolitan Rural Area	Support for proposed Seniors Housing provisions	Unchanged - Retain in Planning Proposal.

<b>Proposed LEP Amendment</b>	<b>Feedback from Councillor Workshops</b>	<b>Feedback from LEP-DCP Reference Group</b>	<b>Amendments to Items/Additional Notes</b>
3.2 (c) and (e) Secondary Dwellings (Urban and Rural)	Support inclusion of secondary dwelling LEP Clauses for both urban and rural context based on policy position of adopted Hawkesbury Local Housing Strategy	Raised potential concerns regarding increase in secondary dwellings in rural locations and increased stress on infrastructure and community facilities in those rural locations	Unchanged - Retain in Planning Proposal.
3.2 (d) Artisan Food and Drink Premises	Support for Artisan Food and Drink premises given particular opportunities in the Hawkesbury LGA	Support for Artisan Food and Drink premises provisions	Unchanged - Retain in Planning Proposal.
3.2 (f) Dual Occupancy (Attached & Detached)	Support inclusion of attached and detached dual occupancy dwelling LEP Clauses for both urban and rural context based on policy position of adopted Hawkesbury Local Housing Strategy	Raised potential concerns regarding increase in dual occupancy dwellings in rural locations and increased stress on infrastructure and community facilities in those rural locations	Unchanged - Retain in Planning Proposal.
3.3 Introduce Design Excellence Clause	Support for inclusion of Design Excellence provisions, but indicated a desire for such provisions to apply across the whole Hawkesbury LGA rather than town centres of Windsor, Richmond and South Windsor	Support and encourage future consideration of Design Excellence Provisions across LGA to set the bar higher in terms expectations for all design	Design Excellence Provisions in all other LGA's have been applied as an incentive based approach to achieving good design outcomes.  Unchanged - Retain in Planning Proposal.
3.4 Introduce B3 Commercial Core zone	Support, although concerns raised with respect to size and scale of town centres and not impacting upon the fabric of historic town centres	Support, but recommended that need to be mindful of Windsor as a Macquarie Town	To amend as a consequence of NSW Government Employment Zones Reform.  Retain in Planning Proposal with amendments to reflect new Employment Zones Reforms ie. Business (B) become E Zones.
3.5 Correcting spot zone anomalies within Richmond Town Centre	Support	Support, no particular comments made	Unchanged - Retain in Planning Proposal.
3.6 Rezoning certain land in Glossodia to R5	Support to rectify mismatch between existing R2 zoning and minimum lot size of 40Ha	Support, no particular comments made	Unchanged - Retain in Planning Proposal.

Proposed LEP Amendment	Feedback from Councillor Workshops	Feedback from LEP-DCP Reference Group	Amendments to Items/Additional Notes
3.7 Rezoning of Richmond Lowlands to RU1	Support based on recommendations of adopted Rural Lands Strategy, and no particular comments made during workshops	Support, no particular comments made	Unchanged - Retain in Planning Proposal.
3.8 Rezoning land in Windsor Station Precinct to B1 Neighbourhood Centre	Support – recognising the need to link the Windsor Town Centre with Windsor Train Station	Support	To amend as a consequence of NSW Government Employment Zones Reform.  Retain in Planning Proposal with amendments to reflect new Employment Zones Reforms ie. Business (B) become E Zones
3.9 Rezoning land adjacent to the Mulgrave Precinct	Support for proposal based on adopted Hawkesbury Employment Lands Strategy	Support	To amend as a consequence of NSW Government Employment Zones Reform.  Retain in Planning Proposal with amendments to reflect new Employment Zones Reforms ie. Business (B) become E Zones.
3.10 Correcting zoning anomalies within open spaces	Support	Support, no particular comments made	Unchanged - Retain in Planning Proposal.
3.11 10 Bridge Street, Windsor – removal of land acquisition	Support for amendment given acquisition no longer required by Transport for NSW	Support, no particular comments made	Unchanged - Retain in Planning Proposal.
3.12 Correction of Height of Buildings Map anomaly of South Windsor Town Centre	Support for amendments to rectify issue	Support, no particular comments made	Unchanged - Retain in Planning Proposal.
3.13 Minimum Lot Size provisions for larger RU1 and RU2 lots	Support based on recommendations of the adopted Rural Lands Strategy	Support, no particular comments made	Unchanged - Retain in Planning Proposal.

Proposed LEP Amendment	Feedback from Councillor Workshops	Feedback from LEP-DCP Reference Group	Amendments to Items/Additional Notes
3.14 Introduce Floor Space Ratio (FSR) provisions for R3, B1, B2, B3, IN1 and IN2 zones	Support based on considered need for certainty in terms of built form outcomes within these zones	Consideration of Floor Space Ratio versus density controls, and need for further analysis/investigation (urban design, population and economic viability) within centres ie. North Richmond & South Windsor distinct from Richmond and Windsor. This is to ensure clear intended outcomes, and prepare draft controls based on the outcome of further analysis.	Council is currently undertaking place plans for towns and villages, and it is recommended that this component be reconsidered following the completion of those plans.  Remove from Planning Proposal and reconsider following completion of town and place plans.
3.15 Adjust Heights of Buildings for B2 and B3 zones	Support, but concerns raised regarding potential impacts on size and scale of existing historic town centres	Should consider building height provisions in conjunction with Floor Space Ration versus density controls	Remove from Planning Proposal and reconsider following completion of town and place plans.
3.16 Amend Clause 4.1 Minimum Subdivision Lot Size and 4.1C Exceptions to Minimum Subdivision for rural and large lot residential zones	Support, but concerns raised as to how these provisions would be applied	Support, no particular comments made	Unchanged - Retain in Planning Proposal.
3.17 Introduce Architectural Roof Features Clause 5.6 provisions	Support, although concerns raised regarding increase in building heights in addition to other components of Planning Proposal that increase building heights	Support given clause will provide more opportunities to provide greater levels of articulation	Unchanged - Retain in Planning Proposal.
3.18 Reclassification of land 1913 & 1905 Bells Line of Road	Support for reclassification as matter had to be removed from previous housekeeping LEP Amendment	Support	Department of Planning and Environment have recommended processing this matter as an individual planning proposal in order to expedite it.  Remove from Planning Proposal and prepare an individual Planning Proposal for this component.

### Draft Hawkesbury Development Control Plan

Proposed DCP Chapter (Stage 1)	Feedback from Councillor Workshops	Feedback from LEP-DCP Reference Group	Amendments to Items/Additional Notes
1.Preliminary	Support	Support for performance based approach and highlighted that the draft represents a significant improvement from the current DCP	Stage 1 of the draft Hawkesbury Development Control Plan was publicly exhibited, but there were no comments/submissions received that require a change in the direction of approach in this respect.
2. Site Analysis	Support, but concerns raised with respect to reference to views and vistas (subjective)	Support and recognition this Chapter has in setting the basis for design considerations	Stage 1 of the draft Hawkesbury Development Control Plan was publicly exhibited, but there were no comments/submissions received that require a change in the direction of approach in this respect.
3. Heritage	Support for new chapter	Support but also highlight the need to include support material to assist property owners with heritage properties.  Also highlighted need for comprehensive review of LEP listings (current and new) to be completed	Stage 1 of the draft Hawkesbury Development Control Plan was publicly exhibited, but there were no comments/submissions received that require a change in the direction of approach in this respect.
4. Effluent Disposal	Support, but raised prospect of increasing standards associated with effluent disposal	Support, no particular comments made	Stage 1 of the draft Hawkesbury Development Control Plan was publicly exhibited, but there were no comments/submissions received that require a change in the direction of approach in this respect.
5. Traffic, Access, Street Design and Parking	Support, including for the Combined Western Sydney Design Manual	Support for Chapter and highlighted the benefits of having consistent engineering design requirements across Western Sydney	Includes adoption of Combined Western Sydney Design Manual.