

From: [Planning Portal - Department of Planning and Environment](#)
To: [DPE PS ePlanning Exhibitions Mailbox](#)
Cc: [DPE Riverstone East - Stage 3 Mailbox](#)
Subject: Webform submission from: Riverstone East Stage 3 Draft Indicative Layout Plan
Date: Wednesday, 13 March 2024 11:22:08 AM
Attachments: [wslhd-ce-letter-riverstone-east-stage-3-precinct-exhibition-2024.pdf](#)

Submitted on Wed, 13/03/2024 - 11:16

Submitted by: Anonymous

Submitted values are:

Submission Type

I am submitting on behalf of my organisation

Name

First name

Anita

Last name

Calderan

I would like my name and personal contact details to remain confidential

No

Info

Email

[REDACTED]

Suburb/Town & Postcode

Westmead 2145

Please provide your view on the project

I am just providing comments

Submission file

[wslhd-ce-letter-riverstone-east-stage-3-precinct-exhibition-2024.pdf](#) (125.6 KB)

Submission

Please see submission from Western Sydney Local Health District for your information.

I agree to the above statement

Yes

Comments: Riverstone East Stage 3 – draft precinct plan

Dear Executive Director Key Sites and Regional Assessment, Department of Planning, Housing and Infrastructure

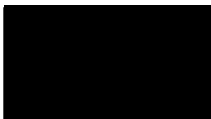
Thank you for providing the opportunity to comment on the Riverstone East Stage 3 – draft precinct plan.

The draft precinct plan including documents exhibited at [Riverstone East | Planning \(nsw.gov.au\)](https://www.nsw.gov.au/riverstone-east-planning) have been reviewed by teams within Western Sydney Local Health District. Detailed comments from the Centre for Population Health, Western Sydney Local Health District are attached (HPE 24/19605-3).

Confirming also that the future Rouse Hill Hospital will be located in The Hills Shire LGA, on the corner of Commercial and Windsor roads, Rouse Hill. The review of documents online noted references to presumably older Blacktown City Council and The Hills Shire documents that sited the future Rouse Hill Hospital as being in the Blacktown LGA (see pages 31, 32 and 40 at https://shared-drupal-s3fs.s3.ap-southeast-2.amazonaws.com/master-test/fapub_pdf/Social+Infrastructure+Needs+Assessment+.pdf

If you wish to obtain further information, please contact Anita Calderan, Director Health Services Planning, on mobile: [REDACTED]

Yours sincerely



Graeme Loy
Chief Executive

Date: 12/3/24

Cc: Dr Shopna Bag, Director Centre for Population Health, Western Sydney Local Health District

Comment: Riverstone East Stage 3 – draft precinct plan

Centre for Population Health
21 February 2024

HPE 24/19605-3

Executive Director Key Sites and Regional
Assessment, Department of Planning, Housing
and Infrastructure

Dear Executive Director Key Sites and Regional Assessment,

Western Sydney Local Health District (WSLHD), Centre for Population Health (CPH) welcomes the opportunity to provide further comment on the Riverstone East – Stage 3 Draft Precinct Plan, specifically the Explanation of Intended Effect (EIE) and Draft Development Control Plan (DCP).

CPH very much appreciated being invited to participate in the Project Control Group prior to public exhibition and would welcome this process in the future, as opportunities arise. We are pleased to see some CPH recommendations included and look forward to further involvement as plans progress.

In reviewing the EIE and DCP, CPH have identified some additional suggestions to further support the health of the community. We thank you for considering these suggestions outlined in the table below.

Explanation of Intended Effect

Page	Section	WSLHD, CPH comments and/or recommendation
6	Vision and design objectives	<p>CPH recommends explicit reference to health to acknowledge the connection between built and natural environments and the health of the community.¹</p> <p>CPH suggests the following amendments:</p> <p>The Vision - The precinct will support the sustainable development of housing to meet the needs of a <u>healthy</u>, well connected and diverse community....</p> <p>Objective 1 - Planning controls are integrated and enable <u>healthy</u>, environmental, economic, and socially sustainable development.</p>
34	2.11 Transport and Traffic	<p>CPH supports the focus on equitable access to connected walking, cycling and public transport routes and reducing private vehicle use.</p> <p>CPH reiterates the need for safe crossing points, <u>as close to the direct line of travel as possible</u>, along proposed walking and cycling routes.²</p>
37-38	2.12 Infrastructure Provision	<p>CPH supports the attention to urban heat through a 40% precinct tree canopy target, light colour roofs, wider verges for trees and preservation of mature trees as described in the EIE and DCP.</p> <p>CPH recommends that in addition to the above, the provision of renewable water and energy supplies be strongly advocated. These are also important components of an integrated approach to addressing urban heat.³</p> <p>Strengthening the statement about recycled water and adding a statement about installation (or design for install) of solar, inverter and battery systems are suggested.³</p>

Page	Section	WSLHD, CPH comments and/or recommendation
57	3.24 Affordable Housing	<p>CPH supports the requirement to provide 10% affordable housing within the precinct.</p> <p>CPH recommends specifying that the type, size and location of affordable housing consider the needs of the community including families, Aboriginal people, people with disabilities and older people.⁴</p> <p>CPH recommends specifying that housing be adaptable and accessible, to meet the needs of people as they age or their abilities change.⁴</p>

¹Better Placed, Government Architect NSW, 2023, page 16.

²NSW Health Healthy Built Environment Checklist, 2020 page 93.

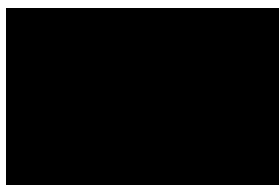
³Cool Suburbs, Western Sydney Regional Organisation of Councils, 2022, pages 17, 68 and 71.

⁴NSW Health Healthy Built Environment Checklist, 2020 page 97.

If required, the Centre for Population Health is willing to provide additional evidence or information in relation to our comments. We look forward to continuing our working relationship to improve the health and wellbeing of the people of Western Sydney.

For further information, please contact Elizabeth Leece: [REDACTED]

Yours sincerely,



Dr Shopna Bag
Director
Centre for Population Health, Western Sydney Local Health District



Our ref: DOC24/130307-8

Mr Tristan Kell
Director
Precinct Planning & Assessments
Department of Planning and Environment

By email: [REDACTED]

14 March 2024

Dear Tristan,

Thank you for the opportunity to comment on the Discussion Paper, Draft Indicative Layout Plan and Draft Development Control Plan (DCP) for Riverstone East Stage 3. We have also reviewed the technical reports associated with the documents: the Acoustic and Vibration Assessment, the Environmental Site Assessment (ESA), the Odour Assessment, and the Urban Design Report.

As per our earlier comments, we note that the licensed meat rendering facility, AJ Bush and Sons (AJ Bush), that is located within the Riverstone East Stage 3 precinct (EPL1100) may generate odour and noise, potentially causing adverse impacts on surrounding residential areas. The odour and noise impacts will potentially escalate should AJ Bush remain at the premises, while land surrounding it is developed for residential use.

The EPA notes that the draft precinct plan proposes to rezone AJ Bush from industrial to R2 - R4 low to high residential, SP2 – school, RE1 - public recreation for parks and SP2 - infrastructure. Furthermore, the Odour Assessment Report and the Acoustic and Vibration Assessment accompanying the draft precinct plan states that odour and noise generating activities will not be suitable within this precinct.

The EPA is aware that the proposed rezoning, in particular the rezoning of AJ Bush, should reduce the land use conflict, provided that the AJ Bush site is redeveloped in accordance with the proposed zoning. However, the EPA is aware that no commitment has been provided by AJ Bush on relocation nor have they indicated that they have identified an alternative suitable site to undertake their activities.

The EPA notes that the Discussion Paper and the Urban Design Report indicates that the NSW Government is currently working with AJ Bush to provide a suitable site. The EPA would like to reiterate the importance of this and request that DPHI confirm that this is occurring.

Based on our review of the information provided, we request that DPHI continue to consider the advice EPA has provided in relation to potential noise and odour impacts from AJ Bush.

Additionally, the EPA reiterates that there are a number of investigations into potentially contaminated land that should occur before rezoning. Whilst we understand DPHI's decision to

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rezone the industrial areas and recognise that there are constraints on undertaking contamination studies, the EPA continues to recommend that further investigations occur to ensure the land is suitable, or can be made safe, for the proposed zones and the uses permitted within them. Details of these recommendations are in **Attachment A**.

The EPA would be happy to meet and discuss these recommendations and potential ways forward.

If you have any further questions about this issue, please contact the Justin Hillis at

[REDACTED]

Yours sincerely,

[REDACTED]

Jacqueline Ingham
Unit Head
Strategic Planning Unit

Attachment A

Meat rendering facility – AJ Bush (EPL1100)

Odour issues

As you are aware, new residential developments surrounding the location of the AJ Bush facility presents a significant land use challenge due to the risk of adverse odour impacts from the facility. The draft precinct plan proposes to address this land use conflict by rezoning the land currently occupied by AJ Bush from industrial to residential, school, parks, and infrastructure.

The Urban Design Report notes that the rezoning assumes that this facility will relocate in the future. In addition, the Discussion Paper notes that it is expected that the odour generating activities will cease to operate as the precinct develops and the land with odour generating activities are redeveloped for urban purposes. The Paper also states that the NSW Government is exploring options to support the relocation of AJ Bush.

As addressing this land use conflict relies significantly on the redevelopment of the AJ Bush site to the proposed rezonings, the EPA requests that DPHI confirm that the NSW Government is exploring ways to support the relocation of AJ Bush.

Noise issues

Similarly, the Acoustic and Vibration Assessment accompanying the draft precinct plan states that noise generating activities will not be suitable within this precinct. The Assessment also indicates that there is likely to be a land use conflict if AJ Bush remains on the site while the land around it is developed for residential and other associated uses. As outlined above, the EPA requests that DPHI investigate and confirm that the NSW Government is working to support AJ Bush to relocate from its Riverstone location.

Contamination Issues

Contamination in relation to Lots 1 and 2 DP 218794 Junction Road

On 3 May 2023, we provided advice to DPHI on contamination issues, based on our review of the 2015 Detailed Site Investigation (DSI), the Environmental Appraisal 2017, and our review of aerial photos. Based on this we:

- noted that there appeared to be substantial changes to land identified for rezoning since previous investigations. It appeared that several buildings had been removed and the area in the south had been cleared.
- The parcel of land to the west of Windsor Road in Riverstone Basins F16.1 and F17.1 for the Junction Road site was also identified as highly contaminated in both the DSI and Environmental Appraisal 2017.
- advised that further investigation of material used to infill low-lying areas was required as this was likely to be contaminated with PAH, PCBs, TPH and asbestos.
- recommended that a Remediation Action Plan (RAP) be prepared, or reviewed, by a contaminated land consultant certified under either the Environment institute of Australia and

New Zealand's 'Certified Environmental Practitioner Site Contamination' (EIANZ) scheme or the Soil Science Australia 'Certified Professional Soil Scientist Contaminated Site Assessment and Management' (CPSS CSAM) scheme. The RAP should be prepared in accordance with relevant guidelines made or approved by the EPA under section 105 of the CLM Act.

The parts of Aurecon's Environmental Site Assessment (ESA) that cover Lots 1 and 2 DP 218794 Junction Road, that are currently on public exhibition, consist of a desktop-based assessment and do not include further assessment of contamination known to be present. While the ESA classifies the area as "high risk" and recommends that the land should be rezoned for purposes which do not intensify the existing land uses on the site due to its high-risk nature, it is understood that proposed new zoning may include C2 Environmental Conservation and RE1 Public Recreation. As RE1 is a potentially sensitive land use, it is still appropriate that additional detailed investigation be undertaken to fill existing data gaps in the conceptual site model. This is required to ensure that the new proposed land-use is appropriate.

If additional investigations identify that a RAP is required to make the land suitable for the intended use, an NSW accredited site auditor should be engaged to undertake a section B5 audit to determine if the land can be made suitable for a particular use (or uses) if the site is remediated or managed in accordance with the RAP. This will provide confidence to consent authorities, regulators, and the community that the proposed rezoning of this "high risk" area is appropriate.

Contamination issues for other areas of potential concern in the precinct, including AJ Bush

The exhibited Urban Design Report has identified that the AJ Bush site has a high risk of contamination, whilst the ESA notes this risk is moderate.

The EPA has previously advised that the soil sampling density in earlier intrusive investigations at the AJ Bush site (namely the entire DSI elements of the ESA), do not meet the minimum sampling density requirement outlined in the *Contaminated Land Sampling Design Guidelines* (NSW EPA, 2022). The consultant also notes that soil sampling was undertaken from boreholes (as opposed to test pits) as part of the investigation. This limits the certainty associated with risks in relation to some of the identified contaminants of potential concern (CoPC), including asbestos.

In addition, soil and water impacts from nutrients and microbial contaminants from the discharge of wastewater associated with the meat rendering facility were identified as CoPC but were not investigated. No surface water testing was undertaken at all despite there being the presence of multiple dams across the site. Animal wastes and diseases, due to the burial of animal carcasses at the site, cannot be ruled out as a cause for contamination issues, along with any unidentified underground storage tanks at the AJ Bush site.

Based on the known sampling methodology and low sampling density, and the unknown risks related to possible soil and water impacts from nutrients and microbial contaminants, the EPA considers that the current risk rating of "moderate" in the ESA for the AJ Bush site is premature.

The AJ Bush site is currently being used for industrial purposes. The proposed zones for the site include medium density residential (R3), with some high density (R4) and low density residential (R2) and SP2 and RE1 to include a possible school and recreational parks. Based on the gaps that remain from the ESA on public exhibition, there is insufficient information that the land in its current state should be rezoned for a much more sensitive land use.

To ensure that the contamination risk from the AJ Bush site is appropriately investigated and managed, the EPA recommends that prior to rezoning:

- An updated DSI be undertaken, which has full access to the AJ Bush site and includes investigations of all identified CoPC (including nutrients and microbial contaminants) in soils, groundwater, surface water and soil vapours (where considered appropriate).
- The DSI sampling and reporting comply with all relevant guidelines made or approved by the NSW EPA under section 105 of the *Contaminated Land Management Act 1997*.
- The DSI must include any recommendations for remediation or management that may be required to allow the site to be potentially used for the proposed re-zonings.
- Where remediation or management is considered necessary, a RAP should be developed to appropriately address the contamination.
- Where a RAP has been developed, a NSW accredited site auditor should be engaged to undertake a section B5 audit to determine if the land can be made suitable for a particular use (or uses) if the site is remediated or managed in accordance with the RAP.
- Where the DSI has determined that a RAP is not required to make the land suitable for the proposed future zonings, a NSW accredited site auditor should be engaged to complete a section **B1 audit** to determine the nature and extent of contamination and confirm they are satisfied with the conclusions that no remediation or future management of the contamination is required.

Our Ref: ID 2312

Your Ref:

14 March 2024

Gerard Caldwell
Department of Planning, Housing & Infrastructure
4 Parramatta Square
12 Darcy Street
Parramatta NSW 2150

email: [REDACTED]

CC: [REDACTED]

Dear Gerard,

**State Significant Development Application for Riverstone East Stage 3 Draft Indicative
Layout Plan**

Thank you for the opportunity to provide advice on the State Significant Development Application for the Riverstone East Stage 3 Draft Indicative Layout Plan, comprised of

- Low, medium and high density housing up to a maximum of 3600 new dwellings.
- Community facilities.
- Public open space.
- New primary and high school.
- Environmental conservation land.
- Associated infrastructure.

The NSW State Emergency Service (NSW SES) is the agency responsible for dealing with floods, storms and tsunamis in NSW. This role includes, planning for, responding to and coordinating the initial recovery from floods. As such, the NSW SES has an interest in the public safety aspects of the development of flood prone land, particularly the potential for changes to land use to either exacerbate existing flood risk or create new flood risk for communities in NSW.

The NSW SES recommends that consideration of flooding issues is undertaken in accordance with the requirements of NSW Government's Flood Prone Land Policy as set out in the Flood Risk Management Manual 2023 (the Manual) and supporting guidelines, including the Support for Emergency Management Planning and relevant planning directions under the *Environmental Planning and Assessment Act, 1979*. Some of the key considerations relating to emergency management are further detailed in Appendix A.

In summary we:

- **Note** the site is affected by flooding as frequently as a 50% Annual Exceedance (Probability) AEP event¹ with depths of up to 4m during a Probable Maximum Flood (PMF) event².
- **Support** in general the adoption of the proposed Flooding and Water Cycle Management DCP and proposed Additional Control³ and Special Flood Consideration⁴.
- **Request** clarification regarding the number of proposed dwellings requiring evacuation and any proposed evacuation routes for increased density in this location, as all major roads surrounding the site form part of current evacuation routes
- **Recommend** carefully considering the location of proposed increase in density of development and its associated increased risk to life and property as the site is impacted by both riverine and flash flooding with some areas of the site requiring evacuation⁵.
- **Recommend** including the time to overtopping of roads and the duration of isolation in the documentation.
- **Recommend** considering and managing the risks to visitors and users of the proposed outdoor green spaces and bushland which are subject to very frequent flooding⁶.

You may also find the following Guidelines, originally developed for the Hawkesbury Nepean Valley and available on the NSW SES website useful:

- [Reducing Vulnerability of Buildings to Flood Damage](#)

Please feel free to contact Claire Flashman via email at rra@ses.nsw.gov.au should you wish to discuss any of the matters raised in this correspondence. The NSW SES would also be interested in receiving future correspondence regarding the outcome of this referral via this email address.

Yours sincerely



Elsbeth O'Shannessy

Manager Risk Assessment Emergency Risk Management

NSW State Emergency Service

¹ Rhelm, 2023, Riverstone East Stage 3 – Flood Impact Assessment, Figure RG02-001 Post Development Peak Depth and Contours 50% AEP

² Rhelm, 2023, Riverstone East Stage 3 – Flood Impact Assessment, Figure RG02-007 Post Development Peak Depth and Contours PMF

³ Department of Planning, Housing and Infrastructure, Schedule Nine Riverstone East Stage 3, Section 3.2.1 Flooding and Water Cycle Management Additional Controls, Page 9

⁴ Department of Planning, Housing and Infrastructure, Riverstone East Stage 3 – Explanation of Intended Effect, Section 3.14 Special Flood Consideration, Page 46

⁵ Department of Planning, Housing and Infrastructure, Riverstone East Stage 3 – Explanation of Intended Effect, Section 2.4 Flooding and Water Cycle Management, Page 25

⁶ Rhelm, 2023, Riverstone East Stage 3 – Flood Impact Assessment, Figure RG02-001 Post Development Peak Depth and Contours 50% AEP

ATTACHMENT A: Principles Outlined in the Support for Emergency Management Planning Guideline⁷

Principle 1 Any proposed Emergency Management strategy should be compatible with any existing community Emergency Management strategy.

Any proposed Emergency Management strategy for an area should be compatible with the evacuation strategies identified in the relevant local or state flood plan or by the NSW SES. As per the Blacktown City Flood Emergency Sub Plan, evacuation is the primary Emergency Management Strategy⁸.

Principle 2 Decisions should be informed by understanding the full range of risks to the community.

Decisions relating to future development should be risk-based and ensure Emergency Management risks to the community of the full range of floods are effectively understood and managed.

Areas of the site are affected by flooding as frequently as a 50% AEP event⁹ with depths of up to 4m during a PMF event¹⁰. The site is *“affected by both mainstream flooding and overland flow including long duration backwater flooding from the Dyarubbin Hawkesbury-Nepean River, and flash flooding from First Ponds Creek and Killarney Chain of Ponds tributaries¹¹”*.

While much of the flood risk is confined to open space and bushland due to site design, the varied nature of flood risk on the site means careful consideration should be given to the location of residential development to reduce the risk to life and property.

The Riverstone East Stage 3 – Explanation of Intended Effect states *“Residential development and key roads critical to evacuation during flood events are to be located above the 0.2% AEP flood level.¹²”* And further states *“Areas subject to long duration backwater flooding from the Dyarubbin Hawkesbury Nepean River will require evacuation.”* We therefore request clarification on the proposed number of dwellings located in this area of the site which would likely require evacuation during larger flooding events up to and including the PMF as well as any proposed evacuation routes. Due to the existing flood risk and evacuation constraints

⁷ NSW Government. 2023. Principles Outlined in the Support for Emergency Management Planning Guideline

⁸ Blacktown City Flood Emergency Sub Plan, Endorsed September 2023, Section 5.8, Page 18

⁹ Rhelm, 2023, Riverstone East Stage 3 – Flood Impact Assessment, Figure RG02-001 Post Development Peak Depth and Contours 50% AEP

¹⁰ Rhelm, 2023, Riverstone East Stage 3 – Flood Impact Assessment, Figure RG02-007 Post Development Peak Depth and Contours PMF

¹¹ Department of Planning, Housing and Infrastructure, Riverstone East Stage 3 – Explanation of Intended Effect, Section 2.4 Flooding and Water Cycle Management, Page 25

¹² Department of Planning, Housing and Infrastructure, Riverstone East Stage 3 – Explanation of Intended Effect, Section 2.4 Flooding and Water Cycle Management, Flooding and Evacuation

across the Hawkesbury Nepean Valley, we strongly recommend avoiding placing additional people at risk of such flooding.

The proposed Special Flood Consideration is likely to manage some of the flood risk, which *“would apply to land between the flood planning area and the probable maximum flood, to:*

- *enable the safe occupation and evacuation of people subject to flooding,*
- *ensure development on land is compatible with the land’s flood behaviour in the event of a flood,*
- *avoid adverse or cumulative impacts on flood behaviour,*
- *protect the operational capacity of emergency response facilities and critical infrastructure during flood events”¹³*

Principle 3 Development of the floodplain does not impact on the ability of the existing community to safely and effectively respond to a flood.

The ability of the existing community to effectively respond (including self-evacuating) within the available timeframe on available infrastructure is to be maintained. It is not to be impacted on by the cumulative impact of new development.

Existing roads along all sides of the site form part of the current evacuation routes including the Windsor Road Route and the Hawkesbury Valley Way Route. Cumulative impacts of new development pose a risk to life to the existing and future community and emergency service resources in the future, including the converging evacuation traffic from the existing and proposed adjacent developments.

We also recommend including the duration of isolation for all types of flooding and the time to overtopping of roads within the documentation.

Principle 4 Decisions on redevelopment within the floodplain does not increase risk to life from flooding.

Managing flood risks requires careful consideration of development type, likely users, and their ability respond to minimise their risks. This includes consideration of:

- Isolation – There is no known safe period of isolation in a flood, the longer the period of isolation the greater the risk to occupants who are isolated.
- Secondary risks – This includes fire and medical emergencies that can impact on the safety of people isolated by floodwater. The potential risk to occupants needs to be considered and managed in decision-making.
- Consideration of human behaviour – The behaviour of individuals such as choosing not to remain isolated from their family or social network in a building on a floor above the PMF for an extended flood duration or attempting to return to a building during a flood, needs to be considered.

¹³ Department of Planning, Housing and Infrastructure, Riverstone East Stage 3 – Explanation of Intended Effect, Section 3.14 Special Flood Consideration, Page 46

Development strategies relying on deliberate isolation or sheltering in buildings surrounded by flood water are not equivalent, in risk management terms, to evacuation. In summary, 'shelter in place' strategy is not an endorsed flood management strategy by the NSW SES for future development. Such an approach is only considered suitable for existing dwellings where the risk of staying is lower than the risk of evacuating, without increasing the number of people subject to such risk/s.

Principle 5 Risks faced by the itinerant population need to be managed.

Any Emergency Management strategy needs to consider people visiting the area or using a development. As the proposed areas open space, community centres and schools are located adjacent to riparian corridors¹⁴ care should be taken to inform users of these areas of the potential flood risks, for example by using signage.

Principle 6 Recognise the need for effective flood warning and associated limitations.

An effective flood warning strategy with clear and concise messaging understood by the community is key to providing the community an opportunity to respond to a flood threat in an appropriate and timely manner. As the site is affected by both riverine flooding and flash flooding the availability of flood and severe weather warnings may differ across the site.

Principle 7 Ongoing community awareness of flooding is critical to assist effective emergency response.

In terms of the current proposal, the flood risk at the site and actions that should be undertaken to reduce the potential risk to life should be clearly communicated to all site users, for example through signage and emergency drills, during and after the construction phase, for the lifespan of the development.



¹⁴ ¹⁴ Department of Planning, Housing and Infrastructure, Schedule Nine Riverstone East Stage 3, Figure 3: Indicative Layout Plan, Page 8

15 March 2024

Our reference: 207648

Gerard Caldwell

Para Planner

Department of Planning, Housing and Infrastructure

[REDACTED]
[REDACTED]
[REDACTED]

RE: Draft Indicative Layout Plan for Riverstone East Stage 3

Thank you for notifying Sydney Water of the exhibition of the draft indicative layout plan (ILP) and Discussion Paper for Riverstone East Stage 3. The Discussion Paper proposed that this precinct will accommodate 3,600 dwellings, up from the previous 3,080 dwellings proposed by the DPHI in June 2023.

Having reviewed the updated dwelling yield and supporting documents, we have found that most of our comments, as outlined in our response letter, dated 30 June 2023 regarding Riverstone East Stage 3, remain consistent. It is worth reiterating that Sydney Water's servicing timescales have remained unchanged and we currently are aiming to service this accelerated development from **FY2028** if everything proceeds as planned.

Here are the key points we would like to highlight:

Growth Data

- We support government-back growth initiatives in principle and maintain regular communication with the DPHI and relevant teams to discuss growth forecasts for the Riverstone East Stage 3.
- It appears that growth numbers for the Riverstone East Stage 3 are yet to be finalised considering different base case scenarios. We await updated growth data to inform our planning accurately, preferably via the DPHI EPLUF team as a single source of data route we currently employ.
- Upon finalisation of the DPHI's growth data including staging for Riverstone East Stage 3 precinct, we will incorporate them into our dataset as well as other updated forecasts for the wider NWGA, which impact our servicing catchments.

Water Servicing

- The latest staging plan and yield, sent to Sydney Water on 9 June 2023 and revised on 13 June 2023, comprises 5 stages of which the majority are within the Rouse Hill water supply zone. 'Stage 2' lies within the Parklea WSZ.
- The recent growth servicing study identified that these water supply zones are **at capacity** and offer little opportunity to support significant growth pending planning studies and network amplification.
- Sydney Water is conducting a planning study for the wider NWGA including the subject precinct. The options assessment and determination of the preferred option is

programmed for completion in February 2025 and subsequent upgrade works required for drinking water are targeted for commissioning in **FY2028**.

- This date is subject to further reviews depending on the extent and complexity of the assets required. We will have more information we can share once we complete the study.

Recycled Water Servicing

- Sydney Water is currently investigating expanding the Rouse Hill Recycled Water system to include adjacent areas, including Riverstone East Stage 3. If recycled water servicing is provided, a Recycled Water Infrastructure Contribution (in addition to infrastructure contributions for water and wastewater) would be levied on all development. We anticipate the investigations including a cost-benefit financial assessment, including the impact of infrastructure contributions, to be complete in December 2024.
- Sydney Water supports recycled water and Integrated Water Cycle Management initiatives. Developments that take on board dual piping for alternative water sources offer opportunities in helping market viability for both public or private water providers and ensure recycled water usage can be optimised.

Wastewater Servicing

- The development is within the Riverstone Wastewater System and will discharge to the SP1154 pumping station via the First Ponds Creek Carrier Section 1 and Chain of Ponds Carrier.
- Currently SP1154 has **capacity constraints**. It is proposed to upgrade the pump capacity to service the surrounding precincts.
- Riverstone East stage 3 development, including the increased yield (identified following the Enquiry by Design workshop) can be considered as part of the SP1154 upgrade works.
- A Planning study to assess the network upgrade requirements has recently commenced, with options assessment and determination of the preferred option programmed for completion in February 2025. New and any amplified network infrastructure would then need to be constructed
- Sydney Water is carrying out a planning study for the wider NWGA including the subject precinct. The options assessment and determination of the preferred option is programmed for completion in February 2025 and subsequent upgrade works required for wastewater are targeted for commissioning in **FY2028**.
- This date is subject to further reviews depending on the extent and complexity of the assets required. We will have more information we can share once we complete the study.

Next Steps:

- To adequately plan for this precinct, Sydney Water requests DPHI advise on the growth number and a yearly breakdown of the growth in a format provided in the attached

growth data form in Appendix 1. We acknowledge that the timescales provided are indicative only and are subject to change.

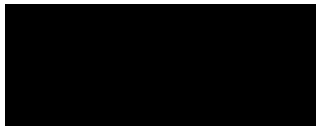
- Sydney Water commits to collaborating and providing timely updates on any changes or project updates.

Please consider this letter as guidance based on the most recent information available. Our advice may vary over time with new connections, development demand and changes in the local systems (especially where an approval letter/advice is more than 12 months old). We appreciate DPHI's continued engagement and updates to guide our planning processes.

We look forward to our ongoing collaboration on the proposed rezoning and servicing of this precinct. For any further information or questions, please contact the Growth Planning Team via

[Redacted contact information]

Yours sincerely,

A black rectangular redaction box covering the signature of Kristine Leitch.

Kristine Leitch

Commercial Growth Manager

City Growth and Development, Business Development Group

Sydney Water, 1 Smith Street, Parramatta NSW 2150

Appendix 1. Sydney Water Growth Data From

Appendix 2. Sydney Water Response Letter for Riverstone East Stage 3 (June 2023)

30 June 2023

Our Ref: 207648

Evelyn Ivinson

Principal Planner, Activation Precincts
Department of Planning and Environment

RE: Sydney Water comments on Riverstone East Stage 3

Thank you for consulting with Sydney Water regarding the proposed ILP and rezoning at Riverstone East Stage 3. The outcome of the Enquiry by Design workshop held in late May/early June 2023 has identified that this precinct will allow for 3,080 dwellings with first lots in 2026. Sydney Water has reviewed the proposed ILP and staging plan, and provides the following comments.

Previous forecasts, changes and impact on servicing advice

Until the latest staging plan and proposed yield were sent to Sydney Water in June 2023, our planning has relied on previous DPE forecasts for Riverstone East stage 3 precinct from November 2022. The 2022 data forecast a lower yield of 2,300 dwellings, as well as forecasts for first dwellings to be complete in FY2032. Email correspondence from Sydney Water to DPE in February 2023 confirmed that there were both water and wastewater constraints for this site based on the November 2022 data.

Similarly, our comments on the Infrastructure Gap Analysis in May 2023 confirmed that the Mott MacDonald Infrastructure report was not endorsed by Sydney Water, and as such should not be relied on for water related servicing information. At that time, we confirmed that the capacity and serviceability of existing trunk assets need to be reviewed and confirmed in the context of wider NWGA servicing. This is especially due to the surrounding precinct yields and growth rates exceeding 2017 LUIP dwelling cap numbers and SHSF annual forecasts. (see later section)

We acknowledge that since this date, Riverstone East Stage 3 was selected as an accelerated rezoning precinct. Proposed amendments in 2023 have included an increase of 780 dwellings, and a significant change to the forecast timeframe with first lots anticipated to be complete in July 2026 rather than 2032. This substantive change presents challenges in realigning our planning and delivery program for the area.

The development servicing advice provided below, is based on the best available information in response to the recent changes and is largely consistent with previous advice. Our advice can and will vary over time with new connections, development demand and changes in the local systems (especially where an approval letter/advice is more than 12 months old). We appreciate DPE's continued engagement and updates to guide our planning.

Water Servicing

The latest staging plan and yield, sent to Sydney Water on 9 June 2023 and revised on 13 June 2023, comprises 5 stages of which the majority are within the Rouse Hill water supply zone. 'Stage 2' lies within the Parklea WSZ. The recent growth servicing study identified that these water supply zones are at capacity and offer little opportunity to support significant growth pending planning studies and network amplification.

Wastewater Servicing

The development is within the Riverstone Wastewater System and will discharge to the SP1154 pumping station via the First Ponds Creek Carrier Section 1 and Chain of Ponds Carrier.

Currently SP1154 has capacity constraints. It is proposed to upgrade the pump capacity to service the surrounding precincts. Riverstone East stage 3 development, including the increased yield identified following the Enquiry by Design workshop, can be considered as part of the SP1154 upgrade works.

A Planning study to assess the network upgrade requirements has recently commenced, with options assessment and determination of the preferred option programmed for completion in February 2025. New and any amplified network infrastructure would then need to be constructed.

Recycled Water Servicing

Sydney Water is currently investigating expanding the Rouse Hill Recycled Water system to include adjacent areas, including Riverstone East Stage 3. If recycled water servicing is provided, a Recycled Water Infrastructure Contribution (in addition to infrastructure contributions for water and wastewater) would be levied on all development. We anticipate the investigations including a cost-benefit financial assessment, including the impact of infrastructure contributions, to be complete in December 2024.

Sydney Water supports recycled water and Integrated Water Cycle Management initiatives. Developments that take on board dual piping for alternative water sources offer opportunities in helping market viability for both public or private water providers and ensure recycled water usage can be optimised.

Comments on proposed staging to specific sub-precincts

We appreciate the provision of staging plans, as these allow us to assess the potential for some lots to be serviced ahead of others in capacity constrained areas.

Following the review of the latest yield and staging plan, we have determined that there are widespread area constraints for both drinking water and wastewater and there is little if any latent capacity in the system. As such we believe limiting dwellings to a specific area would be unlikely to allow for earlier provision of servicing.

Should DPE wish to further interrogate specific areas, DPE and its consultants can enter into arrangements with us to run specific areas within our hydraulic models. We could then peer review the outcomes. Please let us know if this is of interest to DPE.

Confirmation of timeframes for the Sydney Water program

Based on the November 2022 advice and development timeframes, water and wastewater planning studies for the wider NWGA commenced. The options assessment and determination of the preferred option for both drinking water and wastewater is programmed for completion in February 2025.

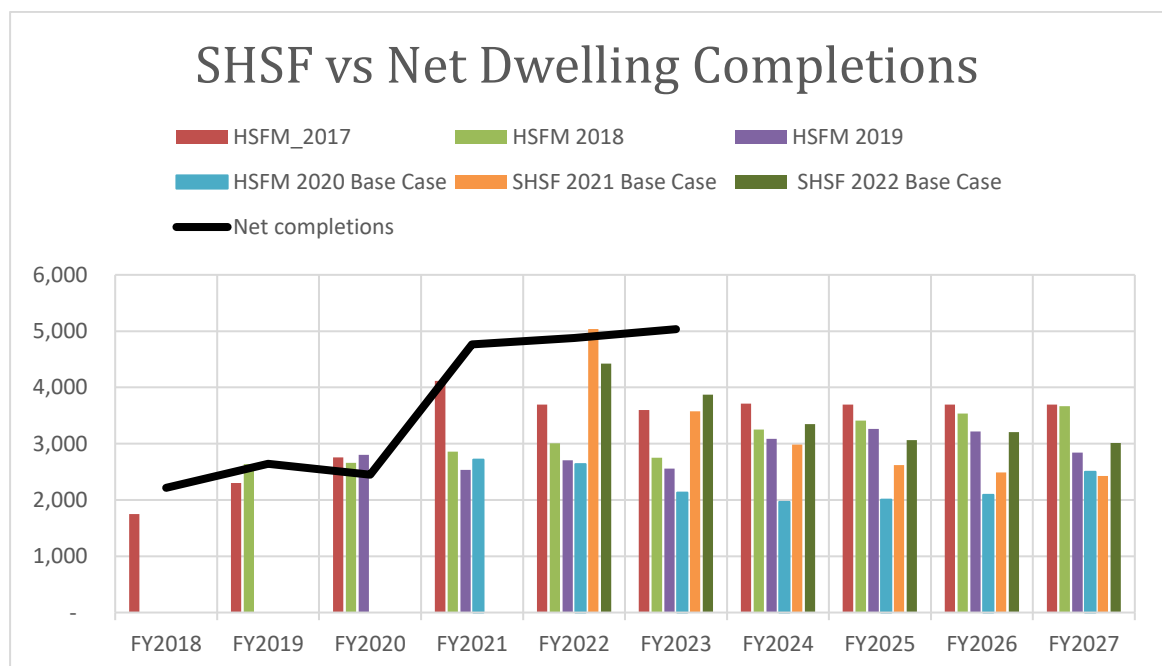
Subsequent upgrade works required for both drinking water and wastewater are targeted for commissioning in FY2028-2029. This date is subject to further reviews depending on the extent and complexity of assets required.

Once the upgrade works are complete, there would be adequate capacity to service the proposed 3,080 dwellings.

Servicing the wider NWGA

You have asked us to comment on the capability to support growth in the wider NWGA. In addressing this, it has become apparent that growth within the NWGA is exceeding both the SHSF annual forecasts, as well as the 2017 LUIIP dwelling numbers. This has led to a reduction in latent capacity and contributed to the capacity constraints in the area, including those for Riverstone East Stage 3. With respect to the data;

- From FY2021 onwards, there has been a sharp rise in completions within the NWGA area. This is shown in the below chart for the Riverstone wastewater system, but this trend is widespread within the NWGA and has had the same impact on water supply zones in the area.
- Using the HSFM2020 base case as an example, which was the latest DPE forecast used for our 2021 planning studies, there is likely to be 7,000 more dwellings completed between FY2021-FY2023 than the HSFM forecast suggested.



- It is also apparent that most precincts within the NWGA will exceed the 2017 LUIIP dwelling numbers. This has been recognised by DPE, GCC, Blacktown and The Hills Council however, to date, no formal revision of numbers have been provided. This has also impacted on the planning and servicing of the NWGA, as significant changes to planned dwelling numbers means that existing servicing strategies need to be re-assessed.
- Sydney Water met with DPE's Land-use forecasting team on 29 June 2023, where we discussed that dwelling numbers are likely to exceed the dwelling cap numbers by 50-60%. As a result, the DPE forecasting team are planning to undertake an assessment of the area, with the intention to provide revised growth numbers for the NWGA later this year.

- Sydney Water welcomes the provision of revised numbers by DPE, and these will support the planning work being undertaken by Sydney Water outlined earlier in this letter.

Requests and further comments

To adequately plan for this precinct, Sydney Water requests that the 3,080 dwellings identified in the latest ILP and staging information be treated as a maximum dwelling number.

Sydney Water would also like to request a yearly breakdown of the growth in a format provided in the attached Growth Information form. This will ensure that your anticipated annual yield is considered in our planning works. We acknowledge that the timescales provided are indicative only and are subject to change.

Sydney Water supports government-backed growth initiatives within our area of operations. We endeavour to provide services in a timely and prudent manner that delivers cost effective water and wastewater infrastructure whilst not impacting our current customer base economically, environmentally, or unduly impacting current service levels.

We look forward to continuing to work with you on the proposed rezoning and servicing of this precinct. If you require any further information, please contact the Growth Planning Team at

[Redacted contact information]

Yours sincerely,

[Redacted signature]

Wayne Jackson

Manager, Growth Planning & Commercial Frameworks
City Growth and Development, Business Development Group
Sydney Water

Department of Planning, Housing & Infrastructure
(Parramatta)
Locked Bag 5022,
PARRAMATTA NSW 2124
Australia

Your reference: N/A
Our reference: SPI20240215000015

ATTENTION: Gerard Caldwell

Date: Monday 18 March 2024

Dear Sir/Madam,

Strategic Planning Instrument
Draft SEPP – Exhibition
Riverstone East Stage 3 - Draft Indicative Layout Plan

I refer to your correspondence dated 15/02/2024 inviting the NSW Rural Fire Service (NSW RFS) to comment on the above Strategic Planning document.

The NSW RFS has considered the information submitted and provides the following comments.

Based on a review of the draft Indicative Layout Plan (ILP) and supporting documentation for the Riverstone East Stage 3 precinct, the NSW Rural Fire Service overall has no objections except for the following matters requiring further investigation:

- The location of the proposed community centres and their proximity to passive open space may require an Asset Protection Zone (APZ) up to 50 metres for public assembly buildings with a floor space area greater than 500m². In this regard, the NSW Rural Fire Service strongly recommends that the Council seek independent advice concerning the feasibility of the intended future use based on the requirements under section 8.3.11 of *Planning for Bush Fire Protection 2019*.
- The current land use zoning of the Junction Road Site allows for a larger residential area but appears to show a reduction under the draft ILP. Where it is assumed the teal-coloured area of the Junction Road Site could require future revegetation or rehabilitation, a future dwelling on Lot 1 in DP 218794 may be located in the flame zone. The Department of Planning should review this matter with the bush fire consultancy engaged for the precinct planning to determine a sizable development pad, preferably with BAL 29 setbacks as a minimum. This may include determining whether future APZs can be established in the teal-coloured area.
- The proposed Bush Fire Prone Land (BFPL) map must be undertaken under a separate process per the *Guide for Bush Fire Prone Land Mapping* under section 10.3 of the *Environment Planning & Assessment Act 1979*. Please contact our BFPL mapping team at BushFireProne.Mapping@rfs.nsw.gov.au for further information or instructions as amendments to the BFPL map do not form part of the strategic planning process.

Postal address

NSW Rural Fire Service
Locked Bag 17
GRANVILLE NSW 2142

Street address

NSW Rural Fire Service
4 Murray Rose Ave
SYDNEY OLYMPIC PARK NSW 2127

T (02) 8741 5555
F (02) 8741 5550
www.rfs.nsw.gov.au

For any queries regarding this correspondence, please contact Simon Derevnin on 1300 NSW RFS.

Yours sincerely,

Kalpana Varghese
Supervisor Development Assessment & Plan
Built & Natural Environment

Project:	Riverstone East Stage 3 - Final Technical Reports			
	Schedule Nine Riverstone East Stage 3 - Blacktown City Council Growth Centre Precincts DCP (February 2024) + ILP			
DCP (Feb 2024)	Reviewer	Report Section and Page Number or Drawing Reference	Comment	Direction (regarding comment)
ILP	Yanos Fill-Dryden	General	<p>1. Significant misalignment between the DCP and TfNSW's Network Planning in Precincts Guide, specifically;</p> <p>a. Supports creating low speed zones in the network that encourage walking and cycling, with crossing facilities every 130m and priority at intersections(NPPG p. 54). While, the DCP does identify individual 'quietways' with 30kmh speed limits and some priority pedestrian crossings – the extent is far lower than indicated in the Guide.</p> <p>b. Separated cycleways along the cycling network and on streets where the speed limit is higher than 30 km/h. Lack of dedicated cycling infrastructure on streets with Speed limits <30km/h. The DCP does not identify any separated cycling infrastructure.</p> <p>2. Significant misalignment between the DCP and the Western Sydney Street Design Guide, specifically</p> <p>a. Typical road cross-sections are all wider, and have higher speed limits – than the WSSDG.</p>	Consider aligning with TfNSW Network Planning in Precincts Guide.

ILP	Greater Sydney Integrated Public Transport Planning	General	A straight, direct bus route along Cudgegong Road between Schofield Road and Garfield Road East is preferred to improve service coverage in the area and to facilitate more efficient bus operations. In this regard, the intersection of Guntawong Rd and Cudgegong Road should be a 4-way intersection to avoid busses doing the off-set dog-leg turns into the precinct.	Where possible, DPHI is to consider and address
ILP	Greater Sydney Integrated Public Transport Planning	General	Guntawong Road will be used by buses in the future, also to serve the public school fronting Guntawong Road. Guntawong Road from Windsor Road to Hambledon Road should be bus capable to support future East-West bus services through the precinct.	Where possible, DPHI is to consider and address
ILP	Greater Sydney Integrated Public Transport Planning	General	To promote a greater degree of self-containment within the precinct for day to day needs, the precinct should include provision for commercial activities including local retailing, childcare centres, GPs etc.	Where possible, DPHI is to consider and address
ILP	Greater Sydney Integrated Public Transport Planning	General	There appears to be poor local street and pedestrian connectivity between the precinct and surrounding residential areas. Pedestrian access to schools and playing fields will be from wider catchment areas than the immediate precincts themselves. Shorter, more direct and quieter pedestrian links via local streets should be provided to encourage more children to walk and ride bikes to school and local playing-fields and playgrounds, rather than	Where possible, DPHI is to consider and address

			always being driven by their parents.	
DCP (Feb 2024)	Greater Sydney Integrated Public Transport Planning	General	Bus services will run along Garfield Road East and Windsor Road. Pedestrian connectivity into the precinct from bus stops on Garfield Road East and Windsor Road should be facilitated through a permeable pedestrian network, not just funnelled via higher-orders roads.	Where possible, DPHI is to consider and address
DCP (Feb 2024)	Greater Sydney Integrated Public Transport Planning	4.3 Movement Network and Design Page 31	TfNSW is seeking amendments to both DORAS and the Western Sydney Street Design Guidelines with regard to street design provisions for buses. Bus Capable Collector Roads as per Figure 18 are supported.	DPHI to consider and address
DCP (Feb 2024)	Greater Sydney Integrated Public Transport Planning	4.3 Movement Network and Design Page 31	Additional active transport connections with residential areas adjoining the Precinct would be recommended to facilitate more direct walking paths to schools etc via quieter local streets. The Precinct should be integrated with surrounding estates.	DPHI to consider and address
DCP (Feb 2024)	Greater Sydney Integrated Public Transport Planning	4.3 Movement Network and Design Page 32	Figure 16 Precinct road hierarchy should be amended to show the whole length of Guntawong Road being a Bus Capable Collector Road.	DPHI to consider and address
DCP (Feb 2024)	Greater Sydney Integrated Public Transport Planning	4.3 Movement Network and Design Page 37	Figure 21 - Consider providing indicative bus stop locations in the DCP to inform future provision and infrastructure requirements. Pairs of bus stops are generally	DPHI to consider and address

			provided about 400m apart along bus routes or where required elsewhere such as schools.	
DCP (Feb 2024)	Greater Sydney Integrated Public Transport Planning	4.3 Movement Network and Design Page 37	Figure 21 - There should also be local street, quiet way or shareway connections with residential areas adjoining the Precinct.	DPHI to consider and address

Riverstone East DCP Review_V2_TfNSW DORAS

1. Case for Change

1.1 Suggest the DCP covers that determining the street layout and types is a network AND **subdivision activity** that occurs concurrently. The lot frontages, housing type, net residential density, driveway frequency and on-street parking demand are major determinants of the street function and spatial design.

Suggest the innovation 'we no longer design the street hierarchy/network only as a map' could be added as a new blue box in The Case for Change.

2. Alignment with DORAS

2.1 Alignment with DORAS could also be more than nomenclature. To support the Design of Roads and Streets principle of **contextual design**, suggest the DCP emphasise the close coordination required between the street type choice/detailed design and the subdivision of lots or cadastral "Place" determinants. That is, the place consideration is not just about the public domain 'things' within the street reserve like trees, but integrated design along the street/lot interface.

2.2 Suggest the DCP mentions that the improved street types require more detailed design and coordination with driveways than conventional street types assumed to be the one simple condition along their longitudinal extent. In these new street types, the treatment of kerbside lanes varies along a street. This is why one section is not enough to convey the street design; a plan is necessary.

Suggest including advice: Does the subdivision development application include this level of street design detail? Assuming this estate is to be sold as house and land packages, when is this level of street coordination and kerbside lane detail determined: before or after sale of residential lots? Is driveway location attached to lot title with built form controls or determined by owner?

3. Proposed New Street Hierarchy

3.1 The street hierarchy needs to be determined with some knowledge of the intended lot subdivision. The spatial characteristics and post-occupancy success of residential way type is particularly sensitive to lot frontages and on-street parking demand.

3.2 Overuse of the Residential Way type to an extent not intended. Concern is overuse on too many through-streets may frustrate residents and complaints to Council that the streets are failing. Examples include the longer streets with a connectivity function continuing/linking to Neighbourhood Streets. Suggest revising some to Yield Streets. See map at end.

3.3 Has there been consideration for the continual change in posted speeds throughout the estate? Physical and character impacts of so many poles and signs? Should all streets (connector, neighbourhood and yield) be 30km/hr and residential ways 10km/hr?

4. Issues around the Yield Street type and Residential Way type

4.1 The suggested street reserves for Yield Street and Residential Way are the same, 16m. (DORAS shows Residential Way street reserve as 13-14m) Land developers could choose either treatment at a later time. Is that the intent?

4.2 The DCP suggests the only real difference between streets is Yield has kerbs and Residential Way is flush environment. In layout, despite being the 10km/hr environment, the Residential Way plan implies a two travel lane function, whereas the Yield Street at 30km/hr has the co-operative driving constraint of a single travel lane. On a Residential Way, residents will assume kerbside parallel parking is permitted not just in designated parking bays. Or will the Residential Ways need a lot of “No Parking” poles and signs and enforcement to create the intended outcome? Or should the plan show that kerbside parking will be permitted? Suggest revision of the Residential Way street design plan.

4.3 Linden Street Bella Vista is a Residential Way, not a Yield Street. The carriageway is a consistent ~5.5m. Suggest using some another ‘suburban context’ photo for Yield Street.

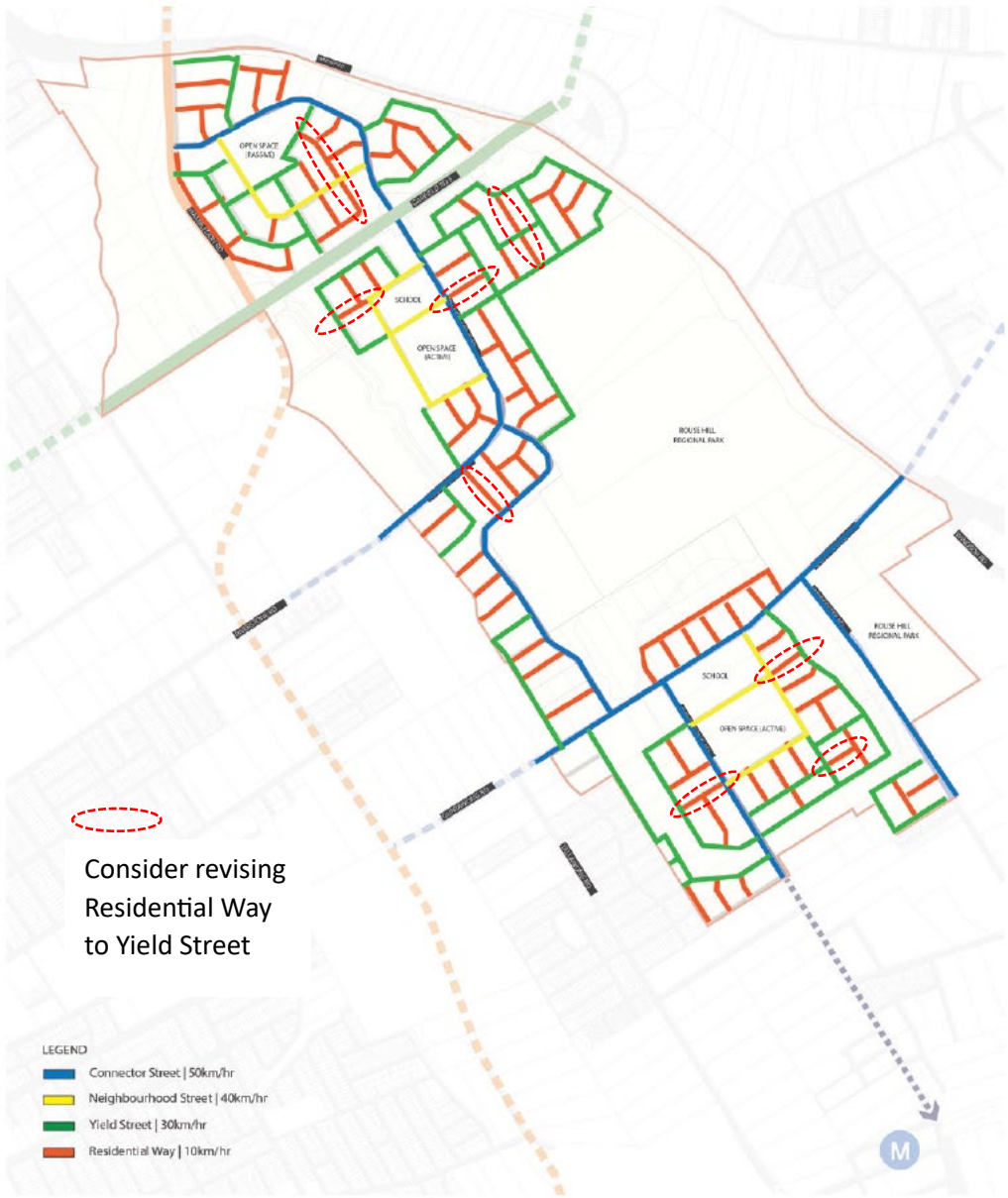
4.4 Eckersley Way Moorebank is a very atypical subdivision use of a Residential Way as it only has one side with lot frontages and the other is lot side boundaries. Suggest the Residential Way ‘suburban context’ example photo be revised. Suggest the Linden Way Bella Vista, or Bransby Place Mt Annan.

4.5 The Yield Street plan shows regular kerb extensions as a standard feature. These are only necessary in areas with large lot frontages and relatively low on-street parking demand. They add drainage, construction and sequencing complexity and cost to the street type that may be unnecessary. Suggest showing one with note as an optional element that depends on the cadastral place context?

5. Connector Street

5.1 Support the proposed updated cross section showing the new term “operating space” as 7.0m.

Proposed new street hierarchy





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GARFIELD ROAD

BLACKTOWN

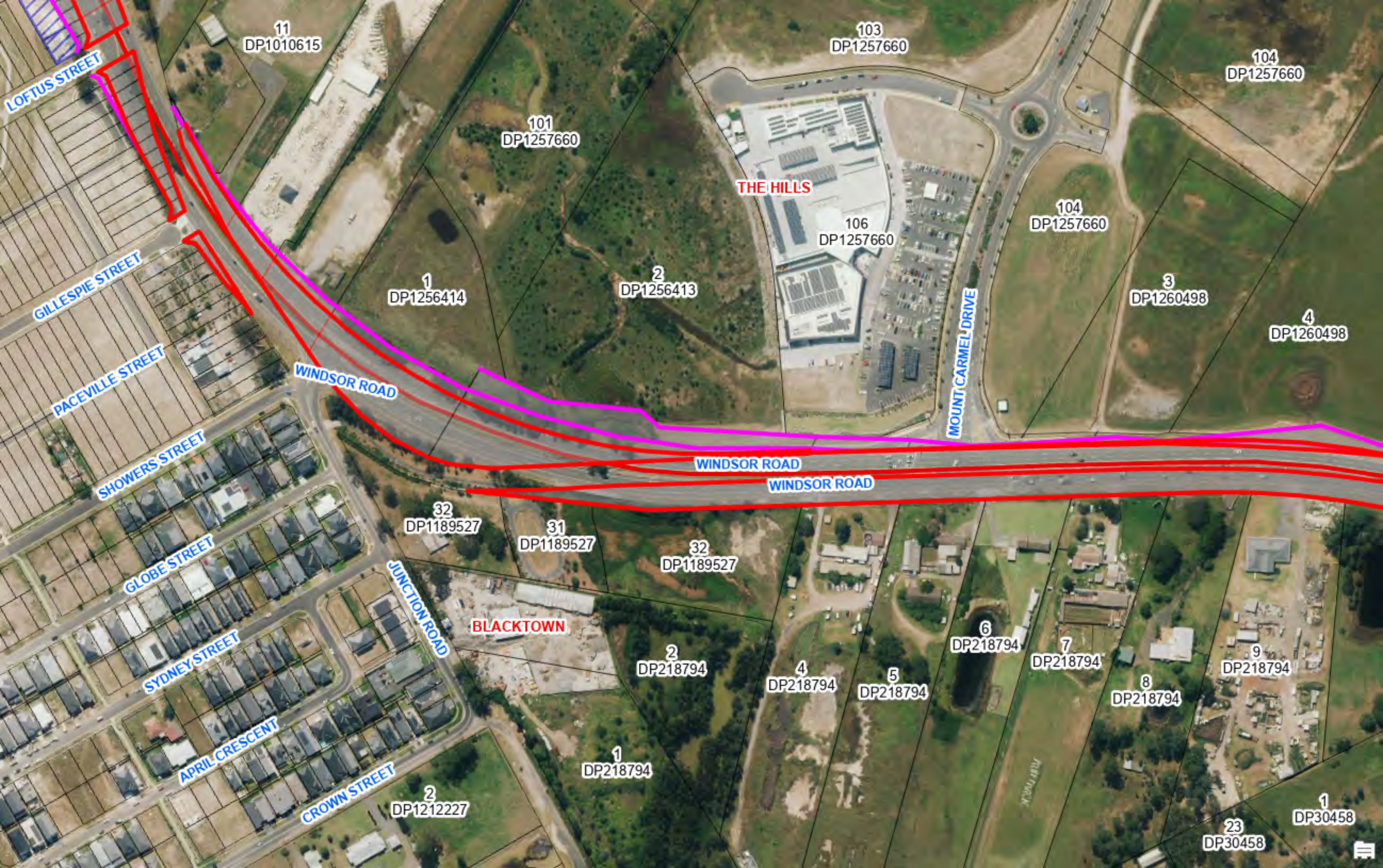
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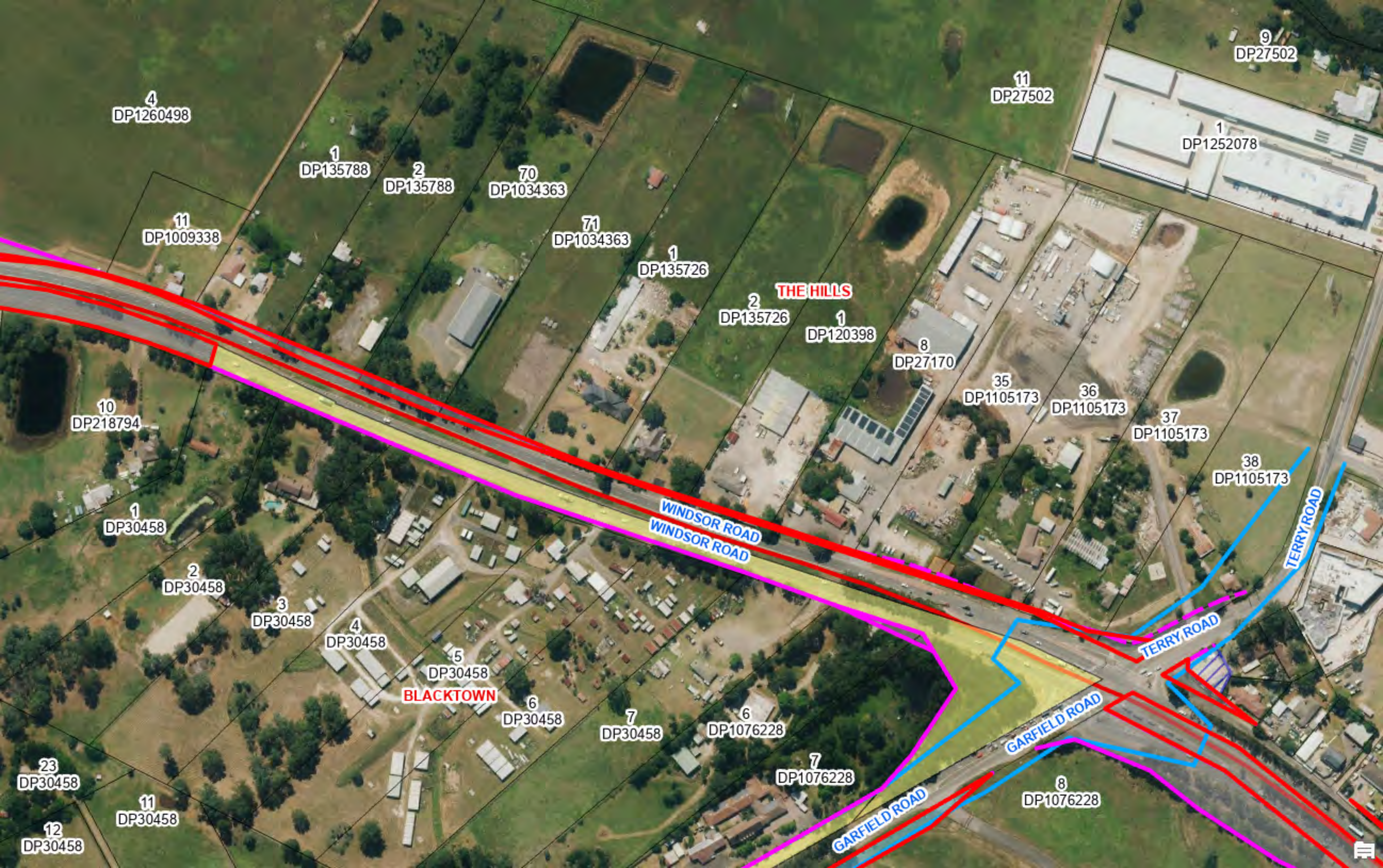
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GARFIELD ROAD

WINDSOR ROAD
WINDSOR ROAD









ALAN STREET

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BLACKTOWN

WINDSOR ROAD
WINDSOR ROAD

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NELSON ROAD

DRIFTWOOD STREET

FLOWER STREET

TERRAIN STREET

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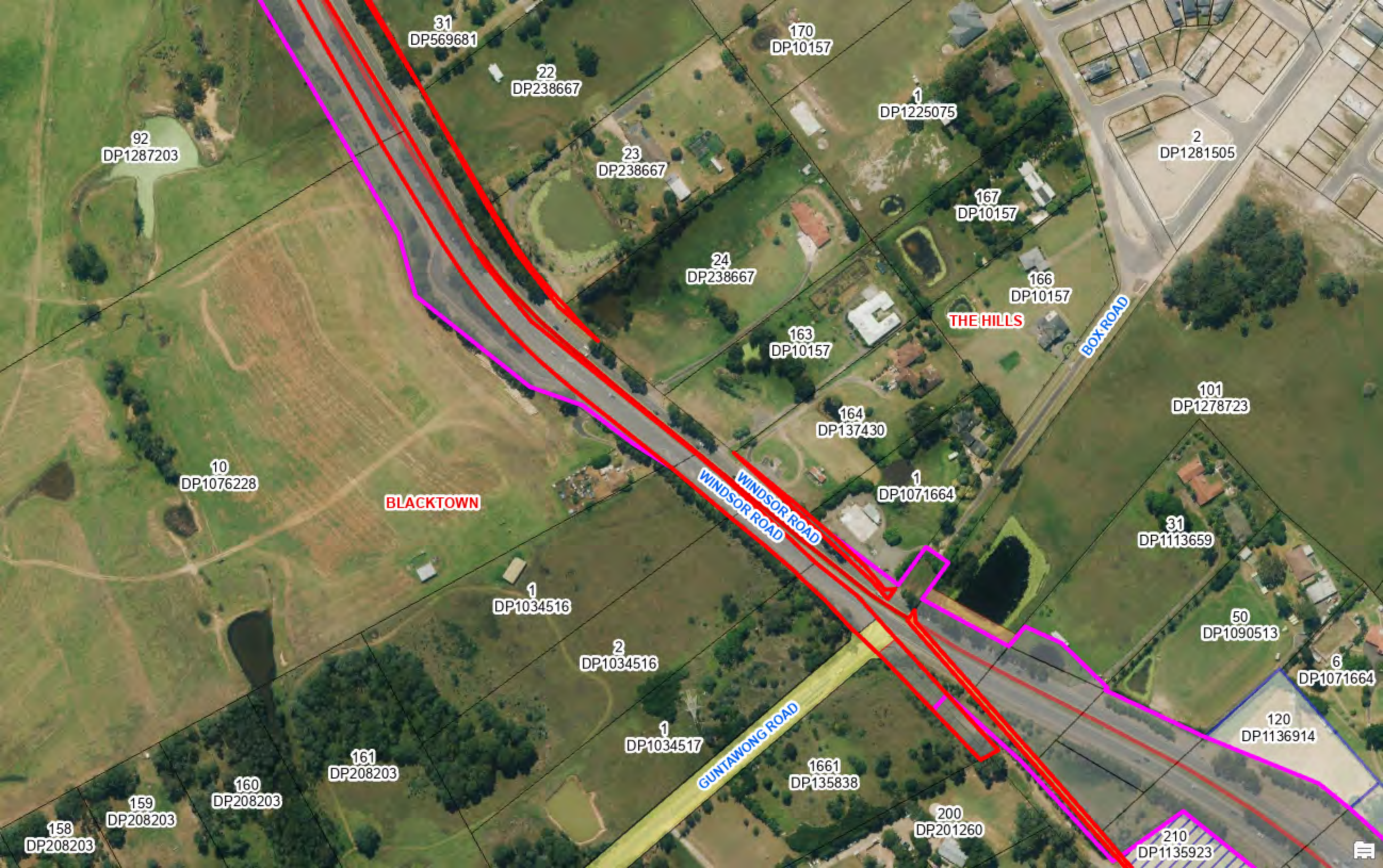
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THE HILLS



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THE HILLS

BOX ROAD

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GUNTAWONG ROAD

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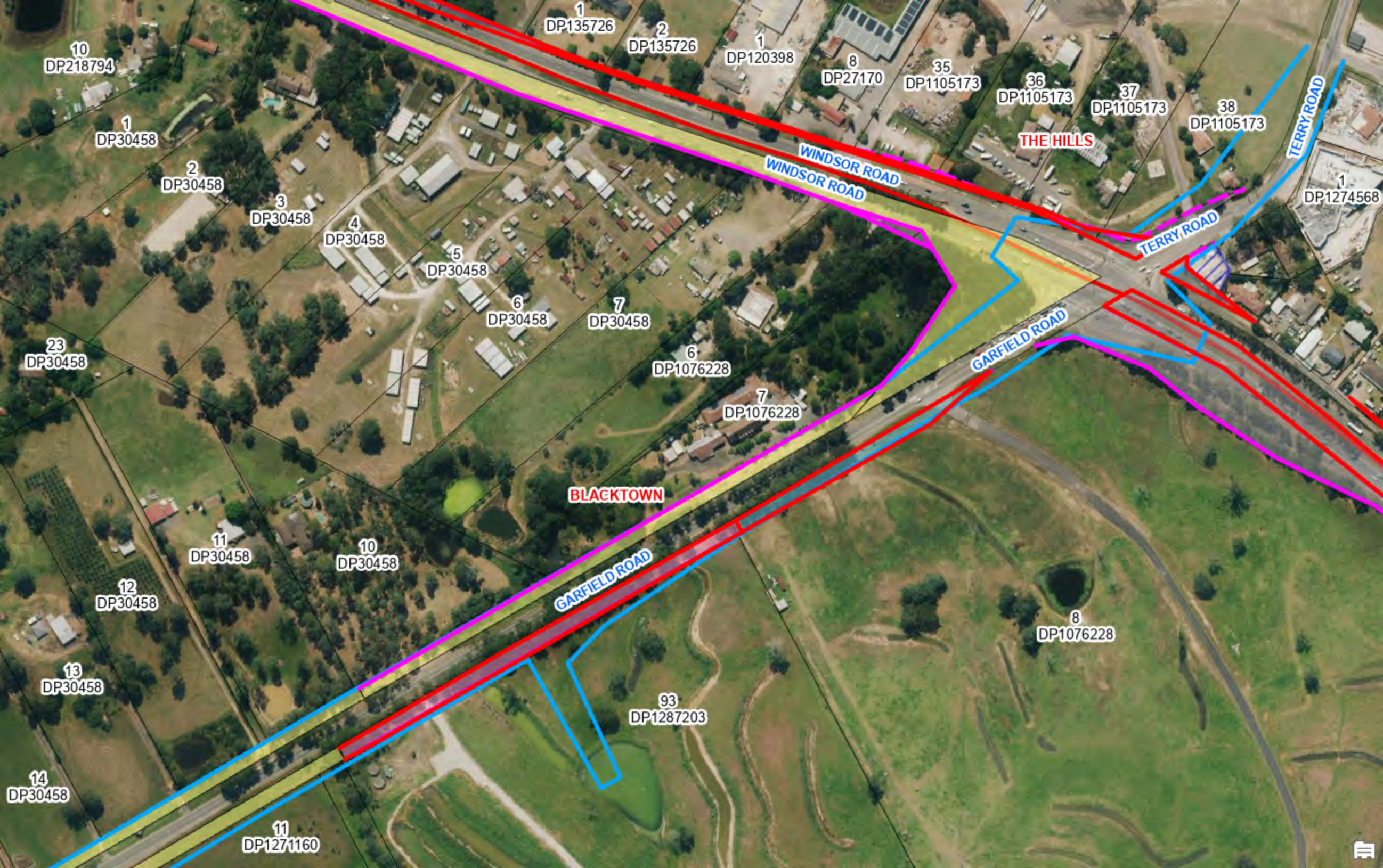
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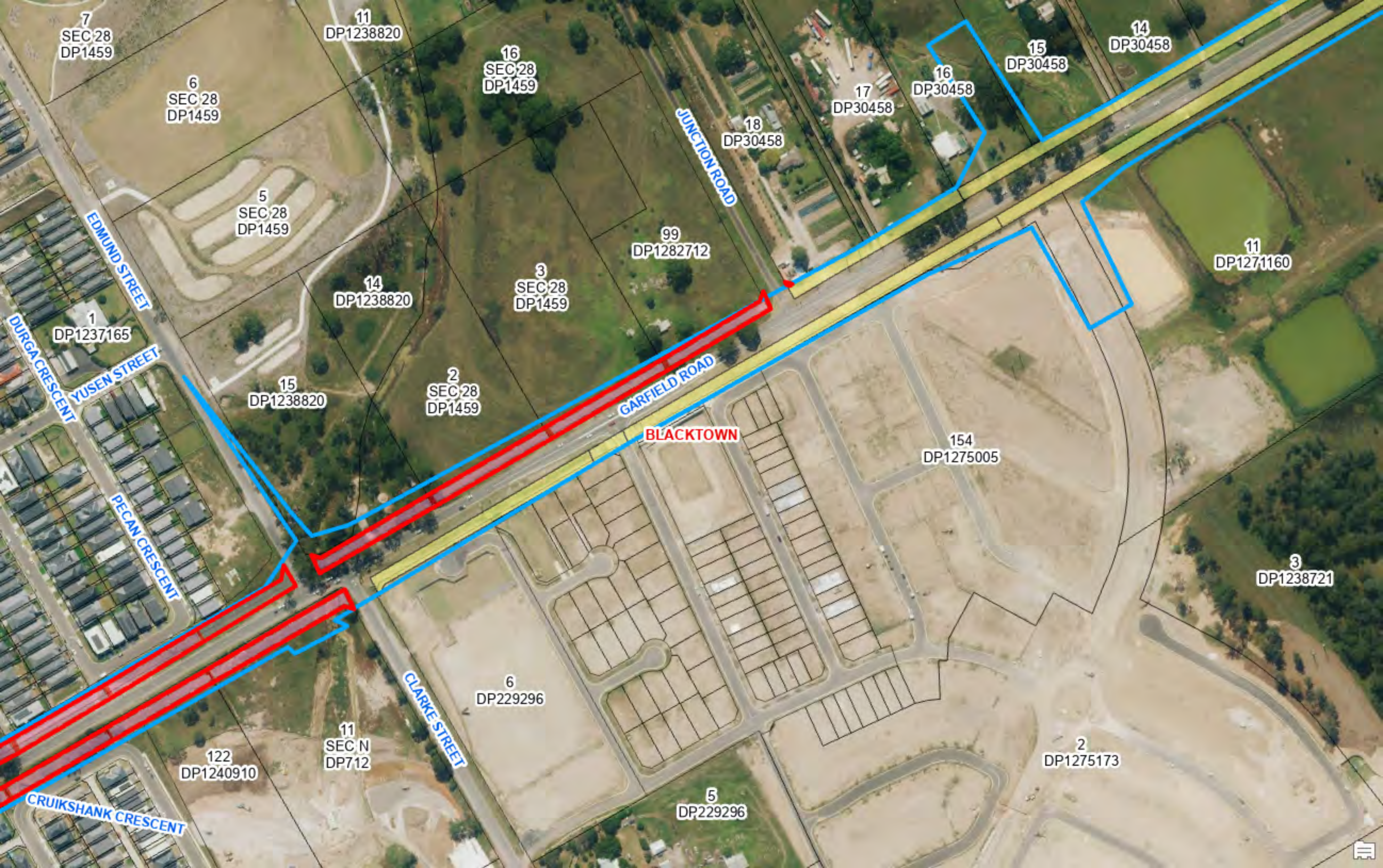
THE HILLS

WINDSOR ROAD
WINDSOR ROAD

TERRY ROAD
TERRY ROAD

GARFIELD ROAD
GARFIELD ROAD

TERRY ROAD



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JUNCTION ROAD

GARFIELD ROAD

BLACKTOWN

CLARKE STREET

EDMUND STREET

DURGA CRESCENT
YUSEN STREET

PECAN CRESCENT

CRUIKSHANK CRESCENT

File number: F20/1191

10 April 2024

Kiersten Fishburn
Secretary
NSW Department of Planning, Housing, and Infrastructure
PO Box
Parramatta NSW 2150

Attention: Ms Evelyn Ivinson

Dear Mrs Fishburn

Blacktown City Council submission on Stage 3 Riverstone East Integrated Layout Plan and Draft Development Control Plan

Blacktown City Council (Blacktown City) is pleased to provide this submission to the NSW Department of Planning, Housing, and Infrastructure (DPHI) on the following documents:

- Stage 3 Riverstone East Integrated Layout Plan (ILP)
- the Stage 3 Riverstone East Draft Development Control Plan (DCP)
- Explanation of Intended Effect.

Blacktown City is keen to work with the DPHI to ensure that the plans and policies for the Stage 3 Riverstone East Precinct (the Precinct) are implemented in a practical manner to achieve the planning vision and certainty for all stakeholders involved in the planning process.

1. Introduction

Blacktown City is the largest local government area (LGA) in NSW and its population is forecast to grow from 460,000 in 2023 to over 600,000 by 2041. The provision of housing in the LGA is critical to help address the prevailing housing affordability and rental challenges gripping Sydney and broader NSW.

Blacktown City supports the planned delivery of up to 3,600 dwellings in the precinct, supported by utility infrastructure and local amenities, for an estimated 11,000 people, all provided in a timely and coordinated manner.

Based on our previous experience in delivering precincts in the North West Growth Area (NWGA) we must not repeat the failures of the past, where:

- population growth has dramatically exceeded the originally planned population
- infrastructure and service provision has not been provided to a level that meets the needs of the population growth that has occurred.

These failures have been further aggravated by the poorly coordinated delivery of state infrastructure projects.

These are the learnings that we must factor into the planning of the Precinct and in the process attempt to remedy some of the mistakes of the past.

2. Future Planning of the Stage 3 Riverstone Precinct

Riverstone East Stage 3 enjoys close proximity to public transport and a distinct topography, both of which need to be factored into the planning of the Precinct. The planning challenge is heightened by virtue of:

- the deteriorating situation we are experiencing in relation to housing affordability and supply
- past failures in the provision of timely and adequate infrastructure
- the climate challenges we are facing and the need to incorporate a meaningful response to the urban heat island effect into the planning of the Precinct.

An integrated planning approach will help government respond to these opportunities and issues.

As one of the last greenfield housing release precincts in the North West Growth Area, there will be significant interest in the range of housing options that could be pre-planned across the site. Blacktown City, therefore, supports pre-planned diversity of housing types to allow all future residents to age in place.

We also support the ongoing and active involvement of the State Government in the development of the Precinct to help achieve a place outcome once the zoning plan, contribution plan and DCP are finalised. We must avoid situations that have befallen other release precincts in Sydney (Austral Leppington and Glenfield) which were rezoned by the State Government, only to see development stalled due to missing pieces of critical infrastructure. Infrastructure coordination is essential to achieve the planning vision for the Precinct.

Blacktown City is keen to implement key sustainability and urban heat island effect measures to respond to climate change, most notably the extreme heat in Western Sydney. Based on the notion of “cool suburbs”, Blacktown City supports strategies such as enhanced tree canopy, more permeable surfaces and the integration of the water cycle management into the urban planning process to lessen the associated health impacts of extreme heat. By including Urban Heat Island solutions into the planning and development of the Precinct, we can achieve more resilient and cooler suburbs which have higher levels of residential amenity.

Blacktown City is keen to collaborate with the DPHI to ensure the precinct plan delivers what the community needs. This includes a pre-planned supply of diverse housing, good quality infrastructure, useable public open space and local services that contribute to a high level of residential amenity in this part of the City of Blacktown. All whilst acknowledging, respecting and preserving the heritage of the area.

We understand that the DPHI has a timeframe to finalise the ILP prior to a final zoning plan, and endorsement of the DCP, which will be ultimately transferred to Blacktown City. Council understands our responsibility to participate in a responsible and constructive manner in the planning process. To this end Council will draw on the leanings of the past, complimented by current data and studies to ensure that we can bring a solutions-based approach to the finalisation of planning for the Precinct.

3. Our Submission

Our submission has been drafted based on the experience obtained by Blacktown City staff working on and delivering North West Growth Area greenfield precincts. This covers the design, planning and delivery of key infrastructure including major roads for State Government but also local infrastructure and services such as open space and public domain areas, community facilities and local roads.

Our submission is informed by a broad cross section of Council's environmental, planning and technical staff who have reviewed the key public exhibition documents and have helped shaped our key recommendations.

Fundamentally, we have a range of concerns with the planning approach that underpins the current suite of documents and have proposed 20 primary recommendations as well as over 90 secondary recommendations, plus map and DCP changes that we believe need to be addressed. As the primary deliverer of most of the infrastructure, future owner of large areas of public land and as well as being the consent authority for most proposed developments, it is our public duty to seek significant change to what has been presented. We will work with the DPHI to seek best outcomes with a collaborative approach to deliver what is best for the Blacktown City community.

Our submission is arranged to include our primary recommendations on the ILP which are provided in attachment A, along with a justification for each recommendation which are listed under key headings. Importantly, we have specified what stage the recommendations should be enacted, prior to and after the rezoning of the precinct.

We have also identified secondary recommendations with the ILP provided as attachment B. These are less critical but require resolution between Blacktown City and the DPHI, prior to and where necessary following the rezoning.

attachment C contains specific plan and map changes which will need to be addressed prior to finalisation. Whilst attachment D contains changes to the Stage 3 Riverstone East DCP.

4. Our Primary recommendations

4.1 The primary recommendations are provided below under key headings.

Infrastructure Coordination

- a) That the DPHI forms a Project Control Group based on an Urban Development Program model that oversees the coordinated delivery of state and local infrastructure to support the roll-out of housing and development in the precinct.

Implementation – Prior to rezoning and following rezoning

- b) That the DPHI directs Transport for NSW (TfNSW) to deliver a road delivery program for the Precinct (refer to Recommendation No.1) to better align with housing delivery.

Implementation – Prior to rezoning and following rezoning

- c) That the DPHI seeks Sydney Water's commitment for the delivery of critical water and sewer infrastructure as identified in the Utilities Infrastructure Servicing Report Riverstone Stage 3, 2023 to support housing release in the Precinct which may occur earlier than 2028.

Implementation – Prior to and following rezoning

- d) That the DPHI seeks TfNSW commitment to deliver a public transport infrastructure program (refer to Recommendation No.1) in order to respond to the public transport travel demands for residents as they move into the Precinct.

Implementation – Prior to rezoning and following rezoning

4.2 Forecast Population

- a) That the DPHI undertakes a more thorough investigation of the predicted housing numbers and resulting population in the precinct.
- b) That the DPHI works with Blacktown City to amend the ILP and DCP where required if the review highlights a potential higher housing yield.

Implementation – Prior to rezoning

4.3 Open Space and Recreation

- a) That the DPHI meets with Blacktown City's Recreation Planning and Design team to collectively review the public open spaces provision (active and passive use) shown in the draft ILP.

Implementation – Prior to rezoning

- b) That the DPHI provides an accurate maximum population estimate to help calculate the public open space provision, based on a 2.83 ha/1,000 people benchmark, to ensure that proposed public open space will be accessible, safe, useable, unconstrained and offer maximum recreational opportunity for future stakeholders.

Implementation – Prior to rezoning

- c) To ensure all residents have equitable access to quality indoor and outdoor spaces to live healthy and active lifestyle, DPHI must work with Blacktown City on the total public open spaces provision of 2.83 ha/ 1,000 people (60% active and 40% passive) covering the provision, design, maintenance, and operational guidance, which are provided in *Council's Recreation and Open Space Strategy*.
- d) That the DPHI provides cross and long sections for the proposed passive and active open spaces.

Implementation – Prior to rezoning

4.4 Contamination

- a) That the DPHI must complete a Stage 2 Contamination Assessment and Remediation Action Plan (RAP) for all land proposed for public open space and that any risks are communicated to Council prior to the transfer.
- b) Should Blacktown City identify that the RAP actions for an identified land parcel will be at significant cost, Blacktown City may refuse the land transfer, or request DPHI to provide a different open space solution in the Precinct.

Implementation – Prior to rezoning

4.5 Property Matters

- a) That the DPHI works with Blacktown City to achieve the orderly redevelopment of the precinct by resolving identified property issues (severance and fragmentation) with the ILP and mapping issues identified in attachment C.

Implementation – Prior to rezoning

4.6 Urban Heat Island Effect (Subdivision)

- a) That the DPHI establishes a Project Reference Group to refine the existing ILP to develop a more integrated approach to the planning and development of the Stage 3 Riverstone East Precinct based on Urban Heat Island solutions. Reference documents for this work include the WSROC Cool Suburbs Tool Kit and the joint Transport for NSW - Western Sydney Planning Partnership review of Engineering Guidelines.

Implementation – Prior to rezoning

4.7 Affordable housing

- a) That the DPHI works with Council on the delivery of a pre-planned range of suitable affordable housing measures in the precinct once a regional approach and strategy becomes clearer.

Implementation – Prior to and after rezoning

4.8 Non-Indigenous Heritage

- a) That the DPHI reviews and adopts the recommendations in the Non-Indigenous Heritage Assessment with a view to:
 - i. include those additional items identified in the Heritage Assessment within the SEPP.
 - ii. provide formal heritage recognition and protection for the Rouse Hill School Building.
 - iii. implement heritage controls outlined in the Heritage Assessment within the Growth Centres DCP to protect the curtilage, views, and significance of the State significant Rouse Hill House, Farm and School along with conserving the other identified locally significant heritage items within the precinct.

Implementation – Prior to rezoning

4.9 Applicability of other State Government Housing policies

- a) That the DPHI confirms to Blacktown City the applicability of key draft and final State Government Housing policies as they relate to the Precinct.

Implementation – Prior to rezoning

4.10 Location of Precinct Planning Provisions

- a) That the DPHI confirms with Council about where the precinct provisions will be captured in key planning legislation. In this regard, it is Council's preference that they be incorporated into the Blacktown Local Environment Plan 2015. This will facilitate a movement towards the consolidation of planning controls into fewer documents and thereby assist users of the planning system.

Implementation – Prior to rezoning

4.11 Specific issues with the ILP and DCP

- a) That the DPHI works with Blacktown City to resolve outstanding issues identified in attachment B prior to rezoning of Stage 3 of the Riverstone Precinct.

5. Broader issues with the North West Growth Area

Whilst our submission focusses on the ILP and DCP, Blacktown City reserves the right to raise additional unresolved issues which affect the broader North West Growth Area with the DPHI separate to this public exhibition process. In doing so Blacktown City also notes that the resolution of these wider North West Growth Area issues may impact on the planning provisions contained in the ILP zoning plans in relation to Riverstone East Stage 3.

Blacktown City therefore requests a meeting with representatives of the DPHI to further present our concerns with the future planning and infrastructure provision in the NWGA.

6. Conclusion

Blacktown City appreciates the opportunity to provide comment on the planning documents that will govern future development in the Stage 3 Riverstone Precinct. There is a great opportunity to collaborate with the DPHI in providing a planning outcome that will achieve the planning vision, provide a high level of amenity for future residents and create a place that provides what the community needs in this part of the LGA.

If you would like to discuss this matter further please contact our Acting Manager Strategic Planning and Economic Development, Ms Helen Budd, on [REDACTED] or at [REDACTED]

Yours faithfully

[REDACTED]
Kerry Robinson OAM
Chief Executive Officer

[REDACTED]
Peter Conroy
Director Planning and Development

Attachments:

- A. Primary Recommendations on ILP
- B. Secondary Recommendations on ILP
- C. Mapping changes to the ILP
- D. Proposed changes to the DCP

Cc: Caitlin Elliot
Acting Director Precinct Planning and Assessment
Department of Planning, Housing and Infrastructure
[REDACTED]

Attachment A – Primary Recommendations

Potential Recommendation	Justification
<p><i>Infrastructure Coordination</i></p> <p>Recommendation 1.1 That DPHI forms a Project Control Group based on an Urban Development Program model that oversees the coordinated delivery of state and local infrastructure to support the roll-out of housing and development in the Precinct.</p> <p>Implementation – Prior to and following rezoning</p>	<p>There is a significant amount of state infrastructure needed for the Stage 3 Riverstone Precinct (the Precinct) which includes water and sewer, state roads, public schools, and public transport infrastructure. This state-based infrastructure will be delivered by Sydney Water, Transport for NSW (TfNSW), and Schools Infrastructure NSW, as well as Blacktown City with some projects. Blacktown City is not clear about the programmed delivery of some key state infrastructure, which could lead to poor infrastructure coordination to support growth.</p> <p>Blacktown City understand that DPHI has been investigating a pilot project that could lead to greater coordination between state government agencies, as well as Blacktown City and individual developers (as required), with the delivery of key release precincts in Sydney.</p> <p>Known as an Urban Development Program (UDP), this innovative approach seeks better alignment between development and infrastructure through agency coordination to deliver a quicker planning outcome at a precinct.</p> <p>Blacktown City recommends that to avoid the mistakes made with other release precincts, DPHI adopts a UDP process for the planning of the Precinct. This will significantly enhance the opportunity to achieve better planning outcomes, greater collaboration between state and local governments in providing infrastructure for an emerging population. It could allow for the increased potential for developer led infrastructure which is delivered as housing is provided.</p> <p>A Project Control Group (PCG) comprising senior executives from state government and Blacktown City, would oversee development in the Precinct and unlock blockages which are stalling growth. The PCG would identify priority infrastructure for the Precinct and then seek funding from general revenue and any funds obtained from the Special Infrastructure Contribution for the NWGA and/or Housing Productivity Contribution. The PCG would also involve developers to identify state and local infrastructure that can be delivered by Works-in-Kind.</p> <p>We cannot continue to have a misalignment between development and infrastructure if we are to respond to the housing affordability crisis. The use of a</p>

Potential Recommendation	Justification
	UDP, governed by a PCG, could see a better planning outcome at the Precinct, which is needed to meet the housing demands a growing population in the LGA.
<p><i>Infrastructure Coordination</i></p> <p>Recommendation 1.2 – That DPHI directs Transport for NSW to deliver a road delivery program for precinct (Refer to Recommendation No.1) to better align with housing delivery.</p> <p>Implementation – Prior to and following rezoning</p>	<p>Stage 3 Riverstone Precinct has reasonable access to regional roads including Garfield Road East and Windsor Road, which will be the location of future access points to the Precinct.</p> <p>Blacktown City understands that TfNSW has a road delivery program for the NWGA (refer here), which includes Garfield Road (East and West) and Denmark Road. However, it remains unclear when key road projects such as Garfield Road East and to a lesser extent Denmark Road, will be delivered to support the redevelopment in the Precinct.</p> <p>At the Glenfield Priority Precinct and Mamre Road Employment Precinct, development has been stalled due to that critical missing piece of state road infrastructure that is needed to support development.</p> <p>To avoid a similar situation to what has occurred elsewhere, TfNSW needs to provide a road delivery program to support the planning of the Stage 3 Riverstone East Precinct.</p> <p>This Precinct PCG (refer to Recommendation No.1) would then monitor development to achieve better coordination with the delivery of state roads matched with housing development in the Precinct.</p>
<p><i>Infrastructure Coordination</i></p> <p>Recommendation 1.3 – That DPHI directs Sydney Water commits to the delivery of critical water and sewer infrastructure as identified in the <i>Utilities Infrastructure Servicing Report Riverstone Stage 3, 2023</i> to support housing release in the Precinct which may occur earlier than 2028.</p> <p>Implementation – Prior to and following rezoning</p>	<p>Blacktown City acknowledges the findings identified in the Utilities Infrastructure Technical Report (<i>Servicing Utilities Infrastructure Servicing Report Riverstone Stage 3</i>).</p> <p>This report identifies the high priority of the delivery of wastewater and potable water by Sydney Water which is planned for 2028-29 based on a preferred strategy to be completed by Sydney Water in 2025. To provide housing in the Precinct, an upgrade to the Riverstone Wastewater Treatment Plant, Rouse Hill Recycling Plant and Sydney Water Reservoir will be needed by 2028-29.</p> <p>The Sydney Water planning strategy presents a potential challenge, as Precinct development sites may move forward shortly after the rezoning. This may require Sydney Water upgrades to be brought forward.</p>

Potential Recommendation	Justification
	In accordance with Recommendation No.1, Sydney Water needs to play an active role as part of Precinct PCB with the coordinated infrastructure servicing of the Precinct. This will allow better oversight by Sydney Water with the pace of development, which may require an early delivery of proposed upgrades to water and sewer infrastructure.
<p><i>Infrastructure Coordination</i></p> <p>Recommendation 1.4 – That DPHI directs TfNSW to deliver a public transport infrastructure program (Refer to Recommendation No.1) to respond to the public transport travel demands for residents as they move into the Precinct.</p> <p>Implementation – Prior to and following rezoning</p>	<p>Riverstone East has moderate access to existing public transport which includes Tallawong Metro Station, one (1) kilometre from the Precinct’s southern boundary and bus routes along existing state and local roads both within and adjoining the Precinct.</p> <p>Blacktown City contends that the delivery of key public transport infrastructure should not be an afterthought, which has been the experience of other precincts in the NWGA, at the Marsden Park Precinct (Elara).</p> <p>There is an opportunity to enable equitable access to public transport for future residents and a reduction in private vehicles dependency. This could occur by ensuring public transport infrastructure provided in a staged manner as housing is released. This approach will also prevent a retrofit to existing roads once they are upgraded, which can see a poorer quality outcome, higher cost and less use of public transport overall.</p> <p>In accordance with Recommendation No.1, TfNSW as the responsible agency, needs to plan for and implement a program that delivers key public transport infrastructure in a coordinated manner as housing is released in the Precinct.</p>
<p><i>Forecast Population</i></p> <p>Recommendation 1.5 – That DPHI to undertakes a more thorough investigation of the predicted housing numbers and resulting population in the Precinct.</p> <p>Recommendation 1.6 – That should the review highlight potential higher housing yield, that DPHI works with Blacktown City to amend the ILP and DCP where required.</p> <p>Implementation – Prior to rezoning</p>	<p>The <i>NWGA Land Use and Infrastructure Implementation Plan, 2017</i> identified a potential dwelling capacity of 2,300 dwellings for Stage 3. Following detailed investigations and technical studies this capacity was increased to 3,100-3600 dwellings. Based on current occupancy rates (3 persons / dwelling), this could mean that up to 11,000 people could be moving into the Stage 3 Riverstone East Precinct over the next 10 years.</p> <p>Whilst there has been a change in housing demand since 2017, it has been the experience of Blacktown City that the predicted housing targets are typically well</p>

Potential Recommendation	Justification
	<p>below the reality of what is developed in the NWGA precincts. This is due to a resulting denser housing form and a higher overall population in each precinct.</p> <p>In some cases, this has led to an appalling design outcome, such as what occurred with the Bathla Development at Schofields. This dense development outcome has resulted in dwellings having no front yards, with residents exiting their front door directly onto a shared zone driveway.</p> <p>Blacktown City is concerned that design loopholes in the DCP will lead to a denser housing form in the Precinct and a greater number of residents than what is currently predicted. This could place added pressure on the level of service infrastructure, increased contributions to provide services, excessive travel demand, overuse of open space and future residents travelling out of the Precinct to get health and community services.</p> <p>Prior to the rezoning, DPHI should work with Blacktown City to determine a more accurate housing target for the Precinct based on low, medium, and high growth scenarios. This could include the option to impose a Development Cap for housing in the Precinct. This assessment should look at market trends, housing designs and types, recognising the rise of intergenerational housing which is occurring with some demographic groups in the LGA. By closely matching future housing with anticipated demand, it will help both Blacktown City and state agencies better plan for the Precinct.</p> <p>Once the review is completed, DPHI and Blacktown City should then confirm what changes are necessary to the ILP and DCP to better match the service demands of a future population. This will give greater confidence to Blacktown City, as both a consent authority and a provider of most of the service infrastructure, to meet the needs of future population in the Precinct.</p>

Potential Recommendation	Justification
<p><i>Open space and recreation</i></p> <p>Recommendation 1.7 - That DPHI meets with Blacktown City's Recreation Planning and Design team to collectively review the public open spaces provision (active and passive use) as shown in the draft ILP.</p> <p>Implementation – Prior to rezoning</p>	<p>Blacktown City has strong concerns with the provision and usability of public open space proposed in the ILP and along with its potential to be delivered in a feasible and reasonable manner. These concerns have been previously communicated to DPHI and as per our previous comments (May 2023 to 14 March 2024) our position has not changed.</p> <p>Whilst it is acknowledged that the expansion of the Rouse Hill Regional Park will occur with the ILP, Blacktown City is concerned that without the remaining precincts being delivered in the NWGA (Marsden Park North), there will be an overall deficiency of active and passive open space in this part of the LGA to cater for a future population.</p> <p>The 2.83 ha/ 1,000 people (60% active and 40% passive) is the benchmark which Blacktown City applies for open space provision, but it remains unclear if it matches the demands of the population in the Precinct and broader area.</p> <p>Blacktown City therefore requests that DPHI must collectively review the public open spaces provision (active and passive use) shown in the draft ILP.</p>
<p><i>Open space and recreation</i></p> <p>Recommendation 1.8 - That DPHI provides an accurate maximum population estimate to help calculate the public open space provision based on a 2.83 ha/1,000 people benchmark.</p> <p>Implementation – Prior to rezoning</p>	<p>Blacktown City considers that there is a discrepancy in maximum population estimate across the set of technical documents, currently on public exhibition by DPHI. This should not occur with the Stage 3 Riverstone East Precinct, which has occurred with other precincts in the NWGA.</p> <p>Blacktown City demands that all public open space be designed, developed, and delivered based on the principles of accessibility, safety, and usability to ensure maximum recreational opportunity for future stakeholders.</p>

Potential Recommendation	Justification														
<p><i>Open space and recreation</i></p> <p>Recommendation 1.9 -To ensure all residents have equitable access to quality indoor and outdoor spaces to live healthy and active lifestyle, DPHI must work with Blacktown City on the total public open spaces provision of 2.83 ha/ 1,000 people (60% active and 40% passive) covering the provision, design, maintenance, and operational guidance, which are provided in Council's Recreation and Open Space Strategy.</p> <p>Implementation – Prior to rezoning</p>	<p>Based on <i>Table ES.2: Population Estimates, Maximum Scenario, Demographic and Housing Analysis</i> prepared by <i>Atlas Economics</i>, dated August 2023. Council has used the maximum population figure for public open space calculation. This will necessitate key recreational facilities needed for a future population.</p> <p>Blacktown City recognises that there are several open space parcels located within the Precinct, which Blacktown City will be responsible for. It is the view of Blacktown City that the open space provision needed for the Precinct will not allow residents equitable access to quality indoor and outdoor spaces.</p> <p>Blacktown City requests DPHI to cater for the following active recreational facilities for the estimated 11,159 people who will live in the Precinct.</p> <table border="1"> <thead> <tr> <th>Recreational Type</th><th>Blacktown City requirements</th></tr> </thead> <tbody> <tr> <td>Quantity of sport fields required</td><td>min 3x cricket full size fields, 4x soccer, 2x rugby league, 1x softball training, 4x oztag (or) 1 x athletics</td></tr> <tr> <td>Quantity of outdoor courts required</td><td>4x multipurpose courts, 4x tennis, minimum 100 m from residential housing</td></tr> <tr> <td>Passive Park minimum size required</td><td>min 3,000 sqm</td></tr> <tr> <td>Playspace required</td><td>min 6 nos. (min 500m walking distance (medium to low density), 200m walking distance (high density))</td></tr> <tr> <td>Fitness stations =</td><td>min 1 every 1.5 kms radius</td></tr> <tr> <td>Dog offleash area</td><td>min 1 every 3 kms radius</td></tr> </tbody> </table> <p>Based on our review of the amount of passive open space required, a minimum of 12.6 ha (40% of total open space) is required. However, Blacktown City cannot determine whether the 36.51ha proposed by DPHI will be accessible, safe, useable, unconstrained or offer any recreational opportunity.</p> <p>Blacktown City is also unclear regarding the design requirements for sportsgrounds and playing fields which also include ancillary features such as car parking, amenities building and supporting infrastructure. The orientation of sportsfields, which must be on a north – south alignment, and the provision of a level surface is</p>	Recreational Type	Blacktown City requirements	Quantity of sport fields required	min 3x cricket full size fields, 4x soccer, 2x rugby league, 1x softball training, 4x oztag (or) 1 x athletics	Quantity of outdoor courts required	4x multipurpose courts, 4x tennis, minimum 100 m from residential housing	Passive Park minimum size required	min 3,000 sqm	Playspace required	min 6 nos. (min 500m walking distance (medium to low density), 200m walking distance (high density))	Fitness stations =	min 1 every 1.5 kms radius	Dog offleash area	min 1 every 3 kms radius
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Potential Recommendation	Justification
	<p>also important to demonstrate that an open space site will be accessible, safe, useable, unconstrained.</p> <p>Blacktown City must be assured that these issues have been addressed prior to the finalisation of the zoning plan, so that the future active and passive recreational needs of the community can be provided for in a timely manner once development occurs.</p>
<p><i>Open space and recreation</i></p> <p>Recommendation 1.10 That DPHI provides cross section and long sections for the proposed passive and active open spaces.</p> <p>Implementation – Prior to and following rezoning (where necessary)</p>	<p>The Precinct has a varying landform with topographical challenges. To allay any concerns regarding the deliverability of proposed open space, Blacktown City requests further clarification in relation to the playing field the cut and fill required, land shaping infrastructure (example batters, retaining walls etc.)</p> <p>Blacktown City is also concerned on how this will impact on accessibility, feasibility, and usability of the proposed public open space (active and passive use).</p>
<p><i>Contamination</i></p> <p>Recommendation 1.11 That DPHI completes a Stage 2 Contamination Assessment and RAP for all land proposed for public opens space that any risks are communicated to Blacktown City prior to transfer.</p> <p>Recommendation 1.12 Should Blacktown City identify that the RAP actions for an identified land parcel will be at significant cost, Blacktown City may refuse the land transfer or request DPHI to provide a different open space solution in the Precinct.</p> <p>Implementation – Prior to rezoning</p>	<p>Blacktown City is concerned about the level of potential contamination within the Precinct arising from previous rural uses, the illegal burying of contamination and hazardous material and from illegal dumping.</p> <p>As a local council and property owner, Blacktown City is under no obligation to receive dedicated land which has not been properly verified, for public open space, especially if that land provides a risk to the ultimate users of the land. Blacktown City has previously accepted the zoning of contaminated land, which was not verified for public uses, a risk that could have resulted in a significant cost to Blacktown City had appropriate actions not been taken.</p> <p>Blacktown City is also concerned that there has not been enough investigation to give confidence that a site (nominated for open space or other public uses e.g., drainage, community facilities) is free from contamination.</p> <p>Blacktown City therefore requests DPHI to complete a Stage 2 Contamination Assessment and accompanying Remedial Action Plan for each land parcel nominated for open space. This must occur prior to any requirement provided in</p>

Potential Recommendation	Justification
	<p>the Zoning Plan that stipulates that Blacktown City must acquire open space land from private owners due to hardship cases.</p> <p>Blacktown City should not be forced into a position where they must take on all the risk associated with contaminated land, which could come at significant cost and lead to a poor planning outcome when housing is delivered.</p>
<p><i>Property Matters</i></p> <p>Recommendation 1.13 That DPHI works with Blacktown City to achieve the orderly redevelopment of the precinct by resolving identified property issues (severance and fragmentation) with the ILP and those mapping issues identified in Attachment C.</p> <p>Implementation – Prior to rezoning</p>	<p>Blacktown City has several property-related concerns with the ILP that must be addressed before the Precinct plan and rezoning plan are finalised. This includes the following issues:</p> <ul style="list-style-type: none"> • potential lot severance and fragmentation • proposed road widths adjacent to key residential properties. • some lots having no direct access to the public road network. <p>Blacktown City contends that DPHI needs to work in a collaborative manner to address all property related issues prior to finalisation of the rezoning plan. Blacktown City has a well-established property database that could assist DPHI deliver a more accurate ILP. This will prevent the potential for substantial rework when planning for infrastructure and development takes place and property lot boundaries are verified.</p> <p>Whilst individual property issues will continue to emerge as the Precinct is delivered, adopting a proactive response should help to address major issues prior to development occurring. It could also lead to a more seamless delivery of linear infrastructure, which typically requires a Blacktown City to acquire multiple land parcels of varying sizes.</p> <p>We have also identified mapping issues in Attachment C which must also be worked through.</p>
<p><i>Urban Heat Island Effect and Sustainability</i></p> <p>Subdivision Design</p> <p>Recommendation 1.14 That DPHI establishes a Project Reference Group to refine the existing ILP to develop a more integrated approach to the planning and</p>	<p>The Urban Heat Island (UHI) effect occurs because urban environments tend to trap more heat than natural environments. Heat (mostly from the Sun) is absorbed by building materials and surfaces such as bricks, roads, car parks and concrete and then radiated into the surrounding area.</p> <p>The UHI effect is rapidly changing the way Western Sydney residents live, especially during periods of excessive midday heat and prolonged summer heatwaves. It is</p>

Potential Recommendation	Justification
<p>development of the Stage 3 Riverstone East Precinct based on Urban Heat Island solutions.</p> <p>Implementation – Prior to rezoning</p>	<p>well known that the daily summer temperatures in Western Sydney can be five (5) degrees warmer than coastal areas, which results in significant heat stress and impacts on the human health and amenity of residents.</p> <p>Blacktown City like many public authorities around Australia and overseas is working to respond to the climate change threat and the UHI effect. Blacktown City has come a long way since the <i>Blacktown Climate Change Action and Adaption Plan 2011</i>, which committed Blacktown City to reducing greenhouse gas emissions and adapting to climate change. It would be therefore remiss of Council not to apply relevant climate change solutions to the planning construct for the Stage 3 Riverstone Precinct.</p> <p>Based on the <i>Cool Suburbs Urban Planning Toolkit</i> and the next iteration of the <i>Western Sydney Planning Partnership's uniform Local Government Engineering Design Standards</i>, there is an immediate opportunity to address the issues associated with the UHI effect, which were not properly addressed in the draft ILP and DCP.</p> <p>This could be achieved through a collaborative approach, which includes Council, peak bodies, the state government, and key utility agencies, working as part of a Project Reference Group on feasible and reasonable solutions that improve residential amenity and lessen the health and physiological impacts of heat stress. Proposed solutions would then form part of the planning and development provisions for the Precinct.</p> <p>The Project Reference Group would focus on the following elements with a view to amend the Precinct Plan and DCP:</p> <ul style="list-style-type: none"> • the relationships between road hierarchy, subdivision layout and the location of dwellings on each individual lot • the incorporation of water cycle management and tree canopy into engineering design • designing houses more suited to subdivision layouts based on new road hierarchies that incorporate water cycle management and an increase in tree canopy • road hierarchy and community safety

Potential Recommendation	Justification
	<ul style="list-style-type: none"> opportunities created by emerging trends in relation to electric bikes and other small electric vehicles and their potential to provide linkages to public transport and other services and facilities. designing houses more suited to subdivision layouts based on new road hierarchies that incorporate water cycle management and an increase in tree canopy
<p><i>Affordable housing</i></p> <p>Recommendation 1.15 That DPHI works with Blacktown City on the delivery of suitable affordable housing measures in the Precinct once the regional approach a strategy becomes clearer.</p> <p>Implementation – Prior to and following rezoning</p>	<p>Affordable housing provision in Western Sydney is in its early stages with a proposal yet to be finalised by the Western Sydney Planning Partnership (WSPP), which applies to the Blacktown City LGA.</p> <p>Whilst Blacktown City is keen to explore solutions which address the housing affordability crisis, there is concern with proposed funding and delivery models and at what locations will affordable housing be provided in the Blacktown City LGA and more specifically in the Precinct.</p> <p>Blacktown City is keen to work with DPHI prior to rezoning on a workable strategy for affordable housing in the Precinct. This would need to address the following issues:</p> <ul style="list-style-type: none"> The role of Community Housing Providers Contributions for affordable housing applicable to the Precinct Preferred locations within the Precinct Housing types and designs. <p>A revised recommendation for affordable housing will be provided once the WSPP has progressed their work on affordable housing contributions across the Western Parkland City and Blacktown City endorsement has been obtained for the submission on the ILP.</p>
<p><i>Non-Indigenous Heritage</i></p> <p>Recommendation 1.16 That DPHI reviews and adopts the recommendations in the Non-Indigenous Heritage Assessment with a view to:</p>	<p>Blacktown City advocates for the preservation of the cultural heritage of the Riverstone East Stage 3 Precinct. Blacktown City endorses the recommendations in the Heritage Assessment and the need to apply heritage controls contained in the Growth Centres DCP.</p>

Potential Recommendation	Justification
<p>a. include those additional items identified in the Heritage Assessment within the SEPP.</p> <p>b. Provide formal heritage recognition and protection for the Rouse Hill School Building.</p> <p>c. Implement heritage controls outlined in the Heritage Assessment within the Growth Centres DCP to protect the curtilage, viewscales, and significance of the State significant Rouse Hill House, Farm and School along with conserving the other identified locally significant heritage items within the precinct.</p> <p>Implementation – Prior to rezoning</p>	<p>The Non-Indigenous Heritage Assessment (<i>Aurecon</i>) identified several potential heritage items within and around the Precinct. The report recommended that these items should receive local heritage protection by listing the sites in the SEPP and further protection provided in DCP clause etc. However, the Heritage Assessment only addressed the Rouse Hill House and Farm Estate comprehensively.</p> <p>Further information on the other identified items is needed now to satisfy the scope of the Heritage Assessment which was to assess the heritage significance of items of historical interest in the area.</p> <p>Blacktown City contends that prior to rezoning that DPHI reviews the ILP to consider the following potential heritage items identified in the Heritage Assessment which should also be identified in the SEPP and DCP:</p> <ul style="list-style-type: none"> • Tyburn Monastery • Rouse Hill School House • Rummery House <p>As Rouse Hill House and Farm play an essential role in the planning of this precinct it is strongly recommended that the old school building that is now located within the Rouse Hill Estate also be afforded formal heritage recognition and protection.</p>
<p><i>Applicability of other State Government Housing policies</i></p> <p>Recommendation 1.17 That DPHI confirms to Blacktown City the applicability of key draft and final State Government Housing policies as they relate to Precinct.</p> <p>Implementation – Prior to rezoning</p>	<p>Blacktown City is aware that the State Government has several key housing policies (both draft and final) that are proposing to help address the housing affordability and rental crisis. These could further shape the provision of housing in the Precinct and result in a change in the dwelling total and population forecast. These include:</p> <ul style="list-style-type: none"> • Floor space ratio and height bonuses for apartments that contain affordable housing units Housing State Environmental Planning Policy (SEPP) amendment (gazetted December 2023) • The proposed low to mid rise SEPP applying to land near stations and shops – Currently in draft form and still under assessment by DPHI. <p>Blacktown City seeks confirmation from DPHI as to the applicability of the above draft proposals as they relate to the proposed planning provisions for the Precinct.</p>

Potential Recommendation	Justification
<p><i>Location of Precinct Planning Provisions</i></p> <p>Recommendation 1.18 That DPHI confirms Blacktown City as where the Precinct provisions will be captured in key planning legislation.</p> <p>Implementation – Prior to rezoning</p>	<p>Blacktown City contends that the Precinct planning provisions should be in the <i>SEPP (Precincts – Central River City) 2021</i>. However, Blacktown City seeks clarification from DPHI as to how specific planning provisions will be addressed and presented, especially due to the location of the <i>Blacktown Growth Centres Precinct Plan</i> in Appendix 11.</p>
<p><i>Specific issues with the ILP and DCP</i></p> <p>Recommendation 1.19 That DPHI works with Blacktown City to resolve outstanding issues identified in Attachment B prior to rezoning of Stage 3 of the Riverstone Precinct.</p> <p>Implementation – Prior to rezoning</p>	<p>The volume of information provided, and the level of review undertaken, lends itself to the need for a more thorough assessment of information provided prior to implementation. Blacktown City contends that this will lead to a higher quality planning framework that provides certainty and clarity for the ultimate users of the key planning provisions and policies.</p> <p>Blacktown City therefore seeks a series of workshops and meetings with DPHI to respond to the following specific matters where potential changes are needed to the ILP and DCP. Additional items of concern include:</p> <ul style="list-style-type: none"> • Biodiversity • Developer Coordination • Heritage (Indigenous and Non-Indigenous) • Engineering design • Specific electricity infrastructure • Key roads and sites • Noise and Vibration • Odour impacts • Open space and recreation (specific uses, design, and quality) • Property matters • Urban Design • Zoning

Attachment B – Key specific issues with the Integrated Land Use Plan, Explanation of Intended Effect and Development Control Plan for Stage 3 Riverstone East

Provided below are the specific comments as noted by Blacktown City Council staff from engineering, environmental and planning divisions. Whilst these are not primary recommendations, Blacktown City urges the NSW Department of Planning, Housing, and Infrastructure (DPHI) to respond to these concerns by working with Council.

Theme	Council issue	Recommendation
Urban Design Report Maximum dwelling and population projections are under-estimated	<p>Package A</p> <p>The dwelling and population estimates provided seem to be an underestimate of the full development potential of the land. The Urban Design Report pp 34 states that for medium density R3 are at 12 m (3 storeys) and high-density apartments are maximum of 16 m (4 storeys). The Apartment Design Guide provides design criteria for minimum ceiling heights. A height of building limit of 12m would allow for 4 storeys, and a height of building limit of 16m would allow for 5 storeys.</p> <p>The estimated dwelling yield and population provided in the Report and used throughout the precinct planning is underestimated. This would have significant impact on quantum of infrastructure such as open space, community facilities, schools etc.</p> <p>The maximum densities explanation in the Urban Design Report has not been consistently or accurately applied in the RDN Map.</p> <p>The design of the precinct has not considered Figure 4 of the Non-indigenous Heritage Report which restricts maximum heights of building throughout the Precinct. The design of the precinct needs to be adjusted to reflect the recommendations of this report.</p>	<p>Recommendation 2.1. That DPHI applies the dwelling and population estimates based on the Apartment Design Guide.</p> <p>Recommendation 2.2. That DPHI revise dwelling estimates based on the maximum height of building in <i>Figure 4 of the Non-Indigenous Heritage Report</i> and the revised <i>Height of Building Map</i> provided by Council.</p>
Urban Design Report	The Report needs to be re-written. Every decision needs to be justified with supporting and sound evidence. See above as an example	Recommendation 2.3. That DPHI provides an updated Urban Design Report to Blacktown City, once all the changes to the precinct plan, supportive documents are addressed and responded to.
Riverstone East (Stage 3) Demographic and Housing Analysis Atlas Economics	<p>Package A</p> <p>The Study should include larger lots at a minimum of 5000 square metres to 1 hectare. If there is little demand for it, then the cost will go down. Larger lots are envisaged for areas around the creek. This is in accordance with the Aboriginal stakeholder consultation which suggested much larger lots of 5000 square metres.</p>	Recommendation 2.4. That DPHI (Atlas Consulting) assesses the option to include larger lots at a minimum of 1000 sqm and 5000 sqm as potential lot sizes.

Theme	Council issue	Recommendation
	We note that Altas has said that there is insufficient demand for lots circa 1,000 square metres simply due to price points, but the matter has not even been considered in the report. As it was suggested in the Aboriginal Stakeholder workshops, then an evaluation in the Demographic and Housing Analysis Report should be undertaken and made public.	Note: This is in accordance with the Aboriginal stakeholder consultation which suggested much larger lots of 5000 sqm.
Social Infrastructure Needs Assessment	<p>Package A</p> <p>Use of Marsden Park North and Schofields West in the document is irrelevant because they were not gazetted. See page 33 and Figure S2.8. Check throughout the document.</p> <p>Discussion on the provision of planned facilities needs to be seen in the context that various precincts such as Marsden Park, Schofields, Alex Avenue and Riverstone were planned and funded using minimum densities. Council has proven through its Infrastructure study that densities far exceeded the minimum densities.</p> <p>There is significant shortfall across community, recreation, and open space facilities. Any comments that the facilities can adequately cope with demand generated by Riverstone Precinct Stage 3 is substantially incorrect. Following such advice would lead to an under-provision of facilities. This will lead to physical, social, and psychological impacts of the new and existing populations.</p> <p>Population growth</p> <p>Page 33 discusses the population growth. Blacktown City request the following figures be used.</p> <ul style="list-style-type: none"> • Marsden Park = 14,610, Shanes Park = 384, Melonba = 1,439(Total = 16,433) • Riverstone = 8,627, Grantham Farm = 3,669, Richards = 37. Angus = 384, <p>Vineyard = 1,143 - (Total = 13,476)</p> <ul style="list-style-type: none"> • Schofields = 15,213, Nirimba Fields = 1,632 (Total = 16,845) • The Ponds = 16,315 <p>Clarification on which suburbs are included in the 46,900 estimate is required. Should it be Tallawong = 6,570, Kellyville Ridge = 10,890, Rouse Hill = 11,349?</p> <p>In 2021, the Precincts recorded an estimated population of</p>	<p>Recommendation 2.4.1</p> <p>DPHI to make adjustments to the Social Infrastructure Needs Assessments as per Council's advice.</p>

Theme	Council issue	Recommendation
	<p>46,900 residents.</p> <p>If you add 22,150+16,400+12,800+16,300 = Total = 67,650</p> <p>Riverstone households were smaller 28% (1,134) were two person households. At the same time 23% (940) were 3 person households and 35% (1,433 households) were households with 4 or more persons.</p>	
Engineering	<p>Package B</p> <p>Basins at Garfield Road East look like the proposed road works encroach into the basin areas. This could affect landtake.</p> <p>Design batter slopes on basins are often 1:4 and 1:5. for initial concept planning should allow for 1:6 particularly in the detention storage area. long sections. Some sections of channel are quite steep so need to look at drop structures or riffles.</p> <p>Has the design of the stormwater management works been coordinated with other constraints such as Archaeology and contamination?</p> <p>Contamination is a significant issue for us in terms of cost especially if Blacktown City need to go to compulsory acquisition</p>	<p>Recommendation 2.5. That DPHI provides the following to Blacktown City for further assessment:</p> <p>Catchment plans with subcatchment node names make it difficult for Blacktown City to align the model with proposed strategy as model treatment node names do not align with strategy basin names.</p> <p>There is a need to allow for maintenance of batters drawing Sheets SK0019-SK0021 added showing proposed channel.</p> <p>Amended engineering concept designs that are coordinated with adjoining infrastructure and proposed development and safe to maintain.</p>
Burying of the 132 KV power line and 330 kV powerline	<p>The ILP and infrastructure report anticipates undergrounding a section of overhead electrical transmission line. It does not provide a feasibility on this other than saying it is a special case and six underground cables would be required to replace the existing overhead lines. Based on the other precincts it is highly unlikely that undergrounding of this transmission line will occur, and planning will need to cater for the existing overhead line remaining.</p> <p>The Utilities Infrastructure Servicing Report states that there is no funding source for the burying of the 132 KV power line. This would have to be funded by private developers for which the costs will be passed on to future landowners. To not increase costs on housing it is best not to bury the powerline.</p> <p>Blacktown City note the 330kV power line is not feasible because of the short distance involved.</p>	<p>Recommendation 2.6. That DPHI provides a revised ILP on the basis that the power lines will remain above ground.</p>
Urban Design	<p>The maximum densities explanation in the Urban Design Report has not been consistently or accurately applied in the RDN Map.</p>	<p>Recommendation 2.7. That DPHI provides justification as to why there are variations to proposed residential controls.</p>

Theme	Council issue	Recommendation
	<p>In areas north of Garfield Road East, most of the land is zoned R2 but this has a maximum density of between 14 dw/ha to 33 dw/ha. It is unclear how 33 dw/ha be achieved based on the R2 controls and maximum height limits? The Urban Design Report says 25 dw/ha is the maximum. For the R3 zone, the Residential Densities Map shows 66 dw/ha whilst the table below in the Urban Design Report says 35 dw/ha. There seems to be errors which would affect the dwelling and population estimates. The R4 zone seems to be consistently applied.</p> <p>These comments do not suggest that Council endorses the location of the densities shown in the Residential Densities Map. These are “typos” and inconsistencies.</p> <p>Any change to the map will be expected to result in a change of dwelling estimates and population. Blacktown City also note our previous comments on HOB Map</p>	<p>Reason: To allow for better planning justification when a developer seeks to increase dwelling potential.</p>
Water and Wastewater capacity	<p>Water and Wastewater capacity is not available currently for the proposed Stage 3. Sydney water servicing is planned for 28/29 FY at the earliest. This may impact development delivery.</p>	<p>Recommendation 2.8. That DPHI coordinates the delivery of water and wastewater infrastructure as part of an Urban Development Program process to support the delivery of housing in the Precinct.</p>
Flood Impact and Risk Assessment Report	<p>The results show that flood impacts are generally managed without any significant downstream impacts.</p> <p>The Report still proposes to use the 0.2%AEP flood event as the defined flood event (DFE) as this approximates the climate change 1%AEP event. We still use the current climate 1%AEP for our DFE for the rest of the LGA so this will create issues for our 10.7 certificates.</p> <p>In the earlier precincts Blacktown City found that the difference in flood level between current and future climate change levels were about 0.2m for local trunk drainage and creeks (excluding Hawkesbury backwater area). This is a low risk as minimum lot levels are set at 0.5m above current 1%AEP levels and building codes then still require floor levels to be elevated from lot levels (approx. 0.15m).</p> <p>The current strategy no longer proposes an additional detention basin within the First Ponds Creek catchment that was previously proposed by Mott MacDonald.</p> <p>Therefore, the development in this catchment is relying on the CP20 detention works and should be included into this CP.</p>	<p>Recommendation 2.9. That DPHI (Rhelm) undertakes a flood height difference assessment between the current and future climate change 1%AEP events as part of the selection of the Defined Flood Event, which is the associated risk from climate change.</p> <p>Reason: Blacktown City does not support the proposed change as presented.</p> <p>Recommendation 2.10. That DPHI further assesses the potential benefits of including Stage 1 & 2 of Riverstone East into Contributions Plan 20 First Pond Creek catchment.</p> <p>Recommendation 2.11. That DPHI further assesses the flood prone land maps in conjunction with <i>Figure 4.3 of the Biodiversity and Riparian Corridors Report</i>, which gives the stream orders for this precinct.</p> <p>Reason: This should be included in the report as Blacktown City has issues with IPART on valuing constrained land.</p>

Theme	Council issue	Recommendation
	The flood mapping shows flood prone land generally along most 1 st order streams. Under current riparian guidelines 1 st order stream can be moved or in part piped. This would render most of the flood prone areas as unconstrained in terms of flooding for acquisition purposes.	
Water Cycle Management Strategy	<p>Rhelm are proposing the greater standard of Neutral or Beneficial Effect (NorBE) and the Wianamatta South Creek controls. The current proposed strategy generally meets NorBE but does not meet the Wianamatta South Creek controls. The strategy does meet the previous minimum NWGA targets.</p> <p>The strategy has all water management measures other than rainwater tanks in public and drainage reserves. It does not include on lot treatment measures for land uses other than R2 low density residential which is our approach in other precincts. This is likely to significantly increase developer contributions costs. No cost detailed information is provided so Blacktown City cannot assess this yet.</p> <p>The strategy proposes treatment swales for all active and passive reserves. This may have impacts on the use and layouts of these and needs further consideration as these would need to be included in the CP and no details are provide at this time other than an indicative rate of swale required per hectare.</p> <p>Some of the proposed basins do not appear to account for adjoining roads and required level differences. This means that Blacktown City may not have enough land or would need significant retaining walls to make it fit within the allocated space.</p> <p>The strategy proposes significant stormwater harvesting and reuse to achieve the overall targets with irrigation on passive and active reserves. No concept details are provided for the reuse scheme, and this is important as the harvesting ponds are a significant distance from some of the active playing fields which would require a significant treatment and reticulation systems. Some of the reticulation system would likely need to go along public roads which is an issue as it is essentially a private service.</p> <p>Earthworks volumes have not been provided with the concept designs. This will likely be a major cost item given the relatively steep terrain. This also applies to the proposed playing fields where major earthworks will be required.</p>	<p>Recommendation 2.12. That DPHI request Rhelm to address and resolve the issues raised by Council.</p> <p>Reason: Blacktown City cannot endorse this strategy without it achieving the performance targets or understanding the cost impacts on us. Additional works are also required to resolve the strategy.</p>

Theme	Council issue	Recommendation
	No itemised cost break-down is given of the proposed infrastructure items. These were included in other precinct technical studies and are required.	
Aboriginal Cultural Heritage Assessment Report	<p>Package C</p> <p>Aboriginal Cultural Heritage Assessment Report</p> <p>Navin Officer heritage consultants Pty Ltd / Final 13 September 2023</p> <p>Blacktown City note that the custodians drew on a map and requested 1 hectare as shown below. The map and the text which describes the outcome should be included in the report.</p> <p>Blacktown City note that 1 hectare lots may be impractical to provide in the Plan. Council suggests 5000 square metres as an alternative. This land can be zoned C4 Environmental Living. Blacktown City note DPHI's previous objection which was there was no market for this size of allotment, but this was not even tested in the technical reports. It was dismissed by DPHI entirely. It should be re-examined and placed in appropriate locations in the ILP.</p> <p>See appendix 1: Suggested Lot Sizes to design with Council</p>	<p>Recommendation 2.13. That DPHI further assesses the potential for large lots of 5000 m2 around watercourses in ILP.</p> <p>Reason: To design with Council and to protect archaeologically sensitive areas.</p> <p>Reason: Blacktown City supports other recommendations made in the Report.</p>
Biodiversity	<p><i>Biodiversity and Riparian Corridors Assessment Report FINAL Prepared by Umwelt (Australia) Pty Limited / Report No. 23182_R02 Date: September 2023</i></p> <p><u>The Biodiversity and Riparian Assessment is inadequate for the following reasons:</u></p> <p>Insufficient fieldwork on land</p> <p>Council raised concern about limited access to conduct fieldwork for biodiversity assessments. Blacktown City note the consultant's response which stated that access was arranged by the DPHI. Very little of the non-certified area was inspected on the ground. This is a problem when the focus of the study was the non-certified land. The low numbers of flora species found across 4 Plant Community Types, dams and paddocks indicates the lack of thoroughness in the fieldwork.</p> <p>Blacktown City requests more effort is required to gain access to private land for field work/survey. The report needs to be more detailed on the effort made to gain access to sites. This includes doing letterbox drops, door knocking and contacting local environmental groups.</p>	<p>Recommendation 2.14. That DPHI conducts an adequate biodiversity certification assessment to inform the precinct plan and offsetting measures.</p> <p>Recommendation 2.15. That DPHI undertakes a much higher fieldwork survey effort.</p> <p>Reason: There has been inadequate on ground survey to inform the plan, biodiversity preservation and offsetting areas. Where survey on ground cannot be conducted on private land for example, presence of all threatened entities previously recorded in the area or predicted by the PCTs present needs to be assumed per BAM 2020</p> <p>Recommendation 2.16. That DPHI assigns PCT 781 Threatened Ecological Community <i>Freshwater wetlands on Coastal Floodplains of the New South Wales North Coast, Sydney Basin and Southeast Corner Bioregion</i> needs to dams and small creeklines.</p>

Theme	Council issue	Recommendation
	<p>Otherwise, this limited access and inadequate survey effort results in a need to apply the precautionary principle. Under Biodiversity Assessment Method 2020 if the fieldwork surveys cannot be conducted or are restricted, the assessor must assume presence for all predicted threatened flora and fauna. For example, <i>Pultenaea parviflora</i> is known as Cooks River/Castlereagh Ironbark Forest and occurs in our LGA. The likelihood of occurrence in areas not surveyed is not low. The area needs to be surveyed for it or assume presence in the Plant Community Types associated with this species.</p> <p>Likewise, the likelihood of owls and falcons across the precinct area is not low. According to a BioNet search, black falcons were seen in 2007 and 2013, Powerful Owl in 2019, square tailed kite 2018 and 2020 and Little Eagle 2019.</p> <p>Regarding survey work in dams and creeks, farm dams and waterways are very rich in aquatic fauna and potentially migratory birds. Frog surveys, dawn and dusk bird surveys at dams, fish and invertebrate surveys were not conducted and are all indicated. Otherwise, a precautionary principle and assumed presence must be applied.</p> <p>The survey found only 6 hollow bearing trees. This quantity is surprisingly low. Many hollow-bearing trees are evident from the roads. This low number of hollow bearing trees across the whole area also makes us question the veracity of fieldwork.</p> <p>Blacktown City questioned why a Plant Community Type has not been assigned to dams and freshwater Western Parklands. The consultant responded by stating dams observed during the field surveys did not contain emergent vegetation.</p> <p>A few dams were not surveyed. Freshwater Wetland (Plant Community Type 781) should be assigned to the dams which all have submerged, floating and emergent fringing vegetation if you inspect them. Plant Community Type 781 typically aligns with the Threatened Ecological Community <i>Freshwater wetlands on Coastal Floodplains of the New South Wales North Coast, Sydney Basin and Southeast Corner Bioregion</i> which is listed as an Endangered Ecological Community under the Biodiversity Conservation Act. Even where wetland species have colonised artificially created habitats, such as dams, these areas are still considered to be a degraded variant of this Threatened Ecological Community.</p>	<p>Recommendation 2.17. That DPHI consultants assess the option to liaise with local landholders like Western Sydney Parklands and Rouse Hill Reserve for an agreement enabling relocation of fauna and habitat that will be removed from bio-certified land during development once the Riverstone East Stage 3 precinct land release occurs.</p> <p>Reason: Council reserves are full of nest boxes, relocated hollows and released fauna such as microbats, gliders and possums that came down with felled trees/development in bio-certified lands around the other Riverstone precincts and Blacktown City need other options for salvage/ rescue and release mitigation measures. There is currently no such recommendation in <i>Section 7 Umwelt Biodiversity and Riparian Corridors Assessment Sept 2023</i>. This was requested at the stakeholder workshops and in earlier feedback.</p> <p>Recommendation 2.18. That DPHI prepares a map of the Native vegetation protection and retention areas that were originally set aside within the NWGA and overlay an aerial to see how much remains.</p> <p>Reason: In the NWGA there has been a loss of native vegetation protection and retention areas as originally set aside due to later essential infrastructure works to support biocertified land. For this reason, a greater area of NVR/NVP may be needed in this precinct.</p> <p>Recommendation 2.19. That DPHI zones much wider vegetated riparian corridors (an extra 5 -10 m on each side of each stream order).</p> <p>Reason: To enable/account for later encroachments/ vegetation loss for necessary stormwater infrastructure.</p>

Theme	Council issue	Recommendation
	<p>Species credit species generated for these Plant Community Types that were not surveyed (2 of the 4 mapped Plant Community Types were not even surveyed on the ground) cannot be removed without survey or expert report. Presence must be assumed and assessed further in accordance with Steps 5 and 6 of the NSW Biodiversity Assessment Method, preparing a species polygon and generating offset credits for area-based species and generating population estimates on count-based species. This must be documented in the Biodiversity Assessment Report.</p> <p>There are old records of 24 threatened flora, but the report only considers 11 as moderately likely. There is a case here for all 24 previously recorded threatened flora species to be considered present under a precautionary principle given site access was not obtained over large areas and few previous surveys were located. From Biodiversity Assessment Method 2020 – 'If any past surveys of the subject land have recorded the presence of a threatened species or it has been incidentally observed on site, the species must be assessed in accordance with Steps 2–6 in Biodiversity Assessment Method Subsections 5.2.2 to 5.2.6, irrespective of the criteria in Table 11.</p> <p>There are records of 41 threatened fauna, but the assessor considered only 20 have a moderate likelihood of being present. I would not discount the presence of 21 threatened fauna species on so little field survey work given past records and given there is some likelihood, a precautionary approach should be taken. The Assessment did not conduct adequate on ground surveys across the land to rule these species out on habitat constraints present or not.</p> <p>Non-certified land</p> <p>Blacktown City note 24.27 hectares of non-certified land on the Biodiversity Values Map in the precinct. This is a large amount of land not surveyed with high biodiversity value.</p> <p>The statement that 'The conditions applying to the certification have remained unaltered since gazettal of the original order and require (among other things) the permanent protection of 2,000 hectares of high-quality vegetation within the Growth Centres" Council suggest that a map showing where this 2000 hectare of high-quality vegetation is and how the Riverstone East stages contribute to this and what remains would assist in the evaluation of biodiversity in the Precinct. It would be relatively easy to obtain a map of the 2000 hectares of high-quality vegetation that was set</p>	

Theme	Council issue	Recommendation
	<p>aside within the growth centres and overlay an aerial to see how much remains. In the NWGA there has been a loss of native vegetation protection and retention areas as originally set aside in the growth centre due to later essential infrastructure works to support biocertified land. For this reason, a greater area of NVR/NVP may be needed in this precinct.</p> <p>As a mitigation measure, mapping hollow bearing trees prior to construction as recommended in the report achieves little if the land is to be certified. This needs to occur to inform protection now. If land with hollow bearing trees is being certified the presence of these hollow bearing trees also needs to be added to all Plant Community Type credits generated. Hollow dependent fauna also needs to be included as species credit species.</p>	
Contaminated land: Junction Road	<p>There is a bit of contaminated land in Junction Road which is proposed to be rezoned SP2 Drainage. Blacktown City know this land is quite contaminated. Drainage. No need for further studies or RAP.</p> <p>Council does not want any part of the Junction Road sites.</p>	<p>Recommendation 2.20. That DPHI conducts an adequate biodiversity certification assessment to inform the precinct plan and offsetting measures.</p> <p>Recommendation 2.21. That DPHI undertakes a much higher fieldwork survey effort than what has been presently undertaken</p> <p>Reason: Where survey on ground cannot be conducted on private land for example, presence of all threatened entities previously recorded in the area or predicted by the PCTs present needs to be assumed per BAM 2020</p>
Contamination	<p>There are tables in the study that are not detailed enough to ensure accuracy in identifying the lots which are affected by contamination. Full and comprehensive lot and deposited plan descriptions need to be provided. These tables are:</p> <ul style="list-style-type: none"> • Table 1.1: ESA findings and recommendations for the draft ILP • Table 6.1 Environmental Protection Licenses and Notices • Table 6-2: Contaminated sites notified to the EPA within 1 km of the study area. • Table 7.1 Areas of potential environmental concern and contaminants of potential concern • Table 12-4: Preliminary Conceptual Site Model • Table 13-1: ESA findings for draft ILP 	<p>Recommendation 2.22. That DPHI provides additional information as requested by Council.</p> <p>Recommendation 2.23. That prior to finalisation of the Precinct Plan, DPHI undertakes a detailed site investigation of key lands in the Precinct.</p> <p>Reason: Help Blacktown City understand the extent of contamination more thoroughly.</p> <p>Option: If the landowners refuse access, then they could be advised that their land will remain RU4 Rural transition.</p> <p>Option: If a detailed site inspection cannot be undertaken, Blacktown City may seek to rezone the land to avoid costly land acquisition by Blacktown City.</p>

Theme	Council issue	Recommendation
	<p>There are several lots which have been identified as being contaminated or potentially contaminated. These sites have are proposed to be zoned either drainage or public open space.</p> <p>Blacktown City has constantly objected to zoning of land for such purposes. Our latest letter which stated this was dated 13 October 2024.</p> <ul style="list-style-type: none"> • Lots 1 and 2 DP 218794 Junction Road (Proposed SP2 Drainage, and RE1 Public open space) • Lot 98 DP 208203, 116 Guntawong Road (Proposed SP2 Drainage, RE1 Public open space and R3 Medium Density Housing) • Lot 11 DP 1271160 Garfield Road East (Proposed SP2 Drainage, RE1 Public open space and proposed R2 Low Density Residential, R3 Medium Density Residential), • Lot 7 DP 30458, 1224 Windsor Road (Proposed SP2 Drainage, and RE1 Public open space) • Lot 1 DP 1235169 270 Riverstone Road (Proposed SP2 Drainage, and RE1 Public open space) • Lot 8 DP 1076228, 328 Garfield Road East (Proposed SP2 Drainage, RE1 Public open space and R2 Low Density Housing) • Lot 93 DP 1287203 (Proposed SP2 Drainage, RE1 Public open space and R3 Medium Density Housing) • Lot 10 DP 1076228, 1034 Windsor Road Rouse Hill (Proposed Regional Open Space and, RE1 Public open space) <p>There are 3 contaminated sites which are proposed to be public open space. They are in Garfield Road East, Guntawong Road and playing field west of transit boulevard. There is a potentially contaminated site which is proposed as open space. It is west of Hambledon Road extension which may contaminated. This site is near Junction Road contaminated site.</p> <p>Remediation of the sites can be quite significant (western side of Lots 1 and 2 Junction Road was estimated at \$15 million). It is unclear whether the cost of remediation will be and whether it can be passed on through S7.11 Developer contributions. If the cost can be passed on through S7.11, this will reduce housing affordability.</p> <p>Sometimes estimates of remediation are not known or under-estimated. There is a risk that IPART may remove the cost of remediation from the Plan. This results in an unfair financial burden on Council.</p>	

Theme	Council issue	Recommendation
	A detailed explanation on the reasons for the proposed zoning for those that are moderate and high risk is to be given for every site. (See Figure 1 Areas of Potential Environmental Concern).	
Odour	The odour generating sources are not leaving the area in the foreseeable future.	<p>Recommendation 2.24. That DPHI undertakes a Level 3 assessment prior to gazettal to understand the impacts from odour generating sources better.</p> <p>Reason: AJ Bush and Sons and other odour generating sources may have not relocated by the time residential development occurs in the area. Odour issues can cause stress to residents and potential health issues.</p> <p>Recommendation 2.25. That DPHI includes a clause in the final environmental planning instrument that prevents residential development from occurring until AJ Bush and Sons are solved.</p> <p>That DPHI establishes a hotline to assess and respond to odour complaints caused by the odour generating sources in the Precinct</p>
Acoustic and Vibration Assessment	<p>Council raised concern about the noise being generated from adjacent sites within the precinct and outside the Precinct. The Assessment stated that 35dBA is proposed for inside the bedrooms with window closed, which equates to 45 dBA (10 dBA difference) with window open and 55 dBA (10 dBA difference) at the external façade. 40 - 60 dBA range is bedrooms during daytime.</p> <p>The Transport and Infrastructure SEPP stipulates 40dBA (other rooms anytime) and 35dBA (bedrooms night) however the Assessment shows Laeq ranging from 40 to 60 dBA.</p> <p>Given that this area is quite hot during summer, even at night, it is likely that residents may choose to sleep with the window open to seek relief from the heat.</p>	<p>Recommendation 2.26. That DPHI further assesses an option covering odour impacts where house windows are left open.</p>
Developer Contributions	<p>Community facility buildings</p> <p>Blacktown City note that the precinct planning has identified that community facilities are essential for new communities to thrive and flourish. Community facilities for the Riverstone East Stage 3 Precinct are shown on DPHI's Indicative Layout Plan. However, this is at odds with</p>	<p>Recommendation 2.27. That DPHI undertakes a broader assessment that seeks to amend the IPART process to allow Council to firstly exhibit and approve the contributions plan.</p> <p>Reason: This would then allow development applications to be determined to accelerate the housing</p>


Theme	Council issue	Recommendation
	<p>DPHI's policy position that community facility buildings are not considered essential in terms of funding.</p> <p>DPHI's Essential Works List only allows the acquisition of the land component of the facility. The accumulative effect of not funding this facility and other community facilities in the NWGA for Blacktown City is around \$621 million.</p> <p>Delays to housing supply</p> <p>Clause 66 of the <i>Environmental Planning and Assessment Regulation 2021</i> states that a development application (DA) for development in Stage 3 of the Riverstone East Precinct must not be determined by the consent authority unless a contributions plan has been approved for the land to which the application relates. This requirement can be dispensed with if the DA is of a minor nature or if developers have entered a VPA with the Council for the matters that may be the subject of a contributions plan.</p> <p>Following consideration of submissions on the Riverstone East Stage 3 Precinct Plan and the finalisation of the Indicative Layout Plan, Council will amend its IPART reviewed <i>Section 7.11 Contributions Plan No.22 – Rouse Hill</i> to include the cost of local infrastructure that services the Riverstone East Precinct Stage 3 land.</p> <p>However, State Government Policy currently requires that contributions plans must:</p> <ul style="list-style-type: none"> • be exhibited publicly and submissions considered. • reported to Council. • submitted to IPART for assessment. • assessed by IPART against the Essential Works List • be subject to IPART's draft report being publicly exhibited. • await IPART's final report to be provided to the Minister for Planning and Public Spaces (the Minister) (or nominee) • be amended in line with any written requirements by the Minister (or nominee) • approved by Council in accordance with any requirement by the Minister. <p>It has been Council's experience that this process can take anywhere up to 18 months which means that it may take up to 2 years after Stage 3 is rezoned before a development application can be determined. Although there is the option for developers to enter individual suitable VPAs with</p>	<p>supply of around 3,600 new homes. IPART could then assess the contributions plan and if the Minister requires that the contributions plan be amended, Council can refund any payments made or ask developers who have determined DAs to request a modification to the contributions amount. In doing so, developers would not be delayed in providing housing and would pay the appropriate contribution for local infrastructure.</p> <p>By leaving community facilities in Riverstone East Stage 3 Precinct and other NWGA precincts unfunded, the construction of new estates becomes unattractive and socially deficient. On this basis it is our strong view that land is not rezoned until the Government provides arrangements for such infrastructure to be put in place.</p>

Theme	Council issue	Recommendation
	Council, this is administratively complex and will deter development. This is at odds with the Government's recent policy position to find ways to accelerate housing supply.	
Developer Contributions Implementation Drainage	The Rhelm Water Cycle management strategy essentially reconstructs most of the riparian corridor in the development area. Re-establishing these as part of the drainage works will require significant funding which IPART may consider as environmental works. The works may not be able to be included in the S7.11 Plans.	Recommendation 2.28. That DPHI works with Blacktown City on a feasible and reasonable solution to address the significant funding of providing drainage works in riparian corridors in the Precinct.
Open space and the electricity transmission easement	Zoning	Reason: Blacktown City support the zoning of the transmission line easement as RE1 Public Recreation by DPHI, provided it is not counted towards the quantum of open space and that Blacktown City is not the acquisition authority. This must also be reflected in the Land Reservation Acquisition Map. If this cannot be done, Council requests the land be zoned R2 Low Density Residential. This is because responsible authority for the easement changes what is allowed under or near the easement quite often.
Heritage Potential Heritage Items in Riverstone East Stage 3 Precinct	Blacktown City advocates for preserving the cultural heritage of the Riverstone East Stage 3 Precinct by adopting the recommendations of the Heritage Assessment and providing heritage controls specific to this Stage in the Growth Centres DCP. The exhibited Non-Indigenous Heritage Assessment by Aurecon identified several potential heritage items within and around the Riverstone East Stage 3 Precinct and recommends they be protected by listing in the SEPP and through recommended development controls. However, the Heritage Assessment only addressed the Rouse Hill House and Farm Estate comprehensively. Further information on the other identified items is needed now to satisfy the scope of the Heritage Assessment which was to assess the heritage significance of items of historical interest in the area.	Recommendation 2.29. That DPHI completes the Non-Indigenous Heritage Report by creating inventory sheets for all identified heritage items before finalizing the Precinct Plan. Include it in the SEPP and DCP if heritage values are confirmed. Recommendation 2.30. That DPHI implements heritage controls contained in the Growth Centres DCP to protect the curtilage, views, and significance of Rouse Hill House and Farm. Recommendation 2.31. That DPHI provides formal heritage recognition and protection for the Rouse Hill School Building in the planning provisions for the Precinct. Reason: By following these recommendations, the cultural heritage of the Riverstone East Stage 3 Precinct

Theme	Council issue	Recommendation
	<p>Here's a breakdown of the identified potential heritage items identified in the Heritage Assessment which should also be identified in the SEPP and DCP:</p> <p>Rouse Hill School House: The heritage assessment provides a revised State Heritage Register inventory sheet which extends Rouse Hill House's heritage curtilage to the new alignment of Windsor Road to now include Rouse Hill House School building. Importantly, whilst this building is acknowledged as being part of the Rouse Hill Historic Precinct, there is no legislative heritage listing that applies. Whilst Blacktown City acknowledges that Stage 3 does not officially include this site, the exhibited material does include it. Now is the ideal opportunity to fix this anomaly which was caused when Windsor Road was realigned, and the local government area boundaries were adjusted.</p> <p>Tyburn Monastery: The Heritage Assessment recommends retaining this building within the precinct plan to preserve the area's multi-layered heritage. There is a need for immediate listing in the SEPP to safeguard it from potential subdivision and loss of significance.</p> <p>Rummery House: The Heritage Assessment suggests a more in-depth assessment of this property before finalizing the precinct plan. Depending on the assessment outcome, adjustments to the SEPP Heritage Map and inclusion of relevant Development Control Plan (DCP) controls might be necessary.</p> <p>Heritage inventory sheets should be prepared by the authors of the Heritage Assessment for all 3 items listed above to justify their potential heritage listing in the SEPP, with curtilages drafted for inclusion in the Heritage Map.</p>	<p>can be effectively identified, protected, and integrated into the development plans.</p> <p>Recommendation 2.32. That DPHI provides height controls for the community facility and school off Cudgegong Road.</p> <p>Reason: The maximum height should be no more than 9 m in accordance with the proposed heights in the Heritage Report. The height controls will preserve views from Rouse Hill House and Farm.</p>
General	Typos on zoning and other SEPP maps	<p>Recommendation 2.33. That DPHI works with Blacktown City to address mapping concerns with the ILP addressed prior to rezoning by DPHI.</p> <p>Note: Refer to Attachment C.</p>
Key sites	For the Tyburn monastery and the Rummery House remains, the wording needs to be relocated so the full extent and boundaries can be seen.	<p>Recommendation 2.34. That DPHI amends the layout of the plan to better illustrate the boundaries of the Tyburn Monastery and Rummery House.</p> <p>Note: To be addressed prior to rezoning by DPHI.</p> <p>Refer to Attachment C.</p>

Theme	Council issue	Recommendation
New transport modes	The emergence of e-scooters and e-bikes which pose a major threat to pedestrians if there is illegal use by users on the public footpath network. These need to be catered for in street cross sections.	Recommendation 2.35. That DPHI provides updated cross sections that cater for new transport types including e-scooters and e-bikes, which are to not to occur on public footpaths.
Noise and Vibration	<p>Council raised concern about the noise being generated from adjacent sites within the precinct and outside the Precinct. The Assessment stated that 35dBA is proposed for inside the bedrooms with window closed, which equates to 45 dBA (10 dBA difference) with window open and 55 dBA (10 dBA difference) at the external façade. 40 - 60 dBA range is bedrooms during daytime.</p> <p>The Transport and Infrastructure SEPP stipulates 40dBA (other rooms anytime) and 35dBA (bedrooms night) however the Assessment shows Laeq ranging from 40 to 60 dBA.</p> <p>Given that this area is quite hot during summer, even at night, it is likely that residents may choose to sleep with the window open to seek relief from the heat. Assessments need to be made with the window open.</p>	Recommendation 2.36. That DPHI reviews noise and vibration issues as part of the finalisation of the DCP.
Non-Indigenous Heritage Assessment Reference: P523561 Revision: 1 11-October-2023 Potential heritage items	<p>The Executive Summary of the exhibited Non-indigenous Heritage Report Aurecon acknowledges that Aurecon, who Blacktown City are engaged by DPHI, developed its assessment "to provide guidance on mitigating potential impacts on sites of heritage significance within and around the Riverstone East Stage 3 Precinct (the Precinct) and to make recommendations on heritage schedule and map amendments required for the State Environmental Planning Policy (SEPP) along with providing inventory sheets for the State Heritage Inventory (SHI)".</p> <p>The scope of the report included, amongst others, the following key tasks:</p> <ul style="list-style-type: none"> • Undertake an overall assessment of the Riverstone East Stage 3 Precinct to identify items or places of significance in terms of their aesthetic, historic, scientific and/or social value. • Provision of a revised non-Indigenous archaeological and heritage assessment of the Precinct (Section 5.6). • Provision of recommendations pertaining to the cultural heritage landscape and visual catchment of Rouse Hill House and Farm Estate, including previous visual analysis undertaken (Section 7.1). • items located within the Precinct which summarises the heritage values of any items identified, in accordance with the Guidelines for 	<p>Recommendation 2.37. That DPHI addresses shortcomings in the report.</p> <p>Recommendation 2.38. That DPHI incorporates the management recommendations as recommended in the Heritage Technical Study.</p>

Theme	Council issue	Recommendation
	<p>assessing places and objects against the Heritage Council of NSW Criteria (DPE, 2023).</p> <ul style="list-style-type: none"> • Prepare, or update draft heritage inventory sheets for the inclusion of the items in the statutory planning framework and State Heritage Inventory." <p>The report is incomplete. It has only revised the Rouse Hill House inventory sheet to also include the school building.</p> <p>The scope was specifically to assess the heritage significance of items in and around Stage 3 inventory sheets should be written for all the items of heritage interest. This will then be used to justify their heritage listing in the SEPP.</p>	
	<p>Rouse Hill House and Farm</p> <p>Precinct controls formulated under the then State Environmental Planning Policy (SEPP) <i>Sydney Region Growth Centres</i> 2006 were introduced to protect the heritage amenity and character of Rouse Hill Estate, which is recognised as an important historical site and cultural landscape in the State Heritage Register, as well as to retain the views and vistas. The height limits imposed in this area through the height control maps are a direct attempt to respect the historical importance of this former rural homestead, its visual curtilage, and its setting.</p> <p>Blacktown City agree with the heritage assessment's statement that the development of the Indicative Layout Plan should be cognisant of the requirements of the Central River City SEPP and Growth Centres Precinct Development Control Plan 2010 (Growth Centres DCP) to ensure future development does not contravene or conflict with the Central River City SEPP and Growth Centres DCP objectives.</p> <p>Rouse Hill Estate is the most significant heritage item in Blacktown. A thorough Landscape and Visual Analysis for the Rouse Hill Estate was prepared in 2011 by <i>LFA (Pacific) Pty Ltd</i> for the then Department of Planning to inform the master – planning process. The following is a plan prepared by LFA</p>	<p>Recommendation 2.39. That DPHI does not replicate the view lines in the ILP.</p> <p>Reason: Prevent future development from impacting upon these important vistas.</p> <p>Recommendation 2.40. That DPHI includes the heritage development controls for inclusion into the Growth Centres DCP, Land Zoning Map, Height of Building SEPP Map, Residential Density SEPP Map and Lot Size SEPP Map.</p> <p>Reason: To preserve view lines as presented in Table 7.2 and ensure appropriate land use and management options.</p>

Theme	Council issue	Recommendation
	 <p>2011 showing view corridors from Rouse Hill Estate:</p> <p>The potential for housing development on the ridge was a main concern.</p> <p>Preserving the curtilage of the Rouse Hill Estate</p> <p>The Non-indigenous Heritage Report recognises the importance of the curtilage in accordance with Figure 6.2 in the Report.</p>	
<p>Built development south of the Rouse Hill Regional Park</p>	<p>Figure 4 of the Non-Indigenous Heritage Study sets the height controls to preserve views from key heritage sites in the Precinct.</p> <p>The highest point of the ridge is around the reservoir site in Area 20 Precinct and to the north for around 200 m where the land slowly falls away. The lowest point is around Schofields Road where there are higher RFBs.</p>	<p>Recommendation 2.41. That DPHI request clarification from the authors of the Non-Indigenous Heritage Report the extent where no high density is allowed west of the Regional Park.</p> <p>Recommendation 2.42. That DPHI works with Blacktown City to remove high density housing on the western boundary of the Regional Park.</p>

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	<p>This should be additional open space in the area south of the Regional Park and support the higher densities in Area 20. This will ensure the controls are consistent with the height controls in the Area 20 precinct.</p> <p>Low density height controls should also apply to the school and Council's community facilities. DPHI should check with the Dept of Education to see if a 6 metre height limit is acceptable. If not, an alternative location for the school and possibly the community facility needs to be found.</p> <p>The recommendation also requires no high density on the western boundary of the Regional Park, but it is unclear to what extent this should prevail.</p>	<p>Recommendation 2.43. That DPHI confirms Blacktown City in the ILP and SEPP maps the location of higher densities throughout the Precinct.</p> <p>Recommendation 2.44. That DPHI works with Schools Infrastructure NSW on the preferred location of the proposed school in the Precinct as part of a UDP process.</p> <p>Reason: Proposed height planning provisions may impact on the deliverability of the proposed school and any future expansions.</p>												
	<p>Tyburn Monastery</p> <p>Importantly the heritage assessment recommends “the Tyburn Priory building be retained within the future Riverstone East Precinct Stage 3 ILP to protect the multi-layered nature of the heritage of the Riverstone East area”.</p>	<p>Recommendation 2.45. That DPHI lists the Tyburn Monastery as a heritage item in the SEPP as part of the Riverstone East Precinct Stage 3 gazettal to protect and preserve the heritage of the site,</p> <p>Reason: If this listing is deferred, there will be no heritage protection provided, which could see subdivision and potential impact on the curtilage and heritage significance of the Tyburn Monastery.</p>												
	<p>Preserving the curtilage of Tyburn Monastery</p> <p>The Non-Indigenous Heritage Report recognises the importance of the curtilage in accordance with Figure 6.2 in the Report. The only mechanism proposed to protect this is that the curtilage be plotted on the SEPP Heritage Map.</p>	<p>Recommendation 2.46. The Heritage Assessment provides the following recommended heritage controls for Tyburn Monastery for inclusion into the Growth Centres DCP</p> <table><tr><th>Heritage Item</th><th>Attributed Development Controls</th><th>Objectives</th><th>Suggested controls/quotations for the Growth Centres DCP</th></tr><tr><td>Tyburn Priory</td><td>Building from set back from the vegetated ridge</td><td>(a) to minimise the visual impact on the rural character of the Precinct. (b) to minimise the visual prominence of development on the existing rural character of the Precinct. (c) to establish an appropriate interface between residential zones and potential public spaces (Tyburn Priory).</td><td>Buildings and dwellings (including verandas and porches) facing or adjacent to the vegetated ridge/line should be consistently set back from the ridge boundary at 4 m. This applies to all buildings/dwellings constructed on the local roads (not arterial) surrounding this rural park.</td></tr><tr><td>Height of Buildings</td><td></td><td>(a) to minimise the visual impact on the existing rural character of the Precinct. (b) to ensure that buildings are compatible with the landscape and help retain the rural nature within the vegetated ridge. (c) to establish an appropriate interface between development of the Precinct and the retained Vegetated Ridge.</td><td>The height of a building on any land within the Precinct is not to exceed the maximum height shown for the land on the Height of Buildings Map (Figure 7-2).</td></tr></table> <p>Recommendation 2.47. That DPHI amends the proposed zone from R2 Low Density Residential to RU4 Rural Small Holdings (current control).</p>	Heritage Item	Attributed Development Controls	Objectives	Suggested controls/quotations for the Growth Centres DCP	Tyburn Priory	Building from set back from the vegetated ridge	(a) to minimise the visual impact on the rural character of the Precinct. (b) to minimise the visual prominence of development on the existing rural character of the Precinct. (c) to establish an appropriate interface between residential zones and potential public spaces (Tyburn Priory).	Buildings and dwellings (including verandas and porches) facing or adjacent to the vegetated ridge/line should be consistently set back from the ridge boundary at 4 m. This applies to all buildings/dwellings constructed on the local roads (not arterial) surrounding this rural park.	Height of Buildings		(a) to minimise the visual impact on the existing rural character of the Precinct. (b) to ensure that buildings are compatible with the landscape and help retain the rural nature within the vegetated ridge. (c) to establish an appropriate interface between development of the Precinct and the retained Vegetated Ridge.	The height of a building on any land within the Precinct is not to exceed the maximum height shown for the land on the Height of Buildings Map (Figure 7-2).
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Theme	Council issue	Recommendation																								
		<p>Reason: This will ensure the lot is not subdivided in accordance with subdivision provisions which apply to the R2 zone.</p> <p>Recommendation 2.48. That DPHI further assesses the option to remove the proposed drainage and local open space zones and any associated land acquisition from the site.</p> <p>Recommendation 2.49. That DPHI set a minimum lot size of three (3) hectares.</p> <p>Reason: The current lot size is 2.023 hectares. This will retain the lot size as is currently.</p> <p>Recommendation 2.50. That DPHI amends the ILP by removing any proposed roads through the site and make any further adjustments where necessary.</p>																								
	<p>Rummery House</p> <p>The Non-Indigenous Heritage Report recommends that these properties be further assessed prior to gazettal of the Precinct and adjustments be made to the Growth Centres SEPP Heritage Map where necessary.</p>	<p>Recommendation 2.51. That DPHI includes the following controls for Rummery House Assessment to be included in the final DCP.</p> <table><tr><th>Heritage Item</th><th>Advised Development Controls</th><th>Objectives</th><th>Suggested controls/guidelines for the Growth Centres DCP</th></tr><tr><td rowspan="2">Protection from adjoining areas</td><td></td><td>(a) to mitigate disturbance to potential archaeological remains;</td><td rowspan="2">A temporary hoarding or temporary construction site fence must be erected between the work site and adjoining lands before the works begin and must be kept in place until after the completion of the works if the works</td></tr><tr><td></td><td>(b) to establish an appropriate interface between residential zones and public spaces (local park)</td></tr><tr><td rowspan="2">Height of Buildings</td><td></td><td>(a) to minimise the visual impact, loss of views, screen potential archaeological remains of the site; not over 10m</td><td rowspan="2">The height of a building on any land with the Precinct is not to exceed the maximum height (open for the site) on the height of Buildings Map (Figure 7-2).</td></tr><tr><td></td><td>(b) to minimise the visual prominence of development on the existing rural character of the Precinct;</td></tr><tr><td rowspan="3">Archaeological Potential - Rummery House</td><td>Building from setback from the road reserve</td><td>(a) to minimise the visual impact and to mitigate disturbance to potential archaeological remains;</td><td rowspan="3">Buildings and dwellings (including verandas and porches) facing the local park surrounding the suggested location of the Rummery House remains should be consistently set back from the site boundary at 4m.</td></tr><tr><td></td><td>(b) to establish an appropriate interface between residential zones and public spaces (local park);</td></tr><tr><td></td><td>(c) setback should be adequate to maintain and preserve views to and from the Rummery House and potential reserves along the alignment;</td></tr></table> <p>Reason: Refer to 7-2 Source: (Table Recommended Heritage Development Controls for inclusion into the <i>Growth Centres DCP</i>).</p> <p>Reason:DPHI also needs to initiate this prior to finalisation of the Precinct Plan, for inclusion in the SEPP and DCP.</p>	Heritage Item	Advised Development Controls	Objectives	Suggested controls/guidelines for the Growth Centres DCP	Protection from adjoining areas		(a) to mitigate disturbance to potential archaeological remains;	A temporary hoarding or temporary construction site fence must be erected between the work site and adjoining lands before the works begin and must be kept in place until after the completion of the works if the works		(b) to establish an appropriate interface between residential zones and public spaces (local park)	Height of Buildings		(a) to minimise the visual impact, loss of views, screen potential archaeological remains of the site; not over 10m	The height of a building on any land with the Precinct is not to exceed the maximum height (open for the site) on the height of Buildings Map (Figure 7-2).		(b) to minimise the visual prominence of development on the existing rural character of the Precinct;	Archaeological Potential - Rummery House	Building from setback from the road reserve	(a) to minimise the visual impact and to mitigate disturbance to potential archaeological remains;	Buildings and dwellings (including verandas and porches) facing the local park surrounding the suggested location of the Rummery House remains should be consistently set back from the site boundary at 4m.		(b) to establish an appropriate interface between residential zones and public spaces (local park);		(c) setback should be adequate to maintain and preserve views to and from the Rummery House and potential reserves along the alignment;
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<p>Open Space and Recreation Item B on the map:</p> <p>Conflict between the TransGrid 330</p>	<p>TransGrid Easement Guideline lists works permitted/ not permitted within the easement.</p> <p>i. Public spaces or recreational areas which encourage people to spend time within or congregate within the easement are strictly prohibited.</p> <p>ii. Bushfire prone land due to proximity to Rouse Hill Regional Park:</p>	<p>Recommendation 2.52. That DPHI confirms that flood prone land will not impact on the active open space delivery, use, maintenance, and activation.</p> <p>Reason: Refer Item C on the map:</p>																								

Theme	Council issue	Recommendation
KV easement and playing fields.	<p>iii. Provide spatial plan showing Asset Protection Zone do not impact active open space use.</p> <p>iv. High value native vegetation must be retained. iv. Conflict with 1% AEP flood extent and active open space:</p> <p>Recreational use limitations due to steep topography:</p> <p>i. Confirm on the topography and site levels, to ensure optimum use of land for active and passive recreation.</p> <p>ii. Non-certified land is saved for biodiversity purposes, conflicts with sports use.</p> <p>iii. Bushfire prone land due to proximity to Rouse Hill Regional Park.</p> <p>iv. High value native vegetation must be retained. q. Item D on the map:</p> <p>Conflict with 1% AEP flood extent and active/ passive open space:</p> <p>i. Confirm that flood prone land will not impact on the active or passive open space delivery, use, maintenance, and activation.</p> <p>ii. High value native vegetation must be retained.</p> <p>iii. Conflict between the Endeavour Energy easement constraints and proposed active and passive recreation uses.</p> <p>2. Quantum of public open space (Land Use Plan) As advised from the start and throughout the process, Blacktown City adopt 2.83 ha/1000 local people calculation for public open space provision. This is in line with the <i>State Environmental Planning Policy (Sydney Region Growth Centre) 2006</i> and open space benchmark consistently adopted across Council's previous precinct plans in the NWGA. DPHI has not shown this calculation in the Concept Plan/ Land Use Plan. Blacktown City has run this formula for Riverstone East Stage 3 precinct.</p> <p>Please note that the calculation below has not included the shortfall of open space calculation for Riverstone East Stage 1 and 2 and NWGA. Blacktown City recommend DPHI to provide these calculations in the draft Riverstone East Stage 3 ILP.</p> <p>i. Total no. of people = 11,704 (3080 x 3.8 people per dwelling)</p> <p>ii. Minimum public open space required = 33.1223 ha</p> <p>iii. Minimum no. of playing fields required = 6.33 no. of playing fields (1 playing field per 1,850 people)</p> <p>iv. Minimum no. of netball/basketball courts required = 3.34 courts (1 netball court per 3,500 people)</p>	

Theme	Council issue	Recommendation
	<p>v. Minimum no. of tennis courts required = 2.6 courts (1 netball court per 4,500 people)</p> <p>Rouse Hill Regional Park area (96.53 ha) cannot be calculated in the provision of 2.83ha/ 1,000 as the purpose of local park is to serve local community need. Proposed SP2 drainage area (24.99 ha) cannot be calculated in the provision of 2.83ha/ 1,000 local people, as it performs the primary drainage function in line with the SEPP.</p> <p>Non-certified land area (15.79 ha, 8.05 ha sporting field) is saved for biodiversity purposes (where trees cannot be removed), hence the usability is extremely limited for community access, recreation, and social benefit.</p> <p>Non-certified land area cannot be calculated in the provision of 2.83ha/ 1,000 local people. Refer to item 1.n.(ii) on the site limitations.</p> <p>Certified land area (15.97ha and 10.03 ha) was shown as non-certified land at the EBD workshop held on May 2023.</p> <p>DPHI to confirm whether it is a Certified or Non- certified land and removal of trees is possible to allow future community use. Is the removal of trees, best practice and ideal outcome that is being proposed for Riverstone East Stage 3 precinct?</p> <p>Refer 1.o.(i) on the site limitations. The Certified land area (15.97ha and 10.03 ha) cannot be calculated in the provision of 2.83 ha/1000 people.</p>	
Open Space and Recreation	<p>Distribution of public open space</p> <p>Passive open space must allow for: (40% of total open space provision)</p> <ol style="list-style-type: none"> Local parks, including playspaces must be located within 500m walking distance (medium to low density) and 200 m. (High density) Outdoor fitness area must be provided at every 1.5 kms. Dog off leash area must be provided every 3 kms. Youth recreation spaces must be provided within the precinct. Active transport networks must be shown on the ILP. <p>Active open space use: (60% of total open space provision)</p> <p>Distribution of active open space appears reasonable.</p>	<p>Recommendation 2.53. That DPHI confirms that the traffic access and egress will be provided to proposed open space areas to ensure safe community access.</p>
Open space		

Theme	Council issue	Recommendation
Quantum and quality of open space	<p>Quantity of public open space required = minimum 31.5 ha (2.83 ha/1,000 people)</p> <p>Quantity of active open space required = minimum 18.9 ha (60% of total open space)</p> <p>The draft ILP shows the shortfall of 3.2 ha of active open space, this is based on 15.70 ha (6 fields) of active open space indicated in the Riverstone East Stage 3 – Explanation of Intended Effect dated February 2024. It is unclear how much of this land will be accessible, safe, useable, unconstrained to offer recreation opportunity.</p> <p>Riverstone East North sports ground is unable to accommodate a double playing field footprint.</p> <p>Quantity of passive open space required = minimum 12.6 ha (40% of total open space) 36.51ha is indicated in the Riverstone East Stage 3 – Explanation of Intended Effect dated February 2024. It is unclear how much of this 36.51ha land will be accessible, safe, usable, unconstrained or offer any recreational opportunity.</p> <p>Quantity of sports fields required = minimum 6.0 playing fields (1/1,850 people)</p> <p>Dimension of proposed sportsground = minimum 4.5 ha unconstrained and useable land (to accommodate a double playing field, 100 car park per double playing field, amenities building and supporting infrastructure)</p> <p>Orientation of sports fields = North – South. Ensure sports fields are on a flat surface, provide site level, plan, and cross section to demonstrate the site will be accessible, safe, useable, unconstrained.</p> <p>Quantity of sport fields required = minimum 3x cricket full size fields, 4x soccer, 2x rugby league, 1x softball training, 4x oztag (or) 1 x athletics</p> <p>Quantity of outdoor courts required = 4x multipurpose courts, 4x tennis, minimum 100 m from residential housing</p> <p>Passive Park minimum size required = 3,000 sqm</p> <p>Playspace required = 6 nos. (min 500m walking distance (medium to low density), 200m walking distance (high density)</p> <p>Fitness stations = 1 every 1.5 kms radius</p> <p>Dog offleash area = 1 every 3 kms radius</p>	<p>Reason: Key recommendations provided in Attachment A</p>

Theme	Council issue	Recommendation
	Active transport network and safe pedestrian crossings I. Street tree planting DPHI to show where in the precinct the 40% canopy cover is calculated.	
Sports grounds	<p>The minimum sporting codes that each sportsground will have to accommodate are: -</p> <p>Riverstone East North sports ground: The proposed land size is currently unable to accommodate a double playing field footprint. The North West Growth Area sporting code allocation states that this park will have to accommodate for athletics, baseball, amenities building, playspace, lighting, dog off leash, 100 car park, path network and supporting infrastructure.</p> <p>Riverstone East Mid sportsground (co-located with the school): The North West Growth Area sporting code allocation states that this park will have to accommodate for rugby league (2 full sized fields, 2 mini fields), cricket (1 full sized field, 4 nets), multipurpose courts 4 nos., 100 car park, tennis, amenities building, playspace, lighting, path network, supporting infrastructure, and any additional Department of Education or School Infrastructure NSW sports requirements.</p> <p>Riverstone East South (co-located with the school): The North West Growth Area sporting code allocation states that this park will have to accommodate for football (2 full sized fields, 2 mini fields), cricket (1 full sized field, 4 nets), multipurpose courts 4 nos., 100 car park, tennis, amenities building, playspace, fitness area, dog off leash, lighting skate park, table tennis tables, path network, supporting infrastructure and any additional Department of Education or School Infrastructure NSW sports requirements.</p>	Recommendation 2.54. That DPHI provides the following recreational facilities at Riverstone East North, Riverstone East Mid and Riverstone East South in the updated ILP.
Playing fields and passive open space areas	<p>We require a plan indicating site level, and cross section and long sections of each proposed playing fields to see if they will work in the space provided. Can Blacktown City get accurate dimensions of each of the playing fields to ensure they fit into the areas provided? They all seem to be squeezed on.</p> <p>We require a detail site investigation to check for contamination, extent, and implications of any contamination before Blacktown City consider accepting the sites as open space.</p> <p>Where possible, the playing fields are not to be affected by 1:100 flood level.</p>	Reason: Key recommendations provided in Attachment A .

Theme	Council issue	Recommendation
	<p>The open space around drainage reserves is not to be counted as open space if they are to be retaining walls for the basins. These are unusable areas. Blacktown City suspect IPART will not accept them because they do not serve an open space function.</p> <p>The ILP is not clear on who is to acquire the connecting corridors and bushland areas. These areas are not to be counted as passive open space.</p>	
Open space north of east west transmission easement	This area is unsuitable due to lack of passive surveillance.	Recommendation 2.55. That DPHI further assesses the option to zone land open space, which lies north of east-west transmission easement, as an extension to the residential areas to the south.
Open space pocket south of Riverstone Road and on the corner of the transit boulevard	There is a small pocket park. What is the size and purpose? It is likely to be too small for us to do anything with it. The minimum size of a pocket park is 3000 m ² with minimum three street frontages. This is like a laneway pathway between houses. They are subject to anti-social behaviour. Council has been closing them throughout the LGA.	<p>Recommendation 2.56. That DPHI further assesses the option to rezone land of less than 3000 sqm which add little planning benefit.</p> <p>Reason: Avoid inefficient use of public land.</p>
Area east of the transit spine	<p>This area was previous shown on a previous version of the ILP as Urban Bushland and now it is passive open space. As Council is unable to remove trees from this area, it has limited use for passive open space.</p> <p>The slope is not conducive to passive open space activities</p>	Recommendation 2.57. That DPHI further assesses the option to acquire land located east of the transit spine, as part of the Rouse Hill Regional Park.
Double playing field south of the proposed school, north of Guntawong Road	<p>Need a minimum of 4 single playing fields plus parking (min 200 car spaces) and two amenities' buildings, play space, fitness, dog park and walking tracks based on provided population estimates.</p> <p>If the dwelling and population estimates change, then the requirement for open spaces need to be adjusted.</p>	<p>Recommendation 2.58. That DPHI provides the dimensions of the sports fields to Blacktown City.</p> <p>Reason: To confirm if proposed standard playing fields can be accommodated on site.</p> <p>Recommendation 2.59. That DPHI provides cross and long sections, site levels and concept plan.</p> <p>Recommendation 2.60. That DPHI removes roads between proposed playing fields and drainage corridors.</p> <p>Recommendation 2.61.</p>
Open space south of Garfield Road East and adjacent	There is a contamination issue at Garfield Road East. Council does not want to acquire it (see previous comments on contaminated land).	Reason: This area should not be calculated as useable passive open space and if possible not zoned SP2 Drainage due to contamination issues.

Theme	Council issue	Recommendation
to First Ponds Creek		
Open space adjacent to Windsor Road	The levels seem to be better in the middle.	Recommendation 2.62. That DPHI further assesses the option to relocate passive open space to increase accessibility. Reason: Address potential alignment and topographical issues.
Playing field adjacent to the western side of Hambledon Road in the northern part of the precinct	Hambledon Road is access denied so how is access provided? This will jeopardise the use of the land as open space. The configuration of the playing fields is inappropriate. The playing fields must be side by side each and not back-to-back as shown. The land seems to be significantly flood-prone. Potential contamination issues due to location near Junction Road site. Need cross and long sections, site levels and concept plan to see if it is feasible.	Recommendation 2.63. That DPHI addresses key issues raised and updates the final ILP and SEPP maps accordingly. Reason: Refer to Attachment C .
Embellishment of public open space	Additional embellishment works and associated cost required to make the site usable for community use/ access. Council will include these additional landscape embellishment costs in the preparation of S7.11 Contributions Plans	There is no recommendation proposed.
Roads	"Roads" need to be Local roads where applicable	Recommendation 2.64. That DPHI further assesses the option to identify roads as "local roads" prior to rezoning.
Key roads Cudgegong and Worcester Road Zoning of roads and associated land acquisition	Land which has medium-high density is subject to an 18 m road reserve under the Growth Centres DCP 2020. This is 2 metres wider than what is in the proposed DCP. The road widening needs to be shown on the Land Zoning Map, Land Reservation Acquisition Map, Residential Densities Map and Height of Building Map.	Recommendation 2.65. That DPHI further assesses the option to not zone Cudgegong and Worcester Road as SP2 Local Road. Reason: This is to be consistent with the designation of the roads in the Area 20 Precinct. This is to be reflected in the Land Zoning Map, Land Reservation Acquisition Map and the ILP.
Property	Assume that the majority of the proposed ILP roads are not in a contributions plan. The proposed ILP road layout ignores the property boundaries by assuming a blank canvas view. Whilst this is great for	Recommendation 2.66. That DPHI works with AustGrid on provisions relating to residential

Theme	Council issue	Recommendation
	single landowner, it fails where Blacktown City has multiple land ownership. Blacktown City really need to consider the ILP road layout in with a draft CP including roads that front open space as to how it is funded.	development and what form of housing can be built with the easement.
Traffic and road design	Generally, do not have roads along transmission easements longitudinally as these are not accepted by Electricity Authorities See appendix 2	Recommendation 2.67. That DPHI further assesses the option of removing proposed roads along transmission easements.
	An ILP road goes through transmission pole See appendix 1 to this attachment	
	Space in the ILP to show traffic lights and roundabouts where required from the traffic report.	Recommendation 2.68. That DPHI includes signalised intersections and proposed roundabouts on the ILP Maps.
	Poor intersection alignment.	Recommendation 2.69. That DPHI further assesses the option to remove potential ILP roads which add little planning benefit.
	Traffic signals along Windsor Road and Garfield Road East - provide full intersection concept designs including lane transitions. See appendix 2	Recommendation 2.70. That DPH amends the zoning plan, IRA and ILP in response to Blacktown City concerns.
	What will this intersection treatment be? provide details. Also, ILP road parallel to Hambleton Road extension cannot join at intersection with collector road and Hambleton Road as shown. See appendix 2	Recommendation 2.71. That DPHI further assesses the option delete parts of the parallel local road.
	This local road would need to be in the contributions plans to be delivered as rest of lot has not development potential. The road has small strip of R2 zone on a non-developable lot. See appendix 2	Recommendation 2.72. That DPHI further assesses the option to move the proposed road to adjoining lot with development potential.
	Local road would need to be in a Contributions Plans See appendix 2	Recommendation 2.73. That DPHI further assesses the option provide justification of this road.
	There is poor road alignment See appendix 2	Recommendation 2.74. That DPHI works with Blacktown City on road alignment constraints affecting key roads

Theme	Council issue	Recommendation
	There is a need to square up ILP road intersection onto Hambleton Road extension. See appendix 2	Recommendation 2.75. That DPHI confirms to Blacktown City that the Hambleton Road Extension alignment impacts an existing transmission pole.
	Not likely to get ILP road connecting to Garfield Road east this close to a signalised intersection. See appendix 2	Recommendation 2.76. That DPHI further assesses the option remove connection from new ILP road to Garfield Road East. Reason: Due to the proximity of an existing signalised intersection.
	Playing fields are within flood extents. What is proposal to compensate for this flood impact? See appendix 2	Recommendation 2.77. That DPHI provides calculations and details with open space areas and potential flood risks.
	Others	
	Lots of small grudge strips See appendix 2	Primary recommendation has been identified in Attachment A to address this
	For proposed roundabouts, show full extent of road widening. provide concept intersection designs to show extent required. See appendix 2	Recommendation 2.78. DPHI needs to include the extents on the Land Reservation Acquisition Map
ILP Layout: Changes and issues from a stormwater and water cycle management perspective		
High Pressure Gas Main	There is a high-pressure gas main along Guntawong Road.	Recommendation 2.79. That DPHI works with Schools Infrastructure NSW and key utility authorities to provide appropriate safeguards to protect users of the proposed and community centre on Guntawong Road.
Utilities Gas connections	Council prefers no new gas connections in new development. Blacktown City note in Section 6.3 Recommended Future Actions that "organisations intending to develop are recommended to liaise with Blacktown City Council and Jemena to determine the suitability and implementation of gas infrastructure. There is a transition away from natural gas towards renewable energy sources, a factor that may influence future service requirements and impact the feasibility of providing gas services to the site". <ul style="list-style-type: none"> The easiest, cheapest, and most sensible precincts to transition away from natural gas are those that have not yet been built. 	Recommendation 2.80. That DPHI works on a strategy to prevent gas connection within the Precinct with preference to more sustainable energy-based solutions. Reason: Blacktown City request the DPHI respect Council's intention (base on Strategy) to move towards renewable energy and mandate through the Central River City SEPP and DCP of Council's policy of no gas in new development.

Theme	Council issue	Recommendation
	<ul style="list-style-type: none"> • Allowing gas to be market-driven provides a false and short-sighted choice because: not building a gas network reduces developer costs, making the area safer for schools and social infrastructure as they may not be located near gas mains (See Section 6.3 Recommended Future actions) • if gas connections are allowed in Riverstone East Stage 3 Precinct, this will lock in gas appliances for more than 30 years which conflicts with NSW Government's target of net zero emissions by 2050 and Council's aspirational target of net zero emissions for Blacktown City by 2040. Now, and in the future, there will be pressure for consumers to transition away from gas. • There is no need for gas. Electricity will be available anyway, via the grid and increasingly through rooftop solar generation and battery storage used as a fossil fuel (through burning), natural gas will always give off emissions, whereas emissions from electricity are incrementally reducing due to grid decarbonization home use of natural gas is linked with asthma and other human health problems. • supply cost of gas has shown to be volatile and expensive due to exports to international markets, which is damaging to Australian households & businesses, with ongoing price instability. • households that move into a new all-electric house with efficient appliances will save money compared to an equivalent dual fuel house. • 'All electric' homes need adequate switchboard capacity to serve electric appliances and switchboards upgrades are much more expensive post-construction. • home use of natural gas is linked with asthma and other health problems. • use of fossil fuel through burning, natural gas will always give off emissions, whereas emissions from electricity are incrementally reducing due to grid decarbonisation. • supply of gas is volatile due to exports to international markets, which is damaging to Australian households and businesses with on-going price instability. • households which are all electric with efficient appliances are cheaper to run in comparison to dual-fuel households. 	

Theme	Council issue	Recommendation
	Achieving our aspirational target of net zero community emissions by 2040 would require all electric homes. Blacktown City note the DPHI has advised Council that the provision of gas will be “demand driven”.	
Water Quality Management	The Rhelm Water Management Recycle report states that the greater of the NorBe Greater Wianamatta South Creek controls are to be applied	Recommendation 2.81. That DPHI includes the <i>NorBe Greater Wianamatta South Creek</i> controls in relevant planning provisions applying to the Precinct.
Water Quality	<p>A water cycle management strategy has been developed for the proposed re-zoning and development of the Riverstone East Stage 3 Precinct. Hydrologic, hydraulic and water quality modelling undertaken as part of the assessment revealed that stormwater quality, quantity and waterway health objectives can be achieved for the Precinct with the implementation of the following strategy:</p> <ul style="list-style-type: none"> • Provision of a suitably sized stormwater treatment train including lot scale and regional treatment • measures to manage pollutant loading from the developed site. Additional on-lot treatment for medium and high-density residential zones would be required to achieve the pollutant reduction targets from the Wianamatta-South Creek Guidelines (DPE, 2022), • Implementation of a stormwater harvesting system comprising lot scale rainwater tanks and regional harvesting ponds to reduce site discharge volumes and reliance on potable water, • Provision of regional detention basins to limit post-development flows to pre-development levels for the Killarney Chain of Ponds catchments, and • Establishment of defined riparian channels with appropriate planting to achieve both flood control and biodiversity functions. 	Recommendation 2.82. That DPHI provides clarification to Blacktown City on the viability of the proposed water management strategy to service the Precinct.
Zoning		
Zoning of areas proposed for residential flat buildings.	The proposed zone for residential flat buildings is R4 High Density Residential. Throughout the NWGAs, residential flat buildings are always zoned R3 Medium Density Residential. The maximum height of building is the determinant on whether the maximum built form is town houses or residential flat buildings.	Recommendation 2.83. The DPHI further assesses the location of proposed residential flat buildings in the Precinct which are proposed to be zoned R3.

Theme	Council issue	Recommendation
Zoning issues due to detention basins affecting riparian areas	The detention basins appear to be in an area where there is existing native vegetation. This is not an acceptable outcome for the environment. An alternative solution for stormwater management needs to be found to protect the existing native vegetation. Alternatively, it needs to be confirmed that delivery of the basins is not delayed or considered unsuitable prior to the finalisation of the Plan.	Recommendation 2.84. The DPHI further assesses the location of proposed detention basins prior to rezoning. Reason: Prevent impacts on existing native vegetation
Zoning of heritage sites and proposed heritage sites	The proposed zone of the Tyburn monastery is R2 Low Density zoning. Under this zone, land can be subdivided into smaller lots. To preserve the existing curtilage of this local heritage item, For Rummery House Remains, protection of the view lines needs to be shown development of a scale which protects the view lines. An appropriate zone would be R2 Low Density Residential and a maximum height of building of 8.5 m. This is to be shown on the Height of Building SEPP Map. For Rummery House Remain needs protection of the view lines. Development needs to be a scale which protects the view lines	Recommendation 2.85. That DPHI zones land at the Tyburn Monastery R5 as C4 to protect curtilage of this key heritage structure in the Precinct. Recommendation 2.86. That DPHI further assesses the option to place large lots close to the Monastery. Reason: The minimum lot size be applied to this lot. If possible, DPHI will remove the proposed drainage and local open space zones and any associated land acquisition from the site. Recommendation 2.87. That DPHI further assesses the option to rezone the land to R2 Low Density Residential for Rummery House Remains, with the maximum height of building of 8.5 m, shown on the Height of Building SEPP Map
Zoning and land acquisition of traffic signals and roundabouts	This will inform DPHI what is in the contributions plan. If the land is not in the contributions plan, then they should not be zoned SP2 Local Road and Council should not be the acquisition authority.	Recommendation 2.88. That DPHI provides concept plans to help determine what land is zoned SP2 Local Road.
Zoning changes	The proposed zone of the Blacktown western side of First Ponds Creek is C2 Environmental Conservation. This would be ok to apply to the new appendix for Riverstone East Stage 3. However, the 2 sites on the western side of First Ponds Creeks comes under Appendix 7 Alex Avenue and Riverstone Precinct. The C2 is known as the E2 Environment Conservation.	Recommendation 2.89. That DPHI amends the C2 zone based on the E2 zone (Appendix 7 Alex Avenue and Riverstone Precinct under the Central River City SEPP).
Cudgegong Road	There is a site just west of Cudgegong Road and north of Macquarie Road (Lot 83 DP 208203). It is east of the transmission easement. It is close to the top of the ridge. It is proposed to be medium density.	Recommendation 2.90. That DPHI further assesses the option to rezone land just west of

Theme	Council issue	Recommendation
	The area south in the Area 20 Precinct is zoned RE1 Public Recreation.	Cudgegong Road and north of Macquarie Road (Lot 83 DP 208203), which is shown as RE1. Reason: Maintain the view corridors and provide a provide a continuous corridor of open space.
Transmission easement which runs parallel to Cudgegong Road	The transmission easement which is parallel to Guntawong Road has an “energy” colour on part of it. What does this mean? Who will buy it? Why is it not been placed on all areas where there is a transmission easement?	Recommendation 2.91. That DPHI further assesses the option to rezone land within the transmission easement which is parallel to Guntawong Road to R2 Low Density Residential. Reason: Apply similar approach to Kensington Park Road transmission line.
Riparian Protection area SEPP Map Native Vegetation Protection Pap	The native vegetation map is not consistent with previous precinct SEPP maps. It looks more like a DCP map or something straight from a technical study. The previous SEPP native vegetation protection maps identified 2 classes of vegetation protection – ENV existing native vegetation which counted to the overall growth centres biodiversity certification and cannot be cleared without offsetting, and NVR native vegetation retention areas where clearing should not occur unless there is no alternative. See the map in the Marsden Park Precinct. Ideally the areas where we need to delivery drainage, roads and active (and possibly some passive) open space should be biodiversity certified and not constrained by native vegetation controls. The SEPP Maps are not clear what Council are allowed to clear as part of our roads, drainage and open space works. It would also impact on development depending on what the requirements are. See the Riparian Protection SEPP Map for the Marsden Park Precinct The map identifies riparian corridors to be protected. In this precinct the proposal is to completely reconstruct the riparian corridors identified on the map. The current SEPP Maps does not protect native vegetation or riparian areas despite what the title of these maps state.	Recommendation 2.92. DPHI to address Council’s concerns on the Draft Native Vegetation Protection Map.
SEPP Maps	There are changes to the SEPP Maps. These changes are found in Attachment C. The changes are to be read in conjunction to the many recommendations found in the submission.	Recommendation 2.93. That DPHI amends the SEPP Maps as recommended in Attachments A, B and C.

Theme	Council issue	Recommendation
	We note the exhibited Draft Land Reservation Acquisition Map did not have any notation on it. It is unclear on what land is proposed to be acquired for what purpose and for whom. Council's comments on this is based on an earlier version provided by Council. However, there is no guarantee that what Council commented on is the intention of the DPHI.	

DRAFT



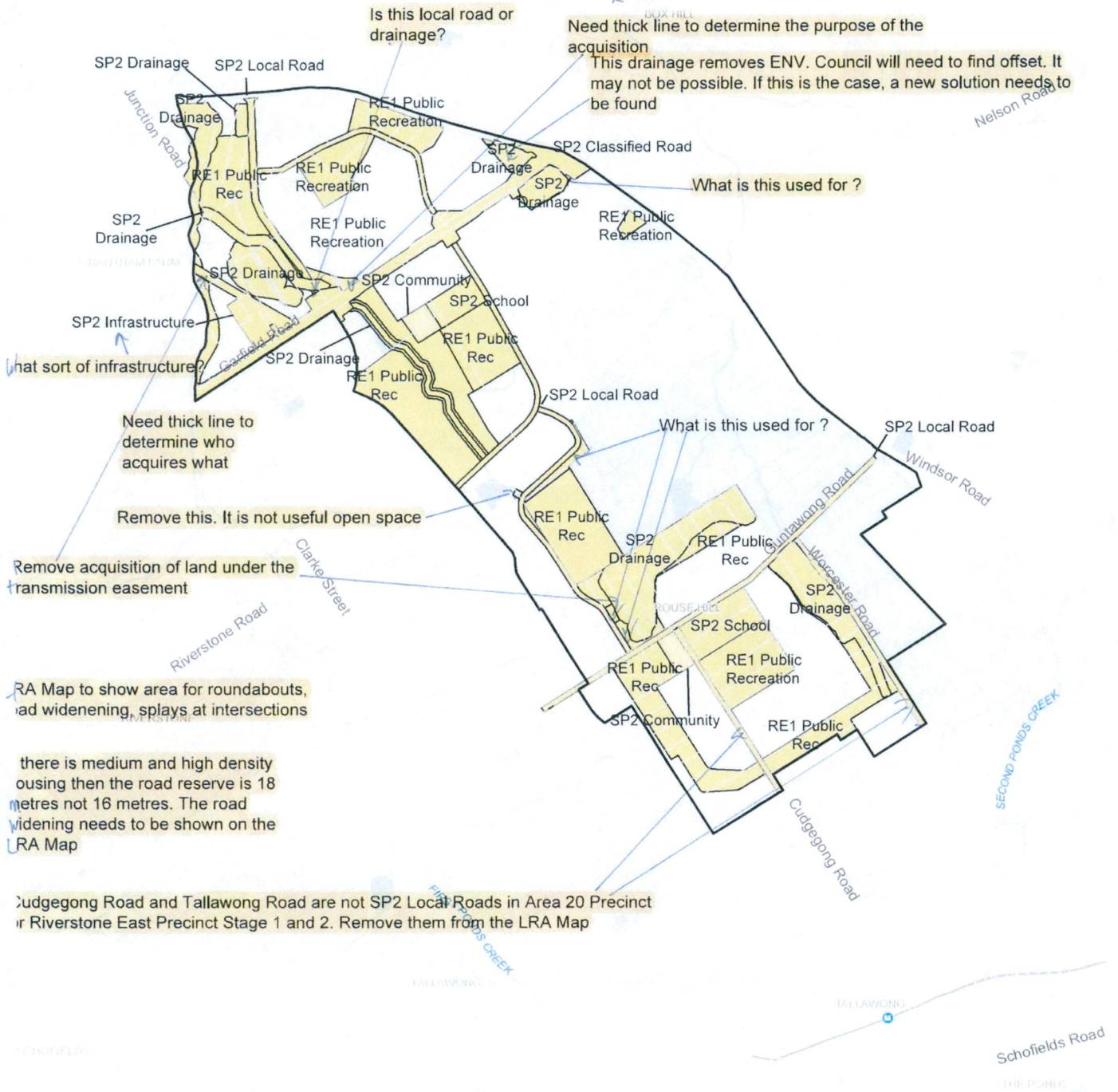
Appendix 1: Suggested lot sizes to design with Country

Attachment C: Amendments to Draft State Environmental Planning Policy (SEPP) Maps

RE1 Public Recreation- spell out in full

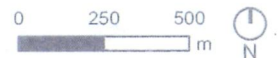
SP2 insert "Local" Road

SP2 Community insert "facility"

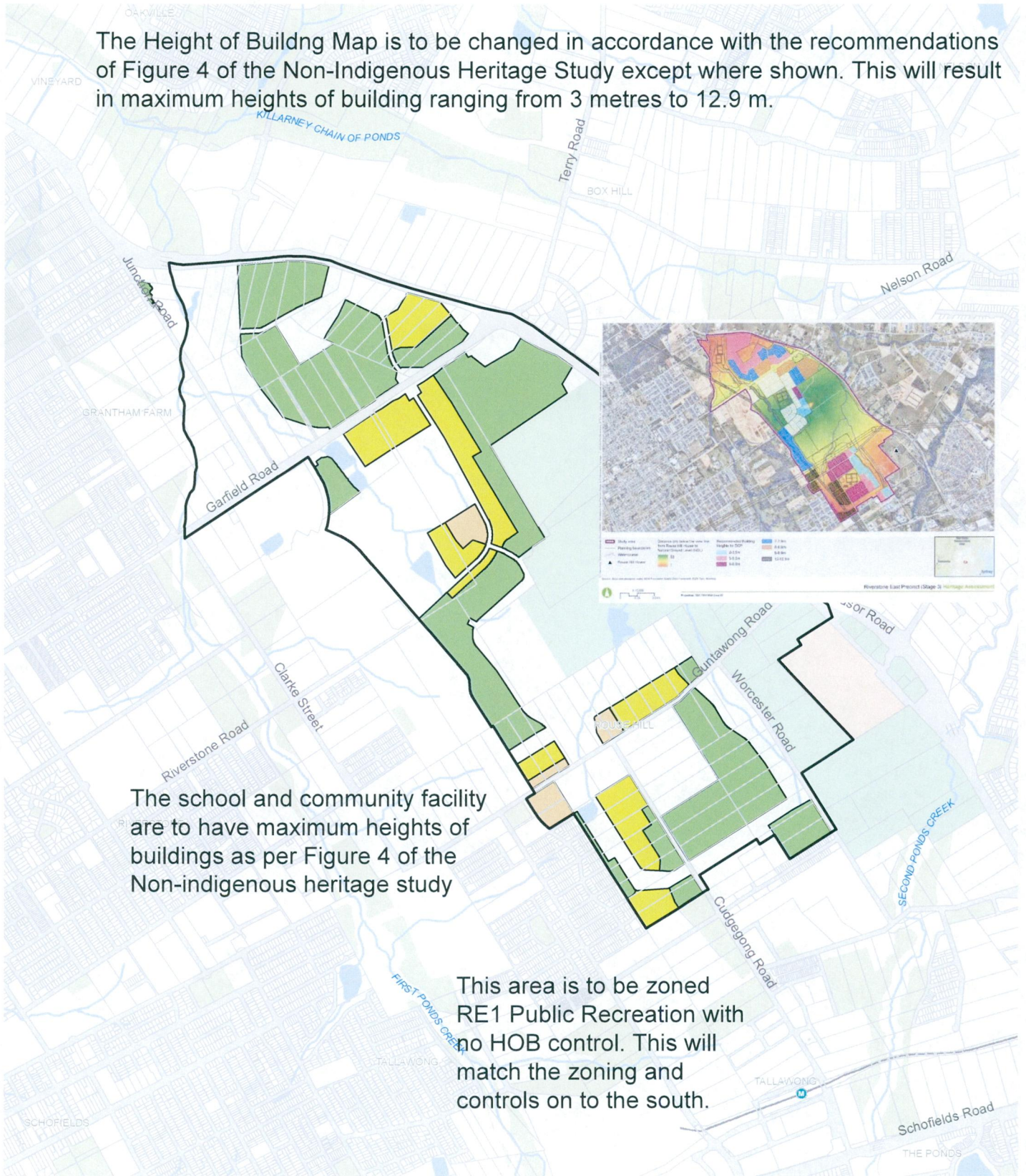


Land reservation acquisition map

- Riverstone East Stage 3
- Metro station
- Metro alignment
- Cadastre © NSW Spatial Services
- Road corridor
- Waterbody
- Open space
- Land reservation acquisition
 - Classified Road (SP2)
 - Local Road (SP2)
 - Drainage (SP2)
 - Infrastructure (SP2)
 - School (SP2)
 - Community (SP2)
 - Public Recreation (RF1)



The Height of Building Map is to be changed in accordance with the recommendations of Figure 4 of the Non-Indigenous Heritage Study except where shown. This will result in maximum heights of building ranging from 3 metres to 12.9 m.



The school and community facility are to have maximum heights of buildings as per Figure 4 of the Non-indigenous heritage study

This area is to be zoned RE1 Public Recreation with no HOB control. This will match the zoning and controls on to the south.

Height of building map

- Riverstone East Stage 3
- Metro station
- Metro alignment
- Cadastre © NSW Spatial Services
- Road corridor
- Waterbody
- Open space
- Rouse Hill Regional Park
- Rouse Hill House and Farm
- 8.5 m
- 16.0 m
- 12.0 m



Change legend to reflect Figure 4



Heritage items map

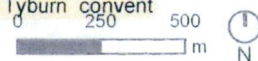
- Riverstone East Stage 3
- Metro station
- Metro alignment
- Cadastre © NSW Spatial Services
- Road corridor
- Waterbody
- Open space

- Rouse Hill Regional Park
- Rouse Hill House and Farm
- Recommended revised curtilage of Rouse Hill House Estate - Stock yard
- High potential for archaeological remains
- Medium potential for archaeological remains

Where is the curtilage of the Tyburn convent

Tyburn Priory lot

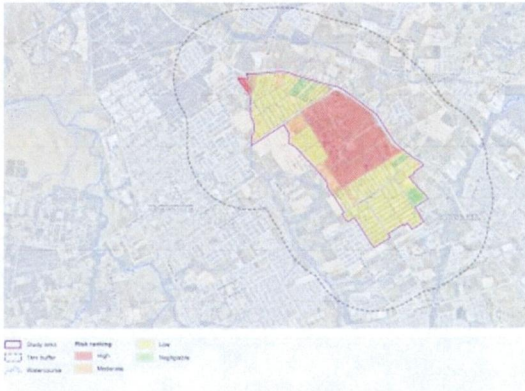
Where is this shown on the Plan ?

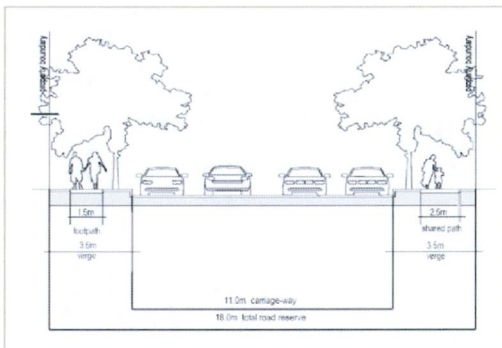


Attachment D: Blacktown City Council comments with the Schedule Nine Riverstone East: Stage 3

DCP Section	Comment
3.1 Vision	This section needs to be expanded somewhat to reflect the Vision in the urban design report.
	Need to say something about the topography, the constraints which has influenced and contributed to the controls.
	What about respecting and designing with Country
3.2 Referenced Figures (Page 9)	What about respecting and designing with Country
	The referenced figures in the DCP Schedule should include <i>Figure 6.4 Proposed residential land use potentially affected by traffic noise</i> so it is clear where the Transport and Infrastructure SEPP applies. The DCP should include additional building requirements on properties which are affected by the noise made by <i>AJ Bush and Sons</i> . These building requirements should be provided for by Aurecon and exhibited as part of the DCP or any amendment to it. <i>Table 1 Distance attenuation from noise source</i> should be accompanied by a map to be clear on where the provisions apply. It is suggested that the DCP include a "sunset provision" that these controls apply whilst <i>AJ Bush and Sons</i> continue to operate. It might provide incentive not to build on the affected properties until the industrial land use relocates
	Why is the DPHI allowing development below the flood planning level? Is there any area in Riverstone East Stage 3 where this would apply? If not, remove this control.
	Comment from Council's Drainage and Infrastructure Engineer has stated that these controls will not apply to Stage 3 as there are no new housing lots which will be below the flood planning area as per 2.3.1.2 of the DCP.
	What is the definition of "non-urban uses".
Page 10	Add "and compatible with flood hazard and risk" to item C Delete "generally"
3.2.3 Neutral or Beneficial Effect on Water Quality	Need to address water quality and QUANTITY
	The stormwater management strategy needs to be resolved based on practicality and cost. We have not had the technical study and costs closed out so can't agree to the final outcome at this stage. We need to minimise capital and lifecycle costs to Council. The final strategy will need to be clearly articulated to specify what targets need to be achieve for each landuse type. These targets need to be included as controls in this section of the DCP. For ease of implementation, the base case should be on a whole of precinct basis. We don't want to assess NorBE for each development site as this will take a lot of resources and means that sites with higher current pollutant loads would require less management measures. Hence we need to be clear on what the precinct targets are and for each land use type.
	Under our previous precinct strategies, we had different on lot targets for land uses other than R2 Low Density Residential to achieve full on lot treatment. What are the design targets for on lot treatment under the proposed strategy

DCP Section	Comment
	for the different land use types. We want to minimise public treatment assets as much as possible.
	How many are required and how much will this cost. Need clarity on how much treatment is required within the street system and does it treat runoff from lots as well?
Bioretention Tree Pits	<p>These aren't included in the Rhelm Water Cycle Management Strategy. There is a need to make sure that the Strategy and the DCP are aligned.</p> <p>Section 4.4 of this Schedule infers at least passive irrigation of street trees. This could assist in delivering some interim runoff volume reductions.</p> <p>Include passive irrigation as a water management option. (comment from Georg Eberl Drainage and Infrastructure engineer)</p>
Baffle Pits	<p>This should be built into the GPT and not a separate structure.</p> <p>These aren't included in the Rhelm Water Cycle Management Strategy. There is a need to make sure that the Strategy and the DCP are aligned.</p> <p>Remove baffle pits as we do not use them.</p> <p>(comment from Georg Eberl Drainage and Infrastructure engineer)</p>
Harvesting Ponds	<p>We don't irrigate passive landscape areas so this part of the proposed reuse is questioned and needs resolution as it would add significant capital and operating cost to Council.</p> <p>These would need to be costed before it is put into a DCP. As a principle we would like to capture and reuse stormwater. Our primary use would be for sporting fields and, only if this is viable, we should consider irrigating landscaped areas. Research has shown that irrigated vegetation has an increased cooling benefit which would be an advantage in a hot western Sydney climate. It ultimately comes back to the capital and operating costs to Council though and if there is a sufficient cost benefit for us to do so. I think more work needs to be done here.</p> <p>It will be difficult for development to achieve interim volume reduction to meet required targets. This would put pressure on Council to provide volume reduction measures ahead of development which doesn't typically happen and we would need the playing field or similar area available to irrigate.</p> <p>Hence there will issues in implementation if the strategy as currently presented.</p>
Figure 6 – Water and Quality Management	Please provide – this is likely to be more than 1 figure to show what is required for the different land use types
3.2.4 Indigenous and non-Indigenous heritage (Page 17)	<p>Is there a map where this would apply? How will the walking tracks be funded? Who will be responsible for the planning, approval, construction and maintenance?</p> <p>Will the local first nations people be involved in the process</p> <p>Where are the controls for the Tyburn Monastery? Where is the curtilage on the map for each item?</p>
Rummary House Remains (Page 17)	<p>Figure 4 is the Flood Prone Land Map in this DCP. Is this what you mean? If not, please state the name of the figure.</p> <p>Where is the map? How is reflected in the HOB Map</p> <p>Is it discussed in the Urban Design Report?</p>
Box Hill Stable Remains	<p>Which former house is this?</p> <p>Where are the view lines?</p>

DCP Section	Comment
	Where are the height controls
Windsor Road	Figure 7 is a salinity map. It is doubted whether is map is the one that applies here. Put the full name of the Figure.
Rouse Hill Curtilage Extension	Figure 4 is the Flood Prone Map. Is it Figure 8 which should be mentioned here?
Figure 8 – Non-Indigenous Heritage (Page 19)	Heritage items? Isn't this proposed heritage items? Tyburn monastery is not a heritage item at the moment. The curtilage of Tyburn monastery is not shown. It needs to be shown.
3.2.5 Native vegetation and ecology	The Rhelm Water Cycle management strategy essentially reconstructs the majority of the riparian corridor in the development area. Re-establishing these as part of the drainage works will require significant funding which IPART may consider as environmental works. The works may not be able to be included in the S7.11 Plans. This issue needs to be resolved.
3.2.6 Bushfire risk and asset protection zones (Page 22)	Planning for Bushfire Protection 2006 with PBP 2019
3.2.7 Site Contamination	The site contamination map is incomplete. It needs to include Junction Road in the Riverstone Precinct as a high contamination site. 
3.2.8 Local Open Space, Community Facilities and Recreational Networks (Page 24)	The Regional Park is not part of the Local open space network. It should be coloured white. Disagree with the naming of drainage land as natural green infrastructure. These are areas which will be MODIFIED with materials including concrete and drains. They are hardly green natural. Best to keep it as drainage land to keep the language consistent.
4.1 Residential Structure (Page 26)	Figure needs to be reviewed base on the comments provided by Council – It is an underestimate
Additional Controls (Guntawong Road) (Page 26)	Where are the 5000 m2 – 1 hectare lot sizes that are part of Designing with Country? See the Indigenous Heritage Report.
4.2 Built Form Design Controls (Page 28)	Where are these controls from?

DCP Section	Comment
Table 3 (Page 28)	This rather wordy, It is not clear what it means, Try re-phrasing it.
Page 29	This is rather wordy. Try re-phrasing it
	Where is the control that requires trees to be provide on future lots?
	Is there a specific requirement for planning trees in the front setback?
	Meaningful to whom. The meaning needs to be more specific?
Page 30	<p>We need to set verge widths to be consistent. These must be wide enough to fit more trees in to achieve the urban cooling objectives. Please provide evidence of how the current designs would achieve the urban cooling objectives. Generally we should be consistent with Western Sydney Panning Partnership work. Amend typical road cross sections (section 4.3) as these only show 1 tree location on each side of the road.</p> <p>Show locations of where private trees can and should be planted as well.</p>
4.3 Movement Network and Design (Page 31)	Should this be Figure 16.
Figure 16: Precinct Road Hierarchy (Page 32)	<p>Local roads where medium – high density housing is proposed in the SEPP, under Figure 3.14 Medium-high density local road in BCC Growth Centres DCP has different road reserves. It is 18 m not 16 m.</p>  <p>Figure 3-14. Medium-high density local road</p> <p>Garfield Road East is NOT an arterial road. It is a sub-arterial road.</p> <p>Windsor Road is an arterial road.</p> <p>Make Guntawong Road 22 m from Windsor Road to the new spine road then to Riverstone East Stage 1 and 2. Why widen it for a few metres?</p> <p>Make Riverstone Road 22 m to provide bus access to Riverstone East Stage 1 and 2.</p>
Table 4: Road typologies	<p>Council suggest using the cross sections in the Main DCP for Access Streets and sub-arterials. The cross sections are the same.</p> <p>For local streets our cross sections require more land to cater for medium density housing. We request you use that.</p> <p>For collector roads, we have no objection to the use of your cross section at 22 m road reserve.</p>
	<p>Need to include another category</p> <p>Local roads for medium to high density development. See the Main DCP medium density housing.</p> <p>See Figure 3.14 Medium-high density local road in BCC Growth Centres DCP Medium-high density local roads should be used in the R3 Medium Density and R5 High Density Residential Zones and in the B2 Local Centre and B4</p>

DCP Section	Comment
	Mixed Use zones except where otherwise defined as a town centre road in the relevant Schedules to this DCP
Local	<p>Local roads for medium to high density development. See the Main DCP medium density housing.</p> <p>See Figure 3.14 Medium-high density local road in BCC Growth Centres DCP</p> <p>Medium-high density local roads should be used in the R3 Medium Density and R5 High Density Residential Zones and in the B2 Local Centre and B4 Mixed Use zones except where otherwise defined as a town centre road in the relevant Schedules to this DCP</p>
	Cudgegong Road is proposed to be 13 m wide carriageway as per the ILP. However, south in Area 20 the road reserve is 11 m wide. Council is happy with the 13 m wide carriage way and the 11 m wide carriage way in Area 20 Precinct. We should note this. There should be a transition in the road width from 11 m to 13 m.
Page 39	<p>Remove this cross section. Use the cross section in the Main DCP</p> <p>Retain this one (Figure 18 Bus capable Collector Road cross section)</p>
Page 40	Remove this cross section (Local Road Type 1). Use the cross section in the Main DCP
Figure 20: Access Street Cross Section (Page 36?)	Remove this cross section. Use the cross section in the Main DCP
Figure 21	<p>30km/h) and "Shareway" It is proposed to be a sub-arterial</p> <p>How can Garfield Road East be a shareway. It is also a sub-arterial.</p> <p>See pp 21 of the Transport Report</p> <p>2.11.2 Hambledon Road Extension</p> <p>It has been identified that Hambledon Road will be extended from Schofields Road through to Garfield Road East. This road will be two lanes in each direction and form a <u>sub-arterial</u> road function. Future intersections at Garfield Road East and Windsor Road will be upgraded to accommodate the future road. The typical configuration of the existing Hambledon Road is shown in Figure 2.13.</p>
4.4 Retention and Planning of Street and other Trees	<p>Subdivision proposals are to ensure adequate deep soil zones and lot frontage widths to enable large street trees</p> <p>How is this done? Subdivisions clear the land. Housing which comes later is when the landscaping is done by a separate landowner.</p> <p>How much is enough? Need to be specific.</p>
4.5 Traffic – Air Quality	<p>Specify which roads (local etc) where this would apply and show it on a map.</p> <p>What is a high volume road, Intermediate roads, moderate road. Name the type and give example: Arterial, Windsor etc.</p> <p>Are the results consistent with the ILP and other SEPP Maps and DCP Controls?</p>
Table 5 Minimum setback requirements (High Volume intersection)	What is a "High-volume intersection" Name the roads and locate it on a map.
4.6 Traffic – Noise	<p>Which road would this apply to? Be specific and make it clear.</p> <p>Refer to the Traffic Report and or the Noise Report.</p>
Figure 22: Noise impacts	Given that Hambledon Road will be a sub-arterial, it would be expected traffic noise similar to Garfield Road East. Hambledon Road should be on the map.

DCP Section	Comment
4.7 Odour	There should be an Odour Map
5.1 Development adjoining or adjacent to Rouse Hill Regional Park	From Aurecon's Non-Indigenous Heritage Assessment Revision 1, 14 September 2023
Point 3	Check
Point 4	From Aurecon's Non-Indigenous Heritage Assessment Revision 1, 14 September 2023
Point 5	Recommended HOB to retain long distance does NOT show any area in the Riverstone East Precinct Stage 3 which would allow 16 m. So why is it here? Delete the control because it is not evidence based.
5.2 Archaeological Potential – Rummary House	From Aurecon's Non-Indigenous Heritage Assessment Revision 1, 14 September 2023
5.2 Archaeological Potential – Box Hill Inn Stable	From Aurecon's Non-Indigenous Heritage Assessment Revision 1, 14 September 2023
5.2 Archaeological Potential – Windsor Road	From Aurecon's Non-Indigenous Heritage Assessment Revision 1, 14 September 2023

9th April 2024

Kiersten Fishburn
Secretary
Department of Planning, Housing, and Infrastructure
Locked Bag 5022
Parramatta NSW 2124

Attn: Elliott Weston; [REDACTED]

Dear Mr. Weston,

**RE: DoE ADVICE- RIVERSTONE EAST STAGE 3 DRAFT INDICATIVE LAYOUT
PLAN**

The Department of Education (DoE), welcome the opportunity to provide comments on the draft Indicative Layout Plan (ILP) and discussion paper related to Riverstone East Stage 3. The DoE wishes to thank the Department of Planning, Housing and Infrastructure (DPHI) for continued engagement to date on Riverstone East Stage 3,

DoE have reviewed the draft ILP and discussion paper and note several matters identified in DoE's correspondence (formally provided throughout 2023) remain unresolved in the exhibited materials. Commentary regarding these matters is provided in Attachment A.

As stated previously, DoE requires resolution to the noted matters prior to rezoning. Without these matters being addressed, DoE is unable to confirm the availability of school sites to be included as part of the exhibition material.

DoE welcomes further opportunities to work with DPHI and discuss opportunities to meet school needs as the area is developed. Should you require further information about this submission, please contact the school infrastructure Strategic Planning Team at [REDACTED]

Yours Sincerely,

Lincoln Lawler
Director, Statutory Planning and Heritage
Department of Education, School Infrastructure



ATTACHMENT – RIVERSTONE EAST PRECINCT-DRAFT ILP

Naming Protocol

As stated previously, DoE request that lands identified for potential future educational establishments on the draft ILP be referred to as:

'Investigation site for educational facilities-subject to further review'.

This will serve to manage community expectations regarding the delivery of educational infrastructure within Riverstone Stage 3 and account for any outstanding mitigation measures or required amendments to the proposed school site locations as detailed due diligence is completed and planning progresses for the Precinct.

Utilities Infrastructure Report

There remains currently no certainty on the delivery of water supply, waste and electricity to the Precinct. These matters are still outstanding with no direct commitment from the relevant agencies.

Biodiversity

Greater level of certainty around the timing or extent of clearing of the bio-certified land within the Precinct is required to ensure no conflict with Planning for Bush Fire Protection 2019 occurs. The level of clearing and regeneration work has a direct correlation with the Bushfire Attack Level on lands adjacent to the areas containing vegetation.

Bushfire

As outlined above, adequate certainty regarding Biodiversity certified lands and the interrelationship with Bush Fire constraints within the Precinct has not been provided.

DoE Site Selection Guidelines outline that schools that are partially within Bushfire Prone Land require careful planning and design to ensure user safety and minimise project cost, with any buildings to be located on land that aligns with the relevant Bushfire Attack Level (BAL) rating.

As state previously, educational establishments must now comply with Specification 43 of *Planning for Bush Fire Protection 2019* (PFBP) or consider the National Construction Code performance solutions and comply with other bushfire requirements of PFBP. These requirements may impact on the feasibility of the development if not adequately considered.

Odour

Significant odour emissions from the existing abattoir presents a significant hurdle to a school site being identified within this precinct.

DoE require certainty from DPHI regarding the abattoir's operation and when/if it will cease operation.

Additional controls within the DCP are not considered an acceptable measure to mitigate the impact of current odour emitters.

Noise

Uses that currently operate at a noise level above comfortable levels for sensitive receivers (particularly schools) need to be mitigated prior to the development of any educational establishments within the Precinct. Currently there is limited certainty that this will occur prior to the rezoning of the precinct. For additional clarity, the NSW DoE *Education Facilities Standards and Guidelines (EFSG) Design Checklist – Acoustics* (0001c version 2.0 published 30/11/2022) outlines an internal noise level of 30 dB for certain sensitive spaces.

Transport and Accessibility

DoE reiterates the previous comment that infrastructure must be correctly staged to match future development within the precinct.

Size of the educational establishment

The Site Selection Guidelines talk to the site areas being a minimum of 2h for a primary school and 4h for a high school of developable land area. Given the concerns outlined above, there is not adequate certainty now to determine whether the land identified can be considered developable.

Co-locating open space on adjacent land under separate ownership is an option that can be explored but the mechanisms to achieve this relationship would need to be established before finalisation of the rezoning.

15th June, 2024

Kiersten Fishburn
Secretary
Department of Planning, Housing, and Infrastructure
Locked Bag 5022
Parramatta NSW 2124

Attn: Elliott Weston; [REDACTED]

Dear Mr. Weston,

RE: DoE ADVICE- RIVERSTONE EAST STAGE 3 - DRAFT INDICATIVE LAYOUT PLAN

The New South Wales Department of Education (DoE), welcome the opportunity to provide comments on the draft Indicative Layout Plan (ILP) and discussion paper related to Riverstone East Stage 3. DoE wishes to thank the Department of Planning, Housing, and Infrastructure (DPHI) for continued engagement to date on Riverstone East Stage 3. This letter is an amendment to the previous submission provided by DoE in early May 2024 and reflects recent changes to land ownership within the Precinct.

The success of this precinct requires the delivery of a new high school and primary school, with land identified in the plan. The outstanding matters identified in the earlier correspondence remain valid to the consideration of future schools within the Precinct (refer Attachment A), particularly impacts around the timing of their delivery.

DoE can commit to the identified school sites, however it must be recognised that there are significant impacts which may cause lengthy delays in the timing of school delivery. To facilitate a 2,000-student high school, DoE requests that the Height of Building map show the proposed high school site with a 24m height limit across the entire site, as the school will likely be 6-storeys in height. This will likely impact the proposed view corridor.

DoE welcomes further opportunities to work with DPHI and discuss opportunities to meet school needs as the area is developed. Should you require further information about this submission, please contact the school infrastructure Strategic Planning Team at [REDACTED]

Yours Sincerely,

[REDACTED]

Rebecca Willott
Executive Director, Infrastructure Planning
New South Wales Department of Education, School Infrastructure

School Infrastructure NSW (SINSW)
Level 8, 259 George Street GPO Box 33, Sydney, NSW 2001
schoolinfrastructure@det.nsw.edu.au education.nsw.gov.au

ATTACHMENT – RIVERSTONE EAST PRECINCT-DRAFT ILP

Naming Protocol

As stated previously, DoE request that lands identified for potential future educational establishments on the draft ILP be referred to as:

‘Investigation site for educational facilities-subject to further review’.

This will serve to manage community expectations regarding the delivery of educational infrastructure within Riverstone Stage 3 and account for any outstanding mitigation measures or required amendments to the proposed school site locations as detailed due diligence is completed and planning progresses for the Precinct.

Utilities Infrastructure Report

There remains currently no certainty on the delivery of water supply, waste, and electricity to the Precinct. These matters are still outstanding with no direct commitment from the relevant agencies.

Biodiversity

Greater level of certainty around the timing or extent of clearing of the bio-certified land within the Precinct is required to ensure no conflict with Planning for Bush Fire Protection 2019 occurs. The level of clearing and regeneration work has a direct correlation with the Bushfire Attack Level on lands adjacent to the areas containing vegetation.

Bushfire

As outlined above, adequate certainty regarding Biodiversity certified lands and the interrelationship with Bush Fire constraints within the Precinct has not been provided.

DoE Site Selection Guidelines outline that schools that are partially within Bushfire Prone Land require careful planning and design to ensure user safety and minimise project cost, with any buildings to be located on land that aligns with the relevant Bushfire Attack Level (BAL) rating.

Educational establishments must now comply with Specification 43 of *Planning for Bush Fire Protection 2019* (PFBP) or consider the National Construction Code performance solutions and comply with other bushfire requirements of PFBP. These requirements may impact on the feasibility of the development if not adequately considered. It may also significantly impact the timing of the school being delivered, until such a time that land has been cleared/redeveloped and mapping updated. Commitment to updating by DPHI is required.

Odour

At the time of writing, DoE had been advised that a major source of odour emissions within the Precinct (the AJ Bush & Sons Abattoir) plans to cease operations. While this is of benefit to the future development of the precinct, it is currently unknown whether the other source of emissions identified in the recent SLR report (particularly the Poultry Farm at 20 Clarke Street, Riverstone) will be

managed to enable the development of required sensitive uses. The SLR report provided a very clear statement of risk for these uses, with page 31 of the report stating:

“AJ Bush and Sons and the poultry farm at 20 Clarke Street currently cause offensive odour impacts beyond their site boundaries and have the potential to impact a large area of the precinct”.

As stated previously, additional controls within the DCP are not considered an acceptable measure to mitigate the impact of current odour emitters.

If appropriate mitigation measures are not built into the rezoning, this may also impact the timing of the school delivery.

Noise

Uses that currently operate at a noise level above comfortable levels for sensitive receivers (particularly schools) need to be mitigated prior to the development of any educational establishments within the Precinct. Currently there is limited certainty that this will occur prior to the rezoning of the precinct. For additional clarity, the NSW DoE *Education Facilities Standards and Guidelines (EFSG) Design Checklist – Acoustics* (0001c version 2.0 published 30/11/2022) outlines an internal noise level of 30 dB for certain sensitive spaces.

Transport and Accessibility

DoE reiterates the previous comment that infrastructure must be correctly staged to match future development within the precinct.

Size of the educational establishment

The Site Selection Guidelines talk to the site areas being a minimum of 2h for a primary school and 4h for a high school (of developable land area). Given the concerns outlined above, there is not adequate certainty now to determine whether the land identified can be considered developable.

Confirmation, through the height of building maps need to show that the schools can be a minimum of 4-6 storeys in height if land is proposed to be provided below the DoE minimum.

Co-locating open space on adjacent land under separate ownership is an option that can be explored but the mechanisms to achieve this relationship would need to be established before finalisation of the rezoning.