



planning consultants

28 February 2017
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The Secretary
NSW Department of Planning and Environment
GPO Box 39,
Sydney NSW 2001

Dear Madam

**Submission in relation to draft Vineyard Precinct Plan (Stage 1)
711-725 Windsor Road, Vineyard**

DFP has been engaged by Bittini Pty Ltd review the draft Vineyard Precinct Plan and prepare a submission on their behalf.

Bittini Pty Ltd own 711-725 Windsor Road, Vineyard. There is currently a hotel/motel development operating from this land (Vineyard Hotel and Gateway Motel). In December 2014, Hawkesbury City Council approved DA0177/14 for alterations and additions to the motel and hotel facilities and other ancillary works.

The mapping accompanying the draft precinct plan indicates that the site (711-725 Windsor Road, Vineyard) is proposed to be zoned E4 Environmental Living with development for the purposes of a motel and pub being permitted by virtue of the inclusion of these uses in Schedule 1 of Appendix 13 of State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Growth Centres SEPP). Appendix 13 of the Growth Centres SEPP will apply to Stage 1 of the Vineyard Precinct. Although we can confirm that Bittini Pty Ltd can understand the proposed zoning and the recognition of the existing uses on the site by way of including these as additional permitted uses, we also question whether a commercial zoning which permits these uses, would be more appropriate and cause less confusion if further works in relation to these uses is proposed.

The mapping also identifies that part of the site is identifies as being flood prone land and the entire property, together with approximately half of the Stage 1 precinct and much of the north-eastern part of the Riverstone precinct is identified as being subject to the probable maximum flood (PMF).

Section 3.2 of the Planning Report accompanying the exhibition material states that:

In order to ensure that development of land below the PMF can be appropriately supported by relevant infrastructure in a PMF event, including the regional road network, the rezoning of land that is below the PMF is to await the outcomes of the Taskforce. These suggested land uses will be reviewed once the outcomes of the Taskforce are known.

Representatives of Bittini Pty Ltd attended the information session on Thursday 9 February 2017 and were advised that the Hawkesbury-Nepean Valley Flood Management Taskforce is finalising their investigations in relation to the broader flooding and evacuation issues which not only affect the Vineyard precinct (and the Riverstone precinct) but also areas beyond these precincts.

In this regard, we seek your confirmation that the areas identified as being within the PMF will not be excluded from the Stage 1 Vineyard precinct. We note that similarly affected areas within the Riverstone precinct have been included in that precinct plan and the land has been rezoned accordingly and therefore see no reason why a similar approach cannot be adopted for those parts of the Vineyard precinct affected by the PMF.

We also question what has informed the area identified as flood prone land on the mapping. Has this been high level work based on contour information or has this been 'ground truthed' based on local circumstances and existing infrastructure and flood mitigation works?

For example, in relation to 711-725 Windsor Road and the adjoining property to the north west, the mapping identifies a significant water management zone which appears to cover the flood channel. This flood channel was modified when Windsor Road was recently upgraded and levee banks were provided. It was our client's understanding that the levee banks would effectively 'contain' the flooding. Given the channel has levee banks we question whether the land identified as being flood affected on the mapping is as wide as it is shown on the maps, particularly given that there are existing buildings on the area identified as being flood affected land. In our opinion, the area of flood affection could be reduced to align with the location of the levee banks.

Furthermore, we also seek your assurance that any upgrade works to Boundary Road (which we understand is not being prioritised) will not exacerbate flooding or change the existing levels on 711-725 Windsor Road, Vineyard and that there will be not alteration to the existing access arrangement to this property.

We understand that Council is currently preparing a S94 Contributions Plan for the Vineyard Precinct and that this will be placed on public exhibition prior to being finalised. We will review that plan when exhibited to understand how any contributions for development on land proposed to be zoned E4 might be applied.

Conclusion

We can confirm that Bittini Pty Ltd is generally happy with the draft Precinct Plan for Vineyard and in particular the recognition of the existing uses on 711-725 Windsor Road, as this will allow the hotel/motel development to continue operation and provides Bittini with the confidence to continue to invest in the development.

We do however request that the following be confirmed:

1. That the area identified as being affected by the PMF not be excluded from the operation of the plan.
2. That the information which informed identification of the areas mapped as being flood prone land was ground truthed.
3. That individual circumstances and existing infrastructure was taken into account when identifying land as being flood prone.
4. That any works to upgrade Boundary Road, when this occurs, do not impact on the operation of the hotel/motel business in terms of changing levels, increasing flood affectation or altering the existing access arrangements.
5. Whether a commercial zoning (in lieu of the proposed E4 zoning with the existing uses being identified as additional permitted uses) might be more appropriate given the nature of the existing development.

We would be happy to discuss these or any other issues in relation to the Vineyard Precinct generally or the subject site in particular and request that these matters be taken into consideration when finalizing the planning for Stage 1 of the Vineyard Precinct.



Should you have any questions regarding this matter, please do not hesitate to contact Ellen Robertshaw of DFP on 9980 6933.

Yours faithfully
DFP PLANNING PTY LTD

A handwritten signature in black ink, appearing to read 'ER', is positioned below the company name.

ELLEN ROBERTSHAW
PARTNER
erobertshaw@dfpplanning.com.au