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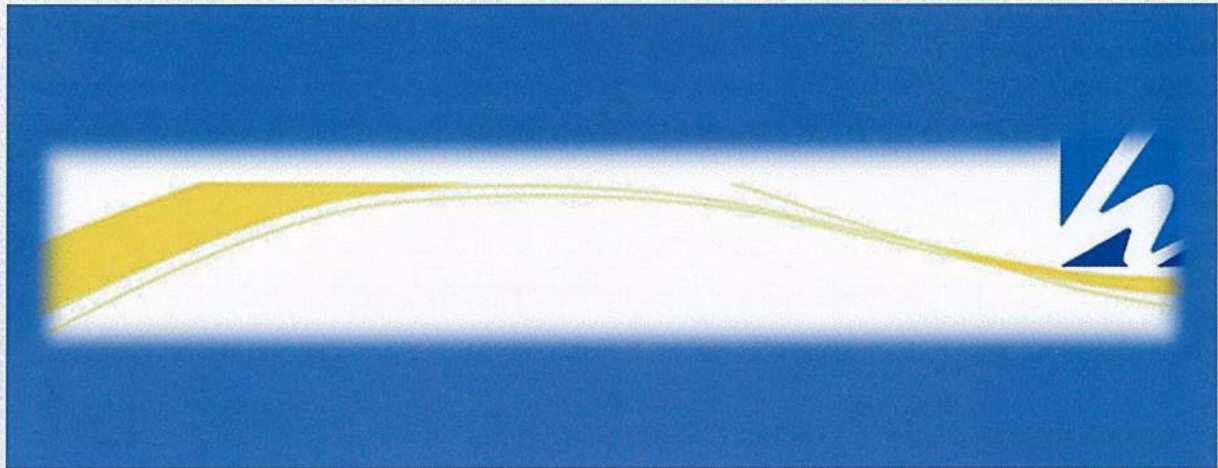
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Planning Proposal – Lot Lot 21 DP 806993, 6 Speedwell Place, South Windsor

Summary of Planning Proposal

Subject land:	Lot 21 DP 806993, 6 Speedwell Place, South Windsor
Land size:	11.45ha
Land area proposed for rezoning:	3.4ha (approx.)
Current zoning:	RU1 Primary Production
Current maximum building height:	10m
Current minimum lot size:	10ha

SUMMARY OF PLANNING PROPOSAL

Part 1 – Objectives and intended outcomes of the proposed instrument

The primary objective of the planning proposal is to amend the Lot Size Map of *Hawkesbury Local Environmental Plan 2012* (the LEP) applying to the subject land and rezone part of the land zoned from RU1 Primary Production to IN1 General Industrial under the provisions of the LEP to allow some industrial and ancillary uses on that part of the land.

Part 2 – Explanation of Provisions

The planning proposal seeks to achieve the intended outcome by amending the current Land Zoning Map of the LEP (Map Identification 3800_COM_LZN_008DB_020_20130913) to change the current RU1 Primary Production of part of the land to IN1 General Industrial.

Given the minimum lot size, lot averaging and maximum building height provisions do not apply to industrial land within the Hawkesbury Local Government Area (LGA), the planning proposal seeks to ensure consistency with the current industrial land in the LGA by:

- (a) Amending Lot Size Map of the LEP (Map Identification 3800_COM_LSZ_008DB_020_20140131) to remove 10ha minimum lot size provision applying to that part of the land proposed to be rezoned to IN1 General Industrial;
- (b) Amending Building Height Map of the LEP (Map Identification 3800_COM_HOB_008DB_020_20120605) to remove maximum 10m building height provisions applying to that part of the land proposed to be rezoned to IN1 General Industrial; and
- (c) Amending Lot Averaging Map of the LEP (Map Identification 3800_COM_LAV_008DB_020_20120605) to remove 10ha minimum lot size provision applying to that part of the land proposed to be rezoned to IN1 General Industrial;

Part 3 – The Justification

The land is located within the South Windsor industrial investigation area identified in the Hawkesbury Employment Land Strategy (HELS).

There are two options available to achieve the intended outcome. One of the options is to rezone that part of the land to IN1 as suggested in this planning proposal or the other is to amend Schedule 1 Additional permitted uses to include the proposed industrial uses as additional uses on that part of the land. Given the land is adjacent to the existing South Windsor industrial area and located within the recommended South Windsor industrial investigation area, the proposed rezoning of that part of the land to IN1 will enable the expansion of the existing South Windsor industrial area consistent with the recommendations of the HELS. Therefore the proposed rezoning of that part of the land is the most appropriate way to achieve the intended outcome.

The planning proposal is consistent with the relevant state and local statutory framework, strategies and policies. Minor inconsistencies with Section 117 Direction 1.2 Rural Zones and Direction 4.3 Flood Prone Land have been appropriately justified (see attached Council Report dated 3 February 2015).

The land has a reasonable access to the required public infrastructure and environmental capacity to accommodate the future industrial development on that part of the land. There will be no adverse environmental, social and economic impacts as a result of the planning proposal.

Should Council receive a gateway determination advising to proceed with the planning proposal from the Department of Planning and Environment (DP&E), it is proposed to consult with the Office of Environment and Heritage, the State Emergency Service, the NSW Rural Fire Service, the NSW Trade and Investment, Sydney Water, Integral Energy and Telstra Cooperation.

Part 4 – Maps

Proposed rezoning, minimum lot size, lot averaging and maximum building height maps prepared in accordance with the requirements of '*Standard technical requirements for LEP maps*' are attached.

Part 5 – Community Consultation

The planning proposal and other relevant supporting documentation will be placed on public exhibition in accordance with the relevant statutory requirements and requirements set out in '*A guide to preparing local environmental plans*' April 2013 published by the (then) Department of Planning and Infrastructure and the Gateway determination received from DP&E.

Part 6 – Project Timeline

This needs to be advised following receipt of the Gateway determination.

Planning Proposal

6 Speedwell Place, South Windsor NSW 2756



28 January 2015

Prepared on behalf of Moits
by *Natalie Richter Planning*

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Executive Summary

The site has a split zoning and this Planning Proposal seeks to adjust the zone boundary/rezone part of the site to increase the proportion of IN1 (General Industrial).

This Planning Proposal report:

- Explores the context, current zoning provisions and strategic planning framework.
- Presents the merits and basis for the proposed zone boundary change.
- Justifies the proposed change based on a discussion of Council and metropolitan planning objectives.
- Justifies the necessity of the proposed amendment in line with the 'Gateway' assessment criteria under Part 3 of the *EP&A Act 1979*.
- Demonstrates the benefits of the change at a local and metropolitan level.
- Addresses Section 117 Ministerial Directions.

The merits of the proposal include:

- The site is located within an area zoned for industrial/employment services. This area is well serviced by transport and is located nearby the Windsor Town Centre and surrounding residential areas.
- The proposal is considered reasonable given that the access handle of the site is zoned industrial and that the adjoining properties are zoned industrial.
- Given the position of the site within industrial land, the proposed adjusted ratio of RU1 and IN1 is considered reasonable.
- Given the interface with industrial uses and site presentation, the site is not considered particularly suitable for agricultural purposes.
- The proposal will boost the take up of industrial land given that the owner/business operator will provide for the necessary servicing.
- The proposal will provide more opportunities for working close to home in line with local and metropolitan planning objectives.
- The site is cleared and altered, lending itself to industrial uses (similar to those surrounding).
- Future development could incorporate improvements to landscaping, parking and road links, and site rehabilitation.
- The proposal represents the efficient use of available land, sustainable and energy efficient development and has the effect of relieving land pressure in outer areas in keeping with local and metropolitan land development objectives.
- The lower section of the site could be used for agricultural uses, providing a balance between Council's industrial/employment generating and agricultural objectives.

The following supporting documents are provided as design details and background studies:

- Site Plan/Analysis
- Bushfire Assessment Statement
- Remediation Action Plan/Environmental Assessment by DLA Environmental

The change is considered to consistent with Council's employment lands objectives and forward planning strategy. The proposal meets zoning and environmental objectives and is within the environmental capacity of the site.

The proposal will encourage the servicing and take up of industrial land and increase local employment opportunities. The proposal is sympathetic to surrounding land uses.

The Site and Hawkesbury Local Government Area (LGA)

Hawkesbury Local Government Area

Hawkesbury City is located in the Hawkesbury Valley and is the largest local government ('LGA') area in the Sydney region with an area of some 2,800m².

The Hawkesbury is located approximately 50 kilometres north-west of the Sydney Central Business District and is bounded by Singleton and Cessnock LGAs to the north, Blacktown, Penrith and Blue Mountains LGAs to the south, Lithgow to the west and Gosford to the north-west. The LGA contains 5 river systems including the Hawkesbury, Nepean, Colo and McDonald Rivers. The more dense population settlements are Richmond and Windsor.

More than 70% of the area comprises national park. Large proportions of the LGA are used for agricultural and parkland purposes, with small areas used for residential and 'other' as indicated below. The 'other' uses comprise commercial, industrial and military uses.

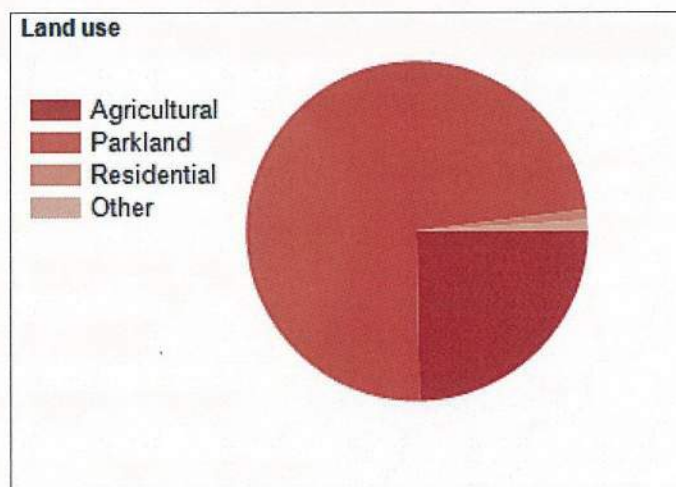


Figure 1: Land Use – Source Hawkesbury City Community Atlas, March 2013

The following demographic background of the Hawkesbury LGA is taken from Council's website (Hawkesbury Community Profile, accessed on Council's website on 11 May 2013) and is based on 2011 census data.

The population of the Hawkesbury 64,234, the land area is 277,586 hectares and the population density is 0.23 persons per hectare.

The Hawkesbury LGA boasts a gross domestic product (GDP) of \$2,620 million (0.59% of the state) and 27,871 (0.77% of NSW). There are 6,418 businesses (0.96% of NSW).

This compares with \$6,040 million in Hornsby LGA (1.38% of NSW) with 54,007 local jobs (1.50% of NSW) and 14,219 businesses (2.13% of NSW). The Hills Shire boasts a GDP of \$8,186 million (1.87% of NSW), 76,045 local jobs (2.11% of NSW) and 18,959 businesses (2.84% of NSW) (*National Economic Indicators for Local Government Areas IDBlog* accessed on Hawkesbury Council website 11 May 2013). The Hills and Hornsby Shire have comparable natural areas and agricultural/residential/employment generating compositions and are adjoining LGAs.

Almost half of the population (46.8%) of the population is of working age.

Hawkesbury City	2011			2006			Change
Service age group (years)	Number	%	Greater Sydney %	Number	%	Greater Sydney %	2006 to 2011
Babies and pre-schoolers (0 to 4)	4,243	6.8	6.8	4,328	7.1	6.6	-79
Primary schoolers (5 to 11)	6,212	10.0	8.7	6,675	11.0	9.1	-463
Secondary schoolers (12 to 17)	5,771	9.3	7.4	5,989	9.9	7.9	-218
Tertiary education & independence (18 to 24)	6,285	10.1	9.5	5,858	9.7	9.9	+427
Young workforce (25 to 34)	7,349	11.8	15.4	7,666	12.7	15.3	-317
Parents and homebuilders (35 to 49)	13,631	21.9	21.9	14,053	23.2	22.5	-422
Older workers & pre-retirees (50 to 59)	8,176	13.1	12.2	7,515	12.4	12.2	+661
Empty nesters and retirees (60 to 69)	5,932	9.5	9.0	4,487	7.4	7.8	+1,445
Seniors (70 to 84)	3,889	6.2	7.2	3,297	5.4	7.3	+592
Elderly aged (85 and over)	859	1.4	1.8	631	1.1	1.6	+178
Total population	62,353	100.0	100.0	60,549	100.0	100.0	+1,804

Source: Australian Bureau of Statistics, *Census of Population and Housing* 2006 and 2011. Compiled and presented in profile.id by [id](#) the population experts.

Figure 2: ABS Census of Population and Housing 2006 and 2011

31,175 of the population work. 65% work full time and work 33% part time. The Hawkesbury had an unemployment rate of 4.6% in 2011.

Hawkesbury City	2011			2006			Change
Employment status	Number	%	Greater Sydney %	Number	%	Greater Sydney %	2006 to 2011
Employed	31,175	85.4	94.3	29,767	95.9	94.7	+1,408
• Employed full-time	20,257	62.0	62.0	19,523	62.9	63.0	+734
• Employed part-time	10,199	31.2	30.1	9,320	30.0	28.9	+879
• Hours worked not stated	719	2.2	2.1	924	3.0	2.8	-205
Unemployed	1,510	4.6	5.7	1,280	4.1	5.3	+247
• Looking for full-time work	879	2.7	3.3	775	2.5	3.3	+104
• Looking for part-time work	631	1.9	2.4	488	1.6	2.1	+143
Total Labour Force	32,685	100.0	100.0	31,030	100.0	100.0	+1,655

Figure 3: ABS Census of Population and Housing 2006 and 2011

In 2011 13,276 or 42.6% of Hawkesbury City's working population travelled out of the area to work.

Local Government Area	2011 Index
Kurunggai (A)	1,130.7
Moianan (A)	1,110.7
Woolahra (A)	1,107.0
Lake Creek (A)	1,106.8
North Sydney (A)	1,104.8
The Hills Shire (A)	1,101.1
Manly (A)	1,098.4
Pittwater (A)	1,094.4
Hunter Hill (A)	1,082.3
Hornsby (A)	1,082.3
Wentworth (C)	1,082.3
Parramatta (A)	1,081.7
Waverley (A)	1,079.6
Leichhardt (A)	1,076.6
Warringah (A)	1,073.2
Sutherland Shire (A)	1,074.6
Canada Bay (A)	1,067.0
Yass Valley (A)	1,060.6
Kiama (A)	1,044.6
Ryde (C)	1,030.4
Brook River (A)	1,030.0
Camden (A)	1,027.1
Queensland (C)	1,048.7
Kangaroo (C)	1,042.7
Canberra (A)	1,040.1
Blue Mountains (C)	1,038.6
Kogarah (C)	1,028.2
Wollongong (A)	1,028.6
Wingecarriee (A)	1,028.6
Stanhfield (A)	1,022.1
Unincorporated NSW	1,021.8
Manlyville (A)	1,021.4
Hawkesbury (C)	1,020.3
Sydney (C)	1,019.9

Figure 4: ProfileID Community Profile

As indicated in the previous table, Hawkesbury LGA is at 1020.3 on the SEIFA disadvantage ranking which is below comparable/adjoining LGAs such as Hornsby and the Hills Shires.

The SEIFA ranking is derived from an analysis of factors which are attributed to relative disadvantage such as income level, educational status, unskilled occupations and unemployment. This indicates that local economic improvements and a broader range of employment/industry/businesses bases could lead to better income/welfare levels.

The Site and Area

The site, Lot 21 in DP 806993 is located in the South Windsor industrial area, to the south of the Windsor town centre/commercial area.

The following aerial photograph indicates the site within the context of an industrial area and nearby residential area. The site is located within close proximity of the railway line (top right corner).



Figure 5: Google Maps, showing the subject site

The site has an area of 11.45 hectares and is essentially rectangular in shape with an east-west length. The top portion of the site backs directly on to a warehouse building. The upper section is cleared and covered in gravel. The lower section of the site cleared, where it undulates towards a section of South Creek.

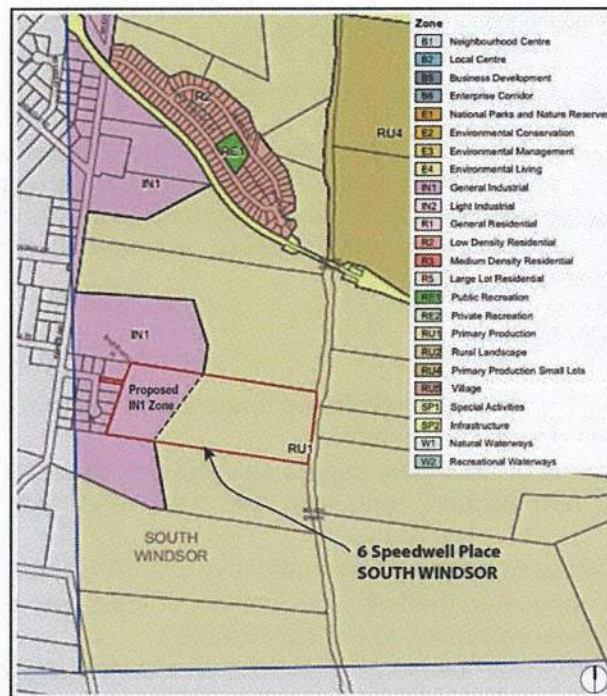
There are no significant trees or landscaped features on the site. Refer to the site photographs in **Annexure 1**. Surrounding uses are generally light industrial. Limited agricultural uses exist in the area.

Part 1 Objectives and Intended Outcomes

Part of the site, the battle axe handle is zoned IN1 (General Industrial) with the remainder RU1 (Primary Production) under *Hawkesbury Local Environmental Plan 2012* ('HLEP').

This Planning Proposal requests a partial rezoning of the subject land from RU1 (Primary Production) to IN1 (General Industrial). It is proposed to modify the zone boundary as detailed on the following zoning extract, **Figure 6**.

The partial rezoning would adjust the zoning pattern to match the adjoining properties to the side (which have larger IN1 sections) and will: promote sustainable expansion of business/industrial uses on the site in accordance with state and local employment growth strategies, encourage the take up of employment generating land, and create business and employment options close to home.



Zoning Extract from Hawkesbury Local Environmental Plan 2012
 Figure 6: Proposed zoning change

The intended use of the site is for a works depot and business administration centre. The owners are prepared to upgrade the site and provide servicing.

The rear portion of the site is to remain available for rural purposes. The proposal is considered a reasonable and compatible balance of uses, in line with Council and metropolitan objectives.

Part 2 Explanation of Provisions

Proposed Amendment of Zoning Provisions under the Hawkesbury LEP

This proposal seeks a minor change to the HELP 2012 zoning map to increase the proportion of IN1 to align with the IN1 zoned properties on either side. This would allow more flexibility for warehousing and manufacturers, improving the range of local employment opportunities.

The proposed change is demonstrated in plan extract above in **Figure 6**.

The maps proposed to change also include the Zone Map, Height Map, Lot Size Map and Lot Averaging Map.

Part 3 JUSTIFICATION

The following section of the report addresses the requirements of the Department of Planning 'A Guide to Preparing Planning Proposals' and follows the recommended structure.

Section A – The Need for a Planning Proposal

1. *Is the proposal a result of any strategic study or report?*

This planning proposal is based on the study of strategic policies (outlined below) and responds to the existing and future strategic objectives for the Hawkesbury at a local and metropolitan level. The proposal is considered to respond to the recommendations of the Hawkesbury Employment Lands Study 2008, which recommended the site for potential inclusion for industrial uses/expansion.

The proposed extended IN1 zone:

- Is appropriate given the cleared/alterd character of the site and the juxtaposition of adjoining industrially zoned land.
- Will not undermine or adversely impact on natural constraints and features as the zoning of the rear section containing the creek and 'biodiversity' will remain unchanged.
- Meets the objectives and recommendations of the *SGS Employment Lands Review* which suggested the further expansion of the South Windsor Industrial Area with particular reference to the subject site.
- Aligns with metropolitan planning objectives of: encouraging 'take up' and development of employment land, providing local business and job opportunities close to home whilst protecting the environment and maintaining rural areas.
- Is considered to provide for the orderly and economic use of land in accordance with Section 5 of the *Environmental Planning and Assessment Act, 1979* and the Hawkesbury Local Environmental Plan 2012.

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

The owners requested the zoning change under the HLEP 2012 review.

The change was not incorporated for the review having regard for the new LEP being a 'translation' of existing zones between from the previous LEP.

The proposed change accords with the recommendations of the 2008 *SGS Employment Lands Study* (detailed below) which encouraged the appropriate expansion of Industrial land in the subject precinct and the encouragement of business/industry diversification, promotion of servicing and land 'take up'.

This proposal follows the Department of Planning guidelines and constitutes an informed and comprehensive review of the site, area, zone and development standards within the context of the Sydney metropolitan area and growth centres.

This planning proposal follows the recommendations of the SGS report and is considered the most appropriate way of allowing the use of the site for wider industrial purposes and to align with the properties on either side. This approach would also promote the economic viability for the Hawkesbury, assisting in improving social advantage and local employment.

The proposal seeks to make the zoning of the site more consistent with the IN1 zone boundaries for the directly adjoining properties to the side. Given the presentation of the site, the character of the area and the existing pattern of zoning, the inclusion of the proposed part of the site as IN1 (by an amendment to the HLEP mapping) would allow consistency with adjoining properties.

The proposal serves to regulate the pattern of the predominant zone. This is considered the most appropriate way of achieving the intended rezoning outcome.

Section B- Overview of Strategic Planning Framework

The Planning Proposal is considered to be consistent with the objectives and actions of the following relevant state and local planning policies:

Your Future Sydney (2014 Draft)
Sydney Over The Next 20 Years – Discussion Paper, 2012
State Environmental Planning Policy (Sydney Region Growth Centres) 2006
State Environmental Planning Policy No. 55 (Remediation of Land)
State Environmental Planning Policy (Growth Centres) 2006
Hawkesbury Local Environmental Plan 2012
Hawkesbury Development Control Plan 2002
Community Strategic Plan 2013-2032
Hawkesbury Employment Lands Review, SGS 2008
Hawkesbury Floodplain Risk Management Plan
Report 9 – Employment Lands Development Program

The planning objectives and goals relevant to the Hawkesbury are summarised as:

A Plan for Growing Sydney 2014 ***Metropolitan Plan for Sydney ('the metro strategy')***

The metro strategy seeks to enable the growth of the Sydney metropolitan area as a compact, networked city with improved accessibility, capable of supporting more jobs, homes and lifestyle opportunities within the existing urban footprint.

This is achieved via the consolidation of urban areas, the protection of important environmental values, ecologically sustainable development and improved uses of resources and infrastructure.

Planning of Hawkesbury City is discussed in the West Subregional Planning Strategy ('the strategy'). There is a strong focus on the growth of the Western Sydney employment area with an increased imperative to improve transport and boost jobs close to homes.

One of the 'metropolitan priorities' includes:

'Work with council to identify and protect strategically important industrial zoned land and identify further opportunities to strengthen investment for employment growth in Western Sydney, including targeting overseas investors and incentives for businesses'. p120

The proposal is consistent with metropolitan planning imperatives of strengthening the focus on manufacturing, construction and logistics and the intention to strengthen jobs appropriate locations to support the growing population.

Page 17 of the strategy indicates that increase industrial land will be required.

Direction 1.4 of the metro strategy (p36) talks about expanding the economic role of Western Sydney and the fact that within 25 years, Western Sydney will be home to more than 50% of Sydneysiders and states:

'Western Sydney will require new jobs close to centres and transport, improved access to knowledge jobs in strategic centres, and upgraded transport links to Western Sydney centres and between Western Sydney and Sydney CBD. Improving the scale and mix of job opportunities will help more people work closer to home and reduce commuting times, making Sydney more productive.'

The strategy also states: *At present, Western Sydney has around 47% cent of Sydney's residents, 36% of Sydney's jobs and one-third of Sydney's Gross Regional Product.*

Many Western Sydney residents must travel outside of the region for work, particularly for well-paid knowledge based jobs. Around 28% of the resident workforce, or close to 226,000 people, travel to other parts of the city to get work.

Over the next 20 years, the number of people in Western Sydney will grow faster than other parts of Sydney..'

The site is located adjacent to the North West Growth Corridor where employment and housing are to be boosted.

The proposal is considered to be in line with delivering the above strategic targets. The rezoning will allow for the servicing, development and use of the land for employment generating purposes for the benefit of the Sydney community and economy.

Sydney Over the Next 20 Years ('the Paper')

The recent metro strategies were based on a discussion paper titled *Sydney Over the Next 20 Years* (May 2012).

Making NSW 'Number 1' constitutes a review of the metro strategy to reflect updated population projections and encourage economic development, infrastructure provision, and housing and housing affordability in NSW.

570,000 dwellings and 600,000 jobs are required for the metropolitan area to meet projections for 2031, more than originally predicted.

The updated strategy looks to boost a 'modern local economy' with jobs closer to home, less commuting times and better co-ordination of housing and infrastructure. Linking jobs, housing and places is imperative for sustainability and social inclusion'.

The state government is promoting the location of 80% of housing to within a walking catchment of public transport, in line with Transit Oriented Development (TOD), as well as jobs within 30 minutes travel distance from home.

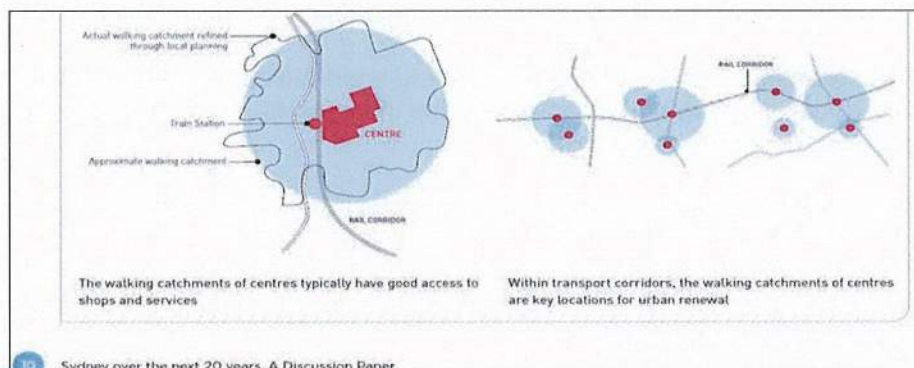


Figure 7: Diagram of Transit Oriented Development. Source: *Sydney Over the Next 20 Years*

The planning principles set out in the paper include: land use planning around transport and infrastructure, strengthening economic and employment opportunities which come with growth, protecting natural resources and the environment, providing housing to suit different needs and budgets, providing a range of job opportunities particularly to balance growth in Western Sydney, supporting regional centres (Penrith, Liverpool and Parramatta) and other centres with appropriate infrastructure, making public transport easier to access from all areas, providing access to economic and recreational opportunities regardless of where people live, boosting high level design and better 'places', promoting healthy and active lifestyles and adapting to a changing climate.

The proposed improvement of industry, jobs closer to home and economic opportunities to balance growth in Western Sydney is consistent with the metro strategy planning objectives.

Hawkesbury Community Strategic Plan

This section summarises the area specific values of Council and the community as provided in *Hawkesbury Community Strategic Plan 2013-2032*.

These documents mirror the state plans, planning for the impending rail line, ensuring environmental protection and local qualities, providing for a diversity of accessible housing types and creating vibrant communities, places to be active, safe services, support for local jobs and businesses, and employment close to home.

In the 2013-2032 plan, the '*Looking after People and Place*' section talks about population growth is matched with the provision of infrastructure and is sympathetic to the rural, environmental, heritage values and character of the Hawkesbury and well-connected and 'supported' communities.

One of the strategies is to '*upgrade the necessary physical infrastructure and human services to meet contemporary needs and expectations*'. Viable agriculture and industries should be retained and employment boosted. The plan discusses people living more sustainably.

The aim of 'Linking the Hawkesbury' is to plan for, maintain and renew '*our physical infrastructure and community services, facilities and communication connections for the benefit of residents, visitors and businesses.*' (p10).

In 'Supporting Businesses and Jobs', the plan aims to provide a range of industries '*that build on the strengths of the Hawkesbury to stimulate investment and employment in the region.*' Also, the direction is to '*offer an increased choice and number of local jobs and training opportunities to meet the needs of Hawkesbury residents and to reduce their travel times.*' (p12).

High end jobs and innovation are to be encouraged to achieve a diverse industry base. The 'goals' include an expanded and growing industry base and a stronger, broader range of businesses. Local training opportunities are to be encouraged. The proposed change is considered particularly in keeping with these goals.

In terms of 'Shaping our Future Together' *there is to be a 'balanced set of decisions that integrate jobs, housing, infrastructure, heritage, and environment that incorporates sustainability principles.'* (p14).

Sydney Regional Environmental Policy No. 20 (Hawkesbury Nepean River)

The proposed zoning change is considered to be consistent with the objectives and planning provisions of SREP 20.

The South Creek catchment area is a regionally significant landscape unit. A Part 3A permit and Environmental Management Plan is applicable under the current development consent for the site. This plan required the construction of dams at the low point on the site using aquatic plants to rehabilitate the area and these dams have been constructed.

A bund wall has also been constructed adjacent the rear boundary of the site in accordance with the Environmental Management Plan. This provides a suitable buffer between industrial land uses and earthworks from South Creek. The creek is approximately 50m away from the rear boundary.

Given the above, the proposal is considered consistent with the environmental and planning strategies embodied in the SREP. The proposal would not encourage any hazardous, offensive or extractive industries, or intensive horticultural establishments within the South Creek catchment area. Future development could be designed to protect the catchment.

State Environmental Planning Policy (Growth Centres) 2006

The site is not located within the Growth Centres area however is located within proximity of Vineyard which is part of the North West Growth Centre. This centre is set to see 2500 dwellings, 7000 population and 2-3 neighbourhood centres/employment areas. The proposal will not detrimentally affect this growth area and will rather provide potential localised employment in accordance with the objectives of SEPP Growth Centres.

State Environmental Planning Policy No. 55 (Remediation of Land)

Clause 6 of the SEPP requires consideration of land remediation in Planning Proposals and provides that land must be remediated to an appropriate level to cater for a proposed use.

A Development Application (DA) (ref: 291/13) was lodged with Council on 11 June 2013. The proposal involved remedial work to be undertaken in relation to incidental findings of asbestos on site. This application was supported by a Remediation Action Plan (RAP) designed by DLA Environmental, which recommended the capping, and containment of the fill within containment cells. The DA was prepared in accordance with the requirements of Council staff and the Environmental Protection Authority (EPA) (at the time).

After the preparation and lodgement of the DA and supporting RAP, the *National Environmental Protection (Assessment of Site Contamination) Measures 1999* (NEPM) guidelines were amended and at this time additional review of the chemical data collected from the site was undertaken by DLA Environmental to confirm compliance with the amended NEPM 2013 criteria.

The result of this review confirmed that the site is now considered suitable for the intended land use and did not require remedial action to be undertaken. In this report it was determined that development could be undertaken without human health or environmental risk.

The DA was withdrawn given the NEPM changes, as the remediation was no longer required.

The site has been determined to comply with the most sensitive Health Investigation Levels ('HIL's') which are the screening criteria based on health risk under the NEPM legislation.

This site was considered to be lower than that required for a commercial/industrial land use. The proposal is acceptable for the designated Industrial/Commercial Land use criteria HIL's.

Further investigations and potential remediation may be required for future industrial development of the site. However, the likelihood and type of potential contamination does not preclude the site for industrial use.

The relevant documents, including the RAP are attached for Council's information.

Hawkesbury Local Environmental Plan 2012 ('the HLEP')

The proposal is considered consistent with Clause 1.2 of HLEP meeting the general aims of development being in summary:

- The orderly and economic development and environmental conservation of the Hawkesbury.
- To provide quality land for living, working, recreation and agricultural production for the benefit of the community.
- To protect streetscapes and places of natural beauty.
- To promote ecologically sustainable development and enhance the natural environment.
- To provide for a mixture of secure and varied housing options for residents.
- To protect heritage.
- To encourage tourism related uses which are appropriate to the environment and other land uses.

The site could not be considered as an area of natural beauty given the industrial character of the area. The zoning change is proposed for the top portion of the site, to align with other industrially zoned properties on either side. The portion proposed as IN1 is away from the areas mapped as containing wetlands or biodiversity.

The proposal retains part of the site for rural purposes and represents a balance between zones. Future development could be designed as sustainable and area appropriate. Therefore, the change is considered to represent the orderly and economic use of land.

The applicant is prepared fund the servicing of the site and to facilitate economic advantage and industry/job diversification.

Zoning Context

As indicated in the zoning extract below, the site is zoned part IN1 (General Industrial) and part RU1 (Primary Production). There are other uses such as IN2, recreation and residential also in the area. A zoning extract is provided at **Figure 8**. The driveway is currently zoned industrial and that the adjoining sites to the north and south have extended areas zoned IN1. The railway is shown 'SP2'.

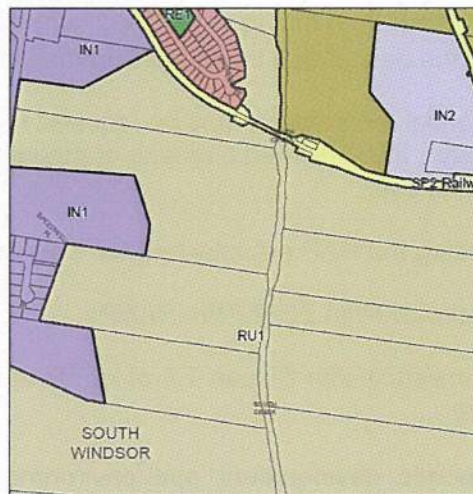


Figure 8: Hawkesbury Local Environmental Plan 2012 – Zoning Maps

The objectives of the IN1 zone are to: promote a wide variety of industrial and warehouse uses, to encourage employment opportunities, to minimise impact of industrial land uses on other uses, to support and protect industrial land for industrial land uses, to allow ancillary commercial uses to support uses and employees and to ensure the creation of pleasant working environments which are efficient in terms of transportation, land utilisation and service distribution.

Permissible uses in the IN1 zone include: depots, freight transport facilities, funeral homes, general industries, health consulting rooms, hospitals, industrial training facilities, light industries, neighbourhood shops, roads and warehouse/distribution centres.

The objectives of the RU1 zone include: to encourage sustainable primary industry by maintaining the resource base, to encourage diversity in primary industry enterprise, to prevent alienation and isolation of land, to minimise land use conflicts, to encourage development which does not adversely affect the natural environment, promote conservation of natural vegetation and landscape values including the agricultural component and to ensure development does not create unreasonable demand on public amenities and services.

The site does not display a rural or landscaped character. The area proposed to be expanded is adjoined on either side by the IN1 zone, so the proposal results in a logical expansion and alignment of the IN1 zone. The rear portion of the site is to be retained for rural purposes and to protect the natural environment, in line with the RU1 objectives. Land use conflicts are not expected.

LEP Development Standards

The proposal would allow compliance with the development standards contained within the HLEP including Clause 4.3 which sets a maximum height of 10 metres for built form.

The proposal is also consistent with the objectives of Clause 5.3 which relates to development near zone boundaries. The proposal is considered to represent an appropriate development which is compatible with the objectives of both zones and the HLEP.

The site is mapped as containing terrestrial biodiversity for a limited section.

A wetland is also indicated on the map. Two areas shown on the 'biodiversity' map correlate with dams which used to exist on the site.

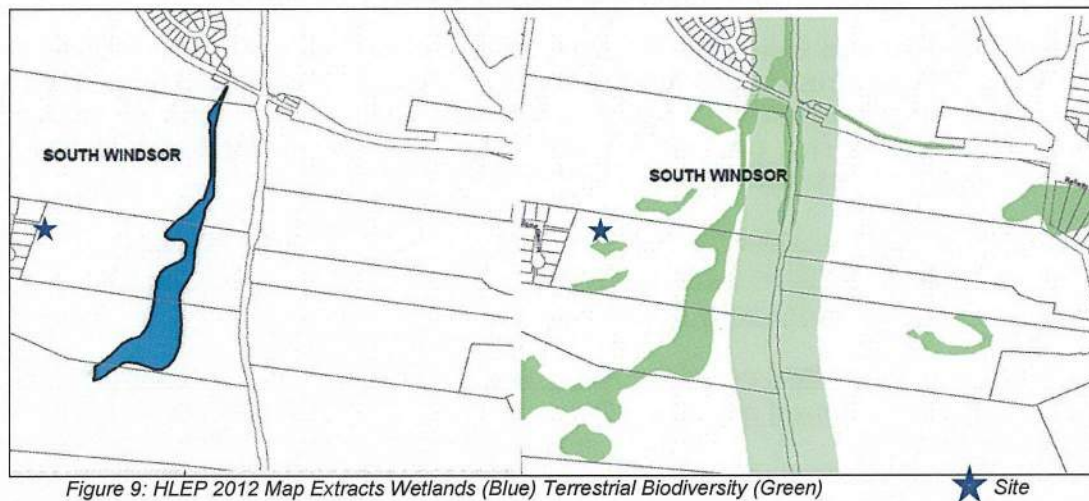


Figure 9: HLEP 2012 Map Extracts Wetlands (Blue) Terrestrial Biodiversity (Green)

The proposal will not impact on trees or heritage and is consistent with Clauses 5.9 and 5.10.

Future development could be designed to respect Part 6 of the HLEP in relation to landform, flooding, biodiversity and wetlands.

Essential services are able to be provided by the owner consistent with Clause 6.7.

Hawkesbury Development Control Plan 2002 ('the DCP')

The DCP contains controls relating to specific localities, development types and assessment criteria for the assessment of individual development applications.

In relation to Industrial development, the DCP seeks to encourage economic development and the expansion of employment opportunities to '*reduce the need for residents to commute unreasonable distances to obtain employment*' p2-1 and the proposal is consistent with this approach.

A future light industrial development could be designed to comply with the DCP controls and to respect surrounding land uses, including the rural zone.

Hawkesbury Employment Lands Strategy 2008 by SGS Economics and Planning

In November 2008, Council adopted the *Hawkesbury Employment Lands Strategy* with the objective of auditing existing employment land, developing the existing employment base and meeting metropolitan targets for higher local employment.

The report found at the time that 10% of the working population was involved in retail trade, 12% in manufacturing and 12% in the construction industry sectors.

The metro strategy has consistently encouraged the creation of jobs for Western Sydney within the local area. The on-going aim of the Metropolitan Strategy is to encourage employment containment (location within 30 minutes travel time from home). Hawkesbury was considered to perform well in relation to inner areas with about 80% of local jobs filled by residents and 50% of resident workers employed locally.

The Employment Lands report ('the report') associated an increased demand for 'a range of activities including local light industry and urban support and urban services which need to be accommodated in employment land areas' with population growth (p106).

The report indicated that local light industrial/urban support services would include car service and repair, construction and building supplies, domestic storage and businesses to service/support other businesses. Urban Services were suggested as concrete batching, waste recycling and transfer, construction and depots, sewerage, water supply, electricity construction yards, as these are needed in each subregion.

The report indicated that all industrial land was to be retained for employment purposes. South Windsor was allocated as a prime employment generating/industrial area. Areas which are located near centres were considered key.

The following table, taken from p43 of the report classifies South Windsor as a centre and shows the ratio of employment activities within certain travel zones.

High quality job and business sites can increase opportunities for the LGA (p36).

Ensuring jobs close to home and reducing fuel consumption/carbon footprint assists in meeting sustainability challenges (p39).

Table 13. LGA South Travel Zones and industry sector share

TZ Code	Precinct Name and correlation factor	Key sectors in the travel zone
2039	Richmond (Industrial and RAAF)	- Manufacturing (13%) - Public Administration and Safety (54%) - Retail Trade (34%)
2037	Richmond (Centre)	- Accommodation and Food Services (15%) - Health Care and Social Assistance (16%) - Manufacturing (29%) - Retail Trade (10%) - Public Administration and Safety (9%)
2053	South Windsor (Industrial)	- Retail Trade (16%) - Public Administration and Safety (13%) - Health Care and Social Assistance (26%) - Manufacturing (29%) - Retail Trade (10%) - Public Administration and Safety (9%)
2040	Windsor (centre and tip of industrial)	- Manufacturing (25%) - Construction (15%) - Retail Trade (17%) - Accommodation and Food Services (9%) - Manufacturing (19%) - Retail Trade (24%) - Accommodation and Food Services (10%) - Education and Training (10%)
2052	South Windsor (centre)	- Manufacturing (25%) - Construction (15%) - Retail Trade (17%) - Accommodation and Food Services (9%) - Manufacturing (19%) - Retail Trade (24%) - Accommodation and Food Services (10%) - Education and Training (10%)
2054	Mulgrave	- Manufacturing (25%) - Construction (15%) - Retail Trade (17%) - Accommodation and Food Services (9%) - Manufacturing (19%) - Retail Trade (24%) - Accommodation and Food Services (10%) - Education and Training (10%)
2032	North Richmond	- Manufacturing (25%) - Construction (15%) - Retail Trade (17%) - Accommodation and Food Services (9%) - Education and Training (57%) - Health Care and Social Assistance (13%) - Agriculture, Forestry and Fishing (10%) - Manufacturing (22%) - Electricity, Gas, Water and Waste Services (2%) - Construction (18%) - Wholesale Trade (9%) - Retail Trade (8%)
2055	McGraths Hill	- Education and Training (57%) - Health Care and Social Assistance (13%) - Agriculture, Forestry and Fishing (10%) - Manufacturing (22%) - Electricity, Gas, Water and Waste Services (2%) - Construction (18%) - Wholesale Trade (9%) - Retail Trade (8%)
2041	LWS	- Education and Training (57%) - Health Care and Social Assistance (13%) - Agriculture, Forestry and Fishing (10%) - Manufacturing (22%) - Electricity, Gas, Water and Waste Services (2%) - Construction (18%) - Wholesale Trade (9%) - Retail Trade (8%)
2027	Willerforce	- Education and Training (57%) - Health Care and Social Assistance (13%) - Agriculture, Forestry and Fishing (10%) - Manufacturing (22%) - Electricity, Gas, Water and Waste Services (2%) - Construction (18%) - Wholesale Trade (9%) - Retail Trade (8%)

Source: SGS 2008

Figure 10: SGS 2008, p48

The following table taken from p93 of the report shows that South Windsor is not particularly 'constrained' and is well accessed. It is considered that future proposed development on the high side of the site (proposed IN1 zone) could comply with the 1 in 100 flood level of 17.3m. Bushfire provides a 'partial' affectation for the South Windsor Industrial area, refer to the bushfire assessment above (p8).



Figure 11: SGS Report 2008, p93

The 'Key Implications' in Section 6.4 indicated that 55 hectares of some 140 hectares of zoned industrial land was found to be vacant or underdeveloped in 2008 and generally displayed a low intensity of use (considering FSR/scale of development).

A good proportion of other employment land was found to be affected by flooding.

The report indicated that employment precincts such as South Windsor lacked servicing which reduced take up and provided a barrier to development.

Section 7 detailed employment land floor space demand and indicates that land is required for a range of industrial, business, special uses and communication services jobs.

Section 8 of the report suggested that medium to long term land demand should be considered in the next LEP review (HLEP 2012) in relation to providing job opportunities/varied industry and business opportunities in step with population increase. A more co-ordinated approach to infrastructure provision and servicing was suggested to encourage development.

Section 8.2 'Recommended Strategies' indicated that Council should investigate 'additional industrial land supply' in South Windsor. This included 'the areas east of Fairey Road, not currently zoned industrial' as well as North Richmond and Mulgrave within 5 years.

Figure 83, taken from p121 of the report recommends investigation of the subject site for industrial zones. The recommendations of the report also included of a more comprehensive analysis of employment/industry/business needs for the LGA as part of future planning.

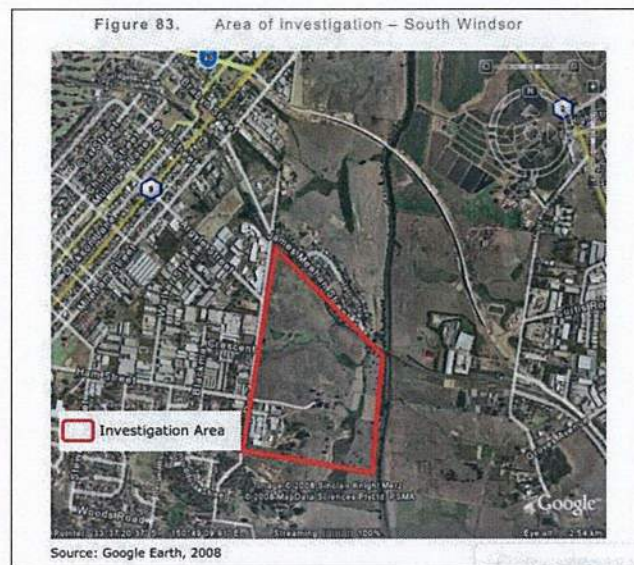


Figure 12: SGS 2008, p121

Table 26 titled '*Criteria and precincts for employment land uses*' suggested that South Windsor could be suitable for 'manufacturing light', 'local light industry' and 'retail main-street', 'offices' and 'urban services' (see descriptions below). A diversification of development options was considered appropriate and expansion of zone IN1 was considered suitable for the South Windsor area.

The key to the preferred activities includes the following:

Local Light Industry/ Manufacturing Light	Manufacturing which is not hazardous or offensive and smaller scale production. Local Light industry such as car service and repair; joinery, construction and building supplies; domestic storage. Wide range of businesses that service other businesses (components, maintenance and support) and subregional populations. Needed at local (LGA) to sub-regional level.
Retail / Small Business	The range of retailing formats including main street, 'big box' shopping and bulky goods, and local business and services including office activities and accommodation.
Higher order office and business	Larger format office in high amenity setting, could include business park with integrated warehouse, R&D, 'back-room' management and administration
Urban Services	Concrete batching, waste recycling and transfer, construction and local and state government depots, sewerage, water supply, electricity construction yards. These typically have noise dust and traffic implications and need to be isolated or buffered from other land uses. They are needed in each sub-region.
Manufacturing General	Higher impact manufacturing and industry, which could include transport, warehousing and distribution activities with significant traffic generation

Figure 13: SGS 2008, p129

This Planning Proposal is consistent with the recommendations of the SGS report. The intended use of the site is for business administration and urban services.

The change provides a logically placed extension of the area for industrial/business which will not result in adverse environmental impacts or a significant reduction in rural zones. Servicing of the site can be provided by the owners, boosting the viability and potential of the land in line with Council's planning objectives.

Sustainability Planning for the Hawkesbury

The proposal allows for the protection of diversity and productivity of nature, involving an already altered portion of the site. Future development could provide efficient land use and the protection of other more sensitive areas.

The proposal is consistent with the directions of encouraging sustainability in business and decision making, and encouraging partnerships between Council and the community in achieving sustainable development.

Hawkesbury Floodplain Risk Management Plan

The site is mapped as being located within the 1-100 Flood level therefore any future development would be required to comply with Council's Development of Flood Liable Land Policy. This policy permits the erection of non-habitable structures within the 1:100 average recurrent interval ('ARI') providing that any structure is not less than 3 metres below the 1:100 ARI which is currently 17.3m.

LEP Clause 6.3 relates to flood prone land. The objectives include:

- (a) to minimise the flood risk to life and property associated with the use of land,*
- (b) to allow development on land that is compatible with the land's flood hazard, taking into account projected changes as a result of climate change,*
- (c) to avoid significant adverse impacts on flood behaviour and the environment.*

Development should be compatible with the flood hazard of the land and not adversely affect flood behaviours or risk to life and property from flooding.

The site benefits from a Development Consent (ref: DA 358/06) for the construction of an industrial shed and for the site to be utilised for the purpose of a 'Wholesale Plant Nursery'.

This consent also grants approval to the filling of the site with Virgin Excavated Natural Material (VENM) and through a later amendment to this consent, filling of the site with Excavated Natural Material (ENM). The purpose was to restore the ground levels of the site to be consistent with the ground levels of the properties to the north, south and west of the site.

Condition 50 of DA 358/06 allows erection of an industrial shed upon completion of the filling of the site at an RL of 16 AHD.

The portion of the site proposed to be rezoned is generally consistent with the portion of the site that received consent for the filling and use described above. Given this, future uses/buildings occupying the area proposed to be zoned IN1 could be at RL16.

The proposed industrial zoning of the site would result in the erection of industrial buildings, providing suitable development without providing risk to safety.

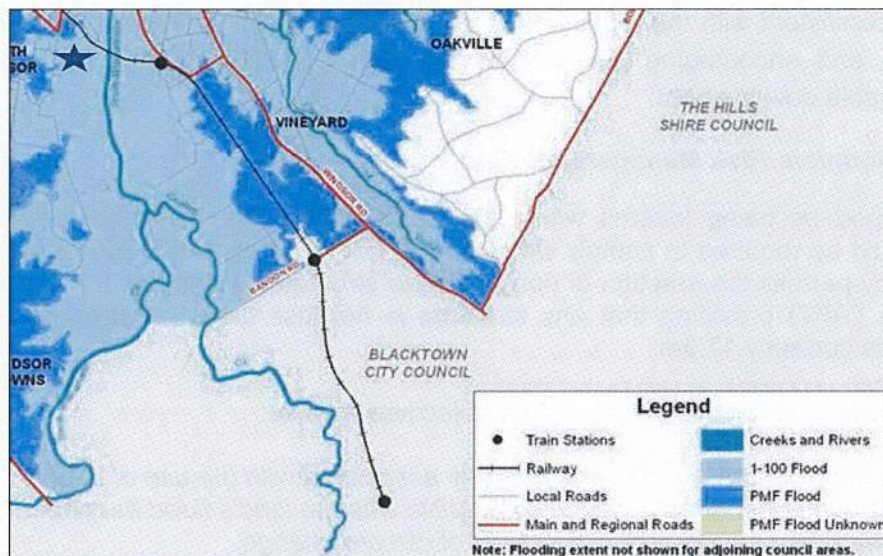


Figure 14: Flood Map

Site ★

Urban Lands Development Program – Report 9 (North-West) 2011

Report 9 provides an audit and discussion of employment lands attributes for the North West area which contains Hawkesbury. The following aspects are of relevance:

- Less than 1/3 (500 hectares) undeveloped land in the North West is currently serviced. This provides an impediment to 'take up' and development.
- The North West region represents 44% of Sydney's undeveloped employment land stocks.
- There has been substantial investment in industrial building in the area in recent years.
- 30% of the local workforce is in industrial jobs representing a 'major contributor to jobs growth'
- Growth in the Hawkesbury area has been slower than other areas in the North-West (Hills, Blacktown, Penrith).
- There is a low job density, 31 jobs per hectare in the North West compared to the Sydney average of 43 jobs per hectare which provides room for improvement. This is considered to be partially attributed to the availability of space for industry.

The amended zoning has the potential to provide the opportunity for an existing land owner and local business to invest in servicing and developing the site for employment/general industrial purposes. This would improve the local job density.

3. *Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies) and is there a net community benefit?*

The West Subregional Strategy applies to The Hawkesbury and its purpose is to deliver the objectives of the metro strategy. This has been discussed in detail in this proposal.

The proposal is considered consistent with the following objectives of the strategy:

- 1) Retaining employment land through land use zoning and management
- 2) Boosting development opportunities to encourage the development and 'take up' of surplus industrial land (refer to ULDP discussion)
- 3) Assisting with metropolitan employment targets

- 4) Increasing the ratio of residents in local employment, providing work/life balance
- 5) Improving environmental sustainability and efficiently using resources and infrastructure

4. *Is the planning proposal consistent with the local council's Community Strategic Plan, or other local strategic plan?*

As discussed, the proposed zone boundary realignment is considered to be consistent with Council's strategic studies. The proposed IN1 zoning is consistent with the surrounding pattern of uses and is an appropriate use of land and is an employment generating change. The SGS Report earmarked site for the purposes of investigation for industrial zoning.

Consistency of the proposal with community values is addressed in Part 3. The proposal is considered to involve the use of land appropriately and efficiently, to allow protection of environmental values and to compliment business and employment for the local economy and community.

5. *Is the planning proposal consistent with applicable State Environmental Planning Policies (SEPPs)?*

There are no known existing or draft SREPs or SEPPs which would prohibit or restrict the planning proposal.

SEPPs which may require consideration in the assessment of any future development application include: *SREP 9 (Extractive Industry)*, *SREP 20 (Hawkesbury Nepean River Catchment)*, *SEPP (Infrastructure)*, *SEPP (Rural Lands) 2008*, *SEPP 44 (Koala Habitat Protection)*, *SEPP 55 (Remediation of Land)*, and *SEPP 64 (Advertising and Signage)*.

As discussed, a Remediation Action Plan and Environmental Management Plan have been implemented for the site to protect the environment and the adjoining watercourse.

The proposal does not seek to promote extractive industry and there are few trees on the site as food sources for Koalas. The area is largely cleared of significant vegetation and is characterised by industrial and rural uses.

The proposal involves realignment of the zone boundary similar to the IN1 zoning on the adjoining sites. Therefore, the rear part of the site is to be retained for rural purposes. In this regard, the proposal is considered to be a reasonable compromise between employment generating uses and agricultural uses, and is considered to represent a balance in terms of strategic planning objectives.

Signage and infrastructure matters could be considered in a future Development Application under the new zoning and it is considered that the zoning is consistent with these instruments.

6. *Is the planning proposal consistent with applicable Ministerial Directions (S117 directions)?*

The Minister for Planning and Infrastructure, under Section 117(2) of the EP and A Act issues directions that local councils must follow when preparing planning proposals for new local environmental plans. The directions cover the following broad categories:

- (a) Employment and resources
- (b) Environment and heritage
- (c) Housing, infrastructure and urban development
- (d) Hazard and risk

- (e) Regional planning
- (f) Local plan making

The following section provides an assessment of the planning proposal against the application Section 117 Directions. A full copy of the directions can be viewed at <http://www.planning.nsw.gov.au/LinkClick.aspx?fileticket=dOkhSFp9eo%3d&tabid=248&language=en-AU>.

The applicable Ministerial Directions are addressed as follows:

1. Employment and Resources

1.1 Business and Industrial Zones

The proposal is considered consistent with this direction in promoting employment growth in suitable locations, protecting lands in business/industrial locations and particularly, supporting the viability of existing identified strategic centres.

The proposal is considered to improve the viability of the Speedwell Place employment zone in using appropriate land to promote a diversity of employment activities with servicing provided.

The proposal is consistent with the direction, the applicable Council strategies and the regional strategy.

1.2 Rural Zones & 1.5 Rural Lands

The battle axe handle of the site is currently zoned for industrial (IN1). The proposal involves the realignment of the rural and industrial zones on the site. It is proposed to zone the site in a similar fashion to the directly adjoining sites to the north and south.

The proposal allows for the retention of a rural component (similar to the adjoining pattern).

Although the proposal involves the rezoning of rural land which is inconsistent with the direction, the proposal does not involve a complete rezoning. Rural land is maintained on the lower portion of the site and this lower area is more suitable for agriculture given the natural state and arrangement of industrial uses to the sides.

While the site is located within a rural zone, the site is not currently used for agricultural purposes and has not been for many years. The surrounding industrial uses may not be conducive to agricultural use. This notwithstanding, an agricultural portion will remain, in consistency with this direction and state and local objectives.

The proposal provides a balance between rural and industrial and will provide additional employment within the LGA, within close proximity to existing residential areas and services.

Overall, the proposal is considered to be keeping with industrial and rural planning objectives and maintains consistency with the intent of the planning directions for rural land.

Furthermore, the expansion of the industrial/employment generating use of this area is consistent with the SGS Employment Lands Report as discussed within this report.

1.3 Mining Petroleum Production and Extractive Industries

A referral will be required in this respect.

1.4 Oyster Aquaculture

Not applicable.

2. Environment and Heritage

2.1 Environment Protection Zones

The proposal does not affect an area classified for environmental protection.

2.2 Coastal Protection

The site is well separated from coastal areas. The inclusion of the additional land use will not significantly impact on coastal values.

2.3 Heritage and Conservation

The planning proposal does not adversely impact on heritage and is consistent with this direction.

2.4 Recreation Vehicle Areas

Not applicable.

3. Housing Infrastructure and Urban Development

3.1 Residential Zones

The proposed amendment does not affect or reduce residential zones.

3.2 Caravan Parks and Manufactured Home Estates

Not applicable.

3.3 Home Occupations

Not affected by the proposed zoning amendment.

3.4 Integrating Land Use and Transport

The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts improve: access to housing jobs and services by walking, cycling and public transport, increase the choice of available transport to reduce reliance on cars, reduce travel demand, support efficient and viable operation of public transport and provide for the efficient movement of freight.

The proposed change provides appropriate land use within an industrial area creating positive factors for: local business and employment opportunities, access to a range of employment, reduced car use and transport and freight benefits and consistent with this direction.

3.5 Development Near Licensed Aerodromes and 3.6 Shooting Ranges

Not affected by the proposed zoning amendment.

4. Hazard and Risk

4.1 Acid Sulfate Soils

The site is not mapped as being affected by acid sulphate soils (Class 5 rating). This classification is not considered to cause concern/constraint for the proposed zoning change.

HLEP 2012 contains provisions consistent with the Department of Planning Guidelines, to ensure that the carrying out of works that might disturb mapped acid sulfate soils occur in an appropriate manner, and that any intensification of land uses do not cause any significant adverse environmental impacts.

The proposed zoning change is relatively minor, is consistent with the prevailing zoning pattern and a specific acid sulfate soils study is not considered necessary.

4.2 Mine Subsidence and Unstable Land

The site is not known to be affected. Geotechnical aspects could be considered as part of the development application/assessment process.

4.3 Flood Prone Land

The site is mapped as being located within the 1-100 Flood level therefore any future development would be required to comply with Council's Development of Flood Liable Land Policy. This policy permits the erection of non-habitable structures within the 1:100 average recurrent interval ('ARI') providing that any structure is not less than 3 metres below the 1:100 ARI which is currently 17.3m.

Refer to the discussion above under the Council's Flood Liable Land Policy.

The portion of the site proposed to be rezoned is generally consistent with the portion of the site that received previous approval for landform modification to achieve an appropriate construction level.

The proposed industrial zoning of the site would likely result in the erection of industrial buildings and therefore further benefit the area by providing suitable development without providing risk to safety.

4.4 Planning for Bushfire Protection

The site is mapped as bushfire prone and a bushfire report has been prepared by Building Code and Bushfire Hazard Solutions for the proposed zoning amendment.



Figure 15: Hawkesbury Bushfire Prone Map ★ Site

The site is bushfire prone as shown in the map above. The proposed zoning has been reviewed by Building Code and Bushfire Hazard Solutions who have indicated that the range of uses available within the proposed IN1 zoning would be suitable in relation to bushfire safety.

This report concluded that:

Given that the property is deemed bushfire prone under Hawkesbury Council's Bushfire Prone Land Map, any planning proposal should consider 'Planning for Bushfire Protection 2006'. The determination of any bushfire/grassfire hazard must be made on a site specific basis that includes an assessment of the local bushland area and its possible impact on the subject property.

The subject site is a large allotment with an area of industrial and rural/production allotments. The vegetation posing a potential threat to the proposed rezoning area is located to the north and south within neighbouring private allotments and east within the site itself. The vegetation posing a hazard was determined to be Grassland to all three aspects.

The Rural Fire Service supports protection of the sub floor or the integration of 1.8 metre high protective (non-combustible) fencing in conjunction with screened windows and a basic Asset Protection Zone of 10 metres for Grassland hazards regardless of the type of development. The subject site can accommodate multiple building footprints >10 metres from the northern and southern boundaries and the proposed RU1 boundary (to the east).

We are satisfied that future permissible development within the new IN1 (General Industrial) zone can achieve the minimum Asset Protection Zone, Water Supply, Access and other relevant specifications and requirements detailed in Planning for Bushfire Protection 2006.

In accordance with the bushfire safety measures contained in this statement, and consideration of the site specific bushfire risk assessment it is our opinion that the proposed planning proposal can provide a reasonable level of bushfire protection and can also satisfy the relevant specifications and requirements of Planning for Bushfire Fire Protection 2006.

We are therefore in support of the subject planning proposal.

The report is attached for Council's consideration and the proposal and will be referred to the NSW Rural Fire Service for assessment.

The proposed zoning change is supportable in relation to fire fighting and bushfire protection and is consistent with this Section 117 Direction allowing for the protection of life, property and the environment from bushfire hazards and encouraging sound management of bushfire prone areas.

5. Regional Planning

5.1 Implementation of Regional Strategies

The proposal is not within a regional area.

5.2 Sydney Drinking Catchments

The site is not within the Sydney Drinking Water Catchment.

5.3 Farmland of State and Regional Significance/NSW Far North Coast

Not applicable.

5.4 Commercial/Retail Development – Pacific Highway, North Coast

Not applicable.

5.5, 5.6, and 5.7

Revoked.

5.8 Second Sydney Airport: Badgerys Creek

Not affected by this Planning Proposal.

6. Local Plan Making

6.1 Approval and Referral Requirements

Not applicable.

6.2 Reserving Land for Public Purposes

Not applicable as the site is not reserved.

6.3 Site Specific Zoning

This proposal is consistent with this direction, the objective of which is to make the range of permissible uses as flexible as possible and avoid site specific restrictive controls.

Part of the site is currently zoned IN1. The proposed change in zonings is consistent with the objectives of the zone and will allow improved business/employment opportunities in a sustainable way. The proposal is considered to be consistent with Council's objectives for industrial and rural zones as well as Council's employment strategy, as detailed in this report.

7 Metropolitan Planning

7.1 Implementation of the Metropolitan Plan for Sydney 2036

Objective (1) of 7.1 *'to give legal effect to the vision, transport and land use strategy, policies, outcomes and actions contained within the Metropolitan Plan for Sydney 2036'*. The Planning Proposal achieves the overall intent of the Plan and does not undermine the achievement of its vision, land use strategy, policies, outcomes and actions.

Department of Planning and Infrastructure Circular PS11-005 (February 2011) indicated that *'the Metropolitan Plan for Sydney 2036 aligns with a number of State Plan priorities, including promoting jobs closer to home and to improve housing affordability'*. As discussed, the proposal is consistent with these planning objectives and will utilise and service existing land in an efficient and sustainable way. Refer to p9 and 10 of this report.

Section C- Environmental, Social and Economic Impact

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

The proposed zoning change is not likely to adversely affect critical habitat, threatened species, populations or ecological communities. These considerations and potential impacts can be dealt with in detail during development assessment.

The site contains a riparian zone and the proposed expanded IN1 zone is well setback from the riparian/creek area. Any future development application for the site would include appropriate protection and design measures to care for the creek.

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

The environment is zoned as suitable for industrial and rural land uses. The proposed change could allow for environmental protection and sustainability, efficiently utilising land and connecting work, home and transport.

The future scale and style of developments which may occur on the IN1 portion of the site would be commensurate with the adjoining industrial uses and buildings on either site and, subject to meeting design controls, would not be intrusive or detrimental.

The proposed change is not considered to have a significant bearing on environmental outcomes and will serve to use land more efficiently and effectively.

9. *How has the planning proposal adequately addressed any social and economic effects?*

As detailed within this report, the proposal is likely to create social and economic advantages such as improved take up of industrial land, increased employment choice, accessibility between local employment and housing and more business opportunities and advantages to the local economy.

Section D – State and Commonwealth interests

10. *Is there adequate public infrastructure for the planning proposal?*

Water/Services

The site is currently well serviced by public transport and a good local road network which could be utilised to support the proposed zoning adjustment.

The applicant is prepared to provide necessary services to the site.

There are currently conditions in place for the upgrading of the site in relation to water and services. Development Consent No. 358/06 for the use of the premises for the purpose of a 'nursery' (intensive agriculture) includes conditions requiring design and installation of storm water outlets and spillways to drain storm water from the site (as per DNR conditions).

This consent is operable. Future use consents can tap into this design and additional work can be undertaken where additional capacity is required above this infrastructure.

Condition 10 of the consent requires an extension of Councils drainage pipeline from Speedwell Place in accordance with the relevant ARI storm events. This infrastructure can be added to the property.

Condition 8 requires approval to connect into the existing sewer system controlled by Council. Infrastructure is available within Speedwell Place. Other connections including trade waste would be assessed dependent on the future use.

Condition 25 requires the provision of a sealed road from Speedwell Place into the site.

Condition 64 required a heavy duty layback and footway vehicular crossing to be constructed along with a concrete driveway, with a minimum width of 6.0m wide (Condition 65) to be constructed along the full length of the access handle to the site.

The applicant is to provide the infrastructure according to Council requirements. Infrastructure relevant to an industrial land use and any additional facilities required could be dealt with through assessment of proposed future uses.

11. *What are the views of the State and Commonwealth public authorities consulted in accordance with the Gateway Determination?*

Consultation with State and Commonwealth public authorities will be conducted in accordance with Section 56(2)(d) of the Environmental Planning and Assessment Act and as required to demonstrate compliance with relevant Section 117 Directions.

It is likely that the Office of Environment and Heritage, NSW Rural Fire Service, State Emergency Service, Office of Water, Sydney Water, Hawkesbury Nepean Catchment Management Authority, Department of Trade and Investment – Mineral Resources Branch, Transport for NSW and Endeavour Energy, Transgrid and Telstra would be consulted in relation to environmental and infrastructure considerations.

Preliminary consultation has occurred with Council. The draft planning report and intentions for the site were discussed and updates to the report have been made based on the advice of Council staff.

Part 4 MAPPING

Mapping has been provided as part of this proposal to detail the proposed change. The mapping can be formalised in accordance with the technical requirements for LEP Maps.

Part 5 Community Consultation

No formal public community consultation has been undertaken to date in regard to this Planning Proposal. It is expected that this Planning Proposal will be formally exhibited with appropriate public exhibition procedures specified by the Gateway Determination.

Part 6 Project Timeline

To be advised following the assessment of the Planning Proposal/Gateway Determination.

CONCLUSION

This Planning Proposal requests a partial rezoning of the subject land from RU1 (Primary Production) to IN1 (General Industrial).

The proposed rezoning will align the industrial portion of the site with adjoining industrial sites and allow for the sustainable expansion of business/industrial uses in line with state and local strategies of encouraging employment generating land and working close to home.

The proposal is considered to be in keeping with Council's employment lands, zoning and environmental objectives. The proposal provides a balance between desired employment generating and agricultural uses, and is suitable and sympathetic to the natural environment and surrounding uses.

In conclusion, the amendment:

- Responds to Department of Planning guidelines and the advice of Council staff.
- Is generally consistent with State Government planning policies and Ministerial Directions.
- The site is within an area zoned for industrial/employment services, is close to transport and the nearby the Windsor Town Centre and surrounding residential areas.
- The proposal is considered reasonable given the access handle of the site is zoned IN1 and given the adjoining pattern IN1 land.
- The adjusted RU1/IN1 ratio proposed is considered reasonable given the industrial character of the area.
- Given the interface with industrial uses to the sides and the site presentation, the site is not considered particularly suitable for agricultural purposes.
- The proposal retains the rear portion for rural/landscaping/riparian purposes.
- The proposal will boost the take up of industrial land as the owners can finance necessary servicing. This is considered an economic benefit for the area.
- The proposal will create more opportunities for working close to home and resultant social benefits.
- The site has the potential to support a sustainable and well-designed development/future use with appropriate floor levels, infrastructure improvements, access and landscaping. The site is intended to be developed for the purposes of a headquarters, an administration centre and to diversity the business into other activities similar to manufacturing and industrial activities in the area. It is envisaged to construct a sustainable, sympathetic, aesthetically pleasing development.

- The site lends itself to industrial uses as opposed to rural, given the altered state
- Future development could incorporate improvements to landscaping, parking and road links.
- The proposal represents the efficient use of land in keeping with metropolitan development objectives.
- For reasons provided in this report, is considered to be in the public interest.

Given the absence of adverse environmental impacts and the potential community and economic benefits of the proposed industrial zoning, we request that Council advance the Planning Proposal to the Department of Planning and Environment for consideration and approval under the Gateway Determination and Section 56 of the EP and A Act 1979.

Document Tracking

Version	Date	Revisions
1	March 2014	Report Issued to Council for Discussion/Meeting
2	August 2014	Amendments suggested by Hawkesbury Council
3	August 2014	Final Draft for Client Approval
4	September 2014	Final Issue for Council assessment
5	January 2015	Updated Issue for Council assessment

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This report has been prepared with due diligence by the author. Its contents are believed to be fair and accurate and are based on information available. The author disclaims all and any liability to any person in respect of the consequences of anything done or omitted to be done in reliance upon the whole or any part of this document.

This Planning Proposal has been prepared by Natalie Richter in accordance with *A Guide to Preparing Planning Proposals* published by the NSW Department of Planning and Infrastructure, October 2012 with the guidance of Hawkesbury City Council.



Hawkesbury Local Environmental Plan 2012

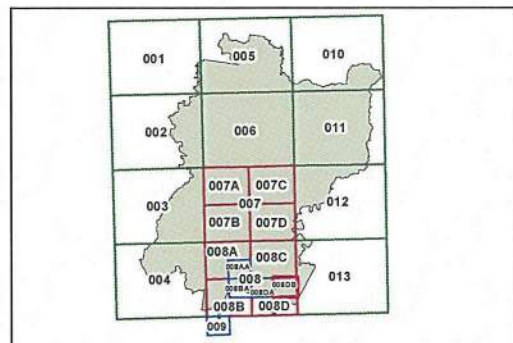
Land Zoning Map - Sheet LZN_008DB

Zone

- B1 Neighbourhood Centre
- B2 Local Centre
- B5 Business Development
- B6 Enterprise Corridor
- E1 National Parks and Nature Reserves
- E2 Environmental Conservation
- E3 Environmental Management
- E4 Environmental Living
- IN1 General Industrial
- IN2 Light Industrial
- R1 General Residential
- R2 Low Density Residential
- R3 Medium Density Residential
- R5 Large Lot Residential
- RE1 Public Recreation
- RE2 Private Recreation
- RU1 Primary Production
- RU2 Rural Landscape
- RU4 Primary Production Small Lots
- RU5 Village
- SP1 Special Activities
- SP2 Infrastructure
- W1 Natural Waterways
- W2 Recreational Waterways

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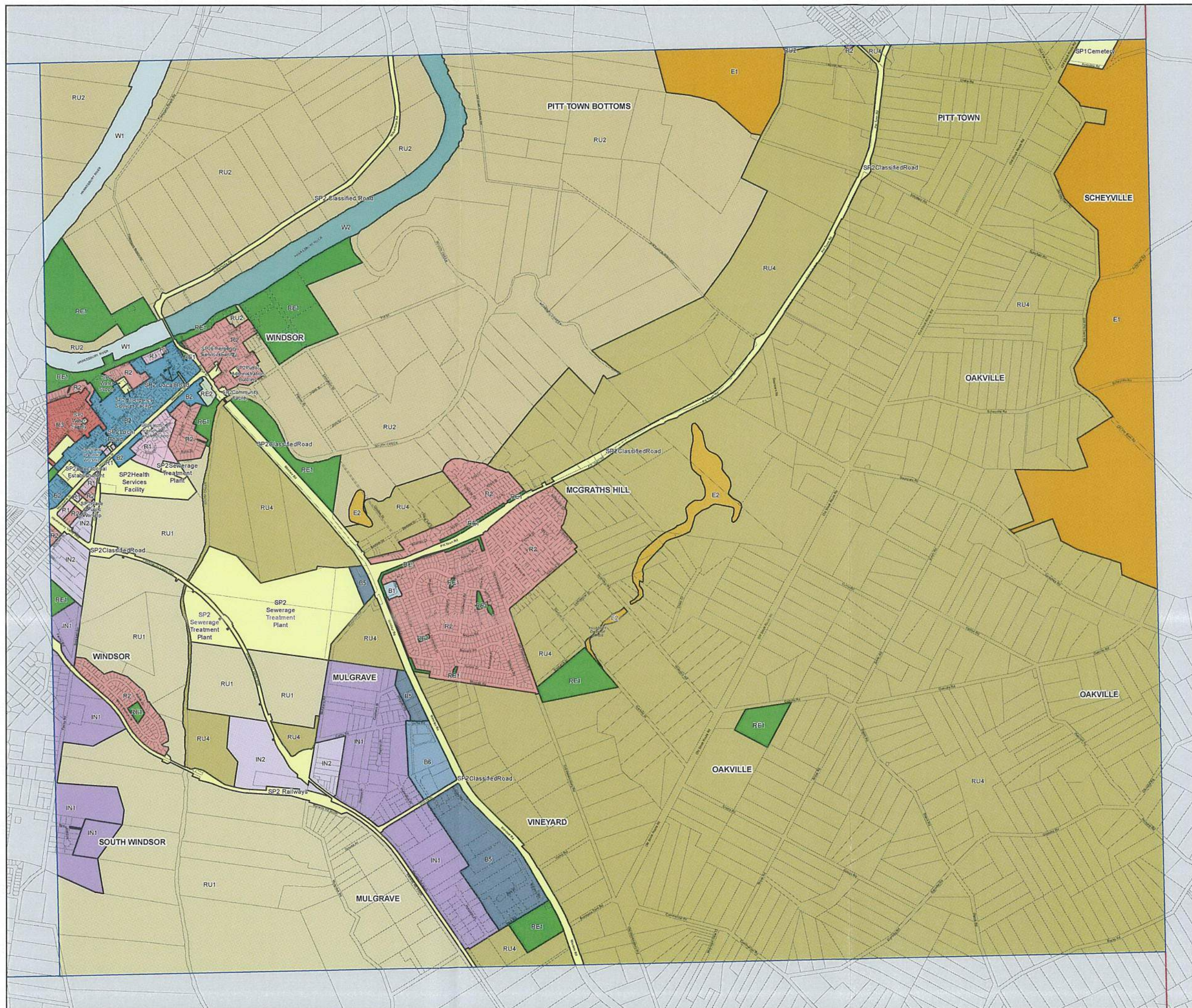
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Scale: 1:20,000 @ A3

Projection: GDA 1994
MGA Zone 56
Map Identification Number:
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Hawkesbury Local Environmental Plan 2012

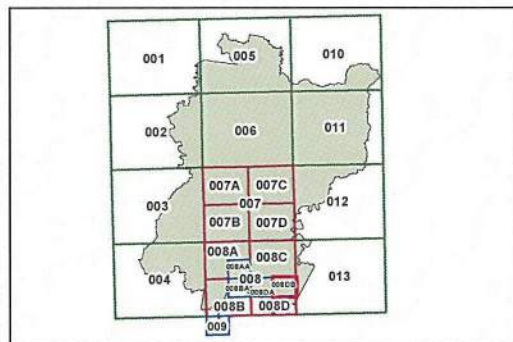
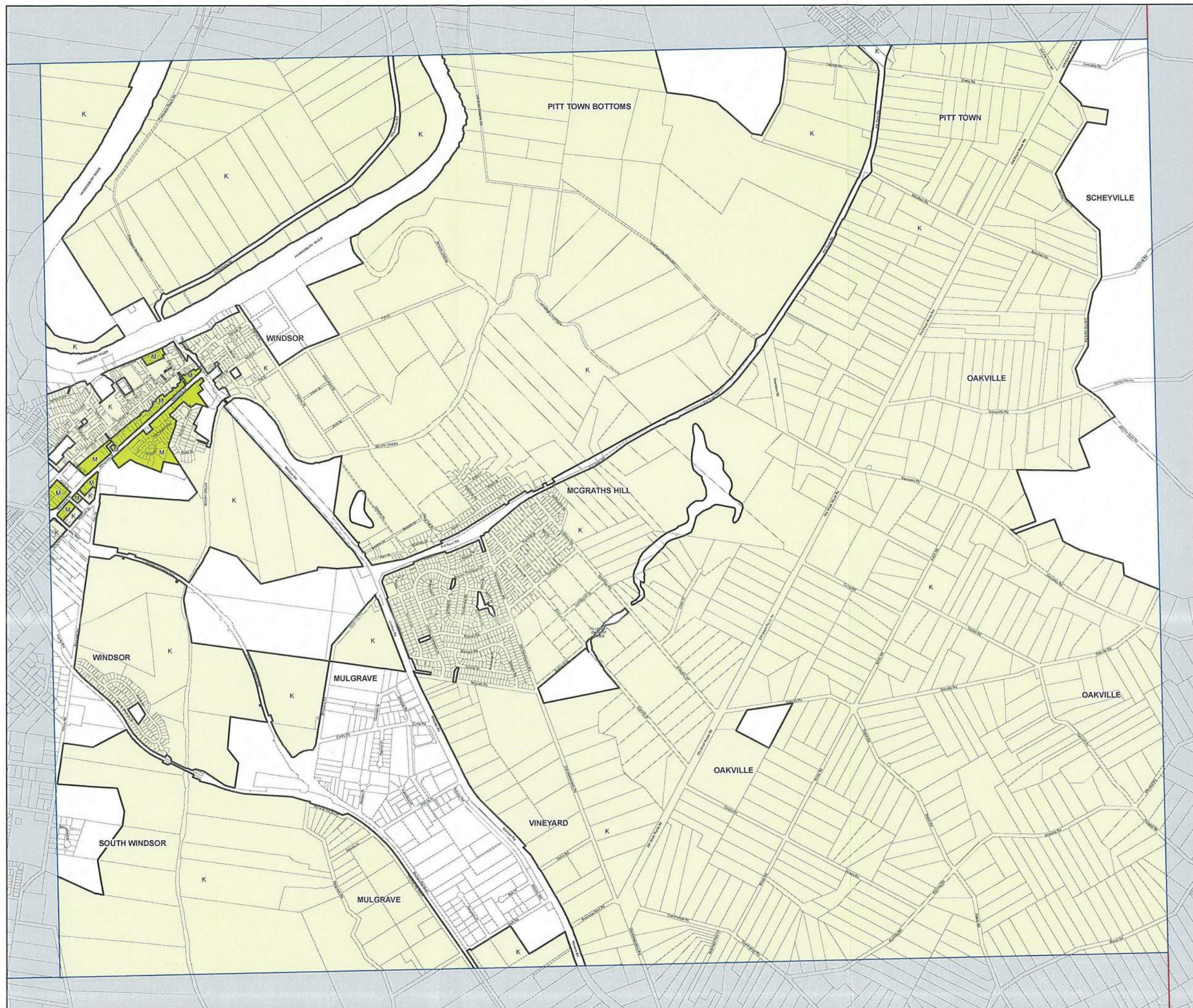
Height of Buildings Map - Sheet HOB_008DB

Maximum Building Height (m)

K	10
M	12

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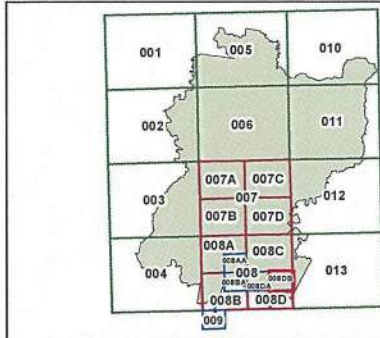
Lot Size Map - Sheet LSZ_008DB

Minimum Lot Size (sq m)

A	180
E	375
G	450
K	550
M	600
O	650
R	750
U1	1000
U2	1500
V1	2000
V2	2500
W	4000
Y	10000
Z1	2ha
Z2	4ha
AB1	10ha
AB2	25ha
AB3	40ha
AC	50ha
AD	100ha
AE	200ha
AF	400ha
Area A	Refer to Clause 4.1D(1)
Area B	Refer to Clause 4.1E
Area C	Refer to Clause 4.1F

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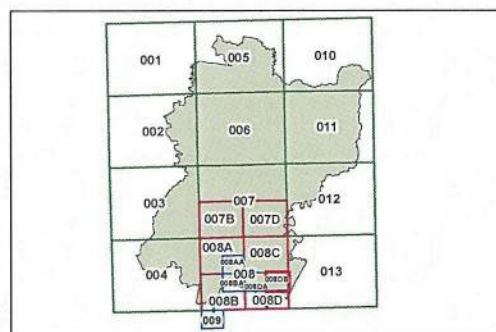
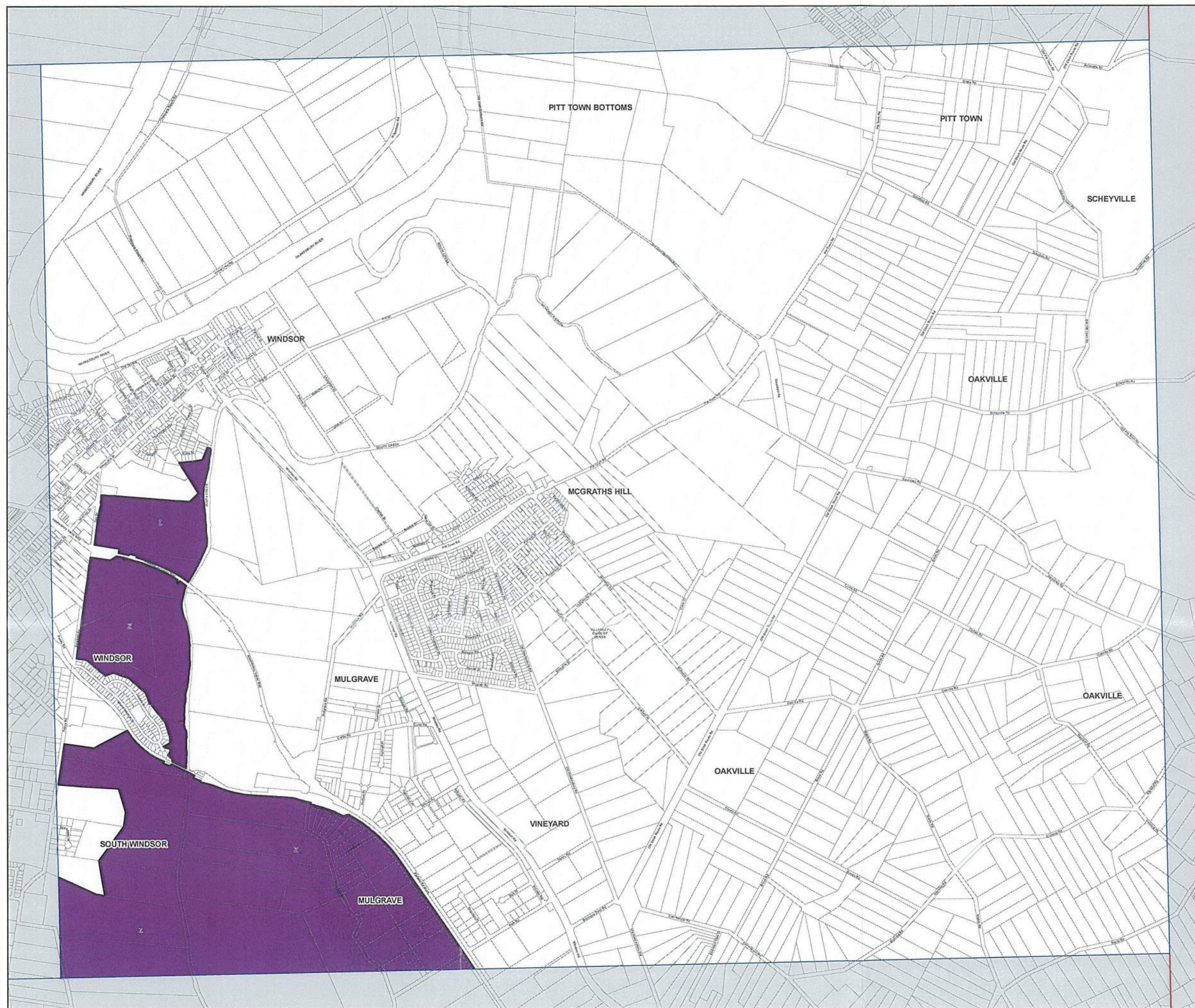
Lot Averaging Map - Sheet LAV_008DB

Minimum Lot Size for a Lot Averaging Subdivision

- U** 1500m² with lot density not greater than 5 lots per ha
- Y** 1ha
- Z** 2.5ha

Cadastral

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