

Planning Services

Gateway Determination Report

LGA	The Hills Shire
PPA	The Hills Shire Council
NAME	Annangrove Road Employment Area - partial road widening
NUMBER	PP 2018 THILL 005 00
LEP TO BE AMENDED	The Hills Local Environmental Plan 2012
ADDRESS	Part of: 282 Annangrove Road, 290-312 Annangrove Road, 20 Edwards Road and 31 Edwards Road, Rouse Hill
DESCRIPTION	Part of: Lot 2 DP 1032790, Lot 1 DP 133473, Lot 2 DP 222080 and Lot 2 DP 225401.
RECEIVED	29 May 2018
FILE NO.	IRF18/2892
POLITICAL DONATIONS	There are no donations or gifts to disclose and a political donation disclosure is not required
LOBBYIST CODE OF CONDUCT	There have been no meetings or communications with registered lobbyists with respect to this proposal

INTRODUCTION

Description of planning proposal

The planning proposal seeks to amend The Hills Local Environmental Plan 2012 to rezone a portion of land within the Annangrove Road Employment Area from B6 Enterprise Corridor to SP2 Local Road Widening for the purpose of construction an approach road and a vehicular bridge over Smalls Creek between Ross Place, Kellyville and Edwards Road, Rouse Hill and identify the land for acquisition within the Land Reservation Acquisition Map.

Site description

The planning proposal applies to parts of the following allotments (**Figure 1**):

- 282 Annangrove Road, Rouse Hill (Lot 2 DP 1032790);
- 290-312 Annangrove Road, Rouse Hill (Lot 1 DP 133473);
- 20 Edwards Road, Rouse Hill (Lot 2 DP 222080); and
- 31 Edwards Road, Rouse Hill (Lot 2 DP 225401).

As described above, the site comprises parts of four allotments along a concept road alignment accommodating a footprint for a proposed approach road and a bridge across Smalls Creek. The concept road alignment (**Figure 2**) traverses along the

northern part of the Annangrove Road Employment Area, partly along the existing Edwards Road and joins the unformed end of Ross Place within the northern edge of the North Kellyville Precinct.

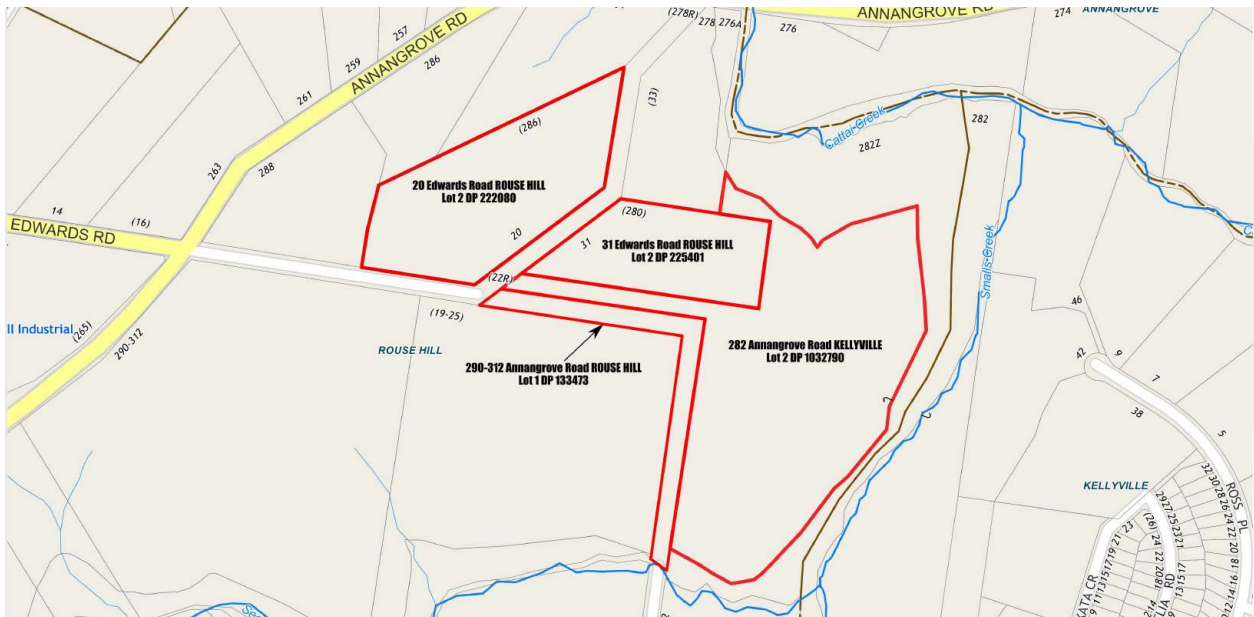


Figure 1: Subject Allotments (outline in red).

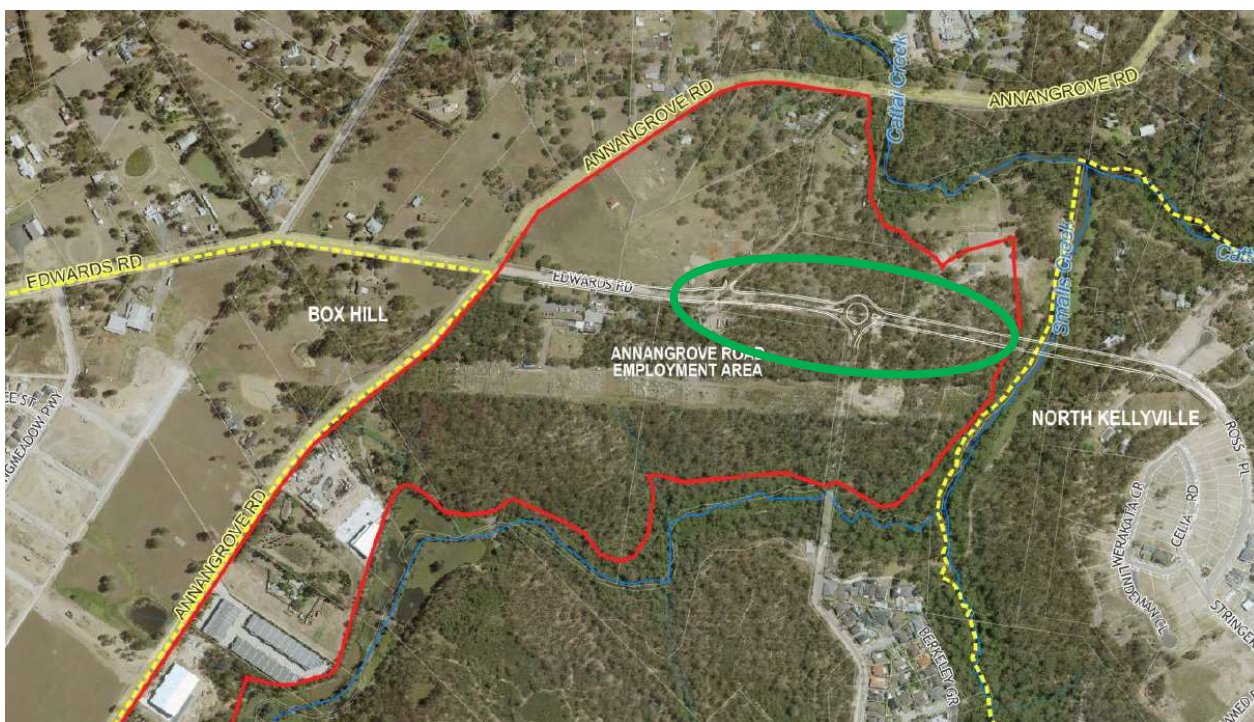


Figure 2: Part of subject allotments subject to proposed road widening (circled in green).

Existing planning controls

The subject site is zoned part B6 Enterprise Corridor and part SP2 Infrastructure (Local Road Widening) (see **Figure 3**). Other provisions and proposed amendments applicable for the site are discussed under the explanation of provisions section in this report.

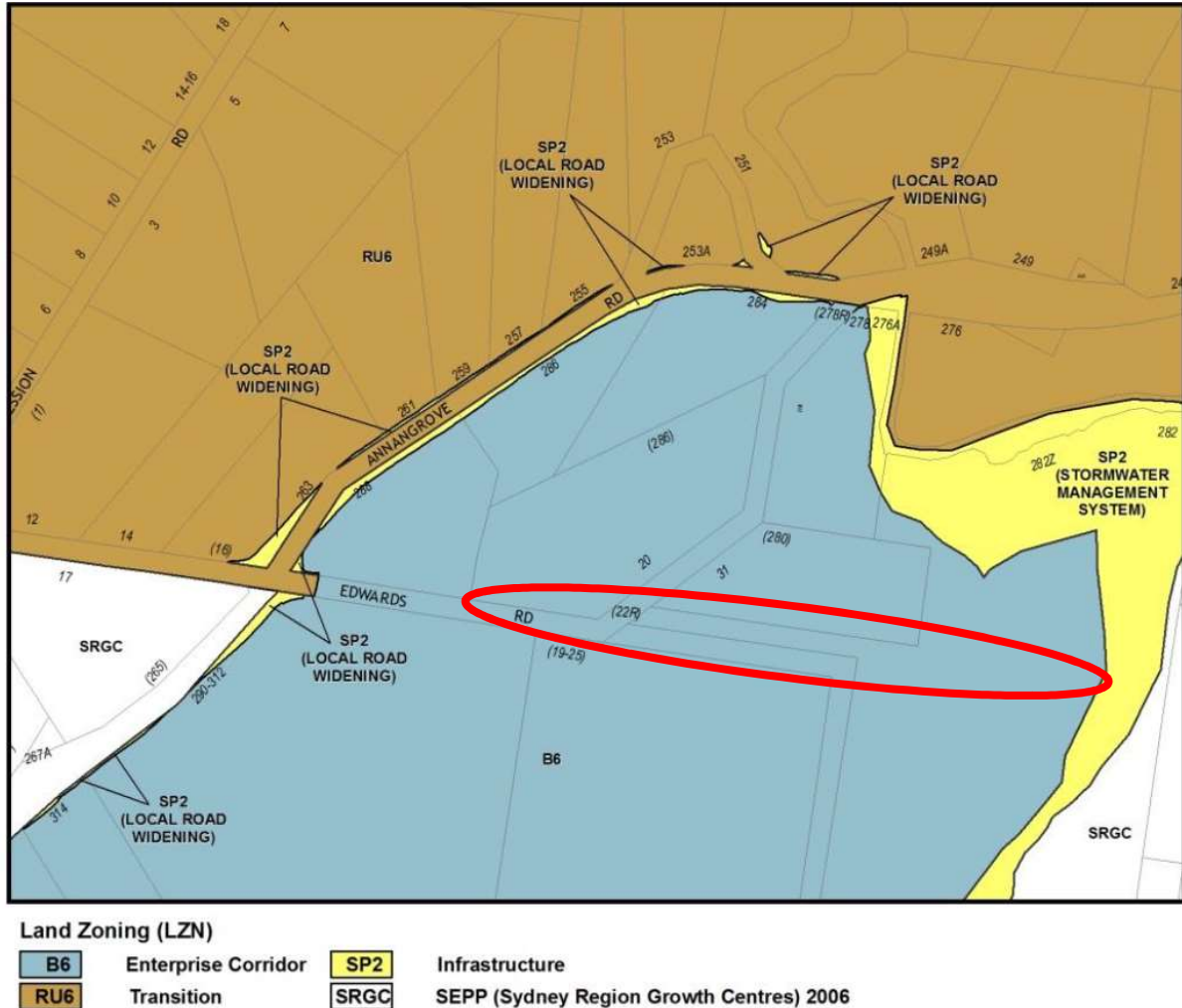


Figure 3: Land use zoning map with approximate subject area circled in red

Surrounding area

The subject land is part of the Annangrove Road Employment Area which directly adjoins the Box Hill and North Kellyville Growth Areas (**Figure 4**). The Annangrove Road Employment Area is predominantly zoned B6 Enterprise Corridor. Some current uses along Edwards Road include a paintball venue, semi-rural allotments and light industries.

The subject land is immediately surrounded by Shale Sandstone Transition Forest which is listed as an endangered ecological community under the *Threatened Species Conservation Act 1995* and *Environment Protection and Biodiversity Conservation Act 2016* (discussed later in this report).

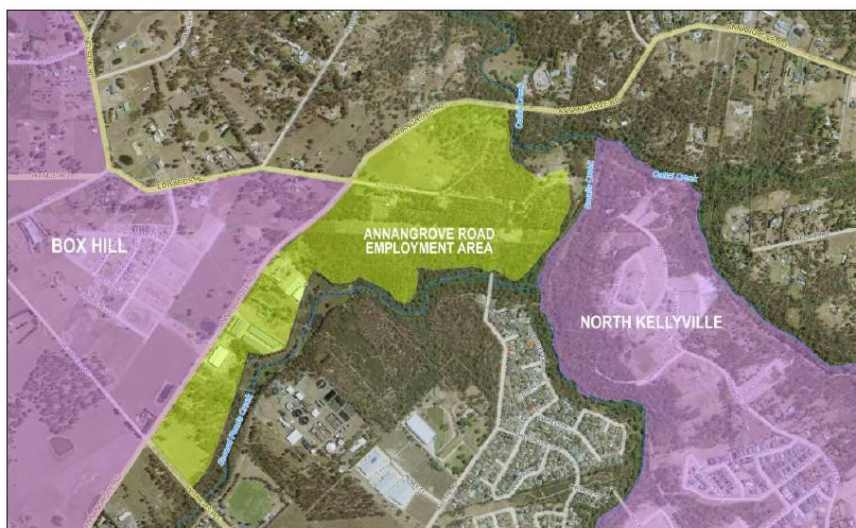


Figure 4: Annangrove Road Employment Area and surrounding precincts.

Summary of recommendation

The planning proposal has merit and is supported to proceed. The proposal is consistent with state, regional and local strategic planning objectives and seeks to deliver a local road to service the North Kellyville and Box Hill growth areas and the Annangrove Road Employment Area.

PROPOSAL

Objectives or intended outcomes

As stated in the planning proposal (**Attachment A**) the proposal's objective is to manage land identified for future acquisition for the purpose of road widening. The proposal's objectives are clear for the purposes of public exhibition.

Explanation of provisions

In summary proposed amendments to The Hills LEP 2012 include:

- Rezoning four segments of land to the SP2 Infrastructure zone; and
- Associated amendments to the Land Reservation Acquisition Map.

As stated in the planning proposal documentation (**Attachment A**) any amendments to the Land Zoning Map (see **Figures 5** and **6**) shall trigger associated amendments to the Floor Space Ratio, Minimum Lot Size and Height of Buildings Maps to be consistent with the boundaries of the adjoining zone and associated planning controls. The Land Reservation Acquisition Map (see **Figures 7** and **8**) is proposed to be amended to reflect the proposed zoning and ownership pattern. This shall provide for the proposed road project linking Ross Place Kellyville to Annangrove Road Rouse Hill.

It is noted that Council is identified as authorities to being listed under Clause 5.1 of the LEP as the relevant authority for the acquisition of land shown on the Land Reservation Acquisition Map for "Local Road Widening".

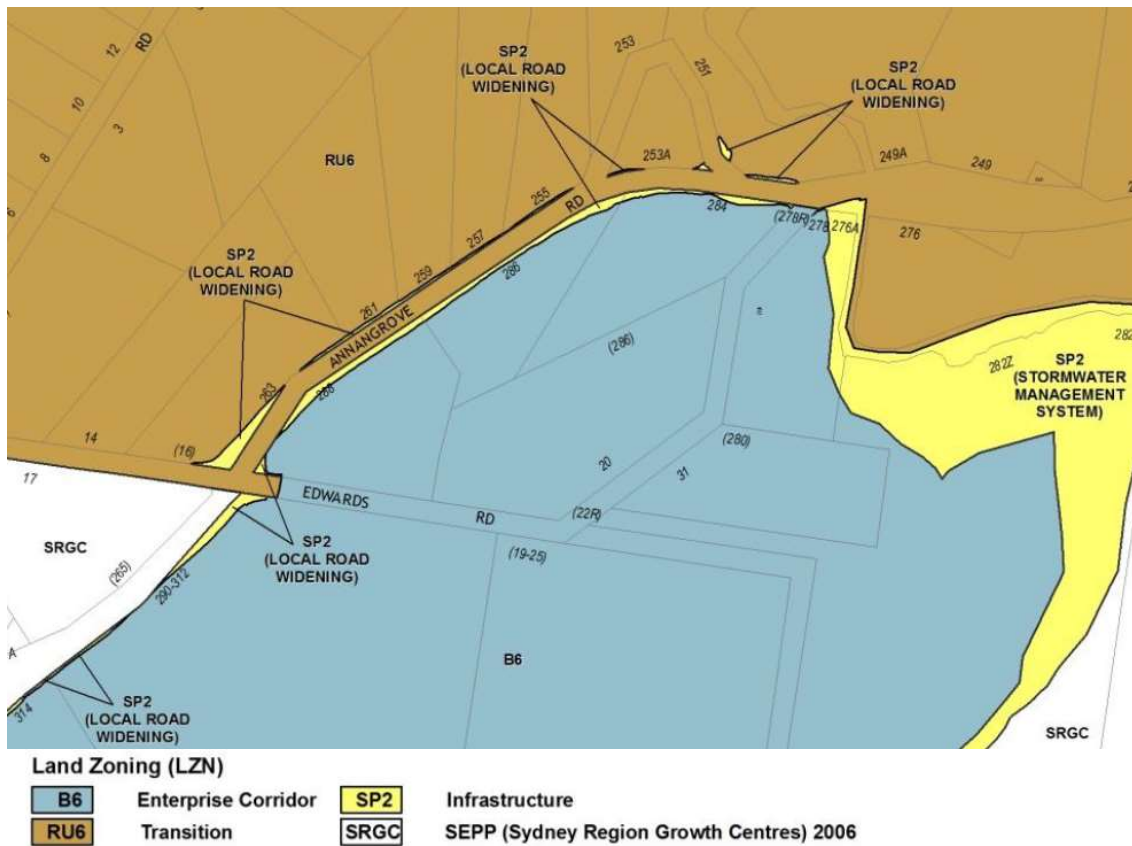


Figure 5: Existing Land Zoning Map

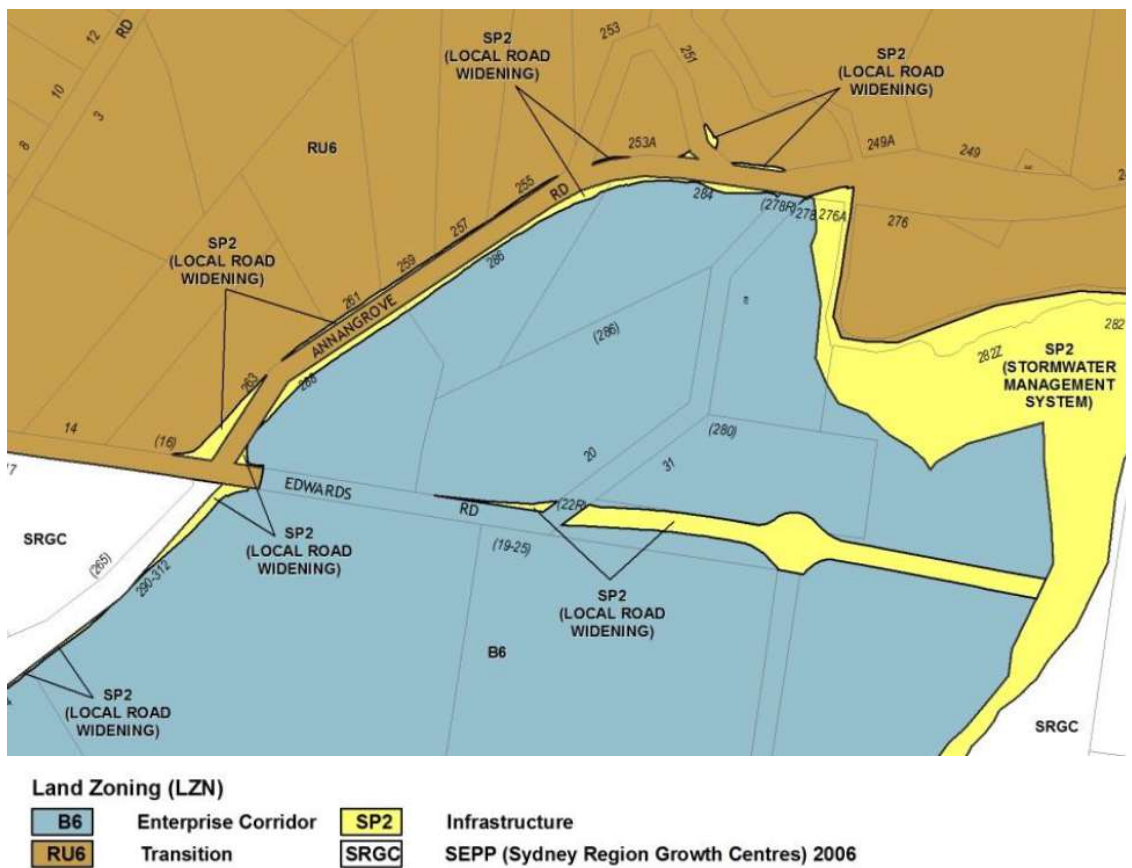


Figure 6: Proposed Land Zoning Map

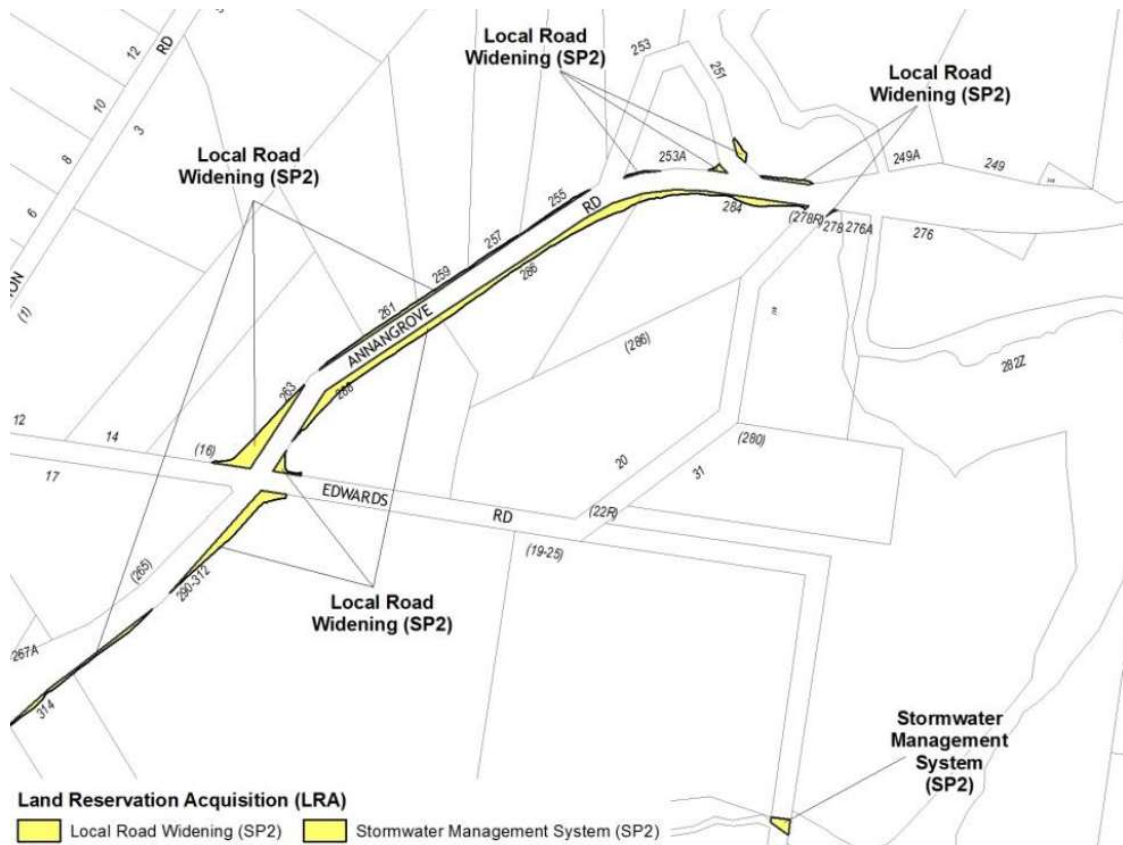


Figure 7: Existing Land Reservation Acquisition Map

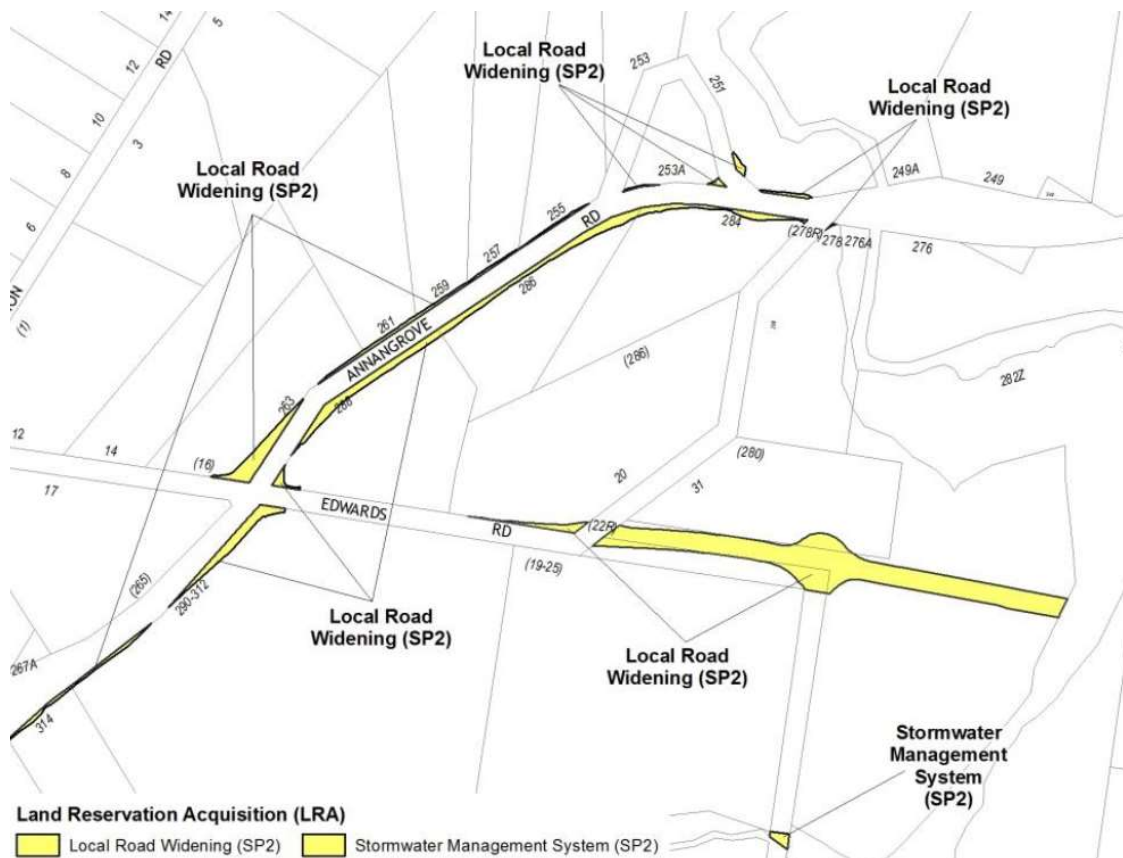


Figure 8: Proposed Land Reservation Acquisition Map

Mapping

The land use zoning and land reservation acquisition mapping provided with the planning proposal are suitable for the purposes of public exhibition. It is considered any associated boundary adjustments to the Floor Space Ratio, Minimum Lot Size and Height of Buildings Maps resulting as a change to the land use zoning map are minor and not necessary to illustrate the intention of the planning proposal for the purposes of public exhibition.

NEED FOR THE PLANNING PROPOSAL

It is considered the planning proposal is the best means to achieve the intended outcomes. As noted in Council's planning proposal documentation (**Attachment A**) the subject land is identified as part of a specific road corridor under the Sydney Region North West Growth Centres (Edition 3) Structure Plan and North Kellyville Precinct Indicative Layout Plan and subsequently endorsed as a local traffic infrastructure item within Contributions Plan No. 13 – North Kellyville Precinct assessed by the Independent Pricing and Regulatory Tribunal of NSW.

The road corridor is also envisioned in Council's Edwards Road Precinct Master Plan which was implemented via The Hills LEP Amendment No 12 gazetted 4 July 2014.

In summary, the planning proposal will facilitate a road project which was identified as a part of the State-led strategic planning for a new greenfield release area.

Some general considerations for the subject site as discussed further in this report are:

- Local heritage item west of the subject land;
- Potential flood prone SP2 stormwater drainage corridor east of the subject land;
- Vegetation communities of Shale Sandstone Transition Forest (SSTF) immediately surround the planning proposal's subject land, which listed as an endangered ecological community under the Threatened Species Conservation Act 1995 and Environment Protection and Biodiversity Conservation Act 2016; and
- The subject land and much of the Annangrove Road Employment Area is identified as bushfire prone, containing Vegetation Category 1 and buffer.

STRATEGIC ASSESSMENT

Regional / District

Greater Sydney Region Plan

A Metropolis of Three Cities - The Greater Sydney Region Plan provides a 40-year vision for the Greater Sydney region. The following directions, objectives and strategies are considered relevant for the planning proposal:

- Direction: A city supported by infrastructure.
 - Objective 2: Infrastructure aligns with forecast growth – growth infrastructure compact.

- Strategy 2.2: Sequence infrastructure provision across Greater Sydney using a place-based approach
- Objective 4: Infrastructure use is optimised.
 - Strategy 4.1: Maximise the utility of existing infrastructure assets and consider strategies to influence behaviour changes ...
- Direction: A well-connected city.
 - Objective 14: A Metropolis of Three Cities – integrated land use and transport creates 30-minute cities.
 - Strategy 14.2: Investigate, plan and protect future transport and infrastructure corridors.

The planning proposal is consistent with the Regional Plan as it will enable delivery of a local infrastructure item that will improve traffic flow and connectivity within the North West Priority Growth Centres.

Central City District Plan

The Central City District Plan was released in March 2018, after the planning proposal was submitted. The following planning priorities of the Revised Draft Central City District Plan are relevant to the proposal:

- Planning Priority C1: Planning for a city supported by infrastructure;
- Planning Priority C9: Delivering integrated land use and transport planning and a 30-minute city

The proposal is consistent with the District Plan as it will facilitate the delivery of local infrastructure that will directly service land holdings in the Annangrove Employment Area and improve connectivity with the Box Hill and North Kellyville growth areas.

Local

The Hills Future Community Strategic Plan

The following key outcomes and strategies from The Hills Future Community Strategic Plan are relevant to this proposal:

- Outcome: Safe, convenient and accessible transport options that enable movement through and within our Shire.
 - Strategy: Facilitate and maintain well managed and integrated local roads and transport infrastructure and support the safety of movement for all users.

The proposal is consistent with the local community strategic plan as it will facilitate the delivery of traffic infrastructure within the newly established greenfield precinct. The planning proposal will reserve land required for road infrastructure by preventing development that is not compatible with, or that may detract from the provision of that infrastructure.

Local Strategy

Council's Local Strategy is supported by seven Strategic Directions, those of relevance to this proposal being the Integrated Transport Direction and Employment Lands Direction. A summary of the consistency of the planning proposal with these Directions is provided below:

- **Integrated Transport Direction**
A key objective of the Integrated Transport Direction is to ensure that planning and future development supports the provision of an efficient transport network. The proposal will enable the delivery of a local road corridor project within the planned North Kellyville Precinct and further unlock the development potential the Annangrove Road Employment Area.
- **Employment Lands Direction**
In addition to the contribution towards anticipated employment targets, this direction seeks to provide employment close to home, services and transport infrastructure.

The proposal aims to deliver a road corridor which will link the North Kellyville Precinct to the other nearby local centres by providing a critical road connection via Edwards Road to Annangrove Road. The outcomes of the proposal extend to encouraging the facilitation of local jobs in close vicinity to the two new greenfield release areas including North Kellyville and Box Hill as well as within the Annangrove Road Employment Area.

Contributions Plan No.13 – North Kellyville Precinct

As noted in Council's planning proposal documentation (**Attachment A**), at its Ordinary Meeting on 10 April 2018, Council considered the draft amendments to Contributions Plan No. 13 – North Kellyville Precinct, which reflect the outcomes from Council's periodic review of the plan. The draft amendments to the plan include the adjustment of the value of all outstanding capital works be updated to reflect escalation in the cost of providing local infrastructure over time, updated contingency rates as recommended by IPART (30% for traffic and drainage works) and the availability of more detailed design and cost estimates for works, where available.

Council has recently prepared concept designs for this bridge as well as an associated cost estimate, and subsequently the planning proposal seeks to enable reservation of the required local road.

Section 9.1 Ministerial Directions

The proposal is consistent with the following relevant Section 9.1 Directions:

- **Direction 1.1 – Business and Industrial Zones**
The proposal is consistent with this Direction as it will facilitate an essential road corridor that services surrounding business and industrial zones within the Annangrove Road Employment Area.
- **Direction 2.3 – Heritage Conservation**
A local listed heritage item at 288 Annangrove Road (Lot 3 DP 222080) under Schedule 5 of The Hills LEP 2012 (shown in **Figure 9**) will not be adversely

affected as a result of the planning proposal. Accordingly, the proposal is consistent with this Direction.

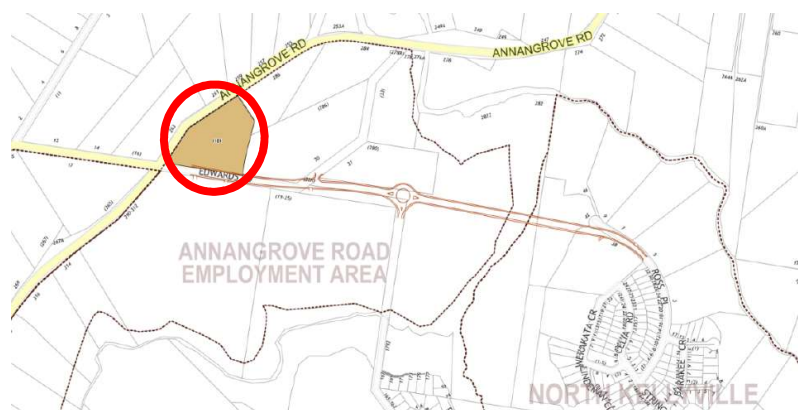


Figure 9: Heritage mapping (outlined in red) and proposed road alignment

- Direction 3.4 – Integrated Land Use and Transport

The proposal is considered consistent with this Direction as it facilitates the delivery of a future road project as identified in the North Kellyville Structure Plan. The proposal will contribute to improved access to housing, jobs and services in the area by improving roads that form public transport and freight routes.

- Direction 4.3 – Flood Prone Land

As noted in Council’s planning proposal documentation (**Attachment A**), Council’s flood mapping does not identify the extent of Flood Planning Level for the precinct. However, a previous Sydney Water study of land within the adjoining drainage corridor identified that the 1 in 100-year Average Recurrence Interval (ARI) for this precinct is generally contained within the land zoned SP2 Infrastructure (Stormwater Management System) under LEP 2012. The proposal is consistent with this Direction as it will not result in any flooding impacts or adversely affect the adjoining drainage catchment.

- Direction 4.4 – Planning for Bushfire Protection

As noted in Council’s planning proposal documentation (**Attachment A**), much of the Annangrove Road Employment Area is identified as bushfire prone, containing Vegetation Category 1 and buffer (**Figure 10**). The planning proposal is consistent with this Direction as it will not present any adverse impacts on bushfire planning for the area and it has been strategically investigated as it is a planned road corridor which will enhance accessibility for the Annangrove Road Employment Area.

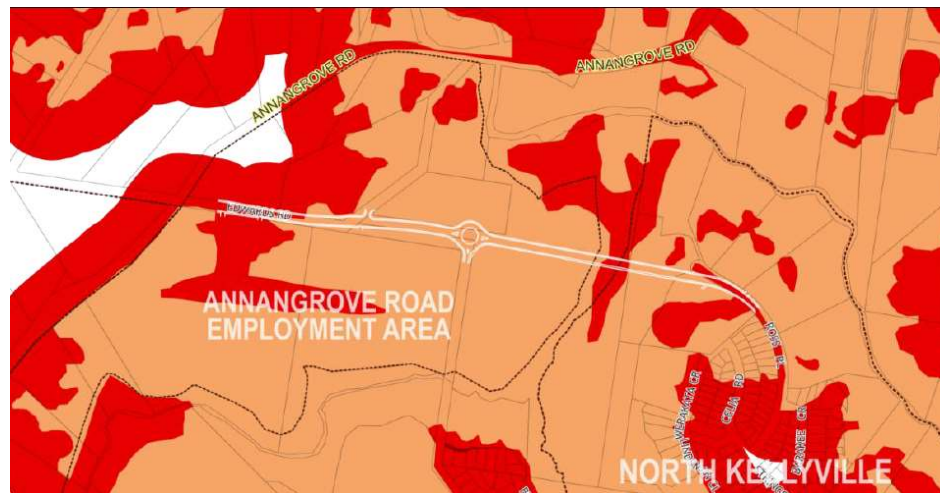


Figure 10: Bushfire prone land mapping

- Direction 6.2 – Reserving Land for a Public Purpose

The planning proposal is consistent with this Direction as it seeks to make amendments to manage land identified by the Growth Centres Commission for future acquisition for the construction of a planned road and bridge.

- Direction 7.4 – Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan

The planning proposal is consistent with the strategic directions and key policy settings of the Plan given the proposed changes reflect existing policy and land use decisions for the North West Priority Growth Area.

State environmental planning policies

State Environmental Planning Policy (Sydney Region Growth Centres) 2006

The proposal is consistent with the SEPP, as discussed in Council's planning proposal documentation (**Attachment A**). In December 2008, the then Growth Centres Commission (now the Department of Planning and Environment) released the Precinct Planning documents for North Kellyville which is located within the Sydney North West Priority Growth Area. Identified within the Indicative Layout Plan for North Kellyville Precinct was a new northern collector road connection between Ross Place to Annangrove Road (via Edwards Road) reflecting the recommendations from supporting traffic and environmental assessments.

SITE-SPECIFIC ASSESSMENT

Economic/Infrastructure

As discussed earlier in this report, the planning proposal will facilitate the delivery of planned road infrastructure that will support the economic growth of the Annangrove Road Employment Area and surrounding Box Hill and North Kellyville Growth Areas.

Environmental

As noted in Council's planning proposal documentation (**Attachment A**), as part of preparing the Edwards Road Precinct Master Plan, a supporting Flora and Fauna Assessment identified that the Precinct contains vegetation communities including Shale Sandstone Transition Forest (SSTF) immediately surrounding the planning proposal's subject land, which listed as an endangered ecological community under

the Threatened Species Conservation Act 1995 and Environment Protection and Biodiversity Conservation Act 2016 (see **Figure 11**).

The planning proposal is not anticipated to result in any adverse impacts on vegetation in the area as it has been strategically investigated as it is a planned road corridor which will enhance accessibility for the Annangrove Road Employment Area.

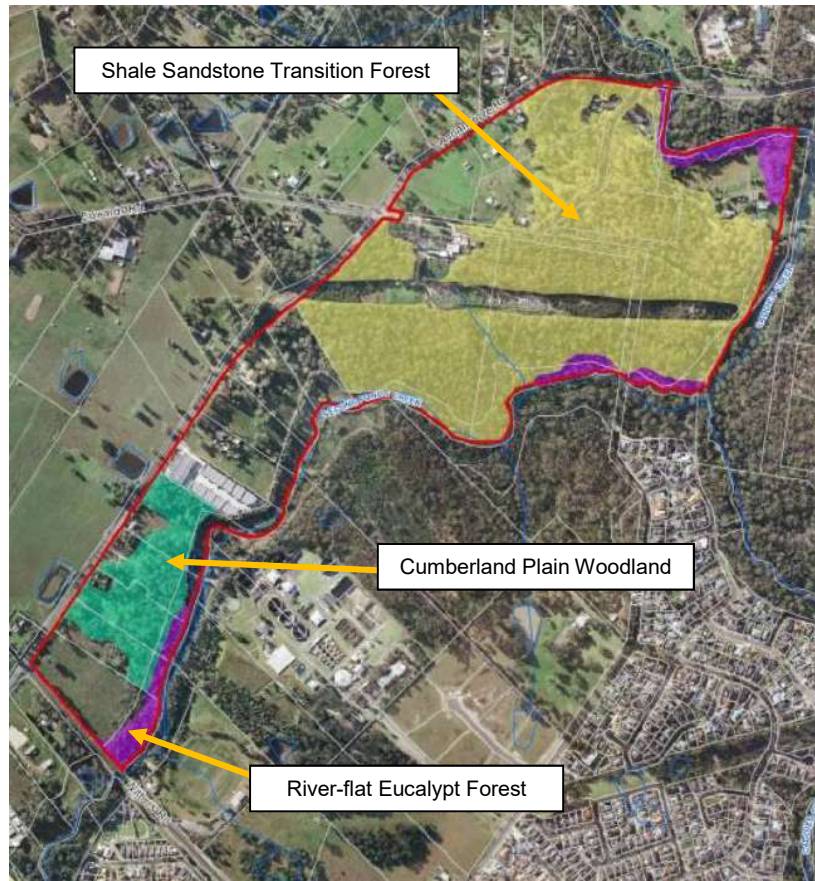


Figure 11: Vegetation communities

CONSULTATION

Community

The proposal and associated documentation will be advertising in local newspapers and by making the proposal publicly available in Council's administrative buildings and on Council's website. Adjoining owner/occupiers will also be notified by mail.

Council have not provided details on how long they intend to the exhibit the proposal; however, it is recommended that the proposal be exhibited for 28 days as detailed in the Gateway determination.

Agencies

Council have proposed to notify the following agencies:

- NSW Rural Fire Service;
- Endeavour Energy;

- Transport for NSW;
- Sydney Water;
- Roads and Maritime Services NSW;
- Transgrid; and
- Office of Environment and Heritage.

The Department supports consultation with these agencies and the Gateway determination has been conditioned accordingly.

TIME FRAME

Council have proposed to finalise the plan within 6 months, which is considered a satisfactory timeframe.

LOCAL PLAN-MAKING AUTHORITY

Council have requested plan making delegations in relation to this proposal. Given the minor nature of the proposal, it is considered appropriate for authorisation to be issued in this instance.

CONCLUSION

The planning proposal has merit and is supported to proceed with conditions. The proposal is consistent with state, regional and local strategic planning objectives and seeks to deliver a local road to service the North Kellyville and Box Hill growth areas and the Annangrove Road Employment Area.

RECOMMENDATION

It is recommended that the delegate of the Greater Sydney Commission, determine that the planning proposal should proceed subject to the following conditions:

1. The planning proposal should be made available for community consultation for a minimum of 28 days.
2. Consultation is required with the following public authorities:
 - NSW Rural Fire Service;
 - Endeavour Energy;
 - Transport for NSW;
 - Sydney Water;
 - Roads and Maritime Services NSW;
 - Transgrid; and
 - Office of Environment and Heritage.
3. The time frame for completing the LEP is to be 6 months from the date of the Gateway determination.
4. Given the nature of the planning proposal, Council should be the local plan-making authority.



25/6/2018

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2/07/2018

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