
MINUTES of the duly convened Ordinary Meeting of The Hills Shire Council held in the Council Chambers on 12 February 2013

north and would provide an undesirable development at the southern gateway to the Baulkham Hills Town Centre;

3. The proposed rezoning of the site creates significant potential for land use conflict between future commercial development on the site permissible under the B2-Local Centre zone and the existing and future residential development adjoining the site at Nos.11-19 Yattenden Crescent;
4. The proposed rezoning of the site in isolation to the remaining R4 – High Density Residential land at Nos.11-19 Yattenden Crescent would prevent the future redevelopment of this land as consolidated allotments for the purpose of high density residential accommodation and would result in a disorderly development outcome for the portion of land bounded by Windsor Road, Charles Street, Yattenden Crescent and the Target Site to the north west. This would be further exacerbated by the anticipated road widening required for the proposed overpass/underpass at the intersection of Windsor Road, Seven Hills Road and Old Northern Road; and
5. The development concept submitted in support of the planning proposal would fail to provide an appropriate development at the southern entry to the Baulkham Hills Town Centre and is likely to result in amenity impacts to adjoining residential properties including noise, odour and overshadowing.

Being a planning matter, the Mayor called for a division to record the votes on this matter

VOTING FOR THE MOTION

Councillors Dr M.R. Byrne, R.K. Harty OAM, A.J. Hay, R. Tracey, M.G. Thomas, Dr J. Lowe, R. Preston, M. Taylor, Y. Keane, P. Gangemi, A.C. Jefferies, A. Haselden

VOTING AGAINST THE MOTION

None

ITEM-5

EDWARDS ROAD PRECINCT DRAFT INDICATIVE MASTER PLAN - CONSIDERATION OF SUBMISSIONS (FP185)

Proceedings in Brief

Ronald Arnold of Rouse Hill, in favour, addressed Council regarding this matter.

A MOTION WAS MOVED BY COUNCILLOR PRESTON AND SECONDED BY COUNCILLOR GANGEMI THAT the Recommendation contained in the report be adopted.

THE MOTION WAS PUT AND CARRIED.

29 RESOLUTION

1. The revised Master Plan – Edwards Road Precinct be adopted.
2. A Planning Proposal, draft Development Control Plan and Section 94 Development Contributions Plan be prepared to implement the Edwards Road Precinct Master Plan.

MINUTES of the duly convened Ordinary Meeting of The Hills Shire Council held in the Council Chambers on 12 February 2013

Being a planning matter, the Mayor called for a division to record the votes on this matter

VOTING FOR THE MOTION

Councillors Dr M.R. Byrne, R.K. Harty OAM, A.J. Hay, R. Tracey, M.G. Thomas, Dr J. Lowe, R. Preston, M. Taylor, Y. Keane, P. Gangemi, A.C. Jefferies, A. Haselden

VOTING AGAINST THE MOTION

None

Councillor Keane declared a non-pecuniary non-significant conflict of interest in the following Item-4 Planning Proposal for the Rezoning of Bella Vista Farm Park 8/2013/PLP as she is the CEO of an organisation that has booked the venue for New Year's Eve for a major public event. Councillor Keane signed the Conflicts of Interest Register and remained in the room.

ITEM-4 PLANNING PROPOSAL FOR THE REZONING OF BELLA VISTA FARM PARK 8/2013/PLP

A MOTION WAS MOVED BY COUNCILLOR HARTY OAM AND SECONDED BY COUNCILLOR TAYLOR THAT the Recommendation contained in the report be adopted.

THE MOTION WAS PUT AND CARRIED.

30 RESOLUTION

A planning proposal to rezone Bella Vista Farm from RE1 Public Recreation to B7 – Business Centre be forwarded to the Department of Planning and Infrastructure for a Gateway Determination.

Being a planning matter, the Mayor called for a division to record the votes on this matter

VOTING FOR THE MOTION

Councillors Dr M.R. Byrne, R.K. Harty OAM, A.J. Hay, M.G. Thomas, Dr J. Lowe, R. Preston, M. Taylor, Y. Keane, P. Gangemi, A.C. Jefferies, A. Haselden

VOTING AGAINST THE MOTION

Councillor R. Tracey

CALL OF THE AGENDA

A MOTION WAS MOVED BY COUNCILLOR HARTY OAM AND SECONDED BY COUNCILLOR KEANE THAT Items 6, 9, 10, 11, 12 and 14 be moved by exception and the recommendations contained in the reports be adopted.

THE MOTION WAS PUT AND CARRIED.

31 RESOLUTION

Items 6, 9, 10, 11, 12 and 14 be moved by exception and the recommendations contained in the reports be adopted.

- The Hills Local Environmental Plan 2012;
- The Hills Development Control Plan 2011; and
- Development Contributions Plan No. 11 – Annangrove Road Light Industrial Area.

HISTORY

- | | |
|----------------------------------|---|
| 3/07/2012 | Council Workshop to brief on the Draft Indicative Master Plan for the Precinct. |
| 24/07/2012 | Council resolved to publicly exhibit the Draft Indicative Master Plan. |
| 7/08/2012 –
7/09/2012 | Public Exhibition of the Draft Indicative Master Plan. |
| 27/11/2012 | Council resolved that the matter be deferred to allow further consultation with affected property owners and that following this consultation, a report be submitted to a Council meeting in February 2013. |
| 20/12/2012 | Further consultation meeting held with affected property owners. |

BACKGROUND

Council's Employment Lands Direction outlines the strategic context for the planning and management of employment lands within The Hills Shire. This Direction considers a range of issues such as land availability, growth opportunities and the revitalisation of older areas.

With specific reference to the Annangrove Road Light Industrial Area, the Employment Lands Direction highlights that the precinct has not been successful in attracting industrial businesses and suggests that this may be due to the following factors:

- Extensive vegetation including endangered ecological communities;
- Current outlying location;
- Lack of marketable image;
- Fragmented ownership; and
- Need for cooperation between landowners to achieve access in some instances.

In accordance with the actions of the Employment Lands Direction a Draft Indicative Master Plan – Edwards Road Precinct (draft Plan) was prepared and exhibited. The draft Plan seeks to balance development potential and promote economic growth whilst having regard to the environmental constraints of the precinct. Once adopted, the draft Plan will inform the preparation of suitable zoning, minimum lot size and associated development controls.

The purpose of preparing the draft Plan is to establish an initial development concept for the precinct prior to forwarding a planning proposal to the Department of Planning and Infrastructure for Gateway Determination.

The draft Plan and supporting documents were exhibited for thirty-one (31) days from Tuesday 7 August 2012 to Friday 7 September 2012. During the exhibition period landowners were actively engaged to provide feedback on the draft Plan in order to enable refinements to be made to the concept prior to commencing the statutory process of amending Council's planning documents.

On 27 November 2012 Council considered a report on the outcome of the public exhibition of the draft Plan (refer to Attachment 1). At this meeting Council resolved as follows:

- 1. This matter be deferred to allow further consultation with affected property owners.*
- 2. Following this consultation, a report be submitted to a Council meeting in February 2013.*

In accordance with the above resolution, on 20 December 2012 a landowner consultation meeting was held at Council's Administration Building. This meeting was attended by twenty-one (21) landowners and landowner representatives. The outcome of the meeting is detailed within the body of this report.

REPORT

The purpose of this report is to consider the outcome of the landowner consultation meeting and to report on post exhibition amendments to the draft Indicative Master Plan. The report is structured as follows:

1. Landowner Consultation Meeting
2. Post Exhibition Amendments
3. Next Steps

1. LANDOWNER CONSULTATION MEETING

On Thursday 20 December 2012 a landowner consultation meeting was held at Council's Administration Building to enable further discussion to be carried out with affected landowners. The meeting was attended by twenty-one (21) landowners and landowner representatives. Two (2) Councillors were also in attendance. The following key issues were raised during the meeting:

- A. Rezone the Southern Frame to B6 Enterprise Corridor;
- B. Reduce the Minimum Lot Size for the Southern Frame to 2,500m²;
- C. Additional Flexibility (Mix of Lot Sizes);
- D. Funding and Construction of Edwards Road and Crown Road;
- E. Alignment of Crown Road;
- F. Biodiversity Certification Process.

A. Rezone the Southern Frame to B6 Enterprise Corridor

A number of attendees requested that the B6 Enterprise Corridor zone be extended into the Southern Frame. The basis of this request was that the B6 Enterprise Corridor zone would enable light industrial uses, similar to the IN2 Light Industrial zone, however would also provide additional commercial opportunities through office and business premises. It was highlighted that this additional opportunity would better enable the Edwards Road Precinct to compete with the southern portion of the Annangrove Road Light Industrial Area and the future Box Hill Light Industrial Area.

The B6 Enterprise Corridor zone was originally pursued for the Northern Frame to assist in off-setting the additional development costs resulting from the management of environmental constraints and the delivery of infrastructure services. Whilst the Southern Frame is not as constrained as the Northern Frame, it does contain critical

vegetation which will limit the amount of achievable floor space and negatively impact on the feasibility of future development.

For the reasons outlined above it is considered appropriate that the B6 Enterprise Corridor zone be extended to include the Southern Frame as this will provide additional commercial opportunities within this portion of the precinct and will also assist in off-setting the cost of managing the area of Cumberland Plain Woodland which is identified as a critically endangered ecological community.

B. Reduce the Minimum Lot Size for the Southern Frame to 2,500m²

It was requested that Council investigate a further reduction in the minimum lot size for the Southern Frame to 2,500m². A number of attendees commented that the proposed minimum lot size of 4,000m² is too large.

During the preparation of the draft Plan Council officers considered a 2,500m² minimum lot size for the Southern Frame. However it was identified that a further reduction in the minimum lot size at this location would not be feasible due to the dimension of the lots and the presence of Cumberland Plain Woodland which is identified as a Critically Endangered Ecological Community.

A reduction in the minimum lot size to 2,500m² for this portion of the precinct would require the use of battle-axe style subdivision layouts to ensure that future development lots are provided with vehicular access. However this form of subdivision is not encouraged through the Plan and would result in a large number of uncontrolled entry points on Annangrove Road. Whilst it is acknowledged that in certain circumstances a battle-axe block may be appropriate, this would only be considered in exceptional circumstances where the applicant can justify that a battle-axe lot will result in a more efficient subdivision pattern.

An alternative option would be the identification of an internal road to the rear the lots. This would provide future development with vehicular access without the requirement for battle-axe lots. However the construction of internal roads would require cooperation between landowners and will increase the cost of redevelopment. Additionally, it would not be appropriate for Council to identify an internal road through sites which contain a Critically Endangered Ecological Community. For these reasons it was deemed that a 4,000m² would be an appropriate minimum lot size. In order to provide additional incentives for development within the Southern Frame the Master Plan also proposes to amend the zone of this to the B6 Enterprise Corridor zone and proposed to reduce the minimum lot frontage, front setback, side setback, rear setback, and parking requirement.

C. Additional Flexibility (Mix of Lot Sizes)

Attendees identified that additional flexibility is required within the Plan to enable a mix of lot sizes on each development site.

The approach which has been pursued for the Precinct is to propose a development concept which enables reduction in the minimum lot size in a manner which avoids the reliance on excessive battle-axe lots and which reduces the requirement for developers to construct internal roads. The draft Plan also seeks to enable subdivision to occur in a manner which is sympathetic to the significant environmental constraints of the Precinct.

Areas which are impacted by an environmental constraint such as vegetation and slope require a larger lot size in order to accommodate the constrained land. For this reason a larger minimum lot size has been applied to these areas. In order to provide additional

incentives for development the draft Plan recommends a reduction in car parking rate and reduction in the front, side and rear setback controls.

D. Funding and Construction of Edwards Road and Crown Road

One option proposed to the landowners was to include the cost of constructing Edwards Road and Crown Road within Contributions Plan No. 11. This would only be applied to properties in the Northern Frame of the Edwards Road Precinct and enable the roads to be constructed through a 'works in kind' arrangement as part of future development. However based on preliminary estimates, the cost of including these roads could increase the contribution rate within the Northern Frame by in excess of \$40 square metre of gross floor area. This additional contribution would be a significant disincentive for developers and would further suppress demand for development within this section of the Precinct.

Whilst this is an option for consideration the feasibility of including these items within the contributions plan, including the likely impact on the contribution rate, will need to be further explored with land owners as part of the review of Contributions Plan No.11.

E. Alignment of Crown Road

The owner of 31 Edwards Road raised concern over the proposed realignment of Crown Road. The basis of their concern was that they would be required to fund, construct and dedicate the area of land required for the roadway which would significantly impact on the feasibility of future development. Whilst the re-alignment would enable a better development block and a more orderly subdivision pattern, it is recognised that this would place an excessive financial burden on the owner of 31 Edwards Road. For this reason it is recommended that the draft Plan be amended to retain Crown Road in its existing alignment.

F. Biodiversity Certification Process

One attendee requested that Council take a leading role in a Biodiversity Certification process for the precinct. This process would require Council to identify areas of high conservation value and establish measures to offset any impact on biodiversity resulting from future development. Once biodiversity certification is conferred on an area, development may proceed without the traditional requirement under the *Environmental Planning and Assessment Act 1979* for site-by-site threatened species assessment.

It is acknowledged that this approach is an efficient method of managing areas of core biodiversity value within larger release precinct. However it is recommended that this approach not be pursued for the Edwards Road Precinct as Council does not have the staff or financial resources available to pursue such an undertaking.

2. POST EXHIBITION AMENDMENTS

In light of the outcome of the public exhibition period, and following the landowner consultation meeting, it is recommended that a number of amendments be made to the draft Master Plan. The recommended amendments are included within the following table.

Summary of Amendments to the Edwards Road Precinct Master Plan			
Issue	Exhibited	Amended	Comment
Ecological Constraints Map	An assessment of ecological constraints was undertaken to assign areas within the precinct with a high, moderate, low, or very low ecological constraint. The result of this assessment (the Ecological Constraints Map) was included within Section 6.2 of the draft Master Plan.	Amend Section 6.2 of the draft Master Plan to clarify that the areas which have been identified as having 'high constraint' on the Ecological Constraints Map (Figure 9 of the draft Plan) does not indicate areas which cannot be considered for removal or for biodiversity trading.	The constraints map is being miss-interpreted as areas that must be retained. The map is not intended to denote areas which cannot be considered for removal or for biodiversity trading. This must be clarified within the draft Master Plan.
Indicative Conservation Area	The draft Plan did not include an Indicative Conservation Area.	Amend Section 9.2 of the draft Master Plan to require the preparation of a Species Impact Assessment as part of any development proposal on land containing significant vegetation.	The identification and on-going management of future conservation areas will need to be established as part of the development assessment process through the preparation of a Species Impact Assessment and Vegetation Management Plan.
Proposed Zoning	The draft Plan proposed to rezone the Northern Frame from the IN2 Light Industrial zone to the B6 Enterprise Corridor zone.	It is proposed that the B6 Enterprise Corridor Zone be extended to include both the Northern Frame and the Southern Frame.	The B6 Enterprise Corridor zone will enable light industrial uses, similar to the IN2 Light Industrial zone. However the zone will also provide additional commercial opportunities through office and business premises. These additional opportunities will assist in off-setting the additional development costs

Summary of Amendments to the Edwards Road Precinct Master Plan			
Issue	Exhibited	Amended	Comment
			resulting from the management of environmental constraints and the delivery of infrastructure services.
Internal Road Layout (Crown Road)	The draft Plan proposed a realignment of Crown Road to facilitate a more orderly subdivision pattern within the precinct.	Amend the internal road layout for the Northern Frame to retain Crown Road in its existing alignment. In support of this the proposed minimum lot size map will need to be amended to apply a 4,000m ² minimum lot size to the entirety of 31 Edwards Road and the access handle of 282 Annangrove Road.	Whilst the re-alignment of the existing Crown Road would enable a better development block and a more orderly subdivision pattern, this would place an excessive financial burden on the owner of 31 Edwards Road. For this reason it is recommended that the draft Plan be amended to retain Crown Road in its existing alignment.
Minimum Lot Size	With respect to the 'Paintball Site' (Lot 1 DP 133473, Lot 12 DP 835727 and Lot 26 DP 834050) the draft Master Plan identifies a minimum lot size of 8,000m ² .	It is recommended that the minimum lot size for the 'Paintball Site' (Lot 1 DP 133473, Lot 12 DP 835727 and Lot 26 DP 834050) be reduced to 2,500m ² (north of the transmission easement) and 4,000m ² (south of the transmission easement).	In order to allow the possibility of redevelopment within this portion of the Precinct the minimum lot size requirement need to be adjusted.
Side and Rear Setbacks	The side and rear setback controls as proposed within the draft Plan is 5 metres for buildings and 2 metres for ground level parking.	Amend Section 9.2 of the draft Master Plan to apply the following side and rear setback control for the Edwards Road Precinct: A zero setback to the rear boundary and one side boundary;	The five metre side setback when coupled with the setback from an adjoining property will facilitate appropriate vehicular access to the rear and side of future development whilst not negatively impacting on the streetscape. This

Summary of Amendments to the Edwards Road Precinct Master Plan			
Issue	Exhibited	Amended	Comment
		- A 5 metre setback to the remaining side boundary; - A 10 metre setback to a side or rear boundary adjoining Annangrove Road, Withers Road and Edwards Road; - A 5 metre setback to a side or rear boundary adjoining a road other than Annangrove Road, Withers Road or Edwards Road.	will also enable future development to maximise its potential floor space.
Car Parking	The draft Master Plan proposed the following parking rates for warehouse and industrial development: Industrial: 1 space per 50m² of Gross Floor Area; and Warehouse: 1 space per 50m² of Gross Floor Area.	Amend Section 9.2 of the draft Master Plan to identify the following car parking rates for industrial and warehouse development within the Edwards Road Precinct: Industrial: 1 space per 75m² of Gross Floor Area; and Warehouse: 1 space per 75m² of Gross Floor Area.	To assist in making the Precinct more competitive with other industrial areas it is reasonable to reduce the parking requirement for industrial and warehouse development. This will also facilitate smaller forms of industrial development.
Option 2	Two road layout options have been proposed within the draft Master Plan. The differentiation between the two options was confined to 314, 316, 318 and 320 Annangrove Road. Option 1 proposes that the minimum lot size be reduced to 4,000m² with no	It is recommended that Council pursue Option 1 for the southern frame which will involve a reduction in the minimum lot size to 4,000m² with no internal road. In light of this recommendation Section 8.3 Option 2 will need to be deleted.	Option 1 has been pursued as it will facilitate a reduction in the minimum lot size without the burden of constructing an internal road.

Summary of Amendments to the Edwards Road Precinct Master Plan			
Issue	Exhibited	Amended	Comment
	internal road. Option 2 proposed that the minimum lot size be reduced to 2,500m ² with an internal road.		
Administrative Changes	Not Applicable	A number of administrative changes have also been made to the draft Master Plan to update references to <i>The Hills Local Environmental Plan 2012</i> , numbering of headings and to correct minor formatting errors.	The draft master plan will need to be amended to rectify some minor formatting and grammatical errors and to reflect the commencement of <i>The Hills Local Environmental Plan 2012</i> .

Table 1

Summary of Amendments to the Edwards Road Precinct Master Plan

3. NEXT STEPS

The adoption of the draft Master Plan will trigger amendments to three key planning documents. These documents include:

- The Hills Local Environmental Plan 2012;
- The Hills Development Control Plan 2011; and
- Development Contributions Plan No. 11 – Annangrove Road Light Industrial Area.

Planning Proposal

If the draft Master Plan is supported by Council, a planning proposal will need to be prepared to commence the process of formally amending *The Hills Local Environmental Plan 2012*. The planning proposal will seek to change the zoning for the Edwards Road Precinct from IN2 Light Industrial to B6 Enterprise Corridor. The planning proposal will also seek to reduce the minimum lot size for parts of the precinct in-line with the recommendations of the draft Master Plan. The planning proposal will then need to be forwarded to the Department of Planning and Infrastructure for Gateway Determination.

Development Controls Plan

A draft amendment to The Hills Development Control Plan 2011 will need to be prepared to support the planning proposal. The draft amendment will be in accordance with the development control recommendations contained within the final adopted Master Plan. The amendment will address the proposed road layout, access, built form controls, parking and landscaping. If supported by Council, the exhibition of the amendment to

the development control plan will be in conjunction with the exhibition of the planning proposal.

Development Contributions Plan

In support of the planning proposal and amendment to the Development Control Plan, Contributions Plan No.11 will need to be updated to review the floor space and employment assumptions and to update the schedule of works within the plan. The exhibition of the Contributions Plan No.11 will be undertaken as a package in conjunction with the exhibition of the planning proposal and draft amendment to Development Control Plan 2011. The amendment to the contributions plan will include the following:

- Update the potential floor space and employment generation assumptions;
- Update the description and estimated cost of works for projects listed within the works program. Where an updated cost estimate has not been undertaken, or where a project has already been delivered, the existing estimate will be indexed to the current quarter;
- Update the contribution rates schedule.

CONCLUSION

It is recommended that Council adopt the revised Master Plan for the Edwards Road Precinct (Attachment 2). The revised development concept for the Precinct will result in a more appropriate development outcome which balances development potential whilst addressing the significant environmental challenges of the area.

The recommendations of the Master Plan will seek to amend the zoning of the Edwards Road Precinct from IN2 Light Industrial to B6 Enterprise Corridor. In order to enable a smaller form of industrial development it is also proposed that the minimum lot size be reduced from 8,000m² to 2,500-4,000m² for parts of the Precinct. A number of development control recommendations are also proposed to improve the feasibility and built form of development and to ensure the constrained areas of the Precinct are appropriately managed.

The draft Master Plan, once adopted, will inform the preparation of suitable zoning, minimum lot size and associated development controls for the precinct.

IMPACTS

Financial

An amendment to Contributions Plan No.11 will be required to update infrastructure requirements to facilitate development within the Precinct.

Hills 2026

The provision of improved employment opportunities is consistent with the Hills 2026 themes of balance urban growth and a modern local economy.

RECOMMENDATION

1. The revised Master Plan – Edwards Road Precinct be adopted.
2. A Planning Proposal, draft Development Control Plan and Section 94 Development Contributions Plan be prepared to implement the Edwards Road Precinct Master Plan.

ATTACHMENTS

1. Council Report and Minute, 27 November 2012 (18 Pages)
2. Revised Master Plan – Edwards Road Precinct, February 2013 (28 Pages)

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in the Council Chambers on 27 November 2012**

ITEM-7 PLANNING PROPOSAL LOTS 2102 AND 2103 DP 1176614, NOS. 28-34 SOLENT CIRCUIT, BAULKHAM HILLS (7/2012/PLP)

A MOTION WAS MOVED BY COUNCILLOR JEFFERIES AND SECONDED BY COUNCILLOR TAYLOR THAT the Recommendation contained in the report be adopted.

THE MOTION WAS PUT AND CARRIED.

638 RESOLUTION

- a) The proposed amendments to Part D Section 8 Norwest Residential Precinct of The Hills Development Control Plan 2011 not be supported.
- b) The Planning Proposal to amend the maximum building height under The Hills Local Environmental Plan 2012 applicable to No. 28-34 Solent Circuit, Baulkham Hills (Lots 2102 and 2013 DP 1176614) from 16 metres to 30 metres not proceed.

Being a planning matter, the Mayor called for a division to record the votes on this matter

VOTING FOR THE MOTION

Councillors Dr M.R. Byrne, M.G. Thomas, Dr J. Lowe, R. Preston, M. Taylor, Y. Keane, P. Gangemi, A.C. Jefferies

VOTING AGAINST THE MOTION

None

8.50pm Councillor Keane left the meeting and returned at 8.53pm during Item 8

ITEM-8 **EDWARDS ROAD PRECINCT DRAFT INDICATIVE
MASTER PLAN - CONSIDERATION OF SUBMISSIONS
(FP185)**

A MOTION WAS MOVED BY COUNCILLOR PRESTON AND SECONDED BY COUNCILLOR GANGEMI THAT

1. This matter be deferred to allow further consultation with affected property owners.
2. Following this consultation, a report be submitted to a Council meeting in February 2013.

THE MOTION WAS PUT AND CARRIED.

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639 RESOLUTION

1. This matter be deferred to allow further consultation with affected property owners.
2. Following this consultation, a report be submitted to a Council meeting in February 2013.

Being a planning matter, the Mayor called for a division to record the votes on this matter

VOTING FOR THE MOTION

Councillors Dr M.R. Byrne, M.G. Thomas, Dr J. Lowe, R. Preston, M. Taylor, Y. Keane, P. Gangemi, A.C. Jefferies

VOTING AGAINST THE MOTION

None

8.56pm Councillor Preston left the meeting during Item 9 and returned at 8.58pm during Call of the Agenda

ITEM-9

DELEGATION AND INDEPENDENT REVIEWS OF PLAN MAKING DECISIONS (FP85)

A MOTION WAS MOVED BY COUNCILLOR TAYLOR AND SECONDED BY COUNCILLOR GANGEMI THAT the Recommendation contained in the report be adopted.

640 RESOLUTION

Council provide written notification to the Minister of Planning and Infrastructure advising that Council accepts delegated plan making powers.

Being a planning matter, the Mayor called for a division to record the votes on this matter

VOTING FOR THE MOTION

Councillors Dr M.R. Byrne, M.G. Thomas, Dr J. Lowe, M. Taylor, Y. Keane, P. Gangemi, A.C. Jefferies

VOTING AGAINST THE MOTION

None

ABSENT FROM THE ROOM

Councillor R. Preston

EDWARDS ROAD PRECINCT DRAFT INDICATIVE MASTER PLAN - CONSIDERATION OF SUBMISSIONS (FP185)

HILLS 2026 OUTCOME/S: BUG 3 I can work close to home.

GROUP: STRATEGIC PLANNING

RESPONSIBLE OFFICER: **MANAGER FORWARD PLANNING**
STEWART SEALE

The purpose of this report is to consider the outcome of the public exhibition of the draft Indicative Master Plan – Edwards Road Precinct. In response to the exhibition period Council received a total of nine (9) submissions which covered a broad range of issues including the classification and extent of significant vegetation, internal roads, development controls, minimum lot size and building height. Following the review of submissions it is recommended that a number of revisions be made to the exhibited Plan as outlined within the body of this report.

It is recommended that the revised master plan be adopted. The recommendations contained within the revised master plan will seek to balance development potential and promote economic growth within the precinct whilst addressing the significant environmental challenges of the area. The implementation of the revised master plan will require amendments to three key planning documents as detailed within the body of this report. These documents include:

- The Hills Local Environmental Plan 2012;
- The Hills Development Control Plan 2011; and
- Development Contributions Plan No. 11 – Annangrove Road Light Industrial Area.

3/07/2012 Council Workshop to brief on the Draft Indicative Master Plan for the Precinct.

24/07/2012	Council resolved to publicly exhibit the Draft Indicative Master Plan.
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7/08/2012 – Public Exhibition of the Draft Indicative Master Plan.
7/09/2012

BACKGROUND

Council's Employment Lands Direction outlines the strategic context for the planning and management of employment lands within The Hills Shire. This Direction considers a range of issues such as land availability, growth opportunities and the revitalisation of older areas.

The Direction recognises the importance of revitalising existing underperforming employment areas which includes making better use of existing services and infrastructure and ensuring that building stock meets the technological needs of industry. Redeveloping older industrial areas for higher order employment uses provides opportunities for increased investment and jobs closer to home.

With specific reference to the Annangrove Road Light Industrial Area, the Employment Lands Direction highlights that the precinct has not been successful in attracting industrial businesses and suggests that this may be due to the following factors:

- Current outlying location;
- Lack of marketable image;
- Fragmented ownership;
- Need for cooperation between landowners to achieve access in some instances; and
- Extensive vegetation including endangered ecological communities.

1. DRAFT INDICATIVE MASTER PLAN – EDWARDS ROAD PRECINCT

In accordance with the actions of the Employment Lands Direction Council has prepared and exhibited the Draft Indicative Master Plan – Edwards Road Precinct (draft Plan). The draft Plan seeks to balance development potential and promote economic growth whilst having regard to the environmental constraints of the precinct. The draft Plan, once adopted, will inform the preparation of suitable zoning, minimum lot size and associated development controls.

The purpose of preparing the draft Plan is to establish an initial development concept for the precinct prior to forwarding a planning proposal to the Department of Planning and Infrastructure for Gateway Determination. During the exhibition period landowners were actively engaged to provide feedback on the draft Plan to enable refinements to be made to the concept prior to commencing the statutory process of amending Council's planning documents.

The focus of the draft Plan is the Edwards Road Precinct which extends south along Annangrove Road to Withers Road with Cattai and Second Ponds Creeks forming the eastern boundary. The precinct area is outlined in red on Figure 1.



Figure 1
The Edwards Road Precinct

REPORT

The purpose of this report is to consider the submissions received during the exhibition of the Draft Indicative Master Plan – Edwards Road Precinct. The report is structured as follows:

1. Exhibition Details;
2. Submission Summary;
3. Submissions Review;
4. Post Exhibition Amendments; and
5. Next Steps.

1. EXHIBITION DETAILS

The draft Plan and supporting documents were exhibited for thirty-one (31) days from Tuesday 7 August 2012 to Friday 7 September 2012. The exhibition material included the following:

1. Draft Indicative Master Plan – Edwards Road Precinct;
2. Council Report and Minute, 24 July 2012;
3. Economic and Employment Assessment, SGS Economics and Planning;
4. Flora and Fauna Assessment, Eco Logical Australia; and
5. Traffic and Accessibility Assessment, Lambert & Rehbein.

Notification of the exhibition was placed in The Hills Shire Times and The Rouse Hill Times on two separate occasions being:

- The Hills Shire Times on Tuesday 7 August 2012 and Tuesday 21 August 2012; and
- Rouse Hills Times on Wednesday 8 August 2012 and Wednesday 22 August 2012

Council wrote to the forty-seven (47) property owners within the precinct, including the Department of Lands, advising them of where to find the exhibition material and how to make submissions.

All exhibition material was available for viewing at Council's Administration Centre, the Vinegar Hill Memorial Library and Castle Hill Library. It was also available for viewing and download on the 'Major Plans on Exhibition' page of Council's website.

2. SUBMISSION SUMMARY

Nine (9) submissions were received in response to the exhibition of the draft Plan, including one (1) submission from the Department of Primary Industries. Submissions were accepted by mail, e-mail and e-request.

3. SUBMISSION REVIEW

An overview of the key issues raised during the public exhibition period is provided below. The specific planning comments addressing the issues raised within each submission has also been included in Attachments 1 and 2.

The following key issues were raised within the submissions received:

- A. Classification and Extent of Significant Vegetation;
- B. Internal Roads (funding, construction and location);
- C. Development Controls (setbacks, battle-axe blocks, access, car parking and flooding); and
- D. Minimum Lot Size and Proposed Building Height.

A. Classification and Extent of Significant Vegetation

As part of the preparation of the draft Plan, Council engaged the firm Eco Logical Australia to prepare a flora and fauna assessment for the precinct. The purpose of the assessment was to clarify the extent and significance of vegetation communities within the subject area.

Issue:

The classification and extent of significant vegetation as identified within the draft Plan was raised within four (4) separate submissions. The key areas of concern related to:

- i. Interpretation of Ecological Constraints Map;
 - ii. Vegetation Identified for Retention (Conservation Areas);
 - iii. Zoning of Conservation Areas; and
 - iv. Classification of Vegetation.
-
- i. Interpretation of Ecological Constraints Map: Concern was raised that the ecological constraints diagram (Figure 9 of the draft Plan) illustrates raw ecological values without consideration of the long term viability and practical management of such values.*

Comment:

The areas which have been mapped as 'high constraint' are those that scored highest in the ecological assessment compared to other parts of the site. This information was designed to be used in a master planning process in which a number of objectives for the site would also be considered, including economic viability, traffic management, visual amenity and infrastructure servicing. Whilst the constraints map provides an input to this process it is not intended to be a map denoting areas of vegetation for retention.

Whilst it is acknowledged that the areas identified as having a 'high constraint' are areas which have high ecological value, the map is not intended to denote areas which cannot be considered for removal or for biodiversity trading. Accordingly the master plan should be amended to clarify that the areas which are identified as having 'high constraint' are not intended to identify areas which must be retained or areas which cannot be considered for removal or for biodiversity trading.

- ii. *Vegetation Identified for Retention (Conservation Areas): Submissions raised concern over the impracticality of utilising ecological constraints map to denote areas of vegetation to be retained ('Conservation Areas').*

Comment:

As mentioned previously, the constraints map is not intended to denote areas which cannot be considered for removal or for biodiversity trading. As part of future development of any land containing significant vegetation, a Flora and Fauna Assessment will be required to identify the extent and significance of vegetation on site. If the application is approved, Council will require as a condition of consent that a Vegetation Management Plan be prepared and submitted for approval. This plan will need to be endorsed by the Office of Environment and Heritage and will generally require the following:

- Noxious weed control program;
- Program for vegetation management and investment so as to improve the vegetation condition and the long term viability of the ecologically endangered communities and fauna habitats on site;
- Incorporate an appropriate planting regime of understory species;
- Removal of barbed fencing and trails within the site and on lot boundaries;
- Management of the riparian corridor along the length of the creek and stormwater drainage channels on site; and
- The erection of appropriate signage to discourage dumping of waste and promoting the ecological attributes of the site.

The preparation of a Vegetation Management Plan will ensure that the areas which are deemed to have high conservation significance are appropriately managed to encourage the regeneration of remnant vegetation. The conservation areas identified within the Plan will provide a framework under which development can be designed to maximise the function and diversity of remnant bushland.

Compensatory Offset measures may also be considered for any significant impacts that cannot be avoided or mitigated. The offsetting measures will need to be developed in accordance with the "Principles for the use of Biodiversity Offsets in NSW".

- iii. *Zoning of Conservation Areas: Areas identified as having value for retention should be zoned E2 Environmental Conservation or E3 Environmental Management in lieu of the B6 Enterprise Corridor. It is commented that the objectives of either zone and the range of permissible uses would support the environmental outcomes sought for these areas.*

Comment:

The submitter's request that an environmental zone be applied to the 'Conservation Areas' is not supported as it would impact on the calculation of the floor space ratio based on site area. When calculating the floor space ratio of a building, land on which proposed development is prohibited cannot be included in the calculation of the site area. Accordingly, any land within the precinct which is zoned either E2 Environmental Conservation or E3 Environmental Management would be excluded from the floor space ratio calculation.

- iv. *Classification of Vegetation: An ecological assessment prepared in support of a previous subdivision proposal identified a significant portion of the northern frame as containing Sydney Sandstone Ridgetop Woodland (SSRW) which is not currently identified as an endangered community.*

Comment:

The Eco Logical Flora and Fauna Assessment for the Precinct includes a review of previous assessments that have been submitted in support of subdivision proposals within the precinct. The review concluded that the major difference/variation between the assessments within the Northern Frame related to the presence of dominant tree species. Council's ecological consultant determined that the assemblage was more consistent with Shale Sandstone Transition Forest (SSTF), which is identified as an endangered ecological community. None of the dominant species of SSRW were recorded during survey and therefore Eco Logical Australia determined that the vegetation was closer to SSTF than to SSRW.

Recommended Approach

- That the master plan be amended to clarify that the constraints assessment does not identify areas of vegetation which must be retained or areas which cannot be considered for removal or for biodiversity trading;
- That Council retain the B6 Enterprise Corridor Zone within the Northern Frame of the Precinct, excluding the areas zoned SP2 Infrastructure; and
- An additional control be included within the development control recommendations requiring that a Flora and Fauna Assessment is required as part of future development on any land containing significant vegetation.

B. Internal Roads

Two road layout options have been proposed within the draft Plan. The indicative road layout was established to ensure an interconnected street network which promotes safe and efficient vehicular movement within the precinct.

Issues:

Matters relating to the internal road layout proposed within the draft Plan were raised within five (5) submissions. The specific issues raised within these submissions are included below:

- i. Funding and Construction of Edwards Road and Crown Road;
 - ii. Temporary Unsealed Road;
 - iii. Crown Road (Dedication and Realignment); and
 - iv. Southern Internal Road (Option 2).
- i. *Funding and Construction of Edwards Road and Crown Road: Concern was raised in relation to the funding and construction of Edwards Road and Crown Road. It was highlighted that without the upgrade of Edwards Road critical services such as water*

and sewerage cannot be provided to the sites and without these services future development cannot occur.

Comment:

It is acknowledged that future development is dependent on the delivery of services to the site. However, under the *Roads Act 1993* there is no obligation for Council to make a road or to maintain a road that it has not previously made.

Where new development necessitates the provision of a road Council may, and has consistently under the *Environmental Planning and Assessment Act 1979 (EP&A Act)*, required the road to be constructed as a condition of development consent. The basis for this position is that the construction of internal roads have the primary function of providing vehicular access to the development sites within the precinct. Accordingly, the cost of their construction must be borne by future developers as part of future subdivision proposals.

As an incentive for the delivery of Edwards Road, this item could be included within the contributions plan to be constructed as a 'works in kind' as part of future development. This would improve the feasibility of constructing the road and would benefit other land owners who will also rely on the road to access the roundabout onto Annangrove Road. To address the nexus requirements of the *EP&A Act* a levy for this work could also be applied to land within the Northern Frame of the Edwards Road Precinct. This contribution would be in addition to the existing traffic contribution already applied within Contributions Plan No. 11. The feasibility of including this item within the Contributions Plan will need to be further explored.

- ii. *Temporary Unsealed Road: Council could construct a temporary unsealed road along Edwards Road up to 282 Annangrove Road (Lot 2 DP 1032790) so as to enable vehicular access to all properties adjoining Edwards Road.*

Comment:

The construction of a temporary unsealed road to provide vehicular access to future industrial lots is not an acceptable outcome. This is primarily due to the expected traffic loading along this road and potential safety concerns. Accordingly, it will be expected that the road is upgraded to an urban standard as part of the future subdivision of the site.

- iii. *The Department of Primary Industries raised no objection to the draft Plan.*

Comment:

The Department of Primary Industries raised no objection to the draft Plan and highlighted that depending on the outcome of the proposal Council could request that the section of Crown Road that is required for vehicular access be transferred to Council under section 151 RA of the *Roads Act 1993*. It was also highlighted that adjoining landowner(s) could apply to close and purchase that part of the Crown road not required for access.

- iv. *Crown Road (Dedication and Realignment): The existing Edwards / Crown Road would be more suitable as the main thoroughfare than the proposed alteration as the new section of Edwards Road, proposed on 31 Edwards Road, would be located on private property whereas the existing path of Edwards Road is on public land.*

Comment:

The realignment of Crown Road through 31 Edwards Road is necessary to provide a regular subdivision pattern within the precinct. As Edwards Road is proposed to connect to the North Kellyville Precinct, the realignment will facilitate this connection. The realigned portion of Crown Road which will pass through 31 Edwards Road will need to

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be dedicated as road by the developer as part of a future subdivision proposal for this site.

- v. *Southern Internal Road (Option 2): Concern raised in relation to the location of the proposed internal road which runs through the existing pre-school. The road would be difficult to achieve without a successful agreement between land owners. As an alternative the submitters have proposed an alternative road layout which would consist of a 'U' shaped internal access road extending along the side and rear boundaries of 318 and 320 Annangrove Road.*

Comment:

The internal road identified within the draft Plan is only indicative and is predicated on the entirety of the site being developed for industrial purposes. The rationale behind identifying the road along the boundary of the properties is that the cost of constructing the road would be shared equally between the future developers of each site. The location of the internal road, as proposed within the draft Plan, would enable direct vehicular access to all future lots within the development areas and would prevent the possible isolation of future development lots.

The alternative layout, as suggested, would benefit some land owners at the expense of other properties. It is recognised that any internal road through the Southern Frame of the Precinct would be difficult to achieve without cooperation from all land owners. For this reason it is recommended that Council pursue Option 1 which will identify no internal road within the Southern Frame.

Recommended Approach

- The alignment of the internal roads identified within the Northern Frame remain as exhibited;
- That Council pursue Option 1 for the Southern Frame which will involve a reduction in the minimum lot size to 4,000m² with no internal road;
- That Council delete Option 2 from the Master Plan; and
- The cost of constructing Edwards Road be considered for inclusion within the review of Contributions Plan No. 11.

C. Development Controls

As part of the preparation of the draft Plan a number of development control recommendations were proposed to facilitate orderly subdivision and to ensure that the built form of future development is appropriate for the Precinct. The proposed controls address access requirements, lot frontage, setbacks, parking, landscaping and a proposed road layout.

Issues:

There was general support for the reduction in the front setback and lot frontage controls. However, four (4) submissions commented on the proposed development controls. Issues raised related to:

- i. Side and Rear Setbacks;
 - ii. Car Parking Rate; and
 - iii. Requirement for a Flood Study.
- i. *Side and Rear Setback: Concern raised that generous setbacks similar to existing industrial areas within The Hills Shire are not necessary for light industrial development on smaller lots and would impact on the viability of redevelopment by reducing the amount of achievable floor space per site.*

Most industrial developments utilise the tilt-up slab method of construction and in the event of a fire adjacent properties have adequate protection due to the fire rating of concrete products. Reduced setbacks would also prevent sites from storing their materials in these areas and generating unsightly and potentially hazardous spaces.

Comment:

The side and rear setback controls which have been identified within the draft Plan are a translation of the existing side and rear setback requirements which currently apply to the other industrial areas within the Shire. In order to facilitate a reduction in the minimum lot size within the precinct it is considered appropriate for Council to investigate an alternative control which will enable industrial development to maximise floor space whilst not eroding the quality of the streetscape through the precinct.

The other industrial areas within the Shire primarily cater for larger developments and as such the current setback controls are necessary to ensure that the landscaped setting is maintained. However, within industrial areas with a smaller minimum lot size a reduced side and rear setback control will be more appropriate, so long as greater emphasis is placed on the appearance on the building facade and the front setback area.

A survey has been undertaken of the side and rear setback controls which are currently applied to industrial development by other Councils within the Sydney Region. Most of the Council's surveyed either do not identify side or rear setback controls or identify a zero setback. Accordingly, it is recommended that Council pursue a reduction in the side and rear setback controls for the Edwards Road Precinct. It is proposed that a zero setback be applied to the rear and one side boundary and a 5 metre setback be applied to the remaining side boundary.

- ii. *Car Parking Rate: Concern was raised that Council's car parking rates are out of step with all other Councils which they have investigated. The proposed rates are not appropriate in this instance given the type and scale of development envisaged within the precinct.*

Comment:

The draft Plan, as exhibited, did not propose to reduce the car parking rate for the Precinct. Rather, the existing car parking rates for industrial development have been applied. The existing parking rates as required by Part C Section 2 of Development Control Plan 2011 for industrial and warehouse development are as follows:

- | | |
|-------------|---|
| Industrial: | 1 space per 50m ² of Gross Floor Area, or 1 space per 2 employees, whichever is greater; and |
| Warehouse: | 1 space per 50m ² of Gross Floor Area. |

A survey of the parking rates which are currently enforced by other Councils within the Sydney Region has identified that the average parking rate for industrial and warehouse development is between 1 space per 75m² of Gross Floor Area to 1 space per 100m² of Gross Floor Area. The Economic and Employment Assessment which was undertaken as part of the preparation of the draft Master Plan also highlighted that the car parking requirement for the Edwards Road Precinct are more rigid than other case study industrial areas.

In order to stimulate redevelopment within the precinct, a reduction in the car parking requirement to a rate that is consistent with the surrounding Local Government Areas will better enable the Precinct to attract investors that would otherwise locate in other

industrial areas. This will also facilitate the smaller form of industrial development which is envisaged within the Precinct.

For the reasons outlined above and following an analysis of the controls which have been adopted by other Councils it is recommended that the parking requirement for industrial and warehouse development within the Edwards Road Precinct be reduced to a rate of 1 space per 75m² of Gross Floor Area. It is recommended that the parking rate for vehicular body repair shops, vehicle repair stations, sex service premises and the visitor parking rate remain, as these rates will still be appropriate even with smaller scale industrial development.

iii. Requirement for a Flood Study: Concern that a flood study should only be required where development is located within a certain buffer distance from land zoned SP2 Infrastructure. The majority of development will be significantly setback from the SP2 zoned land due to vegetation preservation and APZ requirements, therefore removing the requirement for this study.

Comment:

Council's flood mapping does not identify the extent of the Flood Planning Level for this precinct. Whilst it has been acknowledged that the previous study undertaken by Sydney Water 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, this study did not apply to the entire precinct. It has also been identified that there may be some land that is not included within the SP2 zoned land which extends below the 1 in 100 ARI. As all land which adjoins a waterway is deemed to be a flood control lot, it is recommended that the flood controls within the draft Plan remain as exhibited.

Recommended Approach

- That the side and rear setback controls identified within the master plan be amended in accordance with the development control recommendations set out in within Section 4 of this report;
- That the parking requirement for industrial and warehouse development within the draft Master Plan be amended in accordance with the development control recommendations set out in within Section 4 of this report; and
- That the flood controls identified within the Master Plan remain as exhibited.

D. Minimum Lot Size and Proposed Building Height

In order to improve the general feasibility of redevelopment within Precinct the draft Master Plan has proposed an approach which seeks to open up the precinct to a wider segment of the industrial market. The recommendations of the draft Plan seek to enable a smaller form of industrial development to cater for smaller niche industries which cannot afford to construct large multi-unit complexes.

Issue:

Many submissions have requested a reduction in the minimum lot size and an increase in the maximum building height proposed within the draft Plan. The specific issues raised within these submissions are included below.

- i. Minimum Lot Size;
- ii. Integrated Development; and
- iii. Building Height.

- i. *Minimum Lot Size: Request further reduction to the minimum lot sizes proposed within the draft Plan.*

Comment:

With respect to the 'Paintball Site', the draft Master Plan identifies a minimum lot size of 8,000m². The intention of this layout was to ensure that areas which are identified as being of high conservation value, to the rear of the site, would be contained under private ownership within future development lots. This would also enable development to occur without the requirement for an internal road. It is recognised that there may be development potential south of the transmission easement on the 'Paintball Site'. However the extent will need to be established through the development assessment process, through the preparation of a Species Impact Statement and Vegetation Management Plan. In order to facilitate development a revised minimum lot size pattern is proposed for this site. The recommended minimum lot sizes for this site are provided below:

- a. The minimum lot size of the land north of the transmission easement, on the paintball site be reduced to 2,500m². This area generally contains vegetation which is of a poorer quality due to the past land use activities.
- b. All land south of the transmission easement will have a minimum lot size of 4,000m². Vegetation identified for retention will be wholly contained within the future development lots.

The proposed minimum lot size for the Edwards Road Precinct, including the indicative road layout is included on the following map.

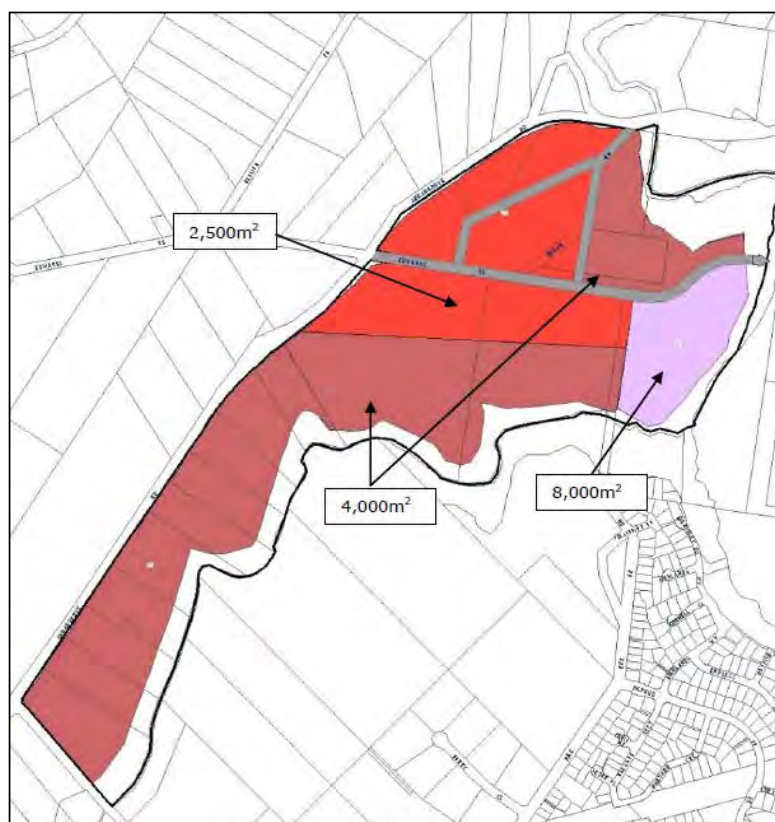


Figure 2
Proposed Minimum Lot Size

- ii. *Integrated Development: Submission that Council could adopt an integrated development approach that is similar to the approach to new residential development in North Kellyville. This process would enable a mix of 2,500m² and 4,000m² lots.*

Comment:

The integrated development approach is most commonly applied for residential development on small lots and requires dwellings to be approved at the same time as subdivision. The key objective of this draft Master Plan is to improve the feasibility of development within the precinct by reducing the initial cost of development. As the integrated development approach increases the initial cost of development this approach is not supported at this stage.

- iii. *Building Height: Submission that the maximum permissible height be increased from 16 metres to 23 metres on the portions of the Precinct that are affected by both steep topography and vegetation constraints.*

Comment:

The request that the maximum building height be increased to 23 metres on steep land is not supported. The 16 metre height limit has been applied consistently throughout the rest of the Precinct and throughout the other areas of the Shire which have an industrial function. The height limit also applies irrespective of the topography of the land. At the development assessment stage the applicant can seek a variation to the development standard to ensure that future development responds to the topography of the land.

Recommended Approach

- That the proposed minimum lot size identified within the draft Master Plan be amended in accordance with the recommendations set out in within Section 4 of this report;
- That Council not pursue an integrated development approach for the Edwards Road Precinct; and
- That the maximum building height of 16 metres remains as exhibited.

4. POST EXHIBITION AMENDMENTS

In light of the submissions received during the public exhibition period it is recommended that a number of amendments be made to the draft Master Plan. The recommended amendments to the master plan are included within the following table.

Summary of Amendments to the Edwards Road Precinct Master Plan			
Issue	Exhibited	Amended	Comment
Ecological Constraints Map	An assessment of ecological constraints was undertaken to assign areas within the precinct with a high, moderate, low, or	Amend Section 6.2 of the draft Master Plan to clarify that the areas which have been identified as having 'high constraint' on the Ecological Constraints Map (Figure 9 of the	The constraints map is being miss-interpreted as areas that must be retained. The map is not intended to denote areas which cannot be considered for removal or for biodiversity

Summary of Amendments to the Edwards Road Precinct Master Plan			
Issue	Exhibited	Amended	Comment
	very low ecological constraint. The result of this assessment (the Ecological Constraints Map) was included within Section 6.2 of the draft Master Plan.	draft Plan) does not indicate areas which cannot be considered for removal or for biodiversity trading.	trading. This must be clarified within the draft Master Plan.
Indicative Conservation Area	The draft Plan did not include an Indicative Conservation Area.	Amend Section 9.2 of the draft Master Plan to require the preparation of a Flora and Fauna Assessment as part of any development proposal on land containing significant vegetation.	The identification and on-going management of future conservation areas will need to be established as part of the development assessment process through the preparation of a flora and fauna assessment and vegetation management plan.
Minimum Lot Size	With respect to the 'Paintball Site' (Lot 1 DP 133473, Lot 12 DP 835727 and Lot 26 DP 834050) the draft Master Plan identifies a minimum lot size of 8,000m ² .	It is recommended that the minimum lot size for the 'Paintball Site' (Lot 1 DP 133473, Lot 12 DP 835727 and Lot 26 DP 834050) be reduced to 2,500m ² (north of the transmission easement) and 4,000m ² (south of the transmission easement).	In order to allow the possibility of redevelopment within this portion of the Precinct the minimum lot size requirement need to be adjusted.
Side and Rear Setbacks	The side and rear setback controls as proposed within the draft Plan is 5 metres for buildings and 2 metres for ground level parking.	Amend Section 9.2 of the draft Master Plan to apply the following side and rear setback control for the Edwards Road Precinct: A zero setback to the rear boundary and one side boundary; A 5 metre setback to the remaining side boundary;	The five metre side setback when coupled with the setback from an adjoining property will facilitate appropriate vehicular access to the rear and side of future development whilst not negatively impacting on the streetscape. This will also enable future development to

Summary of Amendments to the Edwards Road Precinct Master Plan			
Issue	Exhibited	Amended	Comment
		A 10 metre setback to a side or rear boundary adjoining Annangrove Road, Withers Road and Edwards Road; A 5 metre setback to a side or rear boundary adjoining a road other than Annangrove Road, Withers Road or Edwards Road.	maximise its potential floor space.
Car Parking	The draft Master Plan proposed the following parking rates for warehouse and industrial development: Industrial: 1 space per 50m ² of Gross Floor Area; and Warehouse: 1 space per 50m ² of Gross Floor Area.	Amend Section 9.2 of the draft Master Plan to identify the following car parking rates for industrial and warehouse development within the Edwards Road Precinct: Industrial: 1 space per 75m ² of Gross Floor Area; and Warehouse: 1 space per 75m ² of Gross Floor Area.	To assist in making the Precinct more competitive with other industrial areas it is reasonable to reduce the parking requirement for industrial and warehouse development. This will also facilitate smaller forms of industrial development.
Option 2	Two road layout options have been proposed within the draft Master Plan. The differentiation between the two options was confined to 314, 316, 318 and 320 Annangrove Road. Option 1 proposes that the minimum lot size be reduced to 4,000m ² with no internal road. Option 2 proposed that the minimum lot size be reduced to 2,500m ² with an internal road.	It is recommended that Council pursue Option 1 for the southern frame which will involve a reduction in the minimum lot size to 4,000m ² with no internal road. In light of this recommendation Section 8.3 Option 2 will need to be deleted.	Option 1 has been pursued as it will facilitate a reduction in the minimum lot size without the burden of constructing an internal road.

Summary of Amendments to the Edwards Road Precinct Master Plan			
Issue	Exhibited	Amended	Comment
Administrative Changes	Not Applicable	A number of administrative changes have also been made to the draft Master Plan to update references to <i>The Hills Local Environmental Plan 2012</i> , numbering of headings and to correct minor formatting errors.	The draft master plan will need to be amended to rectify some minor formatting and grammatical errors and to reflect the commencement of <i>The Hills Local Environmental Plan 2012</i> .

Table 1

Summary of Amendments to the Edwards Road Precinct Master Plan

5. NEXT STEPS

The adoption of the draft Master Plan will trigger amendments to three key planning documents. These documents include:

- The Hills Local Environmental Plan 2012;
- The Hills Development Control Plan 2011; and
- Development Contributions Plan No. 11 – Annangrove Road Light Industrial Area.

Planning Proposal

If the draft Master Plan is supported by Council, a planning proposal will need to be prepared to commence the process of formally amending *The Hills Local Environmental Plan 2012*. The planning proposal will seek to change the zoning for part of the locality from IN2 Light Industrial to B6 Enterprise Corridor. The planning proposal will also seek to reduce the minimum lot size for parts of the precinct in-line with the recommendations of the draft Master Plan. The planning proposal will then need to be forwarded to the Department of Planning and Infrastructure for Gateway Determination.

Development Controls Plan

A draft amendment to The Hills Development Control Plan 2011 will need to be prepared to support the planning proposal. The draft amendment will be in accordance with the development control recommendations contained within the final adopted Master Plan. The amendment will address the proposed road layout, access, built form controls, parking and landscaping. If supported by Council, the exhibition of the amendment to the development control plan will be in conjunction with the exhibition of the planning proposal.

Development Contributions Plan

In support of the planning proposal and amendment to the Development Control Plan, Contributions Plan No. 11 will need to be amended to review the floor space and employment assumptions and to update the schedule of works within the plan. The exhibition of the Contributions Plan No. 11 will be undertaken as a package in conjunction with the exhibition of the planning proposal and draft amendment to

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Development Control Plan 2011. The amendment to the contributions plan will include the following:

- Update the potential floor space and employment generation assumptions;
- Update the description and estimated cost of works for projects listed within the works program. Where an updated cost estimated has not been undertaken, or where a project has already been delivered, the existing estimate will be indexed to the current quarter;
- Identify the Northern Frame as a special sub-precinct;
- List Edwards Road within the works program of the contributions plan. The cost of constructing this road will only be levied on properties within the northern frame; and
- Update the contribution rates schedule.

CONCLUSION

It is recommended that Council adopt the revised Master Plan for the Edwards Road Precinct (Refer Attachment 3). The revised development concept for the Precinct will result in a more appropriate development outcome which balances development potential whilst addressing the significant environmental challenges of the area.

The recommendations of the Master Plan will seek to amend the zoning of the Northern Frame from IN2 Light Industrial to B6 Enterprise Corridor. In order to enable a smaller form of industrial development it is also proposed that the minimum lot size be reduced from 8,000m² to 2,500-4,000m² for parts of the Precinct. A number of development control recommendations are also proposed to improve the feasibility and built form of development and to ensure the constrained areas of the Precinct are appropriately managed.

The draft Master Plan, once adopted, will inform the preparation of suitable zoning, minimum lot size and associated development controls for the precinct.

IMPACTS**Financial**

An amendment to Contributions Plan No. 11 will be required to update infrastructure requirements to facilitate development within the Precinct.

Hills 2026

The provision of improved employment opportunities is consistent with the Hills 2026 themes of balance urban growth and a modern local economy.

RECOMMENDATION

1. The revised Master Plan – Edwards Road Precinct be adopted.
2. A Planning Proposal, draft Development Control Plan and Section 94 Development Contributions Plan to implement the Edwards Road Precinct Master Plan be prepared.

ATTACHMENTS

1. Summary of Public Authority Submissions (1 Page)
2. Summary of Public Submissions (37 Pages)
3. Revised Master Plan – Edwards Road Precinct (28 Pages)

EDWARDS ROAD INDUSTRIAL
PRECINCT

~~DRAFT INDICATIVE~~ MASTER PLAN

~~JULY~~ FEBRUARY 2013
REFERENCE FP185

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1. INTRODUCTION**1.1 Purpose**

The Annangrove Road Light Industrial Area is a 120 hectare industrial precinct located between Rouse Hill and Box Hill. The industrial area was established in 1991 and has been unsuccessful in attracting new industrial businesses. A number of constraints such as fragmented ownership, existing bushland, topography and the historically outlying location have contributed to the slow take-up of land for development.

Council's Employment Lands Direction recognises that there is a significant opportunity to provide employment growth within the industrial area due to its proximity to Windsor Road, Rouse Hill Town Centre and the proposed Box Hill and Box Hill Industrial precincts. The Employment Lands Direction recommends that a Master Planning process be undertaken to recognise and plan for the identified site constraints and opportunities, and to encourage take up by industry. The development of a site specific Master Plan to inform the preparation of development controls will assist to identify an appropriate regulatory framework encourage balanced urban growth and build a modern local economy.

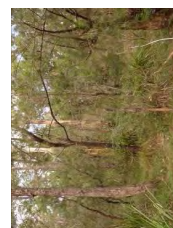
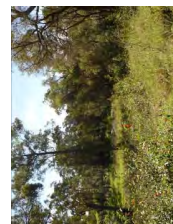
The Master Plan will therefore aim to establish a clear vision and concept for the Edwards Road Precinct. The recommendations will guide the future land uses, minimum lot size and associated development controls. The Master Plan will aim to be responsive to market requirements and emerging employment trends, whilst ensuring positive local economic and environmental outcomes for The Shire.

1.2 History

The area currently known as the Annangrove Road Industrial Area was identified for urban release in June 1989 through the gazettal of the Sydney Region Environmental Plan No. 19 – Rouse Hill Development Area (SREP 19). SREP 19 provided for the planning of urban growth in the North West of Sydney. Key to the plan was the encouragement of job opportunities by promoting the maintenance and development of local business and industries.

The land was zoned 4 (b) Light Industry under Baulkham Hills Local Environmental Plan 1991, together with other urban lands in June 1991 as part of Kellyville – Rouse Hill Release Areas.

Since 1991 there has been a growing awareness of the importance of bushland and native vegetation. This has been recognised in the implementation of various legislation by State and Commonwealth Governments, which are relevant to the precinct area given the extent of bushland and threatened and endangered ecological communities, flora and fauna.



2. LAND TO WHICH THIS PLAN APPLIES

The Master Plan applies to the Edwards Road Precinct which forms part of the Annangrove Road Light Industrial Area. Figure 1 shows boundary of the Precinct area which covers 39.09 hectares and extends south along Annangrove Road from Murphy's Creek Bridge to Withers Road with Cattai and Seconds Pond Creek forming the eastern boundary.

The Precinct is comprised of 22 allotments as shown below:

Property	Address
Lot 13 DP 833069	332 Annangrove Road
Lot 12 DP 833069	330 Annangrove Road
Lot 34 DP 834050	328 Annangrove Road
Lot 33 DP 834050	326 Annangrove Road
Lot 32 DP 834050	324 Annangrove Road
Lot 30 DP 834050	320 Annangrove Road
Lot 29 DP 834050	318 Annangrove Road
Lot 28 DP 834050	316 Annangrove Road
Lot 27 DP 834050	314 Annangrove Road
Lot 3 DP 222080	288 Annangrove Road
Lot 2 DP 838278	286 Annangrove Road
Lot 10 563695	284 Annangrove Road
Lot 2 DP 222080	20 Edwards Road
Part Lot 2 DP 225401	31 Edwards Road
Part Crown Road	Road Reserve
Part Lot 2 DP 1032790	282 Annangrove road
Lot 2 DP 879450	278 Annangrove Road
Part Lot 2 DP 225401	31 Edwards Road
Part Lot 2 DP 1032790	282 Annangrove Road
Lot 26 DP 834050	290-312 Annangrove Road
Lot 12 DP 835727	19-25 Edwards Road
Part Lot 2 DP 1032790	282 Annangrove Road



Figure 1. Location Map



Figure 2. Objectives Map

3. VISION AND OBJECTIVES

3.1 Vision

The Master Plan has been developed to establish a clear strategic vision for the precinct. The Master Plan will guide future development through suitable zoning, minimum lot sizes and associated development controls.

The overarching vision for the site is set out below:

The vision of the Edwards Road Precinct is for a vibrant, safe and attractive employment area which facilitates safe, efficient and convenient vehicular and pedestrian movement. Development within the precinct contributes to employment generation in a manner which is sensitive to the site's unique environmental qualities.

3.2 Objectives

The following objectives are to be achieved through the implementation of the land use and development control recommendations contained within this plan.

- Establish a land use and development control response to facilitate employment generation;
- To ensure an interconnected street network which promotes safe and efficient vehicular movement within the precinct;
- Facilitate safe and convenient pedestrian movement through the identification of pedestrian access ways and footpaths;
- Improve connections with The North Kellyville Precinct, the Proposed Box Hill Precincts and the Rouse Hill Town Centre;
- Improve the visual connection between development and the public realm to by encouraging a visually attractive and consistent streetscape; and
- Minimise the impact of development on endangered and critically endangered ecological communities.

4. ANALYSIS

4.1 STATE FRAMEWORK

Metropolitan Plan for Sydney 2036

The Metropolitan Plan for Sydney was released in December 2010 and forms the scheduled five yearly review of the Metropolitan Strategy City of Cities: A Plan for Sydney's Future 2005. The Plan establishes the planning framework for the Sydney Region to 2036 and takes into account population forecasts, housing and employment needs, sustainability, affordability, liveability and equity.

An overarching theme within the Plan is to ensure that more jobs are located closer to homes. The Annangrove Road Light Industrial Area is within close proximity to the Rouse Hill Major Centre, the North West Growth Centre and the proposed North West Rail Link as well as being in close proximity to the M2 and M7 motorways. Given the significance of this location, the precinct is well placed to accommodate significant employment growth.

Draft North West Subregional Strategy

The Draft North West Subregional Strategy was prepared in December 2007 and outlined how the key actions contained within the Metropolitan Strategy 2005 were to be implemented at the subregional level.

The actions of the Strategy highlight that there are opportunities to revitalise existing industrial areas. The rejuvenation of underperforming employment areas is seen as critical in ensuring that the supply of employment lands appropriately aligns with the needs of industry. The Strategy recognises that there may be opportunities to increase the capacity of existing employment land through the intensification of under-utilised or vacant sites within the subregion.

The Strategy recognises that the Annangrove Road Light Industrial Area has a number of advantages with respect to its location and highlights the need for it to be preserved for industrial purposes so as to accommodate the demand generated by the North West Growth Centre. Figure 3 identifies the Edwards Road Precinct in relation to the precincts within the North West Growth Centre.

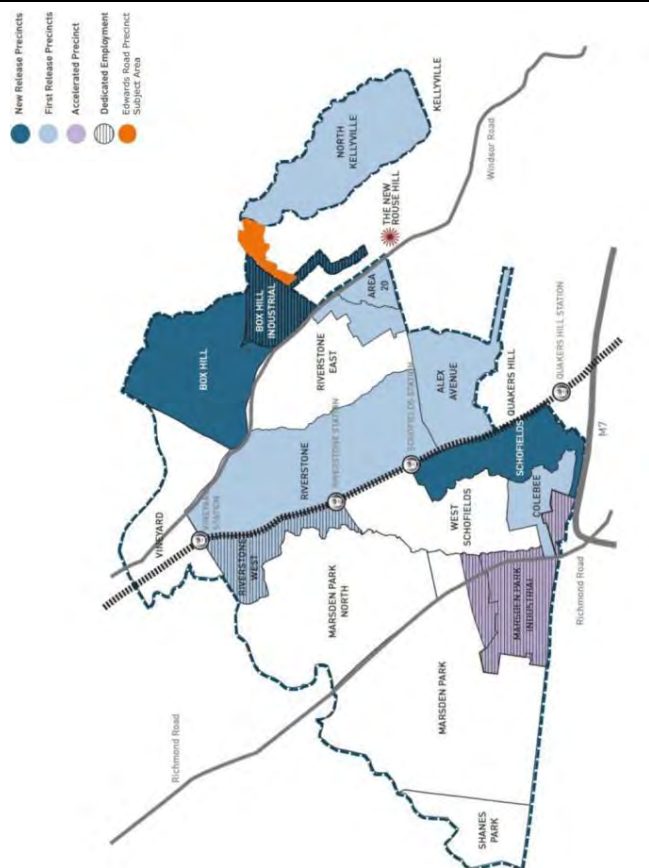


Figure 3. Location of Precinct Area in relation to Precincts within the North West Growth Centre

4.2 LOCAL FRAMEWORK

Employment Lands Direction

The Hills Employment Lands Direction establishes the overall strategic context for the planning and management of employment lands within The Shire and considers a range of issues such as land availability, growth opportunities and the revitalisation of older areas. Figure 4 identifies the Precinct area in relation to existing and planned employment lands within The Shire as identified in the Employment Lands Direction.

Objective E4 of the Employment Lands Direction recognises the importance of revitalising existing underperforming employment areas. This includes making better use of existing services and infrastructure and ensuring that building stock meets the technological needs of industry. Redeveloping older industrial areas for higher order employment uses provides opportunities for increased investment and jobs closer to home.

With specific reference to the Annangrove Road Light Industrial Area, the Employment Lands Direction highlights that the precinct has not been successful in attracting industrial businesses and suggests that this may be due to the following factors:

- Existing outlying location ;
- Lack of marketable image;
- Fragmented ownership ;
- Need for cooperation between landowners to achieve access in some instances; and
- Extensive vegetation including endangered ecological communities.

The Direction recognises that in order to attract businesses to the precinct a strategic planning response is required to address the identified site constraints and matters relating to accessibility.

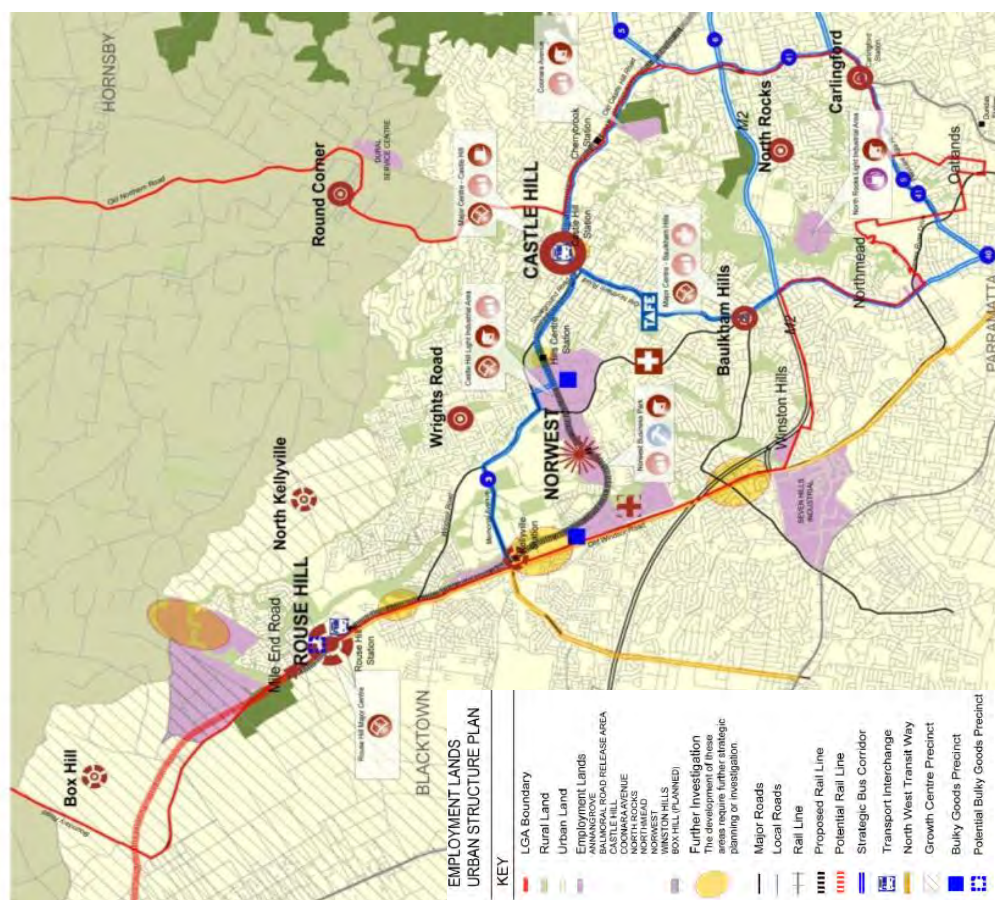


Figure 4. Location of existing and planned employment lands

5. EXISTING SITUATION

5.1 EXISTING LOCAL CONTEXT

Despite relative historic isolation, the Edwards Road Precinct exists within a fortuitous location, surrounded by a number of areas undergoing major growth and change. It is within close proximity to the Rouse Hill Major Centre, the proposed North West Rail Link while being generally bound by the North Kellyville Precinct to the south-east and the proposed Box Hill and Box Hill Industrial Precincts to the north-west. The precinct will therefore benefit from the growth of these precincts and additional public transport services identified as part of the planning of the North West Growth Centre.

The precinct is currently served by two bus routes and an existing road based cycle path. The precinct is largely constrained by a number of environmental factors as well as a Trans Grid transmission easement to the north.

5.2 EXISTING LEP CONTROLS

The subject land is ~~proposed to be~~ zoned part IN2 Light Industrial and part SP2 Infrastructure with a **Stormwater Management System** ~~Trunk-Drainage~~ classification under ~~Draft~~ **LEP 2010 2012**. There are also various sections of land adjoining Annangrove Road which are identified for local road widening and are accordingly zoned SP2 Infrastructure with a 'Local Road Widening' classification on the Land Reservation Acquisition map. It is noted that the Drainage Corridor directly adjoins Second Ponds and Cattai Creeks and is currently under the ownership of Sydney Water Corporation.

The IN2 Light Industrial zone has been applied to areas which are intended for industrial uses which are generally light in nature and which do not significantly impact on the amenity of the surrounding area. A number of development standards contained within Draft LEP 2010 also apply to the portion of the precinct zoned IN2 Light Industrial. These standards have been included within Table 2.

Minimum Lot Size	8,000m ²
Building Height	16m
Floor Space Ratio	1:1
Heritage	There is currently one item of local heritage significance at 288 Annangrove Road. The item is a farm cottage which is evidence of release of land in the centre of Nelson parish in the mid-Victorian period.

Table 2: Draft LEP 2010 Standards Applying to The Edwards Road Precinct

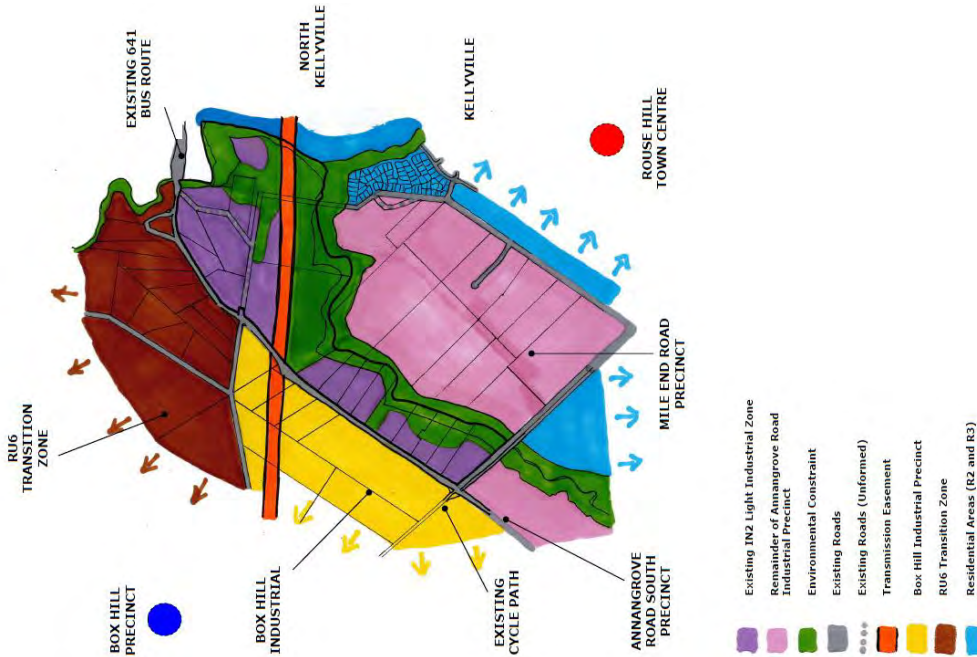


Figure 5. Existing Situation

5.3 EXISTING DCP CONTROLS

Development within the industrial area is currently regulated through The Hills Development Control Plan Part C Section 9 – Industry. The key development controls are as follows:

- Slopes greater than 20%:

Slopes between 10 and 20%:

Setbacks to roads :

Setback to creeks:

Road frontage:

Floor space:
- Not suitable for development.

Applications must be accompanied by a Geotechnical report.

20 metre setback to roads.

40 metre setback from the top bank of a creek.

60 metre minimum road frontage.

50% of units may have a floor area of 100-150m2.

All other units must have a floor area of >150m2.
- Transmission easement:

Car parking
- Concurrence with Endeavour Energy is required for any development within the electricity easement.

The car parking requirements are detailed within the following table.

Use	Rate
Industrial	1 space per 50m ² of Gross Floor Area, or 1 space per 2 employees, whichever is greater
Warehouse	1 space per 50m ² of Gross Floor Area
Vehicle body repair shop	1 space per 2 employees, plus 6 spaces per work bay
Sex Service Premises	1 space per room used or capable of being used for sex services plus 1 space per employee. All car parking areas shall be well lit, easy to locate and monitored by surveillance.
Visitor parking	1 space for every 2 units constructed

Table 3: DCP Car Parking Requirements

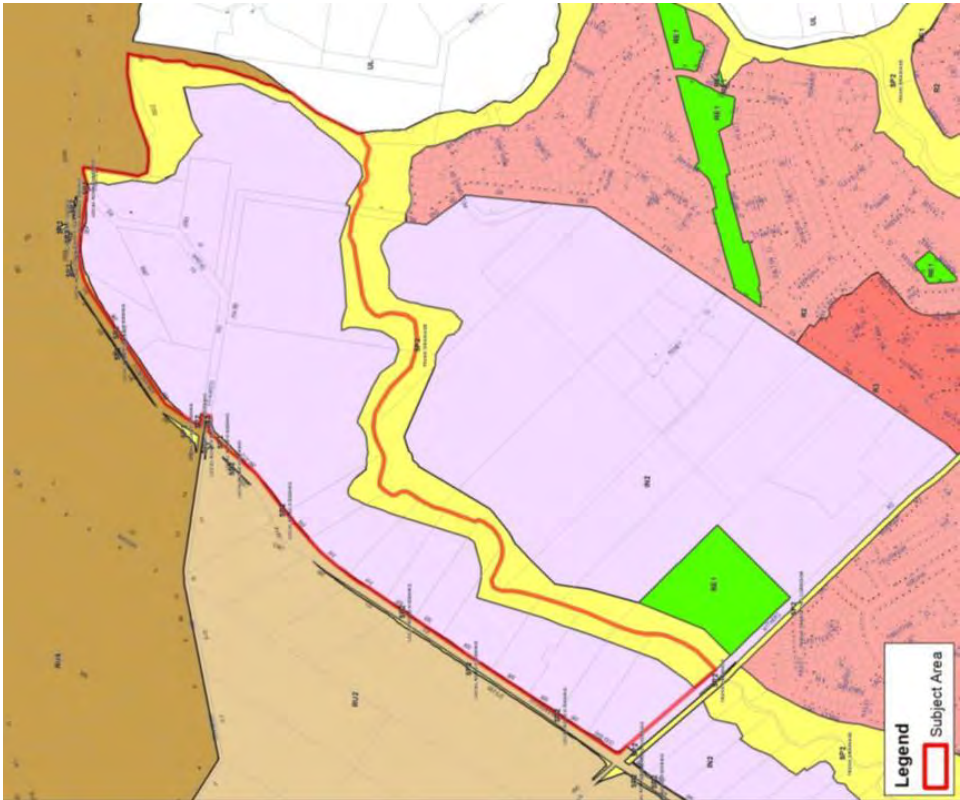


Figure 6. Current Zoning Map



Figure 7. Contributions Plan No.11 – Annangrove Road Contributions Plan Map

5.4 CONTRIBUTIONS PLAN NO. 11 – ANNANGROVE ROAD LIGHT INDUSTRY

Contributions Plan No. 11 was adopted by Council on 9 December 2003 and amended in December 2008. The contributions plan divides the Annangrove Road Light Industrial area into three distinct precincts, which include:

- Mile End Road Neighbourhood;
- Annangrove Road South Neighbourhood; and
- Annangrove Road North Neighbourhood (The Edwards Road Precinct).

Based on an average of 4.6 vehicular trips per day/100 m² of gross floor space, the Contributions Plan estimates that the industrial area will generate an additional 12,481 vehicular trips per day. Of these, it has been estimated that approximately 3,189 trips will be generated within the Edwards Road Precinct.

In order to satisfy the additional demand, the Contributions Plan levies development within the whole of the industrial precinct for the following road upgrades and traffic facilities:

- Upgrade of Annangrove Road to Sub-arterial Class 1;
- Roundabout – western intersection of Annangrove Road and Edwards Road;
- Upgrade of Withers Road to Sub-arterial Class 2;
- Traffic signals at the intersection of Mile End Road and Withers Road (completed – still collecting funds);
- Roundabout at the intersection of Annangrove Road and Withers Road;
- Bus stops / shelters along collector and sub-arterial roads surrounding the Annangrove Industrial Area; and
- Mile End Road South – new alignment (completed – still collecting funds).

The cost of constructing Edwards Road has previously been investigated for funding through the use of Section 94 funds. However, a nexus does not exist to justify levying monetary contribution on all properties for the construction of Edwards Road, given that the road is only likely to be used by vehicles accessing properties fronting the road.

6. OPPORTUNITIES AND CONSTRAINTS

6.1 ECONOMIC OPPORTUNITIES

In terms of regional forces of supply and demand the Edwards Road Industrial Precinct is a microcosm of the North West subregion to the extent that demand appears to be languishing while there is sufficient supply available. Based on evidence that a large portion of the potential market for industrial development may be excluded from the precinct due to existing development standards, the following opportunities exist:

- Consider reducing the minimum lot size from 8,000m² to open an opportunity for small niche developments that have a reduced capital cost to develop.
- Consider alternative land use zoning that broadens the type of uses that may occur in the precinct as set out in Table 4.
- Encourage additional floor Space on those parts of the precinct free of environmental constraints by reducing setbacks in appropriate locations.

Land Use Category	Description	Recommendation
Freight and Logistics	- Warehousing and distribution activities. Includes buildings with a number of docking facilities; 'hard stand' areas with trucks or goods awaiting distribution; and large storage facilities. - Warehousing and distribution is a metro level issue with activities preferably locating close to air, sea and inter-modal inland ports, or with access to the motorway system.	Large scale is not suitable due to size of lots and location away from motorway. Small scale may be suitable.
Local light industrial and urban support	- Car service and repair, joinery, construction and building supplies; and domestic storage. - Wide range of businesses that service other business components (maintenance and support) and Subregional populations. Needed at local (LGA) to Subregional level.	Suitable.
Manufacturing – Heavy	- Large scale production activity. Likely to be characterised by high noise emission; emission stacks; use of heavy machinery; and frequency of large trucks. - Heavy manufacturing is in decline in Sydney, but will continue to cluster in some locations such as Wetherill Park, Campbelltown/ Ingleburn etc. There are strong arguments for collocation in terms of raw material delivery and to concentrate externalities (though impacts on surrounding uses are generally moderate).	Not suitable due to proximate residential development and smaller lot sizes.
Manufacturing – Light	- Clothing manufacturing, boat building and electrical equipment manufacturing - Small scale production with lower noise and emission levels than heavy manufacturing.	Suitable.
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. Needed in each sub-region.	Not suitable due to proximate residential development and smaller lot sizes.
Office	- Administration, clerical, business services, research. - Office buildings that are independent (i.e., are not ancillary to another use on site) and likely to accommodate a significant number of administration staff (>10 people)	Straight office type development is not suitable due to fringe location, lack of supporting population and to protect industrial nature of area. Also, inconsistent with NSW planning framework.
Business / Office Parks	- Integrated warehouse, storage, R&D, 'back-room' management and administration with typically a higher office component. - Campus style environments such as the IBM site in West Pennant Hills.	Smaller business park type uses are suitable. Larger campus style business parks are not suitable.
Retail Bulky Goods	Typically large, one-story buildings surrounded by car-parking, usually located out of centre and in high exposure (main road) locations.	Not suitable. Inconsistent with NSW planning framework.

Table 4 – Suitable land uses

6.2 ENVIRONMENTAL CONSIDERATIONS

Flora and Fauna

There are three identified vegetation communities within the precinct. These include Shale Sandstone Transition Forest (SSTF), River-Flat Eucalypt Forest (REEF), and Cumberland Plain Woodland (CPW). CPW is listed as a critically endangered ecological community under both the NSW Threatened Species Conservation Act 1997 (TSC Act) and Commonwealth Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act), while SSTF is listed as an endangered ecological community under both the TSC and EPBC Acts. The extent of these communities is included on the following map.

Bushfire Prone Land

Much of the precinct is identified as bushfire prone, containing Vegetation Category 1 and buffer. Land identified as Category 1 generally consists of forests, woodlands, heath lands, pine plantations and wetlands.



Figure 8 – Vegetation Communities

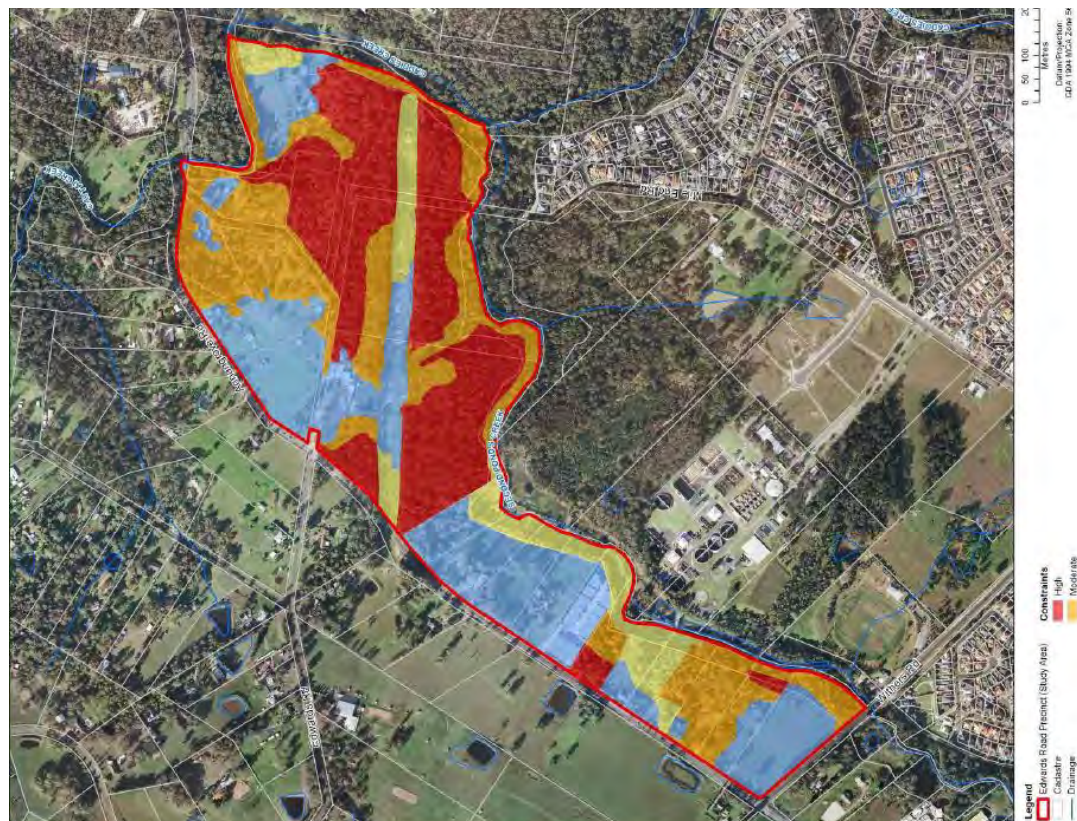


Figure 9 – Ecological Constraints

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Ecological Constraints

An ecological constraints assessment was undertaken to assign areas within the precinct with a high, moderate, low, or very low ecological constraint. These areas are included on the following map.

The Ecological Constraints Map identifies areas which scored highest on the ecological assessment. The map does not indicate areas which cannot be considered for removal or for biodiversity Trading.

Conservation areas will need to be established through the preparation of a flora and fauna assessment and vegetation management plan for each future development site.

Slope

Land along Annangrove Road (the southern strip of the precinct) is generally flat with a moderate easterly slope toward the Second Ponds Creek. The northern end of the precinct slopes steeply towards Second Ponds Creek, Cattai Creek and Murphy's Bridge. The slope in this area of the precinct is aggressive and must be addressed as part of future land use and development decisions for the precinct. The map to the right displays the extent of slope within the precinct

Waterways and Flooding

A previous study undertaken by Sydney Water of land within the Trunk 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 Draft LEP 2010. However it was also identified that certain sections of the precinct extend below the 1 in 100 ARI.

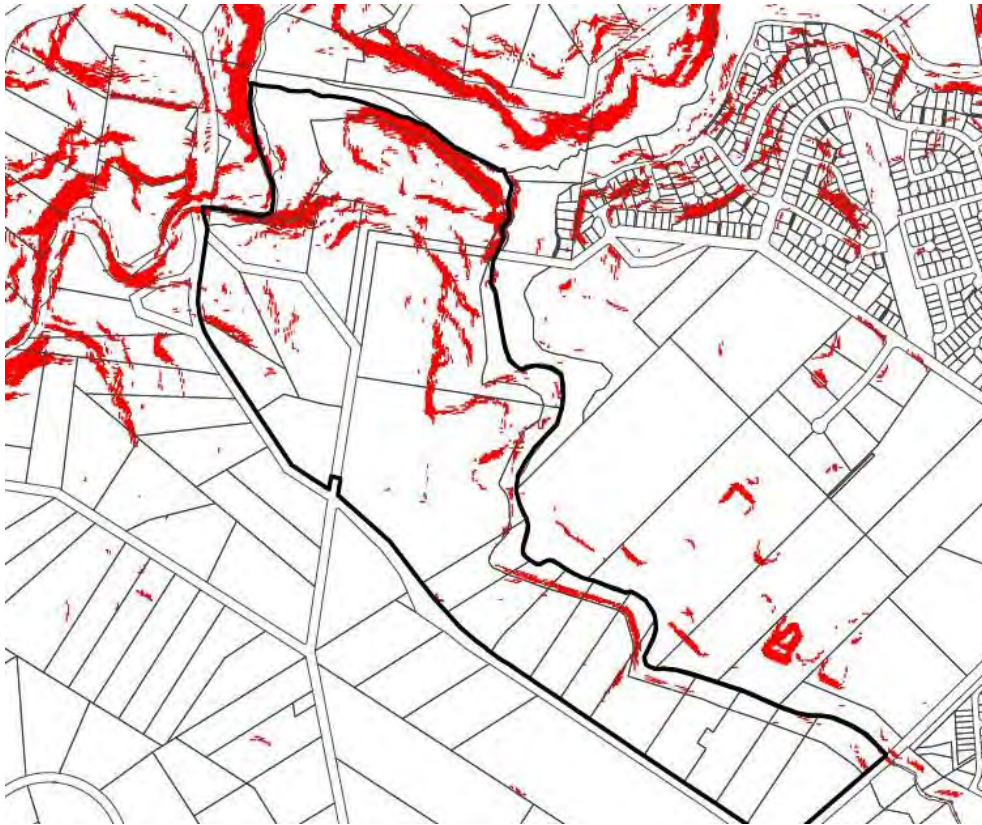


Figure 10. Slope Analysis



Figure 11. Riparian Corridor

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Riparian Corridor

As part of the preparation of this draft Master Plan an indicative riparian corridor was established to highlight the extent of land between the terrestrial environment and the watercourses that traverse the precinct. Riparian corridor distances have also been applied to the waterways and tributaries in accordance with the riparian specification criteria established by the NSW Office of Water.

Second Ponds Creek and Cattai Creek form the eastern and southern boundaries of the precinct. Contour and waterway maps also show the presence of multiple tributaries extending from Annangrove Road to these waterways. This is displayed in the map to the right.

6.3 HERITAGE

Road (Lot 3 DP 222080) and is listed as an item of local heritage significance under Schedule 5 of *The Hills Local Environmental Plan 2012*. The statement of significance for the item provides the following:

'Farm cottage on medium sized grant and is evidence of release of land in the centre of Nelson parish in the mid-Victorian period for agriculture.'

The farm cottage is a symmetrical house of rock faces stone laid in courses, under a hipped iron rood consisting of the following features:

- Two stepped brick chimneys;
- Symmetrically placed bullnose verandah to three sides;
- Narrow vertical sash window;
- Outbuildings – stone privy, sawn timber shed with bark ceilings, under steep hipped iron roof.



Figure 12. Location of heritage item

6.4 CONSTRAINTS AND OPPORTUNITIES SUMMARY TABLE

Consideration	Constraint	Opportunity
Subdivision Pattern and Allotment Size	The existing minimum lot size control results in large developments with high capital cost therefore limiting feasibility in a depressed market. Lots in the southern frame of the precinct are long and narrow which require consolidation to develop.	Provide an opportunity of smaller niche development by reducing the minimum lot size in appropriate locations.
	The existing front setback requirement of 20m for all roads encourages vehicular parking to the front of development. Existing setbacks reduce the developable area on sites with environmental constraints. Parking requirement is impacting on the feasibility of development and does not enable a smaller scale form of industrial development.	Encourage additional floor space on the parts of the precinct free of environmental constraints by reducing setbacks in appropriate locations. Parking provision would be moved to areas at the rear of buildings and within building undercroft areas. Parking rate be reduced for industrial and warehouse development within the Edwards Road Precinct.
Siting and Streetscape		

Natural Environment	Endangered and Critically Endangered Ecological Communities are present within the precinct. This restricts the area of potential development and will increase the cost of redevelopment. The north of the precinct is additionally constrained by steep topography The precinct contains land within the Flood Planning Level Much of the precinct area is bushfire prone land	Minimise impact on high quality vegetation with good connectivity to existing corridors. Utilise opportunities to offset the loss of vegetation using biodiversity offsets.
Transmission Easement	The north of the precinct is traversed by the Sydney West to Sydney North TransGrid transmission line. TransGrid strictly prohibits the construction of houses, buildings and other substantial structures within transmission easements.	
Public Transport	The frequency of public transport (bus and rail) through the precinct is currently limited	The precinct is located along existing sub-arterial roads and future public transport infrastructure. The delivery of the North West Rail Link and planned bus services will significantly improve access to the precinct.
Interconnected Road Network	New roads add additional cost to subdivision.	Facilitates access to smaller lots. Removes need for cul-de-sac roads or access handles. Improves vehicle access and road safety. Provides increased visibility for developments to the street.

Pedestrian Connectivity and Cycleways	Existing roads discourage pedestrian and bicycle access.	Improve accessibility for employees and visitors.
	District connectivity dependent upon upgrade of existing roads. Footpaths and cycle ways add to development cost.	Attract customers to new businesses. Enhance attractiveness of development to encourage investment.
Heritage	An old farm cottage at No. 288 Annangrove Road is listed as an item as local heritage significance under Schedule 5 of The Hills Local Environmental Plan 2012	Adaptive reuse in appropriate development.
Employment Generation	Market demand for new floorspace. Access to skilled workforce.	Provide jobs closer to home. Multiplier effect on local economy.

7. STRATEGIC VISION

7.1 Recommended Direction

Based on the proposed vision and objectives for the Precinct, existing constraints and opportunities, it is proposed that the most appropriate land uses are light industrial and business uses.

The introduction of business and office uses **will be most appropriate in the northern frame of the precinct** to provide additional **development opportunities** which may improve the feasibility of development on land that is highly constrained. To ensure that the **northern frame Precinct** remains available for industrial uses, a B6 Enterprise Corridor Zone is considered appropriate.

To support the feasibility of smaller niche developments, it is proposed that a reduction of the minimum lot size in appropriate locations with associated local roads would improve the feasibility of development. Where sites have access to an internal local road, the following standards should be reduced to reflect the smaller lot size:

- Minimum lot width of 40m to provide lots of an appropriate dimension;
- Reduced building setbacks to reflect smaller lot dimensions;
- **Reduce car parking rate for industrial and warehouse development.**

The existing maximum floor space ratio of 1:1 and building height of 16m should be retained.

Figure 13 outlines the key strategic land use objectives, constraints and opportunities that have been addressed by the Master Plan.

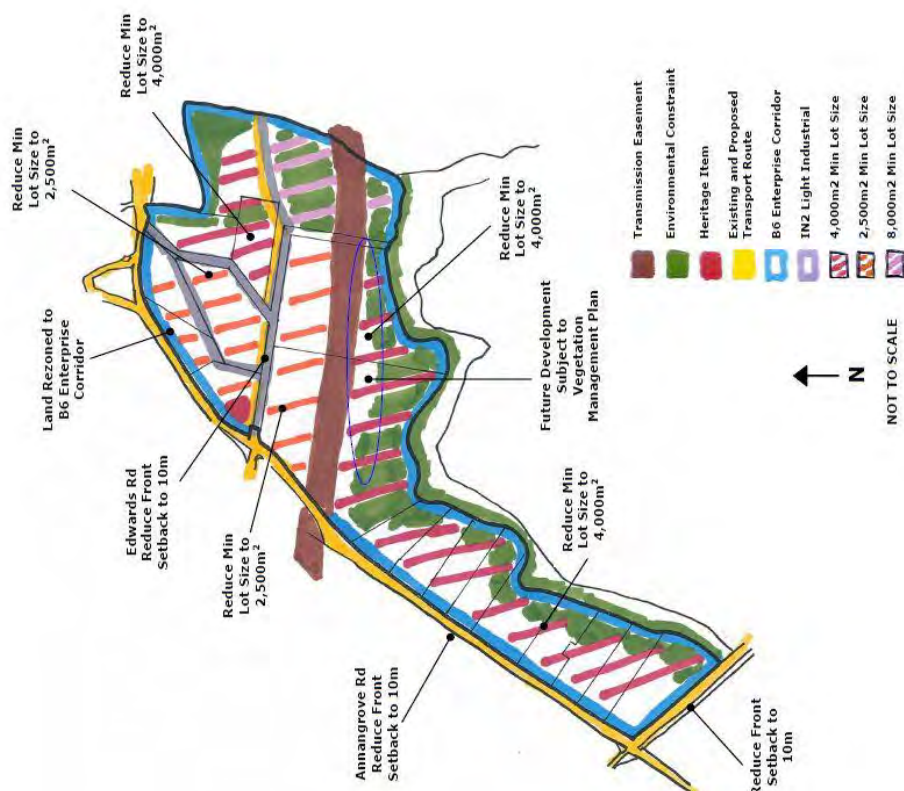


Figure 13. Strategic Vision

7.2 Land Use

Local light industrial and other commercial opportunities uses are the most appropriate and sensitive to the site.

The southern frame of the precinct, extending from Withers Road to 314 Annangrove Road, will be retained as IN2 Light Industrial. This zone will be retained for light industrial and urban support type uses. This will also provide consistency the future industrial development within the Proposed Box Hill Industrial Precinct.

The Precinct northern frame of the precinct is to be rezoned to the B6 Enterprise Corridor zone. This will continue to permit light industrial uses whilst providing additional commercial opportunities by way of permitting business and office premises. The proposed land uses are displayed in the map to the right.

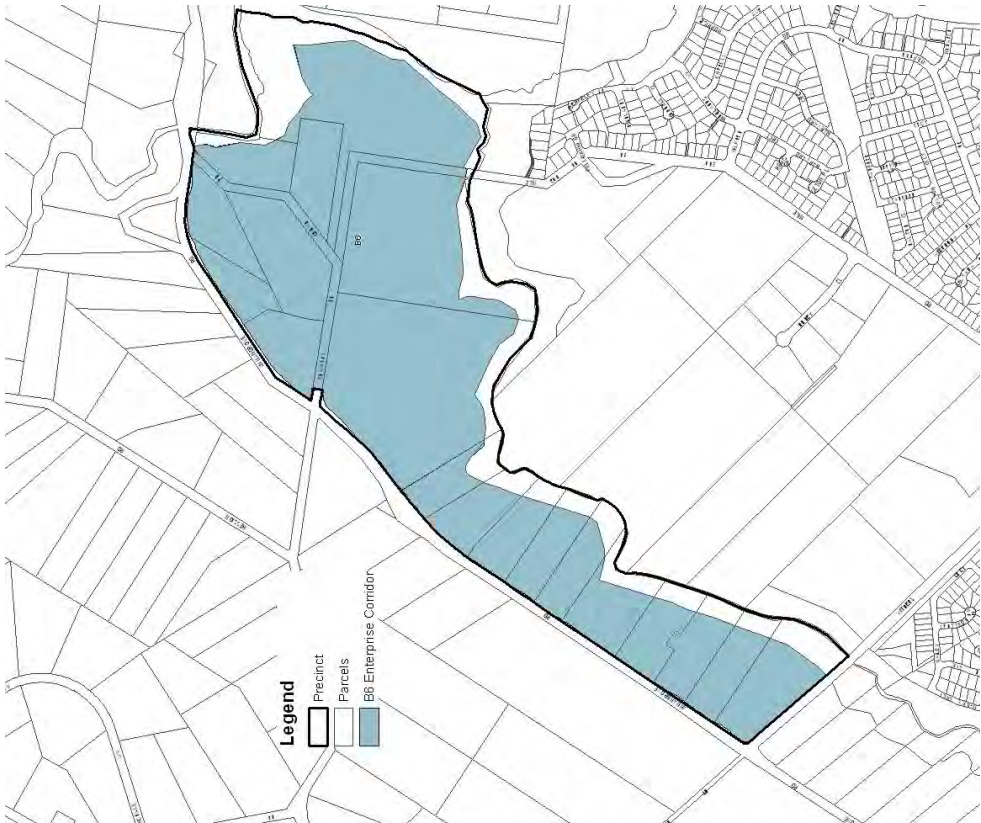


Figure 14. Land use

7.3 Connectivity

The road layout **two possible road layouts have been** proposed within the Master Plan **is** shown in Figure 15 **to reflect the two minimum lot size options**. **Both** The road **layout** provides future connectivity to the North Kellyville Precinct and will provide for safe and efficient vehicular movement through the Precinct.

The road layout **options** will enable future development to occur within without the requirement for cul-de-sacs or undue reliance on battle-axe style subdivisions.

The precinct is currently served by two key bus routes being Route 608 and Route 641. Additional bus services are proposed as part of the planning for the North West Growth Centre. These additional routes will connect the Edwards Road Precinct with Box Hill, North Kellyville, Rouse Hill and Riverstone.

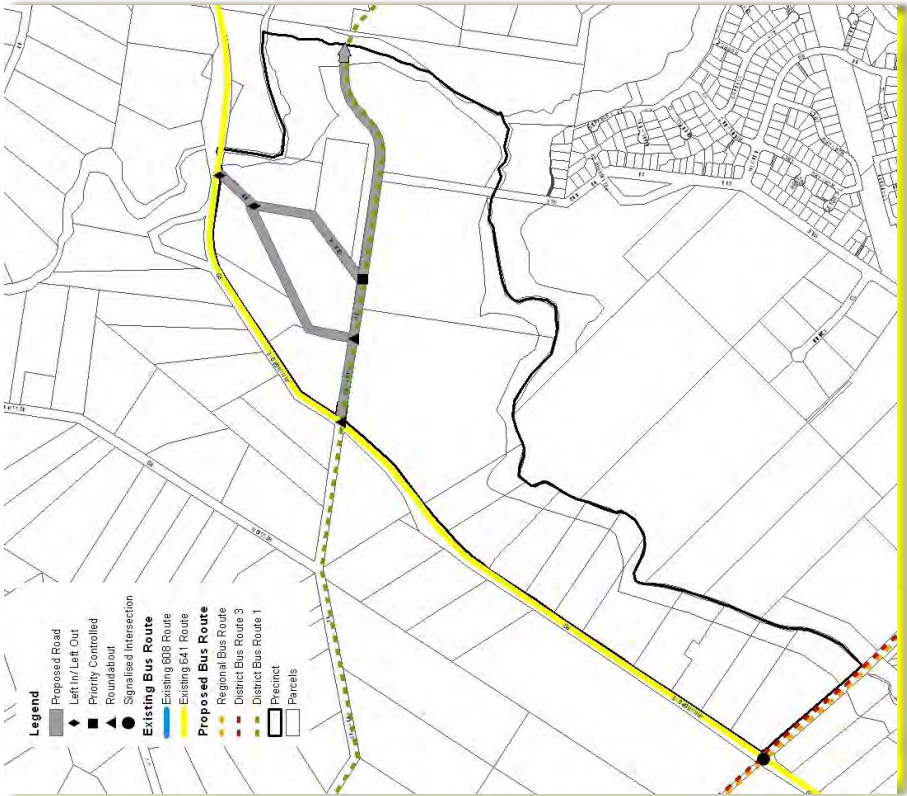


Figure 15. Connectivity

7.4 Access

The construction of footpaths along the sub-arterial roads has been identified as part of the future upgrades to both Annangrove Road and Withers Road. Footpaths along future internal roads must be provided by developers as part of individual development proposals.

There are two existing cycle paths within the vicinity of the Edwards Road Precinct. These paths are located along Windsor Road and Annangrove Road. Two additional routes have been proposed to connect the Box Hill and Box Hill Industrial Precincts with the North Kellyville Precinct and the Rouse Hill Town Centre. The existing and proposed access arrangements are illustrated in Figure 16.

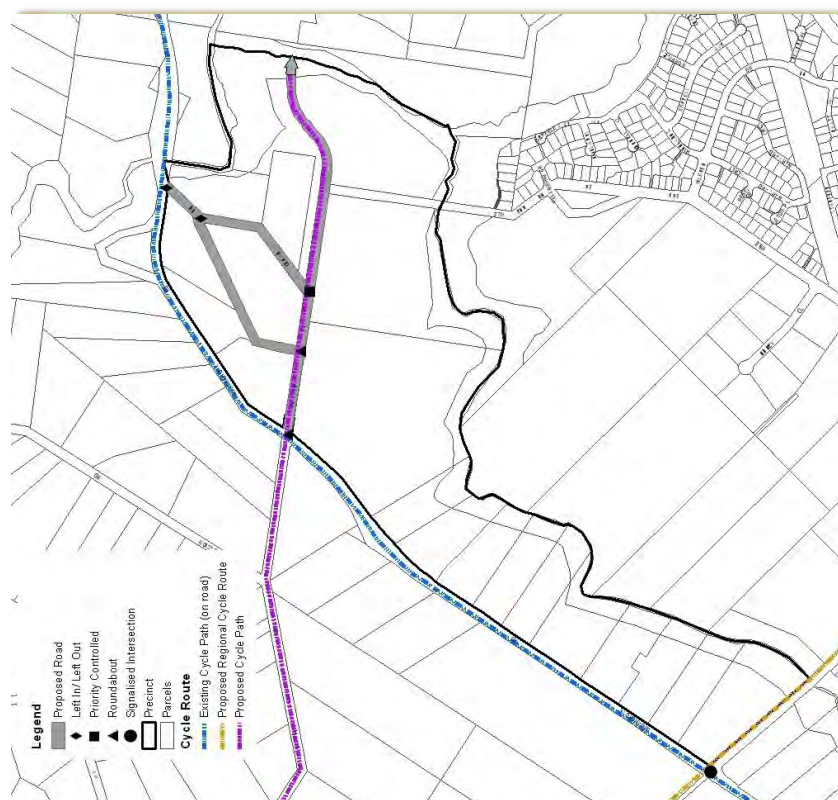


Figure 16. Access

7.5 Built Form

There is an opportunity to reduce the minimum allotment width to 40 metres along all roads so as to facilitate lots with an appropriate dimension.

Consider reducing the minimum front building setback to Annangrove Road, Withers Road and Edwards Road to 10 metres with a 5 metre front building setback to all other roads.

The minimum side and rear setback should be retained at 5 metres for buildings and 2 metres for ground-level car parking. There is an opportunity to reduce the side and rear setback to zero metres to the rear and one side boundary, with a 5 metre setback to the remaining side boundary. The minimum creek setback should be retained at 40 metres from the top bank of the creek or otherwise to the requirements of the Office of Environment and Heritage.

Car parking areas should be located to the side and rear of development and behind the front building setback to provide an attractive streetscape.

Where possible, entry and egress points to development are to be shared so as to minimise access points to public roads.

The maximum height of building requirement should be retained at 16 metres.

The maximum floor space ratio should be retained at 1:1 to provide developments of appropriate scale.

7.6 Public Space and Landscaping

All front setback areas should be landscaped to include mix of trees, shrubs and groundcovers that are endemic to the locality.

Examples illustrating these approaches (built form and landscaping) are displayed below and right.



8. INDICATIVE DRAFT MASTERPLAN

8.1 CONCEPT PLAN

The Concept Plan provided in Figure 17 outlines the proposed structure of the precinct based on the proposed land uses and development controls outlined within the draft Master Plan. The concept plan is comprised of the following features:

- Retain IN2 Light Industrial Zone in the southern frame of the Precinct and Rezone the Precinct Northern frame from the IN2 Light Industrial zone to the B6 Enterprise Corridor zone.
- Identification of constrained land due to slope and vegetation. The land identified as 'constrained land' does not identify vegetation which cannot be considered for removal or for biodiversity trading.
- New local roads to support orderly development and access to the North Kellyville Precinct.
- Upgrade to planned signalised intersection of Annangrove Road and Wither Road to accommodate a four lane configuration in each direction with turning bays.
- Two lane roundabout at the intersection of Annangrove Road and Edwards Road.
- Two lane roundabout at the first internal intersection of Edwards Road transitioning to a single lane in each direction for the remainder of the Precinct.
- Signpost control for remaining intersection.

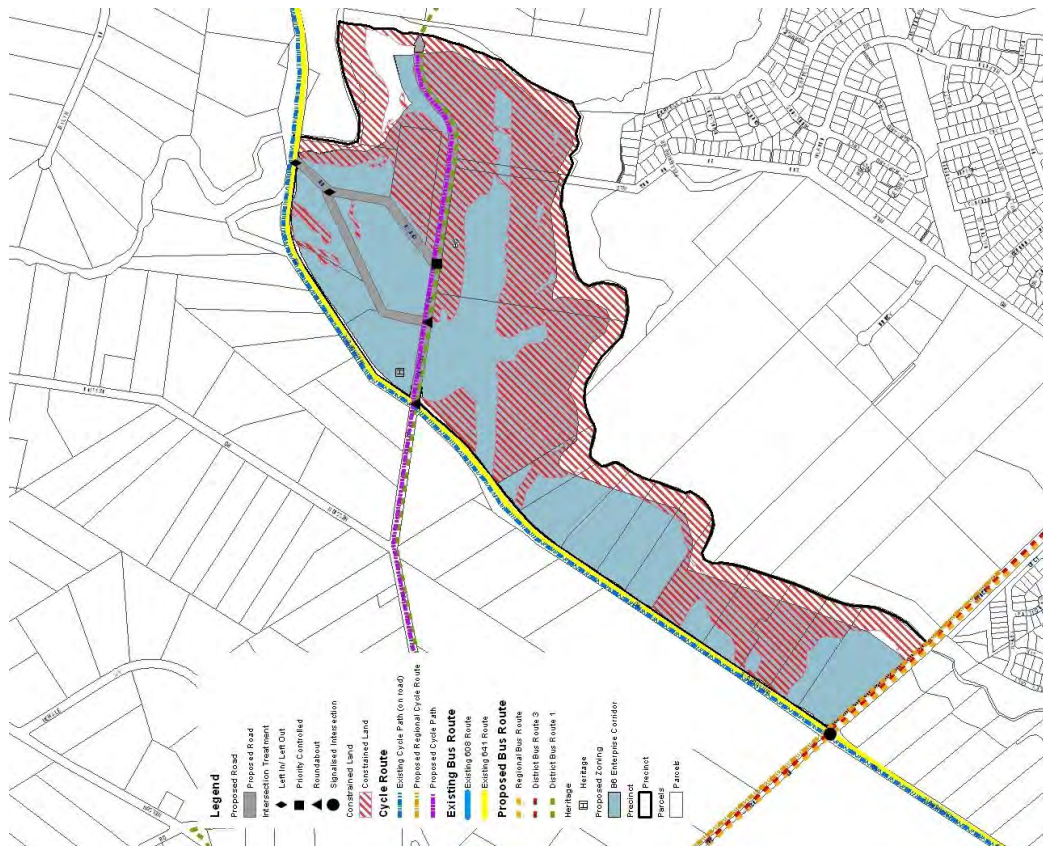


Figure 17. Concept Plan

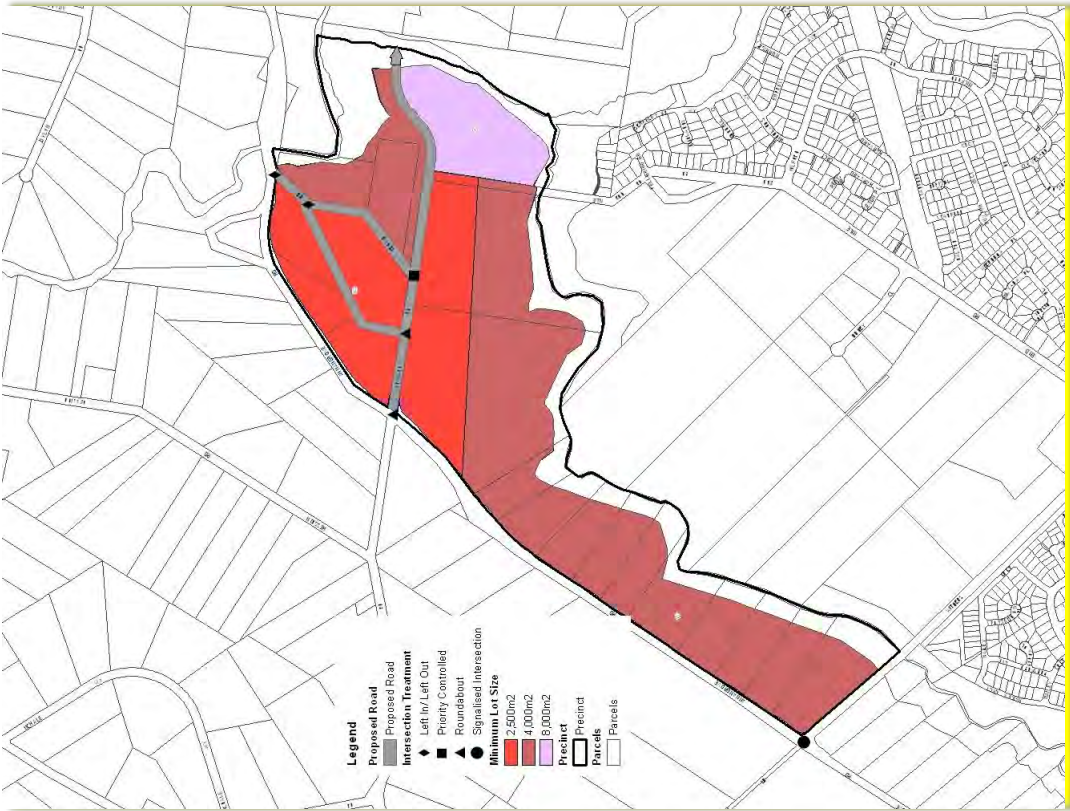


Figure 18. Proposed Minimum Lot Size

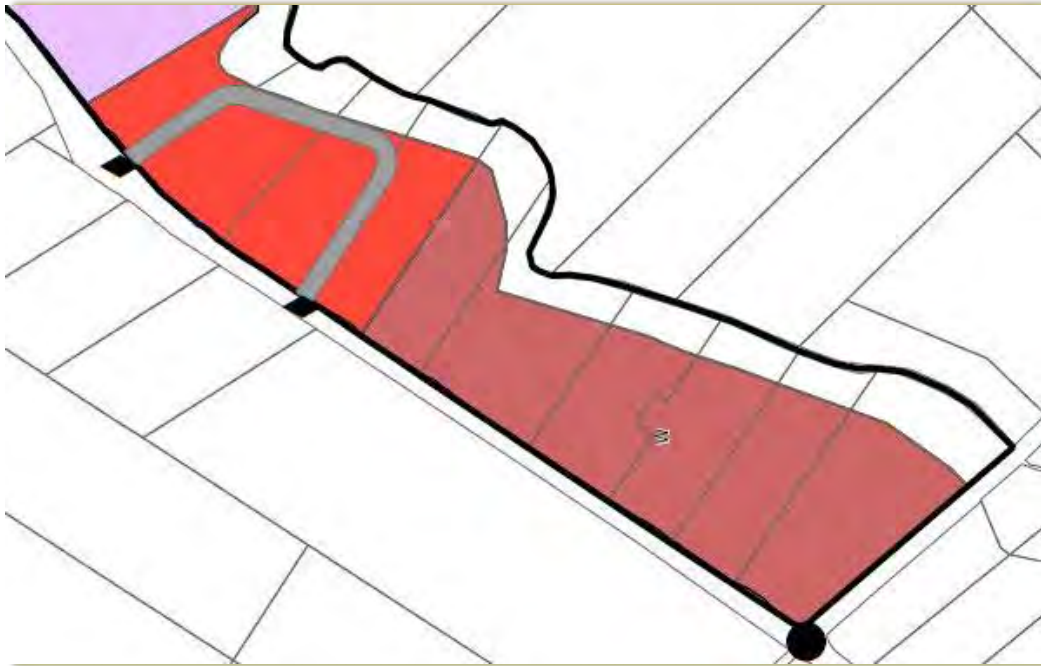
8.2 **OPTION-1** Minimum Lot Size:

Northern and Southern Frames – Minimum Lot Size Reductions and New Road Layout

Within the northern frame it is proposed that the minimum lot size be reduced to 2,500m² west of the Crown Road and 4,000m² for land east of Crown Road. For the Paintball Site (Lot 1 DP 133473, Lot 12 DP 835727 and Lot 26 DP 834050) it is proposed that the minimum lot size be reduced to 4,000m² (south of the transmission easement) and 2,500m² (north of the transmission easement). This layout will enable feasible redevelopment whilst ensuring that the ecologically sensitive areas of the precinct are retained. The allocation of the minimum lot size reflects the extent of the environmental constraints within this portion of the precinct.

The minimum lot size for the southern frame of the precinct, zoned IN2 Light Industrial, may be reduced to 4,000m².

For land south of Edwards Road within the northern frame the minimum lot size should remain at 8,000m² to ensure that vegetation south of the transmission easement is not isolated as part of any future subdivision proposal.



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Figure 19- Option 2 (DELETE)

8-3 OPTION 2+**Southern Frame—Minimum Lot Size Reduction and new road layout**

Option 2+ proposes a minimum lot size of 2,500m² for land between the strata development at 322 Annangrove Road and the northern frame. As these lots are deep (approximately 200 metres), an internal road is proposed to enable vehicular access to the rear of these properties.

9. RECOMMENDED DEVELOPMENT CONTROLS

9.1 LOCAL ENVIRONMENTAL PLAN

It is proposed that the southern frame of the precinct, extending from Withers Road to 354 Annangrove Road be retained as IN2 Light Industrial.

The objectives of the IN2 Light Industrial Zone are as follows:

- To provide a wide range of industrial and warehouse land uses;
- To encourage employment opportunities;
- To minimise any adverse effect of industry on other land uses;
- To support and protect industrial land for industrial uses;
- To provide for a range of urban support services to serve the needs of surrounding residents and workers in the locality;
- To facilitate the development of freight and logistics operations to enhance the viability and use of employment lands;
- To accommodate temporary overnight accommodation for the working population and businesses in the area.

The remainder of the precinct will be rezoned to the B6 Enterprise Corridor zone.

The Edwards Road Precinct will be rezoned from the IN2 Light Industrial zone to the B6 Enterprise Corridor zone.

This zone is considered to be the most appropriate zone for this location as it will continue to permit light industrial uses whilst providing additional commercial opportunities by way of permitting business and office premises. The objectives of the B6 Enterprise Corridor Zone are as follows:

- To promote businesses along main roads and to encourage a mix of compatible uses.
- To provide a range of employment uses (including business, office, retail and light industrial uses) and residential uses (but only as part of a mixed use development).
- To maintain the economic strength of centres by limiting retailing activity.
- To provide for residential uses, but only as part of a mixed use development.

9.2 DEVELOPMENT CONTROL PLAN

It is further recommended that, subject to consultation outcomes on the draft Master Plan, draft amendments to The Draft Hills Shire Development Control Plan 2012 be exhibited to include the specific controls for the Edwards Road Precinct.

It is recommended that the Hills Shire Development Control Plan be amended to:

Development Sites

1. Minimum frontage to all roads is 40 metres.
2. Battle-axe shaped lots will be discouraged within the Precinct, however may be considered on merit based on site constraints.
3. The site area of battle axed shaped lots must comply with the Lot Size Map within Draft LEP 2012 2019. The area of the access handle must not be included in the measurement of the site area.

Building Setbacks

1. The front setbacks should be as follows:

Primary street frontage	Setback
Annangrove Road north of Withers Road	10m
Withers Road (north side of Withers Road between Annangrove Road and Second Ponds Creek)	10m
Edwards Road	10m
Other Roads	5m

2. The minimum side and rear setback is to be retained at 5 metres for buildings and 2 metres for ground-level car parking.

2. the side and rear setback should be as follows:

Side and rear boundaries	Setback
Setback to the rear boundary and one side boundary	0m
Setback to the remaining side boundary	5m
Setback to a side or rear boundary adjoining Annangrove Road, Withers Road and Edwards Road	10m
Setback to a side or rear boundary adjoining a road other than Annangrove Road, Withers Road or Edwards Road	5m

3. The minimum creek setback will be retained at 40 metres from the top bank of the creek or otherwise to the requirements of the Office of Environment and Heritage.

Building Materials

1. A minimum 30% of the front elevation of the building façade should be of glass or other transparent materials.
2. Where long, continuous building lines (façades) over 10m are present along a street frontage, visual relief shall be provided by any one or more of the following:
 - a. varying the façade alignment
 - b. using varying external finishes (texture and colour), providing glass curtain walls;
3. Locate office facilities along the façade.
4. Roller shutters, loading docks and work areas shall not be visible from a public place.
5. Open storage areas should be located within the developable area excluding Asset Protection Zones, at the rear of buildings and not in public view. Landscaping or other screening measures should be incorporated into the site design to reduce visual impact of storage areas from adjoining sites.
6. Building entries shall be clearly visible from the street.

Fencing

1. Fencing shall only enclose the developable area of a site.
2. Fencing of any shall not be located within the conservation areas as determined by a vegetation management plan.

Flood Controls

1. This control applies to all land within the Edwards Road Precinct which:
 - a. adjoins land zoned SP2 Infrastructure (Stormwater Management System), or
 - b. is affected by an overland flowpath.
2. A flood study, prepared by a professional engineer who specialises in hydraulic engineering and a professional engineer who specialises in civil engineering, must be submitted with any development application on land to which this control applies. The flood study must be prepared in accordance with the **Floodplain Development Manual** published by the NSW Government in April 2005.
3. Development on land to which this control applies must:
 - a. Have any habitable floor levels equal to or greater than the Flood Planning Level;
 - b. Have the part of the development at or below the Flood Planning Level, constructed of flood compatible material, suitable for retaining structural integrity during and following long periods of continuous under water immersion;
 - c. Be able to withstand the forces of floodwater, debris and buoyancy up to the Flood Planning Level, and
 - d. not increase flood affectation elsewhere in the floodplain;
 - e. have reliable flood free access for pedestrians and vehicles from the development, at a minimum level equal to the Flood Planning Level;
 - f. have driveways between car parking spaces and the connecting public roadway that will not be inundated by a depth of water greater than 0.3m during a 100 year ARI (average recurrent interval) flood event.
 - g. All service conduits located below the Flood Planning Level would need to be made fully flood compatible and suitable for continuous under water immersion. Conduits would need to be self-draining if subjected to flooding.
 - h. Any dangerous and hazardous materials not to be stored below the Flood Planning Level.
4. Structural elements of any buildings below the FPL would need to be assessed and certified by a specialist structural engineer experienced in riverine hydraulic processes having regard to the items in Section 3. Design and certification for required structural elements would need to be assessed against the predicted 100 year ARI flood flow behaviour.
5. If a word or expression used in this control is defined in the Floodplain Development Manual, the word or expression has the same meaning as it has in that Manual unless it is otherwise defined in this clause.

Habitable floor area means:

- a. In a **residential situation**: a living or working area, such as a lounge room, dining room, rumpus room, kitchen, bedroom or workroom;
- b. In an **industrial or commercial situation**: an area used for offices or to store valuable possessions susceptible to flood damage in the event of a flood.

Average Recurrence Interval (ARI) is the long-term average number of years between the occurrence of a flood as big as (or larger than) the selected event.

3. Fencing shall not obstruct the view of landscaping from the street or a driver's view (from the driveway) of the road.
4. Fencing must be open-style metal fencing (e.g. black wire mesh fencing).

Landscaping and Tree Preservation

1. All setback areas shall be landscaped and maintained.
2. Landscaping may include a mix of trees, shrubs and groundcovers that are endemic to the locality.

Car Parking

1. Car parking areas are to be provided to the rear or side of development.
2. For properties which adjoin a public road, no car parking will be permitted within the front building setback.
3. Car parking rates for industrial and warehouse development within the Edwards Road Precinct should be reduced to:
 - Industrial: 1 space per 75m² of Gross Floor Area; and
 - Warehouse: 1 space per 75m² of Gross Floor Area.

Vehicular Access

1. Entry/egress points (access roads) to developments shall be shared so as to minimise access points to public roads.
2. Proposed roads must be consistent with the indicative road layout.
3. When locating access points consideration must be given to:
 - a. The potential isolation of any adjoining lots,
 - b. The safety of the proposed access point for pedestrians and vehicles, in terms of vehicular speeds, sight lines, proximity to other existing and proposed access points.

Management of Biodiversity

1. A Flora and Fauna Assessment will be required for any application for development on land which contains endangered or critically endangered ecological communities. The assessment will need to identify the extent and significance of vegetation communities on site.
2. Council may also request the preparation of a vegetation management plan as part of any approval for development on land containing endangered or critically endangered ecological communities. The plan will include the following:
 - Identify the extent of the area for retention;
 - Establish a noxious weed control program;
 - Include a program for vegetation management and investment so as to improve the vegetation condition and the long term viability of the ecologically endangered communities and fauna habitats on site;
 - Incorporate an appropriate planting regime of understory species;
 - Removal of barbed fencing and trails within the site and on lot boundaries; and
 - Remangement of the riparian corridor along the length of the creek and storm water drainage channels on site.
3. If consent is issued for the subdivision of land within a conservation area, a restriction as to user will be placed on the title of the land identified for retention pursuant to Section 88(b) of the Conveyancing Act 1919. The Section 88(b) instrument will impose obligations on the owner to protect and maintain the conservation area identified within the vegetation management plan.

9.3 DEVELOPMENT CONTRIBUTION PLAN RECOMMENDATIONS

The following table provides a comparison of the potential floor space achievable through the Master Plan ~~in light of the two options contained within the Draft Master Plan~~ and compares these figures with the potential floor space achievable under the current zoning and development controls applying to the precinct. As can be seen both options will result in additional floor space potential within the precinct.

Potential floor space m ²		
Zone	Current assumptions (CP 11)	Master Plan
B6 Enterprise Corridor	Nil	173,692 292,326
IN2 Light Industrial	215,495	Nil
TOTAL	215,495	173,692 292,326

Figure 19

Potential Floor Space Comparison

In light of the recommendations of the Master Plan, an amendment to Contributions Plan No. 11 will be required. The amendment will update the works program to reflect ~~intersection~~ the ~~road~~ upgrades ~~along Annangrove Road which will be~~ required to support future growth within the precinct.