

- 2.16 It is recommended that all definitions within the Growth Centres SEPP, not just housing types, be amended to be consistent with the Standard Instrument.

3. Amendments to Development Control Plans and Dwelling Density Guide

- 3.1 Changes proposed relating to the approval pathways are not supported. Council's current framework for the considered early release of subdivision certificates prior to the construction of dwellings provides the required certainty of built form and streetscape outcomes whilst providing flexibility for the development industry and the market.
- 3.2 The removal of development controls relating to amenity for dwelling houses in higher density areas are not supported given the outcomes would result in sub standard housing product that is inconsistent with Council's strategic direction to deliver desirable and high quality living environments that reflects the values and aspirations of the Hills community.
- 3.3 Further consideration and consultation with Council is required on the detailed contents of the amending Development Control Plan and the Dwelling Density Guide prior to the finalisation of the proposals to ensure these are consistent and appropriate to the unique characteristics of the Hill Shire.

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, P. Gangemi, A.C. Jefferies, A. Haselden

VOTING AGAINST THE MOTION

None

ITEM-5

**CONSIDERATION OF SUBMISSIONS - PLANNING
PROPOSAL DRAFT DCP AND DRAFT
CONTRIBUTIONS PLAN - EDWARDS ROAD PRECINCT
(11/2013/PLP)**

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

THE MOTION WAS PUT AND CARRIED.

591 RESOLUTION

1. The planning proposal (11/2013/PLP) – *to rezone land at the Edwards Road Precinct, Rouse Hill and apply minimum lot size controls to the subject land*, be adopted and forwarded to the Department of Planning and Infrastructure for finalisation.

2. Draft The Hills Development Control Plan 2012 (Part B Section 7 and Part C Section 1 – Parking) and draft Development Contributions Plan No.11 – Annangrove Road Light Industry be adopted. Commencement of the amendments to the Development Control Plan and Contributions Plan No.11 shall occur following the amendment to *The Hills Local Environmental Plan 2012* being notification of on the NSW Legislation website.

VOTING FOR THE MOTION

VOTING AGAINST THE MOTION

CALL OF THE AGENDA

THE MOTION WAS PUT AND CARRIED.

592 RESOLUTION

ITEM-6

DA 1356/2010/JPZ AND DA 1357/2010/JPZ -
RELEASE OF RIGHT OF CARRIAGEWAYS - LOTS
1020, 1022 AND 1023 DP 1149731, WITHERS
ROAD, KELLYVILLE

593 RESOLUTION

ITEM-7

**DA 1254/2012/ZB - RELEASE OF RIGHT OF ACCESS,
EASEMENT FOR SERVICES AND EASEMENT FOR
EFFLUENT DISPOSAL - LOT 1002 DP 1178215 AND
LOT 1003 DP 1178216, 3A AND 5A STRINGER ROAD,
KELLYVILLE**

594 RESOLUTION

Council consent to the release of the 2m wide easement for effluent disposal affecting part of Lot 1002 DP 1178215 (5A Stringer Road) and the 4m wide right of access and associated easement for services affecting part of Lot 1003 DP 1178216 (3A Stringer Road) and the request documents be authorised for execution under Council seal.

ITEM-5	CONSIDERATION OF SUBMISSIONS - PLANNING PROPOSAL DRAFT DCP AND DRAFT CONTRIBUTIONS PLAN - EDWARDS ROAD PRECINCT (11/2013/PLP)
THEME:	Balanced Urban Growth
OUTCOME:	7 Responsible planning facilitates a desirable living environment and meets growth targets.
STRATEGY:	7.2 Manage new and existing development with a robust framework of policies, plans and processes that is in accordance with community needs and expectations.
GROUP:	STRATEGIC PLANNING
AUTHOR:	FORWARD PLANNING COORDINATOR BRENT WOODHAMS
RESPONSIBLE OFFICER:	MANAGER FORWARD PLANNING STEWART SEALE

EXECUTIVE SUMMARY

A planning proposal (11/2013/PLP), draft amendments to The Hills Development Control Plan 2012 (Part B Section 7 – Industry and Part C Section 1 – Parking) and draft Contributions Plan No. 11 – Annangrove Road Light Industry were placed on public exhibition from Tuesday 9 July to Friday 9 August 2013.

The planning proposal applies to the Edwards Road Precinct and seeks to amend *The Hills Local Environmental Plan 2012* as follows:

- Amend the Land Zoning Map to rezone the precinct from the IN2 Light Industrial zone to the B6 Enterprise Corridor zone;
- Amend the Lot Size Map to reduce the minimum lot size from 8,000m² to a mix of 2,500m², 4,000m² and 8,000m²; and
- Amend the Land Reservation Acquisition Map to reflect the updated extent of land required for local road widening.

Draft amendments to The Hills Development Control Plan 2012 and a draft Contributions Plan No.11 were also exhibited in support of the planning proposal.

Whilst some post exhibition amendments have been made to the exhibited development controls and contributions plan as outlined in this report, re-exhibition of the planning proposal, draft development controls and draft contributions plan is not considered to be warranted as a result of these amendments.

On 28 May 2013 an authorisation was issued by the Department of Planning and Infrastructure for Council to exercise its delegation to make the Plan. However, there remains an unresolved objection from the Office of Environment and Heritage with respect to approach being pursued for the management of significant vegetation within Precinct. The Department of Planning & Infrastructure have verbally advised that if there is an unresolved objection from a State Agency then delegation will not apply.

It is recommended that the planning proposal, draft amendments to The Hills Development Control Plan 2012 and draft Contributions Plan No.11 be adopted by Council and forwarded to the Department of Planning & Infrastructure for finalisation.

It is further recommended that the amendments to The Hills Development Control Plan 2012 and draft Contributions Plan No.11 be adopted. Commencement of these amendments will be the date on which the amendment to *The Hills Local Environmental Plan 2012* is published on the NSW Legislation website.

HISTORY

03/07/2012	Councillor Workshop to brief Councillors on the Draft Indicative Master Plan for the Precinct.
24/07/2012	Council resolved to publicly exhibit the Draft Indicative Master Plan.
07/08/2012 – 07/09/2012	Public Exhibition of the Draft Indicative Master Plan.
27/11/2012	Council considered a report on the outcome of the public exhibition of the Draft Indicative Master Plan and resolved the following: <i>1. This matter be deferred to allow further consultation with affected property owners.</i> <i>2. Following this consultation, a report be submitted to a Council meeting in February 2013.</i>
20/12/2012	Further consultation meeting held with affected property owners.
12/02/2013	Council considered a report on the outcome of the landowner consultation meeting and resolved the following <i>1. The revised Master Plan – Edwards Road Precinct be adopted.</i> <i>2. A Planning Proposal, draft Development Control Plan and Section 94 Development Contributions Plan be prepared to implement the Edwards Road Precinct Master Plan.</i>
03/04/2013	Section 56 Notification sent to the Department of Planning and Infrastructure.
28/05/2013	Gateway Determination received from the Department of Planning and Infrastructure.
09/07/2013 09/08/2013	– Public exhibition of the planning proposal, draft amendments to The Hills Development Control Plan 2012 (Part B Section 7 – Industry and Part C Section 1 – Parking) and draft Contributions Plan No.11 – Annangrove road Light Industry.
19/09/2013	A meeting was held between Council officers and the Office of Environment and Heritage to resolve a number of issues raised within the submission received from OEH.

BACKGROUND

At its meeting of 12 February 2013 Council adopted the Master Plan for the Edwards Road Precinct. The Master Plan seeks to balance development potential and promote economic growth within the employment area whilst having regard to the unique environmental characteristics of the Precinct. In accordance with the recommendations of the Master Plan a number of amendments were prepared for the following key planning documents:

- *The Hills Local Environmental Plan 2012*;
- The Hills Development Control Plan 2012 (Part B Section 7 – Industry and Part C Section 1 – Parking); and
- Development Contributions Plan No.11 – Annangrove Road Light Industrial Area.

On 28 May 2013 the Department of Planning and Infrastructure issued a Gateway Determination to enable the exhibition of the planning proposal for the Edwards Road Precinct (11/2013/PLP). An authorisation for Council to exercise its delegation to make the Plan was issued concurrently with the Gateway Determination.

The planning proposal applies to the Edwards Road Precinct and seeks to amend *The Hills Local Environmental Plan 2012* as follows:

- Amend the Land Zoning Map to rezone the precinct from the IN2 Light Industrial zone to the B6 Enterprise Corridor zone;
- Amend the Lot Size Map to reduce the minimum lot size from 8,000m² to a mix of 2,500m², 4,000m² and 8,000m²; and
- Amend the Land Reservation Acquisition Map to reflect the updated extent of land required for local road widening.

The proposed Land Zoning Map and Lot Size Map are included in the following figures.

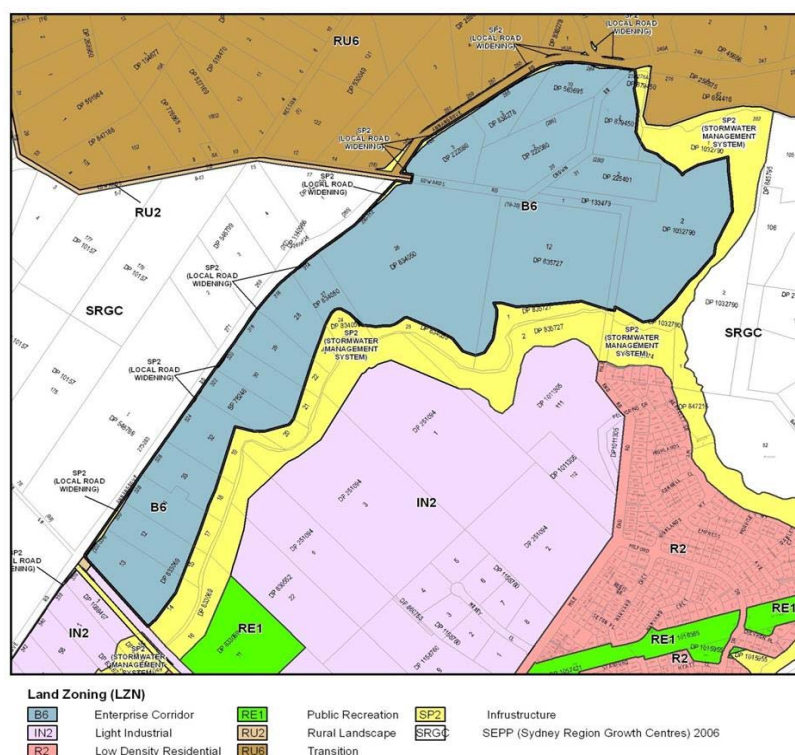


Figure 1
Proposed Land Zoning Map

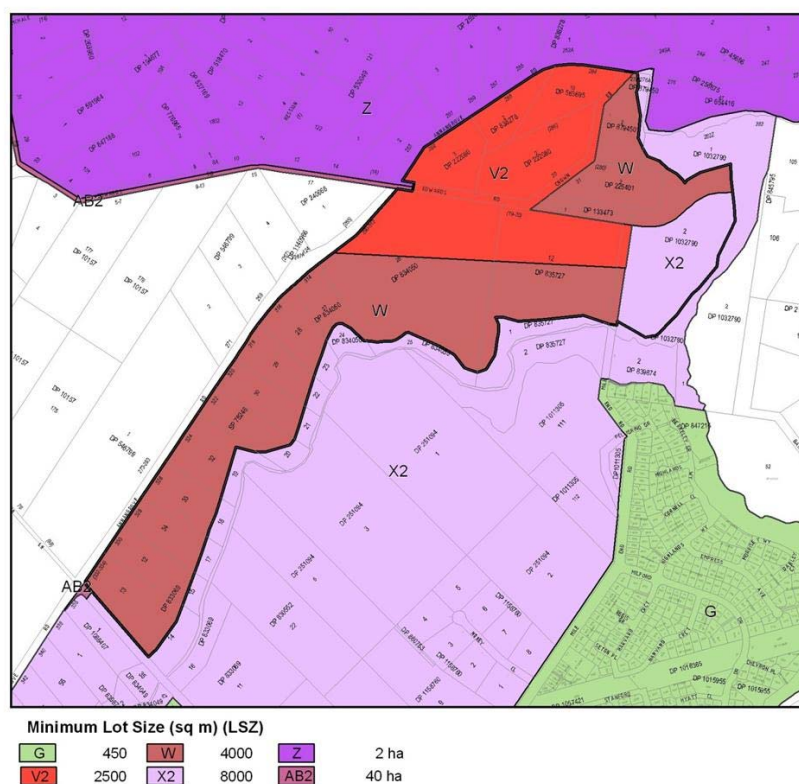


Figure 2
Proposed Lot Size Map

Draft amendments to The Hills Development Control Plan 2012 (Part B Section 7 – Industry and Part C Section 1 – Parking) and Contributions Plan No.11 – Annangrove Road Light Industry were also exhibited in support of the planning proposal. The development control amendments were prepared to address the proposed road layout, access, built form controls, parking and landscaping.

REPORT

The purpose of this report is to consider the submissions received during the exhibition of the planning proposal (11/2013/PLP), draft amendments to The Hills Development Control Plan 2012 (Part B Section 7 – Industry and Part C Section 1 – Parking) and draft Contributions Plan No.11 – Annangrove Road Light Industry. The report is structured as follows:

1. Exhibition Details;
2. Summary of Submissions;
3. Consultation with Public Authorities;
4. Public Submission;
5. Development Contributions (Net Present Value Methodology);
6. Post Exhibition Amendments; and
7. Delegation of Plan Making Decisions.

1. EXHIBITION DETAILS

The planning proposal, draft development controls and draft contributions plan were exhibited for thirty-one (31) days from Tuesday 9 July 2013 to Friday 9 August 2013. The exhibition material included the following:

- Planning Proposal – Edwards Road Precinct including attachments (11/2013/PLP);
- Draft The Hills Development Control Plan (Part B Section 7 – Industrial);
- Draft The Hills Development Control Plan (Part C Section 1 – Parking);
- Draft Contributions Plan No.11 – Annangrove road Light Industry;
- Council Report and Minute – 12 February 2013;
- Council Report and Minute – 27 November 2012;
- Council Report and Minute 24 July 2012; and
- Supporting documents including the Department of Planning and Infrastructure Gateway Determination, *The Hills Local Environmental Plan 2012*, relevant State Environmental Planning Policies and Section 117 Ministerial Directions.

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 9 July 2013 and repeated on Tuesday 23 July 2013; and
- The Rouse Hill Times on Wednesday 10 July 2013 and repeated on Wednesday 24 July 2013.

Council wrote to 94 property owners within and surrounding the Edwards Road Precinct. The notification advised property owners on where to find the exhibition material and how to make submissions.

In accordance with the Gateway Determination eleven (11) public authorities were also notified and were provided with a copy of the exhibition material.

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

A total of twelve (12) submissions were received in response to the exhibition period. These consisted of seven (7) submissions from public authorities and five (5) public submissions.

3. CONSULTATION WITH PUBLIC AUTHORITIES

Submissions were received from the following public authorities:

- Department of Planning and Infrastructure – Strategies and Land Release Team;
- NSW Rural Fire Service;
- Endeavour Energy;
- NSW Office of Water – Department of Primary Industries;
- Roads and Maritime Services;
- Office of Environment and Heritage; and
- TransGrid.

This section details the issues raised within the public authority submissions and provides comments to address each issue. A full summary of the public authority submissions has been included as Attachment 1.

(a) Department of Planning and Infrastructure – Strategies and Land Release

The Strategies and Land Release Team of the Department of Planning and Infrastructure raised no objection to the planning proposal, however noted that the land covered by *State Environmental Planning Policy (Sydney Region Growth Centres 2006)* (Growth Centres SEPP) will need to be removed from the final planning proposal documentation.

Comment:

The mapping snapshots contained within the planning proposal were updated prior to the public exhibition period to reflect the formal release of the Box Hill and Box Hill Industrial Precincts. Whilst the Standard Technical A3 maps were not exhibited as part of the planning proposal, Council officers will ensure that the Standard Technical A3 maps appropriately reflect the release of these precincts.

(b) NSW Rural Fire Service

The NSW Rural Fire Service raised no objection to the draft plans, however highlighted that a number of matters would need to be addressed as part of the assessment process for any future development applications.

Comment:

As the Precinct contains significant vegetation and the majority identified as bushfire prone land, any future development will need to comply with section 79BA 'Consultation and Development Consent – Certain Bush Fire Prone Land' of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and Section 91 of the EP&A Act if integrated development is proposed.

Future development on bush fire prone land will need to be supported by a bushfire assessment addressing how the development meets the aims and objectives of the *Planning for Bushfire Protection Guidelines 2006* in relation to matters such as building materials, access, water, services, emergency planning and landscaping/vegetation management. This will include the provision and maintenance of asset protection zones.

(c) Endeavour Energy

Endeavour Energy raised no objection to the planning proposal, however noted that the B6 Enterprise Corridor zone is likely to attract higher electrical loading than the IN2 Light Industrial zone. Depending on the nature of the customer within the proposed B6 Enterprise Corridor zone, the existing supply network from Mungerie Park Zone Substation may require further augmentation or new supply feeders.

Comment:

With respect of electricity infrastructure and connections, the development consent for subdivision will require the developer to obtain a Notification of Arrangement (NOA) from Endeavour Energy. This NOA will indicate that the developer has made the necessary arrangements to provide electrical services to the development and that the costs and other servicing requirements identified by Endeavour Energy have been satisfied.

(d) Office of Water – Department of Primary Industries

The Office of Water raised a number of issues within their submission. The key issues are detailed below.

Zoning of Riparian Corridors

The Office of Water's preference is for the riparian corridor to be zoned E2 Environmental Conservation. However if the riparian corridors are to be zoned B6 Enterprise Corridor, the Office of Water recommend that an objective be included under the zone to protect and enhance the creeks and riparian lands.

Comment:

Control C2.2(C) of Part B Section 7 – Industrial of the Development Control Plan identifies a 40 metre setback from the top bank of the creek which is in accordance with the NSW Office of Water Guidelines for Riparian Corridors on Waterfront Land, dated July 2012. As part of the assessment of any future development within the Precinct, applicants will be required to identify the appropriate riparian corridor distance from the creek in accordance with the NSW Office of Water Guidelines, as is currently undertaken within the other industrial areas within the Shire.

The application of a new objective to the B6 Enterprise Corridor zone to protect and enhance the riparian lands is not considered to be necessary as not all land zoned B6 Enterprise Corridor contains riparian land. Rather the management of riparian areas will occur through the 'Biodiversity' controls contained within Development Control Plan 2012.

Conservation Areas

The submission noted that it was not clear as to why the conservation areas were not identified as part of the rezoning process for the Edwards Road Precinct, rather than deferring their identification until the development assessment process.

Comment:

The Flora and Fauna Assessment undertaken as part of the preparation of the Master Plan was only intended to identify the location and significance of vegetation communities within the Precinct. The assessment was not intended to set conservation areas or riparian corridors for each site within the Precinct.

It is proposed that the management of areas of significant vegetation be undertaken via the existing assessment framework under the *Environmental Planning and Assessment Act 1979*, *Threatened Species Conservation Act 1995* and the *Environment Protection and Biodiversity Conservation Act 1999*. This will involve the preparation of a species impact assessment for any development which is likely to have a significant impact on the vegetation communities within the precinct. 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'.

Ownership of Riparian Lands

The Office of Water comments that they prefer urban riparian land, in principle, to be under public (Council) ownership to ensure that riparian land is protected and managed in a consistent manner.

Comment:

Council does not have the financial resources available to acquire the riparian corridor land within this Precinct. Accordingly, it is proposed that the riparian corridor distances and conservation areas be contained within both the Stormwater Management System and future development lots. These distances will be determined at the development assessment stage and will take into account site specific conditions.

Perimeter Road

The Office of Water recommends that the layout of the precinct be designed with a perimeter road so that the lots front onto the riparian land.

Comment:

The option of a perimeter road along the riparian corridor was considered during the preparation of the Master Plan. However this option was considered to not be appropriate as it would significantly increase the cost of redevelopment and would also bisect areas of significant vegetation including Cumberland Plain Woodland and Shale Sandstone Transition Forest.

(e) Roads and Maritime Services

The Roads and Maritime Services raised no objection to the planning proposal, however noted that the proposed traffic signals at the intersection of Annangrove Road and Withers Road would need RMS approval.

Comment:

Approval will need to be sought from the Roads and Maritime Services prior to the installation of the traffic control signals at this location.

(f) Office of Environment and Heritage

The Office of Environment and Heritage (OEH) raised a number of issues with respect to the planning proposal. As a result of these issues OEH has stated that they are unable to support the planning proposal in its current form. The key issues raised within the OEH submission are detailed below.

Management of Significant Vegetation

OEH does not support Council's approach of zoning the site B6 Enterprise Corridor and deferring the decision making on identification and location of the development and conservation areas, including the management of Critically Endangered and Endangered Ecological Communities to the development assessment stage. OEH is concerned that the planning proposal has the potential to adversely affect the vegetation communities on the site as planning mechanisms to protect this vegetation are not included in the planning proposal.

Comment:

The position of OEH that the planning proposal has the potential to adversely affect the vegetation communities within the Precinct is not supported. The Annangrove Road Light Industrial Area was zoned for industrial purposes in 1991 and as such industrial development is, and will continue to be, permitted.

As outlined within the planning proposal, the management of areas of significant vegetation will be undertaken via the existing assessment framework under the *Environmental Planning and Assessment Act 1979*, *Threatened Species Conservation Act 1995* and the *Environment Protection and Biodiversity Conservation Act 1999*. This will involve the preparation of a species impact statement for any development which is likely to have a significant impact on the vegetation communities within the precinct.

If such development is approved, Council will require as a condition of development 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. The preparation of a Vegetation Management Plan will ensure that the areas which are deemed to have highest conservation significance are appropriately managed to encourage the regeneration of any remnant vegetation. As part of the assessment

process, compensatory offset measures could 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'.

It is noted that most areas of vegetation within the Precinct will require management to enhance their condition and support their long term viability. In this regard future development must be economically feasible so as to ensure that sufficient funds are available to allocate toward the initial regeneration works and the ongoing management of the conservation areas. The planning proposal seeks to provide additional development opportunities which will enable future development to be concentrated on the portion of each site which is least constrained and enable the generation of sufficient funds to manage and regenerate the areas which are identified for retention through future development proposals.

Proposed Zoning

OEH is of the view that the proposed B6 Enterprise Corridor zone will result in a poor strategic planning outcome as it leaves significant issues unresolved. The submission comments that the impacts to significant vegetation should be avoided with areas identified as high biodiversity and conservation value and should be protected through a suitable conservation zoning such as the E2 Environmental Conservation zone.

Comment:

Application of an E2 Environmental Conservation zone to denote 'conservation areas', is not considered to be appropriate in this instance. The application of this zone is considered to be too definitive and would not provide sufficient flexibility to manage significant vegetation through future development proposals. During the preparation of the Master Plan and planning proposal, the identification of conservation areas was not considered to be appropriate as there was a significant amount of ambiguity with respect to the potential boundaries of any conservation area.

The application of the E2 Environmental Conservation zone to the areas identified as being 'high constraint', as recommended by OEH, would effectively sterilise entire properties from development. This would be unacceptable outcome as it would prevent opportunities for alternate solutions (such as biobanking), impact on the rights of the landowners and potentially create an acquisition liability for Council.

The management of significant vegetation, whilst important, is not the sole purpose of this planning proposal. The purpose of the planning proposal is to stimulate redevelopment and job creation within the existing employment area in a manner which is sensitive to the unique environmental constraints of the Precinct. In this regard the existing assessment framework for the management of vegetation is considered to be appropriate.

Biodiversity Offsets

OEH comment that it appears that the planning proposal and master plan have not provided any detail demonstrating that impacts on biodiversity have been avoided and mitigated, and that offsetting is avoidable. OEH considers that the proposal is inconsistent with the OEH Principles for the Use of Biodiversity Offsets in NSW.

Comment:

Whilst it is acknowledged that the Precinct contains significant vegetation, it is proposed that the management of significant vegetation be undertaken as part of the existing assessment framework.

The Flora and Fauna Assessment (undertaken at the Master Planning stage) recommended that future development avoid, minimise and ameliorate any impacts on endangered communities to the maximum extent possible, with compensatory (or offset) measures considered for any significant impacts that cannot be avoided or mitigated. It was also recommended that these offsetting measures should be developed in accordance with the 'Principles for the use of Biodiversity Offsets in NSW'. The study proposes that the Bio-banking Assessment methodology be used to develop offsetting measures.

Future development within the Precinct, which has the potential to result in a significant impact on the listed vegetation communities, will need to identify compensatory offset measures for any significant impacts that cannot be avoided or mitigated. Accordingly, the assertion of OEH that the proposal is inconsistent with the '*Principles for the Use of Biodiversity Offsets in NSW*' is not supported.

Aboriginal Cultural Heritage

OEH notes that the large amount of vegetation implies that it is probable that Aboriginal objects are located within the proposed development area. The submission continues by commenting that an assessment needs to be undertaken to identify the nature, extent, cultural and scientific significance of the potential Aboriginal archaeology within the Precinct and how these potential items are to be protected from harm. OEH recommends the completion of two Aboriginal heritage assessments including an archaeological assessment and cultural heritage assessment.

Comment:

The preparation of an archaeological assessment and cultural heritage assessment as recommended by OEH is not considered to be necessary. As mentioned previously, the Precinct was zoned for industrial development in 1991 and as such industrial development is and will continue to be permitted. If there is Aboriginal archaeology within the Precinct, these items would be contained within the riparian areas of the Precinct which would be identified and managed as part of any future development proposals.

(g) TransGrid

Easement Guidelines

Within its submission TransGrid notes that a 330kv easement passes through the Edwards Road Precinct and seeks that appropriate development controls be attached to any future development within the vicinity of TransGrid infrastructure of interests.

Comment:

Control 2.21 - Services identifies that development restrictions apply within electricity easements and that developers and landowners are required to seek approval from the electricity provider for all activities and works carried out within the easement.

Zoning of Infrastructure

TransGrid recommends that electricity easements be zoned in accordance with the appropriate adjacent land zone, and continues by recommending that the development of electricity infrastructure is not prohibited in any zone.

Comment:

The electricity easement within the Edwards Road Precinct is proposed to be zoned consistent with the adjoining zone. In accordance with *State Environmental Planning Policy (Infrastructure) 2007* development for the purpose of '*electricity transmission or distribution network*' may be carried out by or on behalf of an electricity supply authority or public authority without consent on any land.

4. PUBLIC SUBMISSIONS

Council received five (5) public submissions during the exhibition period. This section provides an overview of the key issues raised within the public submissions and comments to address each issue. A full summary of the public submissions has been included as Attachment 2. The following key issues were raised within the submissions received:

- (a) Creek Setback Control;
- (b) Road Upgrades;
- (c) Section 94 Development Contributions; and
- (d) Subdivision Pattern.

(a) Creek Setback Control

One (1) submission raised concern with respect to the creek setback requirement under control C2.2(C) Part B Section 7 – Industrial section of the Development Control Plan. The control sets a minimum creek setback of 40 metres from the top bank of the creek or otherwise to the requirements of the Office of Water. The submitter questions how far into his property the 40 metre setback will intrude.

Comment:

The 40 metre setback from the top bank of the creek is in accordance with the NSW Office of Water Guidelines for Riparian Corridors on Waterfront Land, dated July 2012. As part of the assessment of any future development within the precinct, applicants will be required to identify the appropriate riparian corridor distance from the creek in accordance with the NSW Office of Water Guidelines. However, it is recognised that this setback distance may vary due to site specific conditions.

(b) Road Upgrades

One (1) submission raised the following issues in relation to the proposed road upgrades:

- A left turn slip lanes should be provided on all four corners of the intersection of Annangrove Road and Withers Road to maintain capacity along Annangrove Road;
- The right turn bays at the intersection of Withers Road and Annangrove Road should be 100 metres in either direction along Annangrove Road; and
- Queried the need for the separate left turn lane (from north to east) from Annangrove road onto Edwards Road.

Comment:

Based on the SIDRA analysis undertaken as part of the Traffic & Transport Assessment (undertaken at the Master Planning stage), the provision of left turn slip lanes on Annangrove Road was not considered to be warranted. With respect to the right turn lanes along Annangrove Road the Traffic & Transport Assessment identified a 30 metre right turn lane in the northbound approach and a 30 metre right turn lane in the southbound approach. These lengths were in accordance with the SIDRA Analysis and the deceleration distance requirements of Austroads /RMS Design Guidelines. Accordingly, no amendment is considered necessary to the design concept.

It is considered that the left turn slip lane from Annangrove Road to Edwards Road is required to accommodate future traffic demand. During the preparation of the Traffic and Transport Assessment a conservative 90/10% distribution scenario was adopted. This scenario estimates a distribution of 90% travelling to the Edwards Road Precinct

and 10% from the precinct in the AM peak, with the reverse distribution ratio utilised in the PM peak). The left turn slip lane was required for the 90/10% traffic distribution scenario as the level of service without the slip lane would become unacceptable, with a Level of Service of F.

(c) Section 94 Development Contributions

One (1) submission commented that the Section 94 Development Contribution Plan seems very unreasonable and notes that the Contribution Plan for Castle Hill is based upon a percentage of building costs (1%) however the Annangrove Road Contributions Plan is based upon a square metre rate. The submitter continues by commenting that a more equitable approach would be to average out the costs to make it fairer on all.

Comment:

Contributions Plan No.11 levies for the cost of infrastructure upgrades required to support redevelopment within the Annangrove Road Light Industrial Area. The Section 94 Contribution method is considered to be most appropriate contribution method for the industrial area as there is a clear nexus between the demand for infrastructure and the future development potential within the industrial area.

The submitter's comment that the infrastructure costs within the Precinct should be averaged out over the Shire is not supported. Whilst it is acknowledged that the Section 94A Development Contribution method is appropriate in certain circumstances, it is not considered to be appropriate where the cost of infrastructure is higher and where the need for that infrastructure relates specifically to the expected development within that area.

(d) Subdivision Pattern

One (1) submission commented that the recommended lot size reduction in the Southern Frame will not be achievable given the ecological constraints and the need to retain the 40 metre frontage.

Comment:

It is acknowledged that larger lots will be required in certain areas to ensure that the environmentally constrained land is wholly contained within future development lots. However the size of future lots will need to be established as part of future development proposals and will need to take into account the extent of constrained land. The proposed amendments to the zoning, development standards and development controls are considered to be appropriate to facilitate viable redevelopment within the Precinct.

5. DEVELOPMENT CONTRIBUTIONS (NET PRESENT VALUE METHODOLOGY)

In accordance with the Department of Planning and Infrastructure's 'Development Contribution Practice Notes' (dated July 2005), Councils have two options for the calculation of contribution rates. These two options include the 'nominal value' methodology and the 'net present value' (NPV) methodology.

The exhibited contribution plan utilised the nominal value methodology whereby the cost of infrastructure was estimated using 'nominal' dollar values. Whilst this approach is the traditional method of calculating contribution rates, it is considered to be deficient as it does not factor in the changing value of money over time. This method relies on the indexation of the contribution rate on a quarterly basis in accordance with variations in the Consumer Price Index.

To ensure that the value of contributions is not eroded over time it is proposed that draft contribution plan be amended to apply the Net Present Value methodology for the calculation of the contribution rate. This approach is a standard financial accounting tool which discounts future cash flows to account for the fact that funds received and spent today are worth more than funds received and spent in the future. To better account for the changing value of money over time it is proposed that the Plan be amended to apply the NPV methodology.

The indexation of the contribution rates between the 2013/14 financial year and the 2017/18 financial year are embedded within the Plan. The contribution rate payable in the current financial year (2013/14) would be \$72.86 per square metre of additional floor space. As a comparison the exhibited Plan, based on the 'nominal' methodology, identified a contribution rate of \$73.99. As there is only a small variation to the contribution rate, re-exhibition of the Plan is not considered to be warranted.

6. POST EXHIBITION AMENDMENTS

It is recommended that a number of amendments be made to draft The Hills Development Control Plan 2012 (Part B Section 7 Industrial) and the draft Development Contributions Plan No.11 – Annangrove Road Light Industry. The recommended amendments are detailed within the following tables.

Summary of Amendment to Draft The Hills Development Control Plan 2012 (Part B Section 7 Industrial)			
Issue	Exhibited	Amended	Comment
Correct a mis-description within Control C2.2(C) of Part B Section 7 – Industrial	(c) The minimum creek setback of 40 metres from the top bank of the creek or otherwise to the requirements of the Office of Environment and Heritage.	(c)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 Water.	There was a minor mis-description within Control C2.2(C). The control, as exhibited, inadvertently referred to the Office of Environment and Heritage instead of the Office of Water. It is proposed that this anomaly be corrected.
Update C1.1 Land to Which this Appendix Applies	Part C1.1 Land to which this Appendix Applies included the following: 'This appendix applies to land identified as the Edwards Road Precinct within Appendix A – Precinct Based Development Control Plans (Sheet 6) of this Section of the DCP'.	This has been amended to include an aerial photo of the Edwards Road Precinct. The control has also been amended to highlight that the Precinct is known to contain areas of Cumberland Plain Woodland and Shale Sandstone Transition Forest which are listed communities under	This information was included to ensure that all future developers are aware that the Precinct is known to contain both endangered and critically endangered ecological communities and that additional assessment processes would apply for any future development proposed on sites containing either community.

Summary of Amendment to Draft The Hills Development Control Plan 2012 (Part B Section 7 Industrial)			
Issue	Exhibited	Amended	Comment
		both the <i>Threatened Species Conservation Act 1995 (TSC Act)</i> and the <i>Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)</i> .	
Amend Control C2.7 Management of Biodiversity	A number of biodiversity controls were included within Control C2.7 Management of Biodiversity. These controls duplicated the assessment framework under the <i>EP&A Act</i> and the <i>TSC Act</i> .	It is proposed that these controls be deleted from the Plan.	As the development controls reiterate the assessment frameworks which are already established under the <i>EP&A Act</i> and the <i>TSC Act</i> , it is recommended that these development controls be deleted to avoid duplication of assessment and submission requirements. It is highlighted that future development proposals within the precinct will still need to address the assessment framework under the abovementioned legislation.

Table 1

Summary of Amendments to Draft The Hills Development Control Plan 2012 (Part B Section 7 Industrial)

Summary of Amendment to Draft Contributions Plan No.11 (Annangrove Road Light Industry)			
Issue	Exhibited	Amended	Comment
Summary of Works by Facility Category	Not included within exhibited Contributions Plan.	A summary of works will be included within the Plan. The Schedule identifies when the funds are proposed to be spend	It is proposed that the summary of works be included within the Plan to estimate when the funds will be spent and how much

Summary of Amendment to Draft Contributions Plan No.11 (Annangrove Road Light Industry)			
Issue	Exhibited	Amended	Comment
		and the anticipated additional floor space for each financial year over the life of the plan. The table will also identify the indexation assumptions for Land Acquisition, Capital Expenditure, Administrative Costs and Discount Rate.	additional floor space will be created over the life of the plan. These are the estimates which have been applied as part of the discounted cash flow model.
Schedule 2 - Rates Schedule	The exhibited rates schedule identified a contribution rate of \$73.99 per square metre of additional floor space.	The new contribution rates schedule will identify a contribution rate of \$72.86 per square metre of additional floor space.	The rates schedule must be amended to identify the new contribution rates.
Methodology for Calculating the Contribution Rate	Clause 2.19 provided an overview of the methodology for determining the contribution rate. This was based on the 'nominal' value methodology.	Amend Clause 2.19 Calculation of Contribution Rate by deleting the 'nominal value' methodology and inserting the 'net present value' methodology for the calculation of contribution rates.	This clause must be amended to include an outline of the net present value methodology.
Review of Contribution Rates	Under Clause 2.20 the exhibited plan identified that the contribution rates would be indexed quarterly using the Consumer Price Index.	It is proposed that this clause be deleted.	Forecast variations in the Consumer Price Index have been incorporated into the discounted cash flow model and embedded within the Plan. Accordingly, the contribution rates will not need to be indexed on a quarterly basis.
Adjustment of Contributions at the Time of Payment	Clause 2.21 of the exhibited plan provided that if the contribution amount stated in the plan is not paid within the quarter in which the consent was	It is proposed that this control be amended replace 'quarter' with financial year.	The contribution rates are embedded within the Plan and will not need to be adjusted on a quarterly basis. The contribution payable will need to be in accordance with the contribution rate

Summary of Amendment to Draft Contributions Plan No.11 (Annangrove Road Light Industry)			
Issue	Exhibited	Amended	Comment
	granted, the contribution payable would be adjusted in accordance with the contribution rate at the time of payment.		applicable during the financial year during which the contribution is being paid.
Administrative Changes	N/A	• Clause 2.22 will be re-numbered as Clause 2.20; • Clause 2.23 will be renumbered as Clause 2.21; • Clause 2.24 will be renumbered as Clause 2.22.	This is a formatting update to ensure that the clause numbering is correct.

Table 2

Summary of Amendments to Draft Development Contributions Plan No. 11 (Annangrove Road Light Industry)

7. DELEGATION OF PLAN MAKING DECISIONS

As mentioned within this report there is an unresolved objection with respect to the submission received from the Office of Environment and Heritage. The Department of Planning & Infrastructure have verbally advised that if there is an unresolved objection from a State Agency then delegation will not apply. Due to this outstanding objection it is recommended that the planning proposal be forwarded to the Department of Planning & Infrastructure for finalisation and a decision on this matter.

CONCLUSION

The planning proposal and exhibited amendments to The Hills Development Control Plan 2012 and Contributions Plan No.11 are necessary to improve the feasibility of future development within the Edwards Road Precinct.

It is recommended that Council adopt the planning proposal, the draft amendments to The Hills Development Control Plan 2012 (Attachments 3 and 4) and the draft Contributions Plan No.11 – Annangrove Road Light Industry (Attachment 5). Whilst some amendments have been made to the exhibited development controls and contributions plan as outlined in this report, re-exhibition of the draft Plans is not considered to be necessary.

OEH have stated that they object to the planning proposal in its current form. As the matters raised by OEH could not be resolved as part of the review of submissions, it is recommended that the planning proposal be forwarded to the Department of Planning and Infrastructure for a decision on the matter.

If Council resolve to proceed the planning proposal will be forwarded to the Department of Planning and Infrastructure for finalisation.

Commencement of the amendments to The Hills Development Control Plan 2012 (Part B Section 7 – Industry and Part C Section 1 – Parking) and draft Contributions Plan No.11 will be the date on which the draft instrument is published on the NSW Legislation website.

IMPACTS

Financial

It is proposed that the Contribution Plan No.11 be amended to apply the Net Present Value methodology to the calculation of contribution rates. The revised contribution payable (land and capital) per square meter for Contributions Plan No.11 – Annangrove Road Light Industry is as follows:

Facility Category	Rate Per m ²
Transport Facilities - Land	\$11.17
Transport Facilities - Capital	\$61.68
Total	\$72.86
2014/2015	\$74.68
2015/2016	\$76.55
2016/2017	\$78.46
2017/2018	\$80.42

The Hills Future Community Strategic Plan

The planning proposal, amendments to The Hills Development Control Plan 2012 and the review of Development Contributions Plan No.11 will assist in facilitating viable redevelopment and job creation within the Edwards Road Precinct. This approach is consistent with the Community Strategic Plan vision of balanced urban growth. Specifically, the approach being pursued is consistent with Strategy 7.2 which requires Council to manage new and existing development with a robust framework of policies, plans and processes that is in accordance with community needs and expectations.

RECOMMENDATION

1. The planning proposal (11/2013/PLP) – *to rezone land at the Edwards Road Precinct, Rouse Hill and apply minimum lot size controls to the subject land*, be adopted and forwarded to the Department of Planning and Infrastructure for finalisation.
2. Draft The Hills Development Control Plan 2012 (Part B Section 7 and Part C Section 1 – Parking) and draft Development Contributions Plan No.11 – Annangrove Road Light Industry be adopted. Commencement of the amendments to the Development Control Plan and Contributions Plan No.11 shall occur following the amendment to *The Hills Local Environmental Plan 2012* being notification of on the NSW Legislation website.

ATTACHMENTS

1. Review of Public Authority Submissions (10 pages)
2. Review of Public Submissions (5 pages)
3. Draft The Hills Development Control Plan 2012 (Part B Section 7 –Industrial) (Post Exhibition) (39 pages)
4. Draft The Hills Development Control Plan 2012 (Part C Section 1 – Parking) (Post Exhibition) (27 pages)
5. Draft Contributions Plan No. 11 (Annangrove Road Light Industry) (Post Exhibition) (24 pages)

ATTACHMENT 1

Review of Public Authority Submission

Department of Planning and Infrastructure – Strategies and Land Release	
Issues raised	1. <i>No objection is raised to the planning proposal, however notes that land covered by the State Environmental Planning Policy (Sydney Region Growth Centres 2006 (Growth Centres SEPP) will need to be removed from the final planning proposal documentation.</i> Planning Comment: The mapping snapshots contained within the planning proposal were updated prior to the public exhibition period to reflect the formal release of the Box Hill and Box Hill Industrial Precincts. Whilst the Standard Technical A3 maps were not exhibited as part of the planning proposal, officers will ensure that the Standard Technical A3 maps appropriately reflect the release of these precincts.
Action	• Prior to the finalisation of the planning proposal, officers must ensure that the Standard Technical A3 maps reflect the release of the Box Hill and Box Hill Industrial Precincts.
NSW Rural Fire Service	
Issues raised	1. <i>The NSW Rural Fire Service (RFS) raised no objection to the planning proposal however commented that any future development will be required to comply with either Section 79BA (residential, commercial or industrial development) or Section 91 of the Environmental Planning and Assessment Act 1979. Applications affected by Section 91 will require the issue of bush fire safety authority as per section 100B of the Rural Fires Act 1997.</i> Planning Comment: Future development within the precinct will need to comply with section 79BA 'Consultation and development consent—certain bush fire prone land' of the <i>Environmental Planning and Assessment Act 1979</i> or Section 91 of the same Act if integrated development is proposed. 2. <i>In relation to future commercial, industrial or other development uses (excluding residential or Special Fire Protection Purpose development) on bush fire prone land, the submission suggests that the aims and objectives of the Planning for Bushfire Protection Guidelines 2006 be considered. In particular the submission states that asset protection zones (APZs) should be located wholly within the development.</i>

	<i>Where adjoining public reserves or other land tenures, other than existing managed lands are to be relied upon to provide buffer zones, adequate provision must be made for maintenance of asset protection zones in perpetuity.</i> Planning Comment: Future development applications on land which is bushfire prone will need to be supported by a bushfire assessment addressing how the development meets the aims and objectives of <i>Planning for Bushfire Protection Guidelines 2006</i> in relation to access, water, services, emergency planning and landscaping/vegetation management. This will include the provision and maintenance of asset protection zones. <i>3. The submission comments that any Special Fire Protection Purpose which is proposed within the precinct will need to take into account the controls within Section 4.2 of the Planning for Bushfire Protection Guidelines 2006.</i> Planning Comment Future development on bush fire prone land will need to be supported by a bushfire assessment which considers the aims, objectives and requirements contained within the Planning for Bushfire Protection Guidelines 2006. With specific reference to applications for a Special Fire Protection Purpose, these proposals would need to address Section 4.2 Special Fire Protection Purpose of the Guidelines.
Action	No action required, however matters raised within the submission will need to be addressed at the development assessment stage.
Endeavour Energy	
Issues raised	<i>1. No objection is raised to the planning proposal however the area is presently serviced by the Mungerie Park Zone Park Substation and note that B6 Enterprise Corridor zone is likely to attract higher electrical loading than the IN2 Light Industrial zone. Depending on the nature of the customer the proposed B6 Enterprise Corridor, the existing supply network from Mungerie Park Zone Substation may require further augmentation or new supply feeders.</i> Planning Comment With respect of electricity infrastructure and connections, the development consent for subdivision will require the developer to obtain a Notification of Arrangement (NOA) from Endeavour Energy. This NOA will indicate that the developer has made the necessary arrangements to provide electrical services to the development and that the costs and other servicing

	requirements identified by Endeavour Energy have been satisfied.
Action	No action required.
Department of Primary Industries – Office of Water	
Issues raised	1. <i>The Office of Water's preference is for the riparian corridor to be zoned E2 Environmental Conservation. However if the riparian corridors in the precinct are to be zoned B6 Enterprise Corridor, as proposed, it is recommended that an objective be included under the zone to protect and enhance the creeks and riparian lands.</i> Planning Comment Control C2.2(C) of Part B Section 7 – Industrial identifies a 40 metre setback from the top bank of the creek is in accordance with the NSW Office of Water Guidelines for Riparian Corridors on Waterfront Land, dated July 2012. As part of the assessment of future development within the precinct, applicants will be required to identify the appropriate riparian corridor distance from the creek in accordance with the NSW Office of Water Guidelines, as is currently undertaken within the other industrial areas within the Shire. During the preparation of the Master Plan Council did not have sufficient resources to identify the riparian corridor distance for each site, and for this reason it was considered appropriate that these distances be determined through the development assessment process. The application of a new objective to the B6 Enterprise Corridor zone to protect and enhance the riparian lands is not considered to be appropriate as not all land zoned B6 Enterprise Corridor contains riparian land. Rather the management of riparian areas will occur through the 'Biodiversity' controls contained within the Development Control Plan 2012. 2. <i>Concern is raised that it was not clear why the conservation areas were not identified as part of the rezoning process for the Edwards Road Precinct, rather than deferring their identification until the development assessment process.</i> Planning Comment The Flora and Fauna Assessment undertaken as part of the preparation of the Master Plan was only intended to identify the location and significance of vegetation communities within the Precinct. The Assessment was not at a scale to enable Council to accurately identify the

	extent of conservation areas and riparian corridors for each site within the Precinct. It is proposed that the management of areas of significant vegetation be undertaken via the existing assessment framework under the <i>Environmental Planning and Assessment Act 1979</i>, <i>Threatened Species Conservation Act 1995</i> and the <i>Environment Protection and Biodiversity Conservation Act 1999</i>. This will involve the preparation of a species impact statement for any development which is likely to have a significant impact on the vegetation communities within the precinct. Compensatory Offset measures will 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". 3. <i>Prefer urban riparian land, in principle to be under public (Council) ownership and management to ensure that riparian land is protected and managed in a consistent manner.</i> Planning Comment Council does not have the financial resources available to acquire the riparian corridor land within this Precinct. Accordingly, it is proposed that the riparian corridor distances and conservation areas be contained within both the Stormwater Management System and future development lots. These distances will be determined at the development assessment stage and will take into account site specific conditions. 4. <i>It is recommended that the layout of the precinct be designed with a perimeter road so that the lots front onto the riparian land.</i> Planning Comment The option of a perimeter road along the riparian corridor was considered during the preparation of the Master Plan. However this option was not considered to be appropriate as it would significantly increase the cost of redevelopment. The proposed alignment of the road would also bisect areas of significant vegetation including Cumberland Plain Woodland and Shale Sandstone Transition Forest.
Action	No action required.
Roads and Maritime Services	
Issues raised	1. <i>No objection raised to the draft plans, however noted that the proposed traffic signals at the intersection of Annangrove Road and Withers Road would need RMS</i>

	<i>approval.</i> Planning Comment Approval will need to be sought from the Roads and Maritime Services prior to the installation of the traffic control signals at this location.
Action	No action required, however matters raised within the submission will need to be addressed at the development assessment stage.
Office of Environment and Heritage	
Issues raised	1. <i>Supports the results of the constraints analysis in the Flora and Fauna Constraints Assessment, however notes that a number of the areas mapped as having 'moderate constraint' are not mapped in the Edwards Road Industrial Precinct Master Plan, February 2013 as 'constrained land'. OEH considers that all areas mapped as having high or moderate constraint should be 'constrained land' in the master plan.</i> Planning Comment The areas which were mapped as 'high constraint' are those that scored highest in the ecological assessment compared to other parts of the Precinct. 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 and infrastructure servicing. 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. Additionally, the map is not intended to identify development areas where vegetation can be removed. 2. <i>The list of threatened fauna within the Flora and Fauna Constraints Assessment should include the Red crowned Toadlet and Brown Treecreeper, given there are recent records in OEHs Wildlife atlas of these species occurring within 2km of the site.</i> Planning Comment As part of the preparation of the Flora and Fauna Assessment searches were undertaken of the Atlas of NSW Wildlife and EPBC Protected Matters search tool were performed for the study area. The likelihood of occurrence was considered for all listed species. Based on this analysis the Assessment concluded that there was a very low to low probability that the Red Crowned Toadlet and Brown Treecreeper species would use the site.

3. *OEH does not support Council's approach of zoning the site B6 Enterprise Corridor and deferring the decision making on identification and location of the development and conservation areas, including the management of Critically Endangered and Endangered Ecological Communities, to the DA stage. OEH does not consider that the proposed approach will provide appropriate long-term protection and conservation of the threatened communities contained within the site. OEH has significant concerns that the planning proposal has the potential to adversely affect the vegetation communities on the site as planning mechanisms to protect this vegetation are not included in the planning proposal.*

Planning Comment

The position of OEH that the planning proposal has the potential to adversely affect the vegetation communities within the Precinct is not supported. The Annangrove Road Light Industrial Area was zoned for industrial purposes in 1991 and as such industrial development is and will continue to be permitted.

As outlined within the planning proposal, the management of areas of significant vegetation will be undertaken via the existing assessment framework under the *Environmental Planning and Assessment Act 1979*, *Threatened Species Conservation Act 1995* and the *Environment Protection and Biodiversity Conservation Act 1999*. This will involve the preparation of a species impact statement for any development which is likely to have a significant impact on the vegetation communities within the precinct.

If such development is approved, Council will require as a condition of development 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. 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. As part of the assessment process, compensatory offset measures could 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'.

It is noted that most areas of vegetation within the Precinct will require management to enhance their condition and support their long term viability. In this regard future development must be economically feasible so as to ensure that sufficient funds are available to allocate toward the initial regeneration works and the ongoing management of the conservation

areas. The planning proposal seeks to provide additional development opportunities which will enable future development to be concentrated on the portion of each site which is least constrained. The additional development potential will enable the generation of sufficient funds to manage and regenerate the areas which are identified for retention through future development proposals.

4. *OEH is of the view that the proposed rezoning of the entire site to the B6 Enterprise Corridor zone will result in a poor strategic planning outcome as it leaves significant issues unresolved. The submission comments that the impacts to significant vegetation should be avoided with areas identified as high biodiversity and conservation value and be protected through a suitable conservation zoning such as the E2 Environmental Conservation zone. The submission continues by commenting that permitted uses in the E2 Environmental Conservation zone be limited to those areas that are consistent with the protection of conservation values within the zone.*

Planning Comment

The application of the E2 Environmental Conservation zone to denote 'conservation areas' is not considered to be appropriate in this instance. The application of this zone is considered to be too definitive and would not provide sufficient flexibility to manage significant vegetation through future development proposals. During the preparation of the master plan and planning proposal, the identification of conservation areas was not considered to be appropriate as there was a significant amount of ambiguity with respect to the extent of the conservation area.

The application of the E2 Environmental Conservation zone to the areas identified as being 'high constraint', as recommended by OEH, would effectively sterilise entire properties from development. This would be unacceptable outcome as it would impact on the rights of the landowners and could create an acquisition liability for Council.

The management of significant vegetation, whilst important, is not the sole purpose of this planning proposal. The purpose of the planning proposal is to stimulate redevelopment and job creation within the existing employment area in a manner which is sensitive to the unique environmental constraints of the Precinct. In this regard the existing assessment framework for the management of vegetation is considered to be appropriate.

5. *OEH comment that the clearing of remnant vegetation and mitigation by offsets should only be considered where impacts are unavoidable. The*

submission continues by commenting that based on the information provided it appears that the planning proposal and master plan have not provided any detail demonstrating that impacts on biodiversity have been avoided and mitigated, and that offsetting is avoidable. OEH considers that the proposal is inconsistent with the OEH Principles for the Use of Biodiversity Offsets in NSW.

Planning Comment

Whilst it is acknowledged that the Precinct contains significant vegetation it is proposed that the management of significant vegetation be undertaken as part of the existing assessment framework.

The Flora and Fauna Assessment recommended that future development avoid, minimise and ameliorate any impacts on endangered communities to the maximum extent possible, with compensatory (or offset) measures considered for any significant impacts that cannot be avoided or mitigated. It was also recommended that these offsetting measures should be developed in accordance with the 'Principles for the use of Biodiversity Offsets in NSW'. The study proposes that the Bio-banking Assessment methodology be used to develop offsetting measures.

Future development within the Precinct, which has the potential to result in a significant impact on the listed vegetation communities, will need to identify compensatory offset measures for any significant impacts that cannot be avoided or mitigated. Accordingly, the assertion of OEH that the proposal is inconsistent with the '*Principles for the Use of Biodiversity Offsets in NSW*' is not supported.

6. *OEH supports the use of established assessment tools, such as the Biobanking Assessment Methodology BBAM and the Biodiversity Certification Assessment Methodology as they are considered best practice.*

Planning Comment

The Biodiversity Certification process is not being pursued for this 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 has been 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. 7. <i>OEH notes that the large amount of extant vegetation implies that it is probable that Aboriginal objects are located within the proposed development area. The submission continues by commenting that an assessment needs to be undertaken to determine if to identify the nature, extent, cultural and scientific significance of the potential Aboriginal archaeology within the Precinct and how these potential items are to be protected from harm. OEH recommends the completion of two Aboriginal heritage assessments including an archaeological assessment and cultural heritage assessment.</i> Planning Comment: The preparation of an archaeological assessment and cultural heritage assessment as recommended by OEH is not considered to be necessary. As mentioned previously, the Precinct was zoned for industrial development in 1991 and as such industrial development is and will continue to be permitted. If there is Aboriginal archaeology within the Precinct, these items would be contained within the riparian areas of the Precinct which would be identified and managed as part of future development proposals.
Action	• No action required.
TransGrid	
Issues raised	1. <i>Within its submission TransGrid notes that a 330kv easement passes through the Edwards road Precinct and seeks that appropriate development controls be attached to any future development within the vicinity of TransGrid infrastructure of interests.</i> Planning Comment Control 2.21 Services identifies that development restrictions apply within electricity easements and that developers and landowners are required to seek approval from the electricity provider for all activities and works carried out within the easement. 2. <i>TransGrid recommends that electricity easements are zoned in accordance with the appropriate adjacent land zone, and continues by recommending that the development of electricity infrastructure is not prohibited in any zone.</i> Planning Comment The electricity easement within the Edwards Road Precinct is proposed to be zoned consistent with the

	adjoining zone. In accordance with <i>State Environmental Planning Policy (Infrastructure) 2007</i> development for the purpose of 'electricity transmission or distribution network' may be carried out by or on behalf of an electricity supply authority or public authority without consent on any land.
Action	• No action required.

ATTACHMENT

Review of Public Submissions

No.	1
Issues raised	1. <i>Support for the planning proposal (11/2013/PLP), the draft amendment to the Hills Industrial DCP 2012 and Contributions Plan No.11 for the Annangrove/ Edwards Road Industrial precinct.</i> <i>Further comments made that these amendments will address the various constraints that have been a major restriction the development of the area for a great many years.</i> Planning Comments: Support for the proposed amendments is noted.
Action	• No action required
No.	2
Issues raised	1. <i>Concern is raised with respect to the creek setback control under control C2.2(c) of Part B Section 7 Industrial. The control sets a minimum creek setback of 40 metres from the top bank of the creek or otherwise to the requirements of the Office of Water. How far into my property does the 40 metre setback intrude? Clarification is sought with respect to this control.</i> Planning Comments: The objective of this control is to ensure that appropriate creek setback distances are provided to accommodate riparian corridor buffers. These corridors are the transitional areas between the terrestrial and aquatic environment and perform a critical function in the bank stability and the provision of habitat. The 40 metre setback from the top bank of the creek is in accordance with the NSW Office of Water Guidelines for Riparian Corridors on Waterfront Land, dated July 2012. As part of the assessment of future development within the precinct applicants will be required to identify the appropriate riparian corridor distance from the creek in accordance with the NSW Office of Water Guidelines. However, it is recognised that this setback distance may vary due to site conditions.
Action	• No action required
No.	3
Issues raised	1. <i>Support for the draft plans.</i> Planning Comments: Support for the proposed amendments is noted.

Action	No action required
No.	4
Issues raised	1. <i>With respect to the intersection of Withers Road and Annangrove Road the submitter comments that left turn slip lanes should be provided on all four corners to maintain capacity along Annangrove road when pedestrian crossings are activated.</i> Planning Comments: Based on the SIDRA analysis undertaken as part of the preparation of the Traffic and Transport Assessment, the provision of left turn slip lanes on Annangrove Road were not considered to be warranted. 2. <i>The submitter comments that right turn bays at the intersection of Withers Road and Annangrove Road should be 100 metres in either direction along Annangrove Road to allow deceleration within the lane or for future traffic storage.</i> Planning Comments: Right Turn Lane lengths identified within the Traffic and Transport Assessment have been provided in accordance with the Sidra Analysis and the deceleration distance requirements of Austroads /RMS Design Guidelines. 3. <i>Is there a requirement for the separate left turn land (from north to east) from Annangrove road onto Edwards Road.</i> Planning Comments: During the preparation of the Traffic and Transport Assessment a conservative 90/10% distribution scenario was adopted (a distribution of 90% to the Edwards Road Precinct in the AM peak and 10% from the precinct, with the reverse distribution ratio utilised in the PM peak). The left turn slip lane is required for the 90/10% traffic distribution scenario as the level of service without the slip lane becomes unacceptable (LOS F). It is noted that the left turn slip land would not be required for the 75/25% traffic distribution scenario. However, the more conservative distribution scenario was considered appropriate in this instance.
Action	No action required
No.	5

Issues raised	1. <i>Development Consent (No. 781/2005) for the erection of industrial units and self-storage units at 324 Annangrove Road was issued by the Land and Environment Court on 30 March 2006. This development has been physically commenced, however this development has not been acknowledged in the planning proposal. Therefore the findings regarding the opportunities and potential for development of the site are not optimised.</i> Planning Comments: The planning proposal and amendments to the Development Control Plan and Contributions Plan are in accordance with the Master Plan adopted by Council at its meeting of 12 February 2013. The purpose of the Master Plan was to balance development potential and promote economic growth whilst having regard to the environmental constraints of the Edwards Road Precinct. The planning proposal and amendments to the Development Control Plan and Contributions Plan will not impact on any previously approved development within the Precinct. 2. <i>Conservation recommendations contained in the Flora and Fauna Constraints Assessment Report by Eco Logical identifies that the site is potentially suitable for development. The report recommends over half of this industrial area be returned to a natural or conservation area. This constraint seems very excessive considering Council released this area for industrial use in 1991.</i> Planning Comments: Whilst it is acknowledged that the areas identified within the Flora and Fauna Assessment 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. 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. 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.
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	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. As mentioned previously, these amendments will not impact on any previous approval for development within the precinct. <i>3. The Section 94 Contributions Plan seems very unreasonable and challengeable and notes that the Contributions Plan for Castle Hill is based upon a percentage of building costs (1%) however the Annangrove Road Contributions Plan is based upon a square metre rate.</i> <i>A more equitable approach would be to average out the costs to make it fairer on all. Concern is raised with respect to the square metre rate being applied to mezzanine levels, which may be removed to suit other uses. The plan should only levy on the footprint of each building.</i> Planning Comments: The contributions plan levies for infrastructure required to support the redevelopment of the Precinct. The Section 94 Contributions method is considered to be most appropriate for this precinct as there is a clear nexus between the demand for infrastructure and the future development potential within the precinct. The comments with respect to costs being averaged out over the Shire is not supported because the infrastructure upgrades identified within the Plan are required to support growth within the Precinct. In this instance it would be unreasonable to levy development within other areas of the Shire for the cost of this infrastructure. Whilst it is acknowledged that the Section 94A Contributions method is appropriate in certain circumstances, it is not considered to be appropriate where the cost of infrastructure is higher and the nexus (the relationship between the expected types of development in the area and the demand for additional public facilities to meet that demand) is clearly defined. The comment that the rate should be based on the footprint of a building rather than the potential floor space is not supported. The contribution rate identified within the plan is based on potential floor space within the Precinct. If the draft Plan is amended to only levy on the footprint of a building, then this would reduce the amount of floor space which can be levied which would increase the contribution rate square metre. <i>4. The technical reports, that have been submitted, were negative and confusing.</i>
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	Planning Comments: The Economic and Employment Assessment was prepared to identify the most appropriate land uses for the precinct and to identify what development standards and controls have been inhibiting development within the Precinct. Based on the findings of this Assessment, Council prepared a number of amendments to <i>The Hills Local Environmental Plan 2012</i> and Development Control Plan to improve the feasibility of redevelopment. 5. <i>The recommended lot size reduction in the southern frame will not be achievable given the noted ecological constraints and the need to retain the 40 metre frontage and provision of necessary access arrangements.</i> Planning Comments: The submitter's comment that 4,000m² lots within the Southern Frame will not be achievable given the 40 metre lot frontage requirement and the ecological constraints is not supported. It is proposed that the lot frontage be reduced from 60 metres to 40 metres to enable a reduction in the minimum lot size within the Precinct. It is acknowledged that larger lots will be required in some areas to ensure that the environmentally constrained land is wholly contained within future development lots. However the size of future lots and the extent of constrained land will be determined as part of the development assessment process.
Action	• No action required

ATTACHMENT 3

Draft The Hills Development Control Plan (DCP) 2012

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THE
HILLS
Sydney's Garden Shire



Part B Section 7
Industrial

B7

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1. INTRODUCTION

This Section of the DCP must be read in conjunction with Part A – Introduction of this DCP.

1.1. LAND TO WHICH THIS SECTION OF THE PLAN APPLIES

This Section of the Development Control Plan applies to employment lands within The Hills Shire where industrial land uses are permissible under The Hills Local Environmental Plan (LEP) 2012.

1.2. AIMS AND OBJECTIVES OF THIS SECTION

The aim of this Section of the DCP is to establish objectives and development controls for the development of industrial land within The Hills Shire.

OBJECTIVES

- (i) *Encourage a high standard of aesthetically pleasing and functional industrial developments that sympathetically relate to adjoining and nearby developments.*
- (ii) *Ensure that development will not detrimentally affect the environment of any adjoining lands and ensure that satisfactory measures are incorporated to ameliorate any impacts arising from the proposed development.*
- (iii) *Encourage innovative and imaginative designs with particular emphasis on the integration of buildings and landscaped areas that add to the character of the industrial neighbourhood.*
- (iv) *Provide safe and high quality working environments for employees.*
- (v) *Ensure that employment premises incorporate the principles of Ecologically Sustainable Development.*

2. OBJECTIVES AND DEVELOPMENT CONTROLS

Objectives and development controls for industrial developments are set out in the following sections.

In addition to these policies, guidelines and documents specified in section 1.4 of Part A -

Introduction, this Section is to be read in conjunction with other relevant Sections including:

- Part C Section 1 – Parking
- Part C Section 2 – Signage
- Part C Section 3 - Landscaping
- Part C Section 4 - Heritage

2.1. PRECINCT PLANS

OBJECTIVE

- (i) *To ensure the development of specific industrial areas is consistent with the precinct Development Control Plans adopted by Council as part of this Section of the DCP.*

DEVELOPMENT CONTROLS

- (a) The overall development scheme for the Castle Hill Industrial Area is detailed in Appendix A – Precinct Based Development Control Plans (Sheet 1) of this Section of the DCP.
- (b) The overall development scheme for the Annangrove Road Industrial Area is detailed in Appendix A – Precinct Based Development Control Plans (Sheet 6) of this Section of the DCP.
- (c) Sheets 2-5 detailing precinct specific development controls for the other light industrial areas in the Shire are also included in Appendix A – Precinct Based Development Control Plans of this Section of the DCP.

2.2. SITE ANALYSIS

OBJECTIVES

- (i) *To encourage a comprehensive approach to site planning, design and assessment of development.*
- (ii) *To facilitate assessment of how future buildings relate to their immediate surroundings and to each other.*
- (iii) *To facilitate development of a design that minimises the negative impacts on the amenity of adjoining commercial or residential development in accordance with Council's ESD objective 7.*
- (iv) *To facilitate development of a design that is energy efficient and permits adoption of*

renewable energy sources in accordance with Council's ESD objective 5.

- (v) *To ensure development is compatible with land capability.*
- (vi) *To minimise adverse impacts on the environment in accordance with Council's ESD objective 7.*
- (vii) *To ensure during consideration of the site layout and design that disturbance to the natural environment is minimised in accordance with Council's ESD objective 4.*

DEVELOPMENT CONTROLS

- (a) Development should be designed to respect site constraints such as topography, drainage, soil landscapes, flora, fauna and bushfire hazard.
- (b) Disturbance to existing natural vegetation, landforms, creeks, wetlands and overland flow paths should be minimised.
- (c) Development on land adjoining bushland reserves should incorporate measures (such as setbacks and buffers) to prevent any impact on those reserves.
- (d) Development should be sited on the area of land having the least topographic constraints.
- (e) Development should be sited away from steep slopes (particularly those containing natural vegetation) so that, where possible, these features can be kept in a natural state.
- (f) Land with a slope greater than 20% is not suitable for development.
- (g) Development applications for proposals on land with a slope of between 10-20% must be accompanied by a geotechnical assessment.
- (h) Development within the Annangrove Road Light Industrial Area should be sited, designed and landscaped to minimise visual impact upon Rouse Hill House Estate and avoid development of topographically prominent knolls and ridgelines easily viewed from the Estate.

SUBMISSION REQUIREMENT

- Site Analysis.

2.3. DEVELOPMENT SITES

OBJECTIVES

- (i) *To ensure development sites have sufficient areas to provide adequate access, parking, landscaping and building separation.*
- (ii) *To provide for the orderly development of land through subdivision or the consolidation of lots.*
- (iii) *To ensure development on a particular site has due regard to adjoining developments.*

DEVELOPMENT CONTROLS

- (a) The proposed development retains any significant mature vegetation, and provides a suitably landscaped setback to the street frontage in keeping with that of an industrial 'park-like' environment. Plantings shall reduce the visual bulk of the building and screen car parking areas.
- (b) The development complies with the setback provisions of this development control plan, and is generally consistent with adjoining structures in terms of its elevation to the street and building height.
- (c) The proposed development is sited to avoid disturbance of natural site features including existing significant mature vegetation, creeks, steep slope and other significant landforms. The building platform shall be sited in an accessible and practical location on relatively flat terrain with stable soil and geology.
- (d) The development provides a direct, legible, safe and stable means of access for both vehicles and pedestrians from a public road to the proposed building platform. Adequate area is to be provided for the entry, exit and manoeuvring of heavy vehicle or service vehicles within the development site.
- (e) With the exception of the Edwards Road Precinct, the minimum road frontage requirement is 60 metres.
- (f) Development shall not isolate an adjoining area of land that does not meet the minimum lot size identified in The Hills LEP 2012.

SUBMISSION REQUIREMENTS

- Site Plan
- Location and general description of any adjoining developments.
- Earthworks plan showing existing and proposed levels/contours.
- Existing easements, access and infrastructure location.

2.4. SAFETY BY DESIGN**OBJECTIVE**

- To ensure the design and layout takes into account the safety of occupants and visitors to the site.*
- To ensure the design permits surveillance of the site to discourage vandalism and criminal activity in industrial areas.*

DEVELOPMENT CONTROLS

- Design of the buildings and landscaping should ensure natural surveillance of pathways and open space setback areas around buildings, is possible from within the building, and/or from adjoining roads and open space areas;
- Building design should ensure building entrances are visible and discourage entrapment;
- Appropriate lighting and signage is to be provided to identify and promote use of safe access routes.

2.5. FLOOR SPACE**OBJECTIVES**

- To ensure that the scale and bulk of industrial developments complements the character of the area.*
- To ensure that the bulk and scale of industrial developments does not reduce the amenity of adjacent residential or other land uses.*
- To ensure that industrial development does not exceed the service and infrastructure capacity of the area.*

- To ensure that individual industrial units are of a size suitable to meet the needs of local industry and service providers.*

DEVELOPMENT CONTROLS

- Refer to Clause 4.4 *Floor Space Ratio* of The Hills LEP 2012.
- Up to 50% of buildings/units may have a floor area between 100 square metres and 150 square metres. All other units/buildings must have a minimum floor area of 150 square metres.
- The maximum floor space permitted to be constructed / utilised for ancillary office purposes is 50% of the unit floor area.

To attract industries that do not necessarily require expansive areas for warehousing or manufacture (such as those in the areas of advanced technology, computer facilities, and communications) the above control does not apply to development within the Castle Hill Industrial area. However any floor space constructed / utilised for office purposes may only be used;

- for a purpose that is permissible, or
- for a purpose that is ancillary to and an integral part of a purpose that is permissible within the IN2 Light Industrial zone under The Hills LEP 2012.

SUBMISSION REQUIREMENTS

- Site Plan showing the location and size of the proposed buildings/structures with supporting floor space ratio calculations (excluding uncovered parking areas, internal loading bays and driveways).
- Dimensioned development application plans including a schedule of areas for each separate occupancy unit proposed.

2.6. SETBACKS**OBJECTIVES**

- To provide an open streetscape with substantial areas for landscaping and screen planting.*

- (ii) *To provide an effective buffer to preserve the natural features and creeks in accordance with Council's ESD objective 4.*
- (iii) *To minimise overshadowing of adjoining properties.*
- (iv) *To protect privacy and amenity of any adjoining land uses.*
- (v) *To provide a desirable and aesthetically pleasing working environment.*

DEVELOPMENT CONTROLS

- (a) The building setbacks to roads, open space, trunk drainage and other lands, are shown in Appendix A – Precinct Based Development Control Plans of this Section of the DCP, Sheets 1-6.
- (b) A minimum building setback of 5 metres for buildings and 2 metres for ground level car parking will be required to all other site boundaries not indicated on Sheets 1-6.
- (c) Council will require written concurrence from Integral Energy for developments proposed within an electricity easement.
- (d) The setback to a creek is to be no less than 40 metres from the top bank of the creek or otherwise to the requirements of the Office of Water.
- (e) All building setbacks are to be landscaped in accordance with section of 2.15 of this Section of the DCP and with the provisions of Part C Section 3 – Landscaping.
- (f) Other than within the Castle Hill Industrial Area where a building setback is 20 metres or more, car parking may be sited 10 metres closer than the building to that boundary.
- (g) The following building setbacks shall be applied within the Castle Hill Industrial Area only: -

Internal Roads

- 15 metres with no car parking forward of the building.
- 23 metres where car parking is situated forward of the building.

Arterial Roads

- 20 metres with no car parking forward of the building.

- 30 metres where car parking is situated forward of the building.

- (h) Car parking may be permitted within the front building setback provided it is setback 10 metres from a local road frontage and 20 metres from an arterial road frontage. The car park area is to be screened from view and the setback adequately landscaped in accordance with the provisions of this Section of the DCP.
- (i) Where a proposed acquisition for road widening affects a development site, the minimum setback will be measured from the proposed new alignment of the road.

SUBMISSION REQUIREMENTS

- Building setback dimensions are to be shown on development application plans.

2.7. BUILDING HEIGHTS

OBJECTIVES

- (i) *To ensure that building heights respond to the existing landform of the neighbourhood, including ridgelines and drainage depressions.*
- (ii) *To protect privacy and amenity of surrounding allotments and residential development.*
- (iii) *To minimise overshadowing of adjoining allotments.*

DEVELOPMENT CONTROLS

- (a) Refer to Clause 4.3 *Height of Buildings*, Clause 5.6 *Architectural roof features* and Height of Building Maps in The Hills Local Environmental Plan 2012.
- (b) In all industrial zones other than the Castle Hill Industrial area the maximum building height of any structure or building shall be no more than 15 metres above ground level except:-
 - where the building is within 30 metres of a residential property boundary where the height will be a maximum of 10 metres; or
 - the area is the subject of Appendix A – Precinct Based Development Control Plans Sheet 6 where the building height envelope specified on Sheet 6 applies.

- (c) For the Castle Hill Industrial area the maximum building height of any structure or building shall be no more than 20 metres above ground level except where the building is within 30 metres of a residential property boundary where the height will be a maximum of 10 metres.

SUBMISSION REQUIREMENTS

- Shadow Diagrams where development adjoins residential development.

2.8. BUILDING MATERIALS

OBJECTIVES

- To promote integrated, visually harmonious and attractive buildings in industrial areas.*
- To promote the use of materials that involve minimal impact on the environment in accordance with Council's ESD objective 5.*

DEVELOPMENT CONTROLS

- All building construction must comply with the Environmental Planning & Assessment Act 1979 and Building Code of Australia.
- The following factors must be considered when selecting materials:
 - suitability for the purpose;
 - durability;
 - long term appearance;
 - local environmental impacts;
 - broader and longer term environmental impacts;
 - the quantity of material required; and
 - life cycle assessment.
- Avoid oversupply and waste of materials by careful assessment of quantities needed.
- Avoid materials that are likely to contribute to poor internal air quality such as those generating formaldehyde (new carpets) or those that may create a breathing hazard in the case of fire (eg polyurethane).
- Select materials that will minimise the long-term environmental impact over the whole life of the development.
- Preference should be given to materials derived from renewable sources or those that are

sustainable and generate a lower environmental cost, recycled material or materials with low embodied energy, better lifecycle costs and durability. For example, use plantation rather than old growth timbers.

- Choice of materials should be based on consideration of both their environmental and economic costs.
- All external walls of buildings used for office/showroom purposes should generally be totally of brick, pre-cast panel or glass construction. However use of new materials that generate a lower environmental cost will be considered on their merits.
- All walls visible from the street, or land adjoining or near the subject property must be treated (at a minimum they must be painted) to ensure the visual amenity of adjoining business is protected.
- Material should incorporate graffiti proof surfaces wherever possible.
- Roofs of buildings shall be pre-colour coated masonry, tile or metal. Galvanised iron, zincalume, any fibrous sheeting (asbestos cement etc) or any other uncoloured metal deck surface is unacceptable. However use of new materials that generate a lower environmental cost will be considered on their merits.
- Natural ventilation is preferred. However where mechanical ventilation is necessary any roof ventilators, exhaust towers, hoppers and the like are to be located so that they are not visible from public places or residential areas. These elements are to be incorporated into the design of the buildings.

SUBMISSION REQUIREMENTS

- Schedule of External Materials
- Streetscape Perspective including landscaping.

2.9. SIGNAGE

OBJECTIVES

- To provide businesses the opportunity of identifying their location and activity.*
- To ensure that signage does not detract from the visual appeal of buildings within the employment*

area by prohibiting superfluous and unsuitable signs.

DEVELOPMENT CONTROLS

- (a) The details of the development controls applying to advertising signs and structures within the Shire are contained in Part C Section 2 – Signage.

SUBMISSION REQUIREMENTS

- Signage Plan

2.10. FENCING

OBJECTIVE

- (i) *To ensure that fencing does not detract from the overall visual amenity and character of the area.*

DEVELOPMENT CONTROLS

- (a) No fencing, other than of a low, ornamental type may be erected within the building setback area to any road.
- (b) Fencing along rear boundaries adjacent to a trunk drainage zoning shall be integrated with any landscape buffer zone or building setback.
- (c) All chain-wire fencing is to be black or dark green in colour.
- (d) Pre-painted solid, metal fencing (i.e. Colorbond fencing) is not acceptable because of its poor visual appearance.

SUBMISSION REQUIREMENTS

- Fencing details for the site, clearly showing the location, height and type of fencing, is to be submitted as part of the Development Application.

2.11. HOURS OF OPERATION

OBJECTIVES

- (i) *To ensure that industrial developments operate in a manner compatible with adjoining land uses.*

DEVELOPMENT CONTROLS

- (a) Hours of operation within industrial areas (except for Bulky Goods Premises) are restricted to 7.00am to 6.00pm Monday to Saturday with no work or activity to be carried out on Sundays or public holidays, except as provided below;
- (b) Hours of operation for Bulky Goods Premises are to be restricted to between 7.00a.m. and 6.00p.m. each day except for Thursday when the activity can continue past 6.00p.m. to 9.00p.m. but only if the site does not adjoin or is not adjacent to a residential zone.
- (c) Notwithstanding a) and b) above:
- occupants of sites that are not adjoining or adjacent to a residential property may request that the site be considered as a “Low Noise Generating use”.
 - Low noise generating uses may be permitted extended days and hours (up to 24 hours) of operation beyond those specified in a) and b) above.
 - In order to be considered as a Low Noise Generating use the planning application submitted must be accompanied by a report from an acoustic consultant that demonstrates that the proposed use will not generate noise in excess of 5dB(A) above the background noise levels, where measured at any boundary adjoining or adjacent to a residential property. This report must include all activities including any vehicle (especially heavy vehicle) movements to and from the site.

SUBMISSION REQUIREMENTS

- Details of days and hours of operation to be provided in the Development Application.
- A statement of compliance from an acoustical consultant may be required to demonstrate that the noise generated by development generally does not exceed 5dB(A) above the background noise levels, where measured at any boundary adjoining or adjacent to a residential property.
- The statement of compliance will also include an assessment and schedule of truck movements, type and times.

2.12. ENERGY EFFICIENCY

Energy-efficient design and construction will assist in creating ecologically sustainable environments, reducing the use of fossil fuels and encouraging the use of renewable energy.

OBJECTIVES

- (i) *To facilitate the design and construction of energy efficient buildings.*
- (ii) *To require building designs that will minimise energy needs and that will utilise passive solar design principles.*

DEVELOPMENT CONTROLS

- (a) The design of the buildings shall demonstrate passive solar design principles i.e.,
 - window placement;
 - building orientation;
 - shading;
 - insulation;
 - thermal mass;
 - ventilation; and
 - incorporation of suitable landscaping.
- (b) In designing the building, consideration must be given to utilising the large areas of roof space for generating electricity via solar panels or other relevant technology.

Issues that need to be considered are:-

- The orientation and pitch of the roof. The portions of the roof suitable for solar panels must be oriented north to maximise sunlight on these areas;
 - The capability of the roof to accommodate, or to be easily reinforced so it can accommodate, solar panels and/or other relevant equipment.
- (c) All buildings with an office component greater than 100m² shall achieve as a minimum, a 4-star Building Greenhouse rating in respect to energy efficiency for the office component of the development. Details of the rating for each relevant building are to be provided with the Development Application.
 - (d) In the case where an existing office is extended any constraints arising from the design of the

existing building will be taken into consideration if the 4-star requirement is not achieved.

Note. Advice on the Building Greenhouse rating can be obtained from the Australian Building Greenhouse Rating website www.abgr.com.au.

- (e) Where a hot water service is provided to any sole-occupancy building or unit a hot-water system with a greenhouse gas emission score of 3.5 or greater is to be installed to suit the needs of that building or unit.

2.13. BIODIVERSITY

OBJECTIVE

- (i) *To conserve and protect the biodiversity of the Shire including habitats of threatened flora and fauna species and communities.*

DEVELOPMENT CONTROLS

- (a) Significant flora and fauna species, ecological communities and their habitats are to be preserved.
- (b) Development should be designed to retain existing bushland and fauna habitats, including identifiable corridors and linkages.

SUBMISSION REQUIREMENTS

- Fauna and Flora Assessment.
- If the assessment finds that there is likely to be a significant effect on threatened species, populations or ecological communities, or their habitats, applicants will be required to submit a Species Impact Statement (SIS). Reference should be made to the requirements of the Environmental Planning & Assessment Act 1979, and the Threatened Species Conservation Act 1995.

2.14. EROSION AND SEDIMENT CONTROL

Land degradation associated with urban development can be avoided or mitigated, largely through appropriate planning before commencement of earthworks and by using best management practices available.

OBJECTIVES

- (i) *Minimise land degradation, water pollution and damage to infrastructure from erosion and accumulated sediment.*
- (ii) *To provide development controls for all stages of development and to ensure a consistent approach to erosion and sediment control.*

DEVELOPMENT CONTROLS

- (a) Applications for all development, including subdivision, are to be accompanied by an Erosion and Sediment Control Plan (ESCP) that will describe the measures to be taken at development sites to minimise land disturbance and erosion and to control sediment pollution of creeks. ESCPs are to clearly identify the erosion and sediment control measures to be used.
- (b) Erosion and Sediment Control Plans shall be prepared in accordance with "Managing Urban Stormwater – Soils and Construction", produced by Landcom.

SUBMISSION REQUIREMENTS

- Erosion and Sediment Control Plan

2.15. LANDSCAPING AND TREE PRESERVATION

OBJECTIVES

- (i) *To ensure a high standard of environmental quality of individual developments and of the overall visual amenity and character of the area.*
- (ii) *To ensure that existing landscaping is retained and integrated into the design of the development in accordance with Council's ESD objective 4.*
- (iii) *To ensure landscaped areas can be appropriately maintained.*
- (iv) *To ensure that existing trees are given every opportunity to be retained and incorporated into the final development in accordance with Council's ESD objective 4.*
- (v) *To ensure that vegetation removed as a part of the land development process is replaced by*

suitable endemic species in accordance with Council's ESD objective 4.

DEVELOPMENT CONTROLS

- (a) Existing trees and surrounding shrubs, groundcovers and grasses should be preserved.
- (b) All setback and car parking areas are to be regenerated and maintained to a high standard utilising endemic species. Where buildings are visible from adjoining residential or rural land the setback areas must include planting to screen views into the development and minimise the visual prominence of the buildings. In this regard setbacks must include:-
 - taller trees that create a canopy, which will screen the upper sections of the building. The mature canopy height should be between 6 metres and the top of the building;
 - supported by lower shrubs with a mature height of 2 to 4 metres to break up views of car parking areas and lower parts of the building.
- (c) Native species are to be used to maintain a strong natural theme for the neighbourhood owing to their low maintenance characteristics, relative fast growth, aesthetic appeal and suitability to the natural habitat.
- (d) Landscape treatments are to harmonise with building designs and should consist of trees, shrubs, groundcovers and grass. Introduced species, such as Kikuyu, which are intensive users of water and which are invasive and result in degradation of natural areas will not be permitted.
- (e) Landscaping measures are to be used that assist in conserving water such as:-
 - installing an electronically controlled and rain switched irrigation system;
 - use of indigenous species best suited to the local climate and soil conditions;
 - use of mulches and groundcovers to retain soil moisture; and
 - minimising lawn and using native grasses for lawn and maximising gardens.
- (f) Landscaping is to be provided in accordance with the provisions set out in Part C Section 3 – Landscaping.

- (g) Grassed embankments are not to exceed an 1:6 slope.
- (h) Earth mounding is desirable within setback areas to reduce noise-associated impacts.
- (i) All landscaped areas are to have a minimum width of 2 metres.

SUBMISSION REQUIREMENT

- Landscape plan.

2.16. CARPARKING

OBJECTIVES

- (i) *To ensure the safety of all road users in industrial areas.*
- (ii) *To ensure that all car parking demands generated by the development are accommodated on the development site.*
- (iii) *To protect the free flow of traffic into and out of the industrial allotments and the surrounding street network.*
- (iv) *To ensure that the provision of off-street parking facilities does not detract from the overall visual amenity and character of the neighbourhood in relation to streetscape.*

DEVELOPMENT CONTROLS

- (a) Car parking is to be in accordance with Part C Section 1 – Parking.
- (b) **Other than within the Edwards Road Precinct,** Buildings/units with a floor area between 100 square metres and 150 square metres require a minimum of three car parking spaces.
- (c) Visitor car parking is to be provided at a rate of 1 space for every 2 units constructed.
- (d) All car parking required by Council shall be provided on-site.
- (e) Minimum parking dimensions and construction standards are detailed in Part C Section 1 – Parking.
- (f) A two metre wide landscape strip is to be provided after every tenth parking space.

- (g) Car parking areas that adjoin public roads or spaces are to be visually screened by landscaping.
- (h) Disabled parking provision is to be provided in accordance with The Hills Shire Council policy entitled "Making Access for All 2002".

SUBMISSION REQUIREMENTS

- Site Plan showing the number of car parking spaces and calculations.

2.17. VEHICULAR ACCESS

OBJECTIVES

- (i) *To ensure the safety of all road users in industrial areas.*
- (ii) *To ensure that vehicles can enter and exit premises in industrial areas in a safe and efficient manner.*
- (iii) *To maintain the performance of roads that provides an arterial or sub-arterial function.*

DEVELOPMENT CONTROLS

- (a) Adequate vehicular entry and exit from the development is to be provided and shall be designed to provide a safe environment for both pedestrians and vehicles using the site and surrounding road networks.
- (b) All internal roadways are to have a minimum width suitable to the proposed industrial activities of the site. Road widths will be assessed on the individual merits of the road design and layout and are subject to approval by Council.
- (c) Vehicular access to and from developments across frontages marked "ACCESS DENIED" on the DCP sheet map is prohibited. Access is limited to designated locations as shown on the DCP sheet map.
- (d) Vehicular ingress and egress to the site must be in a forward direction at all times.
- (e) Driveways from public roads will be:
 - perpendicular to the road within the building setback;
 - separated or divided at the property boundary for ingress and egress movements; and

- sight distance are to be in accordance with Part C Section 1 – Parking and Council's Design Guidelines for Subdivisions/ Developments.
- (f) All roads intended to be dedicated to Council, as public roads shall be constructed to Council's requirements.
- (g) All road frontages to a development site (other than those identified within Council's Contribution Plan) are required to be constructed prior to the issue of any occupation certificate.

SUBMISSION REQUIREMENT

- Applicants are required to submit plans and details with the Development Application of proposed vehicular access and circulation. Details must specifically relate to vehicular movement, layout and turning circles.

2.18. BICYCLE PARKING

Cycling is a healthy, low cost, environmentally friendly form of transport that offers a flexible and low-impact alternative to the use of private motor vehicles.

OBJECTIVES

- (i) *To make it easier and more convenient for people to travel to and from places using bicycles.*
- (ii) *To reduce the rate at which the demand for car travel increases in the future, thereby helping to improve air quality.*

DEVELOPMENT CONTROLS

- (a) Bicycle parking facilities are required for all new industrial developments. At a minimum these facilities are required to be provided for:-
 - any new development, which exceeds 4,000m² in floor area; and
 - any developments which will have the effect of increasing the size of the total development to greater than 4,000m².
- (b) Bicycle parking spaces for the above developments are to be provided at a minimum rate of 2 spaces plus 5% of the total number of

car parking spaces required for the development. Consideration should be given to the provision of undercover facilities.

- (c) Bicycle parking should be located in close proximity to the building entrances and clustered in lots not exceeding 16 spaces.
- (d) Bicycle parking facilities shall support bicycles in a stable position without damage to wheels, frames or other components.
- (e) Bicycle parking facilities should be located in highly visible, illuminated areas to minimise theft and vandalism.
- (f) Bicycle parking facilities shall be securely anchored to the site surface so they cannot easily be removed and shall be of sufficient strength to resist vandalism and theft.
- (g) Bicycle parking facilities shall not impede pedestrian or vehicular circulation and should be in harmony with their environment and design. Parking facilities should be incorporated wherever possible into building or street furniture.
- (h) Racks must not be placed so close to any wall or other obstruction so as to make use difficult.
- (i) Bicycle parking facilities within car parking areas shall be separated by a physical barrier to protect bicycles from damage by cars, such as curbs, wheel stops or other similar features.
- (j) Each bicycle parking space shall be not less than 1.8 metres in length and 600mm in width and shall have a bicycle rack system.
- (k) Consideration should be given to providing staff change rooms and washing facilities.

2.19. LOADING FACILITIES

OBJECTIVES

- (i) *To ensure that loading facilities required in association with developments do not detract from the amenity of nearby public spaces and residential land uses.*
- (ii) *To ensure that adequate areas are set aside on site to allow for the safe and efficient manoeuvring of delivery and service vehicles.*

DEVELOPMENT CONTROLS

- (a) Loading docks shall be located so as they are not visible from adjoining residential areas and do not transmit excessive noise to adjoining residential areas.
- (b) Where practical, loading docks or vehicular entries to industrial buildings shall not be provided on any street elevation. Where such facilities can only be provided to street frontages, they must be screened with landscaping.
- (c) Turning provisions are to be provided within the site for the manoeuvring of vehicles using the loading and unloading facilities in accordance with AUSTROADS Design Vehicular and Turning Templates.
- (d) Loading dock facilities are to be able to serve the types of trucks likely to service the development.

SUBMISSION REQUIREMENTS

- Plans and details of proposed vehicular access and circulation detailing vehicular movement, layout and turning circles.
- Plans and details that demonstrate that the loading dock facilities are adequate to serve the development.

2.20. PEDESTRIAN ACCESS AND MOVEMENT**OBJECTIVES**

- (i) *To ensure that developers comply with the provisions of Australian Standard AS1428.1-2001, in regard to appropriate and improved access and facilities for all persons.*
- (ii) *To require designers/developers to provide for the needs of people who are mobility impaired and to provide greater than minimum requirements for access and road safety.*

DEVELOPMENT CONTROLS

- (a) Car parking spaces and layout should be designed to accommodate the limited mobility possessed by disabled drivers and passengers by providing room for loading and unloading of wheelchairs beside and behind vehicles.

- (b) All pathways and ramps should conform to the minimum dimensional requirements set out in AS1428.1-2001 Design for Access and Mobility.
- (c) Street furniture and obstructions should be kept clear of pathways, while overhanging objects should not be lower than 2,100mm above pathways.
- (d) All surfaces should be stable, even and constructed of slip resistant materials.
- (e) International Symbols of Access should be displayed where buildings, crossings, amenities, car parking, pathways and ramps are accessible, as detailed in The Hills Shire Council policy entitled "Making Access For All 2002".
- (f) Where newly created floor space or additional floor space (which exceeds 25% of the total existing floor space) is being proposed, a concrete footpath must be constructed in the road verge along any boundary that fronts a public road. The pathway must be completed prior to occupation and is to be constructed in accordance with Council's specifications, which include the following requirements:
 - a minimum width of 1.5 metres;
 - the path must be located no closer than 600mm to the kerb;
 - it must be constructed on a compacted 50mm sand or equivalent sub-base;
 - it must be 100mm thick and constructed from 25 MPa concrete reinforced with F62 mesh and a 40mm cover top sandstone finish.
- (g) Clearly defined pedestrian pathways are to be provided between proposed developments and proposed footpaths along sub-arterial roads.

SUBMISSION REQUIREMENTS

- Documentation to demonstrate how the objectives and development controls have been satisfied.

2.21. SERVICES**OBJECTIVES**

- (i) *To ensure that the physical services necessary to support industrial development are available.*

- (ii) To ensure that all uses are compatible with the workings and operations of the Integral Energy Electricity Easement.
- (iii) To ensure public safety is not compromised.
- (iv) To provide a suitable buffer for noise and emissions from any Sewage Treatment Plant (STP).

DEVELOPMENT CONTROLS

- (a) Development consent will not be granted until arrangements satisfactory to the relevant authorities are made for the provision of services.
- (b) Development restrictions apply within electricity easements and developers and landowners are required to gain approval from Integral Energy for all activities and works carried out within the easement in addition to complying with Council requirements. An indication of activities that require approval and activities that are prohibited are listed in Figure 1 below.
- (c) All developments within the Rouse Hill STP buffer zone must have regard for the former DUAP Circular No. E3. The buffer zone is bounded by:-
 - Annangrove Road to the northwest;
 - Withers Road to the southwest;
 - Mile End Road to the southeast; and
 - a line extending from the junction of Annangrove Road and Edwards Road the junction of Second Ponds Creek and the unformed Hillview Road;
- (d) All services shall be underground and installation of services should occur in a co-operative manner for efficiency and to minimise ground disturbance.
- (e) Sites within the Rouse Hill Release Area must be connected to the Sydney Water Recycled Water System.

Figure 1 – Integral Energy Requirements

The requirements below are relevant for sites that contain electricity easements. There are a number of large easements in the Annangrove Road Industrial Area

Some of the activities that require Trans Grid approval include:

- burning off or the lighting of fires;
- the operation of mobile plant or equipment having a height when fully extended in excess of 4.3 metres;

- the installation of utility services such as low voltage electricity, telephone and water lines, whether overhead, underground or on the surface;
- the construction of outbuildings including sheds, stables, garages and carports, where there is no suitable site clear of the easement area (encroachments beyond 3 metres will not be permitted);
- the construction of unroofed verandahs and pergolas attached to dwellings;
- the development of subdivisions for residential and industrial purposes;
- the construction of roads;
- the construction of in-ground or above ground swimming pools;
- the construction of tennis courts;
- excavation and major earth works/regrading; and
- the erection of fencing.

However, there are several activities, which are prohibited and include the following:

- the construction of, whole or parts of, dwellings, buildings or other substantial structures;
- the installation of fixed plant or equipment;
- the storage of flammable liquids or explosives;
- the placing of garbage, refuse or fallen timber;
- the planting or cultivation of trees or shrubs which grow to a height exceeding 4 metres; and
- the placing of obstructions of any type within 15 metres of any transmission line structure or supporting guy.

SUBMISSION REQUIREMENTS

- Evidence of suitable arrangements with the following are required to be submitted with Development Applications:
 - Sydney Water for potable and recycled water, sewage and drainage;
 - Telecommunications carrier for telephones and associated equipment;
 - Integral Energy for underground electricity;
 - AGL for gas supplies; and
 - NSW Fire Brigades.
- Documentation to demonstrate how the objectives and development controls are satisfied.
- Any land or part thereof, covered by the buffer zone must demonstrate how the objectives and development controls are satisfied.

2.22. STORMWATER MANAGEMENT**OBJECTIVES**

- (i) *To ensure that industrial development does not impact on the water quality of adjacent properties or creeks.*
- (ii) *To provide for the disposal of stormwater from the site in efficient, equitable and environmentally sensible ways.*
- (iii) *To encourage the re-use of stormwater for the irrigation of landscaped areas, particularly during establishment periods.*

DEVELOPMENT CONTROLS

- (a) Water Sensitive Urban Design (WSUD) measures shall be employed in the management of the site's/development's stormwater in terms of water retention, reuse and cleansing.

In all development, two or more of the following water sensitive urban design measures must be implemented in the development:-

M1 Low Impact Building Design

M2 Low Impact Landscape Design

M3 Porous Paving

M4 Rainwater Utilisation – toilet, hot water

M5 On-Site Infiltration System

M6 Stormwater Treatment System

M7 Infiltration or Retention Basin

M8 Stormwater Utilisation – irrigation

Development in the Kellyville Rouse Hill Release Area must connect to the Sydney Water Recycled Water System. This connection will be accepted as one of the two WSUD measures required instead of any rainwater re-use system.

Details on the actions required to implement each of these measures is included in Appendix B – Water Sensitive Urban Design of The Hills DCP.

- (b) Installation of rainwater tanks requires consent from Sydney Water. A condition will be imposed on any approval requiring this consent be obtained.

- (c) No adverse effects are to be experienced by downstream landowners from discharges from sites that slope down from the fronting street.
- (d) Discharge points are to be accessible for water quality testing.
- (e) Discharge points are to be controlled and treated to prevent soil erosion, and may require energy dissipating devices on steeper topography, to Council's requirements.
- (f) On-site detention may be required to Council's satisfaction to counteract an increase in stormwater runoff.
- (g) In order to protect the natural and built environment, all water leaving the site is to be treated for the removal of all sediments, heavy metals, pollutants and other contaminants that may be produced by the industrial and associated activities on site.
- (h) The design of drainage systems is to be in accordance with Council's Design Guidelines for Subdivisions/ Developments.
- (i) The requirements of the Office of Water must be satisfied.

Note. For any development proposed within the Annangrove Road Light Industrial Area as shown on Appendix A – Precinct Based Development Control Plans Sheet No.6 to this Section of the DCP, an applicant is required to consult with Council's Health & Environment Department to determine if the proposed development is in an area identified as having known salinity hazard.

If the proposed development is identified in an area of known salinity hazard, reference should be made to the Western Sydney Salinity Code of Practice, March 2003, for guidelines for recommended site investigations, appropriate salinity management responses and preparation of a site specific salinity management plan.

Whilst the majority of WSUD techniques identified in this Section of the DCP emphasise infiltration as a means of managing stormwater quality and quantity, there are several alternative methods available which are not in conflict with salinity issues and still focus on reducing overall water usage. Such techniques should still be incorporated within the design of new development.

SUBMISSION REQUIREMENTS

- Preliminary Engineering Drainage Drawings indicating the proposed drainage infrastructure.
- Method of pollutant removal during and after development.
- If required, easements are to be created over downstream properties prior to the Council granting an operative development consent.

2.23. WATER EFFICIENCY**OBJECTIVES**

- (i) *To reduce the water consumption of apartment building developments.*
- (ii) *To recycle and re-use water in developments in accordance with Council's ESD objective 3.*

DEVELOPMENT CONTROLS

- (a) Showerheads and taps must have reduced water flow devices. Taps may also be aerated.
- (b) Toilet cisterns must have a "AAA" (dual flush 3/6 litre) rating.
- (c) All other appliances and fittings must be water efficient, preferably with a "AAA" water rating.
- (d) Water cooled air conditioning systems are discouraged. If a water cooled system is to be used bleed rates should be linked to TDS meters.
- (e) Installation of a metering system that measures mains water used in different areas of the site enables monitoring and detection of excess water usage.

SUBMISSION REQUIREMENTS

- Details of appliances, fittings and tanks to be used in the development.

2.24. POLLUTION CONTROL**OBJECTIVES**

- (i) *To ensure that pollution sources are contained on site and not transmitted to non compatible land uses.*

- (ii) *To ensure the environmental and social qualities of the surrounding areas are maintained.*

DEVELOPMENT CONTROLS

- (a) All developments are restricted to sewerage sites.
- (b) The emission of air impurities, as defined under the Protection of the Environment Operations Act 1997, is to be controlled to the satisfaction of Council at all times.
- (c) Certain uses may be required to be licensed under the Protection of the Environment Operations Act 1997.
- (d) Any machinery or activity considered to create a noise nuisance must be adequately soundproofed in accordance with the provisions of the Protection of the Environment Operations Act 1997.
- (e) The use of mechanical plant and equipment may be restricted where sites are located near existing and proposed residential areas.
- (f) Incinerators are not permitted for waste disposal.

SUBMISSION REQUIREMENT

- Documentation to demonstrate how the objectives and development controls are satisfied.

2.25. WASTE MANAGEMENT – STORAGE AND FACILITIES**OBJECTIVES**

- (i) *To minimise the overall environmental impacts of waste.*
- (ii) *To maximise, through design, the opportunities to deal with industrial waste according to the waste hierarchy as given in Council's ESD objective 6 – reduce, reuse, recycle.*
- (iii) *To reduce the demand for waste disposal by providing detailed criteria for the consideration of design and management of recycling, composting and waste storage and collection facilities within developments.*
- (iv) *To provide industrial waste management systems that allow for ease of use by occupants and ease of service by collection contractors.*

- (v) *To encourage building designs and construction techniques that will minimise waste generation.*
- (vi) *To assist in achieving Federal and State Government waste minimisation targets.*
- (vii) *To promote development design that is appropriate and provides convenient waste storage, recycling and collection facilities on site.*

DEVELOPMENT CONTROLS

- (a) Adequate storage for waste materials must be provided on site. Ideally waste storage containers should be kept inside units and under no circumstances should waste storage containers be stored in locations that restrict access to any of the car parking spaces provided on site.
- (b) All waste must be removed at regular intervals and not less frequently than once per week.
- (c) All waste storage areas must be screened from view from any adjoining residential property or public place.
- (d) Waste storage areas must be kept clean, tidy and free from offensive odours at all times.
- (e) Applications for development are to be accompanied by a Waste Management Plan (WMP). The WMP accompanying the application must demonstrate appropriate design of facilities and on-going management techniques that minimise waste and the WMP will include the following details:
 - Type of future use for the development;
 - Types of waste to be generated;
 - Estimated volume of waste to be generated per week;
 - Show on plans and describe on-site storage and/or treatment facilities for waste; and
 - State the destination for waste produced.

A Trade Waste Licence is required for the disposal of wastewater from any proposed industrial development, prior to the issue of a Construction Certificate. A Trade Waste Licence must be obtained from Sydney Water before discharge into the sewer can commence. A Trade Waste application can be obtained from Sydney Water at the Section 73 Certificate application stage.

Appendix A of The Hills DCP contains a Waste Management Plan Template that can assist in the preparation of a Waste Management Plan.

2.26. WASTE MANAGEMENT PLANNING

OBJECTIVES

- (i) *To promote improved project management and to reduce the demand for waste disposal during demolition and construction.*
- (ii) *To maximise reuse and recycling of building/construction materials.*
- (iii) *To encourage building designs and construction techniques that will minimise waste generation.*
- (iv) *Minimise waste generation to landfill via the waste hierarchy.*
- (v) *To assist in achieving Federal and State Government waste minimisation targets.*

2.26.1. DEMOLITION

DEVELOPMENT CONTROLS

- (a) Site operations should provide for planned work staging, at source separation, re-use and recycling of materials and ensure appropriate storage and collection of waste.
- (b) Straight demolition should be replaced by a process of selective deconstruction and reuse of materials. Careful planning is also required for the correct removal and disposal of hazardous materials such as asbestos and is to be carried out by persons accredited from Workcover in accordance with Office of Environment and Heritage requirements.
- (c) Project management must seek firstly to re-use and then secondly to recycle solid waste materials either on or off site. Waste disposal to landfill must be minimised to those materials that are not re-useable or recyclable.
- (d) When separated, materials are to be kept uncontaminated to guarantee the highest possible reuse value.
- (e) Details of waste sorting areas and vehicular access are to be provided on plan drawings.
- (f) Prior to any demolition works commencing on the site, the applicant is to notify all adjoining and adjacent neighbours and Council, five (5) working days prior to work commencing.
- (g) All Asbestos, hazardous and/or intractable wastes are to be disposed of in accordance with

Work Cover Authority and Office of Environment and Heritage requirements.

2.26.2. CONSTRUCTION

DEVELOPMENT CONTROLS

- (a) Avoid oversupply and waste of materials by careful assessment of quantities needed.
- (b) The use of prefabricated components may reduce waste.
- (c) Re-use of materials and use of recycled material is desirable where possible.
- (d) Site operations should provide for planned work staging, at source separation, re-use and recycling of materials and ensure appropriate storage and collection of waste.
- (e) All asbestos, hazardous and/or intractable wastes are to be disposed of in accordance with Work Cover Authority and Office of Environment and Heritage requirements.

SUBMISSION REQUIREMENTS

- Waste Management Plan

2.27. HERITAGE

OBJECTIVES

- (i) *To ensure that the development of land does not isolate a heritage item from its setting or context, thereby retaining the heritage item's significance.*
- (ii) *To ensure that the development of land in the vicinity of a heritage item is undertaken in a manner that has regard to the significance of the heritage item, particularly its setting and context.*
- (iii) *To ensure that any development within the Annangrove Road light industrial area does not have an adverse impact on the setting and views and panoramas to and from Rouse Hill House Estate.*

DEVELOPMENT CONTROLS

- (a) In considering Development Applications, Council shall have regard for the visual impact of the

development when viewed from the surrounding area.

- (b) All developments must address the provisions of Part C Section 4 – Heritage.
- (c) State Regional Environmental Plan No. 19 – Rouse Hill Development Area contains specific controls for the Second Ponds Creek Light Industry Area with regard to the visual amenity when viewed from Rouse Hill Regional Park.
- (d) Any development within the light industrial area south of Annangrove Road as shown in Map Sheet 7 of this Section of the DCP is to mitigate the impact of the development upon Rouse Hill House Estate via the following measures:
 - Where the building will be visible from the Rouse Hill House Estate, a combination of native trees and shrubs endemic to the area are to be used to screen views of the building and all associated hard paved areas (such as car parks, loading areas and driveways);
 - All buildings are to be low profile in design so as to reduce the apparent or visual bulk of the structure;
 - All external building materials are to be non-reflective and of a colour consistent with the surrounding natural environment and vegetation;
 - Roofing material in particular should be of a dark, non-reflective colour (such as dark green or grey) which recedes visually within the surrounding natural landscape; and
 - The maximum height of any freestanding signage is 3 metres. Consideration will be given to an increase in the maximum height, provided:
 - The applicant can demonstrate it will not be visible from Rouse Hill House Estate; or
 - The structure is of a design, colour and utilises materials which are considered by Council to mitigate the visual prominence of the signage when viewed from Rouse Hill House Estate.
 - Where possible existing remnant mature trees should be retained particularly along existing road reserves and building setbacks should include supplementary plantings of native trees to ensure that buildings are seen

within a canopy of trees when viewed from the Estate.

- Any tall structures such as light towers or flagpoles should be of a dark, non-reflective colour (such as dark grey or green) and should be sited carefully so as not to obstruct critical sightlines to and from Rouse Hill House Estate.

SUBMISSION REQUIREMENTS

- Submit applicable documentation in the Development Application to demonstrate how the objectives and development controls are satisfied.
- Any application for development within the light industrial area south of Annangrove Road as shown in Map Sheet No.6 of this Section of the DCP must provide details of proposed external colours, materials, finishes and landscaping and any other supporting documentation in order to demonstrate how the development will minimise visual impact upon Rouse Hill House.

2.28. DEVELOPER CONTRIBUTIONS

Applicants should refer to Council's Section 94 Contributions Plan No. 11 - Annangrove Light Industrial Area.

2.29. SEX SERVICES PREMISES

Refer to Appendix B for development controls specific to sex services premises.

2.30. EDWARDS ROAD PRECINCT

Refer to Appendix C for development controls specific to development within the Edwards Road Precinct.

Appendix C applies to the land identified as the Edwards Road Precinct within Sheet 6 of Appendix A – Precinct Plan Maps identified.

In the event of an inconsistency between the development controls contained within Appendix C and another control within this Plan or any other Development Control Plan, the development controls contained within Appendix C will prevail.

3. INFORMATION REQUIRED FOR A DEVELOPMENT APPLICATION

3.1. OCCUPATION / CHANGE OF USE OR INTERNAL ALTERATIONS

COMPLETED DEVELOPMENT APPLICATION FORM

You must have the written consent of all current owners.

CONSTRUCTION CERTIFICATE APPLICATION FORM

Required where any building works or fit-out including erection of partitions, fixtures & signs is proposed as part of the development.

SITE PLAN (8 copies)

Clearly indicating:

- The building to be occupied
- Car-parking spaces allocated to that building
- Location of any signs to be erected

ARCHITECTURAL PLANS (8 copies)

FLOOR PLAN (existing and proposed)

- Elevations

STATEMENT OF ENVIRONMENTAL EFFECTS (8 copies)

The statement must include the following:-

- Statement outlining the exact nature of the proposed business;
- The proposed hours of operation;
- The number of employees;
- Information regarding deliveries (the number of expected deliveries each week, the types of vehicles/truck expected, approximate times they would be expected);
- The number of car spaces allocated to the unit with reference to Part C Section 1 – Parking; and
- Compliance with any other relevant objectives and/or development control of this section of the DCP.

Bulky Goods Premises

All applications for Bulky Goods Premises including new development, redevelopment of existing sites or

extensions to existing developments, are required to include an Economic Impact Assessment prepared by a suitably qualified consultant. Assessments should describe the extent of the trade area, the impact on the adopted hierarchy of centres and economic justification for the proposal.

3.2. NEW DEVELOPMENTS, EXTENSIONS OR REDEVELOPMENT OF EXISTING SITES

The following plans and details are required for development or redevelopments of light industrial sites as part of the formal submission with the relevant application form(s):

COMPLETED APPLICATION FORM

You must have the written consent of all current owners.

SITE PLAN (8 copies)

In addition to those requirements in Part A 'Site Plan', the following additional features are to be indicated on the site plan:

- Types of materials with samples;
- An assessment of potential noise impacts on adjoining developments.

SITE ANALYSIS (8 copies)

ARCHITECTURAL PLANS (8 copies)

- Floor Plan (existing and proposed)
- Elevations

LANDSCAPE PLAN (8 copies)

- These plans are to be in accordance with Part C Section 3 - Landscaping.

EARTHWORKS PLAN (8 copies)

- Existing and proposed levels/contours.

SIGNAGE PLAN (8 copies)

- Signs to be erected/replaced.
- See Part C Section 2 – Signage and the Fact Sheet for Advertising Signs.

STREETSCAPE PERSPECTIVE (1 copy)

- A colour perspective of proposed building(s) is required.

STATEMENT OF ENVIRONMENTAL EFFECTS (SEE)

Bulky Goods Premises

All applications for Bulky Goods Premises including new development, redevelopment of existing sites or extensions to existing developments, are required to include an Economic Impact Assessment prepared by a suitably qualified consultant. Assessments should describe the extent of the trade area, the impact on the adopted hierarchy of centres and economic justification for the proposal.

4. REFERENCES

Baulkham Hills Shire Council, 1993 Kellyville/Rouse Hill Landscape and Urban Design Strategy.

Baulkham Hills Shire Council, Making Access For All2002.

Baulkham Hills Shire Council, 1993 Kellyville/Rouse Hill Open Space Plan.

Blacktown Council, 1992 Development Control Plan PART E - Development in the Industrial Zones.

Department of Environment and Planning, 1981 Technical Bulletin 14: Guidelines for Site Landscaping of Commercial and Industrial Development.

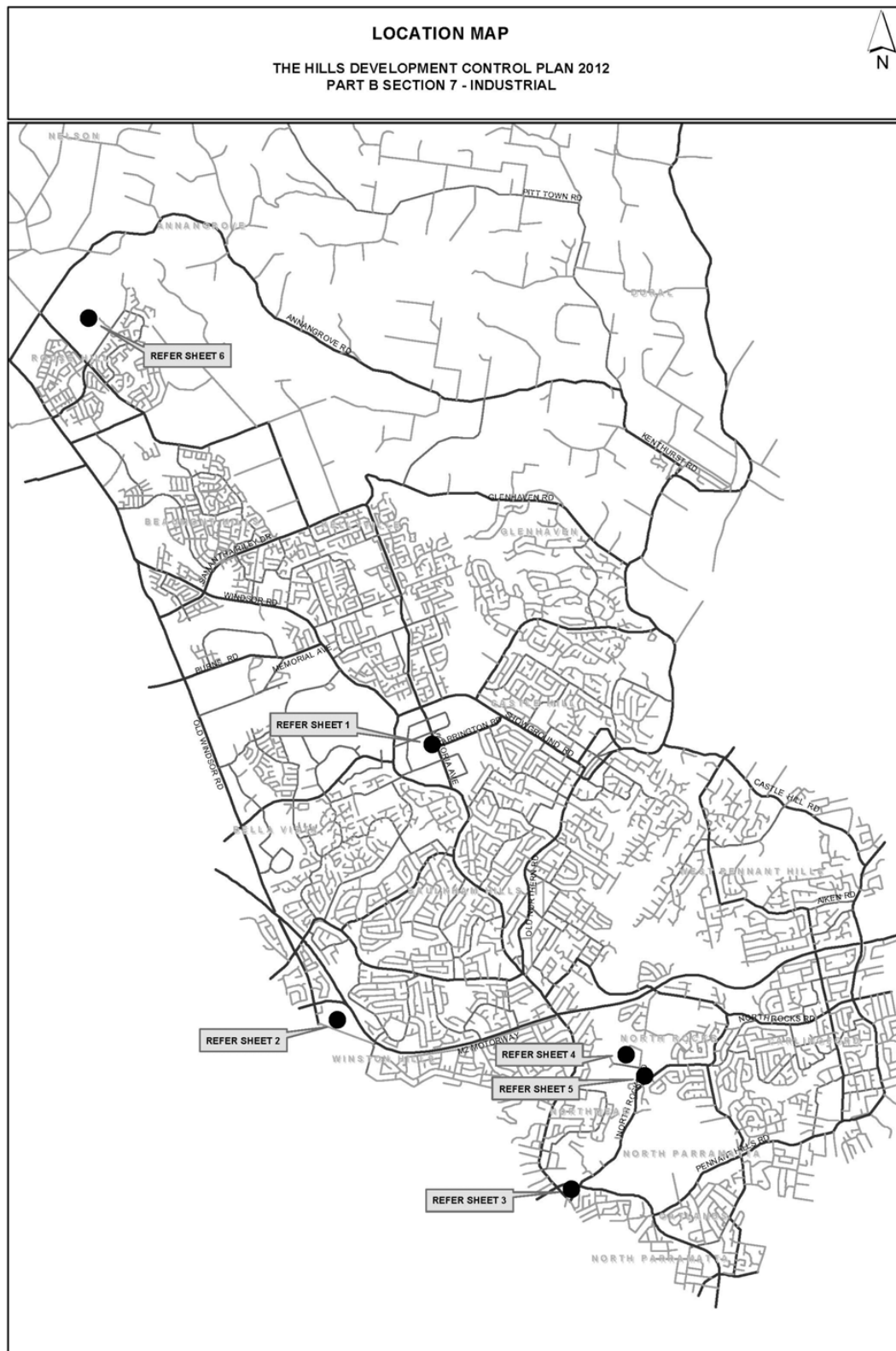
Department of Urban Affairs and Planning, 1988 Rural Land Evaluation: A Manual for Conducting a Rural Land Evaluation Exercise at the Local Planning Level. Department of Urban Affairs and Planning, Sydney.

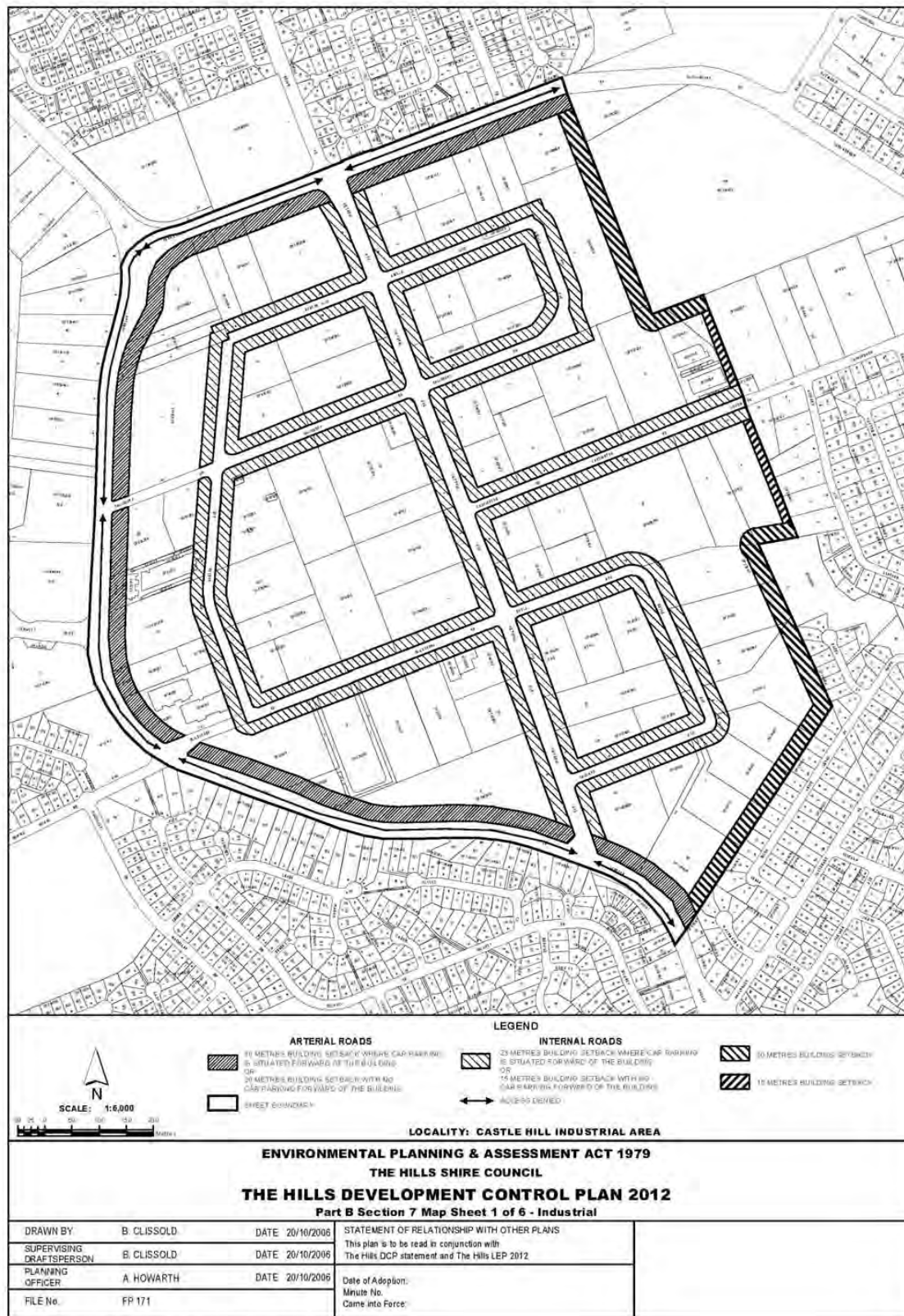
Department of Urban Affairs and Planning DUAP Circular No E3 Author.

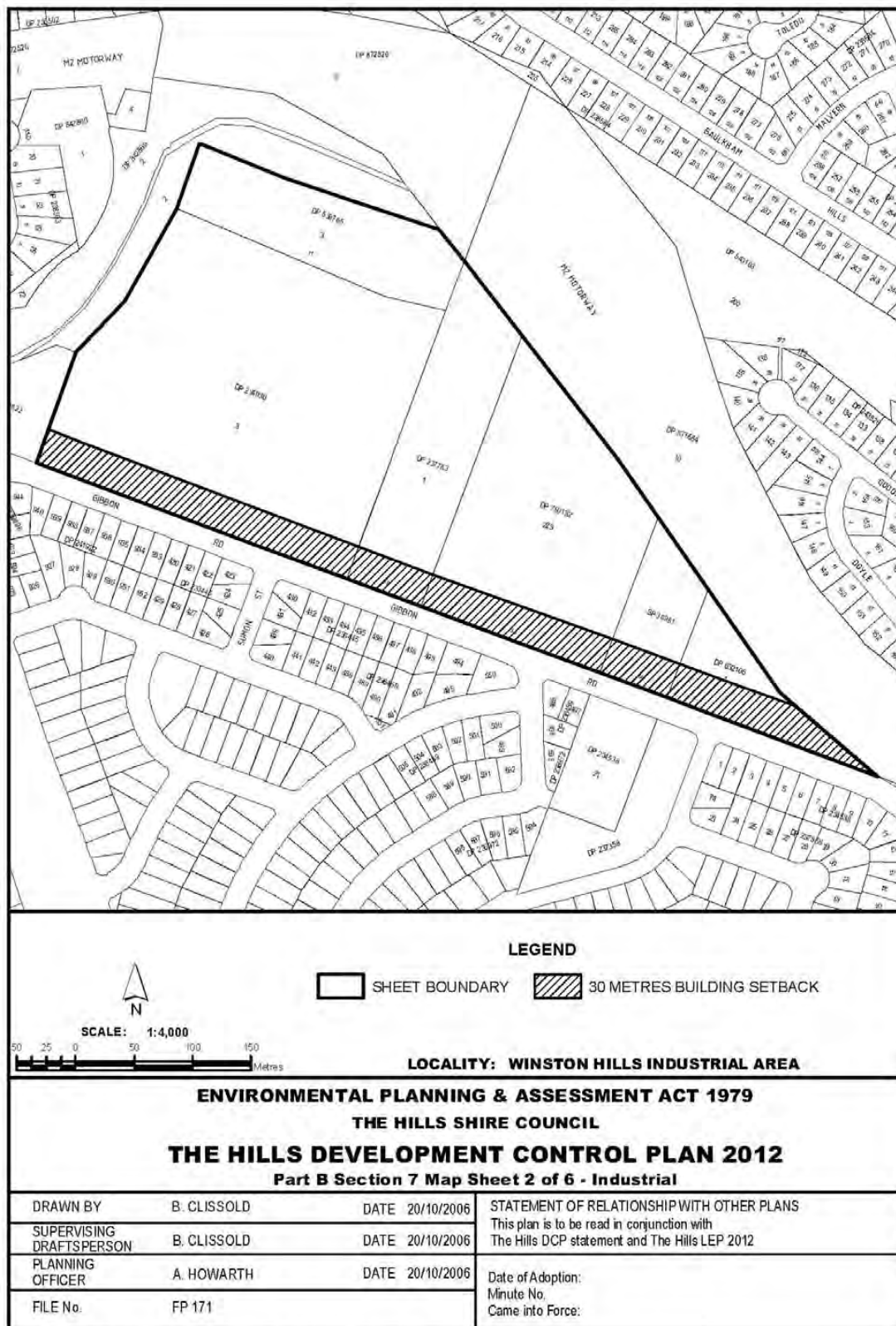
Donovan I, Cameron C, and Coombes P (1999). Water Sensitive Urban Development: Model Planning Provisions. Lake Macquarie City Council, Speers Point, on behalf of the Lower Hunter and Central Coast Environmental Management Strategy.

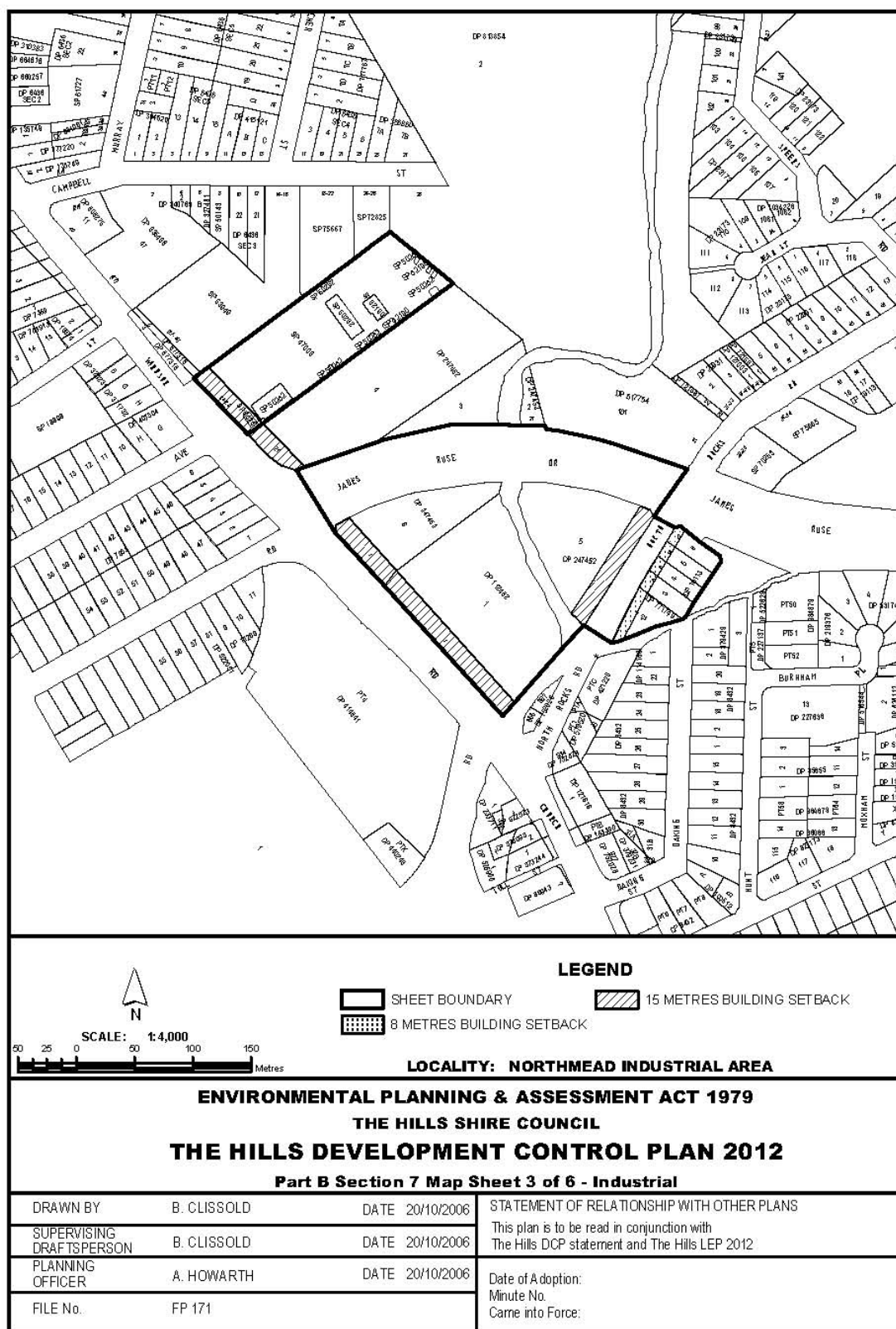
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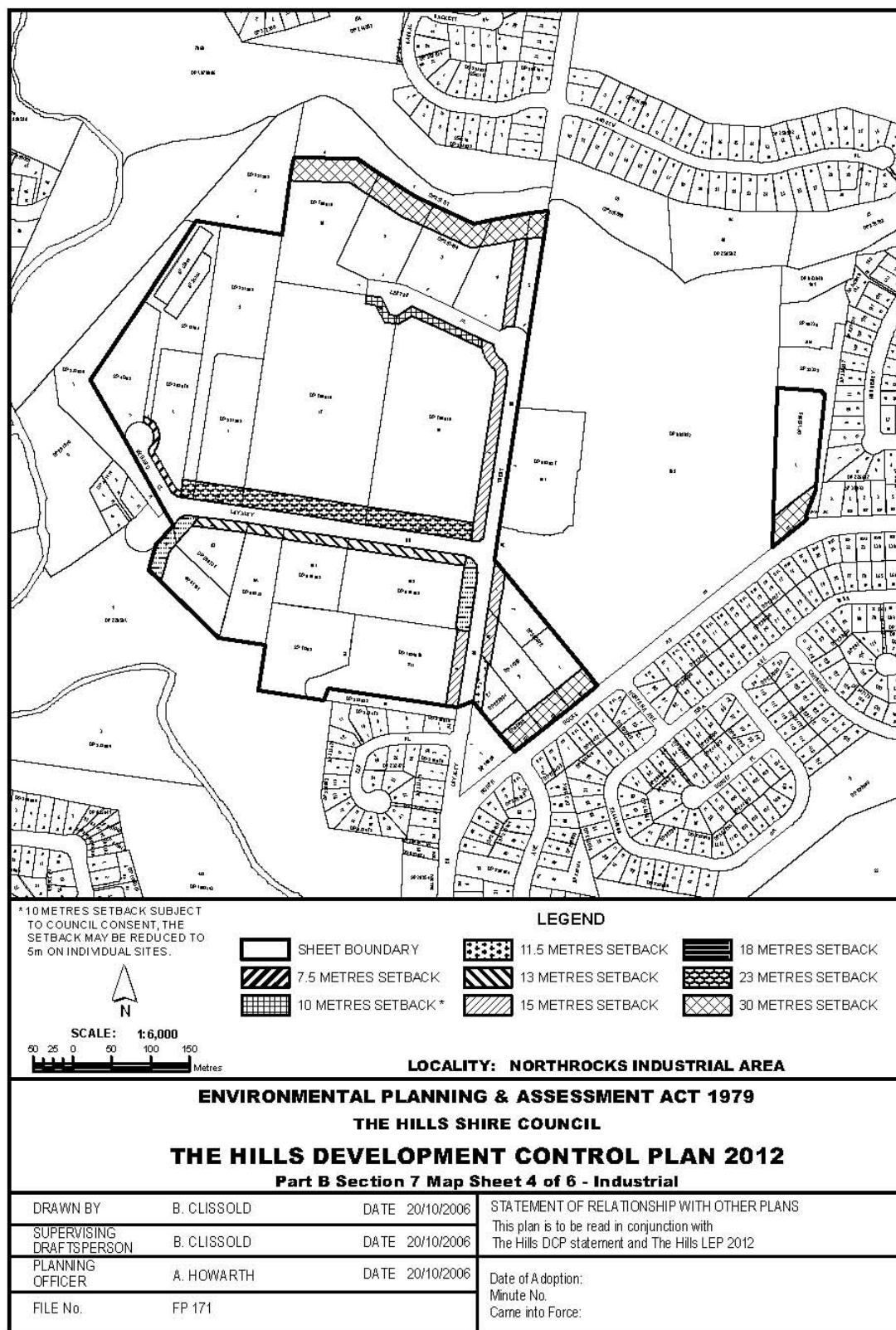
APPENDIX A – PRECINCT BASED DEVELOPMENT CONTROL PLANS

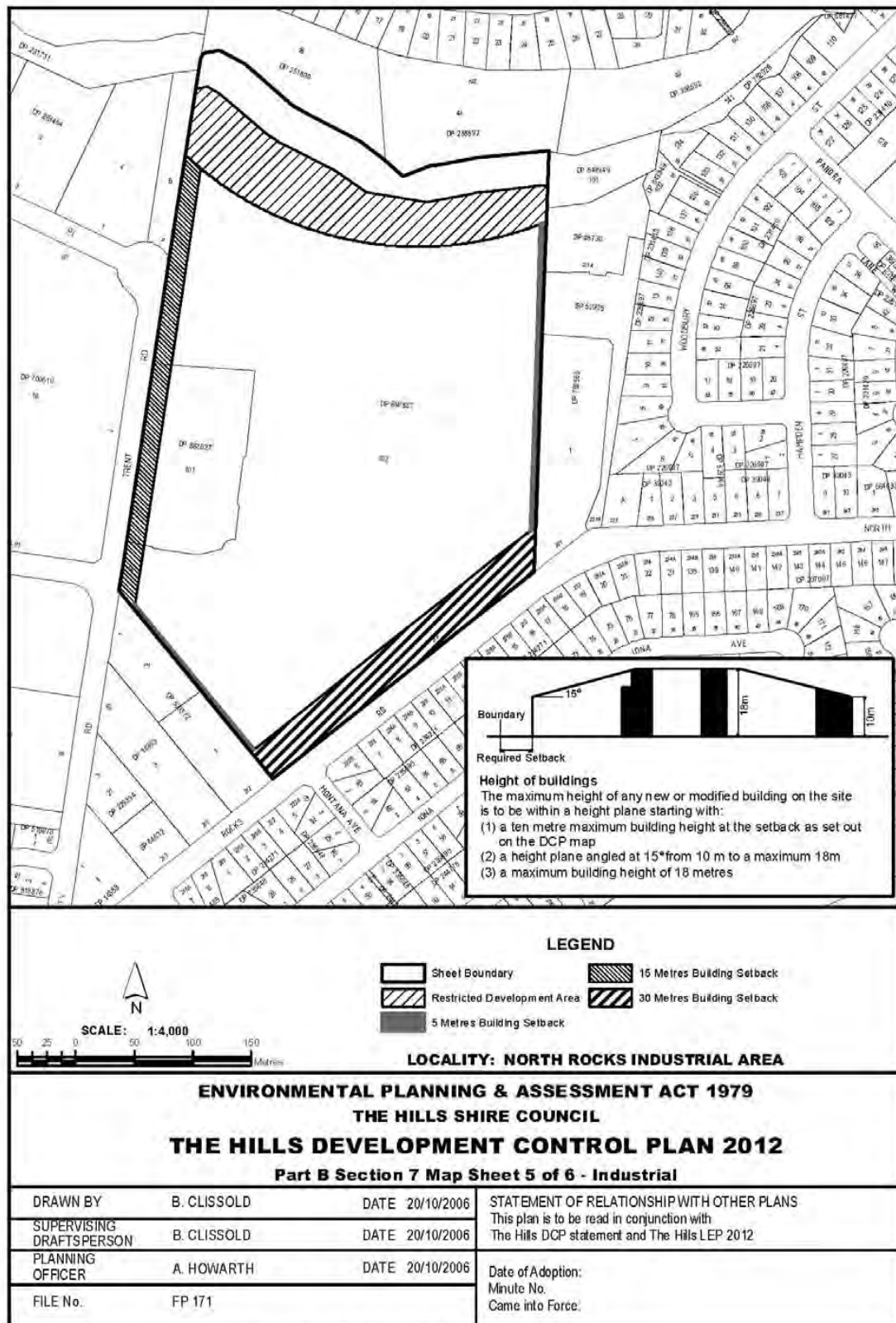














**APPENDIX B – DEVELOPMENT CONTROLS FOR SEX SERVICES
PREMISES**

B1 INTRODUCTION

This Appendix must be read in conjunction with Part A – Introduction of this DCP.

B1.1 LAND TO WHICH THIS APPENDIX APPLIES

This Appendix applies to the location of sex services premises where permissible under The Hills Local Environmental Plan 2012.

B1.2 AIMS AND OBJECTIVES OF THIS APPENDIX

The aim of this Appendix is to identify Council's objectives for the establishment of sex services premises within The Hills Shire and identify controls to ensure the objectives are achieved.

The principal objectives of this Appendix are:

- (i) *To ensure sex services premises are appropriately located where they do not impact adversely on the character or amenity of the area, and in particular upon residences or other sensitive uses.*
- (ii) *To ensure that sex services premises are discretely situated and not prominent within an area.*
- (iii) *To avoid the concentration of sex services premises or potential creation of 'red light districts'.*
- (iv) *To optimise the safety and security of sex services premises.*

B1.3 DEFINITIONS

Refer to the definition of sex services premises in The Hills Shire Local Environmental Plan 2012.

B2 OBJECTIVES AND DEVELOPMENT CONTROLS

The objectives and development controls are set out in the following sections.

In addition to the policies, guidelines and documents specified in section 1.4 of Part A -

Introduction, this Section is to be read in conjunction with other relevant Sections including:

- Part C Section 1 - Parking
- Part C Section 2 - Signage
- Part C Section 3 - Landscaping

B2.1 LOCATION

OBJECTIVES

- (i) *To ensure sex services premises are located where they do not impact adversely on the character and amenity of the area, and in particular upon residences or other sensitive uses.*
- (ii) *To ensure that sex services premises are not concentrated in areas to the extent that their presence is a dominant feature of any streetscape.*

DEVELOPMENT CONTROLS

- (a) No sex services premises is to be located within a 300 metre radius from the boundary of the nearest property containing any existing, proposed, or approved activity listed below:

Place of public worship, educational establishment, restaurant or cafe, community facility, child care centre, hospital, health—consulting rooms, medical centre, railway station, bus stop, taxi stand, recreation area (such as a public park or children's playground, sporting field, swimming pool, athletics oval, sporting arena, showground), recreation facility (such as a gymnasium, indoor sporting facility), entertainment facility or premises providing youth services such as a scout hall, youth club, residential property, licensed premises, any use which in the opinion of Council is likely to be frequented by children or adolescents, other sex services premises.

Where any of the above uses are located in a unit within an industrial complex, the required

300m distance shall be measured from the individual unit.

The 300m shall be measured as a linear measurement from any boundary of the property on which the premises are located.

- (b) No sex services premises is permitted to have frontage to or be located within 100m of a classified road.

SUBMISSION REQUIREMENTS

- Location Analysis including a map demonstrating the required distance from all of the classified roads and uses listed above both within The Hills Shire and any adjoining Local Government Area.
- Social Impact Assessment undertaken by a professional with expertise in social impact assessments. Refer to Part A – Introduction of the DCP for the full details required to be submitted.

B2.2 OPERATION AND MANAGEMENT

OBJECTIVE

- (i) *To ensure that sex services premises operate in a manner that is compatible with adjoining and surrounding land uses.*

DEVELOPMENT CONTROLS

- (a) Sex services premises must be operated in a discreet manner, so as not to cause disturbance from noise, lighting, advertising or the activities of employees or customers.
- (b) The interior of the premises must not be visible from any place in the public domain.
- (c) All activities and displays associated with the operation of the sex services premises shall be contained wholly within the building.
- (d) Window displays are not permitted and under no circumstances shall the workers display themselves in the windows or doorways of the subject premises.
- (e) No merchandising relating to the sex services premises is to be displayed at any entry or

access corridor including stairwell to the premises.

- (f) Spruikers (staff at the door or outside the premises who encourage patrons to enter) are not permitted in the operation of any sex services premises.
- (g) A reception/waiting area shall be provided for clients within the front of the premises and this area shall be kept transparent at all times.
- (h) Adequate security measures are to be in place, to ensure the safety and well-being of staff and clients whilst the premises is operational.
- (i) All sex services premises shall comply with the relevant provisions of the "Health and Safety Guidelines for Brothels" published by WorkCover NSW.
- (j) A public address system or sound amplifying equipment shall not be installed in or on the premises.
- (k) The preparation and serving of food and drinks to clients is not permitted.

SUBMISSION REQUIREMENTS

- Detailed Plan of Management. The Plan of Management should cover the operation of the sex services premises in terms of such matters as:
 - Security and lighting, waste management, cleaning, dealing with antisocial behaviour, worker and client health education, laundry and parking arrangements.
 - Name and contact details of the operator(s) and manager(s);
 - ABN, registered business name, trading name and insurance.
 - Record keeping procedures for employees;
 - The procedure for recording and dealing with complaints regarding the operation of the premises or the behaviour of visitors arriving or leaving the premises;
 - All of the above information, approvals for the establishment of the premises, the Plan of Management are to be made

available to the public and be kept on the premises at all times. Confidential information on employee details is not expected to be released to the public.

Note. The consent authority must be advised of any changes in ownership.

B2.3 SAFETY AND SECURITY

OBJECTIVES

- (i) *To maximise the safety and security of patrons, clients and workers at all times.*
- (ii) *To reduce the likelihood that sex services premises will be associated with criminal activities.*

DEVELOPMENT CONTROLS

- (a) Security surveillance equipment shall be installed throughout the premises with cameras located in every major area of public activity, particularly public entries, hallways, stairs and car parking areas. The equipment shall be monitored from a central location within the sex services premises by the manager.
- (b) Surveillance footage shall be recorded, labelled with times and dates and kept for a minimum of one (1) month, and shall be made available to the Police and Council on request.
- (c) Any room used or capable of being used for prostitution shall be provided with an alarm or intercom which connects back to a central base that is to be monitored.
- (d) The premises and car parking area is to be well-lit.

SUBMISSION REQUIREMENTS

- Detailed Plan of Management.

B2.4 HOURS OF OPERATION

OBJECTIVES

- (i) *To ensure that the operation of sex services premises is compatible with adjoining land uses.*

DEVELOPMENT CONTROLS

- (a) The hours of operation are restricted to 7am – 11pm, Monday to Saturday, with no operation on Sunday or Public Holidays.

In all circumstances, any consent issued for sex services premises will be limited to a twelve-months trial period. At the expiration of this trial period, a further Development Application will be required to be submitted to Council.

Council will assess if the sex services premises has been operating in a satisfactory manner. Should investigations prove that the sex services premises has had a negative impact on the adjoining and surrounding properties, a further consent will not be issued.

SUBMISSION REQUIREMENTS

- Statement of Environmental Effects.
- Prior to the expiration of the 12 month trial period an annual report shall be submitted to Council advising Council that the operation has achieved full compliance with conditions of consent. This report shall also include comments from the NSW Police Local Area Command on the sex services premises' operation.

Note. All applications for new and existing sex services premises shall be referred to the NSW Police Local Area Command for comments.

B2.5 SIGNAGE

Refer to Section 2.5 of Part C Section 2 – Signage.

B2.6 HEALTH

OBJECTIVES

- (i) *To ensure sex services premises comply with the relevant health and building regulations.*
- (ii) *To protect the health of workers and clients.*

DEVELOPMENT CONTROLS

- (a) All sex services premises shall comply with the relevant provisions of the "Health and Safety Guidelines for Brothels" published by WorkCover NSW.
- (b) All sex services premises must be fitted with the necessary services and facilities required under the Building Code of Australia.
- (c) A separate rest area with toilet facilities and amenities shall be provided for staff use only. This area shall not be used for the purpose of prostitution.
- (d) Each room to be used or capable of being used for the purposes of prostitution shall contain all sanitary facilities consisting of a toilet, hand wash basin with warm potable water, and shower.
- (e) The premises are to be ventilated in accordance with the requirements of the Building Code of Australia.

SUBMISSION REQUIREMENTS

- Statement of Environmental Effects and Floor Plans.

B2.7 CAR PARKING

All parking must be in accordance with Part C Section 1 – Parking.

B2.8 DISABILITY ACCESS**OBJECTIVES**

- (i) *To ensure adequate and appropriate access to the premises and its facilities is provided to a person with a disability.*

DEVELOPMENT CONTROLS

- (a) Access for people with a disability must be provided in accordance with the Building Code of Australia (BCA).
- (b) All common areas and facilities including toilets are required to be designed to be suitable for use by people with a disability.

SUBMISSION REQUIREMENTS

- Statement of Environmental Effects and Floor and Site Plan.

B2.9 WASTE**OBJECTIVES**

- (i) *To ensure the safe and adequate storage, handling and disposal of waste.*

DEVELOPMENT CONTROLS

- (a) Contaminated waste must be collected and disposed of by persons holding the appropriate licence from the Office of Environment and Heritage. Used condoms must be double bagged and placed in specific and clearly marked waste receptacles on the premises. All sharps must be placed in non-reusable sharps containers which comply with AS4031-1992. These containers must be clearly marked and placed in all work rooms and rooms containing sanitary facilities.
- (b) All premises must comply with any guidelines issued by the Department of Health and WorkCover Authority.

SUBMISSION REQUIREMENTS

- Statement of Environmental Effects and details of waste collection.

B2.10 NOISE**OBJECTIVE**

- (i) *To ensure that sex services premises operate in a manner compatible with adjoining land uses.*

DEVELOPMENT CONTROLS

- (a) No transmission of vibration to a place of different occupancy;
- (b) Limitation on sound levels to be no greater than background levels (AS 1055 – Acoustics);
- (c) No offensive noise as defined under the Noise Control Act.

SUBMISSION REQUIREMENTS

- Statement of Environmental Effects

**APPENDIX C – DEVELOPMENT CONTROLS FOR THE EDWARDS ROAD
PRECINCT**

C1 INTRODUCTION

This Appendix must be read in conjunction with Part A – Introduction of this DCP.

C1.1 LAND TO WHICH THIS APPENDIX APPLIES

This appendix applies to land identified as the Edwards Road Precinct within Appendix A – Precinct Based Development Control Plans (Sheet 6) of this Section of the DCP. The Precinct is zoned B6 Enterprise Corridor under *The Hills Local Environmental Plan 2012* wherein development for the purpose of office and business is also permitted.

An aerial photograph of the Edwards Road Precinct is included below.



Figure 1
Aerial Photograph -Edwards Road Precinct

The Edwards Road Precinct is known to contain areas of Cumberland Plain Woodland and Shale Sandstone Transition Forest. Cumberland Plain Woodland is listed as a critically endangered ecological community under both the NSW *Threatened Species Conservation Act 1995* (TSC Act) and Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), while Shale Sandstone Transition Forest is

listed as an endangered ecological community under both the TSC and EPBC Acts.

As part of any future development on land containing significant vegetation communities, the assessment framework under the *Environmental Planning and Assessment Act 1979*, *Threatened Species Conservation Act 1995* (TSC Act) and the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) will need to be addressed.

C1.2 OBJECTIVES OF THIS APPENDIX

The principal objectives of this Appendix are:

- (i) Improve the visual connection between development and the public realm by encouraging a visually attractive streetscape.
- (ii) To promote safe and efficient vehicular movement within the Edwards road Precinct.
- (iii) Facilitate safe and convenient pedestrian movement.

C2 OBJECTIVES AND DEVELOPMENT CONTROLS

C2.1 DEVELOPMENT SITES

OBJECTIVES

- (i) To ensure development sites have sufficient areas to provide adequate access, parking, landscaping and building separation.
- (ii) To provide for the orderly development of land through subdivision or the consolidation of lots.
- (iii) To ensure development on a particular site has due regard to adjoining developments.

DEVELOPMENT CONTROLS

- (a) Minimum frontage to all roads is 40 metres.
- (b) Battle-axe shaped lots will be discouraged within the Precinct, however may be considered on merit based on site constraints.
- (c) The site area of battle axed shaped lots must comply with the Lot Size Map within LEP

2012. The area of the access handle must not be included in the measurement of the site area.

C2.2 SETBACKS

OBJECTIVES

- (i) To create a visually attractive and consistent streetscape.
- (ii) To provide an effective buffer to preserve the natural features and creeks in accordance with Council's ESD objective 4.
- (iii) To protect privacy and amenity of any adjoining land uses.
- (iv) To provide a desirable and aesthetically pleasing working environment.

DEVELOPMENT CONTROLS

- (a) 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

- (b) 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 any other side boundaries	5m
Setback to a side or rear boundary adjoining Annangrove Road, Withers Road and Edwards Road	10m
Setback to a side or rear boundary that adjoins a road other than Annangrove Road, Withers Road or Edwards Road.	5m

- (c) The setback to a creek is to be no less than 40 metres from the top bank of the creek or otherwise to the requirements of the Office of Water.

C2.3 BUILDING MATERIALS

OBJECTIVES

- i) To promote integrated, visually harmonious and attractive buildings in industrial areas.
- ii) To promote the use of materials that involve minimal impact on the environment in accordance with Council's ESD objective 5.

DEVELOPMENT CONTROLS

- (a) A minimum 30% of the front elevation of the building façade should be of glass or other transparent materials.
- (b) 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:
 - varying the façade alignment; and
 - using varying external finishes (texture and colour), providing glass curtain walls.
- (c) Locate office facilities along the facade.
- (d) Roller shutters, loading docks and work areas shall not be visible from a public place.
- (e) 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.
- (f) Building entries shall be clearly visible from the street.

C2.4 FENCING

OBJECTIVES

- (i) To ensure that fencing does not detract from the overall visual amenity and character of the area.

DEVELOPMENT CONTROLS

- (a) Fencing shall only enclose the developable area of a site.

- (b) Fencing of any kind shall not be located within any conservation areas established by a vegetation management plan.
- (c) Fencing shall not obstruct the view of landscaping from the street or a driver's view (from the driveway) of the road.
- (d) Fencing must be open-style metal fencing (e.g. black wire mesh fencing).

C2.7 VEHICULAR ACCESS

OBJECTIVES

- (i) To ensure the safety of all road users in industrial areas.
- (ii) To ensure that vehicles can enter and exit premises in industrial areas in a safe and efficient manner.
- (iii) To maintain the performance of roads that provides an arterial or sub-arterial function.

DEVELOPMENT CONTROLS

- (a) Entry/egress points (access roads) to developments shall be shared so as to minimise access points to public roads.
- (b) Proposed roads must be consistent with the indicative road layout.
- (c) When locating access points consideration must be given to:
 - The potential isolation of any adjoining lots,
 - 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.

C2.7 MANAGEMENT OF BIODIVERSITY

OBJECTIVES

- (i) To conserve and protect the biodiversity of the Shire.

DEVELOPMENT CONTROLS

~~(a) A Species Impact Assessment is required for any application for development on land which may impact on an endangered or critically endangered ecological community. The assessment will need to identify the extent and significance of vegetation communities on site.~~

~~(b) 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~~
- ~~Management of the riparian corridor along the length of the creek and storm water drainage channels on site.~~

~~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.~~

C2.8 FLOODING

OBJECTIVES

- (i) to manage the risk to human life and damage to property caused by incidence of flooding within the precinct.

DEVELOPMENT CONTROLS

(a) This control applies to all land within the Edwards Road Precinct which:

- adjoins land zoned SP2 Infrastructure (Stormwater Management System), or
- Is affected by an overland flowpath.

(b) 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.

(c) Development on land to which this control applies must:

- Have any habitable floor levels equal to or greater than the Flood Planning Level;
- 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;
- Be able to withstand the forces of floodwater, debris and buoyancy up to the Flood Planning Level, and
- not increase flood affectation elsewhere in the floodplain;
- have reliable flood free access for pedestrians and vehicles from the development, at a minimum level equal to the Flood Planning Level;
- 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.

- 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.

- Any dangerous and hazardous materials not to be stored below the Flood Planning Level.

(d) 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.

(e) 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.

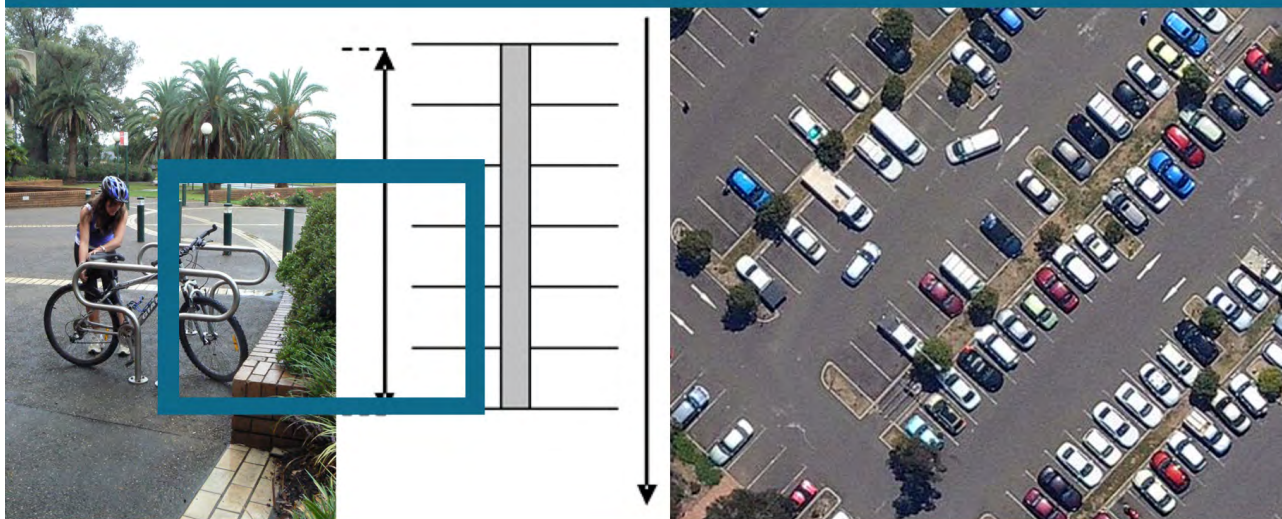
Average Recurrence Interval (ARI) is the long-term average number of years between the occurrence of a flood as big as (or larger than) the selected event.

ATTACHMENT 4

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Sydney's Garden Shire



Part C Section 1 Parking

C1

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1. INTRODUCTION

This Section of the DCP must be read in conjunction with Part A – Introduction of this DCP.

1.1. LAND TO WHICH THIS SECTION OF THE PLAN APPLIES

This Section of the DCP applies to all land identified under The Hills Local Environmental Plan (LEP) 2012 and to all permissible parking activities as defined in the LEP 2012. Where the provision of parking is ancillary to the overall development, further specific controls are included in separate relevant Sections of this DCP.

1.2. AIMS AND OBJECTIVES OF THIS SECTION OF THE DCP

The aim of this Section of the DCP is to establish Council's specific objectives and development controls for the provision of parking within the Shire.

OBJECTIVES

Council's overarching objectives for parking developments are:

- (i) *To provide guidelines aimed at improving overall traffic management and safety.*
- (ii) *To ensure satisfactory access, parking provisions, circulation and goods loading and delivery facilities are provided within developments.*
- (iii) *To ensure the efficient flow of traffic through car parks to minimise the potential for pedestrian and vehicle conflict.*
- (iv) *To set out Council's planning and engineering standards for parking in the Shire.*
- (v) *To encourage the use of more ecologically sustainable forms of transport such as bicycles.*
- (vi) *To ensure that all parking provided by development relates to the site's environmental conditions.*

2. OBJECTIVES AND DEVELOPMENT CONTROLS

The objectives and development controls for parking are set out in the following sections.

In addition to the policies, guidelines and documents specified in Section 1.4 of Part A – Introduction, this Section is to be read in conjunction with other relevant Sections including:

- Part C Section 3 – Landscaping

2.1. GENERAL PARKING REQUIREMENTS

OBJECTIVE

- (i) *To provide sufficient parking that is convenient for the use of residents, employees and visitors of the development.*

DEVELOPMENT CONTROLS

2.1.1. GENERAL

- (a) Number of required parking spaces and associated conditions must be provided in accordance with Table 1. Any part spaces must be rounded up to the nearest whole number.
- (b) All car parking spaces must be provided on-site.
- (c) The minimum provision of spaces for restaurants or café as required in Table 1 applies to indoor and outdoor seating.
- (d) The provision of boat trailer and boat wash down areas are required for caravan parks and/or holiday cabin developments in the vicinity of the Hawkesbury River.
- (e) Car parking for child care centres must be situated in a convenient location, allowing for safe movement of children to and from the centre.
- (f) Parking spaces for an exhibition home may be permitted to be located within the front setback, provided the parking area is reinstated to lawn upon the expiry of the exhibition home consent. In the case of exhibition home villages a centralised parking area should be provided.
- (g) Any changes to parking provisions occurring after development consent or implementation of development consent must be subject to an application under Section 96 of the Environmental Planning and Assessment Act 1979.

- (h) Where justified, a proportion of car parking may be subject to time restrictions upon application, consideration and approval by Council. All employees parking are to be provided on-site.
- (i) Stack parking will not be included in the assessment of the number of car parking spaces for retail, commercial, medium density residential and industrial development and the like.
- (j) Access arrangements in bush fire prone areas shall be in accordance with Planning for Bushfire Protection 2006.

2.1.2. MIXED USE PARKING

- (a) Where the component uses are operated concurrently, parking will be assessed as the sum of the requirements for each component. Component parking requirements are to be based on requirements in Table 1. Calculations shall include an appropriate proportion of any shared common or administrative area.

2.1.3. DUAL USE PARKING

- (a) Where the component uses are not operated concurrently, parking provisions will be based on whichever of the components generates the greatest car parking requirement. The onus will be on the applicant to satisfy Council that the uses are not operated concurrently.
- (b) Where the main usage periods of the component uses do not coincide, Council may consider a reduction in the car parking requirements provided that the total car parking is not less than that needed for the component that generates the greatest requirement. The onus will be on the applicant to satisfy Council that the main usage periods do not coincide.

2.1.4. REMODELLING OR ALTERATIONS TO EXISTING PREMISES

- (a) If the development does not result in increased floor space and the use of the building is not significantly changed, then additional parking provisions may not be required.
- (b) If the remodelling results in increased floor area, then additional parking will be required for the increase.

- (c) If the use of the development is changed, this will be taken into account in assessing the parking requirement according to the new use as well as any increase in floor space.

SUBMISSION REQUIREMENTS

- Parking calculations – number of spaces provided for the proposed development using Table 1. Any part spaces must be rounded up to the nearest whole number.
- A Traffic Impact Report should be provided:
 - Where development is likely to generate significant traffic, or
 - Where it is a requirement of another section of the DCP.
- A Parking Study – will be required where proposed parking provisions need to be substantiated. This occurs when:
 - An activity or land use is not included in Table 1, or
 - Dual use or mixed use car parking arrangements may be proposed.

Table 1 Required Minimum Car Parking Provisions

GFA = Gross Floor Area

GLFA = Gross Leasable Floor Area

Land Use Class	Land Use	Required Minimum Provision
Residential	Dwelling	1 space per dwelling
	Residential Flat Buildings and Multi Dwelling Housing	1 space per 1 bedroom unit 2 spaces per 2 or 3 bedroom unit 2 visitor spaces per 5 units
	Residential Flat Buildings in Centre (See note 1 below)	1 space per 1 bedroom unit 1.5 spaces per 2 bedroom unit 2 spaces per 3 bedroom unit 2 visitor spaces per 5 units
	Dual Occupancy	1 undercover space per dwelling below 125m ² of floor space 2 spaces (1 undercover) per dwelling above 125m ² of floor space
	Home Business or Home Industry	Car parking rate will be determined on a merit based assessment but must be provided at a rate that will ensure that the proposal does not result in a significant increase in traffic in accordance with LEP 2012.
Commercial	Commercial premises (including business premises, office premises)*	1 space per 25m ² GFA
	Centre Commercial	1 space per 40m ² GFA
Retail	Shops * # (including shopping centres and general business retail)	1 space per 18.5m ² GLFA
	Service Station & Convenience Store	6 spaces per work bay, plus <u>with Convenience Store</u> - 1 space per 20m ² GFA, plus <u>with Restaurant</u> - 15 spaces per 100m ² GFA of restaurant or 1 space per 3 seats whichever is the greater, plus 1 space per restaurant employee
	Vehicle repair station	3 spaces per 100m ² of GFA or 3 spaces per work bay, whichever is the greater

Land Use Class	Land Use	Required Minimum Provision
	Vehicle sales or hire premises	0.75 spaces per 100m ² of site area, plus 6 spaces per work bay where vehicle servicing is provided on site.
	Garden Centre, Plant Nurseries	1 space per employee, plus 1 space per 18.5m ² GLFA of ancillary retail floor space. Additional parking spaces to be determined by Council in respect of each application to ensure that parking demand generated by the activity is contained within the subject site. Traffic and parking study is required to accompany the application.
	Roadside Stall	Minimum of 4 spaces located within the property boundaries.
	Market	2.5 spaces per stall (customers only)
	Bulky Goods Premises	1 space per 40m ² of GFA
Industry component uses –	Industrial	1 space per 50m ² of GFA, or 1 space per 2 employees, whichever is greater.
	Industrial – Edwards Road Precinct (See note 2 below)	1 space per 75m ² of GFA
	Warehouse	1 space per 50m ² of GFA
	Warehouse – Edwards Road Precinct (See note 2 below)	1 space per 75m ² of GFA
	Vehicle body repair workshop	1 space per 2 employees, plus 6 spaces per work bay
	Sex Services 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

Notes.

1. Centre parking rates apply to Castle Hill Major Centre, Baulkham Hills Town Centre and Rouse Hill Major Centre as identified in Sheet 1, 2 and 3 in Appendix A – Centre Maps to this Section.
2. Land within the Edwards Road Precinct is identified within Appendix B – Edwards Road Precinct to this Section.

Land Use Class	Land Use	Required Minimum Provision
Entertainment	Pubs/, Registered Clubs	1 space per 1.85m ² of service area in bar and lounge plus 1 space per 2 employees
	Entertainment Facilities*#	1 space per 5 seats or 1 space per 10m ² of non-fixed seating floor space
	<u>Food and Drink Premises</u>	
	Take-away food and drink premises* (No seating)	1 space per 18.5m ² GFA.
	Restaurant or café*	1 per 5 seats, plus 12 spaces per 100m ² of GFA, plus 10 car spaces for queuing where a drive through facility is proposed.
	Function Centre	1 space per 3 seats, or 15 spaces per 100m ² GFA, which ever is the greater. These rates apply to both indoor and outdoor seating.
	Restaurant or cafe within a commercial office building	1 space per 25m ² of GFA.
	Restaurant or cafe within a retail shopping complex	1 space per 18.5m ² of GLFA.
Recreational Facilities	Gymnasiums/Fitness Centre*	1 space per 25m ² of GFA
	Squash Courts & Tennis Courts*	3 spaces per court plus 1 space per 5 seats where spectator seating/galleries are provided
	Bowling Green	30 spaces for the first green, plus 15 spaces per each additional green
	Bowling Alley	3 spaces per alley
	Indoor Cricket or Soccer Centre*	15 spaces per pitch
	Equestrian Centre, Other Recreational Facility	Submit parking study to substantiate proposed car parking provisions.
Health	Hospital Nursing and Convalescent Homes	1 space per 2 beds for visitors plus 1 space per 1.5 employees plus 1 space per 2.5 visiting medical officers Unless otherwise specified by Seniors Living SEPP.

Land Use Class	Land Use	Required Minimum Provision
	Medical Centres, Health consulting rooms	3 spaces per consulting room plus 1 space per support employee
Education	Child Care Centre [#] (including Kindergartens, Crèches)	1 space per employee plus 1 space per 6 children enrolled for visitors and/or parent parking Also see section 2.1.1(e)
	Educational Establishment (School) [#]	1 space per employee plus 1 space per 8 year 12 students, plus 1 space per 30 students enrolled for visitors and/or parent parking
	Educational Establishment (Tertiary Institution) [#]	1 space per 2 students enrolled
Accommodation	Bed & Breakfast Accommodation	1 space per guest room in addition to residential requirement
	Caravan Park/Holiday Cabins	1 space per caravan or camping site plus Also see section 2.1.1(d)
	Hotel or Motel Accommodation [#]	1 space per 1 guest room plus 1 space per 2 employees in addition to any space generated by a public bar or restaurant.
	Marina	0.6 spaces per wet berth 0.2 spaces per dry storage berth 0.2 spaces per swing mooring 0.5 spaces per marina employee Development applications are to be accompanied by a traffic and parking study to ensure that parking demand generated by the activity is contained within the subject site.
Other	Veterinary Hospital	3 spaces per consulting room plus 1 space/10 cats or dogs accommodated overnight
	Animal Boarding or Training Establishment.	Development applications are to be accompanied by a traffic and parking study to ensure that parking demand generated by the activity is contained within the subject site.
	Place of public worship	1 space per 5 seats
	Funeral home/chapel	1 space per 4 seats plus 1 space per funeral service area

Land Use Class	Land Use	Required Minimum Provision
	Exhibition Home	4 spaces per exhibition home Also see section 2.1.1(f)

Note. *Bicycle parking is also required – refer to Table 3 for provisions.

Set down areas are to be provided for these land uses – refer to section 2.6.

2.2. PARKING FOR DISABLED PERSONS AND PARENTS WITH PRAMS

OBJECTIVES

- (i) *To ensure appropriate on-site provision and design of parking for disabled persons and parents with prams.*
- (ii) *To ensure that designated spaces provided are easily accessible to points of entry to building or facility.*
- (iii) *To ensure amenity and safety in the design and construction and operation of the development in accordance with Council's ESD Objective 7.*

DEVELOPMENT CONTROLS

- (a) A proportion of the total parking spaces required shall be provided for disabled persons in accordance with Table 2.
- (b) A continuous, accessible path of travel in accordance with AS 1428.1 shall be provided between each parking space and an accessible entrance to the building or to a wheelchair accessible lift.
- (c) A proportion of the total parking spaces required shall be provided for parents with prams at the rate of 1 space per 100 spaces at:-
 - shopping centres;
 - transport terminals;
 - hospitals; and
 - other large public facilities.
- (d) Parking spaces for disabled persons and parents with prams should:-
 - have minimum 3.2 metres x 5.4 metres dimensions for each designated parking space;
 - be provided adjacent to an accessible entrance or a wheelchair accessible lift;
 - be signposted and identified for the nominated parking use;
 - have a clearance height of 2.5 metres from floor level; and
 - provide a level area with a gradient less than 1:40.
- (e) Directional signage to designated parking spaces should be provided from the entry of the parking facility.

- (f) Set down areas should be level with a gradient less than 1:40, have adequate circulation space and be located away from traffic flow. Adjacent kerb ramps should be provided to allow access to a footpath, building entrance or a wheelchair accessible lift.
- (g) Refer to Council's "Making Access for All: guidelines ensuring criteria for all public facilities" for further parking and access designs. This document is available at the Customer Service Centre at Council's Administration Building or at Council's website.

SUBMISSION REQUIREMENTS

- Site plan indicating:
 - parking layout and locations of designated spaces for disabled persons and parents with prams; and
 - locality of adjacent wheelchair accessible entrances and lifts.
- Parking calculations.

Table 2 Disabled Persons Parking Provisions

Source: AS 2890.1 1993 – Part 1 Parking Facilities – Off Street Car Parking

Land Use	Required Provision (percentage of total car parking)
<u>Retail/Commercial</u> A shopping centre with or without commercial premises (banks, credit union, restaurants or cafes, offices etc), or an office area. Includes strip shopping centres or CBD areas, shopping complexes, supermarkets, and variety stores. May include post office, entertainment, community, recreation venues and the like.	2%
<u>Transport</u> Railway stations, bus/rail interchanges	3%
<u>Community</u> Civic centres, town halls, community centres, senior citizen's clubs, and health care.	3%
<u>Recreation</u> Leisure centres, gymnasiums, swimming pools, parks, gardens, foreshore, and sporting venue.	3%
<u>Education</u> Schools Tertiary institutions	3% 2%
<u>Entertainment</u> Theatres, libraries, art galleries, sports centres, entertainment centres	4%
<u>Medical</u> Hospitals Medical Centres (including community health centres, radiology units, rehabilitation units)	4% 3%
<u>Places of Public Worship</u> Individual churches or religious centres	3%

Notes.

- Percentages in Table 2 apply to the total number of parking spaces to be provided.
- Small car parks must provide a minimum of 1 space for disabled persons.

2.3. BICYCLE PARKING**OBJECTIVES**

- To provide convenient and accessible on-site bicycle parking and appropriate associated facilities.
- To encourage the use of bicycles in order to help reduce the dependence on motor vehicles in accordance with Council's ESD Objective 9.

DEVELOPMENT CONTROLS

- The provision of bicycle parking must in accordance with Table 3.
- Bicycle parking should be located in close proximity to building entrances and clustered in lots not exceeding 16 spaces.
- Bicycle parking facilities should not impede pedestrian or vehicular circulation.

- (d) Bicycle parking facilities should be located in highly visible, illuminated areas to minimise theft and vandalism.
- (e) Provision of shower and change facilities for bicycle riders should be provided in accordance with Table 3.
- (f) Installation and dimensions of bicycle parking facilities and storage should be in accordance with:
- AS 2890.3-1993 – Parking Facilities – Bicycle parking facilities; and
 - Guide to Traffic Engineering Practice BICYCLES - Part 14 - Austroads (Standards Australia).

SUBMISSION REQUIREMENTS

- Parking calculations
- Site plan indicating location of:
 - designated bicycle spaces/storage facilities; and
 - shower and change facilities.
- Statement of Environmental Effects Indicating:
 - security details for bicycle parking areas; and
 - provision of shower and change facilities.

Table 3 Provision Of Bicycle Parking According To Land Use

Source: Guide to Traffic Engineering Practice "BICYCLES - Part 14 – Austroads" (Standards Australia).

Land Use	Minimum Bicycle Parking Provisions	Change and Shower Facilities
Commercial Premises (including business premises and office premises)	2 spaces plus 5% of the total number of car spaces required where – New development exceeds 5,000m ² in GFA or Additions to existing developments that increase the size of the total development to greater than 5,000m ² GFA.	Yes
Gymnasium/Fitness Centre or Squash/Tennis courts or Indoor Cricket/Soccer	1 per 4 employees plus 1 per 200m ² GFA	Yes
Industry – Warehousing, Factories	2 spaces plus 5% of the total number of car spaces required where – New development exceeds 4,000m ² in GFA or Additions to existing developments that increase the size of the total development to greater than 4,000m ² GFA.	Yes
Retail/Shops	2 spaces plus 5% of the total number of car spaces required where – New retail developments exceed GFLA of 5,000m ² or Additions to existing developments that increase the size of the total development to greater than 5,000m ² GFLA.	Yes
Bulky Goods Premises	2 spaces plus 5% of the total number of car spaces required where – New development exceeds 4,000m ² in GFA or Additions to existing developments that increase the size of the total development to greater than 4,000m ² GFA.	Yes
Schools	1 space per 5 pupils over year 4	Yes

Land Use	Minimum Bicycle Parking Provisions	Change and Shower Facilities
Tertiary Institution	1 space per 50 full-time students	Yes

2.4. MOTORCYCLE PARKING

OBJECTIVES

- (i) To have equitable provision of parking for motorcyclists.

DEVELOPMENT CONTROLS

- (a) Motorcycle parking is to be provided for all developments with on-site parking of more than 50 car parking spaces, at a rate of 1 motorcycle parking space for every 50 car parking spaces or part thereof.
- (b) Motorbike spaces should be 1.2 metres wide and 2.5 metres long when spaces are 90 degrees to the angle of parking. (See Figure 1 - Motorcycle Parking Dimensions).

SUBMISSION REQUIREMENTS

- Parking calculations.
- Site plan - indicating location of designated motorcycle parking spaces.

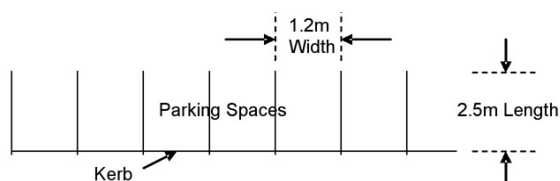


Figure 1 Motorcycle Parking Dimensions At 90 Degree Angle

Source: AS 2890.1 1993 – Parking Facilities-Part1: Off Street Car Parking

2.5. CARWASH BAYS

OBJECTIVES

- (i) To provide on-site car wash facilities within residential multi-unit developments.

- (ii) To ensure during the design, construction and operation of car wash bays, that water is utilised efficiently and that water leaving the site is of a quality and quantity comparable to that which is received in accordance with Council's ESD Objective 3.

DEVELOPMENT CONTROLS

- (a) The carwash bay can be either a designated car space separate to that of total car spaces as calculated, or can be a visitor space when not utilised by visitors.
- (b) A minimum provision of one designated carwash bay space per residential multi-unit development.
- (c) Car wash bays are not to be used to carry out engine degreasing or mechanical repairs and must be signposted to reflect this prohibition.
- (d) Wastewater must be treated so as to remove grease, oil and silt and must be either reused for car washing or used for irrigation of landscaped areas on site. To treat wastewater in this way application for a licence must be applied for from the Office of Environment and Heritage. Approval can be sought from www.environment.nsw.gov.au/licensing/.
- (e) Alternatively wastewater can be discharged to the sewer, This is only where (b) is not feasible according to a report provided by a hydraulic engineer, the Council or the Office of Environment and Heritage. Approval from Sydney Water must be sought by applying for "Permission to Discharge Trade Wastewater". Refer to the fact sheet on Sydney Water's web site www.sydneypwater.nsw.gov.au - "Disposal of Trade Wastewater from Residential Car Wash Bays".
- (f) Wastewater option (e) requires the construction of a roof over the designated car wash space and must be bunded to exclude rainwater as per Sydney Water's requirements.

- (g) Approval must be obtained either from the Office of Environment and Heritage or Sydney Water prior to construction of the development.

SUBMISSION REQUIREMENTS

- Site plan indicating locations of designated car wash spaces.
- Statement of Environmental Effects indicating:
 - Details of method wastewater removal.

2.6. SET DOWN AREAS

OBJECTIVES

- (i) *To provide designated set down areas in close proximity to busy centres.*
- (ii) *To provide safe and convenient designated set down areas for passengers to arrive close to their destination.*

DEVELOPMENT CONTROLS

- (a) Set down areas must not conflict with the movement of other traffic, pedestrians and other vehicle parking.
- (b) There must be a safe continuous accessible path of travel from set down area/s to a wheelchair accessible entrance or lift.
- (c) The following forms of development should provide set down areas for cars:
- Educational establishments.
 - Shopping centres.
 - Community centres.
 - Libraries.
 - Entertainment facilities.
 - Child Care Centres.
 - Recreational facilities.
 - Transport terminals and interchanges.
- (d) The following forms of development should provide set down areas for coaches and community buses:
- Hotel or Motel Accommodation.
 - Community Centres.
 - Registered Clubs.
 - Tourist Destinations and Centres.
 - Transport Terminals and Interchanges.
- (e) The number of set down areas must be in accordance to the developments needs.

- (f) Set down areas for cars must be separate to set down areas used for coaches and community buses.
- (g) Set down areas, except those used for coaches and community buses, must be used only to drop off passengers and must not be used for passenger collection.
- (h) Set down areas must be signposted to indicate that their use is time limited.

SUBMISSION REQUIREMENTS

- Site plan indicating location and design of designated set down areas.
- Statement of Environmental Effects - Details of types of vehicles expected to set down passengers and the likely frequency of use.

2.7. CAR PARK DESIGN AND LAYOUT

OBJECTIVES

- (i) *To provide safe, convenient and accessible design and layout of parking areas.*
- (ii) *To provide suitable dimensions for all types of parking spaces.*
- (iii) *To provide appropriate parking design and layout that complements building design and function.*
- (iv) *To ensure pedestrian amenity is enhanced.*

DEVELOPMENT CONTROLS

2.7.1. GENERAL

- (a) The layout of the car park should facilitate ease of access and egress of vehicles through the parking area at all times without congestion.
- (b) For all development other than single dwelling houses and dual occupancies, vehicles must enter and exit the site in a forward direction.
- (c) Adequate queuing distance should be provided where the parking area fronts an arterial road as justified by relevant data or a study carried out by a suitably qualified person.
- (d) Any changes to parking layout and design occurring after development consent or implementation of a development consent must

be subject to an application under Section 96 of the Environmental Planning and Assessment Act 1979.

- (e) Provisions within this section are in accordance with AS 2590.1 –1993 Parking Facilities – Part 1 Off Street Car Parking. For further design requirements for car park design and layout please refer to the Australian Standard.

2.7.2. PARKING DIMENSIONS

- (a) The minimum car parking dimensions required for right angle parking shall be provided in accordance with Table 4.
- (b) Two-way aisles are not recommended for angle parking other than for parking at right angles (90 degrees).
- (c) The preferred parking angle should be at 90 degrees to the aisle. Where site area is limited other angles of parking will be considered. For angle parking design requirements other than at 90 degrees refer to AS 2890.1-1993 – Parking Facilities – Part 1: Off Street Parking.
- (d) All parking spaces shall be designed to ensure they can be accessed by a maximum 3 point combined manoeuvre, i.e. 1 movement to enter the space and 2 movements to leave, or 2 movements to enter and 1 to leave. (See Figure 2 for manoeuvres).
- (e) Parallel parking is to be avoided unless it can be demonstrated that it does not disrupt traffic circulation or create a hazard.
- (f) At blind aisles the end spaces should be made one metre wider than the adjacent spaces. (See Figure 3). Otherwise, provision should be made for cars to turn round at the end of aisles and allow vehicles to exit in a forward direction.
- (g) Spaces adjacent to obstructions must be 300mm wider on the side of the obstruction.
- (h) The width of car spaces in multi-storey or basement parking areas is to be exclusive of any building columns.
- (i) Basement parking areas should be setback the same distance as the building above.

2.7.3. PEDESTRIAN CIRCULATION AND SAFETY

- (a) Parking areas should be designed so that pedestrian entrances and exits are separate from vehicle entrances and exits.

- (b) Safe crossing points through to or leading to entrances must have adequate sight distance and must be provided with appropriate directional signs and indicative pavement markings.
- (c) Lifts and stair lobbies, and access to buildings should be clearly marked.
- (d) Where possible, parking aisles should be orientated parallel with expected pedestrian travel paths. (See Figure 4).

2.7.4. DRAINAGE

- (a) All car parking areas are to provide adequate drainage of surface water to prevent flooding of adjoining properties.

2.7.5. LIGHTING AND VENTILATION

- (a) Covered or enclosed car parks must have adequate lighting and ventilation, preferably by natural means.
- (b) Where car parks might be utilised in the evening, adequate artificial lighting should be provided for the whole car park area.

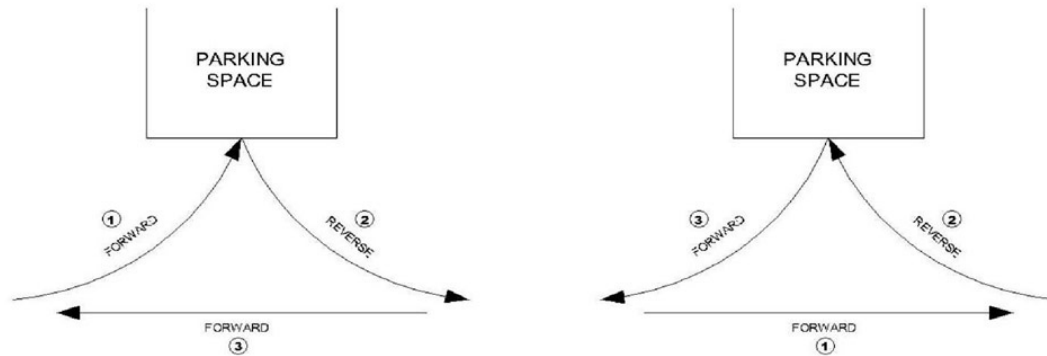
2.7.6. PARKING DIRECTIONS

- (a) All car parking spaces should be clearly line marked.
- (b) Where designated parking spaces are provided such as customer, visitor, parents with prams and disabled persons parking, signposting must clearly indicate the location of these spaces.
- (c) Arrow markings on the surface of aisles and driveways should be used to demonstrate circulation pattern, whether in one-way or two-way directions.
- (d) Entries and exits must be appropriately signposted.

SUBMISSION REQUIREMENTS

- Site Plan indicating car park layout including:
 - Traffic circulation details;
 - Location of parking spaces;
 - Location of directional and parking signs;
 - Pedestrian access and circulation through parking areas;
 - Contours demonstrating existing spot levels and proposed finished levels;

- Vehicle turning path detail overlaid on the plans demonstrating that entry and exit is achieved in a forward direction; and
- Location and height of any retaining walls.
- Cross Section indicating:
 - Extent of cut and fill;
 - Location and height any of retaining walls;
 - Headroom clearance to overhead obstructions (eg. Fire sprinklers, servicing ducts, piping etc.); and
 - Longitudinal section of the driveway from the centreline of the public roadway from where access is proposed to the rear of the parking area. Transition grades to prevent vehicle scraping are to be detailed.
- Statement of Environmental Effects detailing:
 - Method of drainage; and
 - Lighting and ventilation methods.

**Figure 2** Vehicle Movements In And Out Of Parking Spaces**Table 4** Minimum Parking Bay Dimension For Right-Angled Car Parking

Source: AS 2890.1 1993 – Parking Facilities – Part 1: Off Street Parking

Land Uses	User Class No.	Required Door Opening	Space Width (metres)	Space Length (metres)	Aisle Width (metres) One Way	Aisle Width (metres) Two Way
Tenant, employee and commuter parking, universities (generally parking all day)	1	Front Door, first stop	2.4	5.4	6.2	7.0
Long-term town centre parking, sports facilities, entertainment centres, hotels, motels (generally medium-term parking)	2	Front Door, second stop	2.5	5.4	5.8	7.0
Short-term town centre parking, shopping centres, supermarkets, hospitals & medical centres (generally short-term parking and where children & goods can be expected to be loaded into the vehicles).	3	Rear Door, full opening	2.6	5.4	5.4	7.0
Parking for people with disabilities	4	Front door, full opening plus wheelchair manoeuvre space	3.2	5.4	5.0	7.0

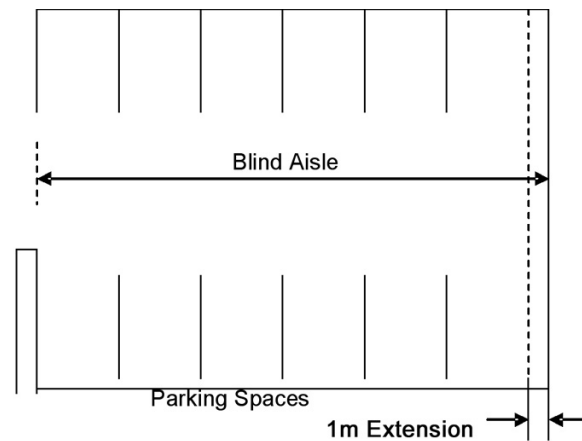


Figure 3 Blind Aisle Extension

Note. The maximum length of blind aisle is equal to six 90 degree car spaces.

Source: AS 2890.1 1993-Parking Facilities-Part 1: Off Street Car Parking

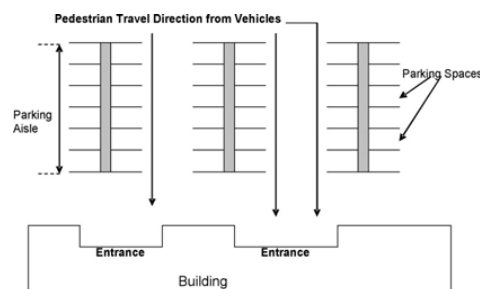


Figure 4 Example Of Direct Pedestrian Access To Entrance

2.8. LANDSCAPING**OBJECTIVES**

- (i) *To provide appropriate landscaping for external and uncovered car parks so that they do not detract from the surrounding area.*
- (ii) *To provide shade and improve amenity of loading, service and parking areas and to provide a buffer to neighbouring properties.*
- (iii) *To utilise landscaping to provide amenity to neighbouring properties in accordance with Council's ESD objective 7.*

DEVELOPMENT CONTROLS

- (a) Outdoor parking areas are to be provided with two metre wide landscaping strips:
 - Between rows served by different aisles.
 - Between spaces at a rate of one in every ten car parking spaces.
- (b) Outdoor parking areas are to be screened by a minimum of two metre wide landscaping strips. Such landscaping is to be of a mature and dense nature and be designed according to Part C Section 3 – Landscaping of this DCP.
- (c) Driveways are to be screened by a minimum of two metre wide landscaping strip on either side.
- (d) Where soils permit infiltration the landscaping strips should be used to promote reuse of drainage water.
- (e) Landscaping species selected should not:
 - block signs;
 - impede entry and access points;
 - overgrow paths;
 - cause restrictions to pedestrian and vehicle movements; and
 - compromise safety aspects such as sight distances.
- (f) Shade trees are to be provided within landscaping strips.
- (g) Plant and tree species selected for the purpose of providing shade should not be of a kind that will cause damage to vehicles because of their nature of dropping fruit, cones or nuts.
- (h) In addition reference should be made to Part C Section 3 - Landscaping of this DCP when selecting appropriate species.

SUBMISSION REQUIREMENTS

- Landscape Plan

2.9. LOADING AND DELIVERY REQUIREMENTS**OBJECTIVES**

- (i) *To provide suitable access on-site for service vehicles, for the purpose of loading and/or delivering goods.*
- (ii) *To ensure that types of loading and delivery areas are suited to the needs of the development.*
- (iii) *To ensure that adequate numbers of loading and delivery areas are allocated for appropriate types of service vehicles.*
- (iv) *To protect neighbourhood amenity and safety in the design and construction and operation of loading and service areas in accordance with Council's ESD objective 7.*

DEVELOPMENT CONTROLS

- (a) All loading and delivery areas are to be provided on-site.
- (b) Loading and delivery facilities are to be designed in accordance with AS 2890.2-1989, Off Street Parking - Part 2: Commercial vehicles facilities.
- (c) The use of loading and delivery areas must not conflict with the safe efficient circulation of pedestrians and other vehicles on-site.
- (d) In larger developments loading and delivery areas should operate independently of other parking areas.
- (e) Service vehicles are to be able to efficiently manoeuvre to and from loading and delivery areas in accordance with AUSTROADS Design Vehicular and Turning Templates.
- (f) Loading and delivery areas must not affect the amenity of adjoining residential properties.
- (g) Loading bays are not to be used for the storage of goods that may impede the use of the bay for the delivery or loading of goods.
- (h) The number of loading bays for supermarkets, department stores, mixed small shops and offices are required in accordance with Table 5.

- (i) Council may consider variations to the standards required by Table 5 in circumstances where the applicant is able to demonstrate compliance with the objectives of this Section of the DCP by alternate means.
- (j) For those land uses not referred to in Table 5 the applicant will be required to demonstrate the development proposal satisfies the objectives of this Section of the DCP. In this regard the following information is to be submitted:
- The types of vehicles expected to load and deliver on-site.
 - The frequency with which these vehicles will visit the site.
 - The largest vehicles expected to visit the site. These areas must be able to be utilised by all smaller loading and delivery vehicles also.

Table 5 Minimum Number Of Loading Bays Required

GLFA = Gross Leasable Floor Area

GFA = Gross Floor Area

Development	Number of Loading Bays
Supermarket (GLFA)	2 for the first 930m ² 2 for the next 930m ² 1 for each extra 930m ²
Department Store (GLFA)	2 for the first 4,645m ² 2 for the next 4,645m ² 1 for each extra 4,645m ²
Mixed Small Shops (GFLA)	2 for the first 465m ² 2 for the next 465m ² 1 for each extra 530m ²
Offices (GFA)	1 for the first 1,860m ² 1 for next 3,720m ² 1 for the next 3,720m ² 1 for each extra 9,250m ²

SUBMISSION REQUIREMENTS

- Site Plan must indicate:
 - the relevant locations and dimensions of loading and delivery areas; and

- the swept path of the design service vehicle to be overlaid on the site plan to demonstrate all turning movements of service vehicles from the public road to the delivery/loading dock.
- Loading Bay Calculations – in accordance with Table 5.
- Statement of Environmental Effects – where Table 5 is not applicable the statement of environmental effects must indicate the following to substantiate that the design and number of loading and delivery areas are appropriate for the proposed development:
 - The type/s of service vehicles expected to delivery to and load from the site;
 - The frequency with which these vehicles will visit the site, indicating times during the day/night and approximate number of visits per week or month; and
 - Illustration that the dimensions of the loading and delivery areas are suited to the types of vehicles visiting the site. (Refer to AS 2890.2-1989 – Part 2: Commercial vehicle facilities for dimension requirements).

2.10. ACCESS DRIVEWAYS

OBJECTIVES

- (i) To provide driveways with safe access and egress to and from properties.
- (ii) To reduce conflicts between entering and exiting street traffic and car park traffic.
- (iii) To ensure safety in the design, construction and operation of access driveways in accordance with Council's ESD objective 7.

DEVELOPMENT CONTROLS

- (a) Access driveway widths are to comply with AS 2890.1-1993 Parking Facilities – Part 1: Off Street Car Parking.
- (b) Driveways are to be provided in locations that have adequate sight distance.
- (c) Driveways will be prohibited in the locations shown in Figures 5 and 6.
- (d) Access driveways are to be constructed in accordance with Council's "Specification for the Construction of Footpath & Gutter Crossings" (2001).

- (e) Access driveways are to be located a minimum of one metre from drainage structures and other service facilities located on the nature strip.
- (f) Except for residential properties, driveway entrances and exits should be signposted appropriately.
- (g) Access driveways should not be entered from or exited onto intersections where one or more of the intersecting roads are a collector, sub-arterial or arterial road.
- (h) Indirect access must be sought in preference to direct access where the proposed development fronts a high-volume road. Where direct access is proposed, a study by a suitably qualified person must be conducted to indicate potential impacts. This study will also be assessed by the RMS.
- (i) Driveways for multi dwelling housing, residential flat buildings and Seniors Living SEPP developments must be able to be accessed by service vehicles such as fire tankers, ambulances and bushfire tankers.
- (j) In addition, application of controls for driveways in other applicable Sections of the DCP should be applied.

SUBMISSION REQUIREMENTS

- Site Plan including:
 - Indication of driveway locations in relation to the existing roadway and the kerb alignment; and
 - All tangent points on the kerb return must be identified.

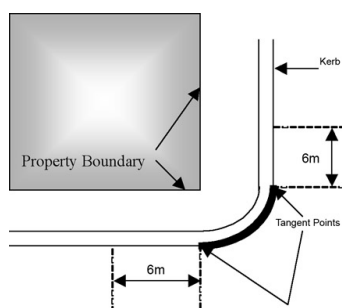


Figure 5 Driveways Prohibited Within 6 Metres From Tangent Points Of Kerb

Source: AS 2890.1 – 1993 Parking Facilities – Part 1: Off-Street Car Parking

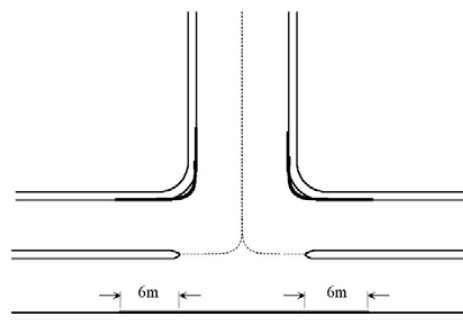


Figure 6 Driveways Prohibited On The Opposite Side Of The Road Or Within 6m Of Median Opening

3. REFERENCES

Australian Standard – AS 2890.1 – 1993 – Part 1 Parking Facilities – Off Street car parking.

Australian Standard – AS 2890.2 – 1989 – Off Street parking – Part 2: Commercial vehicle facilities.

Australian Standard – AS 2890.3 – 1993 – Parking Facilities – Bicycle parking - facilities.

Baulkham Hills Shire Council, 1993 Kellyville/Rouse Hill Landscape and Urban Design Strategy.

Department of Environment and Planning, 1981 Technical Bulletin 14: Guidelines for Site Landscaping of Commercial and Industrial Development.

Department of Urban Affairs & Planning, 1988 Rural Land Evaluation: A Manual for Conducting a Rural Land Evaluation Exercise at the Local Planning Level. Department of Urban Affairs and Planning, Sydney.

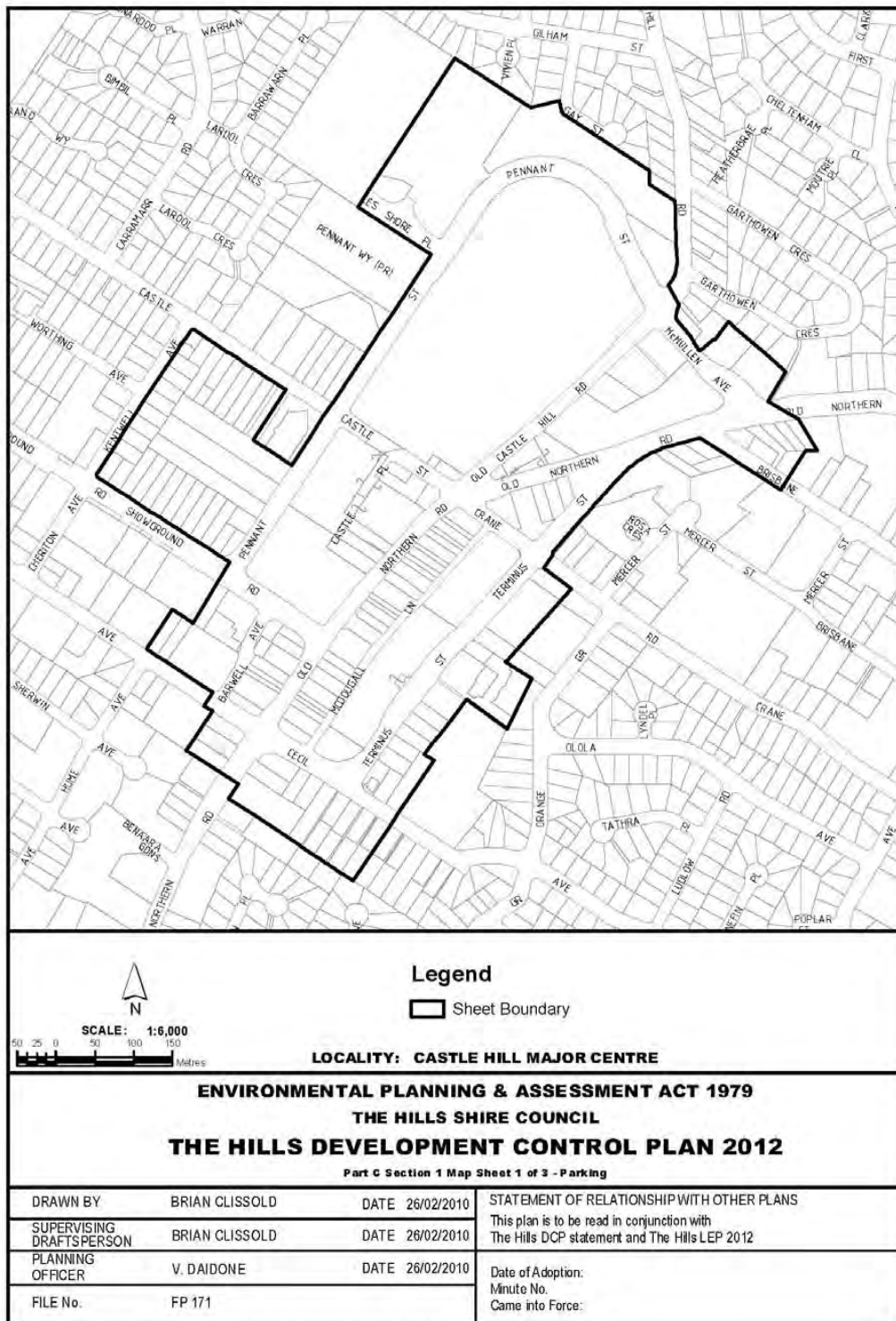
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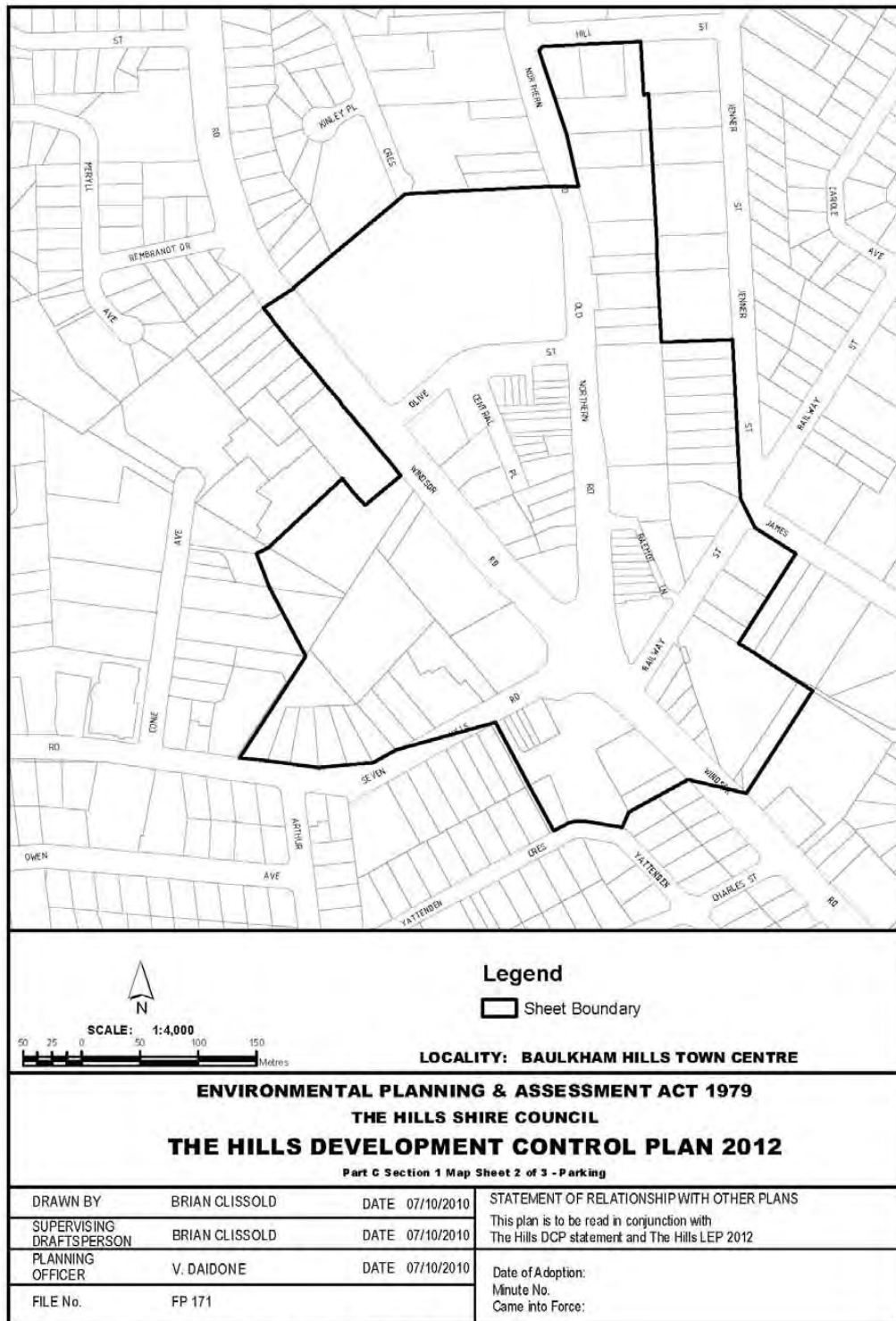
Roads & Traffic Authority 1995, The Guide to Traffic Generating Developments.

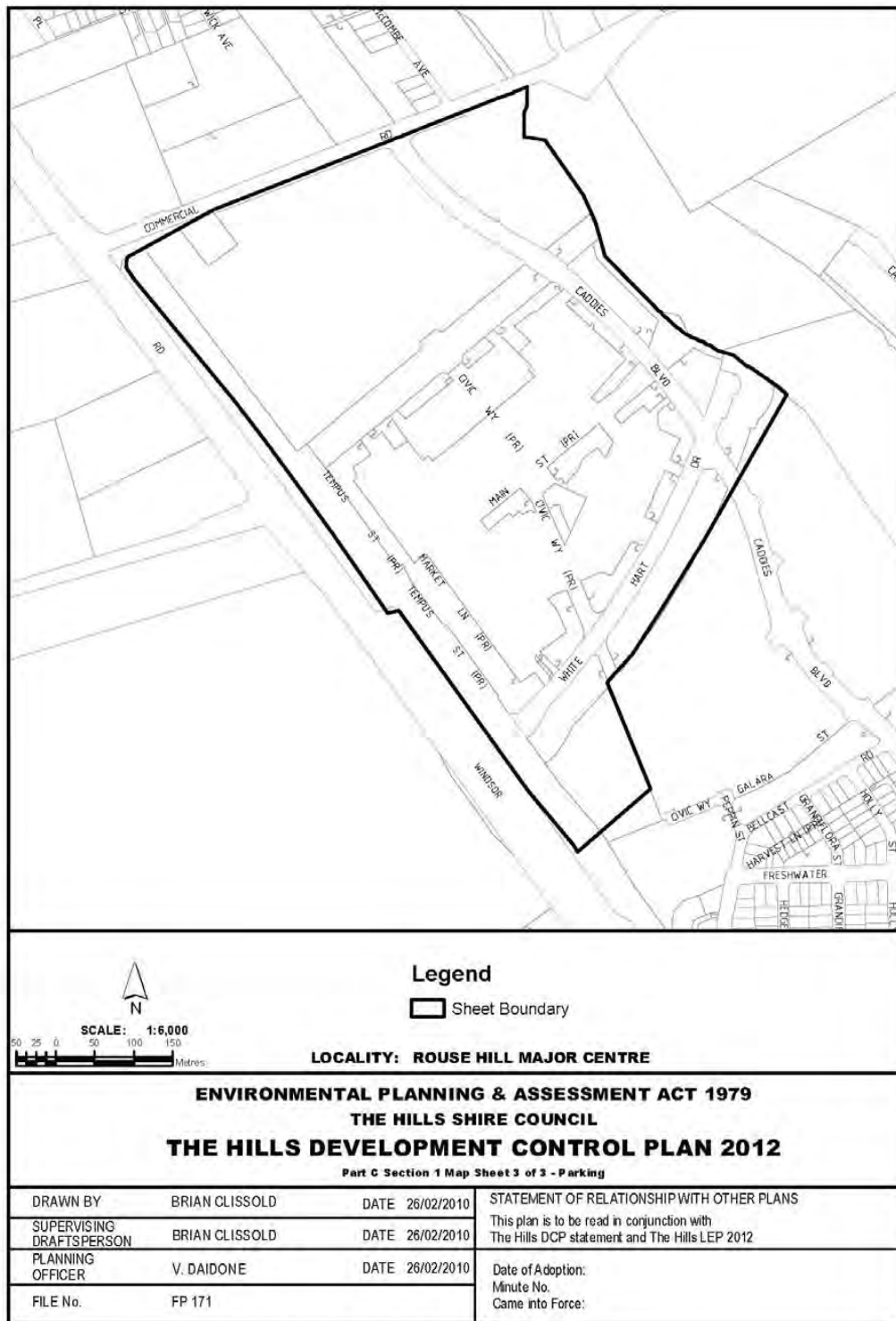
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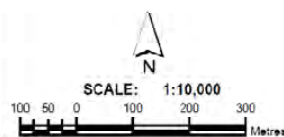
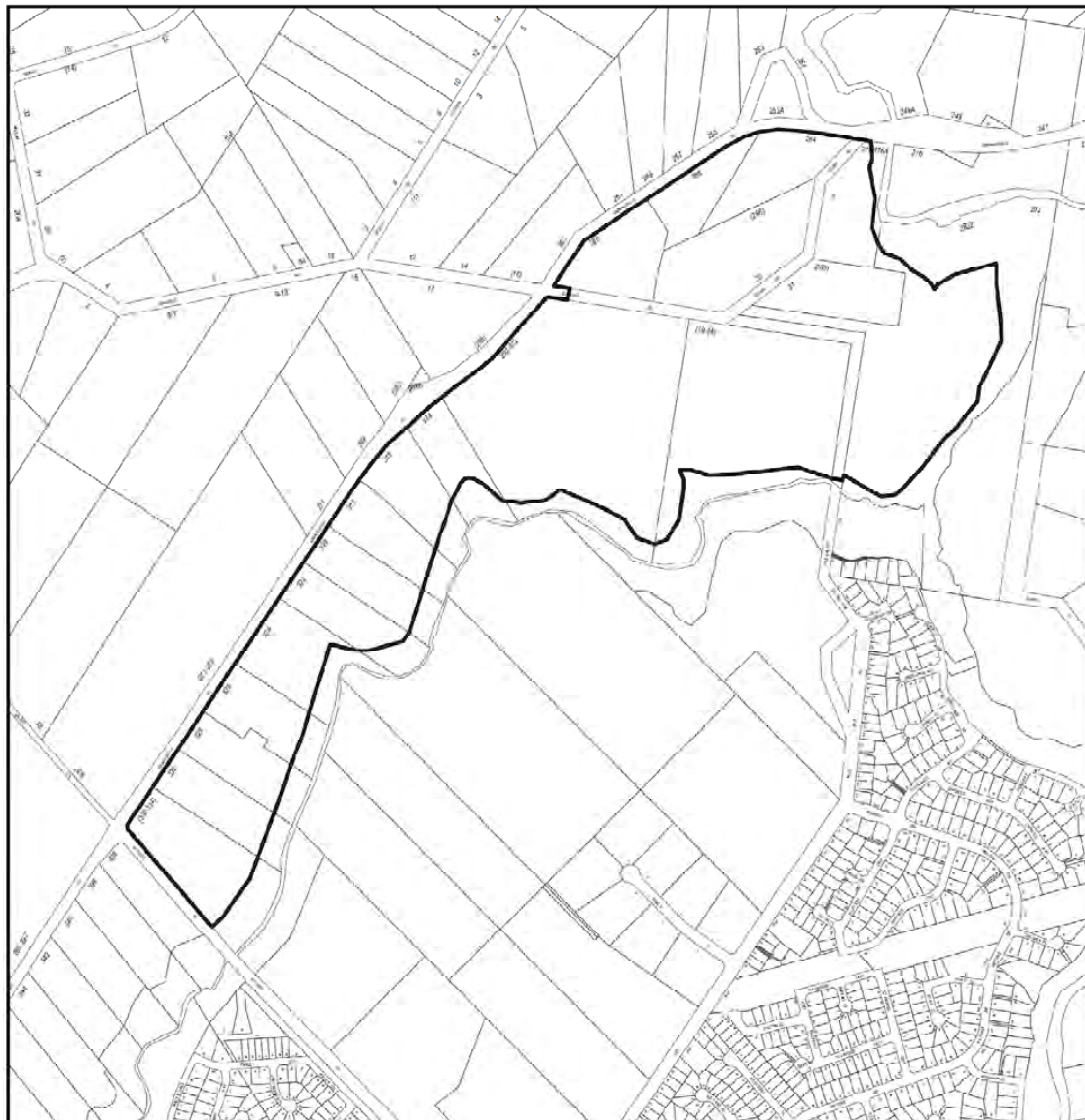
APPENDIX A – CENTRE MAPS







APPENDIX B – EDWARDS ROAD PRECINCT

**Legend**

Sheet Boundary

LOCALITY: ROUSE HILL - EDWARDS ROAD PRECINCT

ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
THE HILLS SHIRE COUNCIL
THE HILLS DEVELOPMENT CONTROL PLAN 2012

Part C Section 1 Map Sheet 4 of 4 - Parking

DRAWN BY	BRIAN CLISSOLD	DATE	28/05/2013	STATEMENT OF RELATIONSHIP WITH OTHER PLANS This plan is to be read in conjunction with: The Hills DCP statement and The Hills LEP 2012
SUPERVISING DRAFTSPERSON	BRIAN CLISSOLD	DATE	28/05/2013	
PLANNING OFFICER	B. WOODHAMS	DATE	28/05/2013	Date of Adoption: Minute No. Came into Force:
FILE No.	FP 171			

ATTACHMENT

Draft Contributions Plan No.11

ANNANGROVE ROAD LIGHT INDUSTRY

www.thehills.nsw.gov.au

THE
HILLS
Sydney's Garden Shire



The Hills Shire Council

October 2013

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1. PART A – SUMMARY SCHEDULES**1.1 Schedule 1 – Works Schedule**

The works schedule for Contributions Plan 11 – Annangrove Road Light Industry is as follows:

Schedule 1 - Works Schedule**ANNANGROVE ROAD LIGHT INDUSTRIAL AREA**

Description	A		B		C		D		E		F		G		H		I		J		K		Priority
	Total Cost		Land Acquisition	Appportionment	Proposed	Actual	Total Cost		Capital Costs	Appportionment	Proposed	Actual	Proposed	Actual	Proposed	Actual	Total Costs		Actual	Total Cost	Levied		
SUB-ARTERIAL ROADS																							
SA13 Annangrove Road - Upgrade including traffic signal at Withers Road	\$1,647,736.00		100%		\$1,647,736.00	\$0.00	\$25,000,000.00		50%		\$12,342,540.00	\$157,160.00	\$13,960,576.00	\$157,160.00	\$14,147,736.00								1,2
SA8 Withers Road - Upgrade	\$758,376.59		100%		\$758,376.59	\$448,529.09	\$6,348,945.00		100%		\$5,254,757.51	\$1,191.49	\$6,544,605.01	\$542,720.58	\$7,087,325.59								1
SA6 Mile End Road South - New Alignment	\$3,037,362.62		50%		\$0.00	\$1,518,681.31	\$0.00		50%		\$0.00	\$1,343,199.62	\$0.00	\$2,661,681.13	\$2,961,681.13								Complete
Plus Fees and Allowances	\$34,368.34		100%		\$29,063.75	\$5,904.59	\$3,989,351.42		100%		\$3,989,351.42	\$0.00	\$4,018,995.17	\$5,904.59	\$4,024,899.76								
Sub Total	\$5,459,443.55				\$1,966,647.25	\$1,973,114.99	\$35,338,890.42				\$22,657,528.53	\$1,654,551.31	\$24,654,176.18	\$3,957,686.30	\$28,121,842.48								
INTERSECTIONS																							
T1 - Withers Road / Mile End Road	\$0.00		100%		\$0.00	\$0.00	\$0.00		50%		\$0.00	\$50,897.32	\$0.00	\$50,897.32	\$50,897.32								Complete
RSAT13 - Roundabout Annangrove/Edwards Road south	\$0.00		100%		\$0.00	\$0.00	\$1,000,000.00		100%		\$1,000,000.00	\$0.00	\$1,000,000.00	\$0.00	\$1,000,000.00								see note*
Plus Fees and Allowances	\$0.00		100%		\$0.00	\$0.00	\$0.00		100%		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00								
Sub Total	\$0.00				\$0.00	\$0.00	\$1,431,891.01				\$1,431,891.01	\$80,897.32	\$1,431,891.01	\$80,897.32	\$1,512,788.33								
PUBLIC TRANSPORT																							
Bus shelters - Local roads	\$0.00		100%		\$0.00	\$0.00	\$162,757.14		50%		\$72,491.57	\$8,887.00	\$72,491.57	\$8,887.00	\$81,378.57								see note*
Bus shelters - sub-arterial roads - Withers Rd	\$0.00		100%		\$0.00	\$0.00	\$69,753.06		50%		\$25,389.53	\$8,887.00	\$25,389.53	\$8,887.00	\$34,276.53								see note*
Concrete paving in bus bays Annangrove Rd	\$0.00		100%		\$0.00	\$0.00	\$232,510.20		100%		\$232,510.20	\$0.00	\$232,510.20	\$0.00	\$232,510.20								see note*
Plus Fees and Allowances	\$0.00		100%		\$0.00	\$0.00	\$295,048.57		100%		\$295,048.57	\$0.00	\$295,048.57	\$0.00	\$295,048.57								see note*
Sub - Total	\$0.00				\$0.00	\$0.00	\$889,311.91				\$889,311.91	\$17,774.00	\$715,351.78	\$17,774.00	\$899,125.78								
INTEREST																							
Interest	\$973,146.18		100%		\$0.00	\$873,146.18	\$837,608.89		100%		\$837,608.89	\$837,608.89	\$837,608.89	\$837,608.89	\$837,608.89								
TOTAL	\$6,431,589.72				\$1,966,647.25	\$2,946,261.16	\$38,457,371.30				\$24,734,351.72	\$2,530,831.62	\$26,701,029.97	\$5,477,092.79	\$32,178,121.76								

Notes:

- A - total land cost before apportionment
- B - rate of apportionment to CP11
- C - estimated cost of future land acquisition apportioned to CP11
- D - actual cost of completed land acquisitions apportioned to CP11
- E - total cost of capital works before apportionment
- F - rate of apportionment to CP11
- G - cost of proposed works apportioned to CP11
- H - actual cost of completed works apportioned to CP11
- I - cost of combined land & capital works as proposed
- J - cost of combined land & capital works as completed
- K - total costs levied under CP11 i.e. Columns C+D+G+H

Note*

The timing of provision for traffic signals depends on Roads and Maritime Service approval
Public transport facilities are to be implemented concurrent with surrounding development

1.2 Schedule 2 – Summary of Works by Facility Category

A summary of the program of works by facility category is included in the following schedule. The schedule contains details of floor space and net developable area assumptions and indexation assumptions over the life of the plan. Contribution rates are set out in Schedule 3 – Rates Schedule.

Period	Traffic Facilities Land	Traffic Facilities Capital	Total	Projected Additional floor space (m2)
2013/14	-\$2,946,261	-\$2,530,832	-\$5,477,093	0
2014/15	\$0	\$0	\$0	0
2015/16	\$0	\$0	\$0	12,358
2016/17	-\$211,636	\$0	-\$211,636	49,434
2017/18	\$0	-\$81,194	-\$81,194	74,150
2018/19	-\$2,125,099	-\$8,799,606	-\$10,924,705	24,717
2019/20	\$0	-\$5,166,954	-\$5,166,954	12,358
2020/21	\$0	-\$6,273,881	-\$6,273,881	12,358
2021/22	\$0	-\$5,932,021	-\$5,932,021	24,717
2022/23	\$0	-\$5,615,347	-\$5,615,347	49,434
2023/24	\$0	\$0	\$0	24,717
2024/25	-\$48,027	-\$135,613	-\$183,640	74,150
2025/26	\$0	\$0	\$0	74,150
2026/27	\$0	\$0	\$0	49,434
2027/28	\$0	\$0	\$0	12,358
TOTAL	-\$5,331,023	-\$34,535,449	-\$39,866,472	494,336

Indexation Assumptions

Land Acquisition Index	5.22%	per annum
Capital Expenditure Index	3.87%	per annum
Administrative Costs Index	2.50%	per annum
Discount Rate	3.94%	per annum

1.3 Schedule 3 - Rates Schedule

The contributions payable (land and capital) per square meter for Contributions Plan 11 – Annangrove Road Light Industry is as follows:

Facility Category	Rate Per m²
Transport Facilities - Land	\$11.17
Transport Facilities - Capital	\$61.68
Total	\$72.86
2014/2015	\$74.68
2015/2016	\$76.55
2016/2017	\$78.46
2017/2018	\$80.42

The contributions payable (land and capital) per square meter for Contributions Plan 11 – Annangrove Road Light Industry is as follows:

Land	Capital	Total
\$12.53	\$61.47	\$73.99

2 PART B: Administration and operation of the plan

INTRODUCTION

2.1 Basic Principles of Section 94

Under Section 94 of the Environmental Planning and Assessment Act, 1979 ("EP&A Act") Council has the power to levy contributions from developers for public amenities and services required because of development.

The three general principles in applying Section 94 contributions are:

1. a contribution must be for, or relate to, a planning purpose;
2. a contribution must fairly and reasonably relate to the subject development; and
3. the contribution must be such that a reasonable planning authority, duly appreciating its statutory duties, could have properly imposed.

Under the provisions of Section 94 Council may either:

- Require land to be dedicated free of cost;
- Require money to be contributed for works or facilities to be provided in the future;
- Require money to be contributed towards the cost of works or facilities already provided in anticipation of development;
- Accept the provision of a material public benefit, or works in kind, in satisfaction of Section 94 requirements; or
- Require or accept a combination of any of the above.

The ability to levy developers for the provision of essential public amenities and services is considerably important to the Hills Shire. This "user pays" approach can significantly reduce the financial burden of new urban development on existing Shire residents.

One of the fundamental responsibilities of any Council in imposing Section 94 contributions is to ensure that the contributions levied are reasonable. That is, the works and facilities to be provided must be as a direct consequence of the development on which the contributions are levied. They must not unnecessarily inflate development costs. Therefore, contributions are limited to essential or base-line works and facilities considered necessary to sustain acceptable urban development.

Within reason every new development within the Annangrove Road Light Industrial Area will enjoy equal levels of service in terms of the public facilities and services to be levied for under this plan. In this respect the plan regards the Annangrove Road Light Industrial Area (as outlined in a bold black line on Map No. 1) as one precinct.

2.2 Application of Contributions Plan No.11

When a development application is lodged which provides for any new or additional light industrial floor space on land to which this Plan applies, Council shall levy contributions on development in accordance with the provisions of this Plan.

A Contributions Plan becomes part of the development control process under the EP&A Act by virtue of Sections 80A and 94. The provisions of this plan are one of a number of considerations that are relevant when Council determines a development application in accordance with Section 80 of the Act.

2.3 What is the name of this development contributions plan?

This development contributions plan is called *Contributions Plan No.11 – Annangrove Road Light Industry*.

2.4 Area to which the contribution plan applies

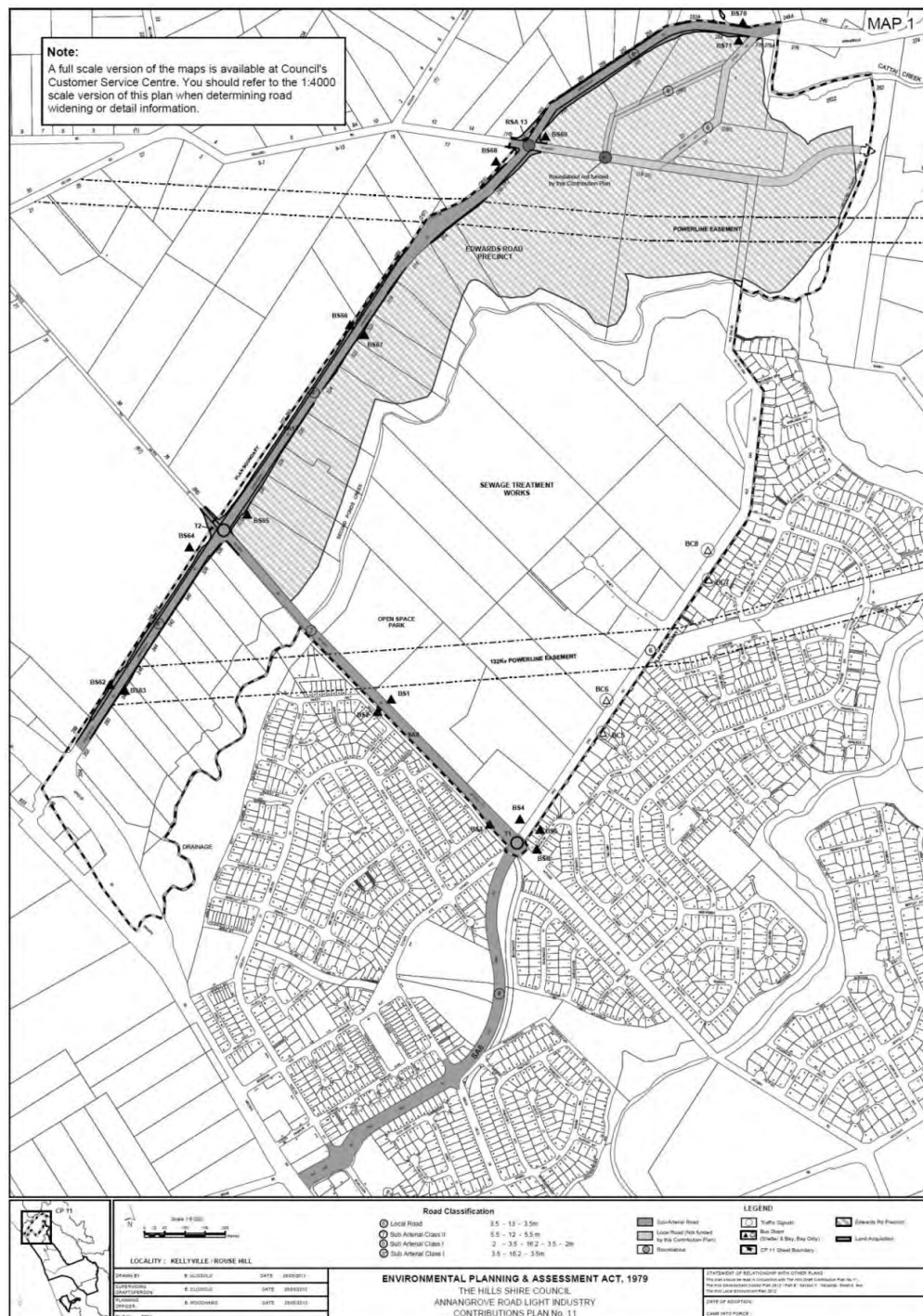
This plan applies to all land within the local government area of The Hills Shire Council as shown on Figure 1, referred to in this plan as the Annangrove Road Light Industrial Area.

2.5 What is the purpose of this development contributions plan?

The purpose of this Contributions Plan is to:

- a) Authorise the Council to impose conditions under Section 94 of the EP&A Act when granting consent to development on land to which this plan applies.
- b) Provide an administrative framework under which contributions may be collected and expended to address the public facility and service needs of the expected development of the Annangrove Road Light Industrial Area.
- c) Outline the anticipated demand for the provision and upgrading of roads and traffic facilities arising from the development of the Annangrove Road Light Industrial Area.
- d) Reasonably apportion, where appropriate, the cost of providing the necessary public facilities and services to new development and ensure that the existing community is not burdened by the provision of such public facilities and services.
- e) Provide a basis for determining fair and reasonable developer contributions.
- f) Outline the location, estimated cost, and staging of public facilities and services to be provided.
- g) Facilitate proper financial management and accountability for the assessment of contribution requirements and the expenditure of contributions received.

Figure 1 – Land to which this Contribution Plan applies



2.6 Commencement of the plan

This development contributions plan has been prepared pursuant to the provisions of s94 of the *EP&A Act* and Part 4 of the *EP&A Regulation* and takes effect from the date on which public notice was published, pursuant to clause 31(4) of the *EP&A Regulation*. As required under clause 27(2) of the Regulation this plan has been prepared having regard to the Development Contributions Practice Notes issues by the Department of Planning and Infrastructure.

Contributions Plan No. 11 - Annangrove Road Light Industrial Area was adopted by Council on 9th December 2003, Item 16 Resolution 1167 and came into effect on 16th December 2003.

This amendment to the plan was adopted by The Hills Shire Council on DATE, ITEM, RESOLUTION and came into effect on DATE. The Plan takes effect from the date on which a public notice was published, pursuant to clause 31(4) of the EP&A Regulation.

Refer to Section 2.8 for amendments since the plan came into effect.

2.7 Relationship with other plans and policies

This Contributions Plan supplements the provisions of *The Hills Local Environmental Plan 2012*.

To enable a greater understanding of this Contributions Plan, the following documentation can be read:

- Environmental Planning and Assessment Act 1979
- Environmental Planning and Assessment Regulation 2000
- Department of Infrastructure, Planning and Natural Resources – Development Contribution Practice Notes – July 2005
- Section 94E Ministerial Directions
- The Hills Local Environmental Plan 2012
- Sections from The Hills Development Control Plan relevant to the Annangrove Road Light Industrial Area
- Section 94 Contributions Plan No. 8 - Kellyville/Rouse Hill
- Section 94 Contributions Plan No. 13 - North Kellyville Precinct
- ~~Draft Section 94 Contribution Plan No. 15 – Box Hill Precinct~~

The above documents can be viewed or purchased at Council's Administration Centre, ~~corner of Showground and Carrington Roads Castle Hill~~. They may also be viewed at Council's website: www.thehills.nsw.gov.au.

To assist the interpretation of the Contributions Plan, definitions relevant to the Contributions Plan have been included in Appendix A.

2.8 Document Specification

File Reference: FP54

Contributions Plan No. 11 - Annangrove Road Light Industrial Area was adopted by Council on 9th December 2003, Item 16 Resolution 1167 and came into effect on 16th December 2003.

Contributions Plan No. 11 – Annangrove Road Light Industrial Area was amended by Council on 16 December 2008, Item 14 Resolution 985 and came into effect on 13 January 2009.

Contributions Plan No. 11 – Annangrove Road Light Industrial Area was amended by Council on **DATE, ITEM RESOLUTION** and came into effect on **DATE**.

DEVELOPER CONTRIBUTIONS

2.9 Monitoring of this contributions plan

This Plan will be subject to regular review by Council. The purpose of such review is to ensure that:

- Levels of public service and amenity provisions are consistent with likely development trends and community needs.
- Contribution levels reflect changes to construction costs and land values.
- The works program can be amended if the rate of development differs from current expectations.

The contribution rates and works program for this plan have been formulated using information available at the time of writing. A number of variables will be monitored to facilitate the review process. Some of these are listed below:

- Projected development rate
- Potential development remaining
- Construction costs
- Land costs
- Actual constructed floor space
- Indexation assumptions

Any changes to the Contributions Plan, apart from minor typographical corrections, will be placed on public exhibition in accordance with the requirements of the EP&A Act and Regulation.

2.10 Timing of provision

The priorities for the provision of public facilities and services have been included in the works schedule identified in Part A of this contributions plan. The implementation of the various facilities and services has been prioritised according to the particular needs of the expected development and is linked to a floor space threshold. The ability to deliver a particular facility is largely dependent upon the rate of development within the Annangrove Road Light Industrial Area, and the corresponding receipt of contributions by Council.

Overall, the floor space projections contained within this plan are based upon a 15 year time frame. It is intended that facilities identified within the works schedule to the Contributions Plan will be delivered within this time period.

Monitoring of the plan will allow for review and adjustment of development projections and the works schedule as required.

2.11 Financial information

This section outlines what financial information is held and maintained by Council in accordance with the EP&A Act and Regulation.

Council maintains a separate accounting record for this Contributions Plan. It contains details concerning contributions received and expended, including interest earned, for each service or amenity provided.

This record will be held at Council's Corporate and Financial Services Division and will include:

- the various kinds of public amenities or services for which expenditure is authorised by the plan;
- the total amounts received by way of monetary contribution for the different facility categories;
- the amounts paid for different facility categories which have been pooled and progressively applied; and
- the total amounts spent in accordance with the plan for the different facility categories.

Council will also prepare a statement with respect to this plan and other contribution plans as soon as practical after the end of each year in its annual financial report. This statement will include:

- the opening and closing balances of money held by Council for the accounting period;
- the total amounts received by way of monetary contribution for the different facility categories;
- the total amounts spent in accordance with the plan for the different facility categories; and
- the outstanding obligations of Council to provide works for different facility categories for which contributions have been received.

A Contributions Register will also be maintained and may be inspected on request. This Register will include:

- details of each consent for which a Section 94 condition has been imposed;
- the nature and extent of the contribution required by the condition for each facility category;
- the name of the Contribution Plan the condition was imposed under; and
- the date any contribution was received and its nature and extent.

2.12 Administration costs and plan preparation

The preparation, on-going review, and implementation of this Contributions Plan requires significant Council resources. This includes allocation of time from forward planning and services delivery staff together with professional fees, to prepare and review the Contributions Plan.

Once the plan is in place, further staff time will be required to manage the contributions system which includes calculation and recording of contribution payments as well as monitoring of development, works schedule expenditure and indexation assumptions. The costs associated with the preparation and administration of this plan will therefore be levied for under this Contributions Plan.

2.13 When is the contribution payable?

Section 94 contributions must be paid in full for development applications involving new floor space or an increase in existing floor space, prior to the issue of a construction certificate.

2.14 Deferred/periodic payments

Council will only permit deferred or periodic payment where development is staged. The stages of development and relevant contribution payment for each stage must be clearly documented in the conditions of consent. In this regard Section 96 modification of consent is required if proposed staging of development is not reflected in the original consent.

For development which is staged, Section 94 contributions must be paid at the rate applicable at the time of issuing the construction certificate for the additional floor space being sought through the construction certificate.

2.15 Exemptions

This Contributions Plan applies to all development applications for any new or additional floor space in the IN2 Light Industrial or B6 Enterprise Corridor zones within the Annangrove Road Light Industrial Area. The only exemptions allowed are those subject of a Direction from the Minister for Planning and Infrastructure under Section 94E of the EP&A Act.

2.16 Construction certificates and the obligation of accredited certifiers

In accordance with Section 94EC of the EP&A Act and clause 146 of the EP&A Regulation, a certifying authority must not issue a construction certificate for building work or subdivision work under a development consent unless it has verified that each condition requiring the payment of monetary contributions has been satisfied.

In particular, the certifier must ensure that the applicant provides a receipt confirming that contributions have been fully paid and copies of such receipts must be included with copies of the certified plans provided to the Council in accordance with clause 142(2) of the EP&A Regulation. Failure to follow this procedure may render such a certificate invalid.

The only exceptions to the requirement are where a works in kind, material public benefit, dedication of land or deferred payment arrangement has been agreed by the council. In such cases, council will issue a letter confirming that an alternative payment method has been agreed with the applicant.

2.17 Method of payment of contribution

Council will accept Section 94 payments in one, or a combination, of the following ways:

(i) Monetary contribution

This is the most common method of payment. However, as discussed below, payment can be offset by providing a material public benefit that is identified in the Contributions Plan.

(ii) Material public benefit (works in kind)

Where an applicant makes a written request and Council in its absolute discretion determines that it is appropriate, an applicant may provide a material public benefit (commonly referred to as works-in-kind) in part, or full, satisfaction of a monetary contribution. Any written requests must demonstrate that the works in kind are of equivalent or greater benefit to the community compared to what has been identified under this Contributions Plan. The proposed works in kind offset must be included in the conditions of consent or a S96 modification of the consent, to reflect the proposed offset, will be required.

The works must be included in the works schedule as set out in Schedule 1. The cost of the work will be offset against the contribution required for the same facility category only. For example if the works relate to road upgrading the cost of the works would be offset against the required roadwork's contribution. The amount of the offset will be as agreed by Council and will not exceed the cost allocation for the works included in the Contributions Plan.

In assessing such a request, Council will generally take into account the following:

- whether the proposed work in kind will be to a suitable standard for Council to eventually accept;
- finalisation of, or consistency with, the detailed design of the facilities;
- the submission of plans and cost estimates to Council of the proposed works to be undertaken by the applicant;
- whether the location, siting and design of the proposed works has regard to the Development Control Plans applying to the Annangrove Road Light Industrial Area and this Contributions Plan;
- the timing of completion and future recurrent costs including staffing and maintenance and future management (particularly if a work to a higher standard is proposed);
- Council may consider works to a higher standard than the Contributions Plan allowance, however no reimbursement of additional costs will be provided;
- the financial implications for cash flow and whether the proposed works pre-empt the future orderly implementation of the works as identified in the works schedule; and
- Future dedication, handover and management arrangements.

There may be cases where an applicant carries out works in kind, which are included in the Schedule of Works in this Contributions Plan but cost of which

exceeds the contribution required for that facility category. In these situations the applicant will be reimbursed for the cost of the works that:

- exceed the contribution due within that facility category, and
- have been approved by Council as being consistent with the Contributions Plan.

(iii) Dedication of land

Council will generally not accept the dedication of land (identified for public purposes under this plan) to offset the required monetary contribution. Rather the developer will be required to pay the full contribution relating to land acquisition. The value of land can then be negotiated separately between the applicant and Council, and a value formally agreed upon prior to payment. An appropriate condition may be included in any consent applying to land identified for public purposes to ensure that the land is transferred to Council. These consents would require satisfactory arrangements being made with Council's Manager – Administration.

2.18 Planning agreements

In accordance with Section 93F(1) of the EP&A Act a planning agreement is a voluntary agreement or arrangement between a planning authority and a developer under which the developer agrees to make contributions towards a public purpose. A planning agreement may wholly or partly exclude the application of Section 94 to the development that is subject of the agreement.

The provisions of Sections 93F to 93L of the EP& A Act and accompanying Regulation prescribe the contents, form, subject matter and procedures for making planning agreements.

Any person seeking to enter into a planning agreement should in the first instance submit a proposal in writing to Council, documenting the planning benefits and how the proposal would address the demands created by development for new public infrastructure, amenities and services.

2.19 Calculation of contribution rate

~~Council commissioned a consultant to identify and review the scope of works for the Annangrove Road Light Industrial Area. The consultant also provided a valuation of the costs of such works which form the basis for capital works in this Contribution Plan.~~

~~The contribution rates for development have been determined as follows:~~

~~Contribution formula for Road Works – Capital~~

$$\text{Contribution Rate} = \frac{C}{T}$$

~~Where: C is the cost of the facilities
T is the forecasted remaining developable future floor space* in m²~~

~~Contribution formula for Road Works – Land~~

$$\text{Contribution Rate} = \frac{L}{T}$$

Where: L is the total cost of land to be acquired;
T is the forecasted remaining developable future floor space* in m²

*"floor space" is defined in Appendix A of this Plan

Review of contribution rates

To ensure that the cost of providing works is not eroded over time, Council will periodically review the contribution rates within this Plan. The contribution rates calculated in the preparation of this Plan are provided in Schedule 2 (contribution rates). The adjusted contribution rates calculated as a result of review are published in Council's Section 94 Rates Schedule available at Council's administration centre or on Council's website: www.thehills.nsw.gov.au. The contributions stated in a consent are calculated on the basis of the contribution rates applying at the time of the issuing of development consent. The original contribution rates in this Plan apply if no adjustment has been undertaken to the contribution rates. The adjusted contribution rates apply if the contribution rates have been revised since the Plan came into effect.

Review of capital contribution rates

The capital contribution rates will be indexed quarterly using the latest Sydney Consumer Price Index (CPI) – All Groups Index, published by the Australian Bureau of Statistics (ABS). Please refer to the ABS website: www.abs.gov.au for information regarding the CPI.

Review of land contribution rates

The land acquisition contribution rate will be indexed quarterly using the latest Sydney Consumer Price Index (CPI) – All Groups Index, published by the Australian Bureau of Statistics (ABS). Please refer to the ABS website: www.abs.gov.au for information regarding the CPI.

Calculation of developer contributions

For works levied under this Contributions Plan, the formula adopted to determine developer contributions is as follows:

$$(\$) \text{ Developer Contribution} = F \times C$$

Where:

F = Additional square metres of floor space* proposed in a development

C = Contribution rate per additional square metre of floor space*

*"floor space" is defined in Appendix A of this Plan

How are contributions adjusted at the time of payment?

~~At the time of payment of developer contributions, if the contribution amount in the development consent has not been paid within the quarter in which consent was granted, the contributions payable will be adjusted and the amount payable will be calculated on the basis of the contribution rates that are applicable at the time of payment.~~

Net Present Value Method

The contribution formula has been arrived at having regard to the Development Contribution Practice Notes issued by the then Department Infrastructure Planning and Natural Resources (DIPNR) in July 2005. These notes provide Council with two options, either a calculation based on nominal values or a net present value (NPV) methodology.

To ensure that the value of contributions is not eroded over time, the proposed method of contribution calculation is based upon a NPV methodology. This approach is a standard financial accounting tool which discounts future cash flows to account for the fact that funds received or spent today are worth more than future funds.

Contributions Formula

The formula uses a discounted cash flow model, to calculate the contribution rate per square metre of additional floor space. The model covers a period of 15 years (life of the Contributions Plan). The following elements are used in this calculation:

Land Acquisition Index

The land acquisition indexation assumption is based upon an average of the annual percentage change in the Australian Bureau of Statistics Established House Price Index for Sydney over the 11 years from March 2002 to March 2013.

Capital Expenditure Index

Capital expenditure indexed assumption is based upon an average of the annual percentage change in the Australia Bureau of Statistics Producer Price Index for Sydney over the 15 years from March 1998 to March 2013.

Indexed Expenditure

Total of Indexed land acquisition, capital or administrative costs.

Revenue Projections

Costs will be indexed at 2.5% which represents the midpoint of the Reserve Bank of Australia's inflation target of 2-3%, on average over the cycle.

Cash Flow

A cash flow projection will be prepared using the above elements over the life of the Contributions Plan. The cash flow is the difference between the Indexed Expenditure and the Revenue Projections.

Discount Rate

The ten year Government bond rate (quoted as a percentage) as of 23 September 2013 and sourced from NSW Treasury Corporation.

Formula

The Contribution rate per square metre is determined on the basis that the NPV (Net Cash Flow) at the Discount Rate over the total life of the plan is neutral. This is calculated using the following formula for each facility category:

$$PV(\text{Costs}) = PV(\text{Revenue})$$

$$PV(\text{costs}) = N_1 * DC + \frac{N_2 * DC}{(1+r)^1} + \dots + \frac{N_t * DC}{(1+r)^t}$$

Where: N (i) = No. of square metres in year (i)
 DC = development contribution (\$ in year 1 of CP)
 r = discount rate (%)
 t = time in years

From the equation above:

$$PV(\text{Costs}) = PV[(\text{No. of square metres}) * (\text{Development Contribution})]$$

Therefore:

$$PV(\text{Development Contribution}) = PV[(\text{Costs}) / (\text{No. of square metres})]$$

The Contribution rate for development is determined by the contribution rate per square metre (see Schedule 1.3).

2.20 How are contributions adjusted at the time of payment?

At the time of payment of developer contributions, if the contribution amount in the development consent has not been paid within the financial year quarter in which consent was granted, the contributions payable will be adjusted and the amount payable will be calculated on the basis of the contribution rates that are applicable at the time of payment.

2.21 Credit for existing development?

Contributions will be levied according to the estimated increase in demand as a result of new development within the Annangrove Road Light Industrial Area. The infrastructure to be levied for under this Contribution Plan is required as a direct consequence of the development of the Annangrove Road Light Industrial Area. The payment of contributions is therefore applicable to any development which will increase the floor space area and will create a demand for the provision of such infrastructure.

2.22 Pooling of contributions

This plan expressly authorises monetary Section 94 contributions paid for different purposes to be pooled and applied (progressively or otherwise) for those purposes. The priorities for the expenditure of the levies are shown in the works schedule.

2.23 Savings and transitional arrangements

A development application which has been submitted prior to the adoption of this plan but not determined shall be determined in accordance with the provisions of the plan which applied at the date of determination of the application.

3 PART C – Strategy Plans

3.1 Background of Annangrove Road Light Industrial Area

The Annangrove Road Light Industrial Area is land zoned both IN2 Light Industry and B6 Enterprise Corridor and is located adjacent to Seconds Pond Creek and Annangrove Road. This light industrial area will provide employment and cater for the services needs of the current and future population of the Kellyville/Rouse Hill Release Area. The total area of land zoned IN2 Light Industry and B6 Enterprise Corridor is 104.38ha (including 14.9ha of constrained land and land required for roads).

For the purposes of identification, description and servicing, the light industrial area can be divided into four distinct neighbourhoods having physical borders of trunk drainage land and existing roads. A brief description of each neighbourhood is included below:

"Mile End Road Precinct"

This neighbourhood, consisting of 16 lots with a total area of 37.38ha, is located west of Mile End Road and north of Withers Road.

"Annangrove Road South Precinct"

This neighbourhood, consisting of 10 lots with a total area of 13.13ha, is bound Annangrove Road, Withers Road, Second Ponds Creek and Windsor Road.

"Edwards Road Precinct (Southern Frame)"

This neighbourhood is bound by Annangrove Road, Withers Road, Second Ponds Creek, and the northern boundary of 314 Annangrove Road. The neighbourhood contains 10 lots (of which one lot is a strata development comprising 27 strata units), and has a site area of 15.93ha (excluding the strata development at 322 Annangrove Road).

"Edwards Road Precinct (Northern Frame)"

This neighbourhood is located in the northern extent of the Annangrove Road Light Industrial Area. It is bound by Annangrove Road, Cattai Creek, Second Ponds Creek and the northern boundary of 314 Annangrove Road and consists of 10 lots with a site area of 23.04ha. It is noted that this area calculation excludes land required for roads, land within the electricity transmission easements and land south of the transmission easement on Lot 26 DP 834050, Lot 12 DP 835727, Part Lot 2 DP 1032790 and Lot 1 DP 133473 due to development constraints.

3.2 Development and facility needs

Council can only levy Section 94 contributions where development will or is likely to require the provision of, or increase the demand for public facilities and services. It is therefore necessary to establish a link or nexus between the developments anticipated for the Annangrove Road Light Industrial Area and the need for public facilities and services.

The development forecasts outlined in this section are therefore crucial elements in the overall Contributions Plan. It is upon these forecasts that the majority of planning decisions are based. The forecasts provide the framework within which to plan the works and facilities that will be required as a consequence of new development.

3.3 Existing development

The dominant land uses within the light industry area are rural and rural-residential. A brief description follows of each neighborhood and the land uses in each:

"Mile End Road Neighborhood"

A hardware supplier, an industrial subdivision, a community church, a sewerage treatment plant and rural-residential properties are located within this neighbourhood.

"Annangrove Road South Neighborhood"

The neighbourhood contains a pub, a recently constructed Bulky Goods Premises (Bunnings), a nursery/landscaping industry and building materials establishment.

"Edwards Road Precinct (Southern Frame)"

A childcare centre and a light industrial/warehouse development are located along Annangrove Road.

"Edwards Road Precinct (Northern Frame)"

Existing development in this precinct consists of a Paintball Park and single dwellings in rural style settings.

It is envisaged that the existing industries will continue to operate. However, there is possibility of expansion and redevelopment of most sites in the longer term.

3.4 Development potential

The Hills Local Environmental Plan 2012 allows a maximum floor space ratio of 1:1, resulting in a potential total floor space of 894,792m². However, based on development patterns within the Castle Hill Light Industrial Area and development consents granted in the Annangrove Road Light Industrial Area, it has been identified that industrial development on larger industrial lots (greater than 8,000m²) results in a floor space ratio of approximately 0.4:1.

In determining the likely floor space within the Edwards Road Precinct, zoned B6 Enterprise Corridor, a floor space ratio of 0.75:1 has been applied to reflect the increased land use and development opportunities.

Applying the above ratios results in the following predicted total floor space:

	Site Area (m ²)	FSR	Predicted Total Floor Space m ²
Mile End Road	373,750	m ² x 0.4 =	149,500
Annangrove Road South	131,274	m ² x 0.4 =	52,510
Edwards Road Precinct (Southern Frame)	159,340	m ² x 0.75 =	119,505
Edwards Road Precinct (Northern Frame)	230,428	m ² x 0.75 =	172,821
Total	894,792		494,336

Note: "Floor Space" is defined in Appendix A of this Contributions Plan.

3.5 Demand for public facilities and services

The expected development within the Annangrove Road Light Industrial Area will create a demand for upgrading of roads and provision of traffic facilities as a result of increased traffic movements generated by new development. Section 94 contributions are proposed to be sought for:

- Roadworks: land and capital
- Administration Costs

The following sections of the Contributions Plan identify the nexus between the proposed development and the facilities or services listed above, specifies the appropriate level of apportionment (if any), and provides a brief description of the proposed works and their timing.

3.6 Roadworks

Roadworks demand

The Roads and Traffic Authority Guidelines for Traffic Generating Development ("RTA Guidelines") estimate the following vehicle trips:

Industrial Units: 5 vehicle trips per day / 100 square meters gross floor space.
Warehousing: 4 vehicle trips per day / 100 square meters gross floor space.

Development in the Annangrove Road Light Industrial Area is expected to be a mixture of small industrial units and warehousing and ancillary uses. For the purposes of this Contributions Plan an average of 4.6 vehicle trips per day/100 square metres gross floor space has been adopted. This generates the following traffic volumes:

Mile End Road: $\frac{149,500}{100} \times 4.6 = 6,877$ vehicle trips per day

Annangrove Road South: $\frac{52,510}{100} \times 4.6 = 2,415$ vehicle trips per day

Edwards Road Precinct: $\frac{292,326}{100} \times 4.6 = 13,447$ vehicle trips per day

TOTAL: **22,739 vehicle trips per day**

Council has undertaken to provide an acceptable level of access and convenience for all street and road users in this light industrial area, while ensuring acceptable levels of safety and thoroughfare to through traffic.

A road network has subsequently been developed with the following objectives:

- Establish a vehicular movement network that provides convenient access to major roads, commercial centers and other areas;
- Provide safe, convenient and legible movement networks within the light industry area; and
- Provide safe and efficient thoroughfare for traffic utilising the road network as a through route.

A development control plan has been prepared for the light industrial area, taking into account the functional characteristics of industrial traffic. Each of the roads and associated traffic management infrastructure is briefly discussed below.

Local Roads

Local Roads are not funded by this contributions plan. These roads are to be funded and constructed by developers as part of future subdivision proposals within the Precinct.

Projects Completed

Mile End Road South – New Alignment (SA6)

Mile End Road, between Windsor and Withers Roads has been re-aligned and built to Sub-Arterial Class 1 standard. The ratio of residential/industrial traffic is estimated at 1:1, therefore, of the contributions required to construct this road, 50% will be levied in the Contributions Plan No. 8 Kellyville/Rouse Hill and 50% in this Plan. It has been necessary to borrow funds from Contributions Plan No. 8 to deliver this component of the works program. An interest cost has been allowed for in the works program.

Traffic Signals: Intersection of Mile End Road and Withers Road (T1)

Increased traffic from residential and industrial development will create a need for traffic signals to control vehicular movements between Mile End and Withers Roads. This Contributions Plan will levy for 50% of the total costs of the intersection upgrade, with the remaining 50% being levied under Contributions Plan No. 8 Kellyville/Rouse Hill.

Proposed Roadworks**Annangrove Road – Existing Upgrade (SA13)**

Annangrove Road will be upgraded to a Sub-Arterial Class 1 to cater for the industrial traffic from both the Annangrove Road Light Industrial Area and the Box Hill Light Industrial Area. This plan will levy for 50% of the total cost of the upgrade. The remaining 50% will need to be levied under Contributions Plan No. 15 for the Box Hill and Box Hill Industrial Precinct.

Due to the additional traffic volumes Annangrove Road will need to be widened to 2 lanes in each direction. As the development sites are industrial in nature there would be a significant component of this additional traffic that would be classified as heavy vehicles. The additional lanes required along Annangrove Road are also required to accommodate the additional heavy vehicle movements. Heavy vehicles typically travel at slower speeds than standard cars and hence it is necessary to have a left lane for heavy vehicles to travel in and a median lane for faster vehicles to have the opportunity to pass.

The additional lanes will allow sufficient turning paths for heavy vehicles turning onto or off Annangrove Road. The pavement in the section of Annangrove Road between Murphy's Bridge and Windsor will be re-constructed to a four-lane urban road standard to accommodate these increased traffic volumes and the proportion of heavy vehicles. The road widening will taper at the bend on Annangrove Road west of Crown Road.

Withers Road – Existing Upgrade (SA8)

Withers Road, to the north-west of Mile End Road, will be upgraded to Sub-Arterial Class 2 to cater for the industrial traffic. This Contributions Plan will levy contributions for the full construction of the section of Withers Road from Mile End Road to Annangrove Road.

It is proposed to deliver this component of the works program as a priority to ensure that industrial development does not occur without safe access. It will therefore be necessary to borrow funds ahead of the accumulation of contributions. An interest cost has been allowed for in the works program.

Proposed intersection treatments**Roundabout: Western Intersection of Annangrove Road and Edwards Road (RSA13)**

The western intersection of Annangrove and Edwards Roads currently provides an adequate level of service to the existing traffic volumes. A two-lane roundabout is required to provide turning movements for future industrial traffic to and from the northern frame of the Edwards Road sub-precinct and the Box

Hill and Box Hill Industrial Precinct. This roundabout will also provide a turn-around facility for vehicles to access developments along Annangrove Road after the creation of a median strip which will prevent right turns for vehicles traveling on the north-bound lanes of Annangrove Road. Traffic generated by the CP11 area will utilise this roundabout.

Traffic Signals: Intersection of Annangrove Road and Withers Road (T2)

The Annangrove Road Light Industrial Area and the Box Hill and Box Hill Industrial Precinct will generate demand for a signalised intersection at this location. The intersection will include three lanes on Annangrove Road (northbound and southbound approach), including dedicated right turn lanes, and four lanes on the Withers Road (westbound approach) and The Water Lane (eastbound approach), including dedicated right turn lanes and left turn slip lanes. This plan will levy for 50% of the total cost of the intersection upgrade. The remaining 50% will need to be levied under the Contribution Plan ~~No. 15~~ for the Box Hill and Box Hill Industrial Precinct. The project will be consolidated into the overall Annangrove Road Upgrade.

Public transport

Bus Stops

Bus stops will be located along collector and sub-arterial roads surrounding the Annangrove Road Light Industrial Area to provide for the public transport needs of future employees. Where the bus stops are located adjacent to residential areas, 50% of the costs will be apportioned to residential development within Contributions Plan No.8 - Kellyville/Rouse Hill Release Area.

Apportionment

Some of the identified roads and facilities will also be serving the local residential population and the future development within the Box Hill and Box Hill Industrial Precinct. In such cases the cost will be apportioned according to source traffic volumes, that is, residential or industrial traffic. Funds will be levied via this Contribution Plan, Contribution Plan No. 8 for Kellyville/Rouse Hill and the Contribution Plan for the Box Hill and Box Hill Industrial Precinct. Load limits will be placed on surrounding roads in order to restrict heavy-vehicle movements to purpose-built roads.

Schedule of works and cost estimates

A schedule of road works to be levied for under this Contributions Plan is included in Part A. Cost estimates are included for both acquisitions of land and capital works. Each facility can be located by reference to Figure No.1.

4 PART D – References

- Roads and Traffic Authority. *Guidelines for Traffic Generating Development*, 2002.

APPENDIX A – Definitions**Definitions Relevant to this Plan**

Unless otherwise provided, definitions for terms used in this Contributions Plan will be those definitions used in the *Environmental Planning and Assessment Act 1979*, the *Environmental Planning and Assessment Regulation 2000* and *The Hills Local Environmental Plan 2012*.

Acquisition cost	Includes all costs and expenses incurred in the purchase of land or floor space including but not limited to any purchase price, valuation, legal and survey fees.
Annangrove Road Light Industrial Area	Means the area shown on Map No. 1 - Land to Which Plan Applies
Edwards Road Precinct	Means the area identified as the Edwards Road Precinct shown on Map No. 1 - Land to Which Plan Applies
Capital Cost	Includes all costs and expenses incurred in the delivery of the public facilities identified including but not limited to design, consultant and professional fees, project management fees, insurance premiums and construction. It does not include any recurrent costs that may be incurred in the operation and maintenance of the facility once it has been built.
Developer contributions	Means a monetary contribution, the dedication of land free of cost or the provision of a material public benefit
EP&A Act	Means the <i>Environmental Planning and Assessment Act 1979</i> , as amended
EP&A Regulation	Means the <i>Environmental Planning and Assessment Regulation 2000</i> , as amended
Floor space	Means the area of the site used in conjunction with the approved development including but not limited to enclosed floor area, outdoor storage of goods, outdoor display areas but not including the areas of the site used for car parking and/or access to parking spaces or landscaped areas.
LEP 2012	Means <i>The Hills Local Environmental Plan 2012</i> , as amended
Predicted Total Floor Space	Means the anticipated floor space of the Annangrove Road Light Industrial Area
RTA Guidelines	The Roads and Traffic Authority Guidelines for Traffic Generating Development
Works in kind	Means the construction or provision of the whole or part of a public facility that is identified in the works schedule to the Contributions Plan