

PLANNING PROPOSAL

LOCAL GOVERNMENT AREA: The Hills Shire Council

NAME OF PLANNING PROPOSAL: The Hills Local Environmental Plan 2012 (Amendment No. (##)) – Edwards Road Precinct

ADDRESS OF LAND: The Edwards Road Precinct is comprised of the following properties (refer to Figures 1 and 2):

- Northern Frame:
 - Nos. 278 to 290-312 Annangrove Road, Rouse Hill 2155 (Lot 2 DP 879450, Lot 2 DP 1032790, Lot 10 DP 563695, Lot 2 DP 838278, Lot 3 DP 222080, Lot 26 DP 834050 & Lot 12 DP 835727);
 - Nos. 20 & 31 Edwards Road, Rouse Hill 2155 (Lot 2 DP 222080 & Lot 2 DP 225401); and
 - Lot 1 Edwards Road, Rouse Hill 2155 (Lot 1 DP 133473).
- Southern Frame:
 - Nos. 314 to 332-334 Annangrove Road, Rouse Hill 2155 (Lots 27-30 DP 834050, Lots 32-34 DP 834050, Lots 12 & 13 DP 833069 and SP 78246).

SUPPORTING MATERIAL:

Attachment A	LEP Maps (14 Maps)
Attachment B	Master Plan – Edwards Road Precinct, February 2013
Attachment C	Economic and Employment Assessment, SGS Economics and Planning;
Attachment D	Flora and Fauna Assessment, Eco Logical Australia
Attachment E	Traffic and Accessibility Assessment, Lambert & Rehbein
Attachment F	State Environmental Planning Policies
Attachment G	Section 117 Ministerial Directions
Attachment H	Council Report and Resolution, 12 February 2013
Attachment I	Council Report and Resolution, 27 November 2012
Attachment J	Council Report and Resolution, 24 July 2012

LEP MAPS – PART 4 MAPPING:

The following maps are included in Attachment A and have been prepared in accordance the 'Standard Technical Requirements for LEP Maps':

Map 1	Site Identification Map - Edwards Road Precinct (Map Sheet 6)
Map 2	Site Identification Map - Edwards Road Precinct (Map Sheet 14)
Map 3	Current Land Zoning Map (Map Sheet 6)
Map 4	Current Land Zoning Map (Map Sheet 14)
Map 5	Current Lot Size Map (Map Sheet 6)
Map 6	Current Lot Size Map (Map Sheet 14)
Map 7	Current Land Reservation Acquisition Map (Map Sheet 6)
Map 8	Current Land Reservation Acquisition Map (Map Sheet 14)
Map 9	Proposed Land Zoning Map (Map Sheet 6)
Map 10	Proposed Land Zoning Map (Map Sheet 14)
Map 11	Proposed Lot Size Map (Map Sheet 6)
Map 12	Proposed Lot Size Map (Map Sheet 14)
Map 13	Proposed Land Reservation Acquisition Map (Map Sheet 6)
Map 14	Proposed Land Reservation Acquisition Map (Map Sheet 14)

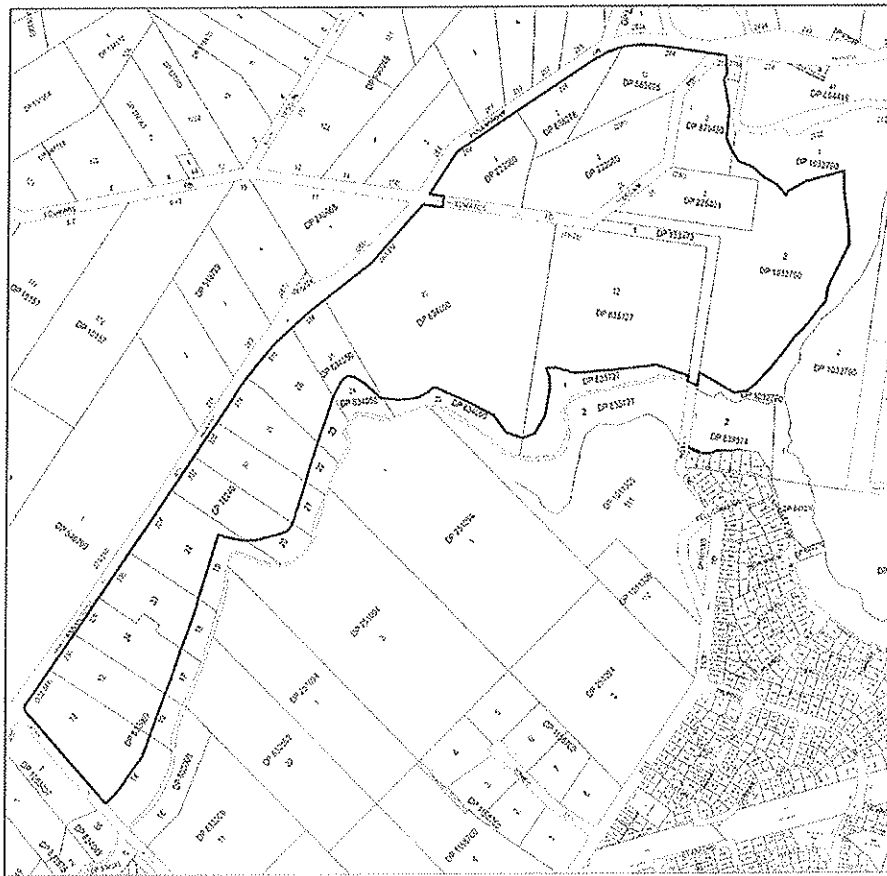


Figure 2
Address and Legal Descriptions (Edwards Road Precinct)

The industrial area was established in 1991 and has had limited success in attracting new industrial businesses. A number of constraints such as endangered and critically endangered ecological communities, slope, and its outlying location have contributed to the slow uptake of land for redevelopment. Notwithstanding these constraints, the precinct is considered to be well situated being within close proximity to the Rouse Hill Major Centre, the proposed North West Rail Link, the North Kellyville Precinct to the south-east, and the proposed Box Hill and Box Hill Industrial Precincts to the north-west.

The Employment Lands and Integrated Transport Directions are the relevant components of Council's Local Strategy to be considered as part of this proposal. During the preparation of the Employment Lands Direction (adopted June 2009) a review was undertaken of the quality and function of employment lands within the Shire. At the time of preparing the Direction the Annangrove Road Light Industrial Area had achieved only 4.9% of its potential employment potential.

In response to the slow uptake of development the Direction required the preparation of a master plan for precinct with the aim of formalising a strategic planning response to attract suitable industrial businesses and to improve the marketable image of the precinct. The preparation of the master plan would enable appropriate consideration of environmental constraints whilst ensuring that development potential and employment opportunities can be achieved. The Direction also recognises that this may result in a different type of product or subdivision pattern from what has traditionally been offered within the Shire's other industrial areas.

- Amending *The Hills Local Environmental Plan 2012* Lot Size Map for land within the Edwards Road Precinct (proposed Lot Size Map shown in Maps 11 and 12 of Attachment 1). The proposed Lot Size Map indicates 4,000m² for the Southern Frame and a mix of 2,500m², 4,000m² and 8,000m² for the Northern Frame.
- Amending *The Hills Local Environmental Plan 2012* Land Reservation Acquisition Map to reflect the updated extent of land required for local road widening (proposed Land Reservation Acquisition Map shown in Map 13 & 14 of Attachment 1).

Part 3 Justification

SECTION A: NEED FOR THE PLANNING PROPOSAL

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

In accordance with the action of the Employment Lands Direction, Council has prepared a 'Master Plan – Edwards Road Industrial Precinct' (Attachment B). The plan was directly informed by the following specialist studies which are outlined in greater detail within Section C of this planning proposal:

- Economic and Employment Assessment, SGS Economics and Planning (Attachment C);
- Flora and Fauna Assessment, Eco Logical Australia (Attachment D); and
- Traffic and Accessibility Assessment, Lambert & Rehbein (Attachment E).

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

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

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

In accordance with the above resolution a landowner consultation meeting was held at Council's Administration Building to enable further discussion to be carried out with affected landowners. The meeting was attended by twenty-one (21) landowners and landowner representatives. At this meeting a number of matters were discussed which resulted in further refinements to the draft Plan. The Plan was subsequently adopted by Council at its meeting of 12 February 2013 (refer to Attachment H).

The master plan seeks to rezone the precinct from the IN2 Light Industrial zone to the B6 Enterprise Corridor zone. It is also proposed that the minimum lot zone be reduced from 8,000m² to a mix of 2,500m², 4,000m² and 8,000m² for various sections of the precinct. A road layout has also been identified to facilitate an efficient and orderly subdivision pattern. The broad strategic vision for the precinct, as identified within the master plan, is included in the following figure:

- Public Administration Buildings; and
- Shop Top Housing.

With respect to the minimum lot size standard, it has been identified that the high capital cost of establishing a development on an 8,000m² site is impacting on the feasibility of development, particularly in the current market where there is low demand for industrial floor space. In order to improve the feasibility of development the proposal seeks to apply a minimum lot size of 4,000m² for the Southern Frame and a mix of 2,500m², 4,000m² and 8,000m² for the Northern Frame. The reduction has been proposed to encourage smaller developments that suit niche industries which do not have access to sufficient capital to develop large multi unit complexes and businesses that require less restrictive strata by-laws to operate.

The approach which has been pursued for the precinct is to enable a reduction in the minimum lot size in a manner which avoids reliance on excessive battle-axe lots and which reduces the requirement for developers to construct internal roads. Whilst a reduction in the minimum lot size is proposed for most of the precinct, the extent of the reduction varies depending on the presence and extent of environmental constraints. A larger minimum lot size has been applied to the areas of the precinct which are impacted by an environmental constraint such as vegetation and slope. This will enable the constrained land to be wholly contained within future development lots.

SECTION B: RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK

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

Metropolitan Plan for Sydney 2036

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

The Plan has identified that Sydney's growing population will require the generation of an additional 760,000 jobs by 2036 with 145,000 additional jobs to be located within the North West Subregion.

The Plan notes under Action E3.2 that many older employment areas are experiencing a decline in employment activity due to their outdated building stock and subdivision pattern. In light of this there is a significant opportunity for these areas to be subject to a precinct planning process so as to stimulate redevelopment and job creation.

An overarching theme within the Plan is to ensure that more jobs are located closer to homes. The Edwards Road Precinct is within close proximity to the Rouse Hill Major Centre, the North West Growth Centre and the proposed North West Rail Link. Given the significance of this location, the precinct is well placed to accommodate significant employment growth.

Draft Metropolitan Strategy for Sydney

In March 2013 the Draft Metropolitan Plan for Sydney was released for Public comment. Once finalised, the draft Strategy will replace the Metropolitan Plan for Sydney. The draft Strategy establishes a vision and key objectives, policies and actions to guide the growth of Sydney to 2031 and is under pinned by the following key outcomes:

the south-east, and the proposed Box Hill and Box Hill Industrial Precincts to the north-west. The precinct will significantly benefit from the delivery of key economic infrastructure such as the North West Rail Link and the District and Regional bus routes proposed as part of the planning for the North West Growth Centre. These transport links will ensure that the precinct is well connected to the surrounding residential areas and strategic centres.

c) How would the proposed rezoning impact the industrial land stocks in the subregion or region and the ability to meet future demand for industrial land activity?

As part of the preparation of the master plan Council engaged SGS Economics and Planning to prepare an Economic and Employment Assessment for the precinct (Attachment C). The purpose of the assessment was to identify the root causes that have been preventing the precinct from attracting investment and to provide land use and development control recommendations to stimulate growth.

The analysis found the Annangrove Road Industrial Area to be typical of the North West subregion to the extent that demand appears to be languishing while there is sufficient supply available. In addition to the more regional market forces of supply and demand, it was highlighted that localised issues such as planning controls and development feasibility would also be a contributing factor to the slow uptake of redevelopment.

The proposed rezoning will provide additional floor space and employment opportunities through business and offices uses whilst retaining the light industrial and urban support function of the precinct. The additional land use opportunities, coupled with the reduction in the minimum lot sizes, will increase the capacity for intensified light industrial development. Based on initial estimates the proposal will increase the potential floor space within the precinct by approximately 76,831m². Accordingly, it is considered that the proposed zone will not impact on the industrial land stocks in the subregion or region nor will it impact on the ability to meet future demand for industrial land activity.

d) How would the proposed rezoning impact on the achievement of the subregion/region and LGA employment capacity targets and employment objectives?

Based on initial estimates, the proposal will increase the employment capacity of the precinct by approximately 1,097 jobs. Accordingly, the proposal is considered to satisfy this criterion as it will increase the potential employment within the precinct, LGA and subregion.

e) Is there a compelling argument that the industrial land cannot be used for an industrial purpose now or in the foreseeable future and what opportunities may exist to redevelop the land to support new forms of industrial land uses such as high-tech or creative industries?

The industrial area was established in 1991 and has had limited success in attracting new industrial businesses. A number of constraints such as endangered and critically endangered ecological communities, slope, and its outlying location have contributed to the slow uptake of land for redevelopment. The Economic and Employment Assessment concluded that these constraints, coupled with the land use and planning controls, have rendered redevelopment unfeasible.

In response to these findings, the master plan has proposed a number of land use and development control recommendations to improve the feasibility of development within the precinct and to ensure that the zoning and development controls for this precinct appropriately align with the needs of industry. The findings of the Economic and Employment Assessment identified that local light industrial and business park type uses will be the most appropriate and capable of responding to the sensitive nature of the site.

- MLE1– Our Shire attracts new businesses and visitors; and
- MLE3 – I can work close to home.

The critical outcome which will be achieved through this proposal is the creation of a modern local economy. The aim of creating a modern local economy is focused on achieving the following:

- A Shire that attracts new businesses and visitors,
- Enable businesses to grow by ensuring that the Shire's employment lands are vibrant, modern and well located business centres that link to transport hubs.
- Ensure that there is adequate land to create additional business centres as the Shire continues to grow.

This planning proposal seeks to achieve a modern local economy through the utilisation and redevelopment of an existing underperforming employment area. In doing so, this proposal will assist in achieving the aim of ensuring that the Shires employment lands are modern, well located and have access to high frequency public transport services. This will have the effect of attracting new businesses and will enable these businesses to grow.

Draft Local Strategy

To build on the Hills 2026 Community Strategic Direction, a Local Strategy and supporting Directions have been prepared in response to the growth and development that will occur within the Shire. It provides an informed framework for land use planning and decision making with a focus on employment lands, residential development, centres, environment and leisure, and integrated transport.

In June 2008 Council adopted its Draft Local Strategy to provide the basis for the future direction of land use planning in the Shire and within this context implement the key themes and outcomes of the 'Hills 2026 Looking Toward the Future'. The Employment Lands and Integrated Transport Directions recognise the importance of revitalising existing employment areas to encourage economic growth and job creation and ensuring that residents and workers are provided with a range of transport options.

Employment Lands Direction

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

The Employment Lands Direction highlights the importance of revitalising existing underperforming employment areas. This includes making better use of existing services and infrastructure and ensuring that building stock meets the technological needs of industry. Redeveloping older industrial areas for higher order employment uses provides opportunities for increased investment and jobs closer to home. With specific reference to the Annangrove Road Light Industrial Area, the Employment Lands Direction states that the precinct has not been successful in attracting industrial businesses for the following reasons:

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

Whilst the precinct represents a substantial opportunity to provide for additional employment growth the Direction notes that in order to attract businesses to the precinct a strategic planning response is required to address the identified site constraints and matters

activities are identified within Table 1 of the Contaminated Land Planning Guidelines as a 'possible activity that may cause contamination', given the low intensity of these uses within the precinct the risk of contamination is considered to be low. Accordingly, a contamination assessment is not considered to be necessary at this stage of the plan preparation process.

The B6 Enterprise Corridor zone has been proposed for this precinct as it provides additional office and business opportunities which are not currently available within the IN2 Light Industrial zone. Whilst 'shop top housing' is permitted within the B6 Enterprise Corridor zone it is considered that there will be limited demand for this use within this precinct. Given the size of the precinct and the range of permitted uses within the proposed zone it would be appropriate that contamination be addressed on a site by site basis as part of the assessment of individual applications for mixed use development incorporating shop top housing.

For the reasons outlined above the proposal is considered to satisfactorily address the requirements of SEPP 55 Remediation of Land for the current phase of the proposal's assessment.

State Environmental Planning Policy (Infrastructure) 2007

The key objective of the Policy is to assist in facilitating the delivery of infrastructure by introducing consistent planning regime which provides greater certainty regarding the planning provisions applying to infrastructure projects across NSW. The planning proposal does not contradict or repeat any provision within the Policy. Any future development within the precinct will need to be in accordance with the provisions of the Policy.

SREP No 20 Hawkesbury-Nepean River

The aim of SREP No 20 (No. 2 – 1997) is to protect the environment of the Hawkesbury – Nepean River system by ensuring that the impacts of future land uses are considered in a regional context. This requires consideration of the impacts of the development on the environment, the feasibility of alternatives and consideration of specific matters such as environmentally sensitive areas, water quality, water quantity, flora and fauna, riverine scenic quality, agriculture, and metropolitan strategy.

The precinct is currently zoned IN2 Light Industrial wherein industrial development is already permitted. Appropriate controls will apply to ensure that future development does not adversely impact the riverine environment. Accordingly, it is considered that the planning proposal achieves satisfactory compliance with the provisions of SREP No 20 (No. 2 – 1997).

6. Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?

The consistency of the planning proposal with the s.117 Ministerial Directions is detailed within Attachment G. A discussion on the consistency of the proposal with each relevant Direction is provided below.

Direction 1.1 Business and Industrial Zones

The objectives of this Direction are to encourage employment growth, protect employment lands and support the viability of strategic centres. The Direction requires that where relevant a draft LEP shall:

- (a) Give effect to the objectives of this direction;
- (b) Retain business areas and locations of existing business and industrial zones;
- (c) Not reduce the total potential floor space area for employment uses and related public services in business zones;
- (d) Not reduce the total potential floor space for industrial uses in industrial zones; and

(b) Protect employment land in business and industrial zones

The B6 Enterprise Corridor zone will provide the additional flexibility and floor space potential necessary to offset the significant cost of redevelopment and will enable future development to be concentrated on the portion of each site which is least constrained. Whilst the proposed zone will provide greater flexibility in the range of permitted land uses, light industrial development will remain as a permitted land use and as such the industrial floor space potential within the precinct will be retained.

(c) Support the viability of strategic centres

As retail uses are not permitted within the B6 Enterprise Corridor zone, the proposal will not impact on the viability of the Rouse Hill Major Centre of the planned town centres within Box Hill or North Kellyville. Rather the future employment development within this precinct will support these centres by providing employment opportunities (including industrial, business and office) for surrounding residents. Future public transport services identified as part of the planning for the North West Growth Centre and the North West Rail Link will also ensure that the employment area integrates with the identified strategic centres.

Direction 2.1 Environmental Protection Zones

The objective of this Direction is to protect and conserve environmentally sensitive areas and applies to all councils preparing a planning proposal. The Direction requires that a planning proposal includes provisions that facilitate the protection and conservation of environmentally sensitive areas and that land within an environment protection zone shall not reduce the environmental protection standards that apply to the land.

Under LEP 2012 the E2 Environmental Conservation zone has been used to zone Broadwater Swamp and ten additional wetlands that were identified in Council's Natural Assets Assessment Project Stage 2 Wetlands Study prepared by Teresa James in May 2002. No land within the Edwards Road Precinct is currently zoned, or is proposed to be zoned, E2 Environmental Conservation.

As part of the preparation of the Edwards Road Precinct Master Plan, Council engaged the firm Eco Logical Australia to prepare a flora and fauna assessment for the precinct. The purpose of the assessment was to identify the extent and significance of vegetation communities within the precinct. The assessment identified the presence of Cumberland Plain Woodland (Critically Endangered Ecological Community) and Shale Sandstone Transition Forest (Endangered Ecological Community). Details regarding the outcome of this assessment are included within Section C of this proposal.

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 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".

As the current approach for the management of vegetation will be maintained the inconsistency with this Direction is considered to be of minor significance.

Direction 2.3 Heritage Conservation

This Direction aims to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance. This Direction requires that a planning

delivery of the North West Rail Link and the District and Regional bus routes proposed as part of the planning for the North West Growth Centre. These public transport links will ensure that the precinct is well connected to the surrounding residential areas and strategic centres. As future employment growth within the Edwards Road Precinct will contribute toward the provision of jobs closer to homes this proposal is considered to be consistent with this Direction.

Direction 4.3 Flood Prone Land

This Direction applies when a planning proposal creates, removes or alters a zone or a provision that affects flood prone land and requires the planning proposal to include provisions that give effect to, and be consistent with, the NSW Flood Prone Land Policy and the principles of the *Floodplain Development Manual 2005* (including the *Guideline on Development Controls on Low Flood Risk Areas*). The Direction requires that planning proposals must not permit development that will result in significant flood impacts to other properties, permit significant increases in the development of that land or result in a substantially increased requirement for government spending on flood mitigation measures, infrastructure or services.

Council's flood mapping does not identify the extent of the Flood Planning Level for this precinct. However a previous study undertaken by Sydney Water of land within the Drainage Corridor identified that the 1 in 100 year Average Recurrence Interval (ARI) for this precinct is generally contained within the land zoned SP2 Infrastructure (Stormwater Management System) under LEP 2012. There may be some land, below the 1 in 100 ARI, which extends above the Trunk Drainage Corridor. However, Clause 7.3 of LEP 2012 requires that development consent cannot be granted to development on land below the flood planning level (1 in 100 year ARI plus 0.5 metre freeboard), unless the consent authority is satisfied that the development:

- (a) is compatible with the flood hazard of the land; and
- (b) is not likely to significantly adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other development or properties; and
- (c) incorporates appropriate measures to manage risk to life from flood; and
- (d) is not likely to significantly adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses; and
- (e) is not likely to result in unsustainable social and economic costs to the community as a consequence of flooding.

In addition to the provisions of LEP 2012, applicable flood related development controls will apply through The Hills Development Control Plan. These controls will apply to any land which adjoins land zoned SP2 Infrastructure (Stormwater Management System) or land affected by an overland flow path. These controls have been prepared in accordance with the NSW Government's Flood Prone Land Policy.

It is considered that the provisions of the planning proposal that are inconsistent are of minor significance and can be addressed at the development assessment stage.

Direction 4.4 Planning for Bushfire Protection

Much of the precinct is identified as bushfire prone, containing Vegetation Category 1 and buffer. Below is an extract from The Hills Shire Bushfire Prone Land Map 2012.

Direction 6.1 Approval and Referral Requirements

The purpose of this Direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development by minimising the inclusion of provisions that require the concurrence, consultation or referral of development applications to a Minister or public authority. The proposal is considered to be consistent with this Direction as it does not include any concurrence, consultation or referral provisions and does not identify any development as designated development.

Direction 6.2 Reserving Land for a Public Purpose

The objectives of this Direction are to facilitate the provision of public services and facilities by reserving land for public purposes and to facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition. The planning proposal seeks to amend the land acquisition requirements at the intersections of Annangrove Road/ Withers Road and Annangrove Road/ Edwards Road by adjusting the land identified for local road widening within the Land Zoning Map and the Land Reservation Acquisition Map of LEP 2012.

Under Clause 5.1 of LEP 2012 Council is the relevant acquisition authority for land identified on the Land Reservation Acquisition map as SP2 Infrastructure and marked 'Local Road Widening'. As Council is the relevant acquisition authority for this land no concurrence is required from another public authority. Accordingly the planning proposal is considered to be consistent with this Direction.

Direction 6.3 Site Specific Provisions

The objective of this Direction is to discourage unnecessarily restrictive site specific planning controls. The proposal is consistent with this Direction as it will enable the desired land uses to be undertaken without imposing any development standards or requirements which are in addition to those already contained within LEP 2012.

Direction 7.1 Implementation of the Metropolitan Plan for Sydney 2036

The planning proposal is consistent with the Strategic Directions and Key Policy Settings of the Metropolitan Plan for Sydney 2036. An overarching theme within the Plan is to ensure that more jobs are located closer to homes. The Edwards Road Precinct is within close proximity to the Rouse Hill Major Centre, the North West Growth Centre and the proposed North West Rail Link. Given the significance of this location, the precinct is well placed to accommodate employment growth.

SECTION C: ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACT

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

The precinct is currently zoned IN2 Light Industrial wherein light industrial development is already permitted with consent. The assessment of the potential impact of development on significant vegetation communities is addressed under Section 5A of the *Environmental Planning and Assessment Act 1979* the *Threatened Species Conservation Act 1995* and the *Environment Protection and Biodiversity Conservation Act 1999*.

As part of the preparation of the master plan Council engaged the firm Eco Logical Australia to prepare a Flora and Fauna Assessment for the precinct. The purpose of the assessment was to clarify the extent and significance of the vegetation communities within the subject area. A copy of the assessment is included as Attachment D of this proposal.

vegetation and habitat connectivity, and the potential for habitat to support threatened, migratory or Rare or Threatened Australian Species (ROTAP) species.

The areas which were mapped as 'high constraint' are those that scored highest in the ecological assessment compared to other parts of the site. This information was designed to be used in a master planning process in which a number of objectives for the site would also be considered including economic viability, traffic management, visual amenity and infrastructure servicing. Whilst the constraints map provides an input to this process it is not intended to be a map denoting areas of vegetation for retention. Whilst it is acknowledged that the areas identified as having a 'high constraint' are areas which have high ecological value, the map does not denote areas which cannot be considered for removal or for biodiversity trading. The results of the constraints analysis are included in the following map.

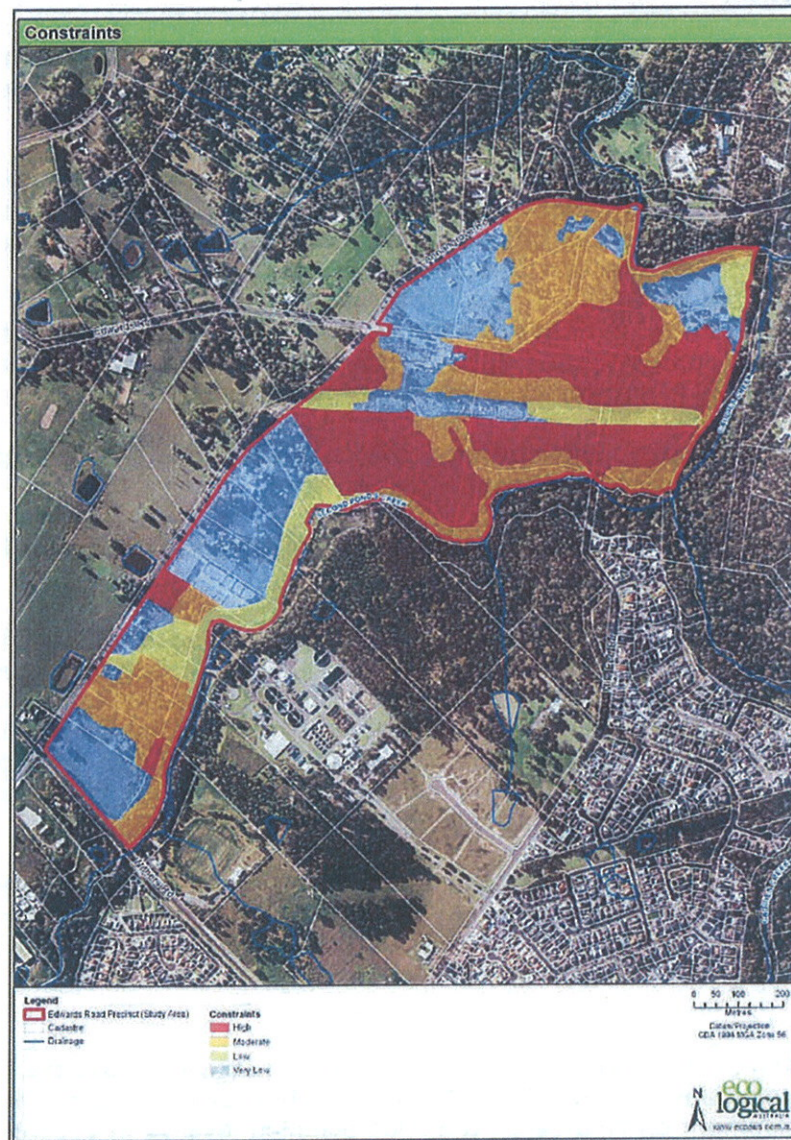


Figure 8
Constraints Assessment (ELA 2012)

Note: the study area for the vegetation constraints assessment included the Drainage Corridor.

- (d) is not likely to significantly adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses, and
- (e) is not likely to result in unsustainable social and economic costs to the community as a consequence of flooding.

In addition to the provisions of LEP 2012 applicable flood related development controls will apply through The Hills Development Control Plan. These controls will apply to any land which adjoins land zoned SP2 Infrastructure (Stormwater Management System) or land affected by an overland flow path. These controls have been prepared in accordance with the NSW Government's Flood Prone Land Policy.

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

Social Effects

Given the type and scale of development anticipated within the precinct, it is considered that the proposal will not place any significant additional demand on social infrastructure within the vicinity of the site such as educational establishments, schools or open space facilities (either local or regional).

Economic Effects

As part of the preparation of the master plan Council engaged the firm SGS Economics and Planning to prepare an Economic and Employment Assessment for the precinct. The purpose of the assessment was to identify the root causes that have been preventing the precinct from attracting investment and to provide land use and development control recommendations to stimulate growth.

Although the Employment Lands Direction had already proposed possible causes, further assessment was required to identify whether or not Council's existing development controls have been impacting on the feasibility of development within the precinct. A copy of the Economics and Employment Assessment is included as Attachment C of this proposal.

Development Context

The assessment identified that there is an abundance of zoned industrial land in Outer Western Sydney (with an estimated 10 to 20 years worth of supply). This additional supply is functioning to suppress rental growth and is keeping the industrial market in this area tight.

The assessment examined current development applications and recent development approvals within The Hills Shire to assess the local trends. The analysis found the Annangrove Road Industrial Area to be typical of the North West subregion to the extent that demand appears to be languishing while there is sufficient supply available. In addition to the more regional market forces of supply and demand, it was highlighted that localised issues such as planning controls and development feasibility would also be a contributing factor to the slow uptake of redevelopment.

Land Use Recommendations

It was identified that local light industrial and business park type uses will be the most appropriate and capable of responding to the sensitive nature of the site. The land use recommendations were based on existing and future economic and employment trends, local level development approval data, consultation with key stakeholders and the feasibility assessments. The assessment found that light manufacturing, local light industrial urban support services, and smaller business park type uses as most suitable for the precinct.

In recognition of this finding the planning proposal is pursuing the B6 Enterprise Corridor zone for the precinct. This zone is considered to be most appropriate as it will permit the key land uses recommended within the assessment. The flexibility of this zone will also

- Two lane roundabout at the intersection of Annangrove Road and Edwards Road.
- Two lane roundabout at the first internal intersection of Edwards Road transitioning to a single lane in each direction for the remainder of the precinct.

SECTION D: STATE AND COMMONWEALTH INTERESTS

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

Augmentations will be required to the existing infrastructure to ensure that future development lots are appropriately serviced. In this regard consultation is recommended with the following service providers:

- Water & Sewerage Services
Consultation with Sydney Water Corporation will be required following receipt of the Gateway Determination.
- Electricity Services
Consultation with TransGrid and Endeavour Energy will be required following receipt of the Gateway Determination.
- Traffic Generation and Management
Consultation with the Roads and Maritime Service will be required following receipt of the Gateway Determination.

11. What are the views of State and Commonwealth Public Authorities consulted in accordance with the gateway determination, and have they resulted in any variations to the planning proposal?

The views of State and Commonwealth Public Authorities will not be known until after the Gateway Determination. An initial list of public authorities to be consulted includes, but is not limited to, the following:

- NSW Roads and Maritime Service;
- NSW Rural Fire Service;
- NSW Department of Primary Industries (owner of Crown Road);
- Sydney Water Corporation;
- Endeavour Energy;
- TransGrid;
- Office of Environment and Heritage; and
- Catchment Management Authority – Hawkesbury/Nepean.

PART 4 MAPPING

The planning proposal seeks to amend Land Use Zone Map, Lot Size Map and Land Reservation Acquisition Map of *The Hills Local Environmental Plan 2012*. It is noted that the Precinct currently has a Maximum Building Height of 16 metres and a Floor Space Ratio of 1:1. This proposal does not seek to amend the Building Height or the Floor Space Ratio standards.

The following maps, in the format specified by the Standard Technical Requirements for LEP Maps, are included as Attachment A of this proposal.

Proposed Land Use Zone

The planning proposal seeks to rezone the precinct from the IN2 Light Industrial to the B6 Enterprise Corridor zone as identified in the following map. The extent of land zoned SP2 Infrastructure with a 'Local Road Widening' classification will also be slightly amended to reflect the updated land acquisition requirement along Annangrove Road and Withers Road.

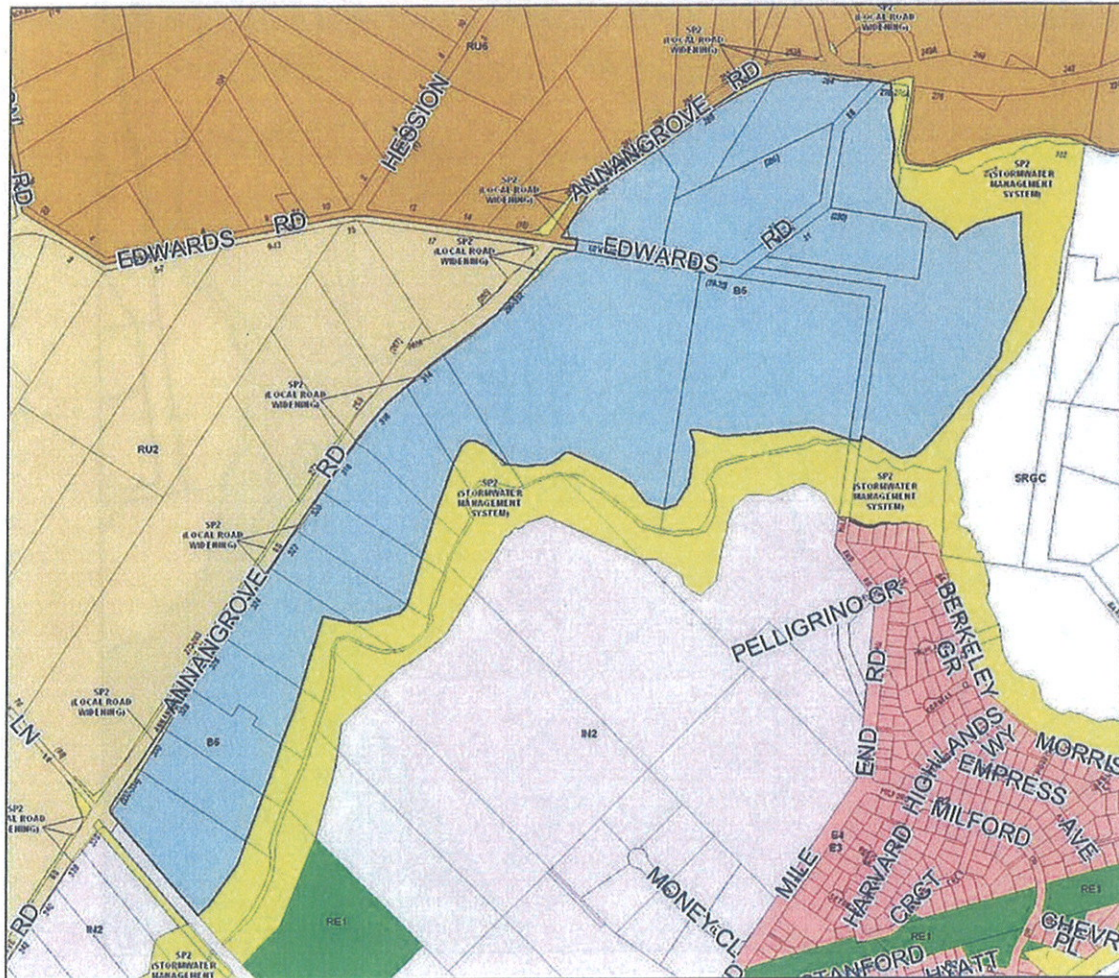


Figure 10
Proposed Land Use Zoning

Proposed Minimum Lot Size

The proposal seeks to amend the Lot Size Map by applying a minimum lot size of 4,000m² for the Southern Frame and a mix of 2,500m², 4,000m² and 8,000m² for the Northern Frame. An extract of the proposed Lot Size Map is included below.

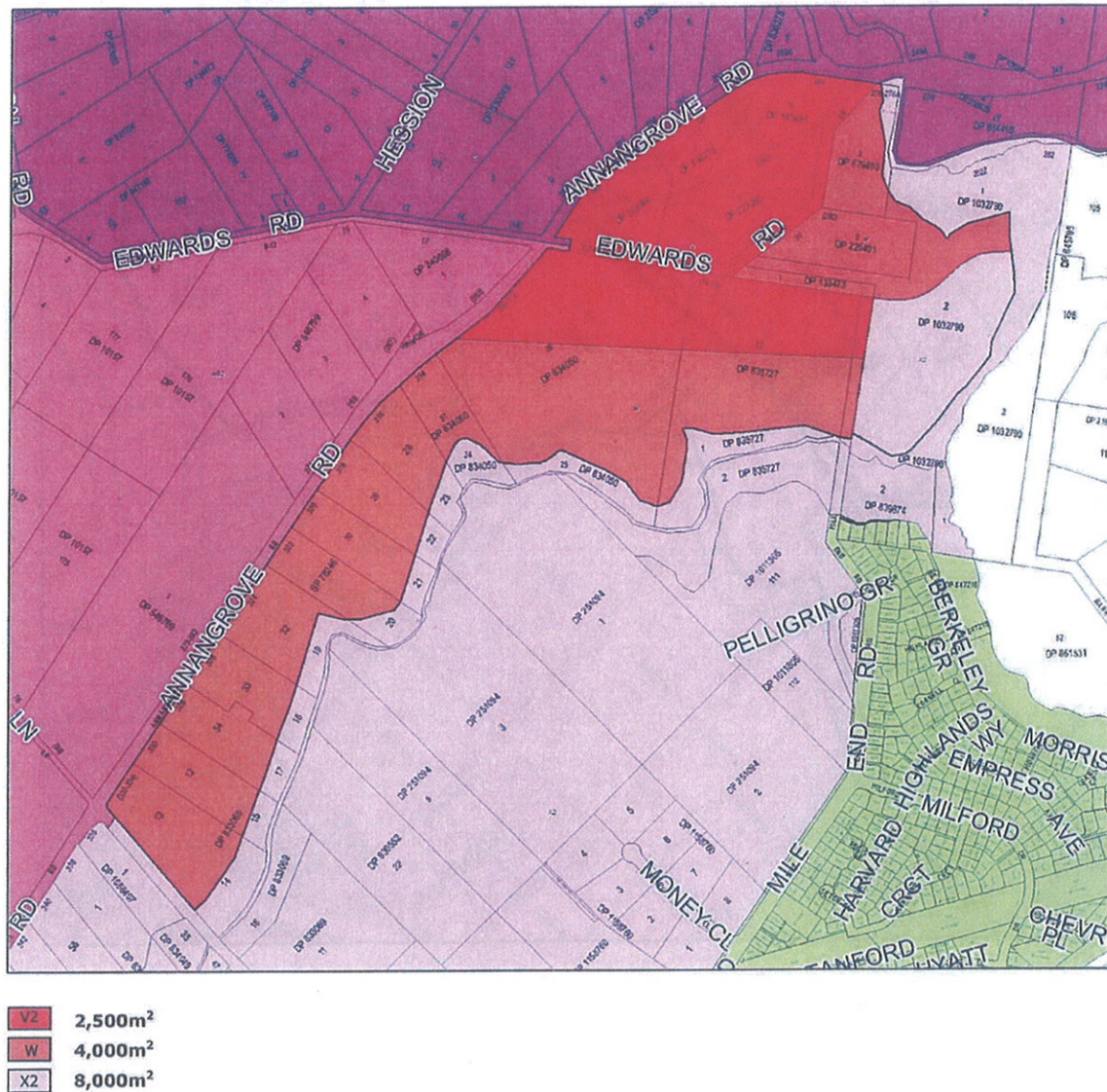
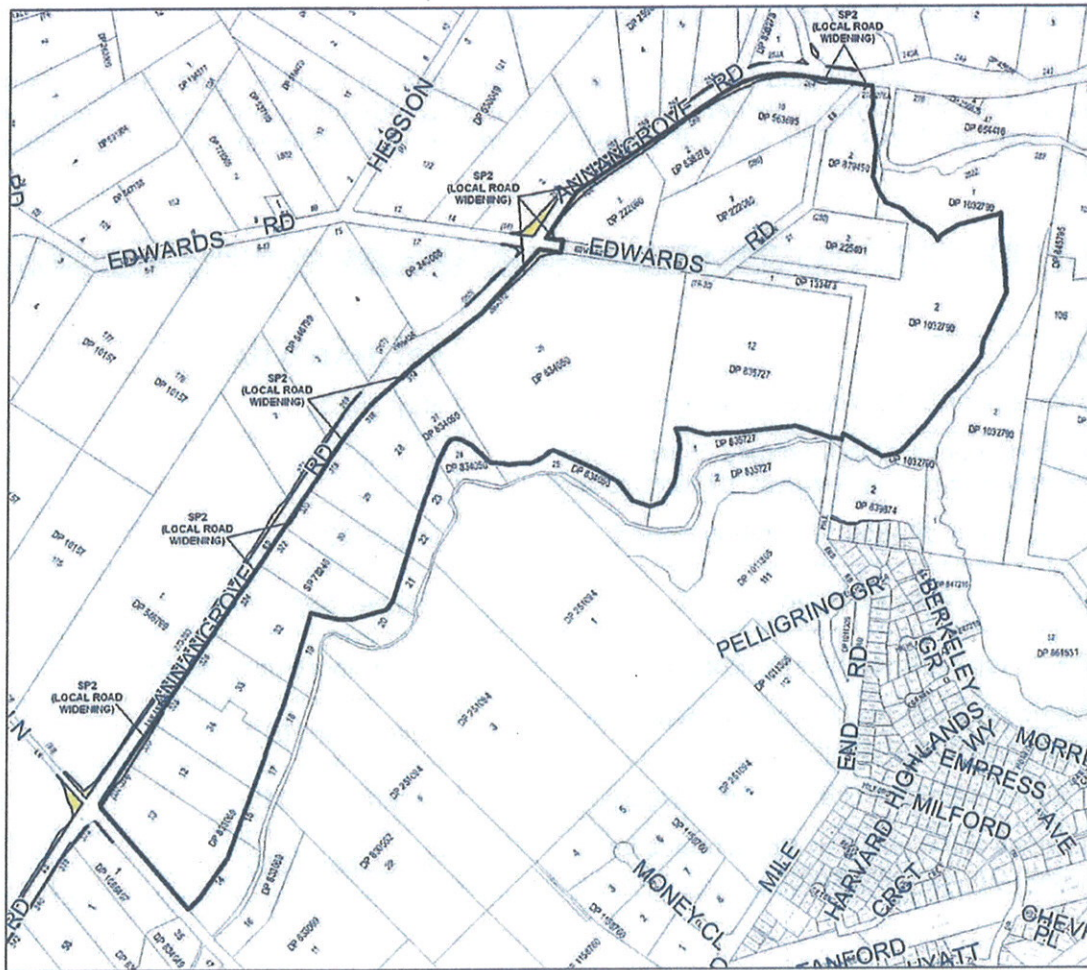


Figure 12
Proposed Minimum Lot Size

Proposed Land Reservation Acquisition

The Land Reservation Acquisition Map will be amended to update the extent of land required for local road widening. The amended Land Reservation Acquisition Map is included in the following map.



 Local Road Widening

Figure 14
Proposed Land Reservation Acquisition Map