

The Hills LEP 2012 - Amendment - Edwards Road Precinct, Rouse Hill

Proposal Title : **The Hills LEP 2012 - Amendment - Edwards Road Precinct, Rouse Hill**

Proposal Summary : **The proposal seeks to stimulate economic activity in the Edwards Road Precinct by rezoning the subject land from IN2 Light Industrial to B6 Enterprise Corridor and reducing the minimum lot size for some of the Precinct.**

PP Number : **PP_2013_THILL_007_00** Dop File No : **13/07167**

Proposal Details

Date Planning Proposal Received : **16-Apr-2013** LGA covered : **The Hills Shire**

Region : **Sydney Region West** RPA : **The Hills Shire Council**

State Electorate : **HAWKESBURY** Section of the Act : **55 - Planning Proposal**

LEP Type : **Precinct**

Location Details

Street :		City :	Postcode :
Suburb :			
Land Parcel :	Lot 2 DP 879450		
Street :			
Suburb :		City :	Postcode :
Land Parcel :	Lot 2 DP 1032790		
Street :			
Suburb :		City :	Postcode :
Land Parcel :	Lot 10 DP 563695		
Street :			
Suburb :		City :	Postcode :
Land Parcel :	Lot 2 DP 838278		
Street :			
Suburb :		City :	Postcode :
Land Parcel :	Lot 3 DP 222080		
Street :			
Suburb :		City :	Postcode :
Land Parcel :	Lot 26 DP 834050		
Street :			
Suburb :		City :	Postcode :
Land Parcel :	Lot 12 DP 835727		

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Street :

Suburb :

City :

Postcode :

Land Parcel : **Lots 27-30 DP 834050**

Street :

Suburb :

City :

Postcode :

Land Parcel : **Lots 32-34 DP 834050**

Street :

Suburb :

City :

Postcode :

Land Parcel : **Lots 12-13 DP 833069**

Street :

Suburb :

City :

Postcode :

Land Parcel : **SP 78246**

Street : **Edwards Road Precinct**

Suburb : **Rouse Hill**

City : **The Hills**

Postcode : **2155**

Land Parcel :

DoP Planning Officer Contact Details

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RPA Contact Details

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DoP Project Manager Contact Details

Contact Name : **Derryn John**

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Land Release Data

Growth Centre : **N/A**

Release Area Name : **N/A**

Regional / Sub **Metro North West subregion**

Consistent with Strategy : **Yes**

Regional Strategy :

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MDP Number :		Date of Release :	
Area of Release (Ha) :		Type of Release (eg Residential / Employment land) :	Employment Land
No. of Lots :	20	No. of Dwellings (where relevant) :	0
Gross Floor Area :	76,831.00	No of Jobs Created :	1,097

The NSW Government Lobbyists Code of Conduct has been complied with : **Yes**

If No, comment : **To the best of the knowledge of the regional team, the Department's Code of Practice in relation to communications and meetings with Lobbyists has been complied with. Sydney West has not met with any lobbyist in relation to this proposal, nor has the Regional Director been advised of any meetings between other departmental officers and lobbyists concerning this proposal.**

Have there been meetings or communications with registered lobbyists? : **No**

If Yes, comment : **The Department's Lobbyist Contact Register has been checked on 16 May 2013, and there have been no records of contact with lobbyists in relation to this proposal.**

Supporting notes

Internal Supporting Notes : **THE SITE**

The Edwards Road Precinct is located in the northern part of Rouse Hill, and occupies 39.09 hectares of the 120 hectare Annangrove Road Light Industrial Area. It is bordered by Annangrove Road to the west, Second Ponds Creek to the east, Murphy's Bridge to the north and Withers Road to the South.

BACKGROUND

The Annangrove Road Light Industrial Area was established in 1991 and has languished ever since. A 2009 study found that it was operating at 4.9% of its employment potential. As a result, Action E6.1.1(a) of Council's Employment Lands Direction (2009) was to "Instigate master planning at Annangrove Road Industrial Precinct to recognise and plan for particular site constraints and opportunities, to encourage take up and generate employment."

A master plan for the Edwards Road Precinct (see attachment) was adopted by Council in February 2013, and the purpose of this planning proposal is to facilitate the provisions of this master plan.

EMPLOYMENT AND HOUSING DELIVERY

The aim of the proposal is to facilitate uptake of 39.09 hectares of employment land by allowing for a broader mix of employment types and smaller lot sizes. It will increase the gross floor area capacity of the Precinct by 76,831 square metres, increasing the potential employment capacity of the Precinct by 1,097 jobs.

External Supporting Notes :

Adequacy Assessment

Statement of the objectives - s55(2)(a)

Is a statement of the objectives provided? **Yes**

Comment : **The proposal seeks to stimulate employment opportunities by allowing for a broader range of employment land uses and a more flexible subdivision pattern.**

Explanation of provisions provided - s55(2)(b)

Is an explanation of provisions provided? **Yes**

Comment : **The proposal will deliver its objectives via three changes to The Hills LEP 2012 maps.**

It will amend the land zoning map, rezoning the subject land from IN2 Light Industrial to B6 Enterprise Corridor.(See attached maps for specific details.)

It will amend the lot size map, providing a mix of 2,500 square metres, 4,000 square metres and 8,000 square metres. (See attached maps for specific details.)

It will amend the Land Reservation Acquisition map to update the extent of land required for local road widening. (See attached maps for specific details.)

Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? **No**

b) S.117 directions identified by RPA :

1.1 Business and Industrial Zones

2.1 Environment Protection Zones

2.3 Heritage Conservation

3.4 Integrating Land Use and Transport

4.3 Flood Prone Land

4.4 Planning for Bushfire Protection

6.1 Approval and Referral Requirements

6.2 Reserving Land for Public Purposes

6.3 Site Specific Provisions

7.1 Implementation of the Metropolitan Plan for Sydney 2036

* May need the Director General's agreement

Is the Director General's agreement required? **Yes**

c) Consistent with Standard Instrument (LEPs) Order 2006 : **Yes**

d) Which SEPPs have the RPA identified?

SEPP No 55—Remediation of Land

SEPP (Infrastructure) 2007

SREP No. 20 - Hawkesbury—Nepean River (No. 2 - 1997)

e) List any other matters that need to be considered :

Have inconsistencies with items a), b) and d) being adequately justified?

If No, explain :

1.1 Business and Industrial Zones

The intent of this Direction is to encourage employment growth, protect employment lands and support the viability of strategic centres. This proposal is in keeping with these goals.

In providing for an expanded range of land uses, the proposal may result in reduced protection of employment lands of a particular type (industrial), resulting in a potential inconsistency with this Direction. Given, however, that the proposal is likely to result in a significant increase in employment uptake across the precinct, any possible inconsistency with this direction is minor and justified.

2.1 Environment Protection Zones

The proposal does not include any land currently zoned for environmental protection. As such, it is not clear why Council has nominated the Direction as relevant.

Further, Council has provided a flora and fauna assessment with the proposal, and has demonstrated a commitment to achieving positive environmental outcomes in the Precinct. As such, it is considered that the proposal is consistent with this Direction.

2.3 Heritage Conservation

The Precinct includes one local heritage item listed in Schedule 5 of The Hills LEP 2012 (Item I181). It is unlikely that the proposal will have any impact on the conservation and management of this item. The proposal is therefore consistent with this Direction.

3.4 Integrating Land Use and Transport

The site is located close to existing transport routes, and will benefit from the North West Rail Link. It adjoins the North West Growth Centre and is close to the Rouse Hill Regional Centre, which means that it is close to areas which are soon to experience significant residential growth. This makes it desirable to increase the availability of employment lands in the area, and the proposal is therefore consistent with this Direction.

4.3 Flood Prone Land

This 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. While Council's flood mapping does not identify the extent of the flood planning level for the Precinct, it is possible (based on a previous study undertaken by Sydney Water) that a small portion of the Precinct is below the 1 in 100 ARI.

The proposal increases the general development potential of the Precinct, but does not identify specific developments which will take place. Should there prove to be flood risk in areas intended to be developed, Clause 7.3 (Flood Planning) of The Hills LEP 2012 and section 79C of the Act provide adequate protection against inappropriate development. Any inconsistency with this Direction is therefore minor and justified.

4.4 Planning for Bushfire Protection

A significant proportion of the site is identified as bushfire prone, including Vegetation Category 1 and buffer. As such, the Direction requires Council to obtain written advice from the Commissioner of the NSW Rural Fire Service to the effect that the Service does not object to the progression of the Planning Proposal.

6.1 Approval and Referral Requirements

The proposal does not identify any development as designated development, nor does it include any concurrence, consultation or referral provisions. As such, it is consistent with this Direction.

6.2 Reserving Land for Public Purposes

The proposal seeks, inter alia, to amend the land reservation acquisition map in The Hills LEP 2012 to adjust the land identified for acquisition at two intersections within the Precinct. This will update and rationalise land acquisition requirements, and as such is consistent with this Direction.

It should be noted that, as far as the Department is aware, Roads and Maritime Services (RMS) has not yet been consulted on this. RMS will need to be consulted prior to

exhibition.

6.3 Site Specific Provisions

By amending the broader controls (zoning and lot size) applicable to the Precinct, the proposal reduces the need for site specific provisions. As such, it is consistent with this Direction.

7.1 Implementation of the Metropolitan Plan for Sydney 2036

The proposal assists in delivering the Metropolitan Plan's outcomes, and is therefore consistent with this Direction. For more information, see the discussion of consistency with strategic planning in the Assessment section of this report.

SEPP No 55—Remediation of Land

The SEPP requires that a Council, in rezoning land, is satisfied that the land can be made suitable for the intended purpose.

Given that the proposal, while likely to deliver intensification of development, still permits the uses that are permissible now, it is not certain that change will take place that requires contamination assessment. The scale of development intensification, though guided by the master plan, will be established at DA stage. Any development for shop top housing can be more thoroughly assessed for potential contamination at the time of the development application. The Department therefore concurs with Council's argument that a contamination assessment should not be required until the DA stage.

SEPP (Infrastructure) 2007

The proposal will help provide certainty regarding requirements for infrastructure projects in the area. As such, it is not inconsistent with the SEPP.

SREP No. 20 - Hawkesbury-Nepean River (No. 2 - 1997)

The SREP exists 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.

The Precinct is already zoned for light industrial uses, and any intensification of development is likely to be for business and office use, which generally has a lower environmental impact than industrial. As such, it is unlikely that there will be significantly increased impacts on the River system. The Hawkesbury-Nepean Catchment Management Authority should be consulted to ensure that this is the case.

Mapping Provided - s55(2)(d)

Is mapping provided? Yes

Comment :

Community consultation - s55(2)(e)

Has community consultation been proposed? Yes

Comment :

Council intends to advertise the proposal in local newspapers and on Council's website, and exhibit it at Council's administration building and at Vinegar Hill Memorial Library, Rouse Hill. In addition, notification letters will be sent to property owners within the precinct and adjoining areas, and to Blacktown Council. The intended exhibition period is 28 days.

Additional Director General's requirements

Are there any additional Director General's requirements? **Yes**

If Yes, reasons : **The proposal includes some land that is within the Box Hill and Box Hill Industrial Precincts of the North West Growth Centre. These Precincts have not yet been released. Should they be released prior to this plan being made, this overlapping land will need to be excised from the plan.**

For this reason, the Department's Strategies and Land Release branch should be consulted on the content of the planning proposal.

(Note: Strategies and Land Release has been consulted internally, but has not provided advice at the time of this report.)

Overall adequacy of the proposal

Does the proposal meet the adequacy criteria? **Yes**

If No, comment :

Proposal Assessment

Principal LEP:

Due Date :

Comments in relation to Principal LEP : **The Hills LEP 2012 is a Principal LEP.**

Assessment Criteria

Need for planning proposal : **The proposal is to facilitate the outcomes of the Edwards Road Precinct Master Plan, adopted by Council in February 2012, which was the result of Action E6.1.1(a) of Council's Employment Lands Direction. ("Instigate master planning at Annangrove Road Industrial Precinct to recognise and plan for particular site constraints and opportunities, to encourage take up and generate employment.")**

The need for this Action stemmed from poor uptake of the Annangrove Road Light Industrial Area, which in 2009 was operating at 4.9% of its employment potential. There has been no significant uptake since 2009.

The proposal seeks to improve uptake of this employment land by providing for a broader range of uses and a more flexible subdivision pattern.

Consistency with strategic planning framework :

METROPOLITAN PLAN FOR SYDNEY 2036

The Plan has identified that Sydney's population growth will necessitate 145,000 additional jobs in the North West Subregion by 2036. This proposal, in providing capacity for 1,097 new jobs, will help to meet that target. The proposal also responds to Action E3.2 of the Plan, which recommends addressing localised declines in employment activity with precinct planning.

DRAFT METROPOLITAN STRATEGY FOR SYDNEY

The themes of the draft Strategy with regard to employment lands are similar to those of the existing Metropolitan Plan. In addition, though, the draft Strategy introduces an assessment checklist for proposals to rezone industrial land. The content of this checklist includes consistency with State and local strategies, proximity to key economic infrastructure and/or industry clusters, impact on regional industrial land stock, impact on ability to meet employment capacity targets, obstacles to using industrial land for its industrial purpose, and need for the proposed alternative use.

The proposal responds very favourably to all of the above, with the possible exception of its impact on the availability of industrial land stock in the subregion. While the proposal is likely to result in business or commercial uses on land that is currently zoned for exclusively industrial use, it should be noted that the industrial uses currently permitted in the Precinct will continue to be permitted. It should likewise be noted that the proposal has been triggered by the lack of uptake of existing industrial land in the subregion; supply has substantially outstripped demand.

DRAFT NORTH WEST SUBREGIONAL STRATEGY

Action 1.9.1 of the draft Strategy is to "Identify opportunities to revitalise existing industrial areas. The rejuvenation of underperforming employment areas is seen as critical in ensuring that the supply of employment lands appropriately aligns with the needs of industry. The Strategy recognises that there may be opportunities to increase the capacity of existing employment land through the intensification of under-utilised or vacant sites within the subregion." The proposal helps to deliver on this Action, as well as being consistent with the broader themes relating to employment lands in the draft Strategy.

LOCAL STRATEGIC DOCUMENTS

The proposal is consistent with the relevant subject areas in The Hills 2036 Community Strategic Direction, the Draft Local Strategy, the Employment Lands Direction and the Integrated Transport Direction.

In particular, the proposal responds to, and is the result of, Action E6.1.1(a) of Council's Employment Lands Direction. ("Instigate master planning at Annangrove Road Industrial Precinct to recognise and plan for particular site constraints and opportunities, to encourage take up and generate employment.")

Environmental social economic impacts :

ENVIRONMENTAL

Council, in preparing the planning proposal, considered a flora and fauna assessment and an ecological constraints assessment. These assessments found endangered and critically endangered communities on the site. As a result of these findings, Council intends to require a species impact statement for any development which is likely to have a significant impact on vegetation communities within the Precinct. Council will also require a Vegetation Management Plan as a condition of consent for any such development.

In addition, parts of the Precinct are mapped as bushfire prone (Vegetation Category 1 and buffer), and parts of the Precinct may be below the 1 in 100 ARI. It is considered that the existing provisions in The Hills LEP 2012 and The Hills Development Control Plan are sufficient to address the risk of flooding.

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To better understand these constraints, Council must consult the Office of Environment and Heritage and the Rural Fire Service.

SOCIAL

There are no adverse social impacts expected as a result of the proposal. In encouraging employment growth close to Rouse Hill and the North West Growth Centre, it is likely that the proposal will help to stimulate residential uptake in these areas, having a positive social impact on the subregion.

ECONOMIC

In preparing the proposal, Council considered an Economic and Employment Assessment for the Precinct. This Assessment found that the proposal's approach is most likely to have a positive economic effect on the area.

Assessment Process

Proposal type : **Routine** Community Consultation Period : **28 Days**

Timeframe to make LEP : **12 Month** Delegation : **RPA**

Public Authority : **Hawkesbury - Nepean Catchment Management Authority**
 Consultation - 56(2)(d) : **Office of Environment and Heritage**
NSW Department of Primary Industries - Agriculture
Integral Energy
NSW Rural Fire Service
Transport for NSW - Roads and Maritime Services
Sydney Water
Transgrid

Is Public Hearing by the PAC required? **No**

(2)(a) Should the matter proceed ? **Yes**

If no, provide reasons :

Resubmission - s56(2)(b) : **No**

If Yes, reasons :

Identify any additional studies, if required. :

If Other, provide reasons :

Identify any internal consultations, if required :

No internal consultation required

Is the provision and funding of state infrastructure relevant to this plan? **No**

If Yes, reasons :

Documents

Document File Name	DocumentType Name	Is Public
Cover letter.pdf	Proposal Covering Letter	Yes
Maps.pdf	Map	Yes

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Planning Proposal - Edwards Road Precinct.pdf
Master Plan.pdf

Proposal
Study

Yes
Yes

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

S.117 directions:

- 1.1 Business and Industrial Zones
- 2.1 Environment Protection Zones
- 2.3 Heritage Conservation
- 3.4 Integrating Land Use and Transport
- 4.3 Flood Prone Land
- 4.4 Planning for Bushfire Protection
- 6.1 Approval and Referral Requirements
- 6.2 Reserving Land for Public Purposes
- 6.3 Site Specific Provisions
- 7.1 Implementation of the Metropolitan Plan for Sydney 2036

Additional Information :

It is recommended that the proposal proceed subject to the following conditions:

- (1) Consultation with (a) the Department of Planning and Infrastructure's Strategies and Land Release branch, (b) the Office of Environment and Heritage, (c) the Hawkesbury-Nepean Catchment Management Authority, (d) the NSW Rural Fire Service, (e) Sydney Water, (f) Endeavour Energy, and (g) Transgrid;
- (2) The Director General's delegate agrees that any inconsistencies with section 117 directions 1.1 (Business and Industrial Zones), 2.1 (Environmental Protection Zones), 4.3 (Flood Prone Land) and 4.4 (Planning for Bushfire Protection) are justified and/or of minor significance;
- (3) Should the Box Hill and/or Box Hill Industrial Precincts of the North West Growth Centre be released prior to this plan being made, any land covered by both this plan and a Precinct Plan under SEPP (Sydney Region Growth Centres) 2006) will be excised from this plan.
- (4) Community consultation for 28 days; and
- (5) The timeframe for completing the local environmental plan is to be 12 months from the week following the date of the Gateway Determination.

Supporting Reasons :

In allowing for a broader range of employment types and for a range of smaller lot sizes, the proposal is likely to encourage employment growth with little adverse effect.

Signature:



Printed Name:

CHO CHO MYINT

Date:

17/5/13