

THE HILLS SHIRE COUNCIL

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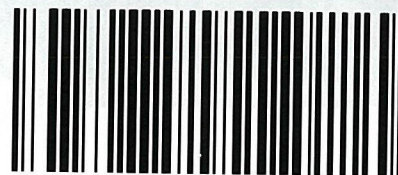
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PCU56079

29 September 2014

Ms Rachel Cumming
Director, Metropolitan Delivery (Parramatta)
Department of Planning & Infrastructure
GPO Box 39
SYDNEY NSW 2001

Our Ref: 2/2015/PLP

Dear Rachel,

PLANNING PROPOSAL SECTION 56 NOTIFICATION

The Hills Local Environmental Plan 2012 (Amendment No.) – Proposed amendments to floor space ratio, zoning and additional permitted uses in relation to 912-914 Old Northern Road, Glenorie.

Pursuant to Section 56 of the *Environmental Planning and Assessment Act 1979* (EP&A Act), it is advised that Council has resolved to prepare a planning proposal for the above amendment.

Please find enclosed the information required in accordance with the guidelines 'A guide to preparing planning proposals' issued under Section 55(3) of the EP&A Act. The planning proposal and supporting materials is enclosed with this letter for your consideration. It would be appreciated if an officer of Council can be contacted at the time the planning proposal is being considered by the panel to respond to any questions that may arise. In this regard please contact Council's Principal Forward Planner, Janelle Atkins on 9843 0266.

Generally, the proposal is considered to satisfactorily address the requirements under Section 73A (1)(b) and (c) of the EP&A Act as it will not have any significant adverse impact on the environment or adjoining land.

Pursuant to clause (5)(d) of Local Planning Directions 1.1 Business and Industrial Zones and 1.2 Rural Zones, this section 56 notification also seeks the concurrence of the Director-General with respect to a minor inconsistencies with these direction as detailed in the attached planning proposal.

Following receipt by Council of the Department's written advice, Council will proceed with the planning proposal. Any future correspondence in relation to this matter should quote reference number 2/2015/PLP. Should you require further information please contact Kate Clinton, Acting Forward Planning Coordinator on 9843 0129 (Mon/Wed/Thur).

Yours faithfully

Janelle Atkins

PRINCIPAL FORWARD PLANNER



PLANNING PROPOSAL

LOCAL GOVERNMENT AREA: The Hills Shire Council

NAME OF PLANNING PROPOSAL: Proposed The Hills Local Environmental Plan 2012 (Amendment No (#)) – to apply a floor space ratio of 0.75:1, rezone the land from RU6 Transition to IN2 Light Industrial and delete the site and reference a service station redevelopment from Schedule 1 – Additional Permitted Uses and the associated Additional Permitted Uses map in relation to 912-914 Old Northern Road, Glenorie (2/2015/PLP).

ADDRESS OF LAND: Lot 4 DP 616348, 912-914 Old Northern Road, Glenorie

SUMMARY OF HOUSING AND EMPLOYMENT YIELD:

	EXISTING	PROPOSED	TOTAL YIELD
Dwellings	1	Nil	Nil
Jobs	Nil	107 (Based on a maximum possible floor space of 7,500m ² and estimate of 1 job per 70 square metres.	107

SUPPORTING MATERIAL:

Attachment A	Assessment against State Environmental Planning Policies
Attachment B	Assessment against Section 117 Ministerial Directions
Attachment C	Council Report and Resolution, 23 September 2014
Attachment D	Site Audit Report
Attachment E	Site Remediation and Validation Report
Attachment F	Construction Environmental Management Plan

THE SITE:

The site is 912-914 Old Northern Road, Glenorie (Lot 4 DP 616348) and is located on the corner of Whites Road (a Crown Road) and Old Northern Road, approximately 600 metres to the south-east of the Glenorie village. The site is an irregular "L" shaped lot and has an area of 1.016 hectares (10,160m²). The site has a frontage to Old Northern Road of 61.19 metres, and a frontage to Whites Road of 131.4 metres. Access to the site exists from both Whites Road and Old Northern Road. The site slopes down towards Old Northern Road.

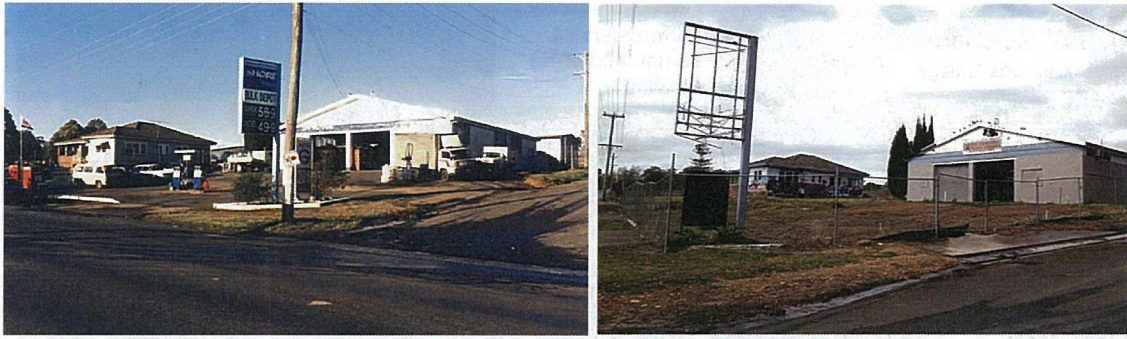
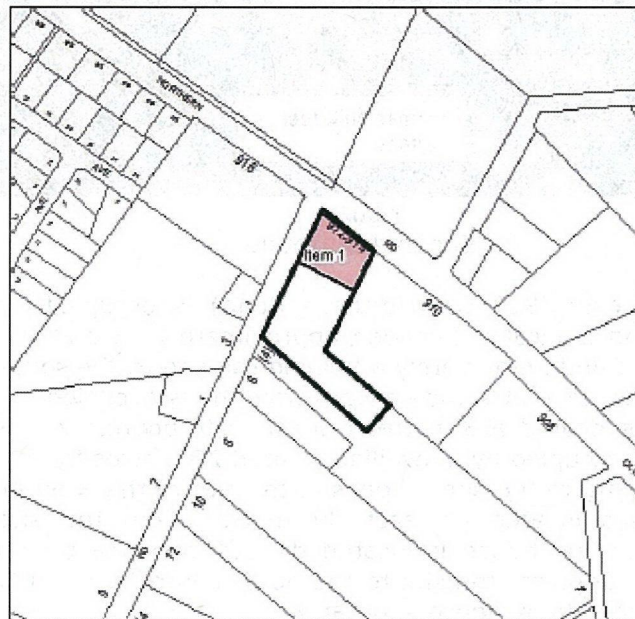


Figure 2

The site from corner of Whites Rd and Old Northern Rd (circa 1960's and present day)

A 2,600m² portion of the site fronting Old Northern Road is identified on the Local Environmental Plan 2012 Additional Permitted Uses Map (Figure 3), reflecting an amendment to the Local Environmental Plan gazetted in 2002 which permitted the redevelopment of the service station since it is a prohibited use in the rural zone. Consents for the refurbishment and expansion of the service station were issued in 2003 and 2005. Despite this, the redevelopment of the service station did not proceed and it ceased trading completely in circa 2006. The site is currently fenced off and is occupied by a derelict service station building and dwelling which has previously been used as an office.



Additional Permitted Uses (APU)

 refer to schedule 1

Figure 3

Existing Additional Permitted Uses Map

Since 2006 the underground fuel tanks and a drum storage shed have been removed and the land remediated in accordance with a development consent issued in 2008. A Contamination Site Audit prepared for the site (C. M. Jewell and Associates Pty Ltd, October 2013) has specified that the site is suitable for industrial/commercial uses only.

PART 1 OBJECTIVES OR INTENDED OUTCOME

The objective of the planning proposal is to facilitate the redevelopment of the land for light industrial uses to serve the Glenorie locale and surrounding area. A Site Audit Report has deemed the land to be suitable only for commercial and industrial uses due to remnant contamination as a result of the former use of the land for a service station and bulk fuel storage.

PART 2 EXPLANATION OF THE PROVISIONS

The proposed outcomes will be achieved by:

- Rezoning the site from RU6 Transition to IN2 Light Industrial zone;
- Applying a floor space ratio of 0.75:1; and
- Deleting the site and reference to service station redevelopment from Schedule 1 Additional Permitted Uses and the associated Additional Permitted Uses Map since it would be redundant under the proposed zone where service stations are permitted.

PART 3 JUSTIFICATION

SECTION A - NEED FOR THE PLANNING PROPOSAL

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

No, the planning proposal is not a result of any strategic study or report.

However, the planning proposal will provide for the redevelopment of land which has been deemed by a contamination and remediation expert to be suitable only for commercial or industrial purposes, and which has a long history of non-rural use. The planning proposal provides a framework within which a site which has been vacant and derelict for a number of years can be resolved.

A light industrial zoning on the land will complement the retail functions of the Glenorie Village located 600 metres to the north-west of the site. It will provide a small scale opportunity for employment and suitable light industrial uses to service the needs of the local community without detracting from the provision or viability of strategic employment land located or planned elsewhere in the Shire and the North-West / West Central Subregion due to its small size (1.016 hectares).

2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Yes, the planning proposal is considered to be the best way to achieve the intended outcomes for the site. The planning proposal achieves a balance between permitting the use of the land for light industrial purposes and managing potential for land use conflict with adjoining land zoned RU6 Transition through the application of an appropriate floor space ratio and the retention of the existing ten (10) metre height limit.

The Site Audit Report (2013) advises that although the site has been extensively investigated and remediated, sections of pipework and, in particular, mid-range hydrocarbons at concentrations exceeding the assessment criteria may remain within the ground with sporadic distribution and may be encountered during redevelopment of the site. The Report also notes that whilst the site may be suitable for any commercial or industrial use permitted under the current RU6 Transition zone, this zone also permits a number of other more sensitive uses that are not appropriate on the site. More sensitive permitted uses include *dwelling houses* and *home-based child care*. Permitted

commercial or industrial type uses include *veterinary hospitals, agricultural produce industries, restaurants/café's, garden centres or landscaping material supplies*. However the suitability of these uses is also questionable given disturbance of the land that may occur with such uses, and the known presence of some remaining hydrocarbon contamination.

Consistent with this theme, the planning proposal specifically excludes the possibility of any residential, educational, place of worship, community, recreational or agricultural use or one that will have any association with any of these uses being pursued on the site. The planning proposal seeks to act on the recommendation of the Site Audit Report by applying a zoning to the land that reflects its partially contaminated status and which will provide for a range of appropriate industrial or commercial uses on the land which cannot be achieved under the RU6 Transition zone.

The IN2 Light Industrial zone would more closely reflect the uses that have been undertaken on the site for many years and provide the framework within which the most appropriate uses may be accommodated in a redevelopment of the land. Furthermore, while the RU6 Transition zone permits a number of rural-related uses, no provision is made for light industrial-type uses such as servicing and repair of motor vehicles, trucks and farm machinery to service the local area and surrounds. These uses are those that have previously existed on the site and would be utilised by the surrounding community.

A supplementary statement from the site auditor states that the site cannot realistically be made suitable for more sensitive land uses given the site's former use as a service station and fuel depot, and the limitations of remedial and validation works. The auditor advised that the cost of further remediating the site and unequivocally demonstrating that it is suitable for residential use with gardens and accessible soil would be prohibitive, as it would probably involve turning over the entire site to a depth of at least three (3) metres and the off-site disposal of hydrocarbon impacted soil.

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)?*

Yes, a discussion of consistency is provided below.

• Metropolitan Plan for Sydney 2036

The strategic plan prepared by the NSW Government entitled the "Metropolitan Plan for Sydney 2036" aims to integrate land use and transport planning to provide a framework for the growth and development of the Sydney Region to 2036. It seeks to ensure adequate land supply for economic activity, investment and jobs in the right locations and to strengthen clusters of activities in Specialised Centres.

The planning proposal is consistent with the objectives and actions identified in the Metropolitan Plan since it will make a contribution to local jobs and will not detract from the provision, growth or clustering of employment land elsewhere in the Shire due to its small size.

Rather than attempting to establish a significant employment area, the site is anticipated to provide local service industries to support the Glenorie Village and surrounding rural area north to Wisemans Ferry and south to Dural where the nearest industrial employment land is located approximately 11 kilometres away. Given the long-standing use of the site for industrial-like uses, the impact on any other employment area is insignificant.

- **Draft Metropolitan Strategy for Sydney 2031**

The Draft Metropolitan Strategy for Sydney will replace the Metropolitan Plan for Sydney 2036. The draft Strategy establishes a vision with key objectives, policies and actions to guide the growth of Sydney to 2031.

The site is located within the Metropolitan Rural Area of Sydney and as such is not specifically located within the area targeted by the draft Plan, particularly in terms of employment land. Of relevance to industrial lands, the draft Strategy seeks to provide a well-located supply of industrial lands by protecting land for strategic purposes, ensuring links with supply chains and markets, and by providing new industrial lands to meet future supply.

Whilst the planning proposal will rezone land in the metropolitan rural area for industrial purposes, the rezoning will enable the appropriate redevelopment of land deemed unsuitable for any rural or residential use and is consistent with the historic use of the site. The planning proposal is consistent with the Strategy since it will provide local employment and is appropriately positioned to provide opportunities for industries associated with the rural area to locate in the area. Given its proximity to the Glenorie Village (approximately 600 metres), the industrial use of the site will also complement the retail functions of the nearby Glenorie Village by servicing other needs of residents and visitors to the area in a central location.

- **Draft North West Subregional Strategy**

The Draft North West Subregional Strategy was prepared by the NSW Government to implement the Metropolitan Plan and the State Plan. It is currently being reviewed by the Department of Planning and Environment. The draft strategy plans to accommodate some 130,000 jobs within the North West Subregion by 2031. Of these, 47,000 jobs (36%) and 36,000 dwellings (26%) are to be accommodated within The Hills Shire. An overarching theme of the strategy is for dwelling and employment growth to be concentrated within centres and near public transport hubs.

Given its rural context, the site is not located near a public transport hub. However, the proposal is consistent with the plan as it will provide a small area of employment land (just over one hectare) for employment opportunities and industrial uses that will service the local community. The use of the site for industrial purposes will not detract from the retail functions of the Glenorie Village. It will enable the appropriate redevelopment of land that is not suitable for rural or residential purposes.

4. *Is the planning proposal consistent with the local council's Community Strategic Plan, or other local strategic plan?*

Yes, a discussion of consistency is provided below.

- **The Hills Future Community Strategic Plan**

The Hills Future Community Strategic Direction articulates The Hills Shire community's and Council's shared vision, values, aspirations and priorities with reference to other local government plans, information and resourcing capabilities. It is a direction that creates a picture of where the Hills would like to be in the future. The direction is based on community aspirations gathered throughout months of community engagement and consultation with members of the community.

The planning proposal will assist in the realisation of The Hills Future outcome of balanced urban growth through the rezoning of land to reflect its history of industrial use and to facilitate the development of low scale light industrial uses to serve the needs of the local community.

The Hills Shire Local Strategy

The Employment Lands Direction and Rural Lands Strategy are the relevant components of the Local Strategy to be considered in assessing this application.

- Employment Lands Direction

The North West Subregional Strategy establishes an employment capacity target for the Shire from 2001 to 2031 of 47,000 jobs. The Employment Lands Direction demonstrates the ability to meet this target with capacity for 55,574 additional jobs to 2031. In addition to the contribution towards anticipated employment targets, the Direction seeks to provide employment close to home, services and transport infrastructure.

The planning proposal could facilitate up to 7,500m² of industrial floor space based on the proposed floor space ratio of 0.75:1. Based on the estimate of approximately one (1) job per 70 square metres given in the Employment Lands Direction, it could provide up to 107 jobs. It is likely that the figure would be much less however, once parking requirements and setbacks are factored into the development site. Nevertheless, the site could make a valuable contribution to both jobs and services that will support the Glenorie Village and surrounding area.

The planning proposal is considered to be consistent with this Direction since it provides an opportunity to support the growth of local businesses and employment and will revitalise a site that has been used for industrial purposes for many years.

- Rural Lands Strategy

The Rural Lands Strategy provides the strategic framework for the Shire's rural lands to, amongst other objectives:

- protect and enhance the existing and future rural economy – including employment and future investment opportunities;
- maintain and enhance the character of rural villages;
- avoid and manage land use conflict; and
- respond to social needs and preserve social values of the rural community.

The former use of the site for a service station and associated bulk fuel storage is generally inconsistent with the rural character of the RU6 Transition zone, however these uses were permitted in accordance with development consents that were issued in the 1960's and 1970's. Despite the zoning, the suitability of the use of the land for this purpose was further confirmed with the gazettal of the LEP amendment in 2002, applying to part of the site, which permitted the redevelopment of the service station.

The Rural Lands Strategy also identified the potential for the further investigation of rural villages in the Shire, including Glenorie, with a view to expanding the residential area. The nearest R2 Low Density Residential zoned land associated with the Glenorie Village is located approximately 150 metres to the north of the site. Subject to appropriate investigations, it is possible that the site could be located on the periphery of the Village in future if the low density residential land were to be expanded. This would further integrate the site into the functions of the Village and increase the viability of an industrial zone in this location.

The proposed light industrial zone will contribute to the local rural community through employment and whilst maintaining the rural character of the Glenorie Village due to the small scale of the site. It will provide an opportunity for activities to support residents of the area such as vehicle servicing and repair. The site is appropriately located on Old Northern Road, the primary transport route through the northern half of the Shire.

5. Is the planning proposal consistent with applicable State Environmental Planning Policies?

Yes. An assessment of the planning proposal against applicable State Environmental Planning Policies is provided in Attachment A. A discussion on the consistency of the proposal with the relevant Policies is provided below.

• **State Environmental Planning Policy 55 (Remediation of Land)**

To satisfy the requirements of State Environmental Planning Policy 55 (Remediation of Land) Council must be satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the likely future use of the land under the proposed zoning.

The site has been used for the purposes of a service station and bulk fuel storage for many decades. Between 2005 and 2012 the site was progressively investigated, decommissioned, remediated and validated in accordance with a consent issued by Council and the requirements of State Environmental Planning Policy 55 (Remediation of Land). The underground fuel storage tanks have been removed together with a drum storage building and the site remediated to an industrial standard.

The submitted Site Audit Report (2013) advises that although the site has been extensively investigated and remediated, sections of pipework and, in particular, mid-range hydrocarbons at concentrations exceeding the assessment criteria may remain within the ground with sporadic distribution and may be encountered during redevelopment of the site. There are several locations within the site where hydrocarbon contamination is known to remain.

The Site Audit Report notes that whilst the site may be suitable for any commercial or industrial use permitted under the current RU6 Transition zone, this zone also permits a number of other more sensitive uses that are not appropriate on the site. More sensitive permitted uses include *dwelling houses* and *home-based child care*. Permitted commercial or industrial type uses include *veterinary hospitals, agricultural produce industries, restaurants/café's, garden centres or landscaping material supplies*. However the suitability of these uses is also questionable given disturbance of the land that may occur with such uses, and the known presence of some remaining hydrocarbon contamination.

Consistent with this theme, the planning proposal specifically excludes the possibility of any residential, educational, place of worship, community, recreational or agricultural use or one that will have any association with any of these uses being pursued on the site. The planning proposal seeks to act on the recommendation of the Site Audit Report by applying a zoning to the land that reflects its partially contaminated status and which will provide for a range of appropriate industrial or commercial uses on the land which cannot be achieved under the RU6 Transition zone.

The IN2 Light Industrial zone would more closely reflect the uses that have been undertaken on the site for many years and provide the framework within which the most appropriate uses may be accommodated in a redevelopment of the land. Furthermore, while the RU6 Transition zone permits a number of rural-related uses, no provision is made for light industrial-type uses such as servicing and repair of motor vehicles, trucks

and farm machinery to service the local area and surrounds. These uses are those that have previously existed on the site and would be utilised by the surrounding community.

The Site Auditor issued a Site Audit Statement under the Contaminated Land Management Act 1997 certifying that the site is suitable for commercial / industrial use only, and that it should be subject to compliance with a Construction Environmental Management Plan (October 2013). The Management Plan was prepared to assist in managing residual impacts that are encountered during redevelopment works. In accordance with State Environmental Planning Policy 55 – Remediation of Land, Council would be required to consider reports on the contamination / remediation status of the land. Compliance with the prepared Management Plan could be enforced as a condition of consent.

The applicant has also submitted a supplementary statement from the site auditor stating that the site cannot realistically be made suitable for more sensitive land uses given the site's former use as a service station and fuel depot, and the limitations of remedial and validation works. The auditor advised that the cost of further remediating the site and unequivocally demonstrating that it is suitable for residential use with gardens and accessible soil would be prohibitive, as it would probably involve turning over the entire site to a depth of at least three (3) metres and the off-site disposal of hydrocarbon impacted soil.

The planning proposal is therefore considered satisfactory with regard to State Environmental Planning Policy 55 (Remediation of Land).

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 B. The following directions are relevant to the planning proposal:

- Direction 1.1 Business and Industrial Zones
- Direction 1.2 Rural Zones
- Direction 3.4 Integrating Land Use and Transport
- Direction 4.4 Planning for Bushfire Protection
- Direction 6.1 Approval and Referral Requirements
- Direction 6.2 Reserving Land for Public Purposes
- Direction 6.3 Site Specific Provisions
- Direction 7.1 Implementation of the Metropolitan Plan for Sydney 2036

The planning proposal is consistent all relevant directions with the exception of the following two (2) directions where minor inconsistencies have been identified:

- **Direction 1.1 Business and Industrial Zones**

It is considered that the planning proposal is consistent with the objectives of the direction. It will provide for a small-scale employment location to service a local area and will not threaten the viability of any strategic centre. Whilst it is not specifically in accordance with a strategy approved by the Director-General, given the relatively small size of the land, its history of industrial-like use, and its unsuitability for any other purpose, the inconsistency with this element of the direction is considered to be minor and of no consequence.

- **Direction 1.2 Rural Zones**

The direction states that a planning proposal must not rezone land from a rural zone to a residential, business, industrial, village or tourist zone.

The inconsistency with the direction is considered to be minor since the site has not been used for agricultural purposes for decades, and the contamination of land from bulk petrol storage tanks and service station activities has rendered the site unsuitable for any agricultural or other rural use.

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?

No. The site is generally void of any significant vegetation or trees. Some minor and poor quality vegetation is located at the edges of the site in some locations, and a Camphor Laurel tree is positioned adjacent to the dwelling house. The planning proposal is therefore unlikely to create any adverse impacts on critical habitat or threatened species, populations or economical communities and their habitats.

8. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

Yes. The industrial use of the land, together with the proposed floor space ratio and retention of the existing ten (10) metre maximum building height will ensure that the environmental effects of its past and future uses are contained and managed appropriately.

The site is located in an area characterised by low-density rural / residential uses including at least seven (7) homes within 100 metres, greenhouses and open field agriculture (Figure 1). Approximately 150 metres to the north-east the character changes distinctly to low-density residential on the approach to the Glenorie Village.

Given the long term use of the site as a petrol station and associated bulk fuel storage, a land-use conflict has existed in essence, for decades. The planning proposal is not introducing a new conflict but will formalise and allow ongoing industrial use of the land. Regardless of the planning proposal a service station is still permitted on the Old Northern Road frontage of the site pursuant to Schedule 1 Additional Permitted uses of Local Environmental Plan 2012.

The following environmental issues of noise, hours of operation, building height and setbacks, floor space ratio, services, traffic, contamination and bushfire are considered:

- Noise

The previous use of the site as a bulk fuel storage depot and service station would have generated noise that had impacts on the surrounding land. Similarly, the use of the site for light industrial purposes into the future is likely to generate some noise. The implementation of measures to attenuate noise would be required as part of any future development application in addition to the submission of an acoustic impact assessment. Furthermore, the redevelopment of the land for low-scale light industrial uses and a building or buildings within which activities would be undertaken would be more likely to contain noise and activity within the site compared to the previous open nature of the bulk fuel storage and petrol station activities. The Hills Development Control Plan 2012 also requires that loading docks be located where they will not be visible from adjoining residential areas and will not transmit excessive noise.

- Hours of Operation

Hours of operation in industrial zones are limited to 7.00am to 6.00pm Monday to Saturday with no work or activity to be carried out on Sundays or public holidays. If a service station were to operate from the site the hours of operation may be increased subject to a detailed assessment at the development application stage. The standard hours of operation are considered reasonable in this location and in relation to adjoining rural / residential land.

- *Building Height and Setbacks*

The site will continue to be subject to the existing ten (10) metre maximum building height, consistent with the surrounding area. This will assist in mitigating the impacts of future development in relation to built form and scale, and overshadowing.

In addition, appropriate building setbacks to both road frontages and the side and rear boundaries are proposed to be added to The Hills Development Control Plan 2012 to ensure that sufficient landscaping can be provided, particularly on the perimeter of the site to visually soften the appearance of future development.

- *Floor Space Ratio*

Whilst IN2 Light Industrial zoned areas elsewhere in The Hills Shire are subject to a floor space ratio of 1:1, a maximum floor space ratio of 0.75:1 is more appropriate since it recognises the presence of adjoining RU6 Transition zoned land and low-scale development whilst also providing adequate floor space potential for future development.

- *Vehicular Access and Traffic*

The likely future traffic generation of a new development on the site is subject to estimations based on the possible gross floor area that may be achieved. Based on a floor space ratio of 0.75:1 a maximum gross floor area may be approximately 7,500m². Using the Roads and Maritime Services "Guide to Traffic Generating Developments" and the rates applicable to factories (1 per 100m² in peak times and 5 per 100m² daily trips) the traffic generation may be in the order of 75 vehicular movements (i.e. 37.5 in and 37.5 out) in peak times, and an overall daily generation of 375 vehicular movements (187.5 in and out). The likely increase in traffic generation resulting from a possible redevelopment of the site is considered to be reasonable since it is likely to be shared between both Old Northern Road and Whites Road.

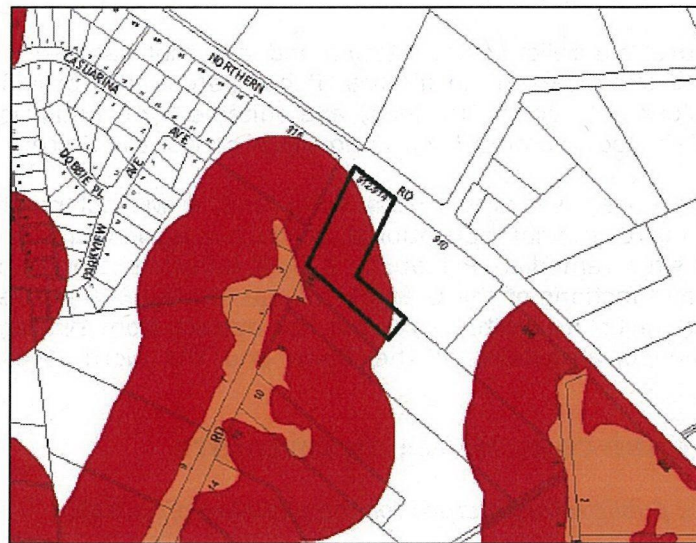
Based on an estimated vehicular per day traffic volume on Old Northern Road of between 7,000 and 8,000 vehicles (RMS Permanent Counting Stations), the redevelopment of the site would result in a 3-5% increase in traffic volumes on Old Northern Road which is considered negligible. The Roads and Maritime Services will be consulted as part of any future development application and in relation to the planning proposal.

- *Contamination*

Any redevelopment of the land will involve the demolition of existing buildings on the site (workshop and dwelling) and disturbance of ground that is still partially contaminated. A Construction Environmental Management Plan has been prepared for the site (C.M Jewell & Associates Pty Ltd, October 2013). The Site Auditor recommended the commercial / industrial use of the site subject to compliance with the management plan during the redevelopment of the site. The redevelopment of the land will be appropriately managed through conditions of consent and compliance with the management plan at the development application stage.

- *Bushfire*

The site is located within the 100m vegetation buffer as shown on the Bushfire Prone Land Map (Figure 4).



The Hills Bushfire Prone Land 05/2012

BFPL Vegetation Category 1 BFPL Vegetation Buffer - 100m and 30m

Figure 4
Bushfire Prone Land Map (2012)

As shown in the aerial view of the site in Figure 1, the land is mostly devoid of vegetation with the exception of grass and a small number of shrubs around the perimeter. The bushfire threat relates to stands of trees that line Whites Road.

Development applications for the redevelopment of the service station in 2002 and 2005 were referred to the local Rural Fire Service for comment. It was required that the entire site be managed as an 'Inner Protection Area' in order to protect the existing dwelling on the site. No concerns were raised in relation to the intensification of the service station use or the existing bulk fuel storage on the site which have since been removed from the site.

If the planning proposal receives a Gateway Determination, it would be referred to the NSW Rural Fire Service for comment. Any future development of the site would be required to comply with the requirements of the *NSW Rural Fires Act 1997* and *Planning for Bushfire Protection 2006* in terms of the design and construction materials.

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

The planning proposal has adequately addressed any social and economic effects through:

- the proposed zoning, which best reflects the past uses on the land and its present remediation status. It also provides more flexibility and choice for future uses that will serve the rural / industrial needs of the locality such as vehicle body repair workshops;
- the proposed floor space ratio, which will limit the extent of floor space in response to the rural context; and

- the retention of the existing ten (10) metre building height limit, which will limit the scale of development to be consistent with that which can be achieved on the adjoining land.

The redevelopment of the derelict service station and land that has been vacant for more than six (6) will be of benefit to the local area. It has potential to provide a small scale opportunity for employment (up to 107 jobs) and suitable light industrial uses that will service the needs of the local community and northern part of the Shire.

Whilst the planning proposal seeks to rezone rural land, it will not result in the loss of land that is suitable for residential, educational, productive agricultural or any other rural purpose due to the sites remediation status. A light industrial zoning on the land will complement the retail functions of the Glenorie Village located 600 metres to the north-west of the site and, given its limited size, will not detract from strategic employment land located or planned elsewhere in the Shire and the North West/West Central Subregion.

SECTION D - STATE AND COMMONWEALTH INTERESTS

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

Water and electricity is connected to the site however the Glenorie area is not sewerred. The sewerred of the Glenorie Village via Mid Dural and Old Northern Roads is currently being planned and implemented by Sydney Water as part of a subsidised wastewater scheme and is due for completion in June 2015. Plans for servicing the area do not include the subject land and terminate at the edge of the current R2 Low Density Residential zone 150 metres to the north-west of the site (Figure 4). However it is possible that properties not connected through the subsidised wastewater scheme, such as the subject site, may apply to fund their own connection at a later date, subject to available capacity. If this option is not pursued, sewer management on the site would be required by a pump out facility or other method.

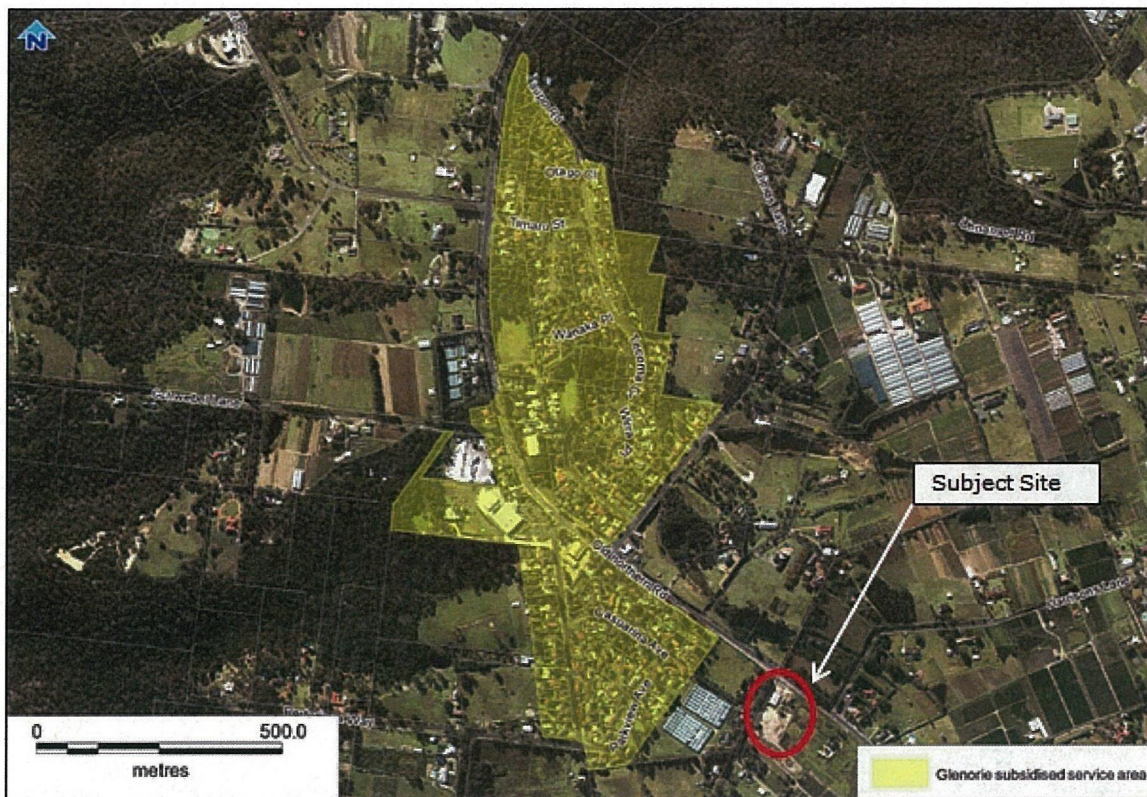


Figure 4
Sydney Water Wastewater scheme subsidised service area for Glenorie

Connection to formal wastewater infrastructure would significantly improve the flexibility of uses in a redevelopment of the site and would provide the most appropriate management of effluent disposal. If the planning proposal proceeds to a public exhibition the views of Sydney Water will be sought specifically in relation to this matter.

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? (Note: The views of State and Commonwealth Public Authorities will not be known until after the initial gateway determination. This section of the planning proposal is completed following consultation with those public authorities identified in the gateway determination.)

The following public authorities would be consulted should the planning proposal receive a Gateway Determination:

Roads and Maritime Services
Department of Lands (in relation to Whites Road which is a Crown Road)
Sydney Water
NSW Rural Fire Service
Environmental Protection Authority

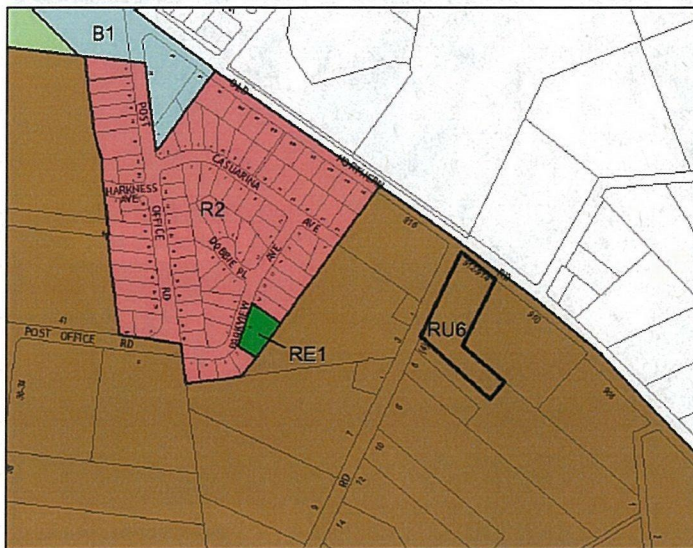
A list of all relevant agencies would be determined as part of the Gateway Determination.

Following the Gateway determination, all relevant agencies will be consulted.

The planning proposal seeks to amend the Land Zoning Map, Floor Space Ratio Map and Additional Permitted Uses Map of *The Hills Local Environmental Plan 2012*.

Existing Land Zoning Map

The land is currently zoned RU6 Transition.

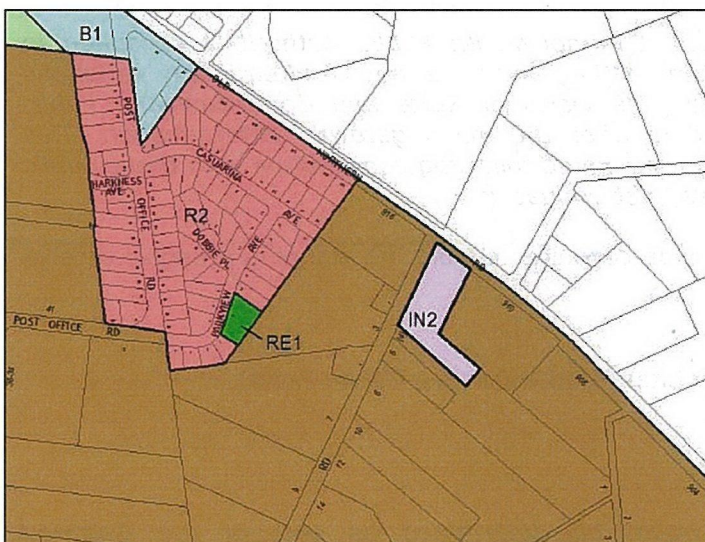


Land Zoning (LZN)

B1	Neighbourhood Centre	R2	Low Density Residential	RE2	Private Recreation
IN2	Light Industrial	RE1	Public Recreation	RU6	Transition

Proposed Land Zoning Map

The proposed zone is IN2 Light Industrial.

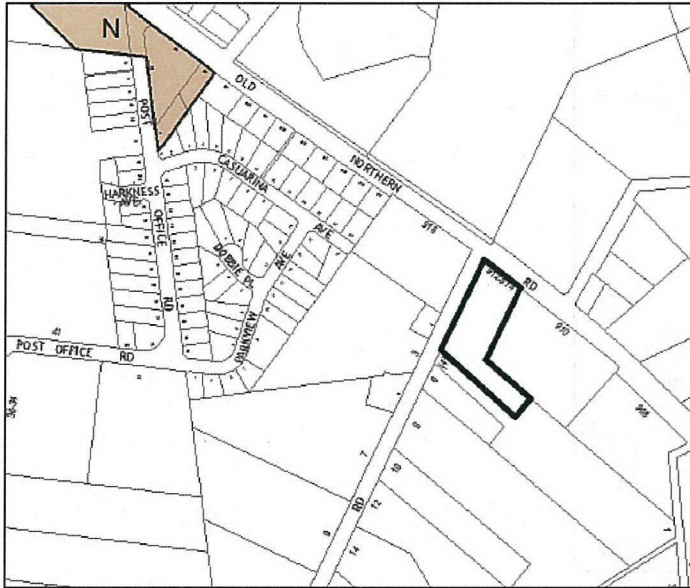


Land Zoning (LZN)

B1	Neighbourhood Centre	R2	Low Density Residential	RE2	Private Recreation
IN2	Light Industrial	RE1	Public Recreation	RU6	Transition

Existing Floor Space Ratio Map

No floor space ratio currently applies to the land.



Proposed Floor Space Ratio Map

The proposed floor space ratio is 0.75:1.

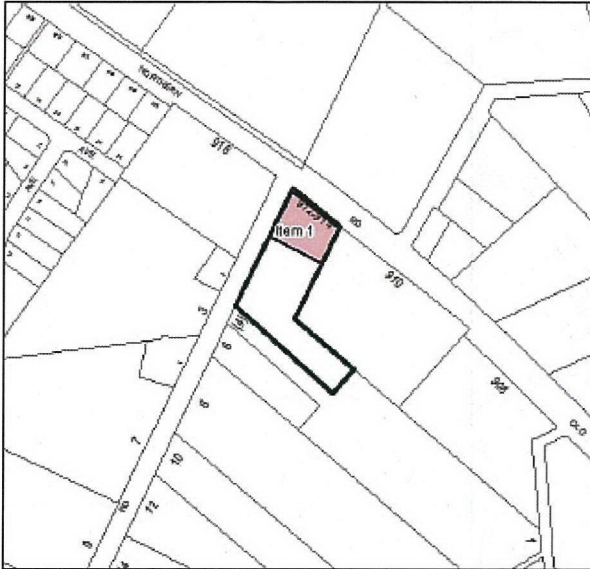


Maximum Floor Space Ratio (FSR) (n:1)

0.75 1.0

Existing Additional Permitted Uses Map

The existing Additional Permitted Uses Map makes reference to the site and a listing in related Schedule 1 Additional Permitted Uses in The Hills Local Environmental Plan 2012 which permits the redevelopment of the service station on part of the site.

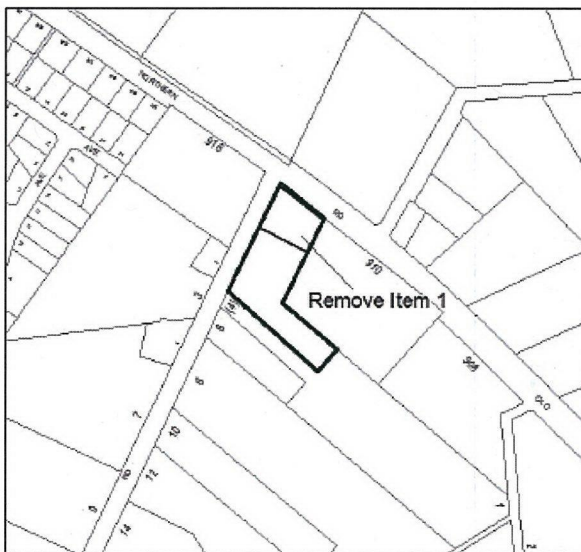


Additional Permitted Uses (APU)

 refer to schedule 1

Proposed Additional Permitted Uses Map

All reference to the site on the Additional Permitted Uses Map and in the related Schedule 1 is to be deleted.



PART 5 COMMUNITY CONSULTATION

The planning proposal will be advertised in local newspapers and on display at Council's administration building and Castle Hill Library. The planning proposal will also be made available on Council's website. In addition, letters will be issued to adjoining and nearby property owners and stakeholders.

PART 6 PROJECT TIMELINE

STAGE	DATE
Commencement Date (Gateway Determination)	October / November 2014
Government agency consultation	November 2014
Commencement of public exhibition period (28 days)	November 2014
Completion of public exhibition period	December 2014
Timeframe for consideration of proposal post exhibition	December 2014
Report to Council on submissions	February 2015
Planning Proposal to PCO for opinion	March 2015
Date Council will make the plan (if delegated)	April / May 2015
Date Council will forward to department for notification (if delegated)	May 2015

ATTACHMENT A: LIST OF STATE ENVIRONMENTAL PLANNING POLICIES

STATE ENVIRONMENTAL PLANNING POLICY (SEPP)		APPLICABLE	RELEVANT ? (YES/NO)	(IF RELEVANT) INCONSISTENT/ CONSISTENT
No. 1	Development Standards	NO	-	-
No. 4	Development without Consent and Miscellaneous Exempt & Complying Development	NO	-	-
No. 6	Number of Storeys in a Building	YES	NO	-
No. 14	Coastal Wetlands	NO	-	-
No. 15	Rural Landsharing Communities	NO	-	-
No. 19	Bushland in Urban Areas	YES	NO	-
No. 21	Caravan Parks	YES	NO	-
No. 22	Shops and Commercial Premises	YES	NO	-
No. 26	Littoral Rainforests	NO	-	-
No. 29	Western Sydney Recreation Area	NO	-	-
No. 30	Intensive Agriculture	YES	NO	-
No. 32	Urban Consolidation (Redevelopment of Urban Land)	NO	-	-
No. 33	Hazardous and Offensive Development	YES	NO	-
No. 36	Manufactured Home Estates	NO	-	-
No. 39	Spit Island Bird Habitat	NO	-	-
No. 41	Casino Entertainment Complex	NO	-	-
No. 44	Koala Habitat Protection	NO	-	-
No. 47	Moore Park Showground	NO	-	-
No. 50	Canal Estate Development	YES	NO	-
No. 52	Farm Dams and Other Works in Land and Water Management Plan Areas	NO	-	-
No. 55	Remediation of Land	YES	YES	CONSISTENT
No. 59	Central Western Sydney Regional Open Space and Residential	NO	-	-
No. 60	Exempt and Complying	YES	NO	-
No. 62	Sustainable Aquaculture	YES	NO	-
No. 64	Advertising and Signage	YES	NO	-
No. 65	Design Quality of Residential Flat Development	NO	NO	-
No. 70	Affordable Housing (Revised Schemes)	NO	NO	-
Affordable Rental Housing (2009)		YES	NO	-
Building Sustainability Index: BASIX 2004		YES	NO	-

STATE ENVIRONMENTAL PLANNING POLICY (SEPP)	APPLICABLE	RELEVANT ? (YES/NO)	(IF RELEVANT) INCONSISTENT/CONSISTENT
Exempt and Complying Development Codes (2008)	YES	NO	-
Housing for Seniors or People with a Disability (2004)	NO	-	-
Infrastructure (2007)	YES	NO	-
Kosciuszko National Park – Alpine Resorts (2007)	NO	-	-
Kurnell Peninsula (1989)	NO	-	-
Major Development (2005)	NO	-	-
Mining, Petroleum Production and Extractive Industries (2007)	NO	-	-
Rural Lands (2008)	NO	-	-
SEPP 53 Transitional Provisions (2011)	NO	-	-
State and Regional Development (2011)			
Sydney Drinking Water Catchment (2011)	NO	-	-
Sydney Region Growth Centres (2006)	NO	-	-
Three Ports (2013)			
Urban Renewal (2010)	NO	-	-
Western Sydney Employment Area (2009)	NO	-	-
Western Sydney Parklands (2009)	NO	-	-
Deemed SEPPs			
SREP No.9 – Extractive Industry (No 2 – 1995)	YES	NO	-
SREP No.18 – Public Transport Corridor	NO	-	-
SREP No.19 – Rouse Hill Development Area	NO	-	-
SREP No.20 – Hawkesbury – Nepean River (No 2 – 1997)	YES	NO	-

ATTACHMENT B: LIST OF SECTION 117 DIRECTIONS

DIRECTION		APPLICABLE	RELEVANT? (YES/NO)	(IF RELEVANT) INCONSISTENT/ CONSISTENT
1. Employment and Resources				
1.1	Business and Industrial Zones	YES	YES	CONSISTENT
1.2	Rural Zones	YES	YES	CONSISTENT
1.3	Mining, Petroleum Production and Extractive Industries	YES	NO	-
1.4	Oyster Aquaculture	NO	-	-
1.5	Rural Lands	NO	-	-
2. Environment and Heritage				
2.1	Environment Protection Zone	YES	NO	-
2.2	Coastal Protection	NO	-	-
2.3	Heritage Conservation	YES	NO	-
2.4	Recreation Vehicle Area	YES	NO	-
3. Housing, Infrastructure and Urban Development				
3.1	Residential Zones	NO	-	-
3.2	Caravan Parks and Manufactured Home Estates	YES	NO	-
3.3	Home Occupations	YES	NO	-
3.4	Integrating Land Use and Transport	YES	YES	CONSISTENT
3.5	Development Near Licensed Aerodromes	YES	NO	-
3.6	Shooting Ranges	YES	NO	-
4. Hazard and Risk				
4.1	Acid Sulfate Soils	YES	NO	-
4.2	Mine Subsidence and Unstable Land	YES	NO	-
4.3	Flood Prone Land	YES	NO	-
4.4	Planning for Bushfire Protection	YES	YES	CONSISTENT
5. Regional Planning				
5.1	Implementation of Regional Strategies	NO	-	-
5.2	Sydney Drinking Water Catchment	NO	-	-
5.3	Farmland of State and Regional Significance on the SNW Far North Coast	NO	-	-
5.4	Commercial and Retail Development along the Pacific Highway, North Coast	NO	-	-
5.8	Second Sydney Airport:	NO	-	-

DIRECTION		APPLICABLE	RELEVANT? (YES/NO)	(IF RELEVANT) INCONSISTENT/ CONSISTENT
	Badgerys Creek			
5.9	North West Rail Link Corridor	NO	-	-
6. Local Plan Making				
6.1	Approval and Referral Requirements	YES	NO	-
6.2	Reserving Land for Public Purposes	YES	NO	-
6.3	Site Specific Provisions	YES	YES	CONSISTENT
7. Metropolitan Planning				
7.1	Implementation of the Metropolitan Plan for Sydney 2036	YES	YES	CONSISTENT