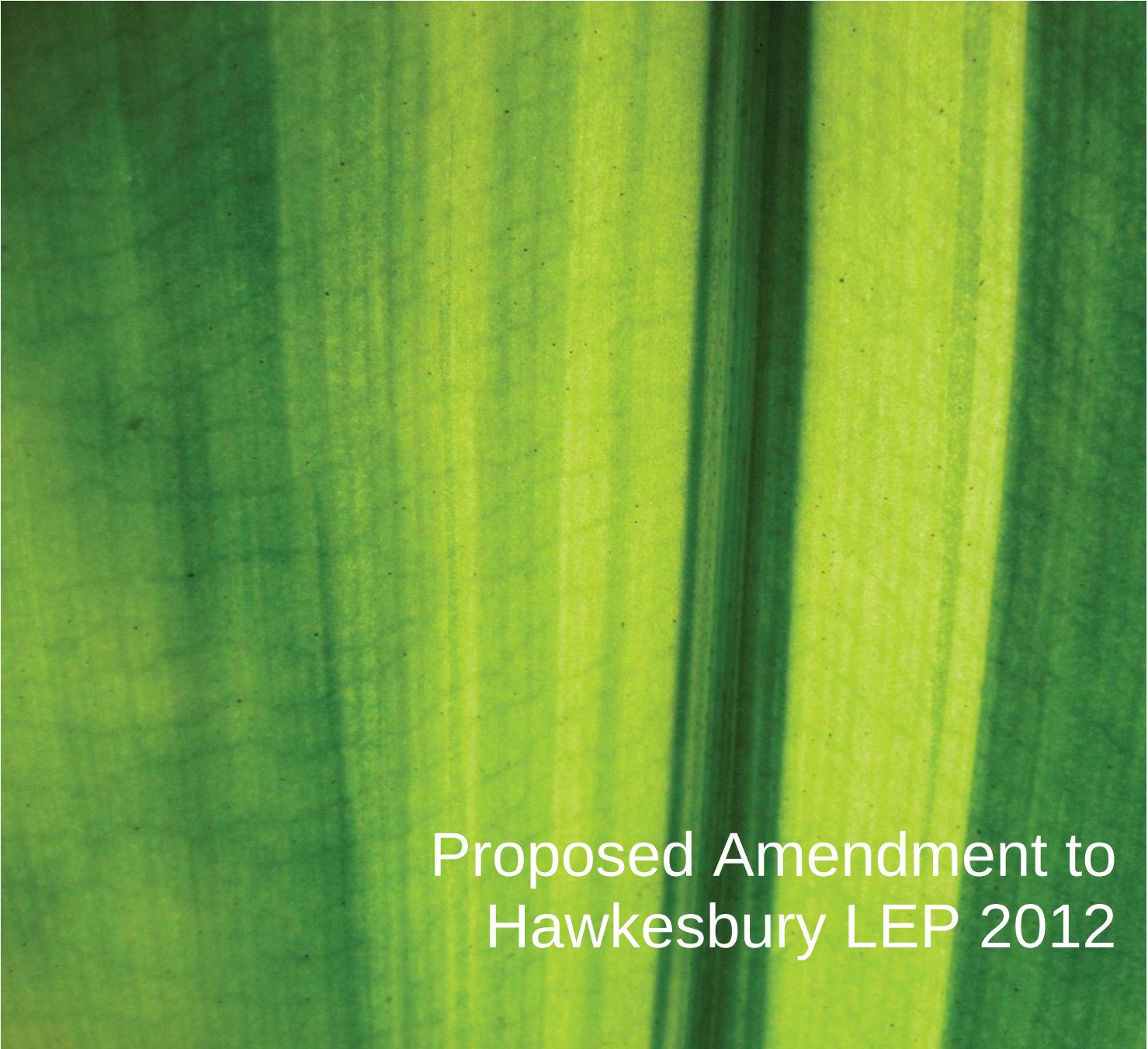




# Proposed Amendment to Hawkesbury LEP 2012

Planning Proposal

120 - 188 Hawkesbury Valley Way, Clarendon

September 2013 – Revision 3

**URBIS STAFF RESPONSIBLE FOR THIS REPORT WERE:**

|                    |                                                                    |
|--------------------|--------------------------------------------------------------------|
| Associate Director | Danielle Pinkerton                                                 |
| Consultant         | Erin Murphy                                                        |
| Job Code           | SA4711                                                             |
| Report Number      | Planning Proposal_Final                                            |
|                    | Revision 3 - reflecting resolution of Council and officer comments |

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# Executive Summary

This Planning Proposal seeks to initiate the preparation of an amendment to the *Hawkesbury Local Environmental Plan 2012* (the LEP) for the introduction of the B7 Business Park zone into the LEP to support the future development of the first business park within the Hawkesbury Local Government Area (LGA).

The subject site presents a strategic opportunity to secure employment lands to meet medium to long-term employment demand in the North-Western subregion, through leveraging existing employment assets surrounding the site including the Richmond RAAF base, UWS Richmond Campus, Richmond TAFE and the Richmond Racecourse. These existing assets provide a strong base for the business park to attract related industry.

The site has been identified in the *Hawkesbury Employment Lands Study 2008* (the ELS) as an investigation area for a new business park. The recommendations of the EIS include:

*Capitalise on the LGAs strategic assets to provide high quality jobs, by considering the future of land at Clarendon for a high amenity office and business development with only minor and ancillary retail development permitted.*

*Timing: Short term (within 3 years)*

A *Business Park Demand Assessment* (Urbis 2013) has been prepared to determine the employment lands context of the site, and potential timing of demand for employment lands within the LGA. The *Demand Assessment* indicates there is limited land available within the LGA to support growth in employment lands, with existing centres constrained by environmental issues and surrounding land uses to accommodate expansion. The *Demand Assessment* indicates that demand for employment lands in the LGA are likely in the medium to long-term, however it is noted that significant investment in infrastructure is required prior to lands being able to attract market interest and uptake. This Planning Proposal presents a strategy for early rezoning of land and securing funding for key infrastructure to support projected future demand will position the site to respond as demand comes to market.

The site has limited environmental constraints restricting future development of the site in accordance with this planning proposal. While part of the site is flood affected, this Planning Proposal seeks to retain the existing RU4 Primary Production Small Lots and E2 Environmental Conservation zoning for the part of the site below the 1 in 20 year flood level.

The site is currently serviced by the underutilised Richmond Railway Line, which will support journeys to work by public transport. The site is also strategically positioned on the major road link between Richmond and Windsor. In addition to delivering employment lands to meet the *Metro Plans* subregional employment targets, this Planning Proposal presents a strategy to secure funding for the following key infrastructure upgrades which will support the growth of employment opportunities within the LGA:

- Upgrade works to Hawkesbury Valley Way, including widening the road to a dual carriageway along the frontage of the site. These upgrade works are not required for the development of the site as a business park, but rather deliver a wider public benefit through improving accessibility between Windsor and Richmond.
- Roundabout on Hawkesbury Valley Way at the intersection with the new road servicing the site. The roundabout will be designed to retain current levels of service to vehicles travelling along Hawkesbury Valley Way, as well as support vehicle movements into the site to access new employment uses to locate in the site in accordance with this Planning Proposal.
- Railway-overpass crossing the Richmond Railway Line which bisects the site. This overpass will provide access from the north from Hawkesbury Valley Way to the land south of the Richmond Railway Line.
- New north-south road link between Hawkesbury Valley Way and Richmond Road (via Racecourse Road). This will increase accessibility from regional road networks to the site and other lands within the LGA, including the Richmond RAAF, TAFE and UWS campus.

To secure the delivery of this infrastructure the landowner has agreed to enter into a Voluntary Planning Agreement (VPA) to provide funding at key stages in the rezoning and development approvals process.

To secure funding and facilitate the development of the Clarendon business park, this Planning Proposal includes a request for an amendment to Schedule 1 Additional Permitted Uses of the LEP to include a small portion of the site to support '*bulky goods premises*'. The land affected by the Schedule 1 Amendment would support a Masters home improvement store, and supporting bulky goods tenancy. Through the delivery of these developments, particularly the initial Masters development, funding for key infrastructure required to service the development of land to the south of the railway line will be secured in accordance with the VPA.

The economic implications of the inclusion of limited retailing uses on the site have been considered in the *Economics Impact Assessment* (EIA) (Urbis 2013) which accompanies this Planning Proposal. The EIA concludes that although development of a Masters on the site will have an initial average impact on the turnover in the Main Trade Area of approximately -3.4%, due to growth in demand between 2016 and 2021, this impact will largely be absorbed within the first 5 years of operation.

The proposal presents a long-term vision to deliver key employment lands to the LGA through establishing a framework for key infrastructure to be delivered to support the viability of the site to attract industry and investors as demand comes to market. The inclusion of some retail uses will provide the funding catalyst to deliver a business park consistent with local policy and *Metro Plans* employment targets for the subregion. The zoning will support retail activities that cannot otherwise be accommodated within the LGA, and do not conflict with the intent of the Councillors in restricting retail activities on the site which may damage the viability of existing centres.

Accordingly, the Planning Proposal is consistent with the delivery of adopted local land use strategy, and will position the site to attract employment land uses in the medium term which leverage of the key employment assets of the LGA. It is therefore recommended that this Planning Proposal be favourably considered by Council and resolve to forward it to the Department of Planning and Infrastructure for LEP Gateway determination in accordance with the *Environmental Planning and Assessment Act 1979* to prepare the necessary LEP amendment.



# 1 Introduction

This Planning Proposal has been prepared for the Proponent, Hydrox Nominees Pty Ltd, to initiate the preparation of an amendment to the *Hawkesbury Local Environmental Plan 2012* (the LEP). The amendment would result in the inclusion of the B7 Business Park zone into the LEP to support the future development of the first business park within the Hawkesbury Local Government Area (LGA).

To secure funding and facilitate the development of the Clarendon business park, this Planning Proposal includes a request for an amendment to Schedule 1 Additional Permitted Uses of the LEP to include a small portion of the site to support '*bulky goods premises*'. The land affected by the Schedule 1 Amendment would support a Masters home improvement store, and supporting bulky goods tenancy. Through the delivery of these developments, particularly the initial Masters development funding for key infrastructure required to service the development of land to the south of the railway line will be secured.

This report has been prepared to assist Council in preparing a Planning Proposal for the rezoning of the site in accordance with Section 55 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

Under the *Hawkesbury Local Environmental Plan 2012*, the subject site is zoned part RU4 Primary Production Small Lots and part E2 Environmental Conservation. However, the site has been identified as a strategic site for providing employment lands in the Hawkesbury Employment Lands Strategy 2008 (ELS). The ELS identifies the site for future rezoning to support a '*high amenity office and business development*'. Accordingly, the site forms part of a strategically important precinct identified for higher order land uses than permitted in the current RU4 Primary Production Small Lots Zone.

This Proposal has been submitted to seek Council support to progress a rezoning on behalf of the Proponent of the site at 120 - 188 Hawkesbury Valley Way. The Planning Proposal seeks to amend the zoning across the majority of the site to B7 Business Park to support commercial and light industrial uses, with Schedule 1 Additional Permitted Uses to support bulky goods centre. The residual of the site is proposed to remain zoned part RU4 Primary Production Small Lots and part E2 Environmental Conservation.

As required by Section 55 of the EP&A Act, this Planning Proposal includes the following:

- Description of the subject site and context.
- Indicative site plan showing sufficient detail to demonstrate the suitability of the site for future business park and business development retailing precinct.
- Statement of the objectives and intended outcomes of the proposal.
- Explanation of the provisions of the proposal.
- Summary of the justification of the proposal.
- Description of the stakeholder consultation process that would be undertaken before an amendment to the *Hawkesbury Local Environmental Plan 2012* would be amended.

The Planning Proposal has been prepared having regard to the NSW Department of Planning's '*A Guide to Preparing Planning Proposals*' and '*A Guide to Preparing Local Environmental Plans*'.

The objective of this Planning Proposal and LEP amendment is to enable the provision a new business park within the LGA which is anticipated to support a Masters of approximately 11,000sq.m, 5,000sq.m bulky goods, and 100,000sq.m of commercial/industrial floorspace. The site is envisaged to support types of retailing which are not suitable with existing centres such as large format stores including *hardware and building supplies, garden centres and bulky good premises*.

In support of this Planning Proposal request, the following information is provided:

- Indicative Site Plans prepared by Leffler Simes (**Appendix A**).
- Traffic Assessment prepared by Colston Budd Hunt & Kafes (**Appendix B**).

- Economic Impact Assessment prepared by Urbis (**Appendix C**).
- Business Park Demand Analysis (**Appendix D**)
- Phase 1 Contamination Assessment prepared by Geo Logix (**Appendix E**).
- Ecological Constraints Assessment prepared by Travers Bushfire and Ecology (**Appendix F**).
- Utility Services Report prepared by Mott Macdonald (**Appendix G**)



## 2 The Site and Context

### 2.1 THE SITE

The Planning Proposal relates to land at 120 - 188 Hawkesbury Valley Way (also known as Richmond Road), Clarendon. The site is legally described as Lot 1, 2 and 3 Deposited Plan 700263, Lot C Deposited Plan 160847, Lot F in Deposited Plan 164199, and Lot 2 in Deposited Plan 629053 and has a total site area of approximately 74 hectares. The site is illustrated in **Figure 1** below.

The site is located approximately 4.4km kilometres east of Richmond Town Centre, and approximately 2.4 kilometres west of Windsor Town Centre.

Key characteristics of the site include:

- Northern frontage to Hawkesbury Valley of approximately 900 metres.
- Eastern and southern boundary defined by Rickabys Creek.
- Bisected by the Richmond Railway Line.
- Land north of the railway line is generally cleared, with a small dam and a property known as 'Elfdale Stud', which consists of several dilapidated rural buildings.
- Land to the south of the railway line the land is similarly cleared, with a large dam towards to south western corner.
- Topography sloping south-east from Hawkesbury Valley Way towards Rickabys Creek.
- The land is flood affected.
- Provides scope to create a future connection through the site between Hawkesbury Valley Way and Racecourse Road to improve the local road network.
- The site is affected by aircraft noise from Richmond RAAF Base, and its flight paths. Of the area to be rezoned the Australian Noise Exposure Forecast (ANEF) contour levels are typically
  - 25 to 35 for land north of the railway line.
  - 20 to 25 for land south of the railway line.

It is anticipated that the planning proposal will be referred to the Department of Defence for consideration in accordance with its advice dated 8 December, 2005.

### 2.2 SURROUNDING LAND USE CONTEXT

Key surrounding land uses include:

- Fronts Hawkesbury Valley Way to the north, which is the principal collector road between Windsor and Richmond.
- Richmond RAAF base is located directly north of the site, on the opposite side of Hawkesbury Valley Way.
- UWS Hawkesbury Campus adjoins the site to the west and south-west.
- Richmond TAFE is located to the west of the site.
- Hawkesbury District Hospital is located approximately 2km east of the site.

- Windsor Country Golf Club is situated on the eastern side of Rickabys Creek, and provides a recreational space between the subject site and residential area further east.
- Headstart Early Learning child care centre to the west fronting Hawkesbury Valley Way.
- Hawkesbury Race Course and Showground to the west which includes stable and horse training facilities along the western site boundary.
- Land to the immediate south is largely cleared open land with residential areas of South Windsor located further to the south east.
- Some commercial and rural residential land uses are located to the west with the Hawkesbury Race Course and Showgrounds further to the west.
- The main town centres and residential precincts within proximity to the site are located 2.4km east in Windsor and over 4.4km west at Richmond.
- Clarendon Train Station is situated approximately 450 metres west of the site.

**Figure 1 - Site Plan**



## 2.3 LOCAL AND REGIONAL CONTEXT

The key local and regional context characteristics of the site include:

- 900 metre frontage and direct access to Hawkesbury Valley Way, which is a major arterial road linking with Windsor Road and provides access to Clarendon, Richmond, Hobartville and Windsor.
- Road access to the Sydney Metropolitan Region is provided by the Westlink M7 which is located 17min (17.5km) southeast of the site where Blacktown/Richmond Road meets the Westlink M7 in Colebee.
- Positioned between Clarendon and Windsor Railway Station on the Western Line to Richmond, providing services every half hour from 4am to 10pm on weekdays and 9am to 8pm on Saturdays and Sundays
- Main employment zones are located at North Richmond, Mulgrave, Richmond, South Windsor and Wilberforce. The closest to the subject site is the South Windsor precinct which is located 2 km south-east.
- Proximity to Clarendon and Richmond train stations, which are serviced by the Western Line providing direct connections to major centres including Blacktown, Parramatta, Strathfield, Central, Wynyard, North Sydney and Chatswood.
- Westbus routes provide regional connections to the site, including Route 675 which runs between Windsor and Richmond.
- The site is located approximately 7km from the North West Growth Centre. The North West Growth Centre is within the boundaries of three local government areas - The Hills, Blacktown and Hawkesbury and is comprised of 16 Precincts, is approximately 10,000 hectares and will contain about 70,000 new dwellings for 200,000 people.

Details of the site and regional context are illustrated in **Figure 2** and **Figure 3** below.



FIGURE 2 – LOCAL CONTEXT MAP



FIGURE 3 – REGIONAL CONTEXT (SOURCE: METROPOLITAN PLAN FOR SYDNEY 2036)



## 2.4 BUSINESS PARK CONTEXT

Currently there is no business park zoned land within the LGA. However, there are five precincts which support commercial and industrial development. Each of these is outlined below:

- **Mulgrave (McGraths Hill)** – comprises 80 hectares of industrial land used for a mix of office, factory, warehouses, bulky goods premises and showrooms. This precinct has limited capacity for additional development, with adjoining rural lands constrained by environmental issues such as flooding.
- **North Richmond** – comprises 13.8 hectares of industrial land used for light industrial and strata units to support local service providers. Surrounding land is constrained by flooding issues limiting future expansion of the precinct.
- **Richmond** – comprises 8.9 hectares primarily used for light industrial with small scale strata units, however accommodates some bulky goods retail, warehousing and public recreation facilities
- **Windsor / South Windsor** – largest industrial area in the LGA at 97 hectares. Further expansion of this precinct is restricted by well-established surrounding residential land uses.

- **Wilberforce** – comprises 11.5 hectares of industrial land used for manufacturing. Vacant land within the precinct would only support modest scale development similar to existing development within the precinct. Expansion of the precinct onto adjoining rural lands would require significant infrastructure investment to provide necessary utility services.

The Business Park context and demand is assessed in the Demand Analysis (Urbis 2013) attached in **Appendix D**, which identifies sufficient supply of business park land within adjoining LGAs, however notes the importance of the LGA to provide sufficient lands of respond to significant opportunities in the long-term.

## 2.5 TRADE AREA CONTEXT

This Planning Proposal proposes the first stage of development on the site will be a Masters hardware store. To determine the suitability of this catalyst development, the Trade Area has been defined through the Trade Area Analysis in Section 2 of the Economic Impact Assessment (Urbis 2013) attached in **Appendix C**.

The trade area analysis identified the following trade areas:

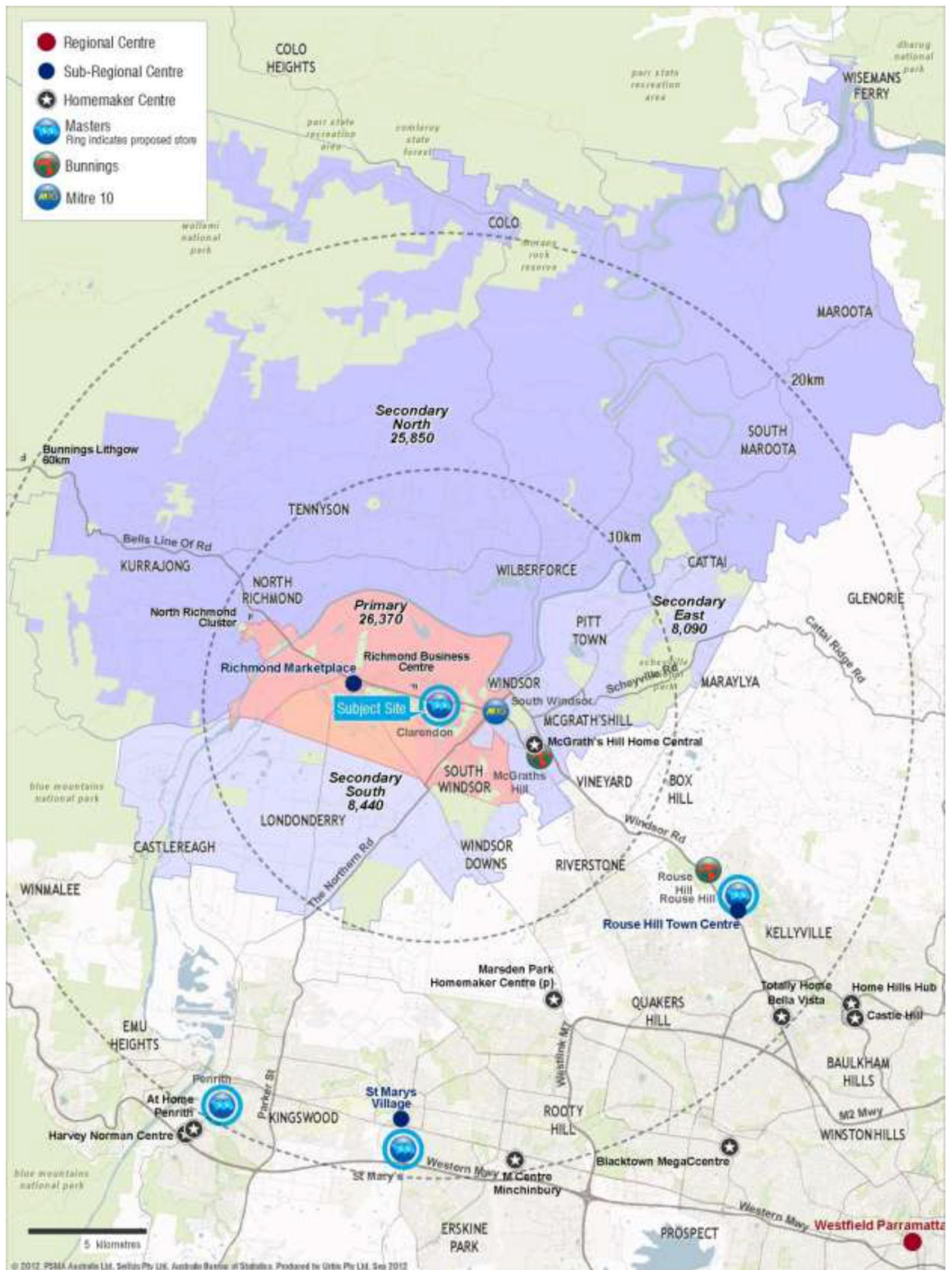
- A **Primary Trade Area (PTA)** which is quite small geographically, taking in the suburbs of Richmond, North Richmond, Windsor and South Windsor. The PTA is generally bounded by the Hawkesbury River to the north, by The Driftway road to the south east and by the edge of the Windsor urban area to the South East.
- A **Secondary North Trade Area (SNTA)** extending along the Bells Line of Road as far as Mount Tomah in the Blue Mountains; along Putty Road as far as Colo Heights; north east along Wiseman's Ferry Road as far as Wiseman's Ferry and Maroota; and taking in South Maroota and Cattai.
- A **Secondary East Trade Area (SETA)** to the south east of Windsor, taking in McGrath's Hill and Pitt Town.
- A **Secondary South Trade Area (SSTA)** taking in the suburb of Windsor Downs as well as lands between Castlereagh and Londonderry where there is some overlap with the Primary Trade Area for the Proposed Nepean Green Masters store.

The Primary and Secondary Trade Areas for the Masters Store and potential future bulky goods development defined by the Economic Impact Assessment are shown in **Figure 4** below.

The Trade Area indicates several key competitors of Masters currently operate in the LGA, however are dispersed in centres out of the main townships of Hawkesbury.



FIGURE 4 – MAIN TRADE AREA FOR PROPOSED MASTERS AND BULKY GOODS DEVELOPMENT



### 3 Proposed Rezoning

The Planning Proposal seeks to amend the *Hawkesbury Local Environmental Plan 2012* (the LEP) to rezone the subject site B7 Business Park to allow the site to be redeveloped as a business park with a Schedule 1 Additional Permitted Use listing to support '*bulky goods premises*'. The balance of the site will remain zoned part RU4 Primary Production Small Lots and part E2 Environmental Conservation.

The rezoning will support the first business park within LGA, and is aligned with the finding and recommendations of the *Employment Lands Study 2008*.

To facilitate the rezoning, the following amendments will be required to the LEP:

- Inclusion of the B7 Business Park zone into the LEP land use table.
- Amend Land Zoning Map Sheet LZN\_008DA to include part of the site within the new B7 Business Park zone.
- Amend Schedule 1 Additional Permitted Uses to include 'bulky goods premises' as an additional permitted use on part of the site.
- Amend APU\_008D Additional Permitted Uses Map.
- Amend Height of Buildings Map Sheet HOB\_008DA.
- Amend Lot Size Map LSZ\_008DA.

The area of land to be zoned B7 is indicated in **Figure 5** below, and the land subject to the amended Schedule 1 Additional Permitted Uses is also annotated.

As per the requirements of 2.6 Part 6 of the DP&I Guide to Preparing Planning Proposals, the projects timeframe consists of the following

- **Stage 1:** New Masters home improvement store on the north part of the site fronting the Hawkesbury Valley Way. 2015.
- **Stage 2:** Additional bulky goods stores to the north of the railway. 2015-2020.
- **Stage 3:** Proposed Business Park to the south of the railway. 2020- 2030.

#### 3.1 PROPOSED B7 ZONE

The Planning Proposal will introduce the B7 Business Park zone into the LGA. The proposed B7 zone will apply to land which has limited environmental constraints preventing development associated with business park operations. It is noted that some land proposed within the B7 zone is below the 1 in 100 year flood level, however this land may support development associated with the B7 uses which are not required to be above this flood level.

Hawkesbury LGA does not currently contain any business parks, and as such the LEP does not include a B7 Business Park land use zone. Accordingly, as part of this planning proposal a B7 Business Park zone is proposed to be incorporated into the LEP. This is outlined in detail in Section 5 of this report.

FIGURE 5 – PROPOSED SITE ZONING



PROPOSED DEVELOPMENT  
RICHMOND ROAD, CLARENDON (NSW)  
DATE: 26 SEPTEMBER 2013

|                                     |              |
|-------------------------------------|--------------|
| <b>STAGE 1</b>                      |              |
| SITE AREA                           | = 3.7 Ha     |
| HARDWARE GFA:                       | = 11,000 SQM |
| TENANCY GFA:                        | = 2,200 SQM  |
| SITE COVERAGE:                      | = 35.6%      |
| CARSPACES (MASTERS)                 | = 334 (1:32) |
| CAR SPACES (TENANT)                 | = 70 (1:31)  |
| TOTAL CAR SPACES                    | = 404        |
| <b>STAGE 2</b>                      |              |
| SITE AREA                           | = 7.6 Ha     |
| BULKY GOODS GFA:                    | = 2,800 SQM  |
| OFFICES GFA:                        | = 10,000 SQM |
| SITE COVERAGE:                      | = 16.0%      |
| CARSPACES (BG)                      | = 383 (1:7)  |
| CARSPACES (OFFICES)                 | = 136 (1:73) |
| TOTAL CARS                          | = 519 (1:28) |
| <b>STAGE 3</b>                      |              |
| SITE AREA                           | = 15.1 Ha    |
| COMMERCIAL GFA:                     | = 90,000 SQM |
| SITE COVERAGE:                      | = 60%        |
| SUB-TOTAL SITE AREA<br>STAGE 1,2 &3 | = 26.4 Ha    |
| RU4 ZONE NORTH<br>OF RAIL CORRIDOR  | = 9.7 Ha     |
| RU4 ZONE SOUTH<br>OF RAIL CORRIDOR  | = 37.9 Ha    |
| TOTAL SITE AREA                     | = 74.0 Ha    |



3037 - SK31

LEFFLER SIMES ARCHITECTS



### 3.2 SCHEDULE 1 ADDITIONAL USES

The proposed B7 Business Park zone will generally prohibit retail uses, however it is noted that some retail uses are consistent with proposed B7 Business Park objectives. Accordingly, to enable limited retail related uses within the proposed B7 Business Park zone, an amendment is proposed to Schedule 1 Additional Permitted uses to support *'bulky goods premises'*.

The location of the land which the Schedule 1 amendment will apply is north of the Richmond Railway Line, as illustrated in **Figure 5** above. This land will support a Masters Store on the north-western part of the site, and a further 5,000sq.m of bulky goods floorspace. These uses will benefit from the lands proximity to Hawkesbury Valley Way, provide a gateway presentation for the future business park, and generate funding requires to delivery key infrastructure required to support the future development of the proposed B7 Business Park land to the south of the Richmond Railway Line. The land fronting Hawkesbury Valley Way on the eastern side of the new estate road will be not benefit from the Schedule 1 additional use, and will not support retail activities.

It is envisaged that the release of the subject site will be initiated through the development of the land on the northern side of the Richmond Railway Line, generating funding will for key infrastructure upgrades necessary to support the release of the site, particularly the B7 Business Park lands to the south of the Richmond Railway Line, including:

- Railway overpass bridge which will provide access to the land south of the Richmond Railway Line.
- Roundabout on Hawkesbury Valley Way, creating the principle northern access point to the site. This will support the initial stages of development on the site, and will be aligned to the railway overpass bridge.
- Road upgrades along Hawkesbury Valley Way along the frontage of the site, to support the roundabout access to the site.
- Connection of utility infrastructure services to the site, which are essential for any future development on the site.

The landowner is committed to entering into a VPA to secure funding for this infrastructure at each stage of development. This is outlined in **Section 3.4** below.

#### 3.2.1 MASTERS CONCEPT OVERVIEW

This Planning Proposal will support the subsequent lodgement of a Development Application (DA) for a Masters Store development on the north-western portion of the site.

The Masters Store will comprise of approximately 11,000sqm of GFA, which will include a main floor area for a range of home improvement products, a nursery for landscape and garden products, a trade area for drive-thru sales of all goods, restaurant/café and associated parking. A site of approximately 3 hectares has been identified to support the Masters building, loading and car parking facilities.

The majority of the floor area of the use (approximately 70%) is proposed to be devoted to products that may fall within the definition of *'hardware and building supplies'*. The proposed Masters Home Improvement format has elements that fall into *'garden centre'* and *'landscaping material supplies'* which is estimated to comprise up to 25% of the floor area with the remaining 5% being items that would normally fall within the definition of *'bulky goods premises'*.

An indicative site plan of the Masters Store is included at **Appendix A**.



### 3.3 INFRASTRUCTURE

#### 3.3.1 ROAD UPGRADES

Road infrastructure will be required to be upgraded to support the future development in accordance with the proposed rezoning. This will include upgrades and a new roundabout to Hawkesbury Valley Way as well as a potential new connection to and upgrades of Racecourse Road.

Road infrastructure upgrades will be delivered over a number of stages responding to demand and development demand across the site. It is envisaged that funds for key infrastructure will be secured over a number of stages of development through a Voluntary Planning Agreement. However, to provide a sufficient level of certainty for the delivery of key infrastructure from the initial stage of the project, funds for the rail overpass bridge will be collected from the initial stage of development.

In addition to the sequential contribution to the rail overpass bridge, it is envisaged that the following road upgrades will be provided at each stage of development:

- Stage 1 – Masters Development
  - Construction of the new roundabout entrance to the site (modelled and constructed for the stage 1/(Masters) use only)
  - Road into the estate up to the rail line.
  - All utility infrastructures (sewer, water, electricity and telecommunications) will also be in place for Masters site.
- Stage 2 – Remainder of Land north of Richmond Railway Line
  - Upgrade the roundabout on Hawkesbury Valley Way (if required)
  - Provide a second access of Hawkesbury Valley Way at Percival Street including a secondary entrance road.
- Stage 3 – South of Richmond Railway Line
  - Construction of the railway overpass bridge.
  - Construct further access point via Racecourse Road onto Richmond Road (subject to landowner agreement).

An indicative layout plan of connection to the site from Hawkesbury Valley Way as well as connector roads within the site are included in the indicative site plans at **Appendix A**.

#### 3.3.2 RAILWAY OVERPASS

A railway overpass will be required to link the northern and southern parts of the site. The railway overpass will be funded by the development of the Stage 2 works and secured by way of a VPA. The construction of the bridge as a part of the Stage 2 works will ensure the development of the southern part of the site.

#### 3.3.3 SERVICING

An *Infrastructure Due Diligence Report* has been prepared by Mott MacDonald (**Appendix G**) to identify the existing infrastructure utilities available to the site, and any augmentations required to support development of the site in accordance with this planning proposal.

The report concluded that all services were available within the Hawkesbury Valley Way road reserve; however augmentation of most services will be required to support future development of the site. Servicing upgrades is discussed in detail in **Section 5.9.6** of this report below.



### 3.4 VOLUNARTY PLANNING AGREEMENT

The landowner has agreed to enter into a VPA as part of this Planning Proposal to provide certainty and clarity of funds being secured for key infrastructure to service the business park. While the final structure of the VPA will be resolved with council during the Planning Proposal process, it is envisaged the VPA will include funding to be secured at the following times:

**TABLE 1 – VOLUNTARY PLANNING AGREEMENT FUNDING INDICATIVE TIMEFRAMES**

| STAGE | DEV                 | WORKS                                                                                                                                           | FUNDING (ADDITIONAL TO WORKS)                                                                         |
|-------|---------------------|-------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------|
| 1     | Masters             | <ul style="list-style-type: none"> <li>Roundabout</li> <li>Estate road</li> </ul>                                                               | 10% Rail overpass funding submitted to council                                                        |
| 2     | Support bulky goods | <ul style="list-style-type: none"> <li>Upgrade to roundabout</li> <li>Second intersection and access road from Hawkesbury Valley Way</li> </ul> | 50% Rail overpass funding (DA stage)<br><br>100% Rail overpass funding (Occupation Certificate stage) |
| 3     | Business Park       | <ul style="list-style-type: none"> <li>Rail overpass</li> </ul>                                                                                 | 50% funding for Racecourse Road connection                                                            |

## 4 Planning Context

### 4.1 ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

A rezoning application must have consideration of the objects of this Act, as follows:

- (a) *to encourage:*
  - (i) *the proper management, development and conservation of natural and artificial resources, including agricultural land, natural areas, forests, minerals, water, cities, towns and villages for the purpose of promoting the social and economic welfare of the community and a better environment,*
  - (ii) *the promotion and co-ordination of the orderly and economic use and development of land,*
  - (iii) *the protection, provision and co-ordination of communication and utility services,*
  - (iv) *the provision of land for public purposes,*
  - (v) *the provision and co-ordination of community services and facilities, and*
  - (vi) *the protection of the environment, including the protection and conservation of native animals and plants, including threatened species, populations and ecological communities, and their habitats, and*
  - (vii) *ecologically sustainable development, and*
  - (viii) *the provision and maintenance of affordable housing, and*
- (b) *to promote the sharing of the responsibility for environmental planning between the different levels of government in the State, and*
- (c) *to provide increased opportunity for public involvement and participation in environmental planning and assessment.*

This submission is consistent with the objects of the Act which have been addressed in the various sections of this report. In summary this Planning Proposal shows that it is consistent with the objectives of the Act for the following reasons:

- The rezoning recognises the importance of the key natural features of the site, including its riparian corridor to Rickabys Creek, and provides appropriate preservation of these environmentally sensitive parts of the site.
- The proposed rezoning will facilitate the delivery of key infrastructure and to connect the land to the south of the Richmond Railway Line to Hawkesbury Valley Way.
- The rezoning to the B7 Business Park zone will facilitate business park development on a site which has been strategically recognised as appropriate for this type of development and secures the orderly and economic development of the land in the future.

### 4.2 ROADS ACT 1993

Hawkesbury Valley Way and Racecourse Road are classified roads. As support infrastructure for the Planning Proposal includes road upgrade works to these roads, the proposal will need Road and Maritime Service (RMS) concurrence under *Section 138 of the Roads Act 1993*.

## 4.3 CIVIL AVIATION ACT 1988

Due to the sites proximity to the Richmond Royal Australian Air Force base (the RAAF), development on surrounding sites will have additional design controls applied. Any development on the site will require a referral to the Department of Defence for concurrence, however it is noted that this is not an *integrated approval* under the *Environmental Planning and Assessment Act 1979*. As a Commonwealth body, they will provide commentary of the building design including heights, materials and finishes, and lighting associated with any development on the site.

Investigations have indicated that there are no Obstacle Limitation Surface (OLS) height-planes adopted for the site, and therefore the height permissibility of any future development will be dependent upon consultation with the Department of Defence.

## 4.4 SECTION 117 DIRECTIONS

The Section 117 Ministerial Directions (under Section 117(2) of the *Environmental Planning and Assessment Act 1979*) provide local planning direction and are to be considered in a rezoning of land. Relevant Section 117 considerations are considered in **Table 2**, below:

**TABLE 2 - SECTION117 DIRECTIONS**

| DIRECTION                                                                                                                                                                                                                                                                                                                                           | ASSESSMENT                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>1.1 Business and Industrial Zones Objectives</b></p> <p>(1) <i>The objectives of this direction are to:</i></p> <p>(a) <i>encourage employment growth in suitable locations,</i></p> <p>(b) <i>protect employment land in business and industrial zones, and</i></p> <p>(c) <i>support the viability of identified strategic centres.</i></p> | <p>The proposal is consistent with Direction 1.1 for the following reasons:</p> <ul style="list-style-type: none"> <li>▪ The proposal will have a positive employment impact in an area identified a suitable for employments lands. The proposal will increase employment lands and create a new business park.</li> <li>▪ The business park will generate in the order of 100,000sq.m of employment GFA, delivery jobs in the short, medium and long-term which align to the employment demographic of the LGA.</li> <li>▪ The Masters development will create between 130- 150 operational jobs and up to 180 direct jobs during construction.</li> <li>▪ The site has been identified as an appropriate location for a new business park through the ELS and will not compromise the viability of any strategic centres</li> </ul> |
| <p><b>1.2 Rural Zones Objectives</b></p> <p>(1) <i>The objective of this direction is to protect the agricultural production value of rural land.</i></p>                                                                                                                                                                                           | <p>The land is currently zoned part RU4 Primary Production Small Lots and part E2 Environmental Conservation, and accordingly this planning proposal will result in a loss of rural land.</p> <p>While the site is located within a rural zone, the site is not currently used for agricultural purposes and hasn't for many years. The scale of the site and its separation from other rural lands limit the long-term viability of the land for productive agricultural use.</p>                                                                                                                                                                                                                                                                                                                                                     |
| <p><b>1.3 Mining, Petroleum Production and Extractive Industries Objectives</b></p> <p>(1) <i>The objective of this direction is to ensure that the future extraction of State or regionally significant reserves of coal, other minerals, petroleum and extractive materials</i></p>                                                               | <p>According to the NSW Department of Trade and Investments (DT&amp;I's) Map- 'Mineral Resources Audit of Hawkesbury City' the subject site is not located within any identified resource areas, potential resources areas or transitional areas within the Hawkesbury LGA. There are no known existing mines, petroleum production operations or extractive industries in the area subject to the planning proposal, or in the vicinity. Given existing development within the immediate locality it is considered that the</p>                                                                                                                                                                                                                                                                                                       |

| DIRECTION                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | ASSESSMENT                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <i>are not compromised by inappropriate development.</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | proposed rezoning would not further restrict development potential or create land use conflict beyond that which currently exists.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <p><b>2.1 Environment Protection Zones Objectives</b></p> <p><i>(1) The objective of this direction is to protect and conserve environmentally sensitive areas.</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                        | <p>The LEP identifies part of the site as an area of “Connectivity Between Significant Vegetation” on the Terrestrial Biodiversity Map of LEP 2012. The south eastern boundary of the land follows a watercourse and is identified on the Natural Resource Wetlands Map.</p> <p>While part of the site is zoned E2 Environmental Conservation, this Planning Proposal does not seek to amend this zoning, and therefore will be maintained for its environmental protection purposes.</p> <p>The planning proposal is consistent with Direction 2.1 for the following reasons:</p> <ul style="list-style-type: none"> <li>▪ The proposal will not reduce the environmental protection standards that apply to the land.</li> <li>▪ The indicative layout responds to the site's environmental constraints.</li> <li>▪ The Planning Proposal includes the retention of environmentally sensitive lands adjacent to Rickabys Creek in the RU4 Primary Production Small Lots and E2 Environmental Conservation zones.</li> </ul> |
| <p><b>2.3 Heritage Conservation Objectives</b></p> <p><i>(1) The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.</i></p>                                                                                                                                                                                                                                                                                                                                                              | <p>A local heritage item known as ‘Prestonville’ is situated on a portion of the site (Lots 2 and 3 in DP 700263). This heritage item is listed in Schedule 5 Environmental Heritage of the LEP.</p> <p>The item is a dilapidated rural building, once used as a stud. While the building is identified as a heritage item its significant deterioration does not support any further retention on site. Detailed DA's in accordance with the Planning Proposal will include interpretation of this past use.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <p><b>3.4 Integrated Land Use and transport Objectives</b></p> <p><i>(1) The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives:</i></p> <p><i>(a) improving access to housing, jobs and services by walking, cycling and public transport, and</i></p> <p><i>(b) increasing the choice of available transport and reducing dependence on cars, and</i></p> <p><i>(c) reducing travel demand including the number of trips generated by</i></p> | <p>The proposal is consistent with Direction 3.4 for the following reasons:</p> <ul style="list-style-type: none"> <li>▪ The site supports the principle of integrating land use and transport.</li> <li>▪ The site exhibits good access to public and private transportation use, as it is sited on Hawkesbury Valley Way, which is a major arterial road.</li> <li>▪ Furthermore, the site has good access to public transport at Clarendon and Windsor Train Stations, providing opportunities for employees to access the site.</li> <li>▪ The proposal will provide additional employment within the LGA, which is within close proximity to existing residential areas and services.</li> </ul>                                                                                                                                                                                                                                                                                                                         |

| DIRECTION                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | ASSESSMENT                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><i>development and the distances travelled, especially by car, and</i></p> <p><i>(d) supporting the efficient and viable operation of public transport services, and</i></p> <p><i>(e) providing for the efficient movement of freight.</i></p>                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <p><b>4.1 Acid Sulfate Soils</b></p> <p><b>Objective</b></p> <p><i>(1) The objective of this direction is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils.</i></p>                                                                                                                                                                                                                                                                                 | <p>The objective of this direction is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils.</p> <p>This direction requires consideration of the Acid Sulfate Soils Planning Guidelines adopted by the Director-General of DP&amp;I. The area of land proposed for rezoning within the subject site is identified as “Class 5” (less constrained) on the Acid Sulfate Soils Planning Maps. The DP&amp;I will consider this as part of their “gateway determination” and if required can request further information/consideration of this matter.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <p><b>4.3 Flood Prone Land</b></p> <p><b>Objectives</b></p> <p><i>(1) The objectives of this direction are:</i></p> <p><i>(a) to ensure that development of flood prone land is consistent with the NSW Government’s Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005, and</i></p> <p><i>(b) to ensure that the provisions of an LEP on flood prone land is commensurate with flood hazard and includes consideration of the potential flood impacts both on and off the subject land.</i></p> | <p>The flood planning area for the site consists of those parts of the site that are below 17.4 AHD (this figure is derived from Councils adopted Hawkesbury Floodplain Risk Management Study and Plan).</p> <p>The height of the land proposed to be rezoned varies from approximately 18m to the north to approximately 11m to the south. Therefore the planning proposal is consistent within this direction.</p> <p>The Hawkesbury Floodplain Risk Management Strategy and Plan divides flood prone land up into five flood risk categories, i.e. Extreme, High, Medium, Low and Very Low and suggests that commercial and industrial development is suitable in all but the Extreme Flood Risk area. The Extreme Flood Risk area is defined as all land below the 1 in 20 year flood event level, which for the subject site is 13.8 AHD.</p> <p>It is therefore recommended that the proposed zone boundary be generally based on the 1 in 20 year flood line. Attachment 4 shows a revised proposed zone map with a zone boundary being based on the 13.5m AHD contour.</p> <p>It is anticipated that due to the flood affectation of the land the planning proposal will be referred to the Office of Environment and Heritage and the State Emergency Service for consideration.</p> |
| <p><b>6.1 Approval and Referral Requirements</b></p> <p><i>(1) The objective of this direction is to ensure the LEP provisions encourage the efficient and appropriate assessment of development.</i></p>                                                                                                                                                                                                                                                                                                                          | <p>The proposal is consistent with Direction 6.1 as it is not designated development and does not require the concurrence of the Department of Planning and Infrastructure.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |



| DIRECTION                                                                                                                                                                                                                                                                       | ASSESSMENT                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>6.3 Site Specific Provisions</b><br><b>Objective</b><br><i>(1) The objective of this direction is to discourage unnecessarily restrictive site specific planning controls.</i>                                                                                               | <p>The proposal is consistent with Direction 6.3 as it:</p> <ul style="list-style-type: none"> <li>Proposes to introduce a new zone into the LEP which will support employment growth within the area</li> <li>The Planning Proposal seeks a standard zoning which supports a range of development types.</li> <li>The inclusion of the Schedule 1 Additional Permissible Use has been proposed to allow uses which are suitable for the northern portion of the site including '<i>bulky goods premises</i>', while limiting potential for this use to occur on the balance of the site.</li> </ul> |
| <b>7.1 Implementation of the Metropolitan Plan</b><br><b>Objective</b><br><i>(1) The objective of this direction is to give legal effect to the vision, transport and land use strategy, policies, outcomes and actions contained in the Metropolitan Plan for Sydney 2036.</i> | <p>As discussed in the following section, the Planning Proposal is generally consistent with the Metropolitan Plan.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |

## 4.5 METROPOLITAN PLAN FOR SYDNEY 2036

The '*Metropolitan Plan for Sydney 2036*' (the Metro Plan) builds on the Metro Strategy '*city of cities*' approach to create a multi-cited city, with each city being supported by radial public transport, cross regional transport connections and transport connections to strategic centres that support economic activity in a range of locations.

The key overarching policy outcomes are of the *Metro Plan* include:

- Locate 50% of planned employment capacity in Western Sydney.
- Ensure more jobs are closer to home.

To achieve these overarching outcomes, the *Metro Plan* includes a number of objectives and actions. This planning proposal has been prepared having regards to the relevant objectives and actions outlined in the *Metro Plan*, and the proposals consistency with achieving these outcomes is demonstrated in **Table 3** below.

**TABLE 3 – CONSISTENCY WITH THE METROPOLITAN PLAN FOR SYDNEY 2036**

| OBJECTIVE                                                           | RESPONSE                                                                                                                                                                                                                                                   |
|---------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Strategic Direction B: Growing and Renewing Centres</b>          |                                                                                                                                                                                                                                                            |
| <b>Objective B1:</b> <i>To focus activity in accessible centres</i> | <p>The site has the following strategically accessible characteristics:</p> <ul style="list-style-type: none"> <li>Positioned between Clarendon and Windsor Railway Stations, which providing existing rail infrastructure to service the site.</li> </ul> |

| OBJECTIVE                                                                                                                    | RESPONSE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                                              | <ul style="list-style-type: none"> <li>▪ Situated on Hawkesbury Valley Way, being the principle road connection between the town centres of Richmond and Windsor.</li> <li>▪ Adjacent to key education, defence and cultural facilities, including:               <ul style="list-style-type: none"> <li>– University of Western Sydney</li> <li>– Richmond TAFE</li> <li>– Richmond RAAF Base</li> <li>– Hawkesbury District Hospital</li> </ul> </li> </ul> <p>This planning proposal will facilitate the development of the first business park within Hawkesbury. The existing surrounding land uses provide the basis for establishing a specialised centre on the site, which is currently under-supplied for in the LGA..</p> <p>The inclusion of ‘<i>bulky goods premises</i>’ as an additional permitted use is aligned with the <i>Metro Plan</i> which recognises that retailing that requires large floor areas, such as bulky goods premises, cannot always be accommodated in existing centres.</p> |
| <p><b>Action B3.1:</b> Plan for new centres in existing urban and greenfield release areas.</p>                              | <p>The <i>Metro Plan</i> recognised the location of new centres is determined on a range of factors including:</p> <p><i>“public transport access, proximity to good quality open space, primary schools, residential amenity of the area, heritage significance and adaptability of existing buildings, and market demand”.</i></p> <p>While the site is not within a greenfield release area, its strategic position between the two Hawkesbury town centres (Richmond and Windsor) provide it with good access to transport infrastructure and educational institutions, while also having sufficient separation from residential development to limit amenity impacts.</p>                                                                                                                                                                                                                                                                                                                                    |
| <p><b>Strategic Direction E: Growing Sydney’s Economy</b></p>                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <p><b>Objective E1:</b> To ensure adequate land supply for economic activity, investment and jobs in the right locations</p> | <p>The site has been identified as an appropriate location for employment land under the ELS. Accordingly, the site forms part of a strategically important precinct identified to deliver lands which will support growth in economic activity and investments in the LGA.</p> <p>Existing surrounding land uses provide opportunity for expansion of these uses onto the site, either through support industry or clustering of related industries.</p> <p>The initial stage of development to support a Masters Store will secure a known investor which would otherwise be unable to locate within the LGA. This investment will provide necessary funds to secure key infrastructure to support the release and future development of the land</p>                                                                                                                                                                                                                                                           |

| OBJECTIVE                                                                                                      | RESPONSE                                                                                                                                                                                                                                                                                            |
|----------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                                | <p>south of the Richmond Railway Line.</p> <p>Further, the Masters Store will have a positive employment impact, through the creation of between 130-150 operational jobs and up to 180 direct jobs during the construction period.</p>                                                             |
| <b>Objective E2:</b> <i>To focus Sydney's economic growth and renewal, employment and education in centres</i> | The <i>Metro Plan</i> seeks to cluster employment and education. The location of the site adjacent to the TAFE, UWS campus, and RAAF base provides the basis for the further development of a specialised centre which will deliver employment and educational uses which will benefit one another. |
| <b>Objective E4:</b> <i>To provide for a broad range of local employment types in dispersed locations</i>      | <p>The new business park will provide significant local employment opportunities as strategically identified within the ELS.</p> <p>The development of a Masters Store provides a variety of job opportunities with approximately 130-150 additional jobs within outer western Sydney.</p>          |
| <b>Strategic Direction F: Balancing Land Uses on the City Fringe</b>                                           |                                                                                                                                                                                                                                                                                                     |
| <b>Objective F1:</b> <i>To contain Sydney's urban footprint</i>                                                | The new business park is located between the town centre of Richmond and Windsor, along an established transit corridor and is an appropriate location for development.                                                                                                                             |
| <b>Objective F2:</b> <i>To maintain and protect agricultural activities and resource lands</i>                 | While the site is located within rurally zoned land, the land is not currently used for agricultural purposes and hasn't for many years.                                                                                                                                                            |

In addition the objectives and actions, the *Metro Plan* established criteria for determining the suitability of the location of a new business park. An assessment of the suitability of the site against these criteria is outlined in

**Table 4** below, which demonstrates that the site has the necessary locational characteristics to support the development of a business park in the medium to long-term.

**TABLE 4 – METROPOLITAN PLAN 2036 CRITERIA FOR BUSINESS PARK LOCATIONS**

| LOCATION CRITERIA                                                                                                                                                                                       | ACHIEVEMENT | COMMENT                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <i>Access to public transport corridors (preferably rail)</i>                                                                                                                                           | ✓           | The site is serviced by rail (Clarendon and Windsor railway stations), as well as Westbus bus services.                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <i>Links to freight corridors and major transport nodes</i>                                                                                                                                             | Partly      | Access to major road corridors is provided via Hawkesbury Valley Way. However the proposal will improve road network access by delivering key funding for road upgrades to Hawkesbury Valley Way and a new north-south link over the Richmond Railway Line.                                                                                                                                                                                                                                                                                     |
| <i>Land area (50 – 180 hectares) to allow expansion to accommodate 8,000-40,000 employees.</i>                                                                                                          | ✓           | The site consists of approximately 74 hectares, providing capacity to support approximately 100,000sq.m of business park floorspace. However, the site should be considered in its context of existing education and defence lands, which will contribute to the long-term growth of the Clarendon Business Park.                                                                                                                                                                                                                               |
| <i>Proximity to workforce (within 30 minutes commute).</i>                                                                                                                                              | ✓           | Key workforce catchments for the business park have been considered in the Demand Analysis ( <b>Appendix D</b> ). While the Demand Analysis considers there is not sufficient demand in the workforce catchment for the business park currently, forecast residential growth in the Western Sydney, particularly generated from the North-West Growth Centre, which will generate the required workforce in the medium term.                                                                                                                    |
| <i>Business Parks should have a relationship to adjoining economic infrastructure eg. Hospitals, universities, educational facilities, research institutes or clusters of knowledge-based activity.</i> | ✓           | <p>The planning proposal will provide business park zoned lands to support industries related to the existing educational, health and defence land uses which surround the site.</p> <p>Further, through the delivery of key funding to support critical infrastructure for the business park, improvements in surrounding road networks including up-grades to Hawkesbury Valley Way, and a north-south link through the site (via the rail overpass bridge) will improve road infrastructure to support growth of these specialised uses.</p> |



## 4.6 DRAFT NORTH WEST SUBREGIONAL STRATEGY

The *Draft North West Subregional Strategy* (the 'Subregional Strategy') was prepared by the State Government in 2007, providing more prescriptive subregional strategic objectives for the north-west subregion of Sydney. It is noteworthy that the objectives are based on the goals of the Metropolitan Strategy 2006, and have not been updated to reflect strategic planning goals reflected in the updated *Metro Plan*. However, the key actions of the *Subregional Strategy* which apply to this planning proposal remain largely unchanged.

The *Subregional Strategy* recognises the broad range of employment assets located in the north-west subregion which provide a variety of employment opportunities. These include University of Western Sydney campuses (including the Richmond Campus), Richmond College TAFE, Hawkesbury District Hospital and the Richmond RAAF base. These 'employment assets' surround the subject site provide a significant opportunity to attract new investment and employment into the LGA aligned to the employment profile of the north-west subregions workforce. Early delivery of these lands will also provide opportunity for this employment asset mix to attract new enterprise to service the forecast population growth in the subregion.

The planning proposal is aligned to objectives of the north-west growth centre as it will:

- Secure long-term employment lands within the LGA to support the additional 145,000 jobs targeted to for the north-west subregion by 2036 (Action A1.2).
- Builds on existing knowledge-based activities (Action A1.8).
- Delivery employment lands to support magnet assets as UWS Richmond Campus, Richmond TAFE, Richmond RAAF, and the Hawkesbury District Hospital (Action A2.3).
- Provide employment lands concurrently with the delivery of greater housing stock generated by the North-West Growth Centre (Action A3.2)

## 4.7 STATE ENVIRONMENTAL PLANNING POLICY 55 (REMEDIATION OF LAND)

*State Environmental Planning Policy No. 55 (Remediation of Land)* provides that land must be remediated to an appropriate level to cater for a proposed use.

A *Phase 1 Environmental Site Assessment* has been prepared by Geo-Logix and is included at **Appendix E**. The assessment identifies the site as having a history of agricultural land use and potential contamination issues include:

- *Widespread application of pesticides;*
- *Localised pesticide, petroleum, metals, PAH and VOC impacts surrounding former farm sheds in the northwest corner of site;*
- *Hazardous building materials from demolition of former building structures in the northwest portion of the site; and*
- *Dumping of building wastes within the dam.*

In summary this assessment concluded:

*Given the site history, Geo-Logix concludes there have been activities occurring onsite which may have resulted in contamination of the land. Further investigation would be necessary to assess the presence or otherwise of such contamination.*

As such while further investigations and potential remediation will be required for future development of the site the likelihood type of potential contamination does not preclude the site for future commercial development

#### 4.8 STATE ENVIRONMENTAL PLANNING POLICY (INFRASTRUCTURE) 2007

*State Environmental Planning Policy (Infrastructure) 2007*, sets out requirements for various public authority and infrastructure works throughout the state. In addition, it requires the referral of certain traffic generating development to the RMS during the DA assessment process.

Given the scale of the development that would ultimately be proposed at the site and likely traffic generation, the proposal would trigger *Clause 104 – Traffic Generating Development* of this SEPP, and would be required to be referred to the RMS at DA stage.

#### 4.9 DRAFT NSW ACTIVITY CENTRES POLICY MAY 2010

The *NSW Draft Activities Centres Policy (May 2010)* (draft Centres Policy) sets out the fundamental aims and principles to guide the formulation of regional and local planning strategies. The *draft Centres Policy* also provides a test and criteria for considering new and out of centre proposals.

The draft Policy establishes key principles that form a state-wide policy context for the preparation of regional and subregional strategies and LEPs, and assists in determining the best location for new retail lands.

The aims of the *draft Centres Policy* are to:

- *“Promote a network of activity centres that cater for the needs of business and places where people want to live, work, learn, play and visit;*
- *Provide sufficient flexibility within the planning system so that it can accommodate demand for a broad range of uses to help encourage investment and facilitate competition; and*
- *Provide guidance on how to manage broad scale expansion of dynamic business sectors”.*

To achieve these aims, the *draft Centres Policy* is based on six key planning principles to guide future development in and around activity centres and to provide for the emergence of new entrants.

- a) *Commercial development should be located in activity centres.*
- b) *Activity centres should be able to grow and new activity centres form in a manner that is consistent with relevant and up to date regional or sub-regional strategies.*
- c) *Market determines need for development*
- d) *The supply of development should accommodate market demand.*
- e) *Activity centres should support a range of uses and contribute to a competitive market.*
- f) *Activity centres should be well designed, sustainable and integrated with surrounding uses.*

While this planning proposal seeks to establish a new centre, it is considered consistent with these planning principles and the achievement of the *draft Centres Policy* aims in the following ways:

- Deliver a business park providing a greater diversity of employment within the LGA, promoting the north-west as a subregion where people can live work and learn.
- Support a wide range of land uses which are consistent with the objectives of the B7 Business Park zone, including a Masters Store and other large-format retailing, which have limited scope to locate elsewhere in the LGA, and accordingly increase scope for competition in large-format retail sectors.
- Create an out of centre Business Park, consistent with the recommendation of the ELS and responds to a future demand for new employment land.

- Respond to market demand for greater lands to support large-format retailing, including Masters, as well as secure land for medium and long-term market demand for office and light industrial business park uses.
- Integrated and able to accommodate support industry for surrounding land uses, including the Richmond RAAF Base, UWS Richmond campus, Richmond TAFE, and Hawkesbury District Hospital.

While the *Hawkesbury Employment Lands Strategy 2008* identifies the site as an investigation area for a business park use, it is not identified in the *Metro Plan* or *Subregional Strategy* as an activity centre or a planned activity centre. Accordingly, the *draft Centres Policy* would define the proposal as an out of centre development.

The *draft Centres Policy* provides a 'Sequential Test' and 'Site Suitability Criteria' to guide the assessment of an out of centre proposal. The proposal is considered against this test and criteria in **Section 6** below.

#### 4.10 HAWKESBURY EMPLOYMENT LANDS STRATEGY 2008

The *Hawkesbury Employment Land Strategy* (ELS) was prepared by SGS Economics and Planning and adopted by Council in December 2008.

The ELS examines employment and employment lands within LGA and recommends future strategic actions to support and enhance the economic competitiveness of the Hawkesbury region.

The study was undertaken within the employment lands planning framework set by the *Metropolitan Strategy* and *Draft North West Subregional Strategy*, adopting the employment forecasts and employment capacity targets set by the Department of Planning.

The LES provides 8 '*recommended strategies*' to address the economic prosperity of the LGA, which include:

2. *Capitalise on underutilised transport infrastructure and lobby for improved servicing.*  
Timing: Immediate
4. *Capitalise on the LGAs strategic assets to provide high quality jobs, by considering the future of land at Clarendon for a high amenity office and business development with only minor and ancillary retail development permitted.*  
Timing: Short term (within 3 years)
7. *Support specialised industry sectors of Agriculture and Government, Administration and Defence (Richmond RAAF).*  
Timing: On-going

This Planning Proposal is consistent with achieving these recommended strategies as it:

- Proposes a planning strategy to deliver new employment lands within the LGA, which will support a range of employment opportunities to capture higher levels of employment within the LGA.
- Presents a planning strategy to secure land for support industry for key strategic assets of the LGA.
- Aligns to the delivery timeframes outlined in the ELS for new employment lands, noting the delivery timeframes required for essential services and infrastructure works.
- Provides new employment opportunities for the growing skilled workforce in north-western Sydney (p31), in an area with good infrastructure such as access to the M7 Motorway.
- Supports existing centres and provides only a smaller precinct of destination retailing that is not appropriate within centres.
- Respects the environmental constraints of the site.

- Strategically positioned between Clarendon and Windsor Railway Stations, with scope for strong pedestrian and cycle links to encourage better use of existing public transport and reduce car dependence (p 38).

The ELS identifies the site for future rezoning to support a Business Park. However, when the ELS was adopted at the Council meeting of 9 December 2008, the Councillors made a resolution to limit retail activities on the site to *'only minor and ancillary retail development'*. It should be noted that discussions with Council staff and Councillors during the preparation of this Planning Proposal have indicated that this restriction on retail activity on the site was included in the ELS to prevent the potential for future development of the site to support retail activities which are currently located within the major centres of Hawkesbury (being Richmond and Windsor).

The inclusion of an amendment to Schedule 1 for the inclusion of *'bulky goods premises'* on part of the site not inconsistent with the ELS, as the planning proposal will only support retail uses which were not envisaged when the ELS was prepared, and will support:

- Retailing land uses which are best suited to out of centre locations, requiring large floorplates which cannot be accommodated in existing centres within the LGA.
- 'Destination retailing' and will not detract from the existing centres of Richmond and Windsor.
- These types of uses will gain more benefit from the valuable road frontages than that of the business park office uses.
- The indicative timing for the delivery of this business park is presented as a 'short term (within 3 years)' strategy. Given the ELS was adopted in December of 2008 it is important that the development of this site moves forward, the provision of a business development zone, supporting out of centre retailing, is the impetus to deliver the wider business park.
- Will secure key funding to deliver critical infrastructure required to gain access to the site south of the Richmond Rail Corridor.

**FIGURE 6 – CLARENDON INVESTIGATION AREA (SOURCE: EMPLOYMENT LANDS STRATEGY, P.117)**





## 4.11 HAWKESBURY LOCAL ENVIRONMENTAL PLAN 2012

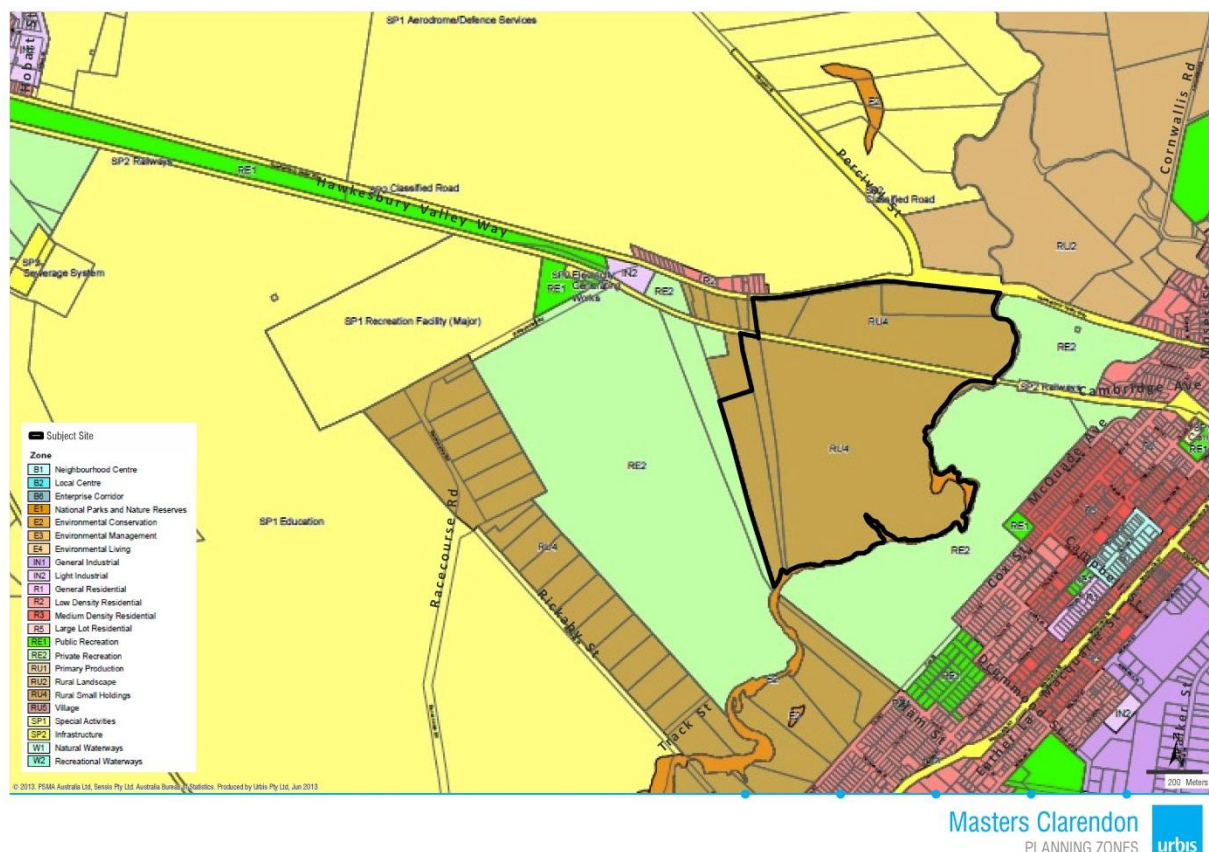
The Hawkesbury Local Environmental Plan 2012 (the LEP) was gazetted on 21 September 2012. Under the LEP the subject site is zoned part RU4 Primary Production Small Lots and part E2 Environmental Conservation as shown in **Figure 7** below.

Under the RU4 Primary Production Small Lots zone the following land uses are **permissible** with development consent in the RU4 zone (Note: All other uses are prohibited)

*Animal boarding or training establishments; Boarding houses; Boat sheds; Building identification signs; Business identification signs; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Child care centres; Community facilities; Dual occupancies (attached); Dwelling houses; Educational establishments; Entertainment facilities; Environmental facilities; Farm buildings; Flood mitigation works; Food and drink premises; Home-based child care; Home industries; Intensive livestock agriculture; Intensive plant agriculture; Jetties; Landscaping material supplies; Moorings; Places of public worship; Plant nurseries; Public administration buildings; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Registered clubs; Respite day care centres; Roads; Roadside stalls; Rural supplies; Rural workers' dwellings; Tourist and visitor accommodation; Veterinary hospitals; Water recreation structures; Water storage facilities*

Given the development of a business park will predominantly comprise development defined as 'office premises' and 'light industry', a business park is not permitted on the site and therefore a planning proposal to amend the current zone has been prepared.

**FIGURE 7 – HAWKESBURY LOCAL ENVIRONMENTAL PLAN 2012 ZONING MAP**



## 5 Proposed LEP Amendment and Rezoning Justification

This section of the report has been prepared in accordance with “A Guide to Preparing Planning Proposals” (DoPI 2012).

### 5.1 OBJECTIVES AND INTENDED OUTCOMES

As discussed, this Planning Proposal has been prepared to amend the LEP to rezone the subject site B7 Business Park, and amend Schedule 1 Additional Permitted Uses to include ‘*bulky goods premises*’ within a portion of the proposed B7 zoned land.

The future need for a business park within the LGA has been identified within the ELS, which identifies the subject site has potential to deliver the necessary land for this future development. The proposed LEP amendments will support the development of a business park on the site, and through the inclusion of additional uses, a Schedule 1 amendment the first stage of development on the site will secure funding needed to delivery key infrastructure to service the portion of the site south of the Richmond Railway Line.

The intended outcome of this Planning Proposal is to facilitate the timely development of the site for a Business Park to meet identified future demands for commercial and professional employment within the subregion. Through the inclusion of a Masters store as the first stage, funding will be secured to support the development of key infrastructure which has long lead-times for design and construction and is critical for access to the southern portion of the site south of the Richmond Railway Line.

An Indicative Site Plan for the future development of the site and for the Masters Store has been prepared and accompanies this Planning Proposal in **Appendix A**. However, the scheme is indicative only to demonstrate potential layout, position of the business park yield, access arrangements and overall site suitability. The site layout will be refined as part of the future Development Application processes once the Planning Proposal has moved through the next steps of the LEP process and the rezoning has been supported by Council and the Department of Planning and Infrastructure.



## 5.2 EXPLANATION OF PROVISIONS

This section provides an explanation of the proposed provisions of the draft LEP amendment. On 25 February 2011, the *Standard Instrument (Local Environmental Plans) Amendment Order 2011* (Amendment Order 2011) was gazetted. Terms used in this description have the same meaning in the Amendment Order 2011.

### 5.2.1 B7 BUSINESS PARK LAND USE ZONE

This Planning Proposal requests a B7 Business Park zone is inserted into the Land Use Table within the LEP and applied to the subject site as illustrated in **Figure 5** above. The proposed B7 Business Park zone is proposed as follows:

#### **Zone B7 Business Park**

##### *1 Objectives of zone*

*To provide a range of office and light industrial uses.*

- *To encourage employment opportunities.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of workers in the area.*

##### *2 Permitted without consent*

*Nil*

##### *3 Permitted with consent*

*Business Premises; [Child care centres](#); Food and drink premises; Garden centres; Hardware and building supplies; Kiosks; Landscaping material supplies; [Light industries](#); [Neighbourhood shops](#); [Office premises](#); [Passenger transport facilities](#); Plant nurseries; [Respite day care centres](#); Roads; Rural supplies; Timber yards; [Warehouse or distribution centres](#); Any other development not specified in item 2 or 4*

*(Blue = required uses to be included under standard template)*

##### *4 Prohibited*

*Agriculture; Airports, Airstrips; Amusement Centres, Animal boarding or training establishments; Boat launching ramps; Boat building and repair facilities; Boat sheds; Bulky goods premises; Camping grounds; Caravan parks; Carparks, Cemeteries; Charter and tourism boating facilities; Community facilities; Correctional Centres, Crematoria; Eco-tourist facilities; Electricity generating works; Entertainment facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Farm stay accommodation; Forestry; Freight transport facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Home based child cares, Home businesses; Home industries; Home occupations (sex services); Industrial training facilities; Industries; Information and education facilities; Jetties; Marinas; Mooring pens; Moorings; Open cut mining; Places of public worship; Port facilities, Recreation areas; Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Residential accommodation; Resource recovery facilities; Retail premises; Restricted premises, Rural industries; Rural supplies; Service stations; Sewerage systems; Sex services premises; Storage premises; Timber yards; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Waste disposal facilities; Waste or resource transfer stations; Water recreation structures; Water supply systems; and Wharf or boating facilities*

Although specific tenants within the proposed business park have not yet been identified the Business Park Demand Analysis (Urbis 2012) attached in **Appendix D** forecasts market demand for a proximately

2,749sq.m of light industrial floorspace, and 52,253sq.m of office space in the LGA within the next 25 years.

While some of this demand may be met by business parks outside the LGA, through early rezoning of the land, and support for a catalyst project such as Masters to deliver initial funding to deliver critical support infrastructure, Clarendon will be positioned to respond to demand as it comes to market.

### 5.2.2 SCHEDULE 1 ADDITIONAL PERMITTED USES AMENDMENT

An amendment to Schedule 1 is proposed to apply to portion of the site north of the Richmond Railway Line. The Schedule 1 amendment is proposed as follows:

**Clause <Insert Number>: Use of certain land at <Insert Number> as shown on the Additional Permitted Uses Map**

- (1) *This clause applies to land at Clarendon identified as <Insert Number> on the Additional Permitted Uses Map.*
- (2) *Development for the purpose of bulky goods premises is permitted with consent on the land identified as <Insert Number> on the Additional Permitted Uses Map:*
  - a) *A maximum of 5,000sq.m of bulky goods floor space is permitted within Area 4;*
  - b) *No bulky goods tenancy within Area <Insert Number> is to have a floor area less than 1,000sq.m.*
  - c) *Any Application for bulky goods retailing within Area 4 must be accompanied by an economic impact assessment to demonstrate the potential impact on existing retail precincts.*

The Schedule 1 amendment will be accompanied by an Additional Permitted Uses Map which will indicate the land which this clause applies to, as illustrated in **Figure 5** above.

### 5.3 LAND TO WHICH THE PLAN WILL APPLY

This Planning Proposal relates to the site identified in **Figure 1** above. The site is legally described as Lot 1, 2 and 3 Deposited Plan 700263, Lot C Deposited Plan 160847, Lot F Deposited Plan 164199 and Lot 2 in Deposited Plan 629053 and has a total site area of approximately 74 hectares.

### 5.4 SAVINGS PROVISIONS

It is not considered necessary to include a savings provision.

### 5.5 RELATIONSHIP TO EXISTING LOCAL PLANNING INSTRUMENTS

It is proposed that *Hawkesbury Local Environmental Plan 2012* will continue to apply to the site once gazetted and will be amended by the an LEP amendment in accordance with this planning proposal.

### 5.6 EXEMPT AND COMPLYING DEVELOPMENT

*State Environmental Planning Policy (Exempt and Complying Development Codes) 2009*, *State Environmental Planning Policy (Infrastructure) 2007* and *State Environmental Planning Policy 64 (Advertising and Signage)* apply and will continue to apply to the Site, establishing a range of exempt and complying development.

It is not proposed to incorporate further exempt and complying development provisions within the amending LEP.

## 5.7 NEED FOR THE PLANNING PROPOSAL

The Department of Planning document “*A Guide to Preparing Planning Proposals*” dated October 2013 includes the following questions in describing the need for the Planning Proposal.

### 5.7.1 IS THIS PLANNING PROPOSAL A RESULT OF ANY STRATEGIC STUDY OR REPORT?

The Planning Proposal responds to the *Hawkesbury Employment Lands Strategy 2008* (ELS) which sets the strategic position of the LGA. The ELS identified the site as a strategic area for providing employment lands, and was identified as an appropriate area for investigation for a future rezoning to support a business park.

The *Business Park Demand Analysis* (Urbis 2013) attached in **Appendix D** indicates that over the next 25 years demand for approximately 55,000sq.m of business park related uses (light industrial and office floorspace) within the LGA. However, with several business parks developing in Sydney’s north-west, early release and delivery of critical support infrastructure will be fundamental for the LGA to secure a greater proportion of job growth which will accompany population growth within north-western Sydney.

### 5.7.2 IS THE PLANNING PROPOSAL THE BEST MEANS OF ACHIEVING THE OBJECTIVE, OR IS THERE A BETTER WAY?

The planning proposal seeks to deliver approximately 34 hectares of land zoned for business park uses. Through the rezoning of the site to B7, the site will be secured to deliver a business park consistent with the ELS. While the *Demand Analysis* identified demand for business park land uses will come online in the medium to long-term, through early delivery of the a supportive zone on the site will safeguard the site for this strategic use and secure key funding for critical support infrastructure to position the site to respond as demand comes to the market.

Accordingly, it is considered that the Planning Proposal is the best means of achieving the key objective stipulated at **Section 5.1**.

## 5.8 RELATIONSHIP WITH STRATEGIC PLANNING FRAMEWORK

### 5.8.1 IS THE PLANNING PROPOSAL CONSISTENT WITH THE METROPOLITAN PLAN AND SUBREGIONAL STRATEGY?

As detailed in **Section 4.5 and 4.6** above, the Planning Proposal is generally consistent with the *Sydney Metropolitan Plan* and the *draft North West Subregional Strategy*.

### 5.8.2 IS THE PLANNING PROPOSAL CONSISTENT WITH COUNCIL’S LOCAL STRATEGY OR OTHER LOCAL STRATEGIC PLAN?

As detailed in **Section 4.10** above, the Planning Proposal is consistent with the *Hawkesbury Employment Lands Strategy 2008*.

### 5.8.3 IS THE PLANNING PROPOSAL CONSISTENT WITH APPLICABLE STATE ENVIRONMENTAL PLANNING POLICIES?

The Planning Proposal is consistent with the relevant State Environmental Planning Policies as summarised in the following table:

**TABLE 5 – APPLICATION OF STATE SIGNIFICANT PLANNING POLICIES**

| SEPP TITLE                                                                              | CONSISTENCY | CONSISTENCY OF PLANNING PROPOSAL                                                                                                                                                                                                                      |
|-----------------------------------------------------------------------------------------|-------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| SEPP 4 – Development Without Consent and Miscellaneous Exempt and Complying Development | Yes         | The Planning Proposal will not contain provisions that will contradict or would hinder the application of the SEPP.                                                                                                                                   |
| SEPP 6 – Number of Storeys in a Building                                                | Yes         | The Planning Proposal will not contain provisions that will contradict or would hinder the application of the SEPP.                                                                                                                                   |
| SEPP 22 – Shops and Commercial Premises                                                 | Yes         | The Planning Proposal will not contain provisions that will contradict or would hinder the application of the SEPP.                                                                                                                                   |
| SEPP 44- Koala Habitat Protection                                                       | Yes         | An Ecological Constraints Assessment report prepared by Travers has been attached at appendix F. This report identified that less than 15% of the site is covered by Forest Red Gum. Therefore it is not classified as land to which SEPP 44 applies. |
| SEPP 55 – Remediation of Land                                                           | Yes         | A Phase 1 Environmental Site Assessment has been prepared by Geo-Logix and is included at <b>Appendix E</b> .                                                                                                                                         |
| SEPP 64 – Advertising and Signage                                                       | Yes         | The Planning Proposal will not contain provisions that will contradict or would hinder the application of the SEPP.                                                                                                                                   |
| SEPP (Infrastructure) 2007                                                              | Yes         | The proposal has considered the relevant part of the SEPP (Infrastructure) 2007, namely traffic generating developments and is considered consistent.                                                                                                 |
| Draft SEPP (Competition) (2010)                                                         | Yes         | The proposal has considered the draft SEPP, namely the objectives to remove artificial barriers on competition between retail businesses and is considered consistent with the draft SEPP.                                                            |
| SREP 9- Extractive Industry (No 2-1995)                                                 | Yes         | The proposal would not preclude access to underground minerals at the site; however this would require detailed design consideration for DA's on the site.                                                                                            |
| SREP 20- Hawkesbury- Nepean River (No 2- 1997)                                          | Yes         | Impacts on Hawkesbury River will be assessed at detailed design phase.                                                                                                                                                                                |

#### 5.8.4 IS THE PLANNING PROPOSAL CONSISTENT WITH APPLICABLE MINISTERIAL DIRECTIONS (S.117 DIRECTIONS)?

As demonstrated through the assessment outlined in **Table 2** above, the Planning Proposal is generally consistent with the relevant Section 117 Directions.

## 5.9 ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACT

In order to understand the impact the rezoning of the site would have on surrounding land uses, an Indicative Development Concept has been prepared by Leffler Simes and is located at **Appendix A**.

This concept demonstrates that a development may be achieved on the site that will accommodate the required floor space, in an appropriate configuration given the provision of access, and respecting the surrounding land uses.

The Indicative Site Layout also seeks to demonstrate the way the interface with the adjoining development may be appropriately treated to minimise any amenity impact.

### 5.9.1 IS THERE ANY LIKELIHOOD THAT CRITICAL HABITAT OR THREATENED SPECIES WILL BE ADVERSELY AFFECTED AS A RESULT OF THE PROPOSAL?

The southern and eastern portion of the larger site contains vegetation classified as 'Connectivity Between Significant Vegetation' on the Terrestrial Biodiversity Map of LEP 2012. The indicative layout of the business park has taken this vegetation buffer into account and does not impact on this area.

An *Ecological Constraints Assessment* has been undertaken by Travers Bushfire and Ecology consultants and is included at **Appendix F**.

This assessment concluded that:

*From this review, large portions of the cleared and managed pasture areas are ecologically unconstrained and suitable for development due to the lack of native vegetation, absence of habitat features, and absence of fringing habitat to water bodies. Development areas are more constrained by potential flooding and are unlikely to result in an impact on any of the observed ecologically sensitive areas.*

While sensitive areas were identified within the study including River-flat Eucalypt Forest, Freshwater Wetlands Cumberland Plain Woodland, these communities are also located on the southern and western boundaries of the site and are not proposed to be rezoned.

### 5.9.2 ARE THERE ANY OTHER LIKELY ENVIRONMENTAL EFFECTS AS A RESULT OF THE PLANNING PROPOSAL AND HOW ARE THEY PROPOSED TO BE MANAGED?

To inform this planning proposal, a number of preliminary investigations have been undertaken to quantify the extent of environmental constraints across the site. The key findings of these investigations are summarised below:

#### 5.9.2.1 FLOODING

Under the LEP the site is identified as a flood planning area. Based on preliminary discussions with Council staff, the 1 in 100 year flood level is approximately 17.5m AHD. Any future development in accordance with the Planning Proposal located below the 1 in 100 year flood level will be designed in accordance with Council's recently adopted *Hawkesbury Development of Flood Liable Land Policy*.

Due to the flood behaviour of Rickabys Creek and the flood catchment of the site, any fill required to support development below the 1 in 100 year flood level will have a negligible impact on flood storage within the catchment. Any proposed fill or resulting flood storage impacts will be assessed at the development application stage for future development on flood liable land across the site.

#### 5.9.2.2 ECOLOGICAL IMPACT

The southern and eastern portion of the larger site contains vegetation classified as 'Connectivity Between Significant Vegetation' on the Terrestrial Biodiversity Map of LEP 2012. The indicative layout of the business park has taken this vegetation buffer into account and does not impact on this area.

An *Ecological Constraints Assessment* has been undertaken by Travers Bushfire and Ecology consultants and is included at **Appendix F**.



This assessment concluded that:

*From this review, large portions of the cleared and managed pasture areas are ecologically unconstrained and suitable for development due to the lack of native vegetation, absence of habitat features, and absence of fringing habitat to water bodies. Development areas are more constrained by potential flooding and are unlikely to result in an impact on any of the observed ecologically sensitive areas.*

While sensitive areas were identified within the study including River-flat Eucalypt Forest, Freshwater Wetlands Cumberland Plain Woodland, these communities are also located on the southern and western boundaries of the site and are not proposed to be rezoned.

#### 5.9.2.3 ACID SULFATE SOILS

Part of the site is identified as Class 3 and 4 Acid Sulfate Soils on the LEP Acid Sulfate Soils Map. This affectation is generally within the flood affected portion of the site which is not proposed to be rezoned as part of this Planning Proposal, and accordingly will retain its existing part RU4 Primary Production Small Lots and part E2 Environmental Conservation zoning.

The area of land proposed for rezoning within the subject site is identified as 'Class 5 (less constrained) on the Acid Sulfate Soils Planning Map s' held by Council.

LEP 2012 contains provisions consistent with the Acid Sulfate Soils Model LEP in the Acid Sulfate Soils Planning Guidelines adopted by the Director General of DP&I to ensure that the carrying out of works that might disturb acid sulfate soils as defined by the Acid Sulfate Map occur in an appropriate manner and that any intensification of land uses would not cause any significant adverse environmental impacts. The planning proposal does not affect these provisions. The proposed zone change of the land is of minor significance and therefore an acid sulfate soils study is not considered necessary.

#### 5.9.2.4 SOIL CONDITIONS

##### ▪ **Agricultural Land Classification**

The land is shown as being Agriculture Land Classification 2 and 3 on maps prepared by the former NSW Department of Agriculture. These lands are described by the classification system as:

2. Arable land suitable for regular cultivation for crops but not suited to continuous cultivation. It has a moderate to high suitability for agriculture but edaphic (soil factors) or environmental constraints reduce the overall level of production and may limit the cropping phase to a rotation with sown pastures, and Class 3 as:

3. Grazing land or land well suited to pasture improvement. It may be cultivated or cropped in rotation with sown pastures. The overall production level is moderate because of edaphic factors or environmental constraints. Erosion hazard, soil structural breakdown or other factors including climate may limit the capacity for cultivation, and soil conservation or drainage works may be required.

Geo-Logix conducted a limited Phase I Environmental Site Assessment (ESA) which is included at **Appendix E**.

##### ▪ **Groundwater**

The assessment identified that the groundwater would be expected to follow the natural topography and generally flow southeast towards Rickabys Creek. The nearest surface water receptors are the small dam in the northern portion of the site; two dams in the southern portion of the site; and Rickabys Creek along the south eastern and eastern boundary of the site.

##### ▪ **Geology**

The assessment states that a review of the NSW 1:100,000 Penrith Map (Geological Survey of NSW, 1991) indicates the site is underlain by Clarendon Formation Quaternary fluvial deposits of clay, clayey sand and silt. The Clarendon Formation is underlain by Londonderry Clay, matrix supported conglomerate and Ashfield Shale.

## ▪ Contamination

Site contamination is discussed in Section 4.7 of this report. There is potential for agricultural related contamination of the land. Further investigations and potential remediation will be required for future development of the site the likelihood type of potential contamination, however this does not preclude the site for future commercial development

### 5.9.2.5 VEGETATION

An Ecological Constraints Assessment has been undertaken by Travers Bushfire and Ecology consultants and is included at **Appendix F**.

This assessment concluded that:

*From this review, large portions of the cleared and managed pasture areas are ecologically unconstrained and suitable for development due to the lack of native vegetation, absence of habitat features, and absence of fringing habitat to water bodies. Development areas are more constrained by potential flooding and are unlikely to result in an impact on any of the observed ecologically sensitive areas.*

While sensitive areas were identified within the study including River-flat Eucalypt Forest, Freshwater Wetlands Cumberland Plain Woodland, these communities are also located on the southern and western boundaries of the site and are not proposed to be rezoned.

### 5.9.3 TRAFFIC, PARKING AND ACCESS

The site has ready access to both trains and buses and provides employment close to residential areas. The potential development is capable of satisfying the objectives of the *Metropolitan Transport Plan, NSW 2021* and *Integrated Land Use and Transport* policy package. To cater for the predicted traffic generation, a number of access points would be required. A Traffic Report has been prepared by Colston Budd Hunt and Kafes and is included **Appendix B** which assesses the potential implications and required upgrades of the road network to support the proposed Masters Store and business park at Clarendon. Key points of the traffic assessment are extracted below:

the planning proposal would provide for a Masters store of some 11,000sq.m, and 2,200sq.m tenancy and fast-food outlet, plus 5,000sq.m for other bulky goods uses plus some 100,000sq.m of commercial office space / industrial;

- i) *the planning proposal would provide for a Masters of 11,000m<sup>2</sup>, 5,000m<sup>2</sup> bulky goods, 10,000m<sup>2</sup> office plus 90,000m<sup>2</sup> commercial/industrial. Stage 1 would include a Masters (11,000m<sup>2</sup>) and bulky goods (2,200m<sup>2</sup>);*
- ii) *the potential development would increase employment and retail densities close to good public transport services and is consistent with government objectives to reduce private car travel and encourage public transport use;*
- iii) *a work place travel plan should be prepared for the site;*
- iv) *vehicular access would be provided from Hawkesbury Valley Way in three locations, plus a connection to Racecourse Road. Crossings of the railway line would be provided to connect the two parts of the site;*
- v) *two lane roundabouts would be provided at the two main access points to the site on Hawkesbury Valley Way, including upgrading Hawkesbury Valley Way to four lanes between the roundabouts;*
- vi) *for the first stage of development (Masters plus bulky goods), a roundabout on Hawkesbury Valley Way is proposed, with two approach lanes for some 50 metres on the Hawkesbury Valley Way approaches to the intersection, for dedicated left and right turn lanes into the site;*
- vii) *with this measure, the road network will be able to cater for the additional traffic from the first Stage of development (Masters plus bulky goods) on the site;*
- viii) *for future stages of development, the other identified road and intersection works would be implemented, as required.*

The *Traffic Report* demonstrates that the planning proposal will include key infrastructure upgrades to support additional traffic and access requires to the first stages of the planning proposal, and will provide

a significant contribution to the local and regional road network through the potential to provide a new north-south road link over the Richmond Railway Line in the medium to long-term.

#### 5.9.4 HERITAGE

'Prestonville' is situated on the site and identified as a local environmental heritage item in the LEP. However due to its dilapidated state, it is envisaged that retention of this building is unnecessary. Prior to any development on the part of the site where Prestonville is situated, a *Heritage Impact Statement* will be prepared which will include suitable recommendations for its interpretation in future development on the site.

#### 5.9.5 ACOUSTIC AMENITY

Due to the proximity of the site to the Richmond RAAF base, and the Richmond Railway Line bisecting the site, the site receives high levels of noise from off-site noise generator, limiting the types of future development which could locate on the site.

The proposed business park has limited sensitivity to noise, and the location of the additional permitted use within the portion of the site with the highest levels of noise exposure will support developments which have the lowest level of noise sensitivity.

It is also noted that a child care centre operates on the north-western adjoining property. Any development along this boundary will be designed to mitigate potential acoustic impacts and maintain the existing acoustic amenity of the child care centre.

#### 5.9.6 UTILITY INFRASTRUCTURE

An *Infrastructure Due Diligence Report* has been prepared by Mott MacDonald which assesses the existing utility services available to the site, and identifies the necessary infrastructure upgrades required to suitably service the site to support future development of the site in accordance with the proposed B7 Business Park zone.

The key findings of the report are:

- **Potable Water** – the existing water main on Hawkesbury Valley Way as sufficient capacity to support future development of the site in accordance with this planning proposal.
- **Sewer** – preliminary investigations indicated there is capacity within the existing waste water reticulation system in the vicinity of the site to service the future development of the site.
- **Electrical** – preliminary discussions with Endeavour Energy indicated that the High Voltage Linkage Point is from the Windsor Zone Substation. Due to the proposed development having a required load greater than 200A/Phase, a pad-mount substation will be required for the first stage of development.
- **Telecommunications** - Both Telstra and Optus services are available below-ground in Hawkesbury Valley Way north of the site, including fiber optic cables. These services will also be considered in the design and construction of road works associated with the future development of the site.
- **Gas** – while preliminary investigations have identified gas services within the Hawkesbury Valley Way verge, it is unlikely gas will be required to service future development of the site.

Having regard to the above, it can be concluded that the land is capable of accommodating the proposed uses and the site is able to be adequately serviced.

#### 5.9.7 AIRCRAFT NOISE AND AIRSPACE OPERATIONS

The site is in an area subject to aircraft noise from Richmond Royal Australian Air Force base (the RAAF), and its flight paths.

Of the area to be rezoned the Australian Noise Exposure Forecast (ANEF) contour levels are typically

- 25 to 35 for land north of the railway line.

- 20 to 25 for land south of the railway line.

It is anticipated that the planning proposal will be referred to the Department of Defence for consideration in accordance with its advice dated 8 December 2005 to Council.

Investigations have indicated that there are no Obstacle Limitation Surface (OLS) height-planes adopted for the site, and the height will need to be dealt with at DA stage.

## 5.9.8 HAS THE PLANNING PROPOSAL ADEQUATELY ADDRESSED ANY SOCIAL AND ECONOMIC EFFECTS?

### 5.9.8.1 SOCIAL IMPACTS

There are a number of significant community benefits arising from the effective implementation of this project. It will:

- Deliver greater opportunity for job closer to home by supplying employment lands close to residential areas including the future 70,000 new dwelling in the North West Growth Centre located 4km away, aligned with the aims of the *Metro Plan*.
- Create employment through both construction and operation of the various stages of the development.
- Delivery of employment lands that are aligned to the demographic employment profile of the LGA, with an above Sydney average proportion of the labour force in 'blue collar' work and attract a skilled labour force into the LGA consistent with the objective of the *Subregional Strategy*.
- Improve competition with the hardware and home improvement sector in the LGA.
- Provide land to support the further growth of surrounding knowledge and employment assets, including UWS campus, Richmond TAFE, Richmond RAAF and the Hawkesbury District hospital.

### 5.9.8.2 IS THERE ANY NET COMMUNITY BENEFIT?

The DP&I's "A guide to preparing a planning proposal" (October 2012) provided the requirement for the net community benefit test to help assess the merits of the Planning Proposal. The Net Community Benefit Test is adapted from the *draft Centres Policy* released for consultation in April 2009, which has since been superseded by the *draft Activity Centres Policy 2010*. While the revised "A guide to preparing a planning proposal" (October 2012) no longer requires a net community benefit assessment to be undertaken as part of a Planning Proposal, an evaluation against the 'net community benefit test' criteria is outlined in **Table 6** below.

**TABLE 6 – NET COMMUNITY BENEFIT ASSESSMENT**

| Evaluation Criteria                                                                                                                                                                            | Y/N | Comment                                                                                                                                                                                                                                                                                                                                                                                |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Will the LEP be compatible with agreed State and regional strategic direction for development in the area (e.g. land release, strategic corridors, development within 800m of a transit node)? | Yes | <p>The proposed rezoning is compatible with Metro Strategy and the North West Sub Regional Strategy for the following reasons:</p> <ul style="list-style-type: none"> <li>▪ The site is located in close proximity to Clarendon and Windsor railway stations, as well as bus services.</li> <li>▪ The proposal will not encroach on existing industrial or commercial land.</li> </ul> |
| Is the LEP located in a global/regional city, strategic centre or corridor nominated within the Metropolitan Strategy or other regional/subregional strategy?                                  | No  |                                                                                                                                                                                                                                                                                                                                                                                        |

| Evaluation Criteria                                                                                                                                                                                                                                                 | Y/N | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <i>Is the LEP likely to create a precedent or create or change the expectations of the landowner or other landholders?</i>                                                                                                                                          | No  | The proposed rezoning is unlikely to create a precedent within the locality or change the expectations of the site as its location provides a unique opportunity to deliver an identified requirement for a new business park in a location identified in the ELS.                                                                                                                                                                                                                                                                                                                                                                         |
| <i>Have the cumulative effects of other spot rezoning proposals in the locality been considered? What was the outcome of these considerations?</i>                                                                                                                  | Yes | There are no known other spot rezoning's in the locality that are being considered.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <i>Will the LEP facilitate a permanent employment generating activity or result in a loss of employment lands?</i>                                                                                                                                                  | –   | The proposal seeks to facilitate employment generating activity, and will not result in a loss of employment lands, as it is currently zoned rural.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <i>Will the LEP impact upon the supply of residential land and therefore housing supply and affordability?</i>                                                                                                                                                      | Yes | <p>The subject site is currently zoned rural. The site is located within an area identified for potential business park uses, whilst areas around the site are earmarked for future residential development.</p> <p>This planning proposal has demonstrated that the proposal will not impact on the realisation or amenity of this residential development.</p>                                                                                                                                                                                                                                                                           |
| <i>Is the existing public infrastructure (roads, rail, utilities) capable of servicing the proposed site? Is there good pedestrian and cycling access? Is public transport currently available or is there infrastructure capacity to support future transport?</i> | Yes | <p>The existing road infrastructure, surrounding the property is adequate to support the development subject to certain upgrades. This is addressed further in the Traffic Report located at <b>Appendix B</b>.</p> <p>The site is highly accessible via the local and regional road network. As discussed in the Traffic Report at <b>Appendix B</b> site access for staff, customers and servicing will be gained directly from the existing Hawkesbury Valley way, with a future connection from Racecourse Road.</p> <p>The site is located in close proximity to Clarendon and Windsor railway stations, as well as bus services.</p> |
| <i>Will the proposal result in changes to the car distances travelled by customers, employees and suppliers? If so, what are the likely impacts in terms of greenhouse gas emissions, operating costs and road safety?</i>                                          | N/A | N/A                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |



| Evaluation Criteria                                                                                                                                                                                                                            | Y/N | Comment                                                                                                                                                                                                                                                                                                                                                           |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <i>Are there significant Government investments in infrastructure or services in the area where patronage will be affected by the proposal? If so, what is the expected impact?</i>                                                            | No  | <p>The proposal does not require further government investment in public infrastructure, it will utilise the existing infrastructure and services beyond the property boundaries.</p> <p>The existing surrounding road network has sufficient capacity to support the commercial development of the site.</p>                                                     |
| <i>Will the proposal impact on land that the Government has identified a need to protect (e.g. land with high biodiversity values) or have other environmental impacts? Is the land constrained by environmental factors such as flooding?</i> | No  | <p>The site has not been identified as in need of protection.</p> <p>The planning proposal demonstrates how the development responds to the constraints on the site including flooding and the riparian zone.</p>                                                                                                                                                 |
| <i>Will the LEP be compatible/ complementary with surrounding adjoining land uses? What is the impact on the amenity in the location and wider community? Will the public domain improve?</i>                                                  | Yes | <p>The proposed LEP amendment will permit additional land uses on the site which are compatible with the surrounding land uses, including the Racecourse, University and RAAF Base.</p> <p>There will be limited impacts on the amenity of the surrounding area.</p>                                                                                              |
| <i>Will the proposal increase choice and competition by increasing the number of retail and commercial premises operating in the area?</i>                                                                                                     | Yes | <p>The proposal will increase retailing choice and competition in the LGA. The proposal will allow for the site to support new retailers and businesses into the local market, which will increase competition within the area.</p>                                                                                                                               |
| <i>If a stand-alone proposal and not a centre, does the proposal have the potential to develop into a centre in the future?</i>                                                                                                                | -   | <p>N/A – the proposal intends to accommodate a business park.</p>                                                                                                                                                                                                                                                                                                 |
| <i>What are the public interest reasons for preparing the draft plan? What are the implications of not proceeding at that time?</i>                                                                                                            | -   | <p>The proposal will support a modern business park with an element of retail product, which will improve the retailing offer to the community and provide a more competitive retailing environment.</p> <p>If the proposal was not supported, the site would remain undeveloped and its strategic potential to deliver a development of the nature intended.</p> |

### 5.9.8.3 ECONOMIC IMPACTS

The planning proposal will have a positive economic impact by creating land to support a new Business Park. The Business Park will:

- Providing land to support a wider range of jobs within the LGA, capturing employment opportunities within the LGA, which are currently unable to be supported within the LGA.
- The inclusion of the Schedule 1 amendment to support 'bulky goods' will secure a known operator within the LGA, which will generate:
  - 180 direct jobs through construction.
  - 130 – 150 jobs during operation.
- Support a Masters development which will increase competition in the home improvement sector in the Main Trade Area, in the short to medium term.
- The average impact of the initial development (Masters) on the turnover of competitors within the Main Trade Area will be approximately -3.4%. However due to growth between 2016 and 2021 this impact will largely be absorbed.
- Inject significant capital investment to the NSW Economy.
- Result in Increased expenditure retention within the Hawkesbury area reducing the amount of expenditure that is leaked to other LGAs.

Accordingly, while the Masters development will have an initial economic impact on key competitors within the Main Trade Area, the development will be the catalyst for the future realisation of the first business park in the LGA. Accordingly, the social and economic impacts of the planning proposal are considered to be overall positive in the medium to long-term.

## 5.10 STATE AND COMMONWEALTH INTERESTS

### 5.10.1 ADEQUACY OF PUBLIC INFRASTRUCTURE AND TRANSPORT INFRASTRUCTURE

The site is currently well serviced by public transport and a good local road network. The planning proposal will leverage from underutilised transport infrastructure, such as the Clarendon and Windsor railway stations. However, the planning proposal includes the delivery of funding for key infrastructure upgrades which will benefit the business park, as well as other employment areas in the LGA by:

- Upgrading Hawkesbury Valley Way to improve accessibility between the existing centres of Richmond and Windsor.
- Improving access from the LGA to regional road networks through providing a new railway overpass north-south over the Richmond Railway Line, and connecting Hawkesbury Valley Way to Richmond Road.

### 5.10.2 STATE AND COMMONWEALTH PUBLIC AUTHORITIES CONSULTATION

No consultation with State or Commonwealth authorities has been carried out to date on the Planning Proposal.

## 5.11 COMMUNITY CONSULTATION

No formal public community consultation has been undertaken to date in regard to this Planning Proposal. It is expected that this Planning Proposal will be formally exhibited and that direction as to the nature and extent of the public exhibition will be given by the Gateway Determination.

#### 5.11.1 PRELIMINARY CONSULTATION WITH COUNCIL

A meeting with Council staff took place on 30 March 2012 where the proponent presented their intentions for the site.

#### 5.11.2 PRELIMINARY CONSULTATION WITH AGENCIES AND STAKEHOLDERS

During the preparation of this planning proposal the proponent has consulted with the following agencies and stakeholders:

- Roads and Maritime Authority regarding the location and design of road works on Hawkesbury Valley Way to support the future development of the site in accordance with this planning proposal.
- RailCorp regarding land use controls adjacent to the Richmond Railway Line corridor, as well design development of a bridge overpass to connect the southern portion of the site to Hawkesbury Valley Way.
- Richmond Racecourse regarding potential to create a southern connection to the site.
- University of Western Sydney regarding needs for future educational and employment needs of their existing Richmond Campus.

## 6 Sequential Test and Site Suitability Criteria Assessment

The *NSW Draft Activities Centres Policy (May 2010)* (draft Centres Policy) discussed in **Section 4.9** above provides a test and criteria for determining the suitability of a new centre or out of centre proposal. While it is noted that the site is identified in the *Hawkesbury Employment Land Strategy 2008 (ELS)* as an investigation area for '*high amenity office and business development*', the site is not recognised in State level strategic policy as a planned centre. Accordingly this proposal constitutes a new centre under the *draft Centres Policy*, and the proposal requires assessment against the *Sequential Test and Site Suitability Criteria* to demonstrate its suitability.

The Sequential Test is a three-stage process which requiring demonstration of the following:

- Step 1 – There are no suitable sites within existing or planned new activity centres that can accommodate demand.
- Step 2 – There are no suitable sites in edge-of centre locations to satisfy demand.
- Step 3 – The proposed out-of-activity centre site meets the *Site Suitability Criteria*.

An assessment of this planning proposal against the *Sequential Test* is outlined below.

### 6.1 STEP 1: SUITABLE SITES WITHIN EXISTING OR PLANNED CENTRES

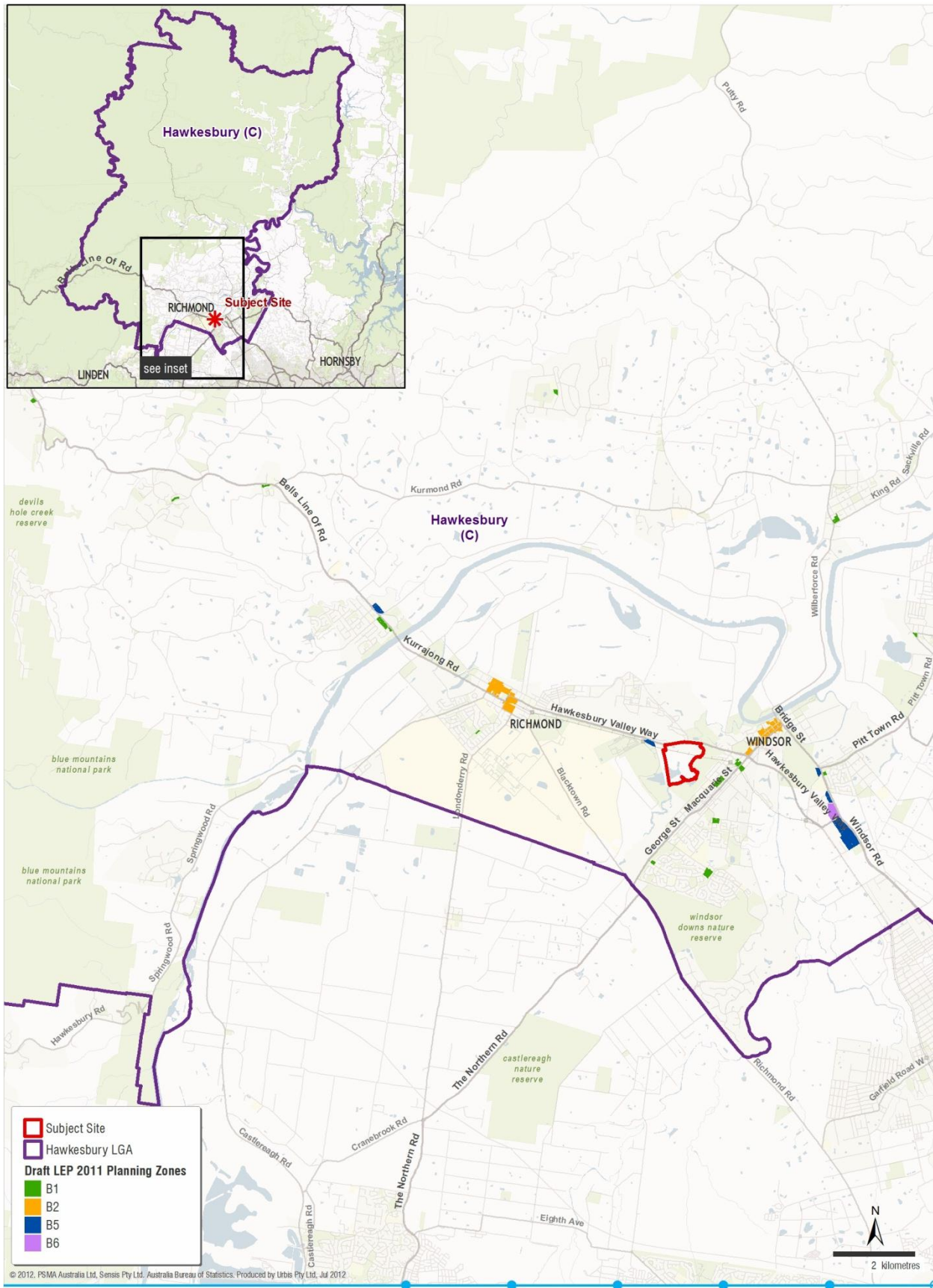
The planning proposal seeks to introduce a B7 Business Park zone into the *Hawkesbury LEP 2012*. The planning proposal seeks to support a range of office and light industrial uses on the site, as well as limited retail uses to support large-format retail stores which are compatible the business park objectives and other business park uses.

The broad nature of the proposed permissible land uses, there are a number of existing land use zones which these uses may be permitted in. Commercial uses (including office and large-format retail) are generally supported in the Business zones (B1, B2, B5 and B6) which are adopted in the *Hawkesbury LEP 2012*. The location of these land use zones is illustrated on **Figure 7** below. It is noteworthy that all business zoned land is situated in the southern sector of the LGA, and principally within the two main centres of Richmond and Windsor. Key limitations on accommodating additional business floorspace within these existing centres are:

- The majority of business zoned land within the LGA is located within the centres of Richmond and Windsor, which are heritage conservation areas, providing limited opportunity for redevelopment to accommodate modern commercial floorspace for offices or new retailing.
- The B5 and B6 zoned land at McGraths Hill is fragmented, offering limited supply of land to accommodate sufficient floorspace to for clustering of new enterprise.
- While some uses may be permissible in B1 zoned land, the objectives of the B1 zone do not support the scale and type of development envisaged for a business park.

Industrial employment lands within the LGA are generally located adjacent to B5 and B6 zoned land, as well as in edge-of-centre locations in Richmond and Windsor. However, these land uses zones do not support the mix of land uses supported in the proposed B7 Business Park zone. Further, IN1 General Industrial, and IN2 Light Industrial zoned lands are generally located adjacent to each other, which provides limited scope for employment assets to co-located in these locations.

FIGURE 8 – EXISTING BUSINESS ZONE LAND (HAWKESBURY LEP 2012)





## 6.2 STEP 2: SUITABLE SITES IN EDGE-OF-CENTRE LOCATIONS

There are 5 identified commercial centres within the LGA, which are all surrounded by land constrained by environmental factors or surrounding land use conflicts. These are summarised in **Table 7** below.

**TABLE 7 – EXISTING CENTRE EXPANSION CONSTRAINTS**

| EXISTING CENTRE         | EXPANSION CONSTRAINTS                                                                                                                                                                  |
|-------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| McGraths Hill           | Adjoining rural lands constrained by flood inundation.                                                                                                                                 |
| North Richmond          | Surrounding lands are constrained by flood inundation.                                                                                                                                 |
| Richmond                | Surrounded by established residential development and public open space.                                                                                                               |
| Windsor / South Windsor | Surrounded by established residential development, and waste treatment plant.                                                                                                          |
| Wilberforce             | Surrounding land is not connected to key utility infrastructure. Future development at this edge-of-centre location would require significant public sector infrastructure investment. |

Accordingly, existing centres provide limited scope to accommodate an expanded centre of the nature presented in this planning proposal. Further, all existing locations are not located directly adjacent to the existing employment assets which will directly benefit from the delivery of the proposed business park, enabling support industry to co-locate and cluster with these knowledge-based assets.

## 6.3 STEP 3: SITE SUITABILITY CRITERIA

The *draft Centres Policy* supports the development of business parks in existing or planned centres, however acknowledges successful business parks may be established in out-of-centre locations such as Macquarie Park based around existing knowledge and employment assets like Macquarie University. This is also supported in the selection of planned centres, such as Werrington Enterprise, Living and Learning Precinct (WELL), being a planned new employment precinct for the north-western subregion due to its proximity to the UWS and the Western Sydney Institute of TAFE.

As the subject site has similar employment asset and locational characteristics (although on a more local and LGA scale, rather than subregional scale), it has a strong basis for consideration for a new business park as outlined in this planning proposal. This is demonstrated through an assessment against the site suitability criteria outlined in **Table 8** below.

**TABLE 8 – THE CENTRES POLICY SUITABILITY CRITERIA ASSESSMENT – BUSINESS PARK ZONE**

| SITE SUITABILITY CRITERIA                                                                                                                                | PLANNING PROPOSAL                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|----------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Strategy consistent:</b> <i>is the proposed use of the site consistent with or implementing the relevant regional, subregional or local strategy?</i> | <p>The delivery of a business park on the site is consistent with the <i>Hawkesbury Employment Land Strategy 2008 (ELS)</i> which was adopted by Council in 2008.</p> <p>While the Planning Proposal seeks to support some retail activity on the site, this is consistent with the intent of the ELS, as retailing activity on the site will be limited to retailing not about to be located elsewhere on in the LGA.</p> <p>Further, the Planning Proposal is consistent with the <i>Subregional Strategy</i> by locating new centres around existing 'employment assets'.</p> |

| SITE SUITABILITY CIRETERIA                                                                                                                                                                                                                                                   | PLANNING PROPOSAL                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>Infrastructure:</b> capacity to support future demands, e.g. Traffic capacity, sewerage and water services.</p>                                                                                                                                                        | <p>The Planning Proposal will make use of underutilised rail infrastructure including the Clarendon train station.</p> <p>Further, the planning proposal will support development on the site which will facilitate the delivery of key infrastructure required to release the strategically located southern portion of the site which currently suffers from access constraints due to the Richmond Railway Line which bisects the site.</p> <p>The delivery of this key infrastructure will enable the suit to be serviced to meet the demand of the future business park development.</p>                                                                                                                                                                                                                                                  |
| <p><b>Access considerations:</b></p> <ul style="list-style-type: none"> <li>▪ Good public transport and road access for employees, customers and suppliers;</li> <li>▪ Good pedestrian access.</li> </ul> <p>If not, are arrangements in place for these to be provided.</p> | <p>The site has good access to the local and regional road network for employees, customers and suppliers. The subject site is located within the suburb of Clarendon with significant frontage to Hawkesbury Way. Hawkesbury Valley Way is a major arterial road merging with Windsor Road and provides access to Clarendon, Richmond, Hobartville and Windsor. Access to the Sydney Metropolitan Region is provided by the Westlink M7 which is located 17 mins southeast from the site via Blacktown/Richmond Road.</p> <p>The site is also well positioned directly between Clarendon Railway Station 450 metres to the west, and Windsor Railway Station 1.4 km to the south east.</p> <p>As part of the future development of the site, pedestrian infrastructure will be provided to connect the site to Clarendon Railway Station.</p> |
| <p><b>Urban design opportunities:</b><br/>Potential to:</p> <ul style="list-style-type: none"> <li>▪ Integrate with surrounding land uses;</li> <li>▪ Increase the amenity of the local area</li> </ul>                                                                      | <p>The site is situated directly adjacent to key knowledge and employment assets. The development of a business park in this location will support the growth of support industries to locate within the LGA and capture a greater diversity of employment.</p> <p>With the exception of the child care centre fronting Hawkesbury Valley Way west of the site, the surrounding land uses do not present any amenity conflicts for the development of the site as a business park.</p> <p>The location of a Masters development in the north-western corner of the site will ensure that early consideration of amenity issues can be addressed for the only sensitive receiver adjoining the site.</p>                                                                                                                                        |
| <p><b>Competing land issues:</b> impact on:</p> <ul style="list-style-type: none"> <li>▪ Housing supply and affordability;</li> <li>▪ Industrial land supply;</li> <li>▪ On choice and competition in the locality.</li> </ul>                                               | <p>This Planning Proposal will have no adverse impact on housing supply or affordability or on Industrial land supply as the land is currently unused rurally zoned land. Conversely, the planning proposal will provide employment lands which will support the forecast population growth in the LGA and nearby north-west growth centre.</p> <p>The inclusion of a Masters Store in the first stage of development will provide competition in the home improvement centre market within the Main Trade Area. While this will initially result in an average impact on turnover of -3.1%, due to growth in demand for home improvement goods in the Main</p>                                                                                                                                                                                |

| SITE SUITABILITY CIRETERIA                                                                                                                                                                                                                       | PLANNING PROPOSAL                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                                                                                                                                                                  | Trade Area this will be absorbed by 2021.                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <p><b>Proximity to labour markets: and associated housing (jobs closer to home):</b></p> <ul style="list-style-type: none"> <li>▪ For workers with required skills;</li> <li>▪ For management.</li> </ul>                                        | <p>The development of the business park will support and enhance the growing skilled workforce in western Sydney targeted in the <i>Metro Plan</i>.</p> <p>The release of land in the North-West Growth Centre will increase the local workforce. The early delivery of the Clarendon Business Park will provide employment lands for the medium and long-term demand for jobs closer to home generated from the planned population growth, particularly as existing business parks such as Norwest reach capacity.</p> |
| <p><b>Environmental Considerations:</b></p> <ul style="list-style-type: none"> <li>▪ Hazards, such as flooding, bushfire, or coastal, contaminated land.</li> <li>▪ Opportunities to contribute positively to environmental outcomes.</li> </ul> | <p>The site is flood affected. The planning proposal has considered this site constraint and consequently proposes only to rezone the land area above 1 in 20 flood level as B7 zoning. The zoning for the rest of the site area remains unchanged.</p>                                                                                                                                                                                                                                                                 |
| <p><b>Public benefit considerations:</b></p> <ul style="list-style-type: none"> <li>▪ Provides a broader public benefit from being located at the alternative site.</li> </ul>                                                                   | <p>The proposed rezoning of the site will provide the following broader public benefits:</p> <ul style="list-style-type: none"> <li>▪ Will delivery zoned land to attract employers into the LGA.</li> <li>▪ Will deliver jobs closer to home for the LGA population, reducing travel to work time and costs.</li> <li>▪ Improve utilisation of existing rail infrastructure.</li> <li>▪ Attract funding to deliver key infrastructure to support the growth of employment within the LGA.</li> </ul>                   |

## 7 Conclusion

This Planning Proposal is submitted to request an amendment to the LEP to enable the creation of a new Business Park within Hawkesbury. The inclusion of the Schedule 1 amendment to allow '*bulky goods premises*' on part of the subject site will support the initial stage of development, being a Masters store, which will deliver key infrastructure to support the site realisation as a business park in accordance with the *Hawkesbury Employment Lands Strategy 2008*.

As part of the planning proposal, the Proponent will enter into a Voluntary Planning Agreement to secure future funding for the rail overpass bridge providing access from Hawkesbury Valley Way to the portion of the site south of the Richmond Railway Line.

The Planning Proposal highlights most relevantly that:

- The *Hawkesbury Employment Lands Survey 2008* identifies the site as appropriate for investigation for rezoning to provide a B7 Business Park.
- The proposed B7 Business Park zone will provide land to address the existing gap of land suitably zoned for commercial and office related land uses within the Hawkesbury LGA.
- Position the first business park in the LGA to capitalise on the clustering of existing 'employment assets' around the site including the RAAF, UWS, TAFE and Hawkesbury District Hospital.
- The site is of a sufficient size to support a business park, however is adjacent to knowledge assets which will contribute to creating a larger employment lands precinct.
- Early rezoning of the land will facilitate the funding and delivery of key infrastructure, to position the site to respond to investor interest as it comes to market.
- While the Main Trade Area of the site will be impacted by the proposal in the initial stages of operation of the Masters, growth in demand for home improvement goods will result in impacts being largely absorbed within the first 5-years of trade.
- The inclusion of the Schedule 1 amendment to permit '*bulky goods premises*' on part of the site will support land uses which are otherwise not able to locate within Hawkesbury LGA due to the limited land available to support the floorplate and parking requirements of these operators.
- The Schedule 1 amendment will provide land for a known operator (Masters) to locate within the Hawkesbury LGA, and initiate development on the site.
- The Schedule 1 amendment will support uses which will be delivered ahead of market demand for the business park uses, however will generated the needed funding to support the development of key infrastructure which requires extensive lead times for design and delivery.
- The proposed development will have a positive employment impact.
- The site is generally cleared and unused and has minimal environmental constraints, and those constraints such as flooding and ecologically significant landscape have been adequately addressed.
- The proposed is generally consistent with the Metropolitan Plan for Sydney 2036, relevant SEPPs, draft NSW Activity Centres Policy and Section 117 Directions.

In the absence of any adverse environmental impacts and in considering the community and economic benefits of the proposed Business Park Use, we recommend that Council implement this proposal.

It is therefore requested that the Council resolve to forward this Planning Proposal to the Department of Planning and Infrastructure for LEP Gateway determination is accordance with the *Environmental Planning and Assessment Act 1979*.







## Appendix A

## Indicative Site Plans

## Appendix B

## Traffic Assessment

## Appendix C

## Economic Impact Assessment

## Appendix D

## Business Park Demand Analysis

## Appendix E

## Phase 1 Contamination Assessment



## Appendix F

## Flora and Fauna Report

## Appendix G

## Utility Services Report

**Sydney**

Tower 2, Level 23, Darling Park  
201 Sussex Street Sydney, NSW 2000  
**t** +02 8233 9900  
**f** +02 8233 9966

**Melbourne**

Level 12, 120 Collins Street  
Melbourne, VIC 3000  
**t** +03 8663 4888  
**f** +03 8663 4999

**Brisbane**

Level 7, 123 Albert Street  
Brisbane, QLD 4000  
**t** +07 3007 3800  
**f** +07 3007 3811

**Perth**

Level 1, 55 St Georges Terrace  
Perth, WA 6000  
**t** +08 9346 0500  
**f** +08 9221 1779

Australia • Asia • Middle East  
**w** [urbis.com.au](http://urbis.com.au) **e** [info@urbis.com.au](mailto:info@urbis.com.au)