

THE HILLS SHIRE COUNCIL

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28 February 2018

Ms Ann-Maree Carruthers
Director, Sydney Region West
Planning Services
Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

Our Ref: 8/2018/PLP

Dear Ms Carruthers

PLANNING PROPOSAL SECTION 56 NOTIFICATION

**Draft The Hills Local Environmental Plan 2012 (Amendment No. (#)) - to amend
Schedule 1 – Additional Permitted Uses to facilitate a bulky goods development at
328-334 Annangrove Road, Rouse Hill**

Pursuant to Section 56 of the *Environmental Planning and Assessment Act 1979* (EP&A Act), it is advised that at its meeting of 13 February 2018 Council considered a report on the above planning proposal and resolved as follows:

"A planning proposal be forwarded to the Department of Planning and Environment for a Gateway Determination to amend The Hills Local Environmental Plan 2012 as follows:

- a. Amend Schedule 1 to include 'bulky goods premises' as an additional permitted use on land at 328-334 Annangrove Road, Rouse Hill; and*
- b. Identify land at 328-334 Annangrove Road, Rouse Hill on the Additional Permitted Uses Map."*

Please find enclosed the information required in accordance with the guidelines 'A guide to preparing planning proposals' issued under Section 55(3) of the EP&A Act. The planning proposal and supporting materials is enclosed with this letter for your consideration.

Following receipt by Council of a Gateway Determination, Council will proceed with the planning proposal. Any future correspondence in relation to this matter should quote reference number 8/2018/PLP. Should you require additional information, please contact Ashley Cook, Senior Town Planner, on 9843 0382.

Yours faithfully



Stewart Seale
MANAGER - FORWARD PLANNING

Attachment: Planning Proposal and Supporting Material (8/2018/PLP)

PLANNING PROPOSAL

LOCAL GOVERNMENT AREA: The Hills Shire Council

NAME OF PLANNING PROPOSAL: Proposed The Hills Local Environmental Plan 2012 (Amendment No (#)) – to amend Schedule 1 - Additional Permitted Uses to facilitate a bulky goods development at 328 – 334 Annangrove Road, Rouse Hill.

ADDRESS OF LAND: The subject site is known as 328–334 Annangrove Road, Rouse Hill (Lot 34 DP834050 and Lots 12 and 13 DP833069)

SUMMARY OF HOUSING YIELD:

	EXISTING	PROPOSED	NET CHANGE
Dwellings	2	0	-2
Jobs	0	857*	+857

*based on an employment ratio of 1 job per 70m² of GFA

SUPPORTING MATERIAL:

Attachment A	Assessment against State Environment Planning Policies
Attachment B	Assessment against Section 117 Local Planning Directions
Attachment C	Council Report and Minute, 13 February 2018
Attachment D	Proponent's Planning Proposal and Supporting Material, November 2017 <ul style="list-style-type: none">• Planning Proposal Report, prepared by City Plan Strategy and Development dated November 2017• Survey Plan, prepared by Leffler Simes Architects dated 29 September 2017• Ecological Assessment Report, prepared by Keystone Ecological dated 3 November 2017• Traffic Report, prepared by TDG dated October 2017• Economic Needs Assessment, prepared by Leyshon Consulting dated November 2017• Tenant Possibilities and Market Research, prepared by Deep End Services dated 25 August 2017• Development Concept, prepared by Leffler Simes Architects dated January 2018• Additional Ecological Response, prepared by Keystone Ecological dated 23 January 2018

THE SITE:

The site, known as 328–334 Annangrove Road, Rouse Hill, consolidates three (3) lots (Lot 34 DP834050 and Lots 12 and 13 DP833069) and has an area of six (6) hectares. The site is currently zoned B6 Enterprise Corridor and SP2 Infrastructure (Local Road Widening) under The Hills Local Environmental Plan 2012. Land to the south is zoned IN2 Light Industrial and land to the north is also zoned B6 Enterprise Corridor. Land to the west is located within the Box Hill Growth Centres Precinct and is zoned B6 Enterprise Corridor.

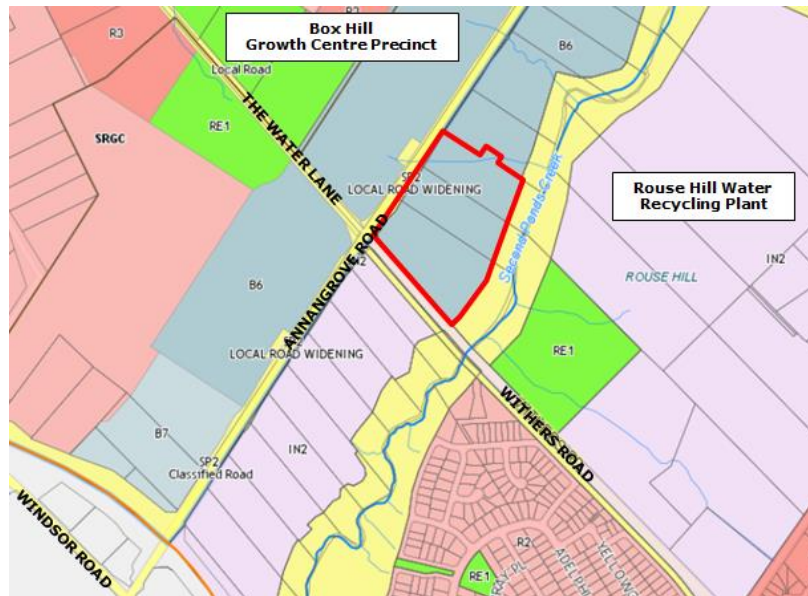


Figure 1

Zoning of the site and surrounding locality (site outlined red)

The property is regular in configuration with a frontage to Annangrove Road of approximately 245 metres and a frontage to Withers Road of approximately 220 metres. The northern portion of the site features an unnamed tributary of Second Ponds Creek and is vegetated by Cumberland Plain Woodland (a Critically Endangered Ecological Community under the Biodiversity Conservation Act 2016). The site currently contains two (2) dwellings.

The locality comprises a mix of land uses including, light industrial uses, low density residential and rural land. The locality is undergoing transition from rural undeveloped land to urban and business/industrial land uses. The Rouse Hill Water Recycling Plant site is 120 metres to the east.



Figure 2

Aerial view of the site (site outlined yellow)

PART 1 OBJECTIVES OR INTENDED OUTCOME

The planning proposal seeks to enable a commercial development outcome comprising approximately 60,000m² of bulky goods floor space.



Figure 3

Photo Montage of Proposed Development Concept

PART 2 EXPLANATION OF THE PROVISIONS

To facilitate the proposed development outcome, it is recommended that the following amendment be made to LEP 2012:

1. Amend Schedule 1 to include 'bulky goods premises' as an additional permitted use on land at 328–334 Annangrove Road, Rouse Hill; and
2. Identify the site as "Item 22" on the Additional Permitted Uses Map.

PART 3 JUSTIFICATION

SECTION A - NEED FOR THE PLANNING PROPOSAL

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

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

Precinct Planning for this area was undertaken in 2014 and resulted in rezoning from IN2 Light Industrial to B6 Enterprise Corridor and reducing minimum lot sizes from 8,000m² to a mix of 2,500m², 4,000m² and 8,000m².

The objectives of the rezoning were to stimulate development and employment generation within the Edwards Road Precinct by facilitating a different type of industrial product and subdivision pattern from what has traditionally been offered within The Hills Shire. The planning proposal amendments were made on 4 July 2014.

An Economic and Employment Study prepared by SGS Economics and Planning identified Bulky Goods Premises as typically being large, one-story buildings surrounded by car-parking, usually located out of centre and in high exposure (main road) locations. The Study considered bulky goods premises to be unsuitable in the precinct as the Standard Instrument LEP objectives of the B6 Enterprise Corridor zone aimed to limit retailing activity.

Notwithstanding this, the subject planning proposal is considered to have sufficient strategic and site specific merit to warrant proceeding to Gateway Determination. The proposal is unlikely to impact on the viability of the Rouse Hill Major Centre or the planned town centres within Box Hill or North Kellyville. Future employment development within this precinct will support these centres by providing employment opportunities (including industrial, business and office) for surrounding residents. Future public transport services identified as part of the planning for the North West Growth Centre and the Sydney Metro Northwest will also ensure that the employment area integrates with the identified strategic centres.

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

The proponent has suggested either rezoning the land to B5 Business Development (within which bulky goods would be permitted) or alternatively, identifying bulky goods development as an additional permitted use on the site through Schedule 1 of LEP 2012.

The objectives of the existing B6 Enterprise Corridor zone applicable to the site include:

- To promote businesses along main roads and to encourage a mix of compatible uses;
- To provide a range of employment uses (including business, office, retail and light industrial uses); and
- To maintain the economic strength of centres by limiting retailing activity.

As significant employment investigations have already been completed with respect to the Edwards Road Precinct, it is important that business and office premises continue to be the predominant land uses in the Precinct. This is particularly reflected in the zone objective to "limit retailing activity". Although bulky goods premises are technically defined as retail premises, as detailed within this report there is sufficient strategic and site specific merit to allow the proposed use on the site.

Should the site be rezoned to B5 Business Development, Business Premises and Office Premises would be prohibited, contrary to the outcomes envisaged for the Precinct. Further, the proponent is only seeking the ability to undertake bulky goods premises, rather than reducing the permissible range of commercial uses.

To support the planned outcomes for the Edwards Road Precinct, whilst still enabling flexibility for a bulky goods development on this particular site, the most appropriate mechanism would be to enable the proposed use as an additional permitted use under Schedule 1 of LEP 2012 (retaining the site's existing zoning as B6 Enterprise corridor). This mechanism would also allow for greater flexibility in future development and use of the site to incorporate business uses as well as bulky goods.

No amendments to other planning controls applicable to the land are sought, including floor space ratio (1:1) or height (16 metres), and no amendments to the Hills Development Control Plan are proposed or required.

SECTION B - RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK

3. Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy?

Yes, a discussion of consistency is provided below.

- **A Plan for Growing Sydney**

Direction 1.4 of A Plan for Growing Sydney aims to improve the scale and mix of job opportunities to help more people work closer to home and reduce commuting times, making

Sydney more productive. The planning proposal would diversify the types of jobs available in this area and is considered to be consistent with the objectives of this Direction.

Rouse Hill is listed as a Strategic Centre in this State Government Strategy and is located between two precincts of the North West Growth Centre (Box Hill and North Kellyville), seen in Figure 4 below.

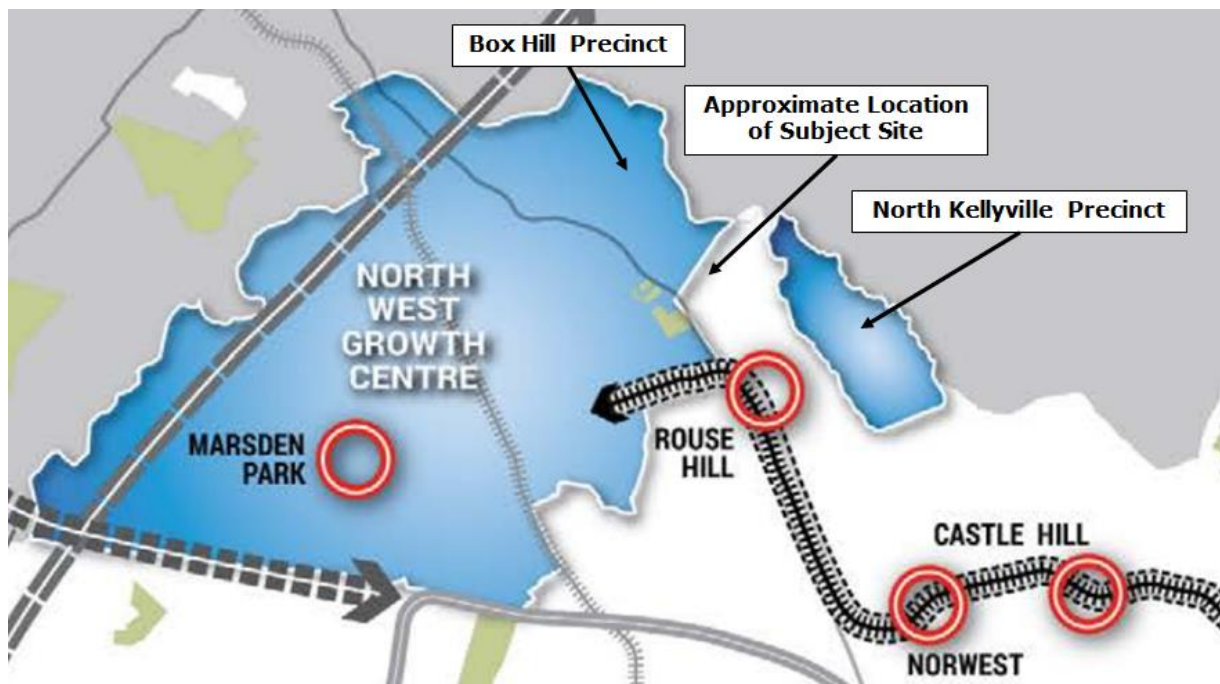


Figure 4

Excerpt from A Plan for Growing Sydney connecting population growth to jobs

Direction 1.7 aims to plan for adequate retail and commercial capacity in centres by developing demand and supply data sets for office and retail development. The planning proposal is supported by an Economic Needs Assessment (prepared by Leyshon Consulting Pty Ltd dated November 2017) that provides a demand and supply analysis for the locality, taking into account the anticipated population growth from the North West Growth Centre Precincts and the Sydney Metro Northwest as well as the loss of land zoned for bulky goods as a result of the Railway Precincts.

- **Draft Greater Sydney Region Plan**

The Draft Region Plan aims to engage with the retail sector on its changing planning requirements and update planning controls as required. Over the past few decades, the retail industry has been affected by a broad range of trends and new technologies. In 2016, Australians spent an estimated \$21 billion on online retail with NSW contributing 34.9 per cent of this, well ahead of Victoria (23.7 per cent), Queensland (18.2 per cent) and Western Australia (11.2 per cent).

Online retail remains a relatively small proportion of spending on bricks and mortar retail compared to other countries at 7.1 per cent in 2016. However, Australia's adoption of consumer technology, increasing desire for innovative experiences, and the rise of online-only stores such as Amazon, has retailers reviewing their store formats, improving their online presence and in some cases significantly reducing their retail floor space.

While physical shop fronts will continue to play an important role, their functions and purpose will change depending on the market capacity to adopt new technology and digital platforms. The Economic Needs Assessment submitted with the planning proposal considers that online spending will have a lesser impact in the bulky goods sector than it will for other sectors of retailing activity in Australia.

Facilitating a bulky goods development through an additional permitted use, rather than rezoning, will enable fluidity in land uses to better respond to the changing demand for retail operations and is considered to be consistent with the Region Plan's aim to respond to changing requirements and to update planning controls accordingly.

- **Revised Draft Central City District Plan**

The draft Plan acknowledges that Rouse Hill provides retail and community services to a large population catchment in Sydney's north-west. A future Sydney Metro station provides the opportunity for commercial developments and a greater proportion of knowledge intensive jobs.

Planning Priority 10 of the draft Plan aims to grow investment, business opportunities and jobs in strategic centres. Areas highlighted orange in Figure 5 have been identified for future jobs and services to meet the needs of current and future surrounding residents. Action 48 of District Plan aims to strengthen Rouse Hill by investigating opportunities for future expansion of the centre. Land that has been outlined red on Figure 5 has been recently rezoned for predominately residential development (located at Lot 5 Commercial Road 2/2016/PLP). This land was previously zoned B5 Business Development which permits bulky goods premises.

While the subject site itself is not identified by the draft Plan, it is in close proximity to identified land and will contribute to economic growth in the locality.



Figure 5

Excerpt from Revised Draft Central City District Plan identifying areas for jobs and services

The subject site has been identified as industrial and urban services land within the draft Plan.

The draft plan states that there may be a need to review the list of appropriate activities within any precinct, considering evolving business practices and how they can best be supported through local environmental plans' permitted uses. Any review should take into consideration findings of the industrial, commercial and centres strategies for the local government area and/or district.

The planning proposal is supported by an economic needs assessment and responds to market demand and a lack of development uptake within the precinct without reducing any permissible uses or allowing a development that would challenge zone objectives.

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

Yes, a discussion of consistency is provided below.

- **The Hills Future Community Strategic Plan**

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

The proposal is consistent with the vision and objectives of The Hills Future – Community Strategic Plan as it will create additional local jobs and provide confidence to adjoining owners wanting to deliver commercial developments with reasonable certainty on economic viability.

- **Local Strategy**

The Centres Direction was informed by an economic analysis undertaken by Hill PDA assessed on the assumption that the Hills would increase by approximately 100,000 residents by 2031 (from the 130,000 residents in 2006). On the basis of the projected population growth, Hill PDA's retail analysis identified the demand for an additional 81,000m² of bulky goods floor space to meet the Shire's needs to 2031.

The Hills population is now expected to grow to around 250,000 residents by 2036 (Forecast ID). Accordingly, the demand for additional floor space is expected to increase. While supermarket, department store and specialty retail floor space would be fairly well covered within most centres, there has not been any additional land zoned for bulky goods floor space since the Direction was adopted.

The Centres Direction recommends clustering bulky goods developments so that they don't detract from centres with a primary focus on the Castle Hill industrial area and Norwest Business Park, shown as blue filled squares in Figure 7. A potential bulky goods precinct was identified for the Rouse Hill Area, shown as a blue dashed box in Figure 7.

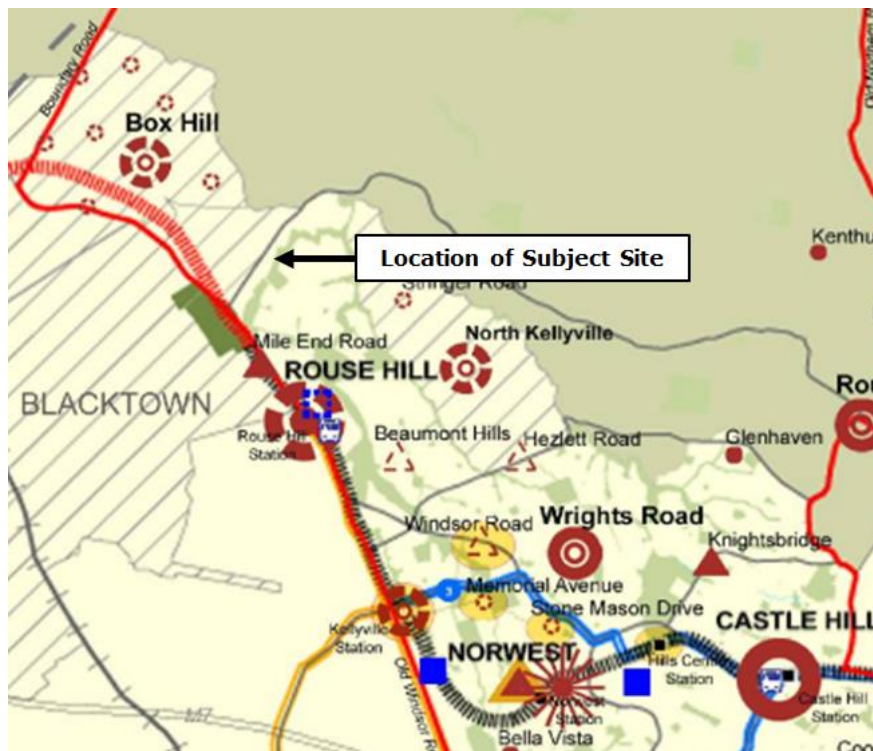


Figure 7

Excerpt from Local Strategy Centres Direction

The Direction states that consideration of additional floor space should be based on the identified demand and be contained within bulky goods precincts. A wider distribution of such precincts may be desirable with potential locations to consider the typology.

A site in Rouse Hill that was zoned for bulky goods floor space has recently been rezoned for residential purposes. Further, land identified for bulky goods development in Norwest Business Park has been rezoned from B5 Business Development to B7 Business Park as the Bella Vista Railway Station Priority Precinct. The Local Strategy identified bulky goods as a key retail land use with additional demand that had not been met with the existing zoned land. Given that these locations are no longer zoned for bulky goods development and that the Castle Hill Industrial Area is the main location for this use, it is appropriate to identify additional sites to meet any demand.

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

The planning proposal is consistent with all applicable State Environmental Planning Policies. An assessment of the proposal against applicable State Environmental Planning Policies is provided in Attachment A.

- **SEPP 55 – Remediation of Land**

There may be potential for land contamination on the subject site due to previous agricultural land uses. However, as the planning proposal does not propose a zoning change, the SEPP does not strictly apply. The Policy requires a planning authority to consider the possibility that a previous land use has caused contamination of the site as well as the potential risk to health or the environment from that contamination.

A review of historic aerial photography from 1947 and 1961 was undertaken during the assessment of the Edwards Road Precinct, determined that the precinct has primarily been used for rural residential purposes. However, it is likely that some properties were previously used for minor agricultural activities. Whilst agricultural activities are identified within Table 1 of the Contaminated Land Planning Guidelines as a 'possible activity that may cause contamination', given the low intensity of these uses within the precinct the risk of

contamination is considered to be low. Accordingly, a contamination assessment is not considered to be necessary at this stage of the plan preparation process.

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

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

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

- **Direction 1.1 Business and Industrial Zones**

The objections of this Direction are to:

- Encourage employment growth in suitable locations,
- Protect employment land in business and industrial zones, and
- Support the viability of identified centres.

The planning proposal maintains the provision of commercial premises and the associated employment opportunities for the locality and will encourage employment growth within an identified employment precinct that has struggled to spark commercial interest. The planning proposal will assist in delivering Council's desired outcome for the precinct and is consistent with this Direction.

- **Direction 3.4 Integrated Land Use and Transport**

The subject site is well placed in a commercial precinct with good access to bus services. The planning proposal will enable more jobs closer to home, reducing commuting times and increasing the viability of public transport as a primary mode of transport. Accordingly, the planning proposal is consistent with the objectives of this Direction.

- **Direction 6.1 Approval and Referral Requirements**

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

- **Direction 6.3 Site Specific Provisions**

This Direction applies *"when a relevant planning authority prepares a planning proposal that will allow a particular development to be carried out"* and requires that a planning proposal must either:

- a) allow that land use to be carried out in the zone the land is situated on, or
- b) rezone the site to an existing zone already applying in the environmental planning instrument that allows that land use without imposing any development standards or requirements in addition to those already contained in that zone, or
- c) allow that land use on the relevant land without imposing any development standards or requirements in addition to those already contained in the principal environmental planning instrument being amended.

This Planning Proposal seeks to amend the Schedule 1 Additional Permitted Uses within the LEP while retaining the existing B6 Enterprise Corridor zoning of the site. To support the planned outcomes for the Edwards Road Precinct, whilst still enabling flexibility for a bulky goods development on this particular site, the most appropriate mechanism would be to enable the proposed use as an additional permitted use under Schedule 1 of LEP 2012 (retaining the site's existing zoning as B6 Enterprise corridor). This mechanism would also allow for greater flexibility in future development and use of the site to incorporate business uses as well as bulky goods.

The planning proposal to amend Schedule 1 is consistent with the Direction's objective to discourage unnecessarily restrictive site specific planning controls as it will increase permissible uses on the site.

SECTION C - ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACT

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

While one of the lots making up the site is substantially cleared, the remaining two lots are significantly constrained by Cumberland Plain Woodland, a critically endangered ecological community under the Biodiversity Conservation Act 2016. The vegetation on the site is of varying quality due to previous and current land use, degree of disturbance and extent of weed invasion.

The Preliminary Ecological Assessment submitted with the planning proposal (prepared by Keystone Ecological dated 3 November 2017) recommends the preservation of 5,000m² of significant vegetation at the rear of the site. This outcome would allow for a more contiguous bushland area adjoining the Sydney Water owned riparian corridor and Second Ponds Creek at the rear of the site.

As there is potential habitat for Cumberland Plain Land Snail and Dural Woodland Snail on the site, the Assessment Report recommends that immediate pre-clearing surveys are undertaken in likely habitat and an approved relocation protocol implemented if animals are found. This would be required to be undertaken prior to a development application as a requirement of the Biodiversity Conservation Act 2016.

Noting the intensity of redevelopment sought through the proposal and more broadly through the precinct planning for the Edwards Road Precinct, the existing significant vegetation is expected to be subject to direct detrimental impact. In an attempt to minimise the loss of vegetation, the proponent has amended the development concept to preserve the most significant vegetation in the front of the site. Notwithstanding, it may be more appropriate to retain a larger contiguous area at the rear of the site rather than two disjointed areas.

The proposal mentions future participation in the Biodiversity Offset Scheme (formerly known as Biobanking Scheme). When assessing the proposal against the Biodiversity Conservation Act 2016, the concept development is considered to result in a "serious and irreversible impact" (SAII) on the site's biodiversity values. Consequently, Clause 7.1 of the Biodiversity Conservation Act would prevent a consent authority from granting development consent on any activity defined under Part 4 of the Environmental Planning and Assessment Act 1979, without the biodiversity values being quantitatively assessed and fully offset in accordance with the requirements under the Biodiversity Offset Scheme to remove the site's association with "serious and irreversible impact".

This would be expected to be done prior to the lodgement of any development application on the site, regardless of whether the planning proposal is successful or not. Should the proposal be progressed, it is anticipated that consultation with the Office of Environment and Heritage would be required as a condition of any Gateway Determination issued.

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

Traffic Impacts

The subject site is situated on two prominent street frontages with significant road upgrades identified for the locality (including intersection upgrade at the corner of Annangrove Road and Withers Road and upgrades to Annangrove Road). It is anticipated that access to the site from Annangrove Road will require a left-in left-out arrangement with the construction of a concrete median along Annangrove Road proposed by the Roads and Maritime Services. Should the proposal progress, it is anticipated that consultation with the Roads and Maritime Services would be required as a condition of any Gateway Determination issued, where access arrangements can be further detailed. Ultimately, it is considered that the proposed use would have negligible traffic impacts in comparison to the range of uses that would already be permitted on the site under current controls.

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

Land Use Conflicts

The subject site is separated from residential land uses and the use of the land for bulky goods is unlikely to significantly impact on surrounding land uses (anticipated business and office uses). With respect to bulk and scale, a bulky goods development on the site is expected to be of the same bulk, scale and built form as development already permitted under the existing controls as it will be required to meet the existing floor space ratio, height and Development Control Plan standards (including setbacks) to ensure a consistent built form throughout the Precinct.

Economic Viability

Generally speaking, out-of-centre retailing has not been supported as it can impact on the economic viability of centres. The Castle Hill Industrial Area contains several bulky goods developments and does not detract from the retailing success of the Castle Hill Town Centre. The subject site is located a similar distance from the Rouse Hill Town Centre and is unlikely to reduce the economic viability of the Centre.

There is demand for additional bulky goods floor space within the Hills. As a result of the significant loss in bulky goods zoned land in other parts of the Shire, the site's proximity to Kellyville and Box Hill and the lack of commercial uptake in the Edwards Road Precinct, the planning proposal may assist in stimulating future development in the Precinct.

SECTION D - STATE AND COMMONWEALTH INTERESTS

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

The proposal will not result in any additional floor space than that envisioned under Contributions Plan No. 11 – Annangrove Road Light Industry. As development uptake in this area is slow to take off, the planning proposal will assist in funding the delivery of the items listed within the Contributions Plan.

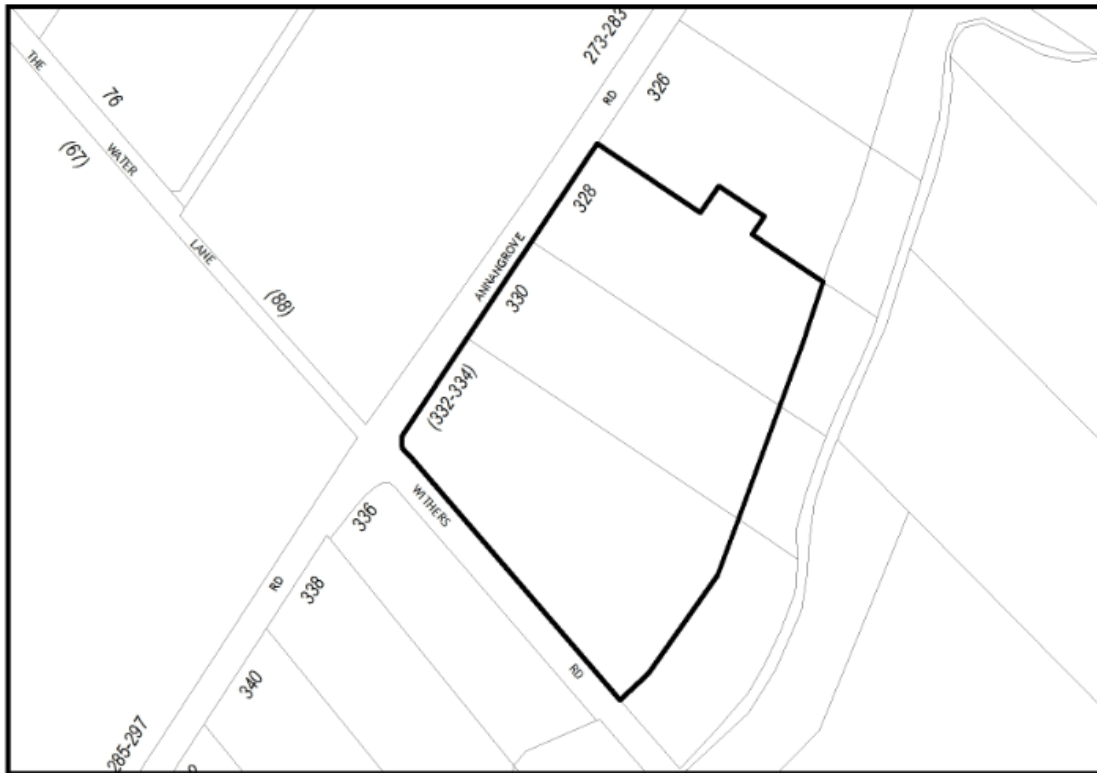
11. What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway determination?

A list of relevant agencies would be determined as part of the Gateway Determination. Following the Gateway determination, all relevant agencies will be consulted. It is anticipated that this may include:

- Sydney Water;
- Office of Environment and Heritage – Regional Operations;
- Transport for NSW; and
- Transport for NSW – Roads and Maritime Services.

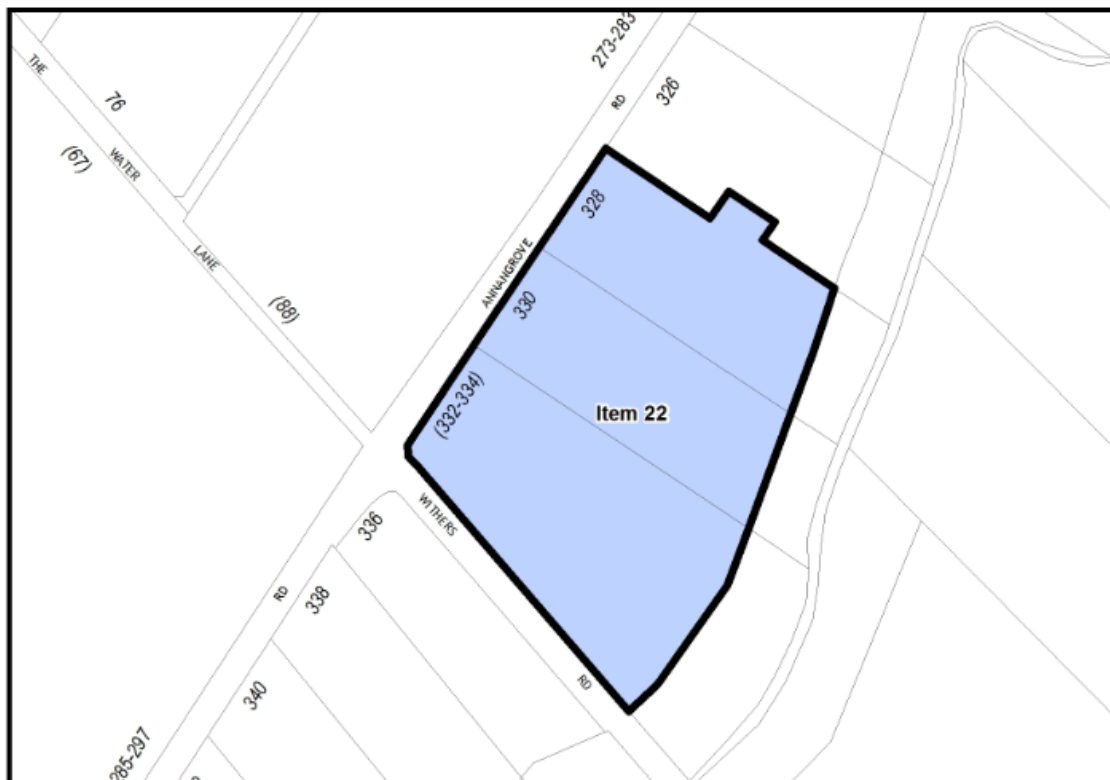
PART 4 MAPPING

The planning proposal seeks to amend the following maps:




Additional Permitted Uses (APU)

Existing Additional Permitted Uses Map



Additional Permitted Uses (APU)

 refer to schedule 1

Proposed Additional Permitted Uses Map

The planning proposal would be advertised in local newspapers and on display at Council's administration building and Vinegar Hill Memorial Library. The planning proposal would also be made available on Council's website.

PART 6 PROJECT TIMELINE

STAGE	DATE
Commencement Date (Gateway Determination)	March 2018
Government agency consultation	April 2018
Commencement of public exhibition period (28 days)	April 2018
Completion of public exhibition period	May 2018
Timeframe for consideration of submissions	June 2018
Timeframe for consideration of proposal post exhibition	June 2018
Report to Council on submissions	July 2018
Planning Proposal to PCO for opinion	August 2018
Date Council will make the plan (if delegated)	September 2018
Date Council will forward to department for notification (if delegated)	September 2018

ATTACHMENT A: LIST OF STATE ENVIRONMENTAL PLANNING POLICIES

STATE ENVIRONMENTAL PLANNING POLICY (SEPP)		APPLICABLE	RELEVANT? (YES/NO)	(IF RELEVANT) INCONSISTENT/CONSISTENT
No. 1	Development Standards	NO	-	-
No. 14	Coastal Wetlands	NO	-	-
No. 19	Bushland in Urban Areas	YES	NO	-
No. 21	Caravan Parks	YES	NO	-
No. 26	Littoral Rainforests	NO	-	-
No. 30	Intensive Agriculture	YES	NO	-
No. 33	Hazardous and Offensive Development	YES	NO	-
No. 36	Manufactured Home Estates	NO	-	-
No. 44	Koala Habitat Protection	NO	-	-
No. 47	Moore Park Showground	NO	-	-
No. 50	Canal Estate Development	YES	NO	-
No. 52	Farm Dams and Other Works in Land and Water Management Plan Areas	NO	-	-
No. 55	Remediation of Land	YES	YES	CONSISTENT See Section B Question 5
No. 62	Sustainable Aquaculture	YES	NO	-
No. 64	Advertising and Signage	YES	NO	-
No. 65	Design Quality of Residential Flat Development	YES	NO	-
No. 70	Affordable Housing (Revised Schemes)	YES	NO	-
No. 71	Coastal Protection	NO	-	-
Affordable Rental Housing (2009)		YES	NO	-
Building Sustainability Index: BASIX 2004		YES	NO	-
Educational Establishments and Child Care Facilities (2017)		YES	NO	-
Exempt and Complying Development Codes (2008)		YES	NO	-
Housing for Seniors or People with a Disability (2004)		YES	NO	-
Infrastructure (2007)		YES	NO	-
Integration and Repeals (2016)		YES	NO	-
Kosciuszko National Park – Alpine Resorts (2007)		NO	-	-
Kurnell Peninsula (1989)		NO	-	-
Mining, Petroleum Production and Extractive Industries (2007)		YES	NO	-
Miscellaneous Consent Provisions (2007)		YES	NO	-
Penrith Lakes Scheme (1989)		NO	-	-
Port Botany and Port Kembla (2013)		NO	-	-
Rural Lands (2008)		NO	-	-
State and Regional Development (2011)		YES	NO	-
State Significant Precincts (2005)		NO	-	-
Sydney Drinking Water Catchment (2011)		NO	-	-
Sydney Region Growth Centres (2006)		NO	-	-
Three Ports (2013)		NO	-	-
Urban Renewal (2010)		NO	-	-
Vegetation in Non-Rural Areas (2017)		YES	NO	-

STATE ENVIRONMENTAL PLANNING POLICY (SEPP)	APPLICABLE	RELEVANT? (YES/NO)	(IF RELEVANT) INCONSISTENT/ CONSISTENT
Western Sydney Employment Area (2009)	NO	-	-
Western Sydney Parklands (2009)	NO	-	-
Deemed SEPPs			
SREP No. 8 (Central Coast Plateau Areas)	NO	-	-
SREP No. 9 – Extractive Industry (No. 2 – 1995)	YES	NO	-
SREP No. 16 – Walsh Bay	NO	-	-
SREP No. 20 – Hawkesbury – Nepean River (No 2 – 1997)	YES	NO	-
SREP No. 24 – Homebush Bay Area	NO	-	-
SREP No. 25 – Orchard Hills	NO	-	-
SREP No. 26 – City West	NO	-	-
SREP No. 30 – St Marys	NO	-	-
SREP No. 33 – Cooks Cove	NO	-	-
SREP (Sydney Harbour Catchment) 2005	NO	-	-

ATTACHMENT B: ASSESSMENT AGAINST SECTION 117 MINISTERIAL DIRECTIONS

DIRECTION		APPLICABLE	RELEVANT? (YES/NO)	(IF RELEVANT) INCONSISTENT/ CONSISTENT
1. Employment and Resources				
1.1	Business and Industrial Zones	YES	YES	CONSISTENT See Section B Question 6
1.2	Rural Zones	YES	NO	-
1.3	Mining, Petroleum Production and Extractive Industries	YES	NO	-
1.4	Oyster Aquaculture	YES	NO	-
1.5	Rural Lands	NO	-	-
2. Environment and Heritage				
2.1	Environment Protection Zone	YES	NO	
2.2	Coastal Protection	NO	-	-
2.3	Heritage Conservation	YES	NO	-
2.4	Recreation Vehicle Area	YES	NO	-
2.5	Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs	NO	-	-
3. Housing, Infrastructure and Urban Development				
3.1	Residential Zones	YES	NO	-
3.2	Caravan Parks and Manufactured Home Estates	YES	NO	-
3.3	Home Occupations	YES	NO	-
3.4	Integrating Land Use and Transport	YES	YES	CONSISTENT See Section B Question 6
3.5	Development Near Licensed Aerodomes	YES	NO	-
4. Hazard and Risk				
4.1	Acid Sulfate Soils	YES	NO	-
4.2	Mine Subsidence and Unstable Land	YES	NO	-
4.3	Flood Prone Land	YES	NO	-
4.4	Planning for Bushfire Protection	YES	NO	-
5. Regional Planning				
5.1	Implementation of Regional Strategies	NO	-	-
5.2	Sydney Drinking Water Catchment	NO	-	-
5.3	Farmland of State and Regional Significance on the NSW Far North Coast	NO	-	-
5.4	Commercial and Retail Development along the Pacific Highway, North Coast	NO	-	-

DIRECTION		APPLICABLE	RELEVANT? (YES/NO)	(IF RELEVANT) INCONSISTENT/ CONSISTENT
5.8	Second Sydney Airport: Badgerys Creek	NO	-	-
5.9	North West Rail Link Corridor Strategy	YES	NO	-
5.10	Implementation of Region Plans	NO	-	-
6. Local Plan Making				
6.1	Approval and Referral Requirements	YES	YES	CONSISTENT See Section B Question 6
6.2	Reserving Land for Public Purposes	YES	NO	-
6.3	Site Specific Provisions	YES	YES	CONSISTENT See Section B Question 6
7. Metropolitan Planning				
7.1	Implementation of the Metropolitan Plan for Sydney 2036	NO	-	-
7.2	Implementation of Greater Macarthur Land Release Investigation	NO	-	-
7.3	Parramatta Road Corridor Urban Transformation Strategy	NO	-	-
7.4	Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	YES	NO	-
7.5	Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	NO	-	
7.6	Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	NO	-	-
7.7	Implementation of Glenfield to Macarthur Urban Renewal Corridor	NO	-	-