

[REDACTED]

---

**From:** [REDACTED]  
**Sent:** Friday, 6 March 2020 8:06 AM  
**To:** [REDACTED]  
**Subject:** FW: Webform submission from: Western Sydney Aerotropolis Planning Package

---

**From:** [REDACTED] ] On Behalf Of DPE PS ePlanning Exhibitions Mailbox  
**Sent:** Friday, 28 February 2020 7:15 AM  
**To:** [REDACTED]  
**Subject:** FW: Webform submission from: Western Sydney Aerotropolis Planning Package

---

**From:** [REDACTED]  
**Sent:** Thursday, 27 February 2020 9:22 AM  
**To:** [REDACTED]  
**Subject:** Webform submission from: Western Sydney Aerotropolis Planning Package

Submitted on Thu, 27/02/2020 - 09:21  
Submitted by: Anonymous  
Submitted values are:  
Submission Type:I am submitting on behalf of my organisation  
First Name: [REDACTED]  
Last Name: [REDACTED]  
Name Withheld: [REDACTED]  
Email: [REDACTED]  
Suburb/Town & Postcode: [REDACTED]  
Submission file:  
[aerotropolis-plan-submission\\_0.pdf](#)

Submission: See attached.

URL: <https://pp.planningportal.nsw.gov.au/draftplans/exhibition/western-sydney-aerotropolis-planning-package>



**ROTHSHIRE PTY LTD**  
ACN: 620 622 344, ABN: 47 620 622 344  
Consulting Engineers & Project Managers  
Suite 255, 813 Pacific Highway, Chatswood NSW 2067  
PO Box 941, Chatswood NSW 2057  
Phone: 0413 855 783, Email: admin@rothshire.com.au

REF: 1920111-LET-JA001

26 February 2020

NSW Department of Planning, Industry and Environment  
C/- Western Sydney Planning Partnership  
PO Box 257,  
Parramatta NSW 2124

RE: SUBMISSION TO THE DRAFT WESTERN SYDNEY AEROTROPOLIS PLAN IN RELATION TO LAND  
LOCATED AT [REDACTED] ROSSMORE

Dear Sir/Madam,

This letter has been prepared by Rothshire Pty Ltd (Rothshire) on behalf of the property owners of [REDACTED] Rossmore, for the NSW Department of Planning, Industry and Environment (DPIE), in relation to the Draft Western Sydney Aerotropolis Plan (Draft Plan), including associated Draft State Environmental Planning Policy (Draft SEPP) and Draft Development Control Plan (Draft DCP). An overview of the site and future character under the Draft Plan is detailed below.

Overall, we are supportive of the proposed intended development outcomes provided for under the Draft Plan. The release of employment, agribusiness and industrial lands will help deliver ongoing supply, promoting economic growth and flexibility within Greater Sydney, relieving existing market and infrastructure pressures whilst more broadly supporting the development of the Western Sydney International (Nancy-Bird Walton) Airport.

However, we seek clarification from DPIE regarding consideration of the subject site, particularly with regard to flood affectation as well as correlating zoning and precinct boundaries. It is considered that flood information relied upon in preparation of the Draft Plan (from 2003) is out of date and incorrect, as it does not consider the positive impacts resulting from recent large infrastructure projects within the locality, nor site specific mitigation undertaken which have significantly improved water management and greatly reduced flood risk within the region.

On the basis of this out of date flood information, it is also requested that proposed zoning and precinct boundaries also be reviewed, in order to more appropriately reflect the existing and desired context and enable the most efficient development of land. It is suggested that the Rossmore Precinct be expanded to include the entirety of the subject site, with alternate 'enterprise' or 'mixed-use' zoning implemented, to more accurately reflect the long standing mixed use and commercial nature of the site with a prominent frontage and direct access to a major arterial road.



**ROTHSHIRE PTY LTD**  
ACN: 620 622 344, ABN: 47 620 622 344  
Consulting Engineers & Project Managers  
Suite 255, 813 Pacific Highway, Chatswood NSW 2067  
PO Box 941, Chatswood NSW 2057  
Phone: 0413 855 783, Email: admin@rothshire.com.au

## 1. The Site

This submission is made in relation to the site located at [REDACTED] Rossmore (the site). The site comprises a single allotment and is legally described as [REDACTED].

The site is a regular in shape with a total area of 15,750m<sup>2</sup> and currently accommodates a residential dwelling to the west of the site, with two sheds associated with an automotive repairs business located to the east of the site. A large area of vacant, landscaped land separates this residential dwelling and commercial operation.

The site is also adjacent to Kemps Creek, located to the east of the site, which runs in a north-south direction and parallel to the site's eastern boundary. A significant portion of the site, including land adjoining the Bringelly Road and the south east corner of the site has been previously acquired for the purposes of road widening and a retention basin, constructed recently as part of the broader upgrade of Bringelly Road. Refer to an aerial view of the site at Figure 1 below.



Figure 1. Aerial view of subject site. Source: Google Earth, 3-Dec-2018

Development surrounding the site to the north, south, east and west comprises a mixture of long standing semi-rural mixed-use and residential properties, however with many being redeveloped for the purposes of residential subdivision, particularly to the east of the site (being land within the Camden and Liverpool Growth Centres). The site is also located within proximity to the recently constructed Leppington Railway line, which terminates and with the rail holding yard located approximately 400m south of the site.



**ROTHSHIRE PTY LTD**  
 ACN: 620 622 344, ABN: 47 620 622 344  
 Consulting Engineers & Project Managers  
 Suite 255, 813 Pacific Highway, Chatswood NSW 2067  
 PO Box 941, Chatswood NSW 2057  
 Phone: 0413 855 783, Email: admin@rothshire.com.au

The site is located within the Liverpool Local Government Area (LGA) and is wholly zoned RU4-Primary Production (Small Lots) pursuant to the Liverpool Local Environmental Plan 2008 (LEP), however noting that lands to the east of the site to the opposite banks of the Kemps Creek are subject to the Sydney Regional Growth Centres SEPP, comprising a mixture of residential, commercial and industrial (R2, R3, B5 and IN2) zoning along the Bringelly Road frontage. Refer to an extract of surrounding zoning context at Figure 2 below.

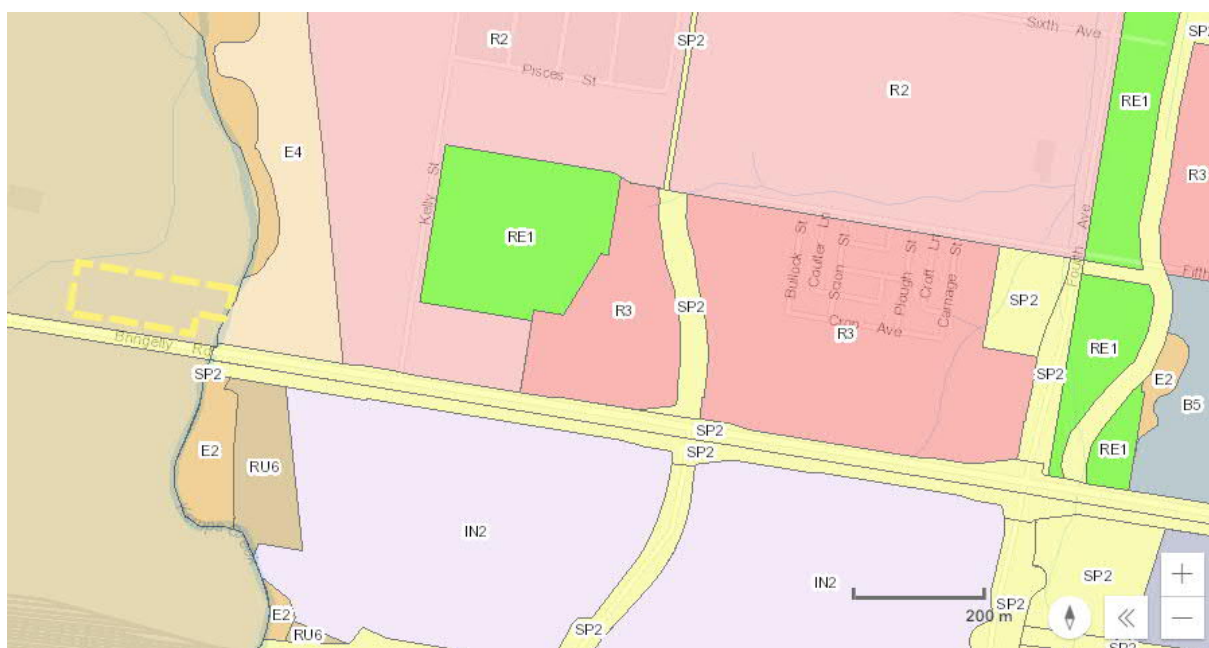


Figure 2. Extract of surrounding land zoning including RU4 land to the west of Kemps Creek under the LEP 2008, as well as land to the east of Kemps Creek being zoned for residential, industrial and business purposes under the Growth Centres SEPP.

## 2. History of the Site

### Development & Use of the Site

Along with the residential dwelling on the western side of the site, the site holds a long-standing lawful use for commercial operations (a vehicle mechanic). Between 2005 and 2020 these operations were expanded including the construction of two large shed structures and considerable semi-pervious (compacted gravel) parking areas comprising approximately 60% of the site area.





**ROTHSHIRE PTY LTD**  
ACN: 620 622 344, ABN: 47 620 622 344  
Consulting Engineers & Project Managers  
Suite 255, 813 Pacific Highway, Chatswood NSW 2067  
PO Box 941, Chatswood NSW 2057  
Phone: 0413 855 783, Email: admin@rothshire.com.au

### Further Development Potential

With the residential dwelling and associated private open space comprising 25% of the site area, the remaining approximate 15% of the site (between the residential use and commercial use) remains un-developed and therefore presents an opportunity for potential future development in accordance with the current LEP 2008.

### Compulsory Land Acquisition

Notwithstanding the above, the site has been subject to significant compulsory land acquisition, resulting from the broader Bringelly Road upgrade, completed in 2018. This is evident in the aerial photograph at Figure 1.

Prior to this upgrade, the site initially comprised a significantly larger parcel of land, of approximately 23,150m<sup>2</sup> in size. However, between 2016 and 2018, a large portion of the land (approximately 7,400m<sup>2</sup>) was excised through compulsory acquisition, resulting in a significantly smaller and constrained parcel of land, requiring a consolidation of business operations at the site (at a significant commercial disadvantage to the property owner).

An aerial image of the parcel of land dated 16 October 2015 demonstrates the original parcel of land and the area of land acquired in Figure 3 below.



Figure 3. Aerial view of the subject site (Source: Google Earth, 16 October 2015).



**ROTHSHIRE PTY LTD**  
ACN: 620 622 344, ABN: 47 620 622 344  
Consulting Engineers & Project Managers  
Suite 255, 813 Pacific Highway, Chatswood NSW 2067  
PO Box 941, Chatswood NSW 2057  
Phone: 0413 855 783, Email: admin@rothshire.com.au

### 3. Draft Aerotropolis Plan Policy Position

#### Land Application Map

The site falls within the boundaries of the land application map. The Draft Plan (and accompanying SEPP & DCP) therefore apply to the site.

#### Precinct Boundary Map

The site is identified as being part within the Rossmore Precinct, generally comprising the western portion of the site containing the existing dwelling as detailed at Figure 4. Land not within the Rossmore Precinct is not within any other precinct.

#### Land Zoning Map

The site is identified as being part zoned 'Environment and Recreation' and part unzoned (defaulting to LEP 2008 zoning), with land zoned for 'Environment and Recreation' (shown in green) generally comprising the eastern portion of the site containing the existing commercial development as detailed at Figure 5.

#### Flood Map

The site is identified as being part flood prone, generally comprising the eastern portion of the site containing the existing commercial development as detailed at Figure 6.

#### No Other Affectations

The site is not identified as being subject to any other land affectation (e.g. acquisition, heritage, ANEF etc.).



**ROTHSHIRE PTY LTD**  
ACN: 620 622 344, ABN: 47 620 622 344  
Consulting Engineers & Project Managers  
Suite 255, 813 Pacific Highway, Chatswood NSW 2067  
PO Box 941, Chatswood NSW 2057  
Phone: 0413 855 783, Email: admin@rothshire.com.au

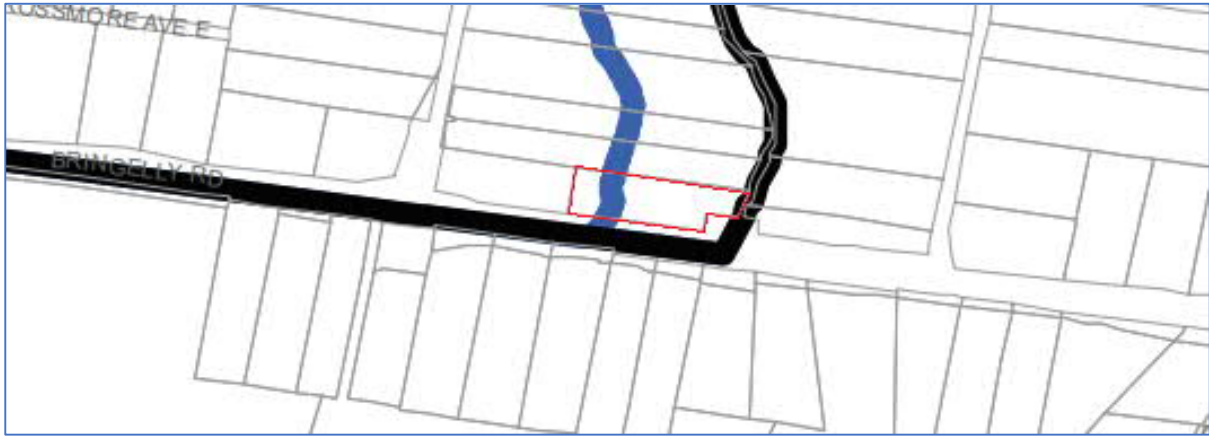


Figure 4. Extract of Precinct Boundary Map (site outlined in red).



Figure 5. Extract of Precinct Zoning Map (site outlined in red).



Figure 6. Extract of Flood Map (site outlined in red).





**ROTHSHIRE PTY LTD**  
ACN: 620 622 344, ABN: 47 620 622 344  
Consulting Engineers & Project Managers  
Suite 255, 813 Pacific Highway, Chatswood NSW 2067  
PO Box 941, Chatswood NSW 2057  
Phone: 0413 855 783, Email: admin@rothshire.com.au

#### 4. Request for Review of Flood Mapping

##### Flood Mapping Out of Date

It is noted that the policy position and land affectation under the Draft Plan aligns with, and is therefore considered a direct result of, the stated flood affectation of the site.

The flood mapping at Figure 4 identifies that the majority of the site is flood affected, being below the 1 in 100 year flood area. However, no flood report nor technical studies have been published to support this flood mapping under the Draft Plan. Enquiries to DPIE provided that flood mapping is based on "current information provided by Liverpool and Penrith Council", however that subsequent enquiries to Liverpool Council's Flood Division provided that flood mapping used in preparation of the Draft Plan was undertaken in 2003 (some 17 years old), as part of a broader flood study of the locality.

It is therefore considered that this 2003 flooding information is out of date, with significant improvements and flood mitigation works within the locality since this time. These improvements include, however are not limited to, the widening and general upgrade of Bringelly Road (completed in 2018); construction of the Leppington railway line (including the holding yard immediately to the south of the site, which crosses Kemps Creek); as well as specific flood mitigation works undertaken to the south eastern corner of the site in 2017 (as part of the Bringelly Road upgrade) as detailed at Figure 7.



Figure 7. Aerial view of subject site detailing recent flood mitigation works. Source: Sixmaps.nsw.gov.au





Having regard to Figure 5 above, it is noted that significant flood mitigation works have been undertaken at the subject site (and within the locality more broadly) associated with the widening of Bringelly Road, completed in 2018. These works include the construction of flood barriers and a detention basin (as evident in Figure 7), however also included the overall increasing of land levels at the subject site, to ensure that structures and land associated with commercial operations are above the 1 in 100 year flood area.

These level changes are evidenced by a recent survey undertaken in February 2020 which details that a significant proportion of the site is above the 1 in 100 year flood level, representing more than 60% of the land by area. Refer to an extract of this survey at Figure 8 below.

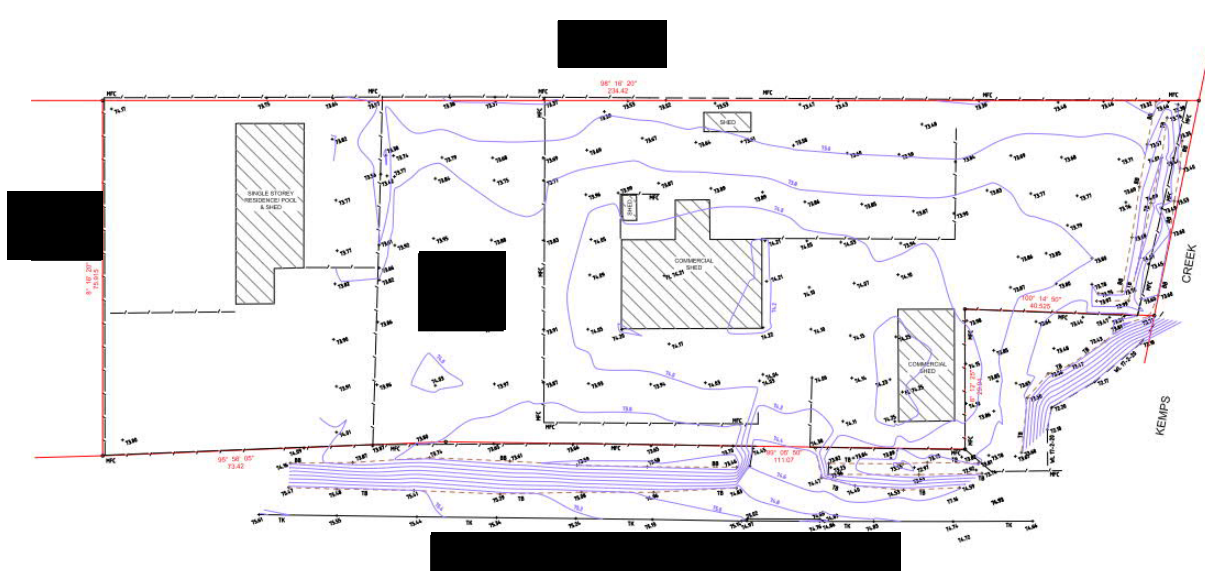


Figure 8. Extract of site survey undertaken February 2020

Figure 8 clearly demonstrates that a significant portion of the site is above the 1 in 100 year flood level contrary to the flood map and therefore that the flood map in the Draft Plan is not correct.

## Request for Review of Flood Mapping

It is requested that DPIE review the current flood mapping at the site, and undertake preparation of revised flood maps accordingly, on the basis that the subject site and surrounding locality have been subject to significant improvements and flood mitigation works, resulting in large areas of land no longer within the 1 in 100 year flood zone.

## 5. Request for Review of 'Environment and Recreation' Zoning

### Contrary to Prevailing Character

As noted at item 3, the policy position and land affectation under the Draft Plan aligns with, and is therefore considered a direct result of, the stated flood affectation of the site. On the basis that flood information does not correctly depict current circumstances, it is requested that the proposed 'Environment and Recreation' zoning is also reviewed.

The site accommodates an existing dwelling and a long standing lawful business operation as a vehicle mechanic. The zoning of this land for 'Environment and Recreation' is contrary to this long established use and the prevailing character of the locality and may affect the ability of the land owner to flexibly accommodate alterations or the growth of this business into the future.

### Land Not of Environmental Significance

Pursuant to the Liverpool LEP 2008, being the current principal Environmental Planning Instrument guiding development at the site, the site is:

- Not identified for reservation or acquisition for public open space;
- Not identified as containing mineral or resource land;
- Not identified as containing riparian lands or watercourse;
- Not identified as scenic protection land;
- Not identified as containing terrestrial biodiversity;
- Not identified as wetlands; and
- Incorrectly identified as containing a small area of Environmentally Significant Land (ESL), limited to the extremities of the northern and eastern boundaries (refer discussion below).

The Environmentally significant land map ESL-006 included within the Liverpool LEP 2008 is dated 24 October 2014. The significance of this date identifies that the land identified as ESL is out of date and does not account for the significant works that have been carried out on Bringelly Road.

Figure 9 shows the extract of ESL-006, which incorrectly identifies ESL zones both along Bringelly Road that has been cleared in entirety & on land which bears no environmental significance such as the subject site, which has no feature conducive to environmental significance. Figure 10 shows an aerial image current as at 3 December 2018 showing the existing land in the corresponding area. The image demonstrates the inaccuracy of the mapping.

Figure 11 shows an image of the land in 2014, which demonstrates the extent of land that was cleared and used extensively for road widening and other works, again demonstrating the inaccuracy of the mapping.



**ROTHSHIRE PTY LTD**  
 ACN: 620 622 344, ABN: 47 620 622 344  
 Consulting Engineers & Project Managers  
 Suite 255, 813 Pacific Highway, Chatswood NSW 2067  
 PO Box 941, Chatswood NSW 2057  
 Phone: 0413 855 783, Email: admin@rothshire.com.au

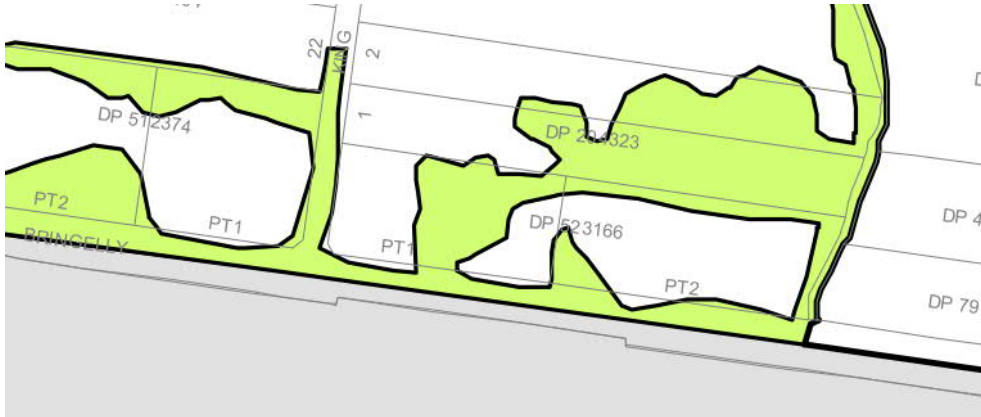


Figure 9. Extract of Environmentally Significant Land Map ESL-006 (Liverpool LEP 2008)



Figure 10. Current aerial view of subject site (Google Earth, 3-Dec-2018)



Figure 11. Out of date aerial view of subject site (Google Earth, 5-May-2014)





**ROTHSHIRE PTY LTD**  
 ACN: 620 622 344, ABN: 47 620 622 344  
 Consulting Engineers & Project Managers  
 Suite 255, 813 Pacific Highway, Chatswood NSW 2067  
 PO Box 941, Chatswood NSW 2057  
 Phone: 0413 855 783, Email: admin@rothshire.com.au

Overall, the site is not identified as having a high biodiversity value under current applicable planning framework, and there is nothing proposed to occur under the Draft Plan (or otherwise) that would alter this.

### Request for Review of Zoning

Given the long standing use of the site for commercial purposes, with the majority of the site above the 1 in 100 year flood level and the site not of significant biodiversity value, is it requested that the proposed zoning be reviewed and the site not be zoned as 'Environment and Recreation'. A more appropriate outcome would for the land not to be zoned under the Draft Plan, rather defaulting to current zoning under the LEP 2008, consistent with that proposed for surrounding sites to the north and west within the Rossmore Precinct boundaries under the Draft Plan.

As noted at Section 7.4.4 of the Draft Plan, subject to further precinct planning, it is requested that any potential future zoning be considered with regard to the prevailing context, including maintaining both existing residential and commercial uses at the site. Suggested zones which further align with this present and desired future character include 'enterprise' or 'mixed-use' (or other suitably flexible) zones as proposed elsewhere within the Draft Plan, and which were also envisaged for the site under the Stage 1 Structure Plan released in 2018 as detailed at Figure 12 below.

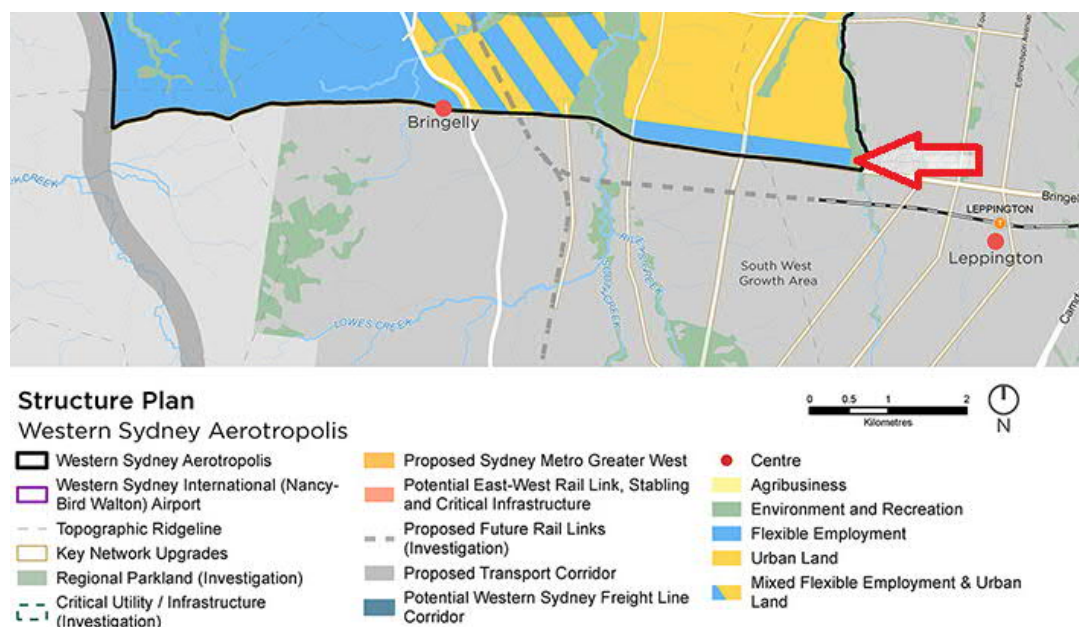


Figure 12. Extract of DPIE Aerotropolis Stage 1 Structure Plan (2018)

The 'enterprise' and 'mixed use' zones are consistent with the existing mixed use (residential and commercial) character of the site and surrounding lands, benefitting from a highly visible primary





**ROTHSHIRE PTY LTD**  
ACN: 620 622 344, ABN: 47 620 622 344  
Consulting Engineers & Project Managers  
Suite 255, 813 Pacific Highway, Chatswood NSW 2067  
PO Box 941, Chatswood NSW 2057  
Phone: 0413 855 783, Email: admin@rothshire.com.au

road frontage and would also provide a suitable transition to other nearby residential lands to the east and industrial lands to the south east (refer Figure 2.).

#### Property Already Subject to Economic Disadvantage

As detailed at Section 2, the property has already been subject to economic disadvantage resulting from significant land acquisitions associated with the Bringelly Road upgrade, completed in 2018.

The proposed 'Environment and Recreation' will therefore place further restrictions on the ability of the land owner to flexibly accommodate growth within the site. This will result in compounding economic disadvantage, further the restricting the area of land within the site available for future expansion. When considered against surrounding lands, such as those to the south east which are zoned for industrial purposed, this appears inequitable and unreasonably burdens the subject site.

This double effect of land acquisition followed by the proposed rezoning will have a severely detrimental impact on the value of the property, with no corresponding increase in biodiversity value and is considered to be unreasonable under the circumstances. For further detail regarding impact of value please refer to a previous submission made on behalf of the owner of the subject site in 2018, in relation to the draft structure plan put on exhibition by DPIE provided in Appendix A.

#### Existing Zoning Consistent With Green Grid Objectives

It is acknowledged the GANSW and DPIE policy position to provide a 'Green Grid' as detailed Section 4.1 of the Draft Plan, to "establish a network of blue and green spaces including waterways, riparian areas, bushland, parks and open spaces, tree canopy (including street trees) and private gardens". Given the site is not identified for any reservation or acquisition, it is considered the current zoning and ESL designations under the LEP 2008 are consistent with Policy 4.1 of the Draft Plan, and as such the removal of the 'Environment and Recreation' zoning would not undermine the ability of the site to contribute to the Green Grid within the site (particularly given the existing vegetation to the eastern boundary along the banks of Kemps Creek).



**ROTHSHIRE PTY LTD**  
ACN: 620 622 344, ABN: 47 620 622 344  
Consulting Engineers & Project Managers  
Suite 255, 813 Pacific Highway, Chatswood NSW 2067  
PO Box 941, Chatswood NSW 2057  
Phone: 0413 855 783, Email: admin@rothshire.com.au

## 6. Request for Review of Precinct Boundaries

Further to flooding and zoning matters above, on the basis the site is not flood affected nor of environmental significance, it is requested that the Rossmore Precinct boundaries be expanded to incorporate the full extent of the site, rather than the western portion as is currently proposed.

This expansion of precinct boundaries would provide clarity for the property owner and authorities ongoing, ensuring the consistent application of policy to the entirety of the site rather than part (including under the yet to be released Rossmore Precinct Plan and DCP). Whilst the Precinct Plan and DCP for Rossmore is yet to be released, this would also allow the site to be wholly considered, maximising future redevelopment potential.

It is suggested that the implementation of precinct boundaries be deferred, until such time as a detailed flood study has been undertaken, with consideration to any future draft controls or policies that may be proposed to be implemented under the subsequent Rossmore Precinct Plan and DCP. It is considered that a more appropriate outcome would be the exhibition of the precinct boundaries concurrent with the Precinct Plan and DCP, to enable a holistic and proper understanding of the potential development outcomes within the locality.



**ROTHSHIRE PTY LTD**

ACN: 620 622 344, ABN: 47 620 622 344  
Consulting Engineers & Project Managers  
Suite 255, 813 Pacific Highway, Chatswood NSW 2067  
PO Box 941, Chatswood NSW 2057  
Phone: 0413 855 783, Email: admin@rothshire.com.au

## 7. Conclusion

Overall, we are supportive of the proposed intended development outcomes for the Aerotropolis and broader vision for Western Sydney provided for under the Draft Plan. However, we provide the following suggested revisions to provide for the optimal delivery of infrastructure and development potential of the subject site within the Draft Plan:

- That a flood study be undertaken to determine the correct extent of flood affectation across the corridor, including revision of flood mapping accordingly;
- That the proposed 'Environment and Recreation' zoning of the site be reviewed, instead maintaining the current RU4 zone under the LEP 2008, until such time as further precinct planning is undertaken (with any potential future zoning be considered with regard to the prevailing context, including maintaining both existing residential and commercial uses at the site); and
- That the Rossmore Precinct boundaries be expanded to incorporate the full extent of the site, to ensure the consistent application of future policy, including any further precinct planning and associated DCP.

We welcome the opportunity to discuss this matter with you, including meeting with Rothshire and affected landowners. To arrange a meeting, or should you require anything further please don't hesitate to contact [REDACTED]

Yours faithfully,

**Jonathan Archibald**  
**Planner**  
B Plan (MQ)

**Naomi Roberts-Thomson**  
**Civil Engineer**  
B Eng (Civil) Hons., MBA, MIEAust 2559300

**APPENDIX A – SUBMISSION IN RESPONSE TO STAGE 1 STRUCTURE PLAN –  
AEROTROPOLIS DATED 25 SEPTEMBER 2018**



By Hand

25 September 2018

Catherine Van Laeren – Director, Sydney West Region - Planning Services  
Aerotropolis Activation Planning and Design  
Department of Planning and Environment  
GPO Box 39  
Sydney NSW 2001

Dear Ms Van Laeren,

**Property:** [REDACTED] **Rossmore NSW 2557**  
**Request for Rezoning Review of Property**

Reference is made to our previous meeting with you and our concerns regarding the proposed zoning of our Property.

Following our review of the proposed plans for zoning, we are of the view that the proposal by your office is inappropriate, and that it should be zoned as Flexible Employment (as per the Stage 1 Structure Plan), for the following reasons:

1. Surrounding Properties

- 1.1. A review of the Stage 1 Structure Plan (enclosed) highlights that the strip from Kemps Creek along Bringelly Road is largely Flexible Employment. Upon closer review, we note that our Property falls squarely within the Non Urban Land proposed zone, and has been excluded from the Flexible Employment zone. It appears that only our property, and not the adjoining properties, fall within this zoning category.
- 1.2. We are concerned that the adjoining properties will eventuate with tall structures, which may adversely affect our property (e.g. by limiting sunlight, high noise levels, foot traffic, disturbance).
- 1.3. We are also concerned that zoning our Property differently to adjoining properties will render the Property unsightly.

2. Current Use

- 2.1. We confirm that the Property has three existing structures, two of which are commercial in nature.
- 2.2. The two commercial structures are in close proximity to the existing Kemps Creek.
- 2.3. The approval of these commercial structures on the Property suggests that their existence is not incompatible with the potential zoning as Flexible Employment.

- 2.4. A decision of the Department of Planning and Environment to rezone the Property to Non Urban zoning would be contrary to the current use of the Property, and would cause significant disruption to our ability to use and operate the two commercial structures.
- 2.5. This would result in significant loss to us, as follows:
  - (a) Lost ability to receive rent from the two commercial structures;
  - (b) Lost ability to generate other income from the two commercial structures;
  - (c) Potential to be sued by the current Lessees of the two commercial structures for breach of Lease, and the opportunity to continue business at the Property; and
  - (d) The loss of value of the physical structures.
- 2.6. The proposed rezoning is prejudicial and counterproductive to the current usage of the Property.

### 3. Property not Green

- 3.1. We submit that the Property's current status being 'flood prone' should have no weight nor bearing on the decision to zone the Property as Non Urban, for the following reasons:
  - (a) Only a portion of the Property (about one third) has been characterised as flood prone. The remainder of the Property is not flood prone, and should not necessarily be prejudiced by the portion of property characterised as flood prone.
  - (b) In relation to the portion of the Property that is flood prone, it is relevant to note that the risk is only 1 in 100.
  - (c) This chance has been further reduced upon the raising of the portion of the land closest to Kemps Creek to a level suitable for its use for the two commercial premises.
- 3.2. Following the recent compulsory acquisition of the land along Bringelly Road by the Roads and Maritime Services, the Creek has been commercial treated and upgraded with culverts, to prevent overflow of water onto adjoining properties. This treatment has been conducted for the purpose of the future development in the South West Region. Therefore, it would be counterintuitive to have regard to this factor.
- 3.3. There is no evidence of environmental value on the Property as it is clear of trees and any natural habitats.

### 4. Commercial Value of the Property

- 4.1. We are concerned that the value of our Property will be adversely affected by the current proposed rezoning of the Property.

4.2. Our Property holds significant situational value, for the following reasons:

- (a) Broad street frontage (roughly 217 metres);
- (b) The Property is located less than 100 metres away from a Bus Stop;
- (c) The Property is located approximately 5km from the M5 motorway;
- (d) The Property is located approximately 2km from the Leppington Growth Centre and Train Station;
- (e) The Property is located approximately 900m from a Catholic Church;
- (f) The Property is located approximately 1km from Rossmore Public School;
- (g) The Property is located approximately 2.9km from a nursing home; and
- (h) The Property is located approximately 3.7km from the local shopping centre.

5. Suitable Use of the Property

5.1. We submit that the Property would be most suitable for B6 enterprise corridor zoning which applies to a range of employment and shop top housing along main roads. Northmead and Carrington Road Castle Hill are examples of these zones.

5.2. There are many examples of properties situated extremely close to creeks which are zoned as zones other than Non Urban. For example, we draw your attention to the two properties which abut a major creek:

- (a) 153 Hoxton Park Road Cartwright NSW 2168 (see **enclosed** image);  
and
- (b) 5 Rynan Avenue Hoxton Park NSW 2174 (see **enclosed** image).

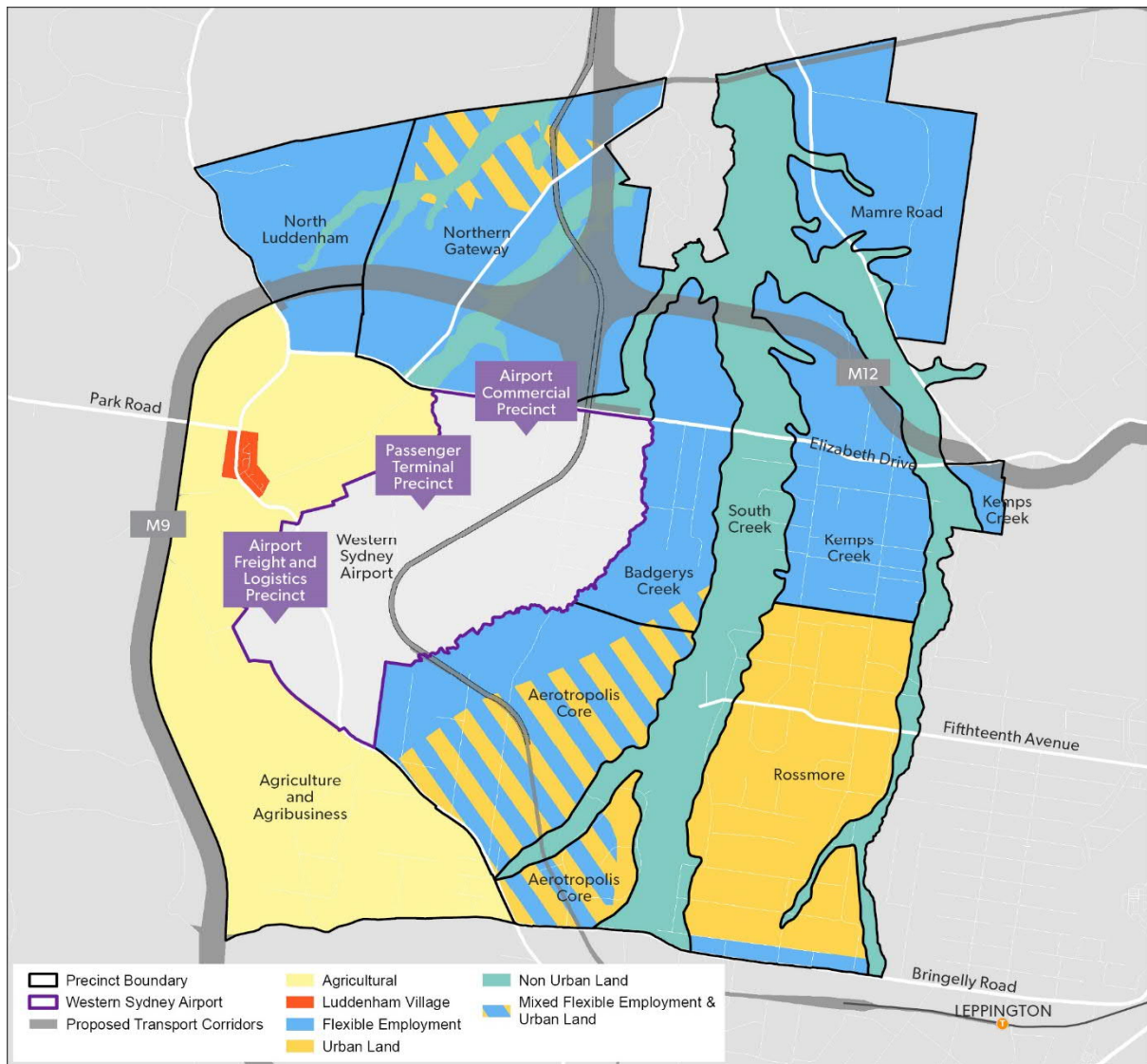
We ask that you kindly consider our submission above and request that the proposed zoning of the Property be reviewed from Non Urban to Flexible Employment.

Please contact us if you wish to discuss any of the above on [REDACTED]  
[REDACTED]

Yours Sincerely,

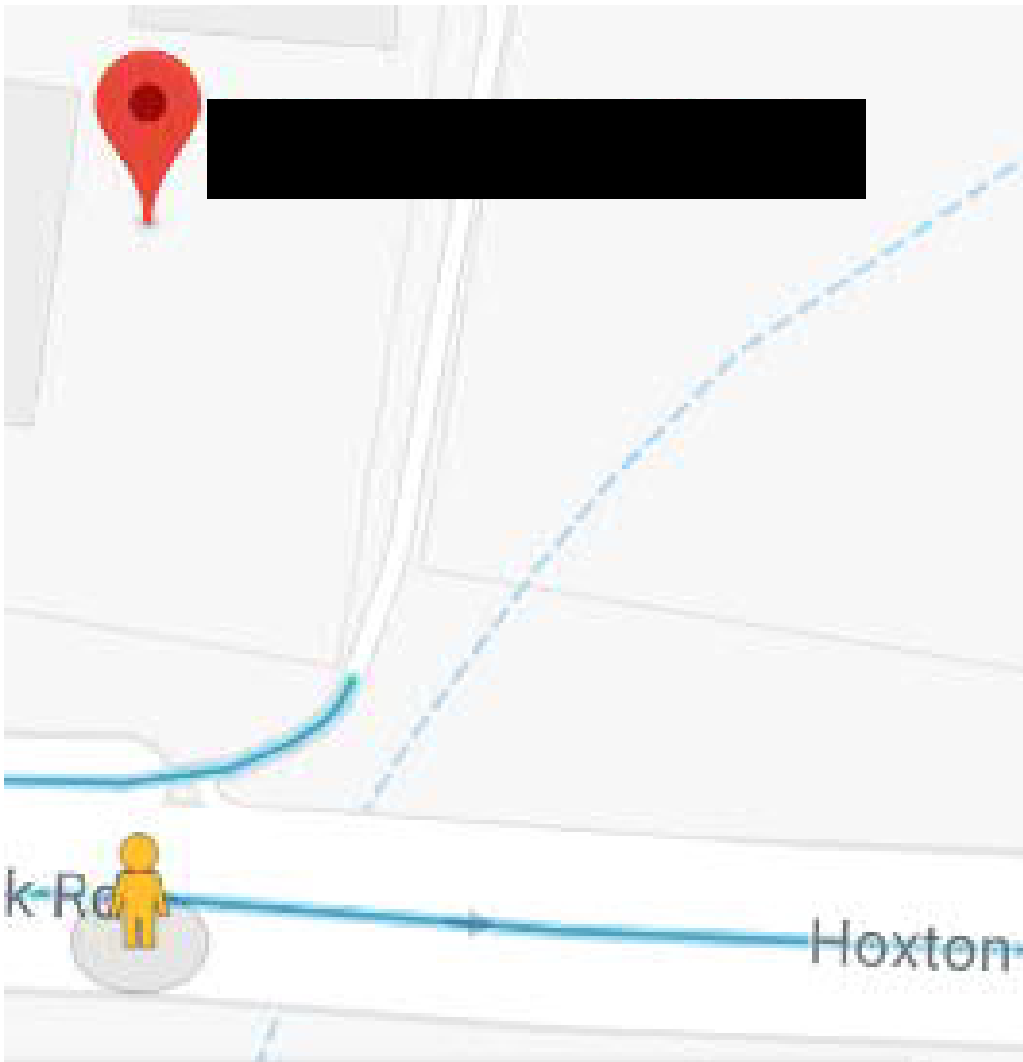
[REDACTED]

## Enclosure 1

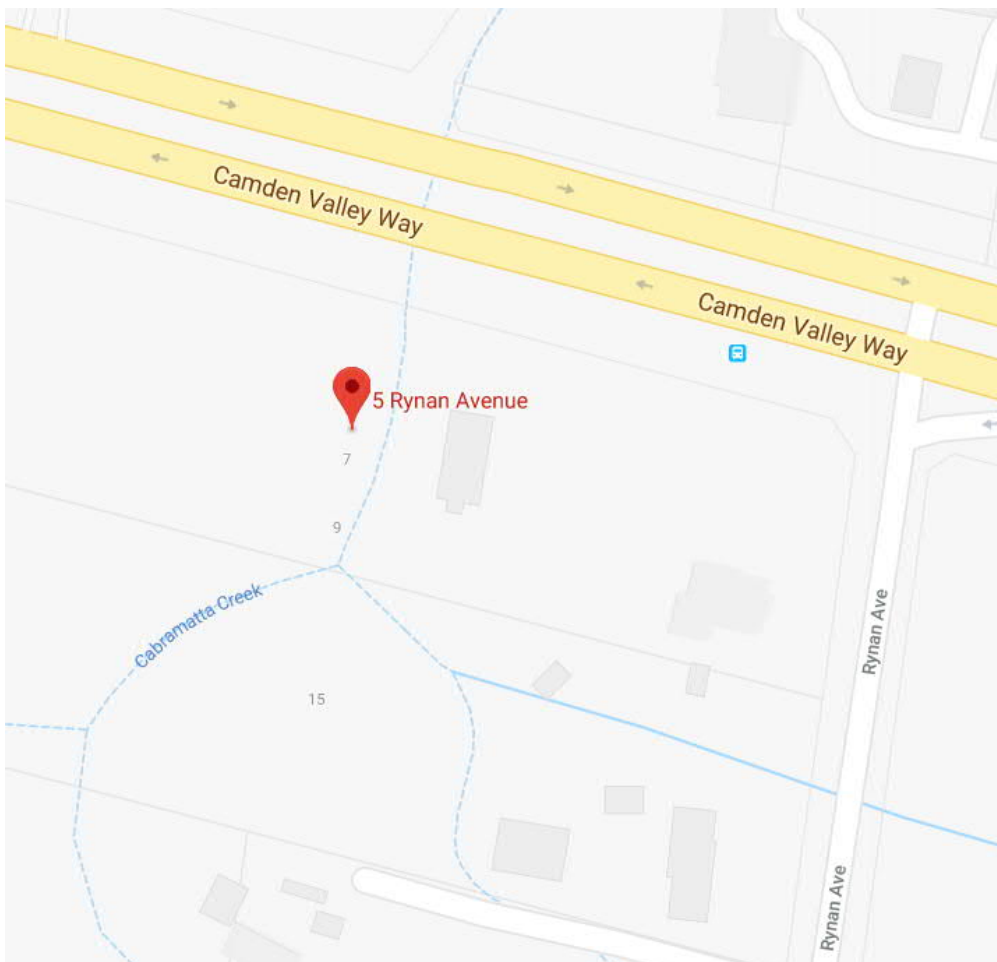




## Enclosure 2



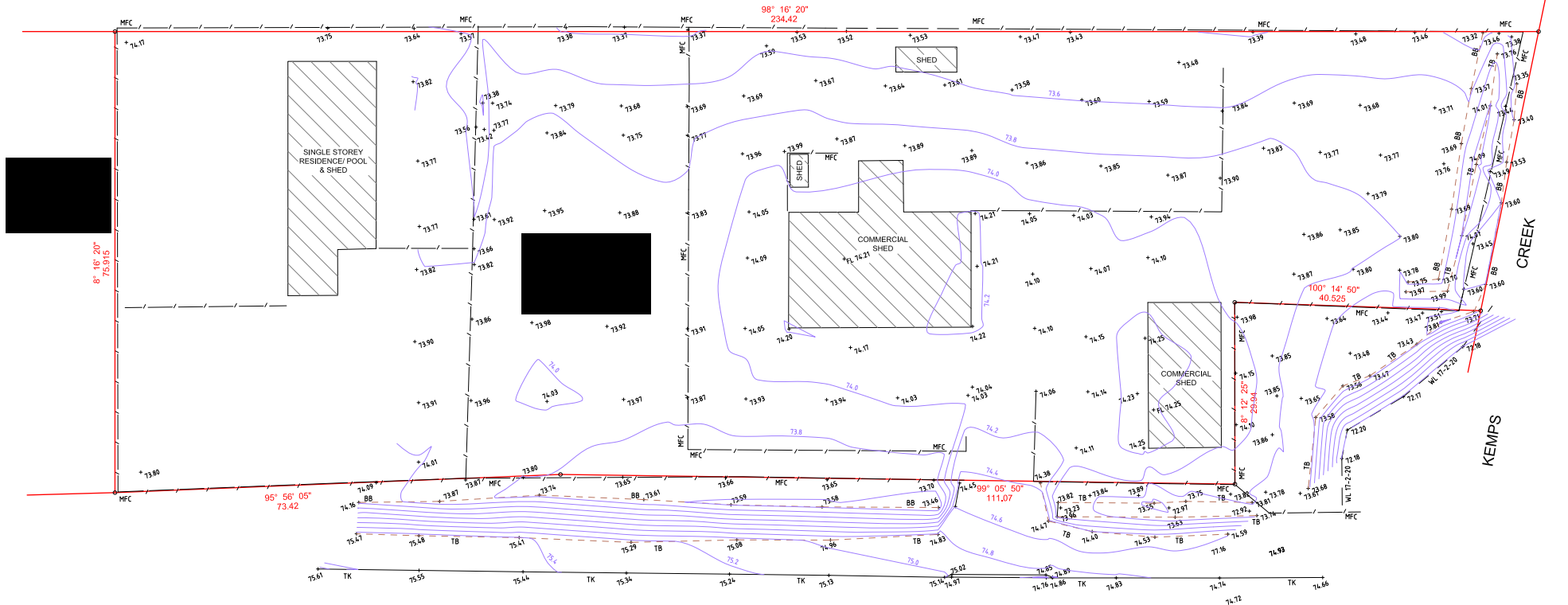
### Enclosure 3



## APPENDIX B – SITE SURVEY UNDERTAKEN FEBRUARY 2020



2  
DP 1203637



#### GENERAL NOTES

THESE NOTES ARE AN INTEGRAL PART OF THIS PLAN. THE INFORMATION SHOWN ON THIS PLAN OR IN THE ASSOCIATED CAD FILE IS SUPPLIED ON THE CONDITION THAT THESE GENERAL NOTES ARE ALWAYS SHOWN/KEPT ON ANY COPY OR EXTRACT OF THE HARD COPY/DATA FILE.

SURVEY HAS BEEN UNDERTAKEN IN A MANNER SUFFICIENT TO IDENTIFY BOUNDARIES. BOUNDARY LOCATION & DIMENSIONS HAVE BEEN IDENTIFIED FROM SURVEY MEASUREMENTS & PLANS OBTAINED FROM NSW LAND REGISTRY SERVICES.

ANY CONSTRUCTION OR WORKS RELYING ON CRITICAL SETBACKS FROM BOUNDARIES WILL REQUIRE ADDITIONAL BOUNDARY SURVEY & PLACEMENT OF BOUNDARY/SETOUT MARKS PRIOR TO COMMENCEMENT OF ANY WORKS. WUMARA GROUP WILL NOT BE HELD RESPONSIBLE FOR ANY ISSUES RESULTING FROM NON COMPLIANCE WITH THIS ADVICE.

NO EASEMENTS BURDENING OR BURDENING THE SUBJECT LAND ARE NOTED ON THE SUBJECT CERTIFICATE OF TITLES AS AT 16/02/2020.

THE RECORDS OF THE SERVICE AUTHORITIES HAVE NOT BEEN INVESTIGATED. ONLY THOSE SERVICES VISIBLE AT THE TIME OF SURVEY HAVE BEEN SHOWN

LEVELS ARE BASED ON AUSTRALIAN HEIGHT DATUM (AHD) THE ORIGIN OF WHICH IS SSM 16387 RL 77.515 AHD (SOURCE: NSW SPATIAL SERVICES).

#### ABBREVIATIONS

BB - BOTTOM OF BANK  
CO - CONCRETE  
FL - FLOOR LEVEL  
MFC - METAL FENCE  
TB - TOP OF BANK  
TK - TOP OF KERB  
WL - WATER LINE

0 6 12 30  
SCALE 1:350

DATE	REV	COMMENTS

PLAN PREPARED FOR:  
**ROTHSHIRE PTY LTD**

DATUM : A.H.D	SCALE : 1:350 @ A1	DATE : 17-02-2020
ORIGIN OF LEVELS : SSM 16387	LOCALITY : ROSSMORE	SURVEY : DF DB
CONTOUR INTERVAL : 0.2m	LGA : LIVERPOOL	DRAWN : DF
SHEET NO. 1 OF 1	REF : 060220DF3	CHECKED : DM

DESCRIPTION: <b>PLAN SHOWING SELECT FEATURES &amp; LEVELS</b>
<b>ROSSMORE, NSW</b>