

Planning Services

Gateway Determination Report

LGA	The Hills Shire
PPA	The Hills Shire Council
NAME	40 Solent Circuit, Baulkham Hills – amendments to Schedule 1 Additional Permitted Uses (10 jobs)
NUMBER	PP 2018 THILL 007 00
LEP TO BE AMENDED	The Hills Local Environmental Plan 2012
ADDRESS	Part of 40 Solent Circuit, Baulkham Hills
DESCRIPTION	Part Lot 2105 DP 1201899
RECEIVED	4 May 2018
FILE NO.	IRF18/3812
POLITICAL DONATIONS	There are no donations or gifts to disclose and a political donation disclosure is not required
LOBBYIST CODE OF CONDUCT	There have been no meetings or communications with registered lobbyists with respect to this proposal

INTRODUCTION

Description of planning proposal

The planning proposal seeks to amend The Hills Local Environmental Plan 2012 Schedule 1 – Additional Permitted Uses, to facilitate up to 400sqm of additional permitted uses within the ground floor of the approved residential flat building of part of 40 Solent Circuit, Baulkham Hills comprising business premises (up to 100sqm), shops (up to 100sqm) and cafes/restaurants (up to 200sqm).

The proposal will enable a more flexible land use approach to the existing ground floor tenancies, which have already been approved as non-residential uses ancillary to the residential flat building and will create approximately 10 jobs.

Site description

The proposal applies to land at the western portion of 40 Solent Circuit, Baulkham Hills (Part Lot 2105 DP 1201899). The site is located within the Norwest Town Centre Residential Precinct on the northern side of Solent Circuit opposite Norwest Lake. Construction is currently in progress for a 12-storey residential flat building comprising 77 apartments, 400sqm of ground floor neighbourhood shops and 178 basement parking spaces (**Figures 1 and 2**). The development was approved by the Joint Regional Planning Panel on 26 November 2015 (1560/2016/JP).

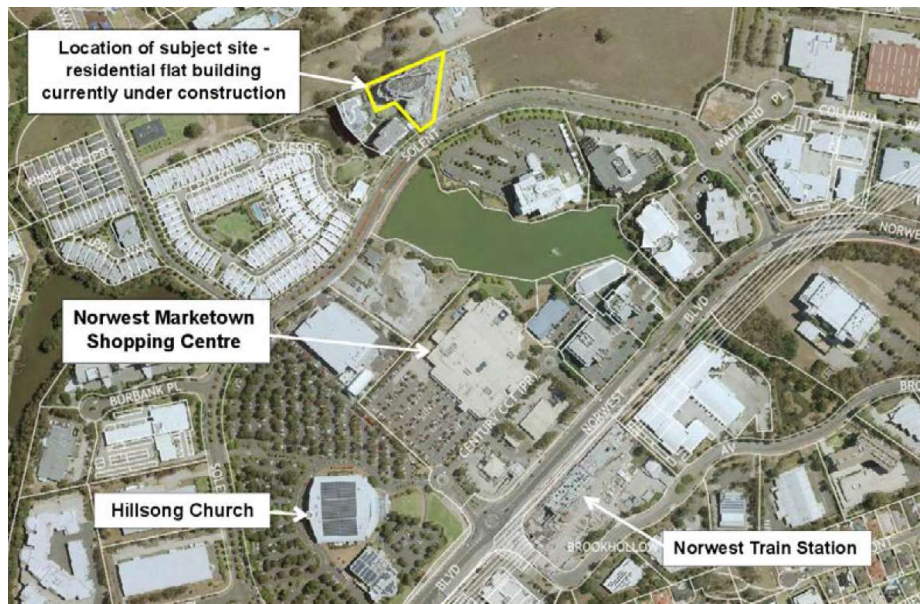


Figure 1 – Site and surrounding area (site outlined in yellow)

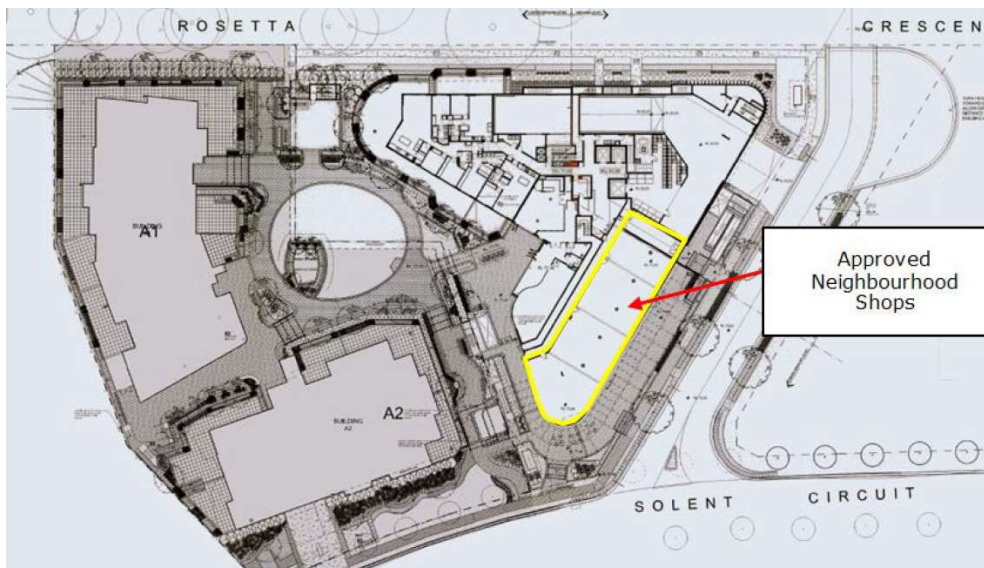


Figure 2 – Location of subject floor space in approved development (outlined in yellow)

Existing planning controls

The following Hills Local Environmental Plan 2012 development standards apply to the subject site:

- Zoned R4 High Density Residential;
- Maximum Height of Buildings RL116 metres; and
- Minimum lot size of 1,800sqm.

Surrounding area

The site is located within an area being developed for predominantly residential uses within the Norwest Station Precinct. Directly to the east of the subject site are business park uses, while north is the Castle Hill Country Club and golf course and residential estates, south is commercial uses, and west are residential estates. The site is also within a 550-metre walking distance of the future Norwest Metro Station.

The planning proposal has merit as it is consistent with the local and strategic planning framework and should proceed as it will enable a more flexible land use planning approach to existing ground floor tenancies which have already been approved as non-residential uses ancillary to the residential flat building.

Objectives or intended outcomes

The objective of the planning proposal is to amend The Hills Local Environmental Plan 2012 Schedule 1 – Additional Permitted Uses to facilitate up to 400sqm of additional permitted uses within the ground floor of the approved residential flat building comprising business premises (up to 100sqm), shops (up to 100sqm) and cafes/restaurants (up to 200sqm). For the purpose of public exhibition, the objectives and intended outcomes are clear in the planning proposal.

To achieve the intended outcome, the planning proposal seeks to amend Schedule 1 – Additional Permitted Uses of The Hills LEP 2012 to permit the following additional permitted uses on the site, subject to development consent:

- Business premises with a maximum combined gross floor area of 100sqm;
- Shops with a maximum combined gross floor area of 100sqm; and
- Restaurant or café with a maximum combined gross floor area of 200sqm.

The explanation of provisions is suitable for the purposes of public exhibition.

The planning proposal includes updates to The Hills Local Environmental Plan 2012 Additional Permitted Uses Map. The planning proposal includes extracts of the existing and proposed Additional Permitted Uses maps (refer to **Figure 3** below). The mapping extracts provided are suitable for the purposes of public exhibition.

Proposed Additional Permitted Uses Map

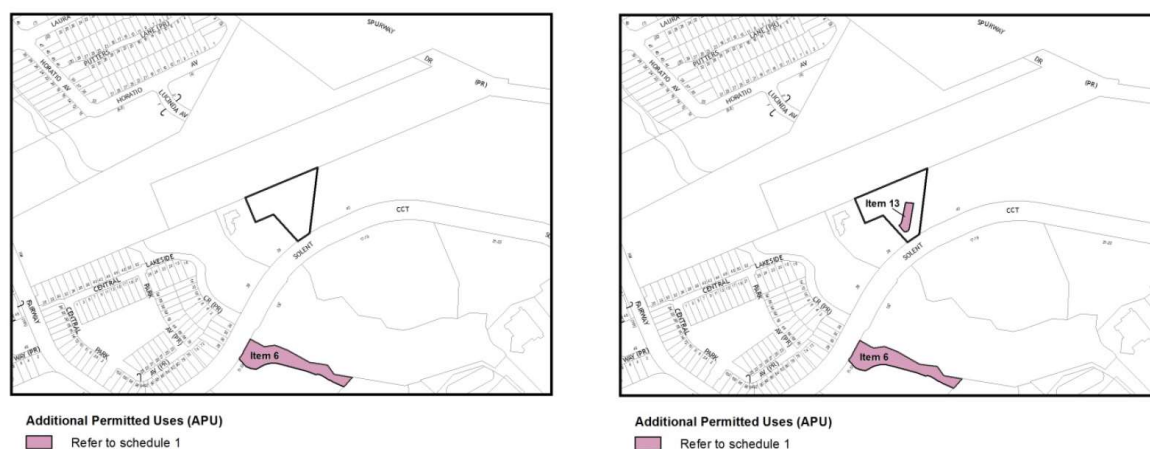


Figure 3 – Additional Permitted Uses mapping extract from planning proposal documentation

NEED FOR THE PLANNING PROPOSAL

Council notes that the planning proposal is considered to be the best way to achieve the intended outcomes for the site. While the initial strategic intention of the site did not envisage any commercial or retail development on the site, the proposed additional permitted uses would be ancillary in nature and would support significant development uplift planned for the locality. Further, the proposal will enable a more flexible approach to the use of existing approved ground floor tenancies. It would ensure that current and future residents within surrounding high-density development and employees within the business park have greater access to small-scale services to meet their day-to-day needs.

There is sufficient strategic and site-specific merit to allow the additional permitted uses on the subject site as discussed in the following sections of this report.

STRATEGIC ASSESSMENT

Regional / District

Greater Sydney Region Plan

The Greater Sydney Region Plan provides a 40-year vision for the Greater Sydney region. The following directions, objectives and strategies are considered relevant for the planning proposal:

- Direction: A well-connected city.
 - Objective 14: *A Metropolis of Three Cities* – integrated land use and transport creates walkable and 30-minute cities.
 - Strategy 14.1: Integrate land use and transport plans to deliver the 30-minute city.
- Direction: Jobs and skills for the city – creating the conditions for a stronger economy.
 - Objective 22: Investment and business activity in centres.
 - Strategy 22.1: Provide access to jobs, goods and services in centres.

The proposal (**Attachment A1-A7**) is consistent with these objectives and strategies as it will generate approximately 10 jobs, contributes to the objective of a 30-minute city through enabling further retail and commercial development within the Norwest Station Precinct close to public transport.

Central City District Plan

The Central City District Plan was released in March 2018. The following planning priorities of the Central City District Plan are relevant to the proposal:

- Planning Priority C4: Fostering healthy, creative, culturally rich and socially connected communities; and
- Planning Priority C10: Growing investment, business opportunities and jobs in strategic centres.

The proposal is consistent with these priorities as it will enable the provision of local businesses comprising retail uses and commercial services which will service the future residential community.

North West Rail Link Corridor Strategy and Norwest Station Structure Plan 2013

The North West Rail Link Corridor Strategy (Sydney Metro Northwest) seeks to guide development in the corridor and around the proposed station precincts. The delivery of a station at Norwest is expected to strengthen Norwest's role as a specialised centre.

The Structure Plan indicates capacity for an additional 4,350 dwellings and 13,200 jobs within the Norwest Precinct by 2036, supported by a projected rate of 14,000sqm of commercial floor space per annum and a retail floor space of 1,200sqm per annum. The Structure Plan identifies the subject site as being suitable for high density residential uses of approximately 7-12 storeys.

The proposed additional permitted uses, while not anticipated under the station structure plan, will provide amenity to future residents. The proposal is considered generally in keeping with the North West Rail Link Corridor Strategy and Norwest Station Structure Plan (**Figure 4**).

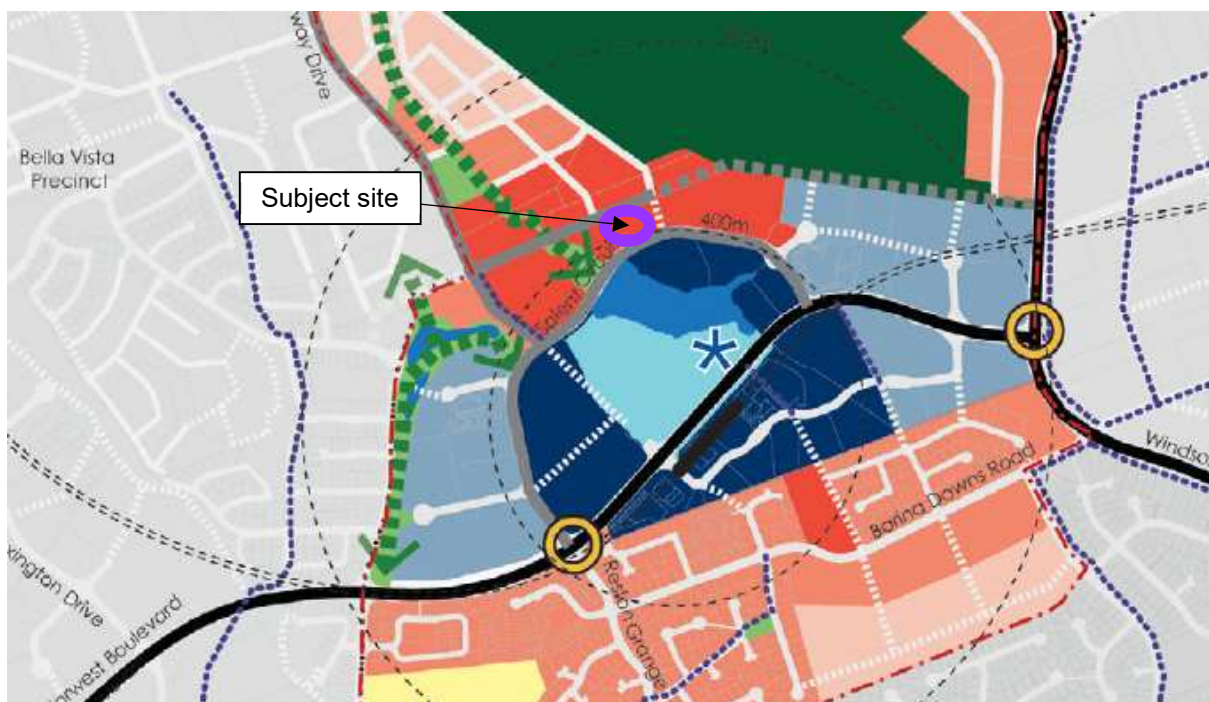


Figure 6 – Norwest Station Structure Plan (site outlined in purple)

Local

The Hills Future Community Strategic Plan

The following key outcomes and strategies from The Hills Future Community Strategic Plan are relevant to this proposal:

- Outcome: Responsible planning facilitates a desirable living environment and meets growth targets.
 - Strategy: Manage new and existing development with a robust framework of policies, plans and processes that are in accordance with community needs and expectations.

The proposal is consistent with the vision and objectives of the Strategic Plan as it will create additional local services to the residential community.

Local Strategy

Council's Local Strategy is supported by seven Strategic Directions, of relevance to this proposal is the Centres, Employment Lands and Integrated Transport directions. A summary of the consistency of the planning proposal with these directions is provided below:

- Centres Direction

This direction seeks to establish a centres hierarchy which provides places for residents to have access to facilities, jobs and recreation. As stated by Council, the proposal would provide better suited employment opportunities and services to residents within the precinct and local neighbourhood

- Employment Lands Direction

This direction anticipates that the Shire has capacity for an additional 55,574 jobs to 2031 and seeks to provide employment close to home, services and transport infrastructure. As stated by Council, the proposal would facilitate local jobs close to housing and transport.

- Integrated Transport Direction

This direction is to ensure that planning and future development supports the provision of an efficient transport network. As stated by Council, the proposal is consistent with this direction as subject site is within an 800-metre walking catchment of the Norwest Station.

The Hills Corridor Strategy

The Hills Corridor Strategy was adopted by Council on 24 November 2015 to build upon the Department of Planning and Environment and Transport for NSW's North West Rail Link Corridor Strategy (2013) (Sydney Metro North West) and associated Norwest Station Structure Plan.

The proposal is consistent with the Strategy as it will facilitate 10 additional jobs and support the surrounding residential precinct.

Section 9.1 Ministerial Directions

The proposal is consistent with the following relevant Section 9.1 Ministerial Directions:

- Direction 3.1 Residential Zones – the proposal does not affect the variety and choice of housing types, given the existing approval of 400sqm on non-residential uses within the subject residential flat building, the proposal will enable the utilisation of this space for alternative business uses, it will not impact upon the approved residential yield;
- Direction 3.4 Integrating Land Use and Transport – the proposal will allow additional business type uses within a well-development business park with access to public transport and infrastructure;
- Direction 5.9 North West Rail Link Corridor Strategy – the proposal will contribute to local services for residential development and is consistent with the North West Rail Link Corridor Strategy and Norwest Station Structure Plan; and
- Direction 6.3 Site Specific Provisions – the proposal does not propose unnecessarily restrictive site specific planning controls, rather it seeks to

permit more flexible uses of existing ground floor tenancies which have already been approved as non-residential uses ancillary to the residential flat building.

State environmental planning policies

There are no state environmental planning policies of specific relevance to this subject planning proposal. As provided in the planning proposal documentation (**Attachment A**) the proposal is consistent with any SEPPs of general relevance.

SITE-SPECIFIC ASSESSMENT

Social and Economic

No significant social or economic impacts are anticipated as a result of the proposal, however, the proposal will enhance the amenity of future residents within the approved residential flat building and the surrounding community.

Environmental

As discussed in the planning proposal documentation (**Attachment A1-A7**) the proposal is unlikely to result in any adverse environmental impacts. A Traffic and Parking assessment has been submitted (**Attachment A7**) which suggests that the proposal will not result in any additional traffic or parking impacts.

CONSULTATION

Community

Given the minor nature of the proposal, a community consultation period of 21 days is considered an appropriate amount of time to gauge the response by the community.

Agencies

Referral to the following agencies is recommended:

- Transport for NSW; and
- Transport for NSW – Roads and Maritime Services.

TIME FRAME

The proposed timeframe to finalise this planning proposal is 6 months.

LOCAL PLAN-MAKING AUTHORITY

It is recommended that authorisation to be the local plan-making authority is issued to The Hills Shire Council in this instance given its consistency with the strategic and local planning framework.

CONCLUSION

The planning proposal has merit as it is consistent with the local and strategic planning framework and should proceed as it will enable a more flexible land use planning approach to existing ground floor tenancies which have already been approved as non-residential uses ancillary to the residential flat building.

RECOMMENDATION

It is recommended that the delegate of the Greater Sydney Commission, determine that the planning proposal should proceed subject to the following conditions:

1. The planning proposal should be made available for community consultation for a minimum of 21 days.
2. Consultation is required with the following public authorities:
 - Transport for NSW; and
 - Transport for NSW – Roads and Maritime Services;
3. The time frame for completing the LEP is to be **6 months** from the date of the Gateway determination.
4. Given the nature of the planning proposal, Council should be the local plan-making authority.



11/7/2018

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11/7/2018

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