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| ITEM-4 | PLANNING PROPOSAL - 40 SOLENT CIRCUIT, BAULKHAM HILLS (5/2015/PLP) |
| THEME: | Balanced Urban Growth |
| OUTCOME: | 7 Responsible planning facilitates a desirable living environment and meets growth targets. |
| STRATEGY: | 7.2 Manage new and existing development with a robust framework of policies, plans and processes that is in accordance with community needs and expectations. |
| MEETING DATE: | 8 NOVEMBER 2016 COUNCIL MEETING |
| GROUP: | STRATEGIC PLANNING |
| AUTHOR: | SENIOR TOWN PLANNER PIERS HEMPHILL |
| RESPONSIBLE OFFICER: | MANAGER FORWARD PLANNING STEWART SEALE |

EXECUTIVE SUMMARY

This report recommends that the planning proposal to amend The Hills Local Environmental Plan 2012 (LEP 2012) to increase the maximum building height from RL116 metres (approximately 10 storeys) to RL176 metres (up to 26 storeys), apply a 'base' Floor Space Ratio (FSR) of 1:1 and an 'incentivised' FSR of 2.9:1 and allow additional permitted uses on land at 40 Solent Circuit, Baulkham Hills be forwarded to the Department of Planning and Environment for Gateway Determination.

It is also recommended that associated amendments to The Hills Development Control Plan 2012 (DCP 2012) Part D Section 8 Norwest Town Centre - Residential Development be progressed concurrently with the planning proposal.

The planning proposal would facilitate a mixed use development with nine (9) towers ranging from eight (8) to 26 storeys in height and accommodating 864 residential units, 2,500m² of commercial floor space, 1,500m² of retail floor space, a 1,500m² gymnasium and a 500m² childcare centre.

The proposal represents an opportunity to provide high quality metropolitan living within the Norwest Specialised Centre and maintain the Garden Shire character into its urban future. The proposal allows for an increase in residential density on the site however, provides this in a landscaped setting with minimal site coverage (30%) and a series of open space parks and garden areas at ground level. The planning proposal is consistent with State and Local strategic planning policies, is well-located to utilise planned and existing services and infrastructure within the Norwest Business Park and is approximately 550 metres walking distance of Norwest Rail Station. The proposal would contribute significantly towards the provision of new dwellings within the Norwest Precinct by 2036 as projected in the State Government's North West Rail Link Corridor Strategy and Council's The Hills Corridor Strategy.

As discussed further within this report, the application of a 'base' FSR of 1:1 and 'incentivised' FSR of 2.9:1 is consistent with the methodology agreed between Council and State Government for securing housing mix and diversity within the Sydney Metro Northwest Corridor which was considered by Council by way of Mayoral Minute (No.9/2016) on 25 October 2016.

APPLICANT & OWNER

Mulpha Norwest Pty Limited

THE HILLS LOCAL ENVIRONMENTAL PLAN 2012

| | Existing | Proposed (As Submitted) |
|----------------------------|-----------------------------|---|
| Zone: | R4 High Density Residential | R4 High Density Residential (with Additional Uses) |
| Minimum Lot Size: | 1,800m ² | 1,800m ² |
| Maximum Height: | RL116 metres | RL176 metres |
| Maximum Floor Space Ratio: | None | 4.5:1 |

POLITICAL DONATIONS

Nil disclosures by the applicant

HISTORY

| | |
|-------------------|---|
| 09/05/2012 | Planning proposal (7/2012/PLP) lodged to amend the maximum permissible building height within the East Precinct from 16 metres to 30 metres and amend the site specific DCP. |
| 27/11/2012 | Council resolved not to proceed with the planning proposal (7/2012/PLP) with concerns regarding a lower density than suitable, lack of a through site link and small unit sizes. |
| 07/08/2014 | Development consent (936/2014/JP) issued for the construction of two (2) residential flat buildings (eight (8) and nine (9) storeys in height) comprising of 99 units on the western portion of the East Precinct. |
| 05/09/2014 | Planning proposal (5/2015/PLP) lodged to amend maximum height of buildings to RL164 metres (24 storeys), apply a FSR of 4.5:1 and permit additional uses to facilitate a mixed use development including 1,200 residential units. |
| 07/10/2014 | Planning proposal (5/2015/PLP) reported to Councillor briefing. Feedback was provided to the applicant following this and the applicant advised that an amended proposal would be submitted in the future. |
| 24/11/2015 | Council adopted The Hills Corridor Strategy. |
| 26/11/2015 | New Stage 1 Master Plan (1347/2015/JP) for the East Precinct approved for 342 units (up to 12 storeys in height) and 66 attached dwellings representing 85 dwellings per hectare. |
| 26/11/2015 | Development consent (1560/2015/JP) issued for the construction of a 12 storey residential flat building comprising of 77 units on the western portion of the East Precinct. |
| 08/07/2016 | Amended planning proposal (5/2015/PLP) submitted in response to feedback following Councillor Briefing on 7 October 2014. |

REPORT

The purpose of this report is to consider the planning proposal to amend LEP 2012 , as it applies to land at 40 Solent Circuit, Baulkham Hills, to:

- Increase the maximum permissible height of buildings from RL116 metres (10 storeys) to RL176 metres (26 storeys);
- Apply a maximum floor space ratio of 4.5:1 (currently no FSR on this site); and
- Allow additional permitted uses (with consent): Business premises, Child care centres, Health consulting rooms, Medical centres, Recreation facilities (indoors), Restaurants or cafés and Shops.

THE SITE

The proposal applies to land at 40 Solent Circuit, Baulkham Hills (part Lot 2105 DP1201899) with an area of 3.77 hectares. The site is located on the northern side of Norwest Business Park, approximately 550 metres walking distance from Norwest station. The site adjoins commercial land (B7 Business Park) to the east and south, with R4 High Density Residential land to the north and west. As demonstrated below, the subject site is the remaining undeveloped portion of the Norwest Residential East Precinct.

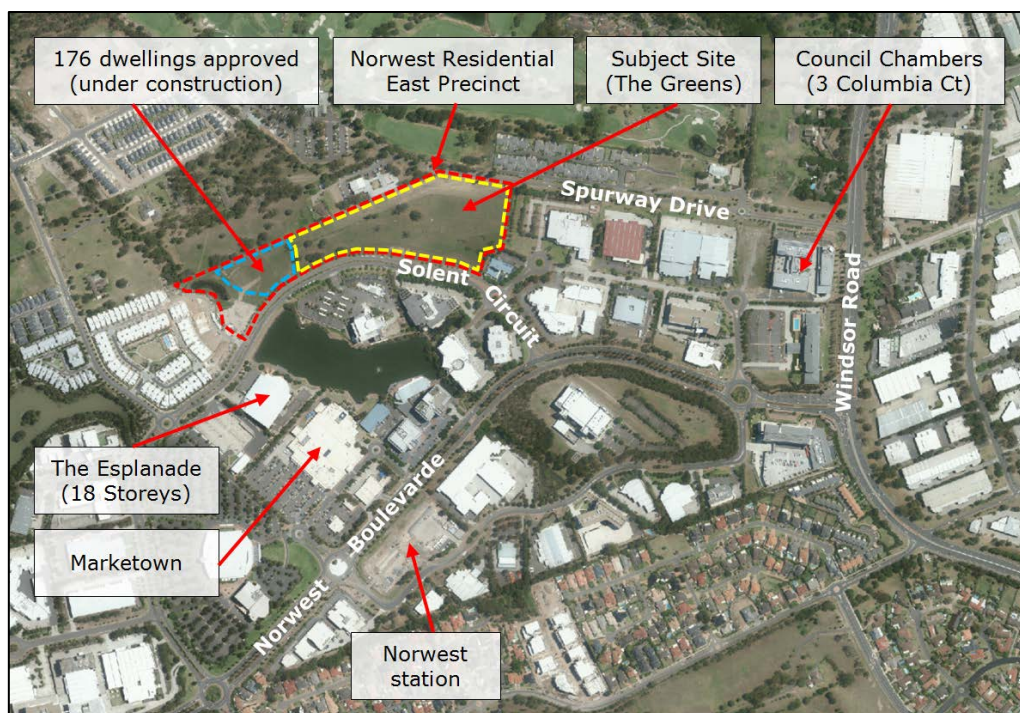


Figure 1

The site (yellow), Norwest Residential East Precinct (red) and context

The site rises steeply from Solent Circuit and there are rises from west to east and south to north with the highest point in the north east corner of the site. Views are limited from the site to the north by dense trees along Spurway Drive and neighbouring properties. Views to the south from the higher points on site look to the roof lines of development within the business park and to surrounding ridge lines with glimpses of the Banyai Pines at Bella Vista Farm.

The Norwest Residential East Precinct has Master Plan approval for 342 units (up to 12 storeys in height) and 66 attached dwellings representing 85 dwellings per hectare. Three (3) residential towers have been approved within the Eastern Precinct

accommodating 176 units up to 12 storeys in height. The planning proposal, for 864 units on the remaining portion of the East Precinct, will enable a total yield of 1,040 units within the entire East Precinct (representing a density of 216 dwellings per hectare).

PLANNING PROPOSAL

The applicant's planning proposal seeks to amend LEP 2012 to facilitate a mixed use development comprising 864 residential units on the remaining undeveloped portion of the Norwest Residential East Precinct. To achieve this, the planning proposal seeks to:

- Increase the maximum height of building map from RL116 metres (10 storeys) to RL176 metres (26 storeys);
- Apply a maximum floor space ratio of 4.5:1 (currently no FSR on this site); and
- Allow additional permitted uses (with consent): Business premises, Child care centres, Health consulting rooms, Medical centres, Recreation facilities (indoors), Restaurants or cafés and Shops.

In support of the planning proposal the applicant has submitted a development concept showing a mixed use development comprising nine (9) towers up to 26 storeys in height and accommodating: 864 residential units; 1,500m² of commercial floor space; 500m² of cafés and restaurants; 1,000m² of neighbourhood shops; a 1,500m² gymnasium; 1,000m² of medical services; and a 500m² childcare centre. The planning proposal would result in an average density of 216 dwellings per hectare across the entire Norwest Residential East Precinct.

STRATEGIC CONTEXT

As detailed in Attachment 1, the proposal is consistent with A Plan for Growing Sydney, The Hills Local Strategy and all relevant Section 117(2) Ministerial Directions. The proposal is generally consistent with the North West Rail Link Corridor Strategy, The Hills Corridor Strategy and Section 117(2) Ministerial Direction 5.9 North West Rail Link Corridor Strategy as discussed below.

North West Rail Link Corridor Strategy

The NSW Government Corridor Strategy provides a vision for how the areas surrounding the eight (8) new stations of the Sydney Metro Northwest could be developed to integrate new homes and jobs.

The Norwest Structure Plan projects that within the Norwest Station Precinct, an additional 4,350 dwellings will be provided by 2036 including 350 dwellings in 7-12 storey apartment buildings.

The Structure Plan identifies the site as being suitable for High Density Apartment Living which could comprise 7-12 storey apartment buildings with a floor space ratio of between 3:1 and 4:1, carefully master planned around communal open spaces and incorporating landscaped setbacks to existing streetscapes. Based on this height and floor space ratio it could be anticipated that the site would achieve approximately 933 to 1,600 dwellings.



Figure 2
North West Rail Link Corridor Strategy 'High Density Apartment Living'

The proposed development outcome is considered generally consistent with the Corridor Strategy and recognises the master planned outcome that could be achieved on such a large site within the Norwest Precinct. It is noted that the proposed yield of 1,040 dwellings (including existing approvals for 3 buildings on the western portion of the Norwest Residential East Precinct) is marginally less than that identified under the North West Rail Link Corridor Strategy as the proposal seeks to provide significantly more landscaping at ground level (approximately 70% of site), resulting in substantially smaller building footprints. It is considered that the proposal is a superior outcome, which capitalises on the strategic location of the site and provides a master planned outcome in a landscaped setting.

The Hills Corridor Strategy

The Hills Corridor Strategy was adopted by Council on 24 November 2015 to build upon the platform established by the NSW Governments Corridor Strategy and articulate redevelopment opportunities arising from the Sydney Metro Northwest around each of the seven (7) stations that are within, or close to, the Shire. It is underpinned by guiding principles that reflect the long held strategic direction of Council that is embedded in Council's Local Strategy and Local Environmental Plan (LEP) with the key being a hierarchy of zones that see the greatest densities closer to transport and centres, while maintaining low density housing choices in more peripheral locations.

The Strategy identifies Norwest Business Park as a major specialised centre and seeks to reinforce the centre as a key employment destination, becoming the largest employment centre for Sydney's North West. The Hills Corridor Strategy identifies opportunity for 5,320 additional dwellings and 14,450 additional jobs within the Norwest Precinct by 2036.

To achieve this, the Strategy identifies the Norwest Residential East Precinct as being suitable for 216 dwellings per hectare. In combination with approved development west of the site, the proposal achieves a density of 216 dwellings per hectare across the Norwest Residential Eastern Precinct, consistent with the strategy.

While the Corridor Strategy did not envisage any commercial or retail development on the site, the proposed additional uses are considered to be appropriate to provide services to residents and the wider public and to help create an active neighbourhood.

Ministerial Section 117 Directions

Ministerial Direction 5.9 North West Rail Link Corridor Strategy promotes transit-oriented development and managed growth around the eight train stations and seeks to ensure development within the NWRL corridor is consistent with the proposals set out in the NWRL Corridor Strategy and precinct Structure Plans. These matters are addressed above under the *North West Rail Link Corridor Strategy* and *The Hills Corridor Strategy* headings and it is considered that the proposal is consistent with this direction.

ISSUES

The planning proposal requires consideration of the following matters:

- a) Desired character;
- b) Building height;
- c) View corridors;
- d) Overshadowing;
- e) Floor space ratio;
- f) Design excellence;
- g) Traffic and parking;
- h) Additional permitted uses;
- i) Local infrastructure and public benefit; and
- j) Development Control Plan.

a. Desired character

As outlined in Council's Centres Direction, Norwest is a Specialised Centre, characterised as a landscaped business park with specialised technology based employment supported by major transport infrastructure, high amenity shops and services and higher density and varied housing. The Norwest Town Centre Residential Precinct aims to provide a choice of housing to meet the needs of different people and to cater for a variety of lifestyle expectations. In keeping with the extensive structured open space network of the Business Park, residential development should be designed as a collection of buildings within a parkland setting and to maximise views to open space (as outlined in the Norwest Town Centre Residential Precinct DCP).

Residential development in and around Norwest Business Park transitions from large lot detached dwellings, smaller lot detached dwellings, and attached terrace housing to residential flat buildings along Solent Circuit. Much of the housing stock within the Norwest Precinct was developed in the context of a smaller scale business park prior to the certainty of a rail connection. The proposal represents an opportunity to meet the need for a higher density product to provide a greater choice of housing typology in the Precinct.

The vision for 'The Greens' is to scatter nine (9) residential towers with a minimal site coverage (30%) across a series of open space parks and garden spaces. The tall, slender towers proposed would be spaced along the northern and southern frontages of the site with generous building separation in order to maximise views over Norwest Lake, Castle Hill Country Club, Norwest Business Park and the wider region. The proposed outcome is consistent with the desired future character for this area as detailed in both State and Local planning policies and directions.

b. Building Height

A range of building heights from eight (8) to 26 storeys is proposed across the site up to a RL of 176 metres as illustrated below. This includes a tall design element atop each of the nine (9) proposed towers to soften the building silhouettes.

The proposal will enable a built form on the site beyond the scale originally envisaged for the Norwest Business Park and enabled under the existing height limit of RL116 metres.

However, in recent years the context of the business park has evolved as demonstrated in The Hills Corridor Strategy and recent approvals for taller building heights at Solent Circuit, Spurway Drive, Fairway Drive and Maitland Place. The site at Marketown has been identified as appropriate for approximately 22 storeys under The Hills Corridor Strategy and The NSW Corridor Strategy envisages up to 30 storeys on the Norwest railway station site as shown below. Accordingly, as demonstrated below, the proposed building heights would be appropriate in the context of the planned and desired character of future development within the Business Park.

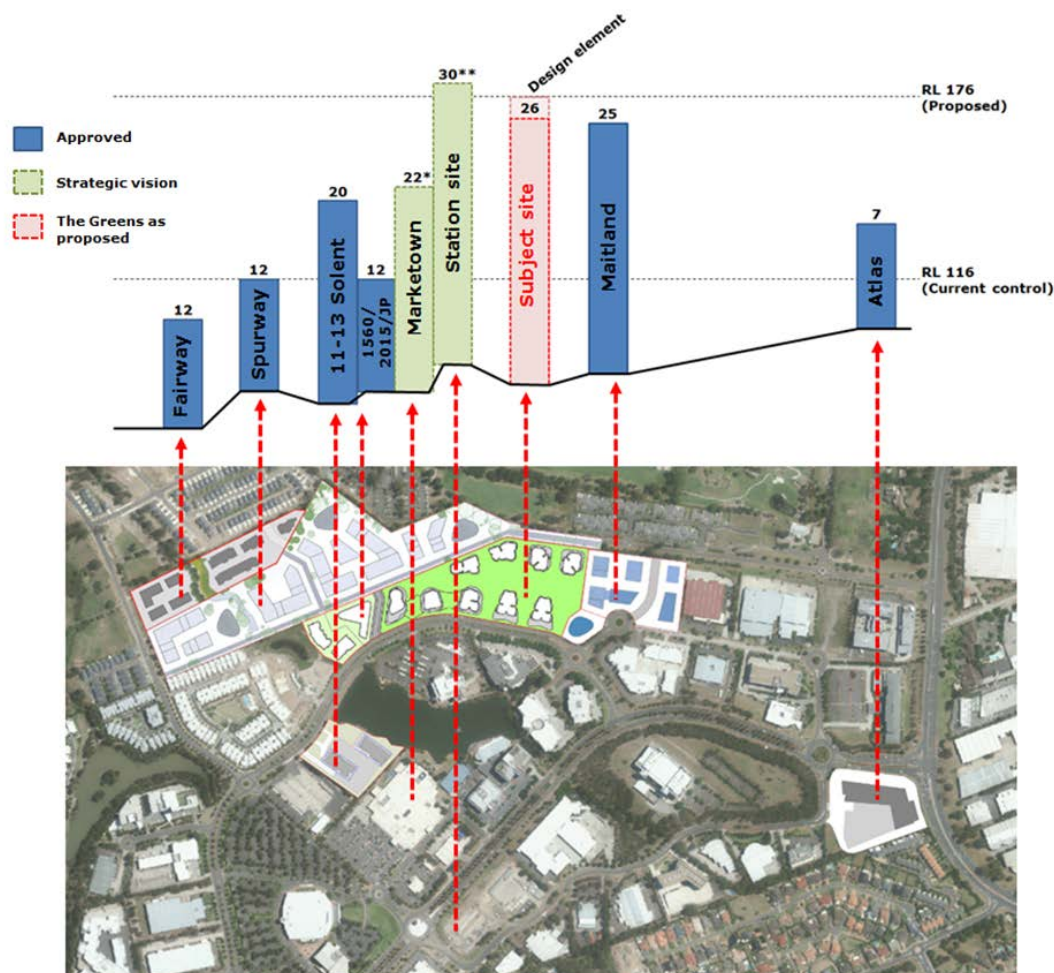


Figure 3

Local building heights approved and envisaged

22 storeys envisaged on the Marketown site under The Hills Corridor Strategy*

30 storeys envisaged on the railway station site under The NSW Corridor Strategy**



Figure 4
Local building heights approved and envisaged

It is critical to note that allowing 26 storeys in height will enable a suitable density to be achieved on the site within a more 'slender' built form with minimal site coverage (30%) and substantially more landscaping at ground level (70%) which will produce a less dominant built form (despite the height) than an alternative development for the same yield with lower heights and increased site coverage (50%).

Accordingly, while it may be possible for development on the site with a maximum height of 20 storeys to achieve the same density (216 dwellings per hectare), the proposed 26 storey outcome (with only 30% site coverage) will ultimately result in a less imposing and bulky built form and a more suitable development when viewed from the Public Domain which will allow for shared amenity between public and private open space. This concept is demonstrated in the figure below.

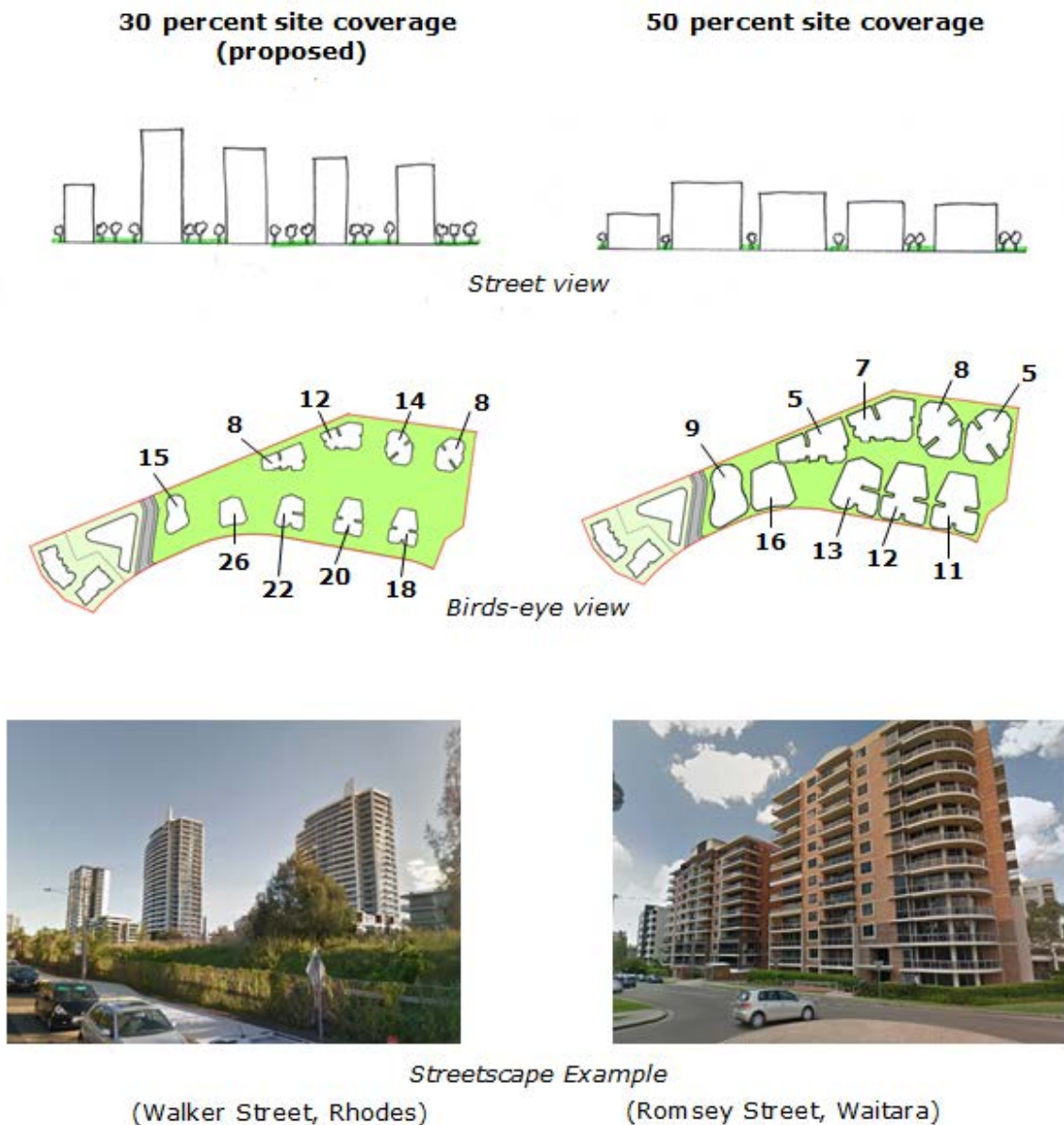


Figure 5
Site coverage and building height comparison

The proposed development, when viewed from the pedestrian realm, benefits from greater heights, reduced building footprints and a more slender form as the additional height is not naturally perceptible from the public realm, as any difference generally falls above the 'visible plane' (as demonstrated below).

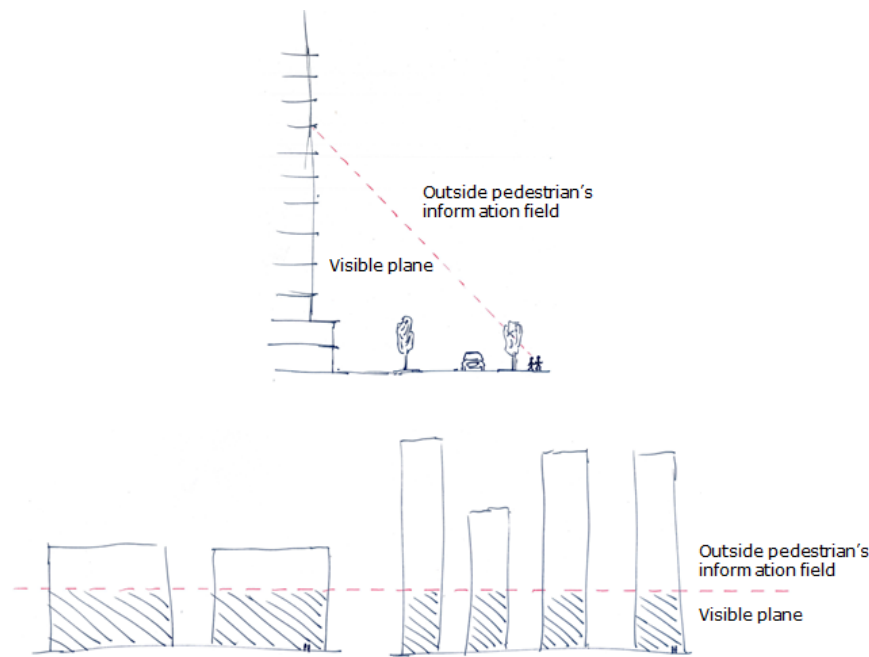


Figure 6
Indicative Perceptible Height Plane

The slender form of the towers provides more contact points than a continuous flat wall and is therefore a more effective and comfortable boundary for the public realm. Greater building separation provides a greater sense of openness and breaks the building massing and a sense of enclosure. It also provides for greater internal amenity and solar access within the development.

Having regard to the above, the proposed maximum height of 26 storeys is supported on the basis that it is consistent with the future character of the Norwest Business Park and enables an appropriate yield to be achieved with low site coverage, resulting in a superior development outcome when viewed from the public domain.

c. View corridors

Bella Vista Farm Park adjoins the Norwest Business Park and is a prominent cultural landmark. Bella Vista Farm derives its significance in part from its deliberate and prominent siting and rural setting with views and vistas to and from the site and its aesthetic values, including its sense of place.

The location of Bella Vista Farm is visible from a wide visual catchment. In particular, views of the avenue of Bunya Pines planted on the site can be glimpsed from both within Norwest and from distant residential areas and roads. The Conservation Management Plans prepared for Bella Vista Farm (2000 and 2012) recognise views to and from the farm as an extremely important aspect of the cultural significance of the place, and the importance of carefully controlled development so that it does not impact on these qualities.

The RL116 metres height limit introduced across Norwest in the late 1980s was intended to achieve a consistent built form throughout the business park. Importantly, this control was not specifically linked to the preservation of views in relation to Bella Vista

Farm. In 2006, additional controls relating to view corridors to and from Bella Vista Farm were introduced into the Development Control Plan (Development Control Plan 31 - Norwest Business Park). These controls are retained in The Hills DCP 2012 Part B Section 6 Business. Furthermore, The Hills DCP 2012 map and objectives make reference to distant views to Bella Vista Farm from the Castle Hill Seventh Day Adventist Church which adjoins the site.

Whilst the hilltop is highlighted in the DCP as one particular point from which Bella Vista Farm can be viewed, it is also private property forming part of the Norwest Residential development site on Solent Circuit that is subject to an approved masterplan and this proposal. The stated view corridor is therefore not generally available to the public and only broken glimpses of the Bunya Pines and farm exist from the site. The view corridor is not deemed to warrant the negation of this planning proposal because:

- The site is located 1.4 kilometres from Bella Vista Farm which dramatically reduces its impact upon the skyline as viewed from the farm;
- The slender built form of the proposed towers reduce their impact upon the skyline;
- Twenty (20) storeys have been supported at 11-13 Solent Circuit which sits within this view corridor and will reach a height of RL143 metres;
- The proposal represents an opportunity to capitalise on views to the farm from the proposed towers;
- The slender form of the proposed towers would provide opportunities for glimpses of the farm from Spurway Drive and open space within the site itself; and
- The subject site is the highest point in the area and therefore would not block any view to the farm from Castle Hill Country Club and other private land to the north.

d. Overshadowing

As demonstrated below, the proposal will result in overshadowing of adjoining land to the south including Solent Circuit, a portion of the Norwest Lake and adjacent commercial development.

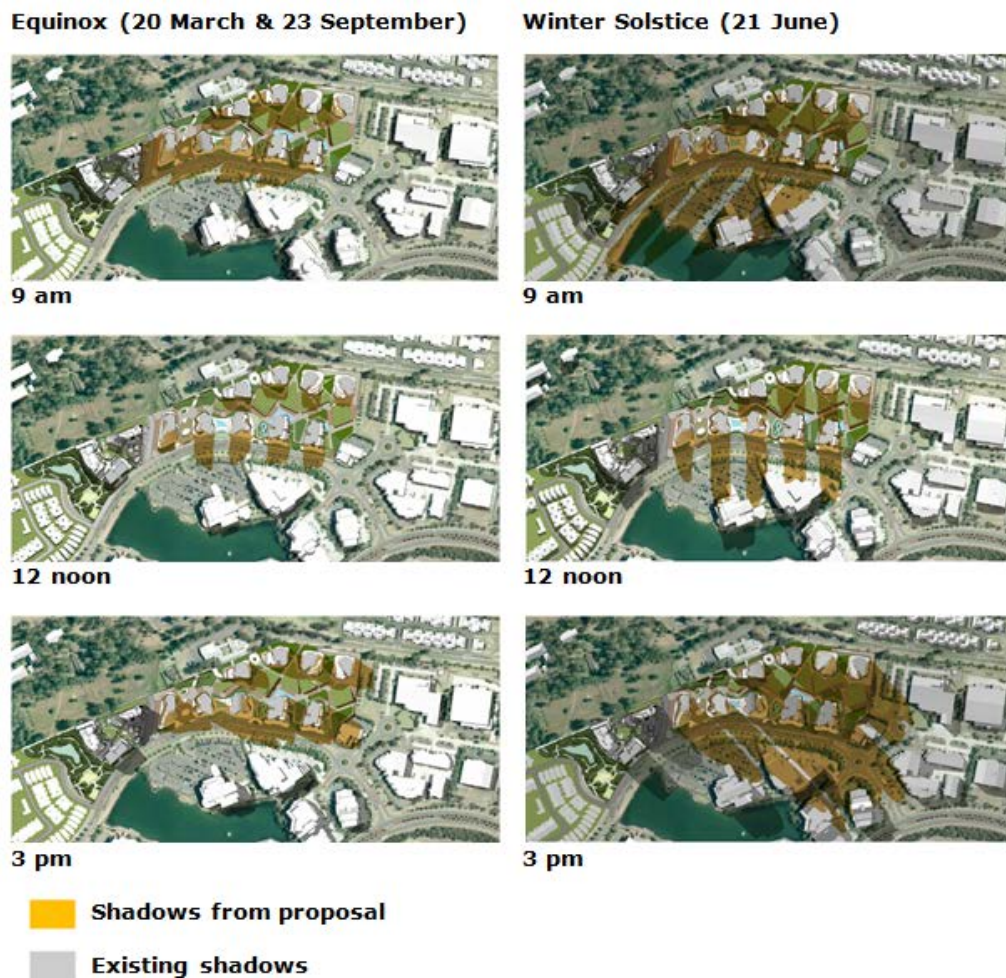


Figure 7
Solar access diagrams

It is considered that the overshadowing impacts are reasonable and acceptable on the basis that:

- At least 72% of units within the development will receive the minimum required three (3) hours of sunlight between 9am and 3pm in midwinter;
- No overshadowing of any residential development adjoining the site will occur between 10am and 3pm in midwinter;
- No overshadowing of the public domain around Norwest Lake will occur after 11am in midwinter; and
- Overshadowing of Solent Circuit is unavoidable due to orientation of the site and is less than the impact already under the approved Masterplan due to the slender built form proposed.

With respect to adjacent commercial development to the south, the development would reduce solar access to the northern faces of these buildings and their car parks. This is considered reasonable because the slender building design of the proposal still allows for solar penetration to the commercial buildings during midwinter.

A review of planning controls across other national and international centres revealed that there are considerable controls for protecting solar access to residential and public spaces but virtually none for protecting solar access to commercial buildings. The lack of resolve to protect solar access to commercial buildings may be because these developments generally seek to avoid direct sunlight to minimise heat gain and glare.

e. Floor Space Ratio

An FSR of 4.5:1 has been requested by the applicant to enable the delivery of 864 dwellings on the basis that if the site were to be subdivided into 'superlots' to facilitate each of the nine (9) towers on individual lots, then individual lots may require this FSR when calculated in isolation. However, application of this FSR has the potential to allow for a much higher density and yield than that proposed in the submitted concept.

The FSR imposed should reflect the site as it is configured currently and apply a common FSR across the entire site to ensure that any development of the site cannot exceed the density and yield of the concept submitted. The assessment of any future development application can be dealt with in the context of the entire site and any requirement for a higher FSR on a proportion of the parent site as a result of subdivision can be accommodated for by the Development Assessment process.

A maximum FSR of 2.9:1 across the site is adequate to allow for the 109,000m² of floor space proposed (864 dwellings) and would ensure that any application lodged on the site cannot exceed the mix of yield, density and site coverage proposed by the applicant. Accordingly, it is recommended that a maximum FSR of 2.9:1 be permitted, not 4.5:1 as requested.

Housing Mix and Diversity within the Sydney Metro Northwest Corridor

On 24 October 2016, Council received advice from the Department of Planning Chief Town Planner proposing a methodology for dealing with planning proposals within the Sydney Metro Northwest Corridor which ensures that Government expectations for dwelling yields are achieved within the Corridor, whilst also providing a framework for Council to achieve its objectives in relation to dwelling mix.

This methodology was developed in collaboration with the Chief Town Planner, Director Sydney Region East and Council staff and was considered by Council by way of Mayoral Minute (No.9/2016) on 25 October 2016. Council resolved that:

"Council write to the Minister for Planning the Hon Rob Stokes thanking him for working with Council and his Department to ensure future high density apartment development in Sydney Metro Northwest Corridor has the appropriate mix and size to suit our demography; and

To progress the Planning Proposals currently with the Department of Planning, Council accept Gateway Determinations with a condition requiring amendments to reflect the accepted methodology to enable exhibition as outlined in the attached correspondence from the Department of Planning Chief Town Planner, Mr Gary White".

It is recommended that this agreed methodology be applied to this planning proposal in order to ensure the delivery of the appropriate mix and diversity of housing to meet the future housing needs of future residents. Specifically, the application of the agreed methodology results in the following:

- Application of a 'base' FSR of 1:1 to the site, consistent with the agreed 'base' FSR for sites located more than 400 metres walking distance from the station; and
- Application of an 'incentivised' FSR of 2.9:1 to the site, being the maximum development potential where a future application complies with Council's housing mix and size criteria.

The 'incentivised' FSR of 2.9:1 would allow for the achievement of the development concept and yield submitted by the applicant and would be attainable where the future development application for the site complies with the new local provision relating to housing mix, diversity and car parking rates to be inserted into LEP 2012 in associated with all planning proposals within the Sydney Metro Northwest Corridor.

f. Design Excellence

The Norwest Town Centre DCP requires that buildings incorporate a palette of materials and construction techniques that not only respond to existing buildings adjacent to the site, but also create a unique identity for this residential community.

The proposed composition of building envelopes would achieve a distinctive urban design outcome where sculptural building forms create a varied façade and present different features from various angles, creating interest and implied movement. The composition would achieve a varied silhouette on the skyline, transitioning from the height of surrounding buildings. It is proposed that an application of high quality materials and finishes would be used to reinforce the architectural forms and add to the fine grain to positively contribute to the streetscape, communal spaces within the site and the broader urban setting to create a unique identity for this location.

Any future development application would be subject to the usual assessment process, the Norwest Planning and Design Review Panel, would require approval from the Body Corporate of the Norwest Association Limited and would be subject to Council's 'design excellence' clause within LEP 2012 (to be amended as part of the Castle Hill North planning proposal).

g. Traffic

The proposal is expected to generate approximately 450 and 525 vehicle trips during the morning and afternoon peak hours respectively. Including the trip generation associated with the 176 units already approved in the Eastern Precinct, a total of between 520 and 620 trips are likely to be generated during the morning and afternoon peak hours respectively.

A traffic report prepared by TDG and Gennaoui Consulting (June 2016) concludes that the proposed development will only marginally affect the level of service of all major approach roads to the site. It states that Solent Circuit would continue to operate at Level of Service "A" and that the section of Norwest Boulevard between Windsor Road and Columbia Place would operate at level of service "B" while all other roads would continue to operate at their current levels of service.

The report recommends provision of traffic signals at the intersections of Norwest Boulevard with Solent Circuit East and with Reston Grange and Solent Circuit East.

This signalisation of the intersection of Solent Circuit (East) and Norwest Boulevard was a condition (Condition No.8) of the approved Master Plan and should be enforced with this proposal and as part of any future development consent issued.

Council and the Roads and Maritime Services (RMS) have been reviewing the traffic master plan for Norwest and developing a funding strategy that will upgrade Norwest Boulevard together with several key intersections, including the intersections of Solent Circuit with Norwest Boulevard. Works include the replacement of three (3) existing roundabouts with traffic signals. These works are required to incorporate bus priority and improved pedestrian access so that public transport becomes an integral part of the

transport solution. It may be appropriate for the site to contribute towards these works through a VPA.

The RMS is also investigating changes to the traffic signal phasing along Old Windsor Rd at both the Norwest Boulevard and Celebration Drive intersections to ease traffic flow out of the business park in the afternoon peak. In addition, Council has designed a six (6) lane upgrade for the full length of Norwest Boulevard which will assist in managing traffic flows into the future. The impact of the planning proposal on traffic in the area is considered reasonable within the context of planned traffic improvements and can be mitigated through the installation of traffic signals at the intersections of Norwest Boulevard with Solent Circuit East and with Reston Grange and Solent Circuit East.

h. Additional Permitted uses

While the proposal seeks primarily to enable higher density residential development on the site, it also seeks to enable small-scale retail and commercial uses (approximately 6,000m² in total) at the western end of the site through amendments to Schedule 1 of LEP 2012 to permit the following uses: Business premises, Child care centres, Health consulting rooms, Medical centres, Recreation facilities (indoors), Restaurants or cafés and Shops.

These uses are considered to be appropriate to provide conveniences and services required by new residents and those in the local neighbourhood and for the activation of street frontages and the publically accessible portion of the site. The location of the retail space would further strengthen the focus of activity around Norwest Lake without detracting from the continued viability of the adjoining local centre (Marketown).

In order to limit the supply of commercial and retail floor space to an appropriate scale, the amendment to Schedule 1 of The Hills LEP 2012 shall restrict the additional permitted use to the following floor areas:

- 1,500m² of Business premises;
- 500m² of Restaurants or cafés;
- 1,000m² of Shops;
- 1,500m² of Recreation facilities (indoors);
- 1,000m² of Health consulting rooms and Medical centres; and
- A 500m² Child care centres.

i. Local Infrastructure and public benefit

Section 94 Contributions

The site is subject to Contributions Plan No.8 – Kellyville/Rouse Hill Precinct (CP8) and with a proposed yield of 864 dwellings would generate Section 94 Contributions of approximately \$10.2 million.

CP8 envisaged a yield of 176 dwellings across the entire Norwest Business Park East Precinct Residential Precinct whereas the planning proposal (and approved development to the west) would result in 1,040 dwellings.

This represents 864 dwellings over that envisaged for the site under CP8 and is likely to result in a significant increase in demand for local infrastructure not provided for under the current Section 94 plan.

Two development approvals have already been granted for 176 dwellings on the site requiring payment of \$2.28 million in Section 94 under CP8.

Should Council resolve to proceed with the planning proposal, it is considered that the applicant will need to address the demand for local infrastructure generated by the additional 864 dwellings and not accounted for under CP8.

While 864 additional units resulting from this planning proposal may not, in isolation, create the need for new local infrastructure facilities, it is critical to consider the cumulative impact of incremental uplift and growth on local infrastructure provision. This is especially relevant where a number of planning proposals seek to achieve uplift in advance of the completion of detailed precinct planning and infrastructure assessments for the rail precincts.

To illustrate, Figure 8 below identifies the additional dwellings, over and above the amount catered for by existing and planned local infrastructure, proposed by three (3) planning proposals within the northern area of the Norwest Precinct which are currently under evaluation.



Figure 8

Additional yield proposed by planning proposal currently under evaluation
(over and above the amount catered for by existing and planned local infrastructure)

As demonstrated above, the cumulative number of additional dwellings currently proposed within this area (over and above the amount catered for by existing and planned local infrastructure) is approximately 1,355 dwellings.

Based on participation rates within The Hills Shire (from the 1995, 2005 and 2012 Recreation Plan household survey results), 2,000 additional dwellings within an area would typically generate the need for approximately:

- 1 (one) new sports fields;
- 1 (one) local park;
- 1 (one) netball court;
- 1 (one) tennis court; and
- 40% of a local community centre.

Based on this, the 1,355 additional dwellings proposed within the north of Norwest Precinct by the three (3) planning proposals currently under evaluation would generate the need for approximately:

- 68% of a new sports field;
- 68% of a local park;
- 68% of a netball court;
- 68% of a tennis court; and
- 27% of a local community centre.

Accordingly, noting the cumulative impact of incremental development as a result of planning proposals, the 864 additional dwellings (over and above the 176 dwellings approved and funded under CP8) proposed by the current planning proposal for 38-40 Solent Circuit would generate the need for approximately:

- 43% of a new sports field;
- 43% of a local park;
- 43% of a netball court;
- 43% of a tennis court; and
- 17% of a local community centre.

Local Open Space and Community Facilities

The majority of the site does not have access to public passive open space within 400 metres however, as illustrated below, considerable public (4,476m²) and private (20,412m²) open space would be provided on site as part of the development.

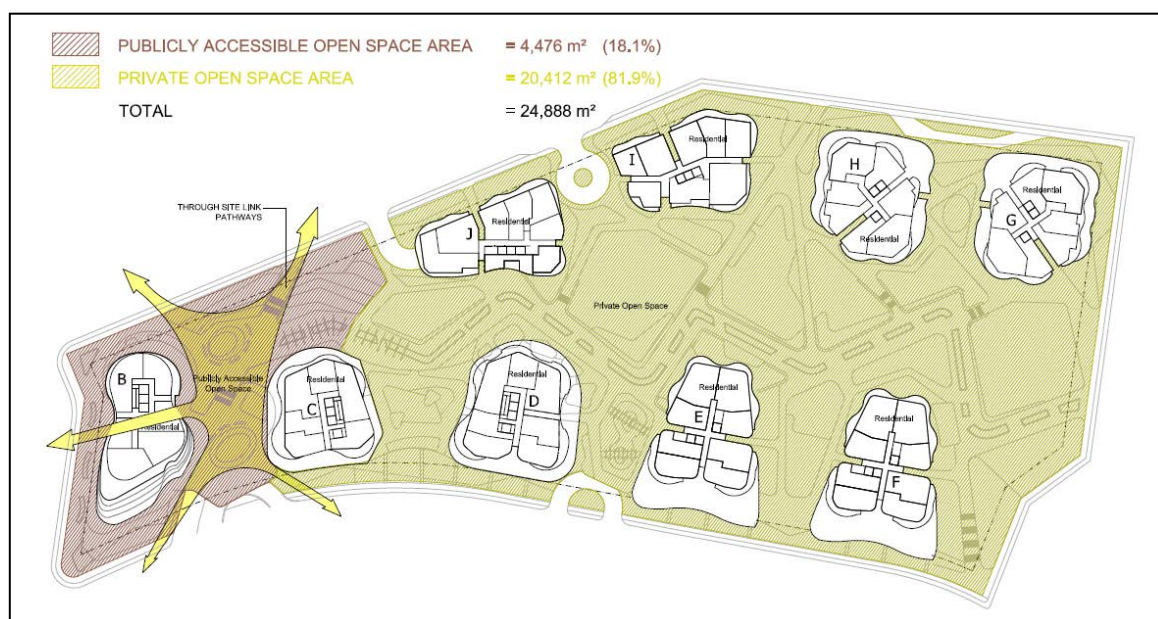


Figure 9
Additional yield proposed by planning proposal currently under evaluation

The open space proposed on site appears to respond to the specific and unusual opportunity provided by the large scale of this site and the volume of open space relative to the built form. The extensive open space, walkways and recreation opportunities proposed could encourage an active lifestyle with a focus on broad participation and interaction for residents, to create a strong sense of community, belonging and shared identity.

While the planning proposal may generate a number of public benefits associated with the proposed new local road and public domain improvements, it fails to address, or provide adequate solutions to deal with, the increased demand for local infrastructure such as active open space and community facilities as a result of the proposed increase

in residential density. It is recommended that should the planning proposal proceed, it should be accompanied by a VPA which adequately addresses the demand for local infrastructure generated by the development.

j. Development Control Plan

The Hills DCP 2012 Part D Section 8 – Norwest Town Centre – Residential Development (Norwest Town Centre DCP) applies to the site and would need to be amended to facilitate the proposed development outcome.

The proposed DCP amendments are minor in nature. A draft amendment to the DCP has been prepared to address the following key issues and is provided as Attachment 2 to this report:

- Increasing the density controls from 175 persons per hectare to 216 dwellings per hectare;
- Inclusion of a maximum site coverage of 30% across the planning proposal site;
- Replacing the eastern precinct building layout plan, building height plan and the common open space plan to reflect the current concept;
- Removing the eastern precinct street hierarchy plan as it is not constant with the design concept proposed.

CONCLUSION

Having regard to the strategic location of the site being residential land within the Norwest Business Park, it is considered appropriate for a high density mixed use development outcome. The proposal is considered to be a high standard and aesthetically pleasing development which would provide a diversity of housing mix within the Norwest Residential Eastern Precinct and integrate a slender built form into the landscape with landscaping and open space representing 70% of the site at ground level.

The proposal represents an opportunity to provide high quality metropolitan living within the Norwest Specialised Centre and maintain the Garden Shire character into its urban future. Further, the application of the agreed methodology for securing housing mix and diversity within the Sydney Metro Northwest Corridor will ensure the delivery of appropriate housing mix and diversity consistent with the future demographics of the Shire.

In order to facilitate this outcome, it is recommended that Council forward the planning proposal to the Department of Planning and Environment for Gateway Determination.

The applicant has indicated an intention to progress a Voluntary Planning Agreement in support of this planning proposal which will provide public benefits which mitigate impacts on local traffic and demand for active open space. Should a Gateway Determination be received, the details of this Voluntary Planning Agreement should be agreed on before the planning proposal progresses to public exhibition to ensure certainty that the demand for local infrastructure generated by this development will be satisfied.

IMPACTS

Financial

This matter has no direct financial impact upon Council's adopted budget or forward estimates.

The Hills Future - Community Strategic Plan

The planning proposal seeks to promote better usage of existing land and capitalise on the strategic location of the site.

RECOMMENDATION

1. A planning proposal be forwarded to the Department of Planning and Environment for a Gateway Determination to:
 - a) Increase the maximum building height from RL116 metres (10 storeys) to RL176 metres (26 storeys) applicable to part Lot 2105 DP1201899.
 - b) Apply a maximum floor space ratio of 1:1 and a maximum incentivised floor space ratio of 2.9:1 (currently no FSR applicable) to part Lot 2105 DP1201899.
 - c) Include additional permitted uses on Schedule 1 of the LEP: Business premises (maximum 1,500m²), Child care centres (maximum 500m²), Health consulting rooms and Medical centres (1,000m²), Recreation facilities (indoors) (maximum 1,500m²), Restaurants or cafés (maximum 500m²) and Shops (maximum 1,000m²) applying to part Lot 2105 DP1201899.
2. Amendments to The Hills Development Control Plan 2012 Part D Section 8 Norwest Town Centre - Residential Development, as detailed in Attachment 2, be exhibited concurrent with the planning proposal.
3. Council proceed to discuss with the Applicant the preparation a draft Voluntary Planning Agreement which resolves the issues relating to the increased demand for local infrastructure generated by the additional residential density; and
4. Following the preparation of the draft Voluntary Planning Agreement, and prior to any public exhibition of the planning proposal, a report on the draft Voluntary Planning Agreement be submitted to Council for consideration.

ATTACHMENTS

1. Consistency with Strategic Directions (1 page)
2. Draft amendments to The Hills Development Control Plan 2012 Part D Section 8 Norwest Town Centre - Residential Development (40 pages)

ATTACHMENT 1

Consistency with Strategic Directions

The following is an overview of the relevant strategic directions.

| | |
|--|----------------------|
| A Plan for Growing Sydney | |
| <u>GOAL 1: A competitive economy with world class services and transport</u> | |
| Direction 1.6: Expand the Global Economic Corridor | Consistent |
| <u>GOAL 2: A city of housing choice, with homes that meet our needs and lifestyles</u> | |
| Direction 2.1: Accelerate housing supply across Sydney | Consistent |
| Direction 2.3: Improve housing choice to suit different needs and lifestyles | Consistent |
| Local Strategy | |
| <u>Residential Direction</u> | |
| R1 – Accommodate Population Growth | Consistent |
| R2 – Respond to changing housing needs | Consistent |
| R3 – Provide a sustainable living environment | Consistent |
| R4 – Facilitate quality housing outcomes | Consistent |
| <u>Environment and Leisure Direction</u> | |
| EL2 – Provide high quality spaces for community recreation and enjoyment | Consistent |
| EL3 – Improve the accessibility and connectivity of environment and leisure spaces | Consistent |
| EL4 – Provide for public domain spaces that encourage community interaction | Consistent |
| <u>Centres Direction</u> | |
| C1 – Create vibrant centres that meet the needs of the community | Consistent |
| C2 – Make centres more attractive places to visit | Consistent |
| C3 – Make centres accessible to the community | Consistent |
| C4 – Improve the functioning and viability of existing centres | Consistent |
| <u>Employment Lands Direction</u> | |
| E1 – Accommodate the growth of a modern local economy to meet community needs | Consistent |
| E3 – Promote growth in local business and employment opportunities | Consistent |
| E5 – Plan for new employment lands | Consistent |
| E6 – Encourage quality employment lands | Consistent |
| <u>Integrated Transport Direction</u> | |
| T3 – Promote and enhance sustainable travel choices | Consistent |
| North West Rail Link Corridor Strategy | Generally consistent |
| The Hills Corridor Strategy | Generally consistent |
| Ministerial Section 117(2) Directions | |
| <u>Housing, Infrastructure and Urban Development</u> | |
| 3.1 Residential Zones | Consistent |
| 3.4 Integrated Land Use and Transport | Consistent |
| <u>Regional Planning</u> | |
| 5.9 North West Rail Link Corridor Strategy | Generally consistent |

The Hills Development Control Plan (DCP) 2012

www.thehills.nsw.gov.au

ATTACHMENT 2

THE
HILLS
Sydney's Garden Shire



Part D Section 8
Norwest Town Centre
Residential Development

D8

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1. INTRODUCTION

This Section of the DCP must be read in conjunction with Part A – Introduction of this DCP.

1.1. LAND TO WHICH THIS SECTION OF THE DCP APPLIES

This Section of the plan applies to ~~Lot 21 DP 1034506, Solent Circuit, Baulkham Hills and Lot 301 DP 819129, Fairway Drive, Kellyville~~ properties at Peninsula Way, Central Park Avenue, Lakeside Crescent and 36-40 Solent Circuit, Baulkham Hills. It constitutes the residential component of the Norwest Business Park Town Centre, and is referred to in this Section as the Norwest Town Centre Residential Development. Figure 1 on the following page shows the location of the site.

1.2. AIMS AND OBJECTIVES OF THIS SECTION OF THE DCP

The aim of this Section is to identify the built form parameters for a mix of housing styles.

Council's primary objectives for residential development along Solent Circuit, in the Norwest Business Park are to:

- (i) *Encourage a high standard, aesthetically pleasing, and functional residential estate of various densities that sympathetically relates to existing and future adjoining development.*
- (ii) *Encourage innovative and imaginative designs with particular emphasis on the integration of buildings, landscaped areas and community recreational uses.*
- (iii) *Ensure residential development incorporates the principles of Ecological Sustainable Development.*

1.3. NORWEST PLANNING AND DESIGN REVIEW PANEL

The site comes under the provisions of the Norwest Master Scheme dated 2nd September 1992 which requires all land owners to consult with the Norwest Planning and Design Review Panel and obtain approval from the Body Corporate of the Norwest Association Limited prior to lodgement of a development application.

Council has in place a design review panel for development within the Norwest Business Park. The Norwest Planning and Design Review Panel consists of Senior The Hills Shire Planners, Mulpha Norwest Limited representatives and external expert advisors.

Applicants should provide evidence that consent has been granted by the Norwest Association Limited for submission of the development application.

2. NORWEST TOWN CENTRE RESIDENTIAL PRECINCT

Site Vision Statement

The Norwest Town Centre Residential Development aims to provide a choice of housing to meet the needs of different people and to cater for a variety of lifestyle expectations.

It also strives to offer alternative dwelling types to those currently available at Norwest.

In keeping with the extensive structured open space network of the Business Park, the new residential area is to be designed as a collection of buildings within a parkland setting.

Views from buildings within the site to adjacent open spaces including Norwest Lake are to be maximised.

Buildings are to incorporate a palette of materials and construction techniques that not only respond to existing buildings adjacent to the site, but also create a unique identity for this residential community.

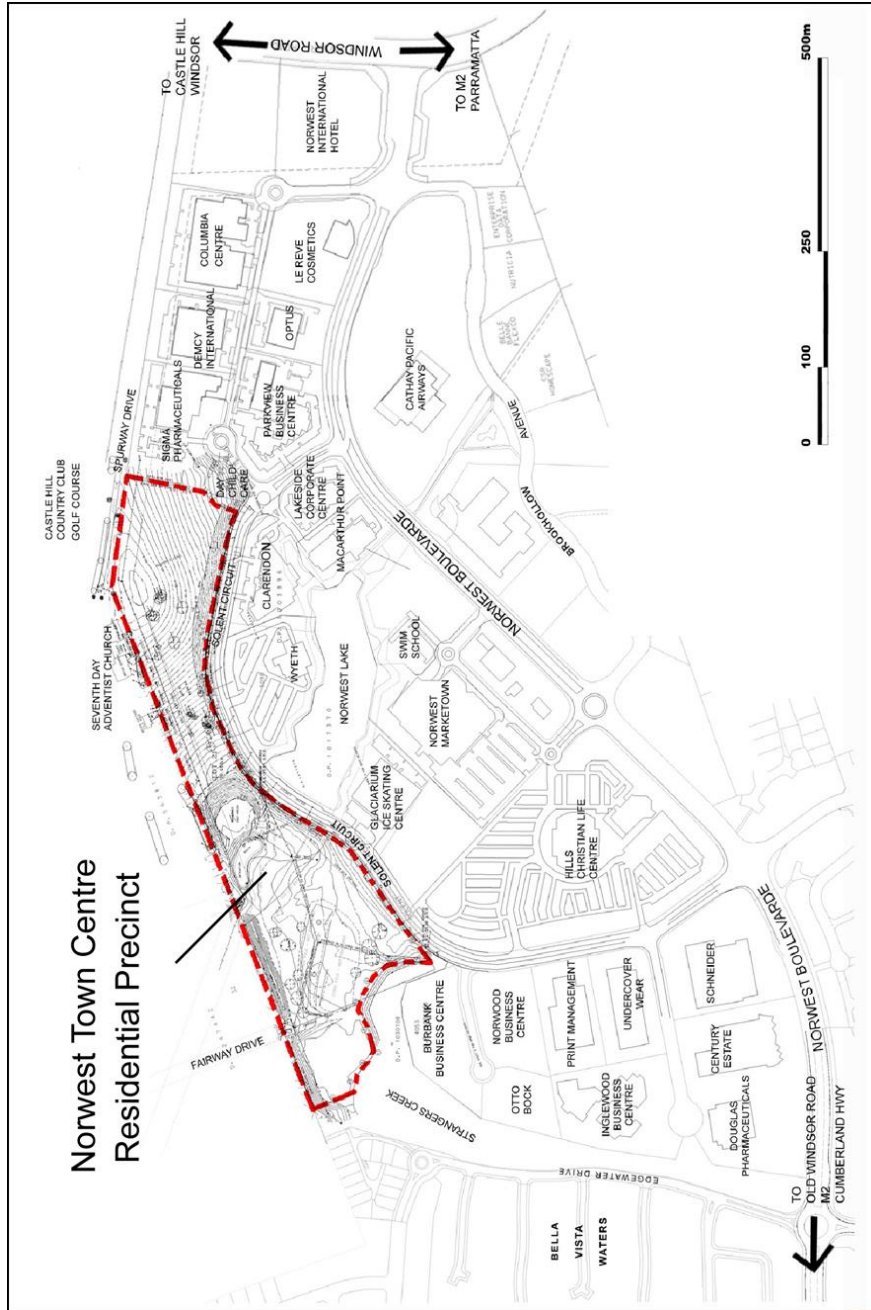


Figure 1 – Location of subject site

Part D Section 8

Norwest Town Centre —Residential Development

The existing **and proposed** buildings of the Town Centre, in association with Norwest Lake, provide a central focus and landmark for the Business Park and create a strong identity for the Town Centre.

The Norwest Town Centre Residential Development must respect and respond to the scale and character of the commercial buildings in the Town Centre whilst providing a continuity of building forms which is sympathetic to the adjacent residential areas (existing and proposed).

The new residential buildings are to illustrate a subtle transformation of architectural types from the large scale, simple, modern Town Centre commercial buildings to the eclectic detached dwellings within Bella Vista Waters.

Residential buildings adjacent to the commercial buildings of the Town Centre are to be large scale to complement the existing buildings but are to be articulated to create smaller scale components. They are to possess a level of detail and warmth that provides a high quality residential appearance and promotes a sense of ownership by residents.

3. OBJECTIVES AND DEVELOPMENT CONTROLS

The site has been divided into three precincts by the existing wetland detention basin and the Fairway Drive Road reservation that will connect into the Balmoral Release Area.

Figure 2 on the next page shows the three precincts. The three precincts are:-

- East Precinct
- Central Precinct
- West Precinct

In addition to those policies, guidelines and documents specified in Section 1.4 of Part A – Introduction, this Norwest Town Centre Residential Development Section is to be read in conjunction with other relevant Sections including:

- Part B Section 4 – Multi Dwelling Housing.
- Part B Section 5 – Residential Flat Buildings.
- Part C Section 1 – Parking.
- Part C Section 3 – Landscaping.
- Part C Section 6 – Flood Controlled Land

- Part D Section 5 – Kellyville/Rouse Hill Release Area; and
- Norwest Master Scheme dated 2nd September, 1992.

In the event of any inconsistency between this Section of the DCP and any other Section, the provisions of this Section shall prevail to the extent of the inconsistency.

3.1. DENSITY CONTROLS

The maximum **populationdwelling** density permitted for the site is **475 216 personsdwellings** per hectare **with a desirable range between 150-175 persons per hectare**. This density should be distributed with **168 dwellings per hectare in East Precinct area A and 230 dwellings per hectare in East Precinct area B as shown in Figure 3 in Appendix 1**. The density is based upon the occupancy rates in Table 1 **9** below.

Table 1 Occupancy rates

| Dwelling Type | Occupancy rate (Persons) |
|-------------------------|--------------------------|
| 1 bedroom unit/dwelling | 1.3 |
| 2 bedroom unit/dwelling | 2.1 |
| 3 bedroom unit/dwelling | 2.7 |
| 4 bedroom unit/dwelling | 3.5 |

Table 1—OCCUPANCY RATES

The overall maximum site density should not be considered as a desired yield for each precinct. The yield /density of each precinct will be dependent on the desired future character of each Precinct and the requirement to provide a range of densities over the entire site. This allows a transition of scale and density from the lower scale and less dense West Precinct to the higher scale and denser East Precinct.

Densities will therefore range from being generally lower than the allowable overall maximum site density in the West Precinct and higher in the East Precinct.

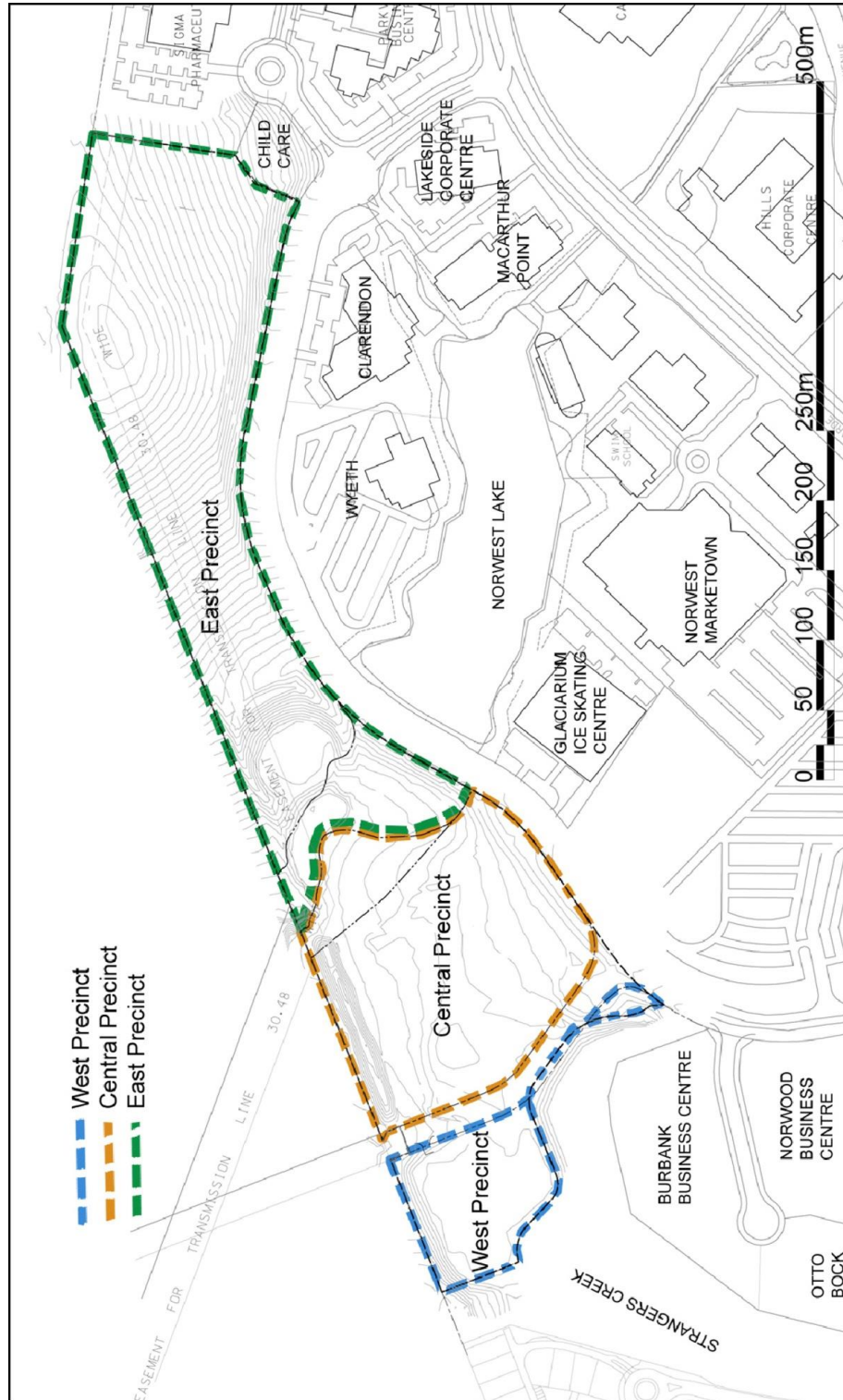


Figure 2 – Location of subject site precincts

3.2. EAST PRECINCT

3.2.1. DESIRED FUTURE CHARACTER STATEMENT

The East Precinct is to provide residential flat buildings in a landscaped parkland setting. The density of residential flat buildings is to reflect the scale of the commercial buildings located in the Norwest Business Park adjoining Solent Circuit.

Setbacks are to complement the Norwest Business Park setting and contribute to the landscaped character while allowing flexibility in the siting of buildings. The setbacks of proposed buildings are to minimise adverse impacts such as overshadowing and privacy on adjacent and adjoining properties.

Residential flat building heights are to ensure that buildings reflect the scale and height of the adjoining business park development **appropriate for a Specialised Centre with a railway station**. Residential flat buildings have been sited to minimise overshadowing of adjoining properties and communal open space areas. Residential flat buildings have been placed (following the topography of the site) to provide transition in building scale and to provide natural ventilation, solar access, outlook to residential flat buildings and year round sunlight to communal open spaces.

Communal open space for residents is to be provided in a parkland setting in addition to private open space being an extension of the main living areas of individual residential units. This open space should enhance the quality of the built environment by providing opportunities for landscaping in a parkland setting as well as provide a visual and active focus for the new residential community created through this development. All Communal open space areas are to accommodate appropriate facilities such as picnic and barbecue areas, children's play area and grassed areas for passive recreational use. Consideration should be given to the provision of a community building with recreational facilities such as a swimming pool, gymnasium and functional space to allow for resident meetings.

Car parking is to be sufficient and convenient for residents and visitors to residential flat buildings. Vehicles should be able to enter and leave residential flat buildings in a simple, safe and efficient manner.

Streetscapes are to be resident and visitor friendly in a landscaped setting associated with a street hierarchy that promotes a safe pedestrian and vehicular environment.

3.2.2. BUILT FORM CONTROLS

A. SITE PLANNING

OBJECTIVES

- (i) *To achieve coherent site planning and development that relates to the natural contours of the site and contributes to the character of the area.*
- (ii) *To provide for the effective management of common open spaces within the development.*

PERFORMANCE CRITERIA

Nil

DEVELOPMENT CONTROLS

- (a) Future development is to be located generally in accordance with Figure 3 in Appendix 1.
- (b) The **overall** site coverage shall be a maximum of 50% of the site area.
- (c) **The site coverage shall be a maximum of 30% of the East Precinct area B site area as shown in Figure 3 in Appendix 1.**

B. RESIDENTIAL FLAT BUILDING SIZE

OBJECTIVES

- (i) *To ensure that individual residential units are of a size suitable to meet the needs of residents.*
- (ii) *To ensure the layout of residential units is efficient and achieves a high level of residential amenity.*

PERFORMANCE CRITERIA

- a) Residential flat buildings are to satisfy the Design Quality Principles listed in State Environmental Planning Policy No.65 – Design Quality of Residential Flat Development.

DEVELOPMENT CONTROL

- (a) Internal layouts and size of residential units are to be in accordance with the development controls contained within Part B Section 5 – Residential Flat Buildings.

| | |
|--|----------|
| Main entry road | 8 metres |
| Access street | 4 metres |
| Between buildings (balcony to balcony) | 8 metres |

C. SETBACKS**OBJECTIVES**

- (i) *To provide setbacks that complements the landscape setting of the Norwest Business Park.*
- (ii) *To provide privacy for future residents within a parkland setting.*
- (iii) *To minimise overshadowing of communal open space areas.*

PERFORMANCE CRITERIA

- a) Setbacks are to complement the Norwest Business Park setting and contribute to the landscaped character of the precinct while allowing flexibility in the siting of buildings.

DEVELOPMENT CONTROL

- (a) The setbacks for the East Precinct shall be in accordance with the minimum setbacks outlined in Table 2 below.

Table 2 – SETBACKS**Table 2 Setbacks**

| | |
|----------------|-----------|
| Solent Circuit | 10 metres |
| North boundary | 14 metres |
| East boundary | 12 metres |
| West boundary | 12 metres |

- (b) The internal setbacks for the proposed residential flat buildings located in the East Precinct shall be in accordance with the minimum setbacks outlined in Table 3.

Table 3 – INTERNAL SETBACKS**Table 3 Internal setbacks****D. RESIDENTIAL FLAT BUILDING HEIGHT****OBJECTIVES**

- (i) *To ensure that residential flat buildings reflect the height and scale of the Norwest Business Park and respond to the site's topography.*
- (ii) *To minimise overshadowing of adjoining properties and communal open space areas.*

PERFORMANCE CRITERIA

- a) Building heights are to encourage a transition of scale from the lower scale Bella Vista Waters Residential Estate and West Precinct to the larger scale buildings on the eastern side of the Norwest Town Centre.

DEVELOPMENT CONTROLS

- (a) The maximum number of storeys shall be in accordance with Figure 4 in Appendix 1.
- (b) The maximum building heights allowable on the site shall be measured vertically from natural ground level. Basement parking shall protrude no more than one metre above natural ground level.

E. OPEN SPACE**OBJECTIVES**

- (i) *To provide open space for recreation and for use by the future occupants of the new buildings.*
- (ii) *To enhance the quality of the built environment by providing opportunities for landscaping in a parkland setting.*
- (iii) *To provide private open space that forms an extension of the residential flat building for the enjoyment of residents.*
- (iv) *To provide functional common open space areas for informal recreational use by future residents.*

PERFORMANCE CRITERIA

- a) Open space is to have regard to such requirements as solar access, outlook, privacy and the provision of common open space facilities.
- b) Each dwelling shall provide an area of useable private open space, or private courtyard area, which has direct access from the dwelling.

DEVELOPMENT CONTROLS**Landscaped Area**

- (a) A minimum of 50% landscaped area shall be provided over the entire precinct.

Private Open Space

- (b) For residential flats at ground level, opportunity must be made available for courtyards where the topography permits. All ground level courtyards must have a minimum area of 24m² and a minimum dimension of 4 metres. Courtyards are to be located directly in front of the dwelling's main living area and be capable of accommodating outdoor dining facilities and/or furniture.
- (c) Design techniques are encouraged to protect the privacy of ground floor courtyards from overlooking by above ground units, ground level communal areas and accessways.
- (d) Usable open space above ground floor is to be in the form of balconies adjacent to the main living area of the residential flat. Balconies are to have a total minimum area of 10m² with a minimum depth of 2.4 metres for balcony areas directly outside the main living area of residential flat. Balconies must be capable of accommodating outdoor dining facilities and/or furniture.

Common Open Space

- (e) To provide for the recreational needs of residents, common open space areas are to be provided in the locations as shown in Figure 5, Appendix 1.

F. CAR PARKING AND ACCESS**OBJECTIVES**

- (i) *To provide sufficient and convenient parking for residents and visitors.*
- (ii) *To ensure that vehicles may enter and leave the residential flat buildings in a safe and efficient manner.*
- (iii) *To provide a legible and permeable road network.*

PERFORMANCE CRITERIA

- a) Car parking shall be located underground where practicable to minimise the height of buildings above natural ground level.
- b) Visitor parking is to be located in easily accessible and identifiable areas.
- c) Adequate provision shall be made for service vehicles' access and service areas.

DEVELOPMENT CONTROLS

- (a) Refer to Part C Section 1 - Parking.

3.3. CENTRAL PRECINCT**3.3.1. DESIRED FUTURE CHARACTER STATEMENT**

The Central Precinct will comprise lower scale residential flat buildings, interspersed with groupings of multi dwelling housing and small lot housing.

Development in this precinct will maintain the high quality landscaping that flows through from the parkland setting established in the Norwest Business Park.

Residential flat buildings will flank the Norwest Lake frontage of the precinct, the northern end of Fairway Drive (fronting the West Precinct) and the public open space (wetland park) between the Central Precinct and the East Precinct. Multi dwelling housing will front Solent Circuit, the southern end of Fairway Drive and the north and south boundaries of the neighbourhood park. Small lot housing will front the northern boundary to the Central Precinct.

The density of development will reflect a transition of scale between the larger residential flat buildings

located in the East Precinct and the smaller scale small lot housing, multi dwelling housing and residential flat building in the West Precinct.

Setbacks to Solent Circuit, the wetland basin, Fairway Drive and the northern boundary are to complement the Norwest Business Park and parkland setting.

Multi dwelling housing, residential flat buildings and small lot housing setbacks to proposed internal streets are to ensure adequate provision for landscaping, vehicle parking for residents, and private open space at ground level.

Building heights are to create a transition of scale between the higher densities in the East Precinct and the lower density multi dwelling housing, small lot housing and residential flat buildings in the West Precinct.

Residential flat buildings are to step down in height to provide a transition in building scale and to ensure adequate solar access to the private and communal open spaces within the Precinct. The multi dwelling housing and small lot housing are to be of a high design quality to ensure a good visual amenity when viewed from within the Norwest Business Park and surrounding areas.

A neighbourhood park is to be provided for residents in this precinct. This shall be in a parkland setting with informal and formal open space with a children's playground, picnic and barbecue facilities.

Resident car parking for residential flat buildings, where practical is to be provided below ground to reduce building heights or screened from view to enhance residential amenity whilst visitor parking will be provided on grade and integrated into the landscaped areas.

Resident car parking for the multi dwelling housing and small lot housing component should be provided above ground in a traditional garage configuration and is to be accessed from a shared pedestrian friendly neighbourhood road to provide a safe environment for residents.

Visitor parking for the multi dwelling housing and small lot housing component is to be located at finished ground level between the garage façade and street frontage. Visitors will be provided with on-street parking spaces for residential flats that are specifically integrated within the site's landscaped areas.

Multi dwelling housing and small lot housing development is to be of high visual quality, demonstrating good internal layout and external design.

Building materials are to promote an integrated, visually harmonious and attractive development that complements the Norwest Business Park surrounds and the nearby emerging Bella Vista Waters residential precinct. Colours and materials used are to be visually pleasing and not be out of character with the locality.

3.3.2. BUILT FORM CONTROLS

A. SITE PLANNING

OBJECTIVE

- (i) *To achieve coherent site planning and development that relates to the natural contours of the site and contributes to the character of the area.*

PERFORMANCE CRITERIA

Nil

DEVELOPMENT CONTROLS

- (a) Future development to be located generally in accordance with Figure 76 in Appendix 2.
- (b) The site coverage shall be a maximum of 60% of the site area. The Central Precinct is a development in accordance with Part D Section 5 – Kellyville Rouse Hill Release Area (Section 4 Housing as per clause 4.1B of The Hills LEP 2012).

B. DWELLING SIZE

OBJECTIVES

- (i) *To ensure that dwelling types are of a size suitable to meet the needs of residents.*
- (ii) *To ensure the layout of dwelling types are efficient and achieve a high level of residential amenity.*

DEVELOPMENT CONTROL

- (a) Internal layout and size of residential flats are to be in accordance with the development controls contained within Part B Section 4 – Multi Dwelling Housing and Part B Section 5 – Residential Flat Buildings.

C. SETBACKS**OBJECTIVES**

- (i) *To provide setbacks that complement the landscape setting of the Norwest Business Park.*
- (ii) *To provide privacy for future residents within a parkland setting.*
- (iii) *To minimise overshadowing of communal open space areas.*

PERFORMANCE CRITERIA

- a) Residential flat building setbacks to Solent Circuit, the wetland basin and Fairway Drive should complement the Norwest Business Park setting.
- b) Multi dwelling housing and small lot housing setbacks should ensure adequate provision for landscaping, vehicle parking and private open space.

DEVELOPMENT CONTROLS

- (a) The setbacks for the Central Precinct shall be in accordance with the minimum setbacks outlined in Table 4 below.

Table 4 Setbacks

| Residential Flat Buildings | |
|-----------------------------------|------------|
| Solent Circuit | 10 metres |
| Fairway Drive | 6.0 metres |
| Eastern boundary (Wetland park) | 4.5 metres |
| Multi Dwelling Housing | |
| Solent Circuit | 4.5 metres |
| Fairway Drive | 4.5 metres |
| Access Street | 4.5 metres |
| Small Lot Housing | |
| Northern boundary | 3.0 metres |
| Fairway Drive | 4.5 metres |

- (b) The internal setbacks of the proposed residential flat buildings, multi dwelling housing and small lot housing shall be in accordance with minimum setbacks outlined in Table 5.0.

Table 5 Internal setbacks

| Residential Flat Buildings | |
|-----------------------------------|------------|
| Main entry road | 4.5 metres |
| Access Street | 4.5 metres |
| Side boundary | 4.5 metres |
| Multi Dwelling Housing | |
| Main garage to primary street | 5.5 metres |
| Side boundary (intermediate lot) | 0.0 metres |
| Side boundary (end lot) | 1 metre |
| Side boundary (corner lot) | 4.5 metres |
| Rear boundary | 3.0 metres |

| Small Lot Housing | |
|---|------------|
| Main garage to primary street | 5.5 metres |
| Access Street | 4.5 metres |
| Side boundary (zero setback for garage and laundry) | .09 metres |

D. BUILDING HEIGHT

OBJECTIVES

- (i) *To provide a transition in building scale, building heights should step down where adjoining multi dwelling houses and small lot housing.*
- (ii) *To minimise overshadowing of adjoining properties and communal open space areas.*

PERFORMANCE CRITERIA

- a) Building heights are to encourage a transition of scale from the multi dwelling housing and small lot housing in the West Precinct and larger scale residential flats in the East Precinct.

DEVELOPMENT CONTROLS

- (a) The maximum number of storeys are to be in accordance with Figure 87 in Appendix 2.
- (b) The maximum building heights allowable on the site shall be measured vertically from natural ground level. Basement parking shall not protrude more than one metre above natural ground level.

E. OPEN SPACE

OBJECTIVES

- (i) *To provide open space for recreation and for use by the future occupants.*
- (ii) *To enhance the quality of the built environment by providing opportunities for landscaping in a parkland setting.*
- (iii) *To provide private open space that forms an extension of the dwelling for the enjoyment of residents.*

- (iv) *To provide functional common open space for informal recreational use by future residents.*

PERFORMANCE CRITERIA

- a) Open space is to have regard to such requirements as solar access, outlook, privacy and the provision of common open space facilities.
- b) Each dwelling shall provide an area of useable private open space, or private courtyard area, which has direct access from the dwelling.

DEVELOPMENT CONTROLS

Landscaped Area

- (a) A minimum of 40% landscaped area shall be provided over the precinct.

Private Open Space – Residential Flat Buildings

- (b) For residential units at ground level, opportunity must be made available for courtyards where the topography permits. All ground level courtyards must have a minimum area of 24m² and a minimum dimension of 4m. Courtyards are to be located directly in front of the dwelling's main living area, and be capable of accommodating outdoor dining facilities and/or furniture.
- (c) Usable open space above ground floor is to be in the form of balconies adjacent to the main living area of the residential units. Balconies are to have a total minimum area of 10m² with a minimum depth of 2.4 metres for balcony areas directly outside the main living area of residential units. Balconies must be capable of accommodating outdoor dining facilities and/or furniture.

Private Open Space – Multi Dwelling Housing and Small Lot Houses

- (d) For multi dwelling housing and small lot housing, ground floor private open space should be provided off main living areas and be designed to provide for outdoor furniture and dining facilities, perimeter screen landscaping and a lawn area capable of accommodating a clothes line.
- (e) Design techniques are encouraged to protect the privacy of ground floor courtyards from

Part D Section 8

Norwest Town Centre - Residential Development

overlooking by above ground units, ground level communal areas and access ways.

- (f) Private open space for multi dwelling housing is to have a minimum of 50m². One part of the private open space area is to have a minimum area of 24m² with a minimum dimension of 4 metres and be contiguous with the living area of the dwelling for which it is provided.
- (g) If useable open space is provided above ground floor for multi dwelling houses in the form of balconies it is to have minimum area of 10m² and a minimum depth of 2.4 metres for balcony areas directly adjacent to the dwelling's main living room. Balconies must be capable of accommodating outdoor dining facilities and/or furniture.
- (h) Private open space for small lot housing is to have a minimum area equivalent to 20% of the allotment area and a minimum dimension of 2.0 metres. One part of the private open space area is to have a minimum area of 24m² with a minimum dimension of 4 metres and be contiguous with the living area of the dwelling for which it is provided.

Common Open Space

- (i) To provide for the recreation needs of residents in residential units, multi dwelling housing, common open space areas in the form of a neighbourhood park are to be provided as shown in Figure 98 in Appendix 2.

F. CAR PARKING AND ACCESS

OBJECTIVES

- (i) *To provide sufficient and convenient parking for residents and visitors.*
- (ii) *To ensure that vehicles may enter and leave the dwellings in a safe and efficient manner.*

PERFORMANCE CRITERIA

- a) Car parking shall be located underground where practicable for residential flat buildings to minimise the height of buildings above natural ground level or, if located at grade, be screened from view to minimise the visual impact.
- b) Resident car parking for multi dwelling housing and small lot housing can be either provided

below ground or above ground in a traditional garage configuration.

- c) Visitor parking shall be located within easily accessible and identifiable areas.
- d) Adequate provision shall be made for service vehicles.

DEVELOPMENT CONTROLS

Car parking

- (a) All car parking areas and spaces shall be designed in accordance with Part C Section 1 - Parking.
- (b) For multi dwelling housing and small lot housing, visitor car parking is to be made available on the individual dwelling driveway within the building line, between the garage and the primary street frontage. Visitor parking may also be provided in designated on street parking bays which are integrated with the site's landscape design.
- (c) Generally, resident car parking for residential flat buildings is to be provided below natural ground level and visitor parking will be provided on grade to minimise the impact of above ground parking on the site.
- (d) Satisfactory provisions should be made for service vehicles, such as furniture removal vehicles to be able to service each residential flat building and circulate through the site.

Driveways

- (e) A street hierarchy system is to be provided in accordance with the street network plan shown in Figure 109 Appendix 2.
- (f) The design and configuration of access ways and driveways shall be in accordance with Part C Section 1 - Parking.

3.4. WEST PRECINCT

3.4.1. DESIRED FUTURE CHARACTER STATEMENT

The West Precinct will consist of small lot housing, multi dwelling housing and residential flat buildings. Small lot housing will front Strangers Creek. Multi dwelling housing will be located along the northern boundary and the residential flat building block will front Fairway Drive.

Small lot housing will complement the emerging Bella Vista Waters residential area using a mix of building materials such as masonry, stone, render and timber.

Small lot housing and multi dwelling housing are to consist of modulated facades for visual interest to break up horizontal and vertical elements. This will be assisted with varying roof forms.

The residential flat building will reflect both the low scale vernacular architectural language at Bella Vista Waters as well as the commercial buildings in the Norwest Business Park.

The density of development will complement the 2 storey character of the emerging Bella Vista Waters residential area within a neighbourhood landscaped setting.

The residential flat building will form the transition between the low scale 2 storey residential buildings and the taller buildings to the east of Fairway Drive and the Norwest Business Park.

It is important that private open space creates a strong indoor/outdoor spatial relationship to maximise amenity for residents.

A small access street will service the small lot housing and a portion of the visitor car parking provision for the residential flat building and multi dwelling housing. The remaining visitor car parking spaces may be provided within the basement. It will be tree-lined, and provided with a footpath and verge planting. Multi dwelling housing resident car parking is to be provided below ground level and accessed from Fairway Drive generally in accordance with the access plan for the site.

A small neighbourhood pocket park is to be provided with a small children's playground and seating to provide a focus point in the street.

3.4.2. BUILT FORM CONTROLS

A. SITE PLANNING

OBJECTIVE

- (i) *To achieve coherent site planning and development that relates to the natural contours of the site and contributes to the character of the area.*

PERFORMANCE CRITERIA

Nil

DEVELOPMENT CONTROLS

- (a) Future development to be located generally in accordance with Figure 11 in Appendix 3.
- (b) The site coverage shall be a maximum of 60% of the site area. The West Precinct is an integrated housing development in accordance with Part D Section 5 – Kellyville / Rouse Hill Release Area.

B. DWELLING SIZE

OBJECTIVES

- (i) *To ensure that dwelling types are of a size suitable to meet the needs of residents.*
- (ii) *To ensure the layout of dwelling types are efficient and achieve a high level of residential amenity.*

DEVELOPMENT CONTROLS

- (a) Refer to Part B Section 4 – Multi Dwelling Housing and Part B Section 5 – Residential Flat Buildings.

C. SETBACKS

OBJECTIVES

- (i) *To provide setbacks that allow for landscaped frontages and rear private open space.*
- (ii) *To provide privacy for future residents and solar access.*

PERFORMANCE CRITERIA

- a) Setbacks should ensure adequate provision for landscaping, vehicle parking and private open space.
- b) Setbacks for the West Precinct will allow for landscaped frontages and rear private open space for the enjoyment of residents. Side setbacks will allow for adequate building separation, and a mixture of landscaping and fencing to provide a sense of privacy and security.

DEVELOPMENT CONTROLS

- (a) The setbacks for the West Precinct shall be in accordance with the minimum setbacks outlined in Table 6 below.

Table 6 Setbacks

| Multi dwelling housing | |
|----------------------------------|------------|
| Fairway Drive North boundary | 4.5 metres |
| • to face of dwelling: | 7.5 metres |
| • to face of basement carpark: | 2.5 metres |
| Access Street | 4.5 metres |
| Small lot housing | |
| Fairway Drive | 4.5 metres |
| Waterfront boundary | 3.0 metres |
| Residential flat building | |
| Fairway Drive | 6.0 metres |

- (b) The internal setbacks of the proposed residential flat buildings, multi dwelling housing and small lot housing shall be in accordance with the minimum setbacks outlined in Table 7.0.

Table 7 Internal setback

| Multi dwelling housing | |
|---|------------|
| Access Street | 3.0 metres |
| Side boundary (intermediate lot) | 0.0 metres |
| Side boundary (end lot) | 1.0 metre |
| Side boundary (corner lot) | 4.5 metres |
| Small lot housing | |
| Main garage of primary street | 5.5 metres |
| Side boundary (zero setback for garage and laundry) | 0.9 metres |
| Residential flat buildings | |
| Main entry road | 4.5 metres |
| Side boundary | 3.5 metres |
| (northern) Access street | 4.5 metres |

D. BUILDING HEIGHT**OBJECTIVES**

- (i) To complement the emerging Bella Vista Waters residential estate, the building heights should be no greater than 3 storeys.
- (ii) To minimise overshadowing of adjoining properties and open space areas.

PERFORMANCE CRITERIA

- a) Building heights are to complement the lower scale of development in the emerging Bella Vista Waters residential estate but also reflect the vision of the Norwest Town Centre Residential Development as the transition between the traditional residential developments to the west and the commercial developments at the Norwest Business Park.

DEVELOPMENT CONTROLS

- (a) The maximum number of storeys shall be in accordance with Figure 12 in Appendix 3.
- (b) The maximum building heights allowable on the site shall be measured vertically from natural ground level. Basement parking shall not protrude more than one metre above natural ground level.

E. OPEN SPACE**OBJECTIVES**

- (i) To provide open space for recreation and for use by the future occupants of new dwellings.
- (ii) To enhance the quality of the built environment by providing opportunities for landscaping in a parkland setting.
- (iii) To provide private open space as an extension of the dwelling for the enjoyment of residents.
- (iv) To provide functional common open space areas for informal recreational use by future residents.

PERFORMANCE CRITERIA

- a) Open space is to have regard to such requirements as solar access, outlook, privacy

and the provision of common open space facilities.

- b) Each dwelling shall provide an area of useable private open space, or private courtyard area, which has direct access from the dwelling.

DEVELOPMENT CONTROLS

Landscaped Area

- (a) A minimum of 40% landscaped area shall be provided over the entire precinct.

Private Open Space

- (b) Ground floor private open space should be provided off main living areas and designed to accommodate outdoor furniture, perimeter screen landscaping and a courtyard area capable of accommodating a clothes line.
- (c) The privacy of ground floor private open space is to be achieved via the design of the development.
- (d) Private open space for multi dwelling housings is to have a minimum of 50m². One part of the private open space area is to have a minimum area of 24m² with a minimum dimension of 4 metres and be contiguous with the living area of the dwelling for which it is provided.
- (e) If usable open space is provided above ground floor for multi dwelling housing and residential flat buildings in the form of balconies it is to have a minimum area of 10m² and a minimum depth of 2.4 metres for balconies directly adjacent to the main living room. Balconies must be capable of accommodating outdoor dining facilities and/or furniture.
- (f) Private open space for small lot housing is to have a minimum area equivalent to 20% of the allotment area and a minimum dimension of 2 metres. One part of the private open space area is to have a minimum area of 24m² with a minimum dimension of 4 metres and be contiguous with the living area of the dwelling for which it is provided.

Common Open Space

- (g) To provide for the recreational needs of residents, a common open space is to be provided in the form of a neighbourhood pocket park as shown in Figure 13 in Appendix 3.

F. CAR PARKING AND ACCESS

OBJECTIVES

- (i) *To provide sufficient and convenient parking for residents and visitors.*
- (ii) *To ensure that vehicles may enter and leave the dwellings in a safe and efficient manner.*

PERFORMANCE CRITERIA

- a) Car parking may be located underground where practicable to minimise the visual impact of garages. Where parking is provided above ground it should be located in a traditional garage or carport arrangement which is integrated with the design of the dwelling and which provides an effective screen to the dwelling's main street presentation.
- b) Resident car parking for the multi dwelling housing, small lot housing and residential flat buildings can be either provided below ground or above ground in a traditional garage configuration.
- c) Visitor parking may be provided on the dwelling driveway within the front setback area, within designated on-street parking bays or underground within a basement.
- d) Adequate provision shall be made for service vehicles.

DEVELOPMENT CONTROLS

Car parking

- (a) Refer to car parking rates for residential flat buildings.
- (b) All car parking areas and spaces shall be designed in accordance with Part C Section 1 – Parking.
- (c) Resident car parking for multi dwelling housing can be provided either within a basement parking configuration or at finished ground level within a traditional garage arrangement. Visitor parking for multi dwelling houses and residential flat buildings will be provided either at finished ground level within dedicated on-street parking bays which are integrated with the site landscape design or within a basement configuration.

- (d) Car parking for the small lot housing is to be in the form of a traditional garage and outdoor visitor spaces are to be located in the setback area between the garage and the primary street frontage of dwellings.
- (e) Where visitor car parking spaces are proposed within the basement of residential flat buildings or multi dwelling housing they shall be made accessible at all times.

Driveways

- (f) A street hierarchy system is to be provided in accordance with the street network plan shown in Figure 14 of Appendix 3.
- (g) The design and configuration of access driveways shall be in accordance with Part C Section 1 - Parking.

4. GENERAL DEVELOPMENT STANDARDS

4.1. ADAPTABLE HOUSING

In order to provide for disabled people and the aging population, residential flat buildings must be capable of adaptation so as to accommodate residents who may have special needs, declining mobility and sight. This is in addition to being appropriately designed for everyday pedestrian use.

OBJECTIVES

- (i) *To ensure that developments provide appropriate and improved access and facilities for all persons (consistent with the provisions of Australian Standard AS1428.1-1998).*
- (ii) *To ensure designers/developers consider the needs of people who are mobility impaired and to provide greater than the minimum requirements for access and road safety.*
- (iii) *To ensure that building design does not prevent access by people with disabilities.*
- (iv) *To incorporate design measures that are appropriate for people with disabilities.*

PERFORMANCE CRITERIA

- a) Development to provide housing for a cross section of the community.

- b) All development applications for residential flat buildings and multi dwelling housing should be accompanied by a report prepared by a suitably qualified Access Consultant addressing access and mobility provisions within the development.

DEVELOPMENT CONTROLS

- (a) All residential units required under this Section to be adaptable dwellings and those which cannot be directly accessed from ground level are to be served by a lift.
- (b) Units with a lowest floor level within 1.5 metres of the natural ground must be accessible to the front door of each unit.
- (c) At least one unit in each residential flat building with less than 20 units, or 5 percent of the units in any development of 20 or more units, must be either:
 - An accessible unit to AS 1428 Part 2, suitable for occupation by a wheelchair user; or
 - Meeting Class B adaptability provisions under AS 4299.

Each unit so provided above shall have an accessible car parking bay complying with AS 2890 for people with a disability, and be accessible to a pick-up and drop-off point. An accessible route between the unit's dedicated car parking spaces and unit shall be provided.

- (d) All stairs intended for circulation between levels, whether external or internal, shall comply with AS 1428 Part 1, if they are located on common property.
- (e) At least 10% of toilets (but not less than 1 male and 1 female toilet) provided on the common property must be wheelchair accessible.
- (f) At least one entry to any common facilities on the common property must be wheelchair accessible.
- (g) An accessible pick-up and drop-off point can be located on the public road (with Council or RMS permission) or on the site, but it must allow for vehicles up to a coaster size bus to pick up and drop off.
- (h) Residential units are to be designed to permit adaptation of units so that they can change to

meet future needs. Design features that might be included are:

- Lightweight or non-load bearing walls that can be removed to re-configure rooms.
- Wall panels that can be easily removed to connect adjoining residential units and cater for larger extended families.

Development applications should address provisions contained in Council's - *Making Access For All Guidelines 2002*.

4.2. SITE FACILITIES

OBJECTIVES

- (i) *To provide site facilities which are adequate and conveniently located for resident needs.*
- (ii) *To ensure facilities are practical, attractive and easily maintained.*

PERFORMANCE CRITERIA

- a) Rubbish and recycling bin enclosures, letter boxes, and other site facilities should be adequate in size, durable, weather proofed and visually integrated with the development. Their location is to have regard to the protection of residential amenity, vehicle service access, visual impact and residential access.

DEVELOPMENT CONTROLS

Storage Facilities

- (a) Storage for residential units is to be in accordance with Part B Section 5 – Residential Flat Buildings.
- (b) Storage for multi dwelling housing and small lot housing is to be provided at a rate of 10m³ per dwelling within a lockable garage not encroaching into the parking space, and with a minimum base area of 5m² and a minimum width of 2 metres.

Laundry Facilities

- (c) All residential units are to be provided with internal laundry facilities and internal drying facilities.
- (d) Laundries for multi dwelling housing and small lot housing shall be provided to each dwelling

with a permanent or collapsible clothes line provided in a conveniently accessible courtyard.

Waste and recycling bins

Waste management requirements for multi dwelling housing are to be in accordance with Part B Section 4 – Multi Dwelling Housing.

Waste management requirements for residential flat buildings are to be in accordance with Part B Section 5 – Residential Flat Buildings.

Waste Management Planning

- (e) Demolition and construction works must maximise the reuse and recycling of building/construction materials in accordance with Council's ESD objectives and State and Federal Government waste minimisation targets.
- (f) All asbestos, hazardous and/or intractable wastes are to be disposed of in accordance with Workcover Authority and EPA requirements.
- (g) All Development Applications are to be accompanied by a Waste Management Plan that demonstrates appropriate project management and construction techniques for ensuring waste minimisation including the re-use of waste on-site and off-site recycling.

A Waste Management Plan template is available from Council's website at www.thehills.nsw.gov.au and in Appendix A of this DCP.

Mail Boxes

- (h) Mail boxes are to be generally incorporated into front fences, landscaped areas or integrated with individual building entry design.
- (i) Mail boxes should be in close proximity to the pedestrian entrance of all housing types, and be easily identifiable for ease of use.
- (j) The location of mail boxes and mail drop-off points will need to be confirmed with Australia Post.

Air Quality

- (k) To improve the air quality of the locality, the installation of wood heaters is not permitted.

4.3. BASIX

All development applications will be required to demonstrate that they meet the BASIX targets.

More information on BASIX can be found at the following website: www.basix.nsw.gov.au

4.4. FENCING

OBJECTIVE

- (i) *To ensure that fencing does not detract from the overall amenity of the area.*

PERFORMANCE CRITERIA

- a) Fencing to the front street must not obstruct the opportunity for passive surveillance of public and private domain.

DEVELOPMENT CONTROLS

Front Boundary

- (a) Front boundaries are to be defined through the use of hedging, plant massings, fencing or a combination of these elements.
- (b) Multi dwelling housing and small lot housing fronting Solent Circuit and the internal road network within the Central and West Precincts shall have vertical fencing elements.
- (c) The height of the fence is to be 1- 1.5 metres.
- (d) Fencing is to incorporate natural stone or masonry piers with a rendered or bag washed and painted finish. Fencing may have a base of natural stone or masonry construction with a rendered or bag washed and painted to match piers. Piers and base as solid elements are to comprise less than 40% of the fence.

Side boundary

- (e) Side boundaries to integrated small lots and multi dwelling housing are to be defined with lap and cap timber fencing. Fencing to be solid to 1.8 metres high or solid to 1.5 metres high with a 300mm partial screen to a total height of 1.8 metres. Side fencing is to be tapered down to meet the height of the front fence or returned to the face of the dwelling.
- (f) Fencing is to have a natural or stained finish.
- (g) Side boundaries to residential unit ground floor courtyards are to be defined by masonry walls with a finish and colour to complement those of the building.

Rear boundary

- (h) Fencing to rear boundaries is to be as described above (side boundary, point i) or to be timber palisade to a height of 1.5 metres to provide for passive surveillance.
- (i) Fencing to have a natural or stained finish.

4.5. ACCESS, SAFETY AND SECURITY

OBJECTIVE

- (i) *Site and dwelling layouts are to ensure safe and convenient passage for residents and visitors.*

PERFORMANCE CRITERIA

- a) Consideration should be given to the needs of residents in regards to prams, wheelchair access and people with disabilities.
- b) Footpaths, landscaped areas and driveway designs are to provide opportunities for surveillance and allow for the safe movement of residents and visitors.
- c) Residential flat buildings and multi dwelling housing are to have adequate lighting in common and access areas.

DEVELOPMENT CONTROLS

- (a) Stairs and ramps are to have reasonable gradients and non-slip even surfaces. Refer to Australian Standard 1428.1 – 1988 Design for Access and Mobility and supplementary AS 1428.2 – 1992.
- (b) Access to dwellings is to be direct and without unnecessary barriers. For example, use ramps instead of stairs/steps, consider the height and length of handrails and eliminate changes in level between ground surfaces.
- (c) Development applications should address provisions contained in Council's "Safer by Design Guidelines" 2002.
- (d) Private areas in a development are to be clearly recognisable.

4.6. SOLAR ACCESS

OBJECTIVES

- (i) *To ensure reasonable access to sunlight for living spaces within buildings and open space areas around dwellings.*
- (ii) *To ensure adjacent open spaces, living spaces in dwellings, and public places are not deprived of reasonable access to sunlight.*

PERFORMANCE CRITERIA

- a) All dwellings are to be orientated to promote direct sunlight. Buildings should be sited to allow adequate provision for access of direct sunlight into dwellings, private open space and communal open space.
- b) Living areas of dwellings shall be orientated towards the north wherever possible.
- c) Small lot housing and multi dwelling housing should be sited to maximise the amount of direct sunlight available to private open space.
- d) Where winter solar access is not optimum the use of double-glazing, high performance glass or heavyweight curtains and pelmets is strongly encouraged.
- e) Windows to living areas or bedrooms are to have suitable overhangs, shading, or other solar controls to avoid summer overheating and are to be integrated into the overall elevation design.
- f) The use of horizontal shading devices (for north facing windows) including eaves, verandahs, pergolas, awnings and external horizontal blinds to allow low winter sun whilst providing shade from high summer sun is strongly encouraged.
- g) Where relevant, development applications should have regard to the requirements contained in the Australian Model Code of Residential Development (AMCORD) and Better Urban Living – Guidelines for Urban Housing in NSW.

DEVELOPMENT CONTROLS

Common Open Space

- (a) Common open space areas must receive at least 4 hours of sunlight between 9am and 3pm in midwinter.

Residential Flat Buildings

- (b) Living rooms and private open spaces for at least 70% of residential units should receive a minimum of 3 hours direct sunlight between 9am and 3pm in midwinter.

Multi Dwelling Housing and Small Lot Housing

- (c) Multi dwelling housing and small lot housing developments are to be designed to ensure at least 80% of dwellings have a private open space that receives direct sunlight to 50% of the private open space area for a minimum of 2 hours between 9am and 3pm in midwinter.

4.7. VISUAL AND ACOUSTIC PRIVACY

OBJECTIVES

- (i) *To limit views into adjoining private open spaces and living rooms.*
- (ii) *To protect residents from external noise.*
- (iii) *To contain noise between dwellings without unreasonable transmission to adjoining dwellings.*

PERFORMANCE CRITERIA

- a) The effective location of windows and balconies is preferred to the use of screening devices, high sills or obscured glass. Where these are used, they should have minimal negative effect on resident or neighbour amenity.
- b) Direct views from the living rooms of dwellings into private open space or the interior of other dwellings should be obscured with landscaping, architectural detail and building design (refer to AMCORD).
- c) Where minimum separation distances cannot be practically met, windows should be placed to minimise direct viewing between dwellings.
- d) In general, dwellings are to be designed to limit the potential for noise transmission to living and sleeping areas of adjacent existing and future developments. Consideration should be given to minimising noise emissions from air conditioners, driveways and the like. This can

be achieved by complying with the Building Code of Australia requirements.

DEVELOPMENT CONTROLS

- (a) Minimise direct overlooking of main internal living areas and private open space of dwellings both within and of adjoining development through building design, window locations and sizes, landscaping and screening devices.
- (b) Consider the location of potential noise sources within the development such as common open space, service areas, driveways, road frontage and provide appropriate measures to protect acoustic privacy by the careful location of noise sensitive rooms (bedrooms, main living areas) and double glazed windows.
- (c) The location of the plant and equipment for residential flat buildings should be designed so that the noise level does not exceed the background noise level. This is to reduce background noise level creep.
- (d) In regards to the multi dwelling housing and small lot housing, ideal positions or specifically designed positions for any air conditioners should be provided in the plans at development application stage.
- (e) Air conditioners shall be located a minimum of three metres from any property boundary and must not exceed 5dB(A) above the background noise level or alternatively if there is no other option and the air conditioner is located within three metres of any property boundary it must not exceed the background noise level.
- (f) Private areas in a development are to be clearly recognisable.

4.8. PUBLIC ROADS

OBJECTIVE

- (i) *To provide public thoroughfares within the locality that will assist with traffic management.*

PERFORMANCE CRITERIA

- a) Extension of Fairway Drive and main East Precinct Access into the Balmoral Road Release Area will provide additional public thoroughfares into the Norwest Business Park.

Currently the land is in private ownership and the long term use of the roads for public use must be recognised.

- b) In recognition of the Fairway Drive and main East Precinct access extension being used as public thoroughfares, the roads are to be dedicated to the Hills Shire Council as a public road and at no cost to Council.

DEVELOPMENT CONTROLS

- (a) Fairway Drive is to be designed and constructed as a Enhanced Collector road as defined in Part D Section 7 – Balmoral Road Release Area. The extension of Fairway Drive is to be constructed from the Northern Boundary of Lot 301 DP 819129 to the intersection of Solent Circuit as shown in Figure 4510 in Appendix 4.
- (b) The extension of the main East Precinct access road is to be designed and constructed as an Access Street as defined in Part D Section 7 – Balmoral Road Release Area and located as shown in Figure 4510 in Appendix 4.

4.9. GEOTECHNICAL

OBJECTIVE

- (i) *To ensure the possibility of soil movement or slip does not adversely affect proposed development.*

DEVELOPMENT CONTROLS

- (a) All development applications submitted to Council shall be accompanied by geotechnical appraisal report from a suitably qualified experienced Geotechnical Engineer.
- (b) The geotechnical appraisal report must satisfy Council that the possibility of soil movement or slip will not affect the proposed development of the site and outline recommendations to ameliorate any geotechnical impacts.

4.10. PEDESTRIAN AND CYCLEWAY LINKAGES

OBJECTIVES

- (i) *To consider the needs of the residents with particular consideration to access requirements, safety and security.*
- (ii) *To ensure that appropriate pathways, with high levels of pedestrian amenity are provided for residents in the locality along identified desire lines.*

DEVELOPMENT CONTROLS

- (a) Pedestrian and cycleway linkages are to be generally in accordance with Figure 4.12 in Appendix 5.

4.11. STORMWATER MANAGEMENT

This section adopts the objectives of and development controls in Section 3.17: Stormwater Management of Part B Section 5 – Residential Flat Buildings and must be considered in any development application. Additional supplementary objectives and performance criteria are included below.

OBJECTIVES

- (i) *To control stormwater runoff and minimise discharge impacts on adjoining properties and into natural drainage system before, during and after construction.*
- (ii) *To prevent flood damage to the built and natural environment, inundation of dwellings and stormwater damage to properties.*
- (iii) *To ensure that proposed development does not adversely affect the operational capacity of the downstream stormwater system.*
- (iv) *To encourage reuse, recycling and harvesting of stormwater to reduce wastage of water.*
- (v) *To encourage a reduction in water consumption.*

PERFORMANCE CRITERIA

- a) Drainage systems are to be designed and constructed in accordance with the design guidelines set out in "Design Guidelines for Subdivisions and Developments" published by Baulkham Hills Shire Council and "Australian Rainfall and Runoff" published by Institution of Engineers, Australia (1987).
- b) Where a site adjoins natural creeks or watercourses, all residential development shall be clear of the 100 year ARI flood extents.
- c) On-site detention systems, where required, are to be designed in accordance with (i) above.
- d) Water Sensitive Urban Design elements are to be designed and constructed in accordance with the "Water Sensitive Urban Design Technical Guidelines for Western Sydney" published by the Upper Parramatta River Catchment Trust (May 2004).

4.12. TRUNK DRAINAGE

OBJECTIVE

- (i) *To embellish the existing drainage system.*

PERFORMANCE CRITERIA

- a) The open space pedestrian links within the centre of the development should build upon the continuation of the trunk drainage corridor from the Balmoral Road Release Area through to the Norwest Town Centre.
- b) Pedestrian linkages to the Balmoral Road Release Area SP2 Infrastructure (Trunk Drainage) area should be provided.
- c) The open space component of the development along the drainage line should be returned to a natural riparian corridor.

DEVELOPMENT CONTROLS

- (a) Plant species to be provided in the riparian corridor are listed in Appendix 6.
- (b) Trunk drainage corridor to be embellished in accordance with Figure 4.13 in Appendix 7.

5. REFERENCES

Norwest Master Scheme, 2nd September 1992

The Hills Local Environmental Plan 2012

State Environmental Planning Policy No. 65 – Design
Quality of Residential Flat Development

Better Urban Living – Guidelines for Urban Housing
in NSW

Safer by Design Guidelines (2002)

Making Access for All Guidelines (2002)

APPENDIX 1 - EAST PRECINCT MAPS



Figure 3 East precinct building layout plan



Figure 4 East precinct building height plan



Figure 5 East precinct common open space plan

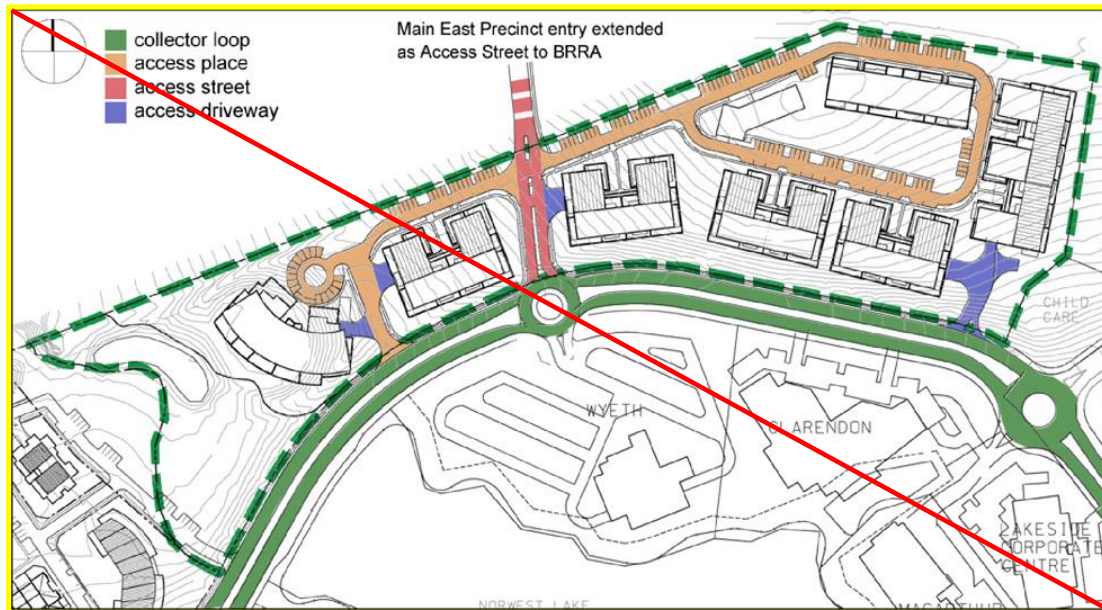


Figure 6 East precinct street hierarchy

APPENDIX 2 - CENTRAL PRECINCT MAPS

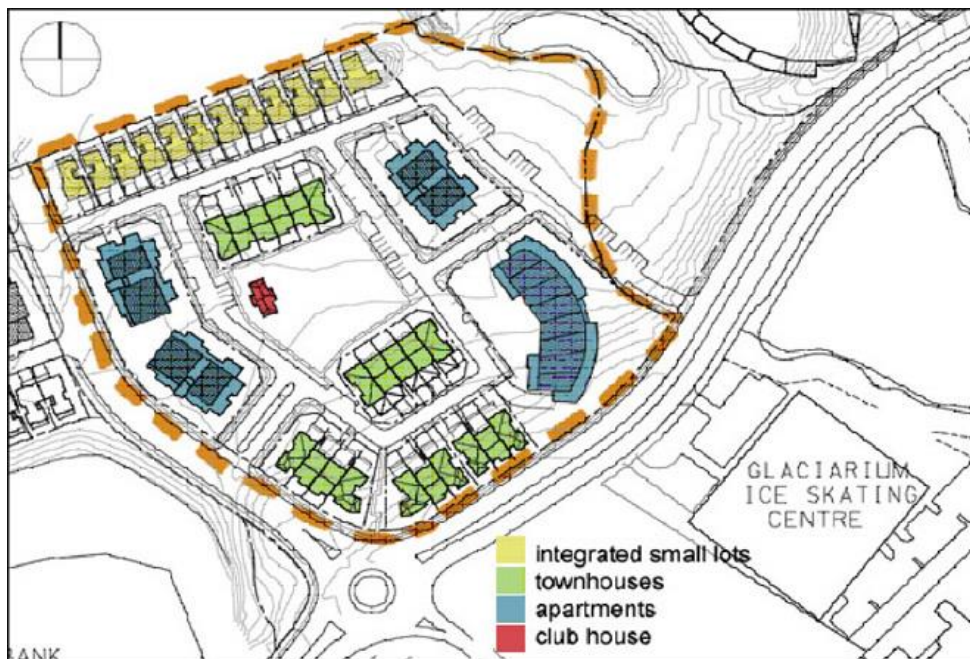


Figure 76 Central precinct building type layout plan



Figure 87 Central precinct building height plan

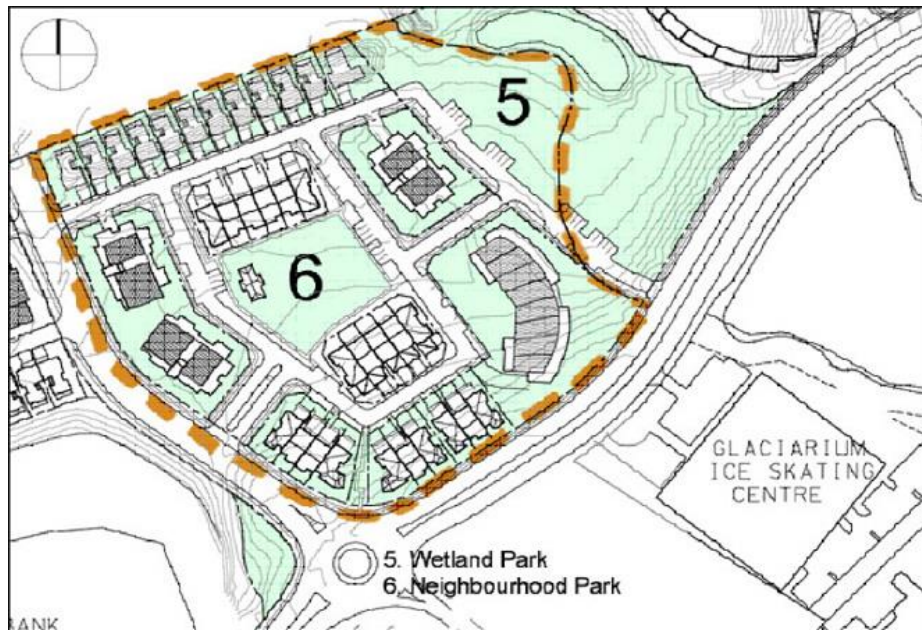


Figure 98 Central precinct common open space



Figure 109 Central precinct street hierarchy

APPENDIX 3 - WEST PRECINCT MAPS

APPENDIX 4 - VEHICULAR ACCESS

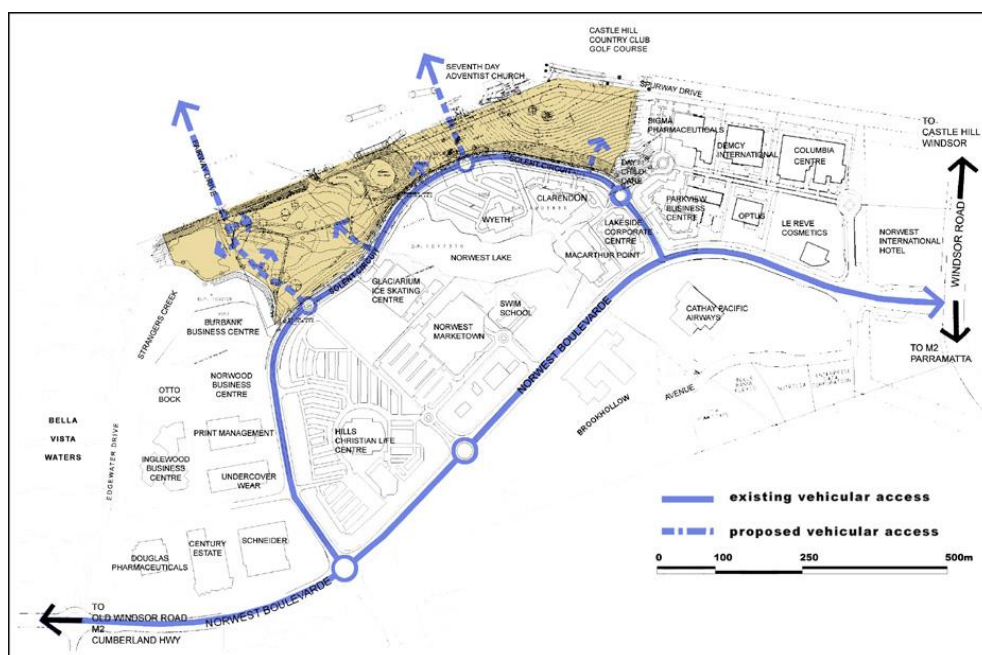


Figure 4510 Vehicular access

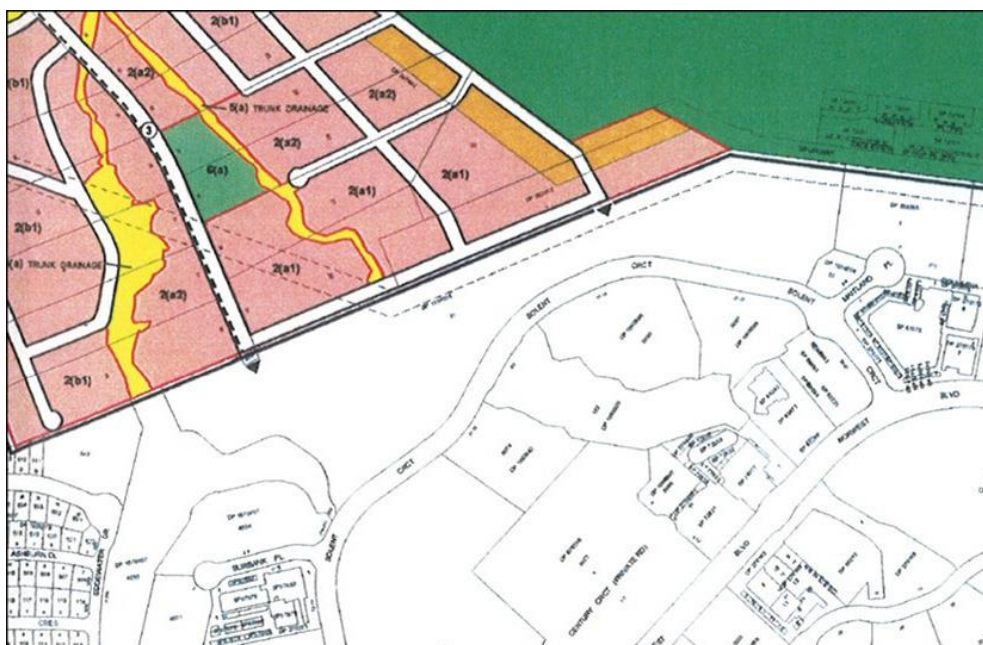


Figure 4611 Partial plan from BHSC Draft DCP 20

APPENDIX 5 - PEDESTRIAN ACCESS

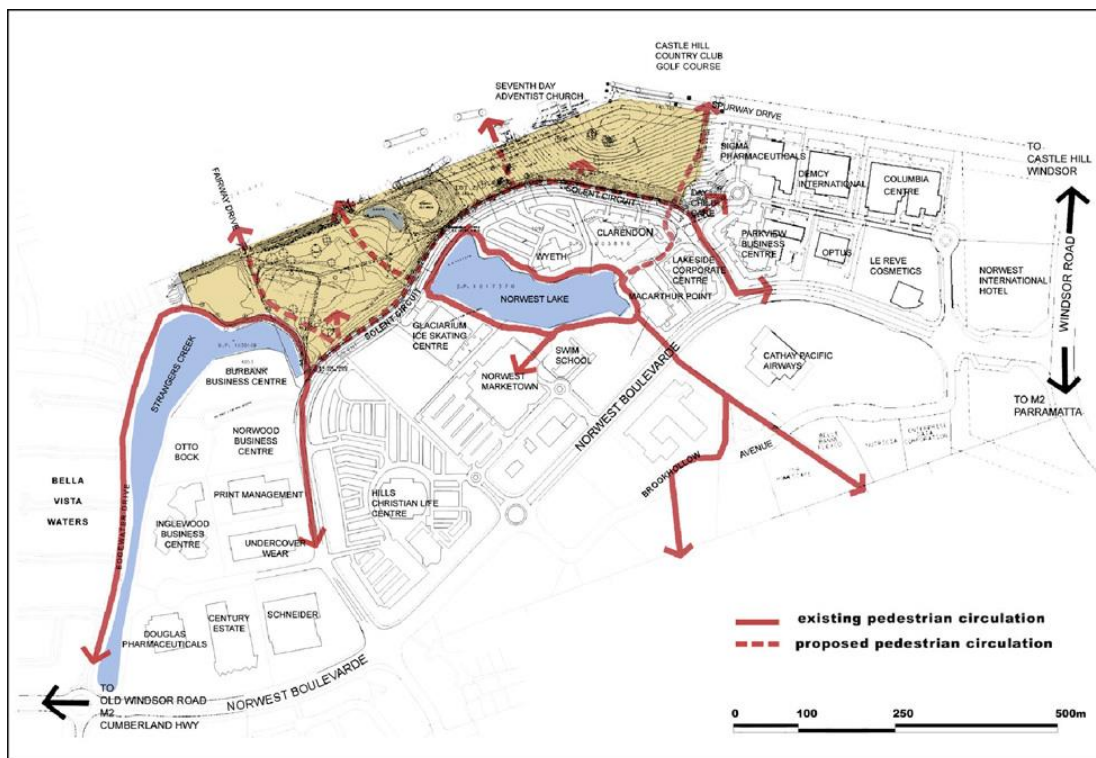


Figure 1712 Pedestrian links

APPENDIX 6 - RIPARIAN CORRIDOR PLANT SCHEDULE

Table 8 Riparian Corridor Plant Schedule

| Riparian Boundaries | |
|------------------------|---------------------|
| Casuarina glauca | Swamp Oak |
| Eucalyptus amplifolia | Cabbage Gum |
| Melaleuca decora | Bottlebrush |
| Melaleuca linarifolia | Snow-in-summer |
| Melaleuca nodosa | Nodding Bottlebrush |
| Melaleuca stypheloides | Prickly Paperbark |

| Plants for Water Management | |
|-----------------------------|----------|
| Carex apressa | Sedge |
| Juncus usitatus | Rush |
| Lomandra longifolia | Lomandra |
| Lomandra multiflora | Lomandra |

APPENDIX 7 - RIPARIAN CORRIDOR - WETLAND PARK AND DETENTION BASIN



Figure 4813 Wetland park and detention basin

