

PLANNING PROPOSAL

LOCAL GOVERNMENT AREA: The Hills Shire Council

NAME OF PLANNING PROPOSAL: Proposed The Hills Local Environmental Plan 2019 (Amendment No. 8) – 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, Norwest (5/2015/PLP).

ADDRESS OF LAND: 40 Solent Circuit, Norwest (part Lot 2105 DP1201899)

SUMMARY OF HOUSING AND EMPLOYMENT YIELD:

| | EXISTING | PROPOSED | TOTAL YIELD |
|-----------|----------|----------|-------------|
| Dwellings | 0 | 864 | 864 |
| Jobs | 0 | 189 | 189 |

SUPPORTING MATERIAL:

| | |
|---------------------|---|
| Attachment A | Assessment against State Environment Planning Policies |
| Attachment B | Assessment against Section 9.1 Local Planning Directions |
| Attachment C | Council Report and Minute, 8 November 2016 |
| Attachment D | Council Report and Minute, 10 April 2018 |
| Attachment E | Council Report and Minute, 12 November 2019 |
| Attachment F | Council Report and Minute, 10 December 2019 |
| Attachment G | Gateway Determination and Alterations |
| Attachment H | Draft The Hills DCP 2012 Part D Section 8 – Norwest Town Centre Residential Development |
| Attachment I | Draft Voluntary Planning Agreement |
| Attachment J | Planning proposal documentation submitted by applicant (8 July 2016) |

THE SITE:

The proposal applies to land at 40 Solent Circuit, Norwest (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
Photo of subject site and adjoining commercial development

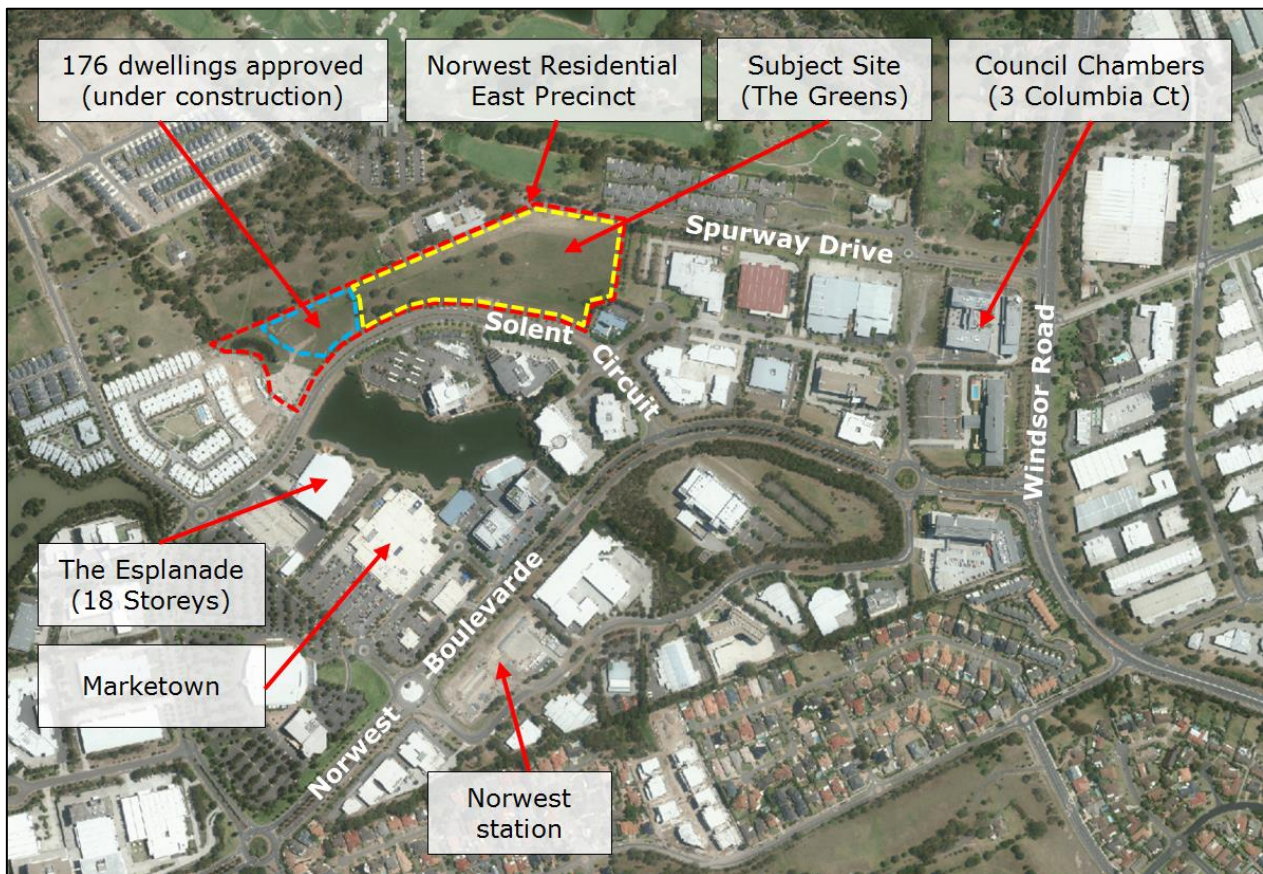


Figure 2
Site and Surrounds

BACKGROUND:

The planning proposal was originally lodged with Council on 5 September 2014 and sought to amend the maximum building height 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. Feedback was provided to the applicant raising concerns with the bulk, scale and density of the proposal and the applicant advised that an amended proposal would be submitted.

In November 2015, approval was granted for the Stage 1 Master Plan (1347/2015/JP) on the site for 342 units (up to 12 storeys in height) and 66 attached dwellings representing a total 85 dwellings per hectare.

In July 2016, an amended planning proposal was submitted to Council which was reported to the Ordinary Council Meeting of 8 November 2016. Council resolved that:

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."*

A draft Voluntary Planning Agreement was submitted to Council in March 2018 and on 10 April 2018 Council considered a report regarding the draft VPA and resolved as follows:

"The draft Voluntary Planning Agreement be publicly exhibited for a period of 28 days in accordance with the EP&A Act 1979, concurrently with the associated planning proposal (5/2015/PLP) and DCP amendments."

A letter was submitted to the Department of Planning and Environment on 18 November 2016 for Gateway Determination. Gateway determination was granted 31 January 2017 and subsequently extended in March 2018 and again in October 2019.

The planning proposal, draft DCP and draft VPA were publicly exhibited from Tuesday 1 May 2018 to Friday 15 June 2018.

The Post Exhibition Planning Proposal went to Council on 10th December 2019 where it was resolved by Council that:

1. *The planning proposal for 40 Solent Circuit, Norwest (5/2015/PLP) be forwarded to the Department of Planning, Industry and Environment for finalisation, noting that Council does not have delegation to make the plan due to an outstanding public authority objection from the Roads and Maritime Services.*
2. *Draft amendments to The Hills Development Control Plan 2012 (Part D Section 8 - Norwest Town Centre - Residential Development) (contained within Attachment 1) be adopted and come into force concurrent with notification of finalisation of the planning proposal (5/2015/PLP) being published on the NSW Legislation website.*

3. Council enter into the Voluntary Planning Agreement for land at 40 Solent Circuit, Norwest (contained within Attachment 1), incorporating post-exhibition amendments, and authorise Council's common Seal to be affixed to the Voluntary Planning Agreement.

PART 1 OBJECTIVES OR INTENDED OUTCOME

The objective of the planning proposal is to enable increased development potential (predominantly residential) on the site to capitalise on its proximity to the Norwest Town Centre and railway station.

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.

A site plan (including the proposed building heights) and photomontages of the proposed development are included below.

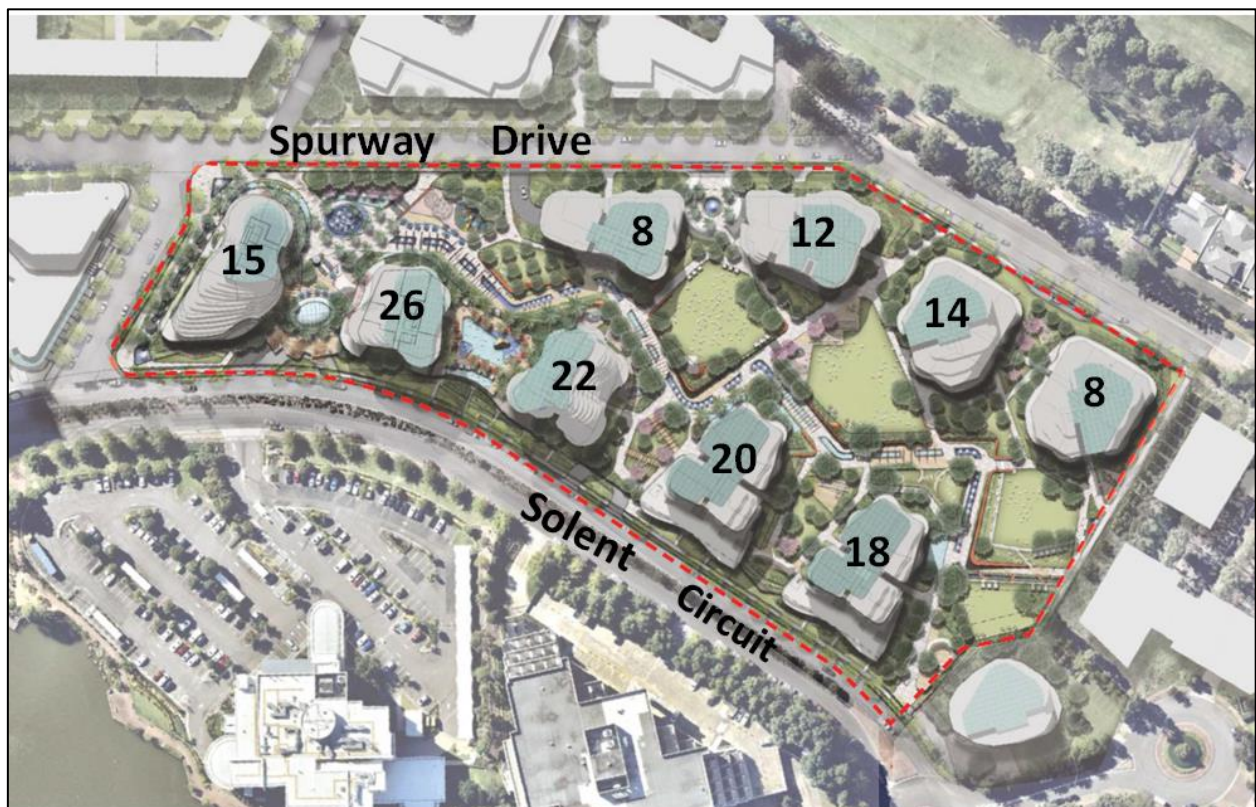


Figure 3
Site plan showing building heights (storeys)



Figure 4
Photomontage – View of the Development across Norwest Lake



Figure 5
Photomontage – Internal View of the Development

PART 2 EXPLANATION OF THE PROVISIONS

The planning proposal seeks to amend The Hills Local Environmental Plan 2019 (formerly The Hills Local Environmental Plan 2012) to:

1. Increase the maximum building height from RL116 metres (10 storeys) to RL176 metres (26 storeys) applicable to part Lot 2105 DP 1201899;
2. Apply a “base floor space ratio” of 1:1 and an “incentivised floor space ratio” of 2.9:1 (currently no FSR applicable) to part Lot 2105 DP 1201899. The site would be identified as “Area A” on the Floor Space Ratio map and the achievement of the incentivised FSR would be possible where future development complies with Clause 7.11 of LEP 2019;
3. Include additional permitted uses in 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).

PART 3 JUSTIFICATION

SECTION A - NEED FOR THE PLANNING PROPOSAL

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

No, the planning proposal is not a result of any strategic study or report.

However, the planning proposal is largely consistent with the vision for Norwest given the various strategic studies prepared by The Hills Shire Council and the State Government, including Ministerial Direction 5.9 North West Rail Link Corridor Strategy, the North West Rail Corridor Strategy and the Hills Corridor Strategy.

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

Yes, the planning proposal is considered to be the best way to achieve the intended outcomes for the site.

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 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.

SECTION B - RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK

3) *Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?*

Yes, a discussion of consistency is provided below.

- **Greater Sydney Region Plan**

The Greater Sydney Region Plan is a 40-year vision that seeks to accommodate a growing and changing population within three cities, the Western Parkland City, the Central River City and the Eastern Harbour City. The Plan informs district and local plans as well as the assessment of planning proposals. It also facilitates the alignment of infrastructure planning to support anticipated

growth. The delivery and implementation of the Plan is supported by 10 directions, which facilitates an integrated approach to realising outcomes.

The planning proposal is consistent with the Greater Sydney Region Plan as it contributes to the supply of diverse housing options and housing in strategic locations. The relevant objectives in the plan are discussed below:

Objective 10 – Greater Housing Supply

The plan recognises that providing ongoing housing supply and a range of housing types in appropriate locations will create more liveable neighbourhoods whilst supporting Greater Sydney's population growth. The delivery of a range of housing types and price points are needed to meet demand.

The planning proposal provides an opportunity to provide high quality design outcomes for higher density living in close proximity to a major employment and future transport centre. As the planning proposal applies to existing R4 High Density Residential land immediately adjoining the Business Park, it is considered that the proposal will facilitate capacity in an appropriate location being a Strategic Centre that includes the Norwest railway station, significant employment lands and services.

Objective 11 – Housing is more Diverse and Affordable

The plan acknowledges that housing plays an important social and economic role by meeting changing demographic needs and providing stability in the housing market. Additionally, housing must provide choices for a range of purchasers.

The planning proposal provides an opportunity to contribute to a greater variety of housing choice within the Norwest Strategic Centre. This allows the market to capture a range of needs, workers and incomes, and sustains the importance of locating key workers close to centres and services.

• **Central City District Plan**

The Central City District Plan is a 20-year plan to manage growth in the context of economic, social and environmental matters to achieve the 40-year vision of Greater Sydney. It is a guide for implementing the Greater Sydney Region Plan at a district level and is a bridge between regional and local planning. The District Plan also assists councils to plan for and deliver growth and change, and align their local planning strategies to place-based outcomes. It informs infrastructure agencies, the private sector and the wider community of expectations for growth and change.

Of particular relevance to this planning proposal is planning priority C5 – Providing housing supply, choice and affordability with access to jobs, services and public transport. The District Plan highlights the far-reaching impacts of poor quality housing and housing choice. The planning proposal is consistent with this priority as it seeks to facilitate high quality design outcomes on land identified as being suitable for high density development because of its proximity to jobs and services.

• **North West Rail Link Corridor Strategy**

The North West Rail Link Corridor Strategy was finalised by the State Government in September 2013 to guide future development around the eight (8) new stations of the Sydney Metro Norwest. The introduction of the Sydney Metro Norwest and a station at Norwest has the potential to further reinforce Norwest as a Specialised Centre and the largest employment centre for Sydney's North West. A new station, located within the existing Norwest Business Park, will provide further impetus for Norwest to evolve as a vibrant and active centre of business for the region, comprising offices, retailing, community facilities, recreation, cultural, education and housing to serve the increasing population.

The Corridor Strategy provides a vision for how the areas surrounding the railway stations 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 6

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 consistent with that identified under the North West Rail Link Corridor Strategy. However, the heights exceeds the 7-12 storey built form range 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 which achieves the yield and density envisaged under the North West Rail Link Corridor Strategy.

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

Yes, a discussion of consistency is provided below.

- **The Hills Future Community Strategic Plan**

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

The planning proposal will assist in the realisation of The Hills Future outcome of balanced urban growth through the provision of residential accommodation that will provide a diversity of housing mix within the Norwest Residential Eastern Precinct and ensure the delivery of appropriate housing consistent with the needs of the future demographics of the Shire.

- **Hills Future 2036 Local Strategic Planning Statement**

The Hills Shire Council's Local Strategic Plan (LSPS) is the framework for the direction of The Hills guides the future next five years. The LSPS was endorsed by Council on 22 October 2019 and is currently awaiting assurance from the Greater Sydney Commission. Any direction taken in the LSPS must align with the planning priorities set out in the Greater Sydney Commissions Greater Sydney Region Plan and Central City District Plan. As such, any development that is aligned with the LSPS will also be aligned with the objectives of the Greater Sydney Commission.

Council's Local Strategic Planning Statement (LSPS) identifies a significant need to provide diverse housing supply to cater for a broad range of household types and budgets. The strategy is trying to deliver the right type of additional housing stock in appropriate areas so that places are serviced with the right level of infrastructure, which will assist in creating liveable, walkable and cyclable neighbourhoods.

A structure plan is included for the Norwest Strategic Centre which identifies the planned distribution of a mix of land uses within the centre. The subject site is identified for medium and high density residential housing to provide higher density housing in areas with the greatest potential for walking distance to retail and transport nodes. Proximity to the Norwest Metro node is a trigger to improve housing and increased access to local jobs.

The LSPS contains six strategies to achieve its objectives. Strategies of relevance to this proposal are:

- Housing Strategy
- Productivity and Centres Strategy
- Integrated Transport and Land Use Strategy

Housing Strategy

Relevant objectives of the Housing Strategy include the following:

- *Plan for new housing to support Greater Sydney's growing population*
- *Plan for new housing in the right locations*
- *Plan for a diversity of housing*

The above planning priorities are a response to the anticipated population growth expected within The Hills Shire between 2016-2036 and the need to not only provide additional housing for the projected 128,000 new residents but also provide the right dwelling mix. The strategy identifies areas surrounding metro stations as opportunities to improve vibrancy through investment in appropriate infrastructure which will facilitate liveable, and vibrant neighbourhoods.

The planning proposal is aligned with the strategic objectives of the LSPS Housing Strategy as it is providing additional housing to meet the required 38,000 dwellings across the Shire and 864 dwellings of the 2,100 dwellings required in Norwest by 2036. It also provides housing in a strategic centre which is serviced by public transport and close to mix use developments to create revitalise the commercial centre and activate the precinct throughout the day.

Productivity and Centres Strategy

Relevant objectives of the Productivity and Centres Strategy include the following:

- *Plan for sufficient jobs, targeted to suit the skills of the workforce*

The provision of supporting commercial uses as part of the proposal will both activate the site and provide local job opportunities. The proposal will also facilitate a mixture of uses that will contribute to the safety and vibrancy of Norwest including functions that extend beyond normal business

hours. The provision of dwellings next to the business park will further improve residents access to local jobs supporting the Governments visions for a 30 minute city.

Integrated Transport and Land Use Strategy

Relevant objectives of the Integrated Transport Strategy include the following:

- *Build strategic centres to realise their potential and renew and create great places*
- *Influence travel behaviour to promote sustainable choices*

Transit oriented development is a high priority in the LSPS, especially around new metro stations which facilitate uplift and increased accessibility. Transport is central to urban renewal and is targeted for residential and commercial uplift. Centres directly adjacent to the metro station are encouraged to be a mixed use of retail and commercial with the broader Norwest Strategic Centre comprising of high density residential housing. The cumulative effect is to create walkable neighbourhoods and vibrant communities.

The planning proposal is located on the outer ring of the Norwest Strategic Centre to complement the existing commercial space and activate the retail component as identified in the LSPS. Transit oriented development such as The Greens is encouraged by the LSPS and will provide access to jobs and public transport to a high number of residents.

• **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 Government's 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.

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

Yes. An assessment of the planning proposal against applicable State Environmental Planning Policies is provided in Attachment A.

6) Is the planning proposal consistent with applicable Ministerial Directions (s.9.1 directions)?

Yes. The consistency of the planning proposal with the s.9.1 Ministerial Directions is detailed within Attachment B. A discussion on the consistency of the proposal with each relevant Direction is provided below.

- **Direction 3.1 Residential Zones**

The objectives of this direction are to encourage a variety and choice of housing types to provide for existing and future housing needs, to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and to minimise the impact of residential development on the environment and resource lands.

The planning proposal is consistent with this Direction as it capitalises on the strategic location of the site being residential land within the Norwest Business Park, in close proximity to the Specialist Centre and Norwest Station, appropriate for a high density mixed use development outcome.

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

The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives:

- a) improving access to housing, jobs and services by walking, cycling and public transport; and
- b) increasing the choice of available transport and reducing dependence on cars, and
- c) reducing travel demand including the number of trips generated by development and the distances travelled, especially by car; and
- d) supporting the efficient and viable operation of public transport services, and
- e) providing for the efficient movement of freight.

This Direction is applicable since it proposes to allow additional commercial uses on the site and alter provisions relating to density and height.

The planning proposal is consistent with this Direction since the site is located within a well-developed business park (Specialised Centre) with access to public transport and infrastructure. It will provide housing in a central location that will contribute to the growth of the business park and the viability of the future railway.

- **Direction 5.9 North West Rail Link Corridor Strategy**

Ministerial Direction 5.9 North West Rail Link Corridor Strategy promotes transit-oriented development and managed growth around the eight (8) train stations and seeks to ensure development within the Sydney Metro Northwest corridor is consistent with the proposals set out in the North West Rail Link 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.

- **Direction 6.1 Site Specific Provisions**

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

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

The objective of this Direction is to discourage unnecessarily restrictive site specific planning controls. To enable higher density residential development to occur on the site, a planning proposal is required to amend Local Environmental Plan 2019. The purpose of the proposed amendment is to facilitate a higher density mixed use development outcome than could occur

under current controls, within close proximity to the Norwest Station and employment and services within the Norwest Business Park. The proposed changes relate to the maximum height of buildings, maximum floor space ratio and permitted uses on site. There are no unnecessarily restrictive site specific provisions proposed.

SECTION C - ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACT

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

No, the land that is subject to the planning proposal has been cleared through previous uses. The subject area is generally void of any significant vegetation or trees. Therefore the planning proposal is unlikely to create any adverse impacts on critical habitat or threatened species, populations or economical communities and their habitats.

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

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.

These matters are addressed in detail in the attached Council reports. 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 in combination with the proposed FSR standards, enables an appropriate yield to be achieved with low site coverage, resulting in a superior development outcome.

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

The planning proposal supports the population growth, economic growth and future direction envisaged by the State Government and Council associated with the role of the Norwest Business Park as a Specialised Centre. It will support and is consistent with development opportunities provided by the construction of the Norwest Railway Station.

A future development will also assist in the further activation of the town centre after hours with the provision of restaurants and residential units.

SECTION D - STATE AND COMMONWEALTH INTERESTS

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

The proposal would result in a shortfall of local active open space which has been addressed by a draft Voluntary Planning Agreement provided by the applicant.

The site is subject to Contributions Plan No.8 – Kellyville/Rouse Hill Precinct (CP8) however CP8 only envisages 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 7.11 plan.

The planning proposal is accompanied by a VPA which proposes:

- Upgrades to lighting and security measures around Norwest Lake, which will improve the usability of this important area of public domain within Norwest Precinct;
- The completion of a new signalised intersection at Solent Circuit East and Norwest Boulevard to address a significant 'bottleneck' along Norwest Boulevard;
- \$5 million towards traffic improvements (potentially a partial contribution towards the intersection of Solent Circuit (west) and Norwest Boulevard to supplement existing funding sources for this work including Contributions Plan No.12 – Balmoral Road Release Area and a number of other VPA's within the Norwest Precinct);
- \$5.39 million towards land acquisition & works for new active open space;
- \$2.5 million towards land acquisition and works for new passive open space;
- \$2.5m towards a new local community centre; and
- \$750,000 towards footpath & cycleway improvements.

Future development on the site would need to be supported by the necessary services including electricity, telecommunication, gas, water, sewer and stormwater drainage. The required services are available to the site.

11) What are the views of State and Commonwealth Public Authorities consulted in accordance with the gateway determination, and have they resulted in any variations to the planning proposal? (Note: The views of State and Commonwealth Public Authorities will not be known until after the initial gateway determination. This section of the planning proposal is completed following consultation with those public authorities identified in the gateway determination.)

A list of all relevant agencies to be consulted has been determined by the Gateway Determination issued on 31 January 2017 and amended on 29 March 2018. Accordingly, the following agencies have been consulted:

- Endeavour Energy;
- Transport for NSW;
- Transport for NSW - Roads and Maritime Services;
- Sydney Water; and
- Telstra.

Submissions were received from the following public authorities:

- (a) Endeavour Energy;
- (b) Sydney Water;
- (c) Transport for NSW; and
- (d) Roads and Maritime Services (2 submissions);

These submissions are discussed below.

(a) Endeavour Energy

Endeavour Energy identified that the subject site hosts an easement to the benefit of Endeavour Energy for a 132kV high voltage underground cable, underground earth cables and underground pilot cables as well as several easements on adjoining sites and roadways. Endeavour Energy raised no objection to the proposal subject to the following:

- The Proponent shall undertake any additional extensions and augmentations of the 11kV high voltage network and provision of indoor chamber substations to facilitate connection;
- The Proponent shall not install or permit to be installed any services or structures within the easement site;
- The Proponent shall not alter the surface level of the easement site;
- Anything that restricts access to the easement site will not be permitted without the written permission of Endeavour Energy; and
- The Proponent shall comply with all relevant Australian Standards and design guidelines.

Comment:

Endeavour Energy's submission was provided to the Proponent, who confirmed that all requirements would be complied with. The specific requirements of Endeavour Energy's submission must be further considered as part of the preparation of detailed designs for the development and Endeavour Energy will be further consulted as part of any future development application process.

(b) Sydney Water

Sydney Water raised no objection to the proposal and provided general information which explained that Sydney Water is undertaking a water supply strategy for the area and would be considering mains requirements. The submission advised that the existing sewer was insufficient for the proposed development and that pipes would need to be upsized along with amplification of the Sewer Pumping Station.

Comment:

The proposed uplift and residential density is consistent with the outcomes anticipated under the applicable strategic planning framework and as such, it is anticipated that this extent of growth will be adequately serviced through amplification and upgrades of Sydney Water's infrastructure. Detailed consideration of planning, servicing and connection requirements for this site would form part of any future development application process and Sydney Water would be further consulted at this time.

(c) Transport for NSW

Transport for NSW requested that the Traffic and Parking Report assess the cumulative impact of estimated traffic as a result of all rezoned land within the Precinct, in addition to the proposed development. TfNSW also provided the following comments in relation to the Proponent's Traffic and Parking Report (prepared by TDG - June 2016):

- Base Year Traffic - The base peak hourly traffic volumes are based on 2013 traffic data which is out-of-date and should be updated;
- Level of Service Assessment (Windsor Road and Norwest Boulevard) - The assumption that Windsor Road and Norwest Boulevard are four lane divided carriageways with clearways, limited access and limited intersections is incorrect. It fails to consider the multiple traffic signals and roundabouts and the impact of these on travel speeds. The performance of midblock sections should be revised in the Traffic Report;
- Cumulative Traffic Study - It is not evident that cumulative traffic impacts have been considered for assessing the base future year scenario. Given that the proposal precedes the completion of detailed precinct planning, the traffic impact should be assessed on a base future scenario

10 years after full development of the Precinct to inform the infrastructure required to support growth of the Precinct in the longer term;

- Proposed Signalisation of Intersections - The reconfiguration of intersections at Solent Circuit (East)/Norwest Boulevard and Solent Circuit (West)/Norwest Boulevard should consider bus services currently in operation along Norwest Boulevard and Fairway Drive. TfNSW requested that more details such as concept plans for the proposed signalised intersections and intersection modelling be provided for review by TfNSW and RMS; and
- Bicycle Parking - The report should be revised to include bicycle parking details in accordance with the requirements of The Hills DCP.

Comment:

i) Base Year Traffic

In recognition of the concerns raised by Transport for NSW, the Proponent submitted additional information and analysis entitled "*The Greens Cumulative Traffic Impact Study*", which was prepared by Stantec (April 2019). The updated study applied traffic counts from 2016, which is considered to be appropriate as a 'worst case scenario' in this instance given traffic volumes are likely to have reduced marginally since the opening of the Sydney Metro Northwest. It is noted that further traffic counts are currently being undertaken by Sydney Metro following the opening of the Sydney Metro Northwest and these will be incorporated into the broader regional traffic modelling which is currently being undertaken for the Norwest Strategic Centre, as detailed further within this report.

ii) Level of Service Assessment (Windsor Road and Norwest Boulevard)

The position of Transport for NSW in relation to this matter is not supported. It is considered that both Norwest Boulevard and Windsor Road are both controlled access roads with limited access points. These access points are generally left-in/left-out within the vicinity of the site. The limited number of intersections on these portions of the regional road network are controlled. Accordingly, the road definition which has been applied to these roads, within the traffic assessment (a '*4 lane divided carriageway with clearway and limited access and intersections*') is considered to be appropriate when determining existing and future mid-block levels of service.

iii) Cumulative Traffic Study

"*The Greens Cumulative Traffic Impact Study*" submitted by the Proponent compiles traffic data from surrounding developments (both approved and proposed) comprising The Esplanade, The Orchards, The Greens and the former planning proposal for Marketown which was under assessment at the time the study was prepared.

The study examined critical intersection performance and considered the impact of the Sydney Metro Northwest achieving modest reductions in traffic volume within Norwest Business Park of 6% within 12 months and 20% within 5-10 years. The findings of the study were that that the "*developments would have a marginal impact on the surrounding road network*" and that satisfactory intersection performance can be achieved with the introduction of traffic lights at Norwest Boulevard/Solent Circuit (West) and Norwest Boulevard/Solent Circuit (East – which have since been completed by the Proponent).

Whilst the Proponent has attempted to model cumulative impacts, it is considered unreasonable to expect an individual Proponent to complete comprehensive regional traffic modelling for Precinct, as requested by TfNSW. This is especially true when the uplift being sought is in response to, and consistent with, the outcomes anticipated within the State Government's strategic planning framework.

Since lodging this submission Transport for NSW has committed to funding the required regional traffic modelling work for the Castle Hill, Showground and Norwest Precincts and it is anticipated that tendering for the completion of this work will be completed shortly. This modelling will analyse the impacts of cumulative growth anticipated within the Norwest Strategic Centre and identify any required traffic infrastructure upgrades required to support this growth.

While this modelling has not yet been completed, it is considered reasonable for this proposal to proceed in advance of regional traffic modelling as the density being proposed is consistent with that anticipated density within the State Government's North West Rail Link Corridor Strategy. Accordingly, there is a reasonable expectation that this uplift can be serviced by regional infrastructure. Further, the Proponent is working with the RMS to negotiate and prepare a separate planning agreement which would facilitate the collection of contributions towards future upgrades to the regional road network which will be identified as part of the regional traffic modelling project.

Given the above, Transport for NSW's request for the Proponent to complete regional traffic modelling for the Norwest Precinct are no longer relevant to progression of the proposal.

iv) Bicycle Parking

Bicycle parking and its compliance with the DCP would be considered as part of the lodgement and assessment of any future development application for the site.

(d) Roads and Maritime Services

The RMS made submissions on the planning proposal on two (2) separate occasions - 21 September 2018 and 8 March 2019.

First Submission – 21 September 2018

RMS advised that a cumulative traffic and transport study for Norwest Precinct should be prepared to assess transport impacts, identify necessary road upgrades and establish funding mechanisms to accommodate uplift associated with the Government's North West Rail Link Corridor Strategy – Norwest Structure Plan.

RMS stated that they were of the view that at a minimum, there should be a strategic level understanding of the cumulative transport impacts of the growth identified within the Structure Plan, including identification of potential mitigation measures and funding mechanisms, prior to the finalisation of any planning proposals. The submission advised that the cumulative traffic impacts and mitigation actions should be measured utilising RMS' Strategic Traffic Forecasting Modelling with full development scenarios for the Precinct and consideration of key intersections.

While the RMS recognised that the Proponent had made an offer to enter into a VPA, it was of the view that it is difficult to determine whether the Proponent's offer towards regional traffic upgrades was adequate in the absence of a cumulative traffic study.

Second Submission – 8 March 2019

On 8 March 2019, RMS provided an updated submission following further discussions with the Proponent. RMS reiterated that it does not support the progression of the planning proposal in advance of the completion of cumulative traffic modelling for the Norwest Precinct. However, RMS advised that it may be possible for the proposal to proceed to finalisation in advance of the completion of regional traffic modelling and preparation of a contributions plan, if the monetary contributions towards regional road and transport infrastructure were able to be secured from the Proponent, subject to the satisfaction of the Department of Planning, Industry and Environment.

Comment:

Since the lodgement of RMS' submission, Transport for NSW has committed to funding the required regional traffic modelling work for the Castle Hill, Showground and Norwest Precincts and it is anticipated that tendering for the completion of this work will be completed shortly. This

modelling will analyse the impacts of cumulative growth anticipated within the Norwest Strategic Centre and identify any required traffic infrastructure upgrades required to support this growth.

In response to the concerns raised by RMS and in order to enable the proposal to proceed in advance of the completion of the regional traffic modelling, the Proponent has engaged in negotiations directly with RMS and the Department with respect to the preparation of a separate planning agreement which secures an additional contribution towards regional traffic infrastructure.

The RMS submission will remain an outstanding and unresolved agency objection until such time as an agreement is reached between RMS, the Department and the Proponent. As such, Council is unable to exercise its Delegation to finalise the amendment and it is necessary for the proposal to be submitted to the Department of Planning, Industry and Environment for finalisation.

Importantly, these negotiations between RMS, the Department and the Proponent relate to regional traffic upgrades and are entirely separate to the VPA which has already been negotiated between Council and the Proponent, which secures a fair and reasonable contribution towards local infrastructure, proportionate to the demand likely to be generated by the proposal. The VPA between Council and the Proponent is suitable to ensure that adequate contributions are collected from future development on the site towards local infrastructure which Council will be responsible for providing.

Given the above, it is considered that the RMS objection is not an impediment to Council resolving to proceed to finalisation of the planning proposal.

PART 4 MAPPING

The planning proposal seeks to amend the Height of Buildings Map, Floor Space Ratio Map and Additional Permitted Uses Map of *The Hills Local Environmental Plan 2019*.

Existing Height of Buildings Map



Height of Buildings (m) (HOB)

| | | | |
|----|------|----|------|
| K | 10.0 | P2 | 18.0 |
| O2 | 16.0 | R1 | 21.0 |

Heights Shown on Map in RL (m)

| | | | |
|-----|-------|-----|-----|
| 116 | 143.2 | 169 | 176 |
|-----|-------|-----|-----|

Proposed Height of Buildings Map



| | | | |
|----|------|----|------|
| S | 23.0 | V1 | 36.0 |
| T2 | 27.0 | | |

Figure 8

Current and Proposed Height of Buildings Map

Existing FSR Map



Maximum Floor Space Ratio (FSR) (n:1)

| | | | | | | | |
|--------|-----|----|------|----|------|----|-----|
| N | 1.0 | R2 | 1.49 | T4 | 2.42 | V2 | 3.2 |
| R1 | 1.4 | S1 | 1.5 | U1 | 2.6 | | |
| Area A | | | | | | | |

Proposed Base FSR Map

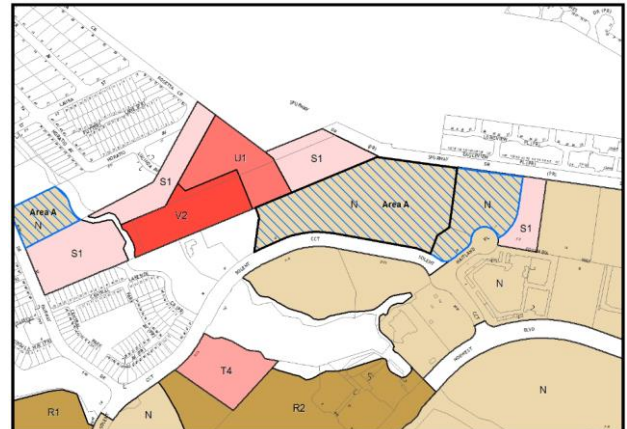
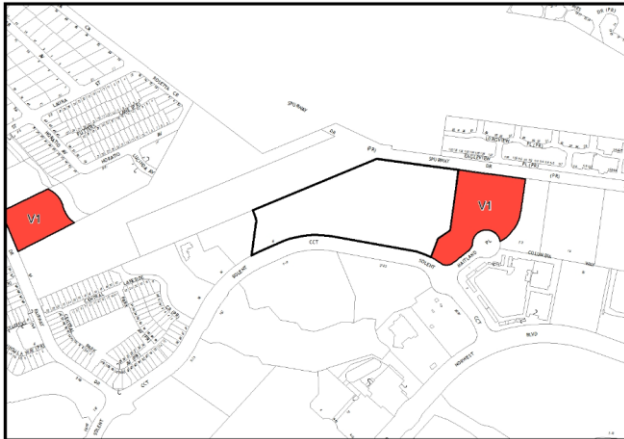


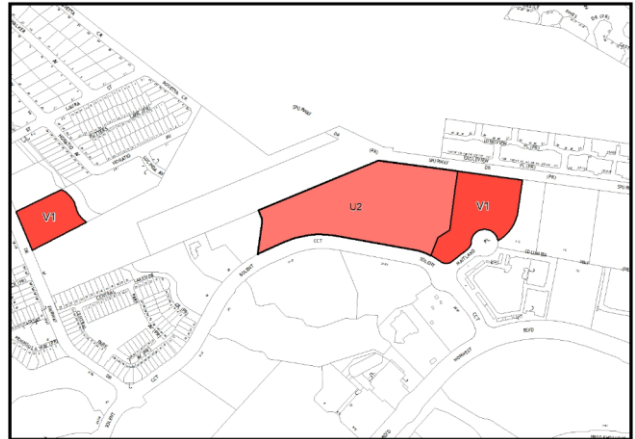
Figure 9

Current and Proposed Floor Space Ratio Maps

Existing Incentive FSR Map



Proposed Incentive FSR Map



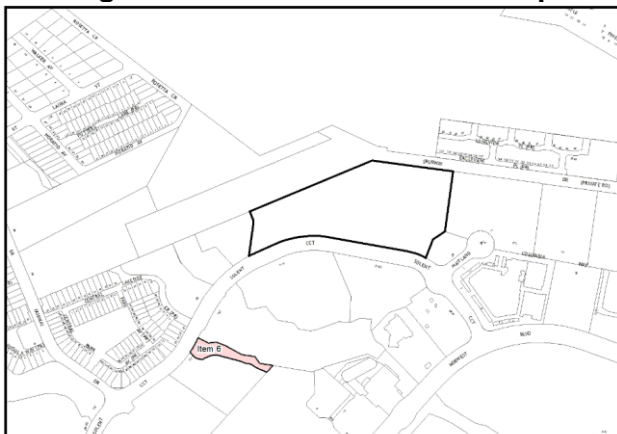
Maximum Floor Space Ratio Incentive (FSI) (n:1)

U2 2.9 **V1** 3.0

Figure 10

Current and Proposed Incentive Floor Space Ratio Maps

Existing Additional Permitted Uses Map



Proposed Additional Permitted Uses Map



Additional Permitted Uses (APU)


 refer to schedule 1

Figure 11

Current and Proposed Additional Permitted Uses Map

PART 5 COMMUNITY CONSULTATION

The planning proposal, draft DCP and draft VPA were publicly exhibited from Tuesday 1 May 2018 to Friday 15 June 2018. The material was made available for viewing at Castle Hill Library, Vinegar Hill Memorial Library, Council's Administration Centre and on Council's website. The exhibition was advertised in Hills Shire Times and Rouse Hill Times on 1 May and 29 May 2018 and landowners within the vicinity of the site were notified and invited to comment on the draft package.

A total of 10 public submissions were received during the exhibition period. The key issues raised within these submissions were:

- (a) Character and Amenity;
- (b) Traffic and Transport; and
- (c) Adequacy of Social Infrastructure.

A discussion of these issues and planning comments in response to each is included below.

(a) Character and Amenity

Concerns were raised that the scale of the proposal was excessive and incompatible with the character of the locality. Submissions also raised concerns with respect to amenity impacts associated with noise and privacy, overshadowing and solar access and environmental impacts on the site.

Comment:

i) Compatibility of the proposal with the character of the locality

With the opening of the Sydney Metro Northwest, the character of the broader Norwest Strategic Centre will continue to evolve into a high density transit centre accommodating a mix of uses within key sub-precincts. The vision for the future character of the Norwest Precinct is articulated within both the State Government's North West Rail Link Corridor Strategy and The Hills Corridor Strategy.

The North West Rail Link Corridor Strategy identifies the site as being within the High Density Apartment Living character area of the Precinct and envisages that future development will comprise buildings with a floor space ratio of around 3:1 and 4:1, carefully master planned around communal open spaces and incorporating landscaped setbacks to existing streetscapes. Under the North West Rail Link Corridor Strategy, the site could be expected to accommodate between 740 to 1,270 dwellings within a built form of up to 12 storeys in height. The Hills Corridor Strategy anticipates a density of 216 dwellings per hectare, which would equate to approximately 826 dwellings on this site.

The proposed yield of 864 dwellings is generally consistent with the density of development anticipated under both the NWRL Corridor Strategy and The Hills Corridor Strategy. Whilst the maximum height proposed (up to 26 storeys) is taller than what was previously anticipated on the site, the additional height has been proposed as part of a larger master planned development with significant transition of building heights across the site. In particular, the proposal includes lower scale buildings of 8, 12, 14, 15, 18, 20 and 22 storeys and sites the lowest scale buildings proximate to sensitive interfaces and existing residential development on the northern side of Spurway Drive.

In addition, the proposal demonstrates that through enabling additional building height, the proposed built form can adopt a more 'slender' form with minimal site coverage (restricted to 30%). This will enable substantially more landscaping and open space 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. While towers of this scale would not necessarily be appropriate on other development sites within the Norwest Precinct, it has been demonstrated that the size, location and context of this specific development site enables such an outcome to be accommodated.

The proposed built form is also considered to be appropriate in the context of outcomes anticipated across the broader Norwest Strategic Centre and having regard to other proposed development within the surrounding locality, including the Norwest Station Site, the Esplanade, Spurway Drive, Fairway Drive and Maitland Place. A comparison of the heights of various proposals within the Norwest Precinct are shown in the following figure, which demonstrates that the building heights proposed on this site are generally in alignment with the scale of buildings anticipated throughout the Precinct.

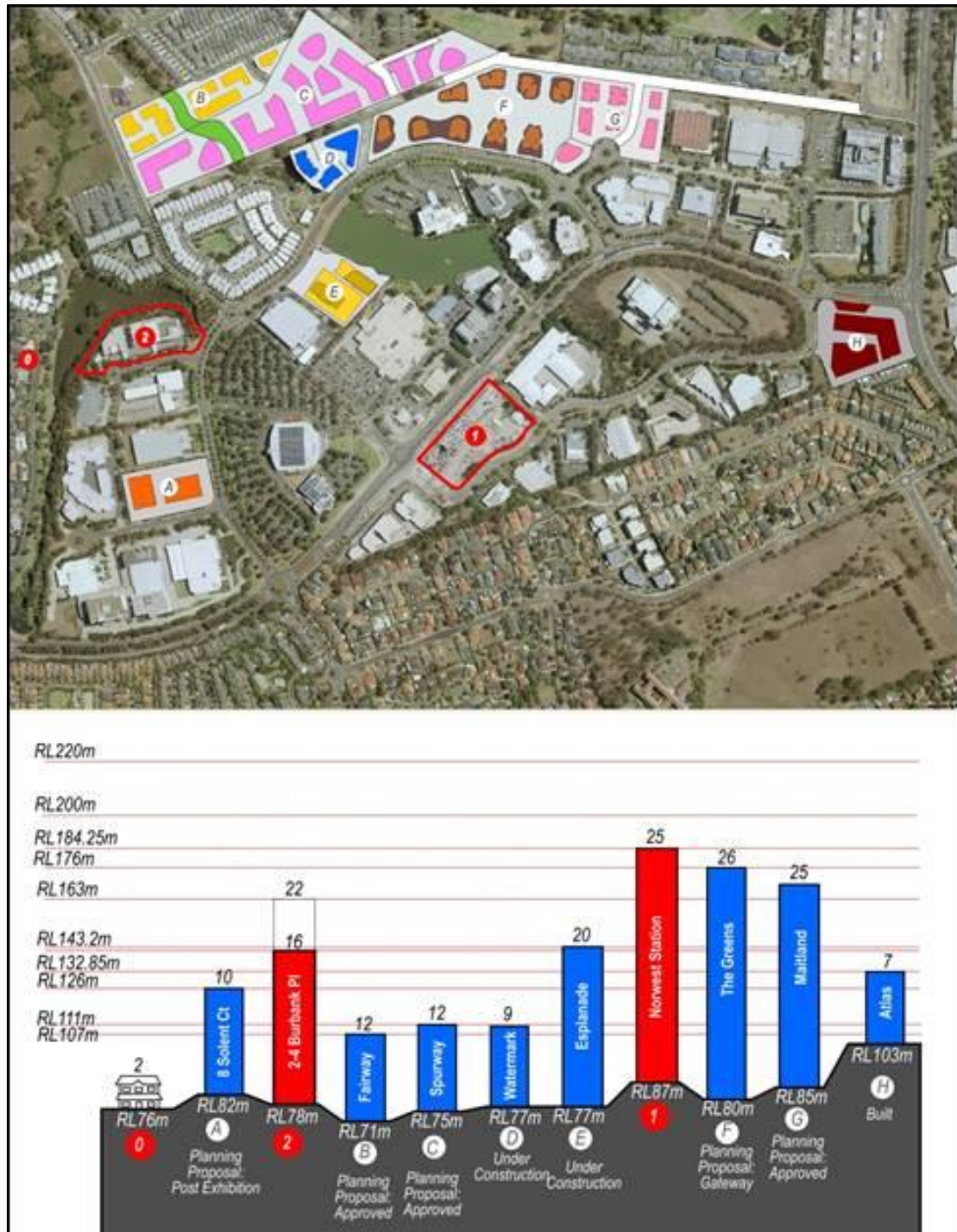


Figure 12
Approved and anticipated building heights within Norwest

ii) Noise and Privacy

The site is currently zoned for high density residential development and is located within area that is currently undergoing significant urban renewal and transformation. As development occurs, in order to ensure that appropriate levels of privacy is achieved for residents within the locality, development controls have been prepared to ensure that private open space and habitable rooms of proposed and existing residential dwellings are reasonably protected.

These controls are included within the draft DCP and relate to:

- Building layout and orientation;
- Tower form;
- Location, size and placement of windows and balconies; and
- Screening devices.

The design of future development on site will also need to be consistent with Council's *State Environmental Planning Policy No.65 – Design Quality of Residential Flat Development* and the associated Apartment Design Guide which contains design requirements with respect to visual and acoustic privacy.

It is also noted that Clause 7.7 Design Excellence of LEP 2019 currently applies to all development with a height of 25 metres or more (around 8+ storeys). The provision requires that development consent must not be granted to development unless the consent authority considers that the development exhibits design excellence. This provision also enacts Council's Design Excellence Panel which will review any future application and provide recommendations on whether the development exhibits design excellence.

Noting that the site is identified for high density residential outcomes under both the current controls and strategic planning framework, it is considered that there will be adequate controls in place to guide appropriate outcomes with respect to noise and privacy at the development application stage.

iii) Overshadowing and Solar Access

Solar access diagrams prepared in support of the planning proposal and are provided below.

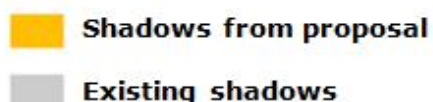
Equinox (20 March & 23 September)**9 am****12 noon****3 pm****Winter Solstice (21 June)****9 am****12 noon****3 pm**

Figure 13
Solar access diagrams

It is considered that the proposal is unlikely to result in any unreasonable overshadowing impacts, noting that:

- The proposal is capable of complying with the minimum solar access requirements specified within the DCP, with at least 72% of all units within the development receiving the a minimum of three hours of sunlight between 9am and 3pm in midwinter;
- The proposal does not result in any overshadowing of any existing residential development adjoining the site between 10am and 3pm in midwinter;
- The proposal results in minimal overshadowing of the public domain around Norwest Lake, with no overshadowing occurring after 11am in midwinter; and
- In comparison to development which could be achieved under the current controls, the proposal would result in less overshadowing of Solent Circuit due to the slender built form proposed.

It is acknowledged that the proposal will result in some overshadowing of commercial development to the south, reducing the solar access to the northern faces of these buildings and their car parks. However, this is considered to reasonable given the slender form of the buildings will still allow for solar penetration to these northern faces of the commercial buildings during midwinter.

Any future development application would be subject to the standard assessment process including assessment by the Norwest Planning and Design Review Panel and consideration by Council's Design Excellence Panel in accordance with the 'design excellence' provisions within LEP 2019.

iv) Environmental Impacts

It is considered unlikely that the proposal will have any environmental impacts given the site is cleared of vegetation and does not contain any critical habitat or threatened species, populations or ecological communities. There are no likely adverse environmental effects or identified natural hazards such as flooding, land slip or bushfire which would constrain future development of the site.

(b) Traffic and Transport

Submissions received made comments with respect to the following traffic and transport matters:

- Cumulative Traffic Impact - Public submissions raised concern that the cumulative impacts on the road network have not been adequately considered, especially on Spurway Drive, Solent Circuit and Norwest Boulevard.
- Bus Laydown Spaces - concern regarding the lack of bus laydown spaces and pedestrian provision.
- Excessive Parking Spaces - concern that too many parking spaces are being provided which further entrenches a car culture.

Planning comments in response to each matter are provided below.

Comment:

i) Cumulative Traffic Impact

It is acknowledged that in the absence of cumulative traffic modelling for the broader Norwest Strategic Centre, it is difficult for Council or RMS to assess the cumulative impact of all development across the precinct including the infrastructure upgrades required and apportionment of these costs across all future development. Whilst broader precinct-wide modelling is underway it will take some time to complete.

Notwithstanding this, it is noted that the VPA between the Proponent and Council will secure \$6.5 million towards traffic infrastructure upgrades, which is considered to be a fair and reasonable contribution from this Proponent, proportionate to the demand for future local infrastructure upgrades likely to be generated by this individual proposal. Furthermore, it is noted that the Proponent is currently working with the RMS with respect to the preparation of a separate planning agreement to secure adequate contributions towards regional traffic infrastructure.

ii) Bus Laydown Spaces

Existing bus routes are located along Fairway Drive, Solent Circuit (east of Fairway Drive), Norwest Boulevard and Reston Grange. No bus routes currently adjoin the site and this situation is not projected to change in the near future. Future bus routes and services is a matter for consideration for Transport for NSW. It is noted that the site is within a 400 metre walking distance to bus services on Norwest Boulevard and any future development application would be required to ensure the provision of appropriate footpath treatment through and around the site. The VPA will also secure \$750,000 for footpath & cycleway improvements through the wider precinct. The site is also located within 550 metres walking distance from the newly opened Norwest Station.

iii) Excessive Parking Spaces

The provision of parking is regulated within Council's housing mix and diversity provision, which was agreed to as the result on lengthy negotiations between Council and the Department of Planning, Industry and Environment. These rates have been specified by the Department for inclusion within the provision and they correspond with the RMS' recommended visitor parking rates for high density development within Metropolitan Sub-regional centres (contained within the RMS Guide to Traffic Generating Development). The parking rates within the housing mix and diversity provision are considered to reasonably reflect anticipated future car ownership rates within the railway corridor.

(c) Adequacy of Social Infrastructure

Submissions raised concern that the additional population has not been adequately addressed through appropriate levels of investment in schools, hospitals and other local infrastructure. Concern was also raised that the proposed open spaces within the site would feel like private open space and that proposed upgrades around the Lake should not be considered as associated with this proposal.

Comment:

It is noted that Schools and Hospitals are the responsibility of the NSW State Government and both the Department of Education and Health NSW are committed to planning for and delivering infrastructure to meet the needs of a growing population. Both Government agencies will need to continue to plan to ensure that the additional population growth which is forecast within all Sydney Metro Northwest Stations is adequately serviced with regional infrastructure. It is noted that the uplift sought through this proposal is largely consistent with the outcomes anticipated within the NSW Government's applicable strategic planning policies and as such, it is anticipated that Department of Education and Health NSW service planning will account for this forecast growth.

With respect to local infrastructure such as parks, playing fields, community facilities and local traffic upgrades, it is acknowledged that the proposal precedes the completion of detailed precinct planning for the Norwest Precinct and preparation of a Contributions Plan to levy development for additional local infrastructure. Given this, a VPA is the appropriate mechanism through which the developer can make a fair and reasonable contribution towards the provision of new local infrastructure in the future, proportionate to the demand likely to be generated by the proposed development.

The VPA submitted in support of this proposal would secure contributions from future development on the site with a total value of \$18.64 million which would be for the benefit of all residents and visitors to Norwest, not just the residents of this development. In particular, the VPA comprises works (signalised intersection at Solent Circuit (East) and Norwest Boulevard – which has since been completed, lighting and security measures within the public domain around Norwest Lake and inclusion of a public access easements over a minimum of 2,000m² of 'urban plaza' space within the development). In addition to this, the VPA secures a monetary contribution of \$16.14 million that Council will be able to expend on the provision of new local infrastructure servicing future growth within the Norwest Precinct in the future.

It is considered that the value of contributions offered through the VPA represents a fair and reasonable contribution from the Developer which is proportionate to the demand for local infrastructure likely to be generated by the proposal. In addition, it is noted that the Proponent is currently in separate negotiations with RMS and the Department with respect to an additional monetary contribution towards future regional traffic upgrades required to support growth within the Norwest Precinct.

PART 6 PROJECT TIMELINE

| STAGE | DATE |
|---|----------------|
| Commencement Date (Gateway Determination) | January 2017 |
| Government agency consultation | May 2018 |
| Commencement of public exhibition period (28 days) | May 2018 |
| Completion of public exhibition period | June 2018 |
| Timeframe for consideration of submissions | July 2018 |
| Timeframe for consideration of proposal post exhibition | August 2018 |
| Report to Council on submissions | September 2018 |
| Further report to Council on proposal | December 2019 |
| Date Council will forward the proposal to the Department for finalisation | December 2019 |

ATTACHMENT A: LIST OF STATE ENVIRONMENTAL PLANNING POLICIES

| STATE ENVIRONMENTAL PLANNING POLICY (SEPP) | | APPLICABLE | RELEVANT ? (YES/NO) | (IF RELEVANT) INCONSISTENT/ CONSISTENT |
|---|---|------------|---------------------|--|
| No. 1 | Development Standards | NO | - | - |
| No. 19 | Bushland in Urban Areas | YES | NO | - |
| No. 21 | Caravan Parks | YES | NO | - |
| No. 30 | Intensive Agriculture | YES | NO | - |
| No. 33 | Hazardous and Offensive Development | YES | NO | - |
| No. 36 | Manufactured Home Estates | NO | - | - |
| No. 44 | Koala Habitat Protection | NO | - | - |
| No. 47 | Moore Park Showground | NO | - | - |
| No. 50 | Canal Estate Development | YES | NO | - |
| No. 52 | Farm Dams and Other Works in Land and Water Management Plan Areas | NO | - | - |
| No. 55 | Remediation of Land | YES | NO | - |
| No. 62 | Sustainable Aquaculture | YES | NO | - |
| No. 64 | Advertising and Signage | YES | NO | - |
| No. 65 | Design Quality of Residential Flat Development | YES | NO | - |
| No. 70 | Affordable Housing (Revised Schemes) | YES | NO | - |
| Affordable Rental Housing (2009) | | YES | NO | - |
| Building Sustainability Index: BASIX 2004 | | YES | NO | - |
| Coastal Management (2018) | | NO | - | - |
| Education Establishments and Child Care Facilities (2017) | | YES | NO | - |
| Exempt and Complying Development Codes (2008) | | YES | NO | - |
| Housing for Seniors or People with a Disability (2004) | | YES | NO | - |
| Infrastructure (2007) | | YES | NO | - |
| Integration and Repeals (2016) | | NO | - | - |
| Kosciuszko National Park – Alpine Resorts (2007) | | NO | - | - |
| Kurnell Peninsula (1989) | | NO | - | - |
| Mining, Petroleum Production and Extractive Industries (2007) | | YES | NO | - |
| Miscellaneous Consent Provisions (2007) | | YES | NO | - |
| Penrith Lakes Scheme (1989) | | NO | - | - |
| Rural Lands (2008) | | NO | - | - |
| State and Regional Development (2011) | | YES | NO | - |
| State Significant Precincts (2005) | | YES | NO | - |
| Sydney Drinking Water Catchment (2011) | | NO | - | - |
| Sydney Region Growth Centres (2006) | | NO | - | - |
| Three Ports (2013) | | NO | - | - |
| Urban Renewal (2010) | | NO | - | - |
| Vegetation in Non-Rural Areas (2017) | | YES | NO | - |
| Western Sydney Employment Area (2009) | | NO | - | - |
| Western Sydney Parklands (2009) | | NO | - | - |

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

ATTACHMENT B: ASSESSMENT AGAINST SECTION 9.1 MINISTERIAL DIRECTIONS

| DIRECTION | | APPLICABLE | RELEVANT? (YES/NO) | (IF RELEVANT) INCONSISTENT/ CONSISTENT |
|---|---|------------|-----------------------|--|
| 1. Employment and Resources | | | | |
| 1.1 | Business and Industrial Zones | YES | NO | - |
| 1.2 | Rural Zones | YES | NO | - |
| 1.3 | Mining, Petroleum Production and Extractive Industries | YES | NO | - |
| 1.4 | Oyster Aquaculture | YES | NO | - |
| 1.5 | Rural Lands | NO | - | - |
| 2. Environment and Heritage | | | | |
| 2.1 | Environment Protection Zone | YES | NO | - |
| 2.2 | Coastal Protection | NO | - | - |
| 2.3 | Heritage Conservation | YES | NO | - |
| 2.4 | Recreation Vehicle Area | YES | NO | - |
| 2.5 | Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs | NO | - | - |
| 3. Housing, Infrastructure and Urban Development | | | | |
| 3.1 | Residential Zones | YES | YES | CONSISTENT |
| 3.2 | Caravan Parks and Manufactured Home Estates | YES | NO | - |
| 3.3 | Home Occupations | YES | NO | - |
| 3.4 | Integrating Land Use and Transport | YES | YES | CONSISTENT |
| 3.5 | Development Near Licensed Aerodomes | YES | NO | - |
| 3.6 | Shooting Ranges | YES | NO | - |
| 4. Hazard and Risk | | | | |
| 4.1 | Acid Sulfate Soils | YES | NO | - |
| 4.2 | Mine Subsidence and Unstable Land | YES | NO | - |
| 4.3 | Flood Prone Land | YES | NO | - |
| 4.4 | Planning for Bushfire Protection | YES | NO | - |
| 5. Regional Planning | | | | |
| 5.1 | Implementation of Regional Strategies | NO | - | - |
| 5.2 | Sydney Drinking Water Catchment | NO | - | - |
| 5.3 | Farmland of State and Regional Significance on the NSW Far North Coast | NO | - | - |
| 5.4 | Commercial and Retail Development along the Pacific | NO | - | - |

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