

PLANNING PROPOSAL

LOCAL GOVERNMENT AREA: The Hills Shire Council

NAME OF PLANNING PROPOSAL: Proposed The Hills Local Environmental Plan 2012 (Amendment No (#)) – 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 (5/2015/PLP).

ADDRESS OF LAND: 40 Solent Circuit, Baulkham Hills (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 117 Local Planning Directions
Attachment C	Council Report and Minute (8 November 2016)
Attachment D	Planning proposal documentation submitted by applicant (8 July 2016)

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

Photo of subject site and adjoining commercial development

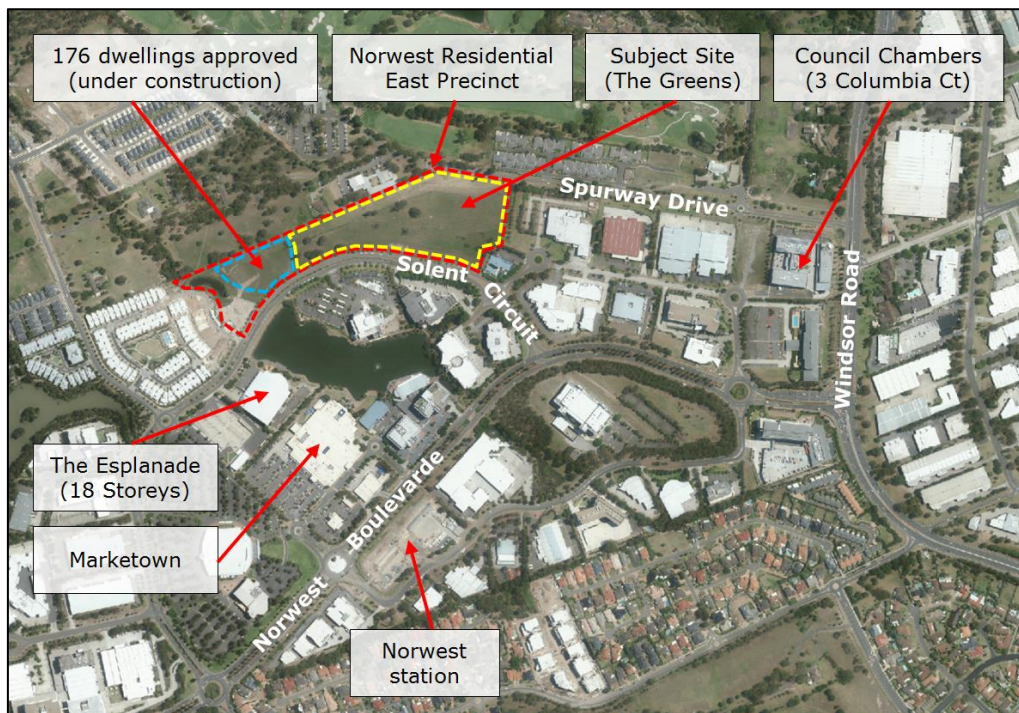


Figure 2
Site and Surrounds

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 the future.

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."*

PART 1 OBJECTIVES OR INTENDED OUTCOME

The objective of the planning proposal is to increase the development potential of a site to capitalise on its proximity to the Norwest Town Centre, railway station and to permit the form of development endorsed under The Hills Corridor Strategy.

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.

PART 2 EXPLANATION OF THE PROVISIONS

To achieve this, the planning proposal seeks to amend LEP 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;
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) applying to part Lot 2105 DP 1201899;
4. Include the following local provision which ensures that the "incentivised floor space ratio" for residential development can only be achieved where the proposed development complies with Council requirements for apartment size, mix and car parking:

7.12 Dwelling mix and diversity within the Sydney Metro Northwest Corridor

(1) The objectives of this clause are as follows:

- (a) To support the provision of increased housing surrounding Sydney Metro Northwest rail stations at densities compatible with the future character of the surrounding area;*
- (b) To ensure the provision of a mix of dwelling types in residential flat buildings, providing housing choice for different demographics, living needs and household budgets;*
- (c) To promote development that accommodates the needs of larger households, consistent with the demographics and family household structures of the Hills Shire;*

(2) This clause applies to land identified as "Area A" on the Floor Space Ratio Map.

(3) Despite Clause 4.4, development consent may be granted for development that exceeds the floor space ratio shown on the Floor Space Ratio Map but no greater than the floor space ratio shown on the Floor Space Ratio Incentive Map only if the development provides:

- (a) a Family Friendly Dwelling Mix, and*
- (b) a Diversity of Housing, and*

(c) car parking spaces at a minimum rate of 1 space per dwelling, plus 1 visitor space for every 5 dwellings within the development.

(4) In this clause:

Family Friendly Dwelling Mix means a mix of apartment types, providing housing choice for different demographics, living needs and household budgets. In The Hills Shire, based on the demographic profile of the area, a development is considered to provide Family Friendly Dwelling Mix if no more than 25% of all dwellings are studio or 1 bedroom dwellings and at least 20% of all dwellings are 3 or more bedroom dwellings.

Diversity of Housing means a mix of apartment sizes, providing housing choice for different demographics, living needs and household budgets. In The Hills Shire, a development is considered to provide **Diversity of Housing** if at least 40% of all 2 bedroom dwellings and 40% of all 3 bedroom dwellings have a minimum internal floor area of 110 square metres and 135 square metres respectively.

This local provision, as well as the proposed floor space ratio and floor space ratio incentive maps, are consistent with the adopted methodology for securing housing mix and diversity within the Sydney Metro Northwest Corridor. Specifically, the 'base' floor space ratio has been calculated having regard to the walking distance of the site from the station.

It is noted that the above local provision is indicative only and may be subject to change as a result of legal drafting; and

5. Amend clause 4.6 to insert after clause 4.6(8) (ca):

"(d) clause 7.12"

This will ensure that development consent cannot be granted for development which seeks to achieve the "incentivised floor space ratio" but fails to comply with the proposed local provision.

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 provides an appropriate response to, and is 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 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.

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.

• A Plan for Growing Sydney

On 14 December 2014, the NSW Minister for Planning released 'A Plan for Growing Sydney'. The Plan is intended to guide land use planning decisions for the next 20 years and presents a strategy for accommodating Sydney's forecast population growth over this time. To achieve the Government's vision for Sydney as a "strong global City and a great place to live", the Plan sets out four (4) main goals, for Sydney to be:

- A competitive economy with world-class services and transport,
- A City of housing choice with homes that meet our needs and lifestyles,
- A great place to live with strong, healthy and well-connected communities, and
- A sustainable and resilient City that protects the natural environment and has a balanced approach to the use of land and resources.

A key principle for growth includes increasing the housing choice around centres by accelerating the housing supply and renewal and by improving housing choice. The planning proposal seeks to facilitate the delivery of housing close to an existing local centre and the Norwest rail station.

The land is located in the strategic centre of Norwest in close proximity to existing retail and commercial development, and within a 550 metre walking catchment of Norwest railway station. The land is well located to utilise existing services and infrastructure including the high frequency public transport services provided by the Sydney Metro Northwest. The planning proposal will facilitate a mixed use development with up to 6,000m² of commercial floor space and 864 residential units. The proposed additional uses and increase in building height and subsequent higher densities will provide additional employment and housing opportunities in a strategic location, and encourage greater use of public transport. The site will contribute to and enhance the centre through both residential and commercial activation.

• North West Rail Link Corridor Strategy

The Department of Planning and Environment produced a Corridor Strategy (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.

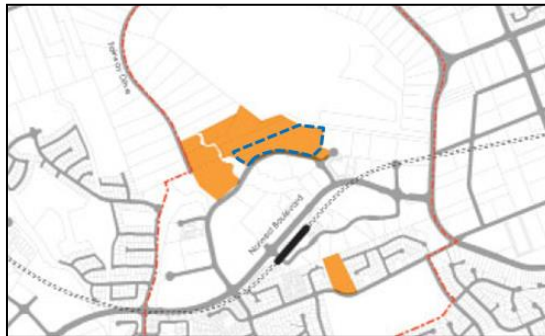


Figure 3
North West Rail Link Corridor Strategy 'High Density Apartment Living'

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 exceeded 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.

- **Local Strategy**

Council's Draft Local Strategy was adopted in 2008, it is the principal document for communicating the future planning of the Shire and includes the objectives of longer term planning projects of the State Government as well as responding to, and planning for, local needs such as employment, housing and transport.

The draft Local Strategy was adopted principally as a land use planning document to guide local planning and reflect the following five key themes of "Hills 2026 Community Strategic Direction: Looking Towards the Future":

- Resilient Local Leadership;
- Vibrant Communities;
- Balanced Urban Growth;
- Protected Environment; and
- Modern Local Economy.

The Local Strategy continues to provide a clear statement of the overall strategic land use management and planning objectives for the Hills Shire. However, it is noted that the dwelling and job growth targets detailed within the Local Strategy represent Council's projected growth targets as at June 2008.

The key directions and objectives of the Local Strategy relevant to this proposal are:

- R1 Accommodate population growth;
- R2 Response to changing housing needs;
- R4 Facilitate quality housing outcomes;
- E1 Accommodate the growth of a local economy to meet community needs;
- E3 Promote growth in local business and employment opportunities; and
- E6 Encourage quality employment lands.

- Residential Direction

The North West Subregional Strategy set targets for the Shire to contribute additional housing to accommodate a share of Sydney's population growth. The Residential Direction indicates that there is sufficient capacity to accommodate these targets based on the existing planning framework and current projects.

The planning proposal would contribute to housing targets and deliver a diversity of housing choice in an existing urban environment, close to employment, services and transport infrastructure. The proposal would facilitate residential accommodation to help create a vibrant and safe Specialised Centre that functions beyond normal commercial business hours.

- Integrated Transport Direction

A key objective of the Integrated Transport Direction is to ensure that planning and future development supports the provision of an efficient transport network. Relevant actions include planning for a concentration of and/or intensity of land use activities around major public transport nodes and higher order centres.

The subject site is located within a 550 metre walking catchment of Norwest Station. The planning proposal is consistent with this Direction as it will facilitate high density residential development and increased employment opportunities within close proximity to high frequency public transport services.

- Centres Direction

The Centres Direction seeks to establish a network of centres that provides places for residents to shop, work, and have social interaction and recreational opportunities. The Direction includes a centres hierarchy which provides a framework for the scale, location and function of centres. This ensures that the population has access to a range of centres that meet their needs and are appropriate in scale and design for their location.

The planning proposal would provide employment opportunities, civic space and residential accommodation, and would be consistent with the Centres Direction. 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. These uses are considered to be appropriate to provide conveniences and services required by new residents and those in the local neighbourhood, as well as 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).

- Employment Lands Direction

The North West Subregional Strategy establishes an employment capacity target for the Shire from 2001 to 2031 of 47,000 jobs. The Employment Lands Direction demonstrates that there is capacity to meet this target with capacity for 55,574 additional jobs to 2031. In addition to the contribution towards anticipated employment targets, the Direction seeks to provide employment close to home, services and transport infrastructure.

The planning proposal would facilitate approximately 6,000m² of commercial floor space and 864 residential units in a central location, providing new employment and housing opportunities close to existing services and transport. The planning proposal is considered to be consistent with this direction.

- **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.117 directions)?

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

- **Direction 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 both employment and 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 Previsions**

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 2012. 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.

A new clause is proposed to encourage the delivery of residential development which is consistent with the needs of expected future residents. It allows for development for the purpose of residential flat buildings to occur with a floor space ratio of 1:1 (the 'base floor space ratio'). However the clause provides an incentive for the developer to achieve a floor space ratio of 2.9:1 (the 'incentivised floor space ratio'). The clause is not unnecessarily restrictive and provides an incentive to developers, rather than imposing standards or requirements on the key land use proposed for the site (residential flat buildings). Accordingly, the planning proposal is consistent with Direction 6.3 Site Specific Provisions.

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 report. 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.

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 (State significant heritage item) 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.

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.

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 will need to be addressed 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 94 plan.

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. The demand generated by the planning proposal and context for entering into a VPA is outlined further in the Council report.

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.)

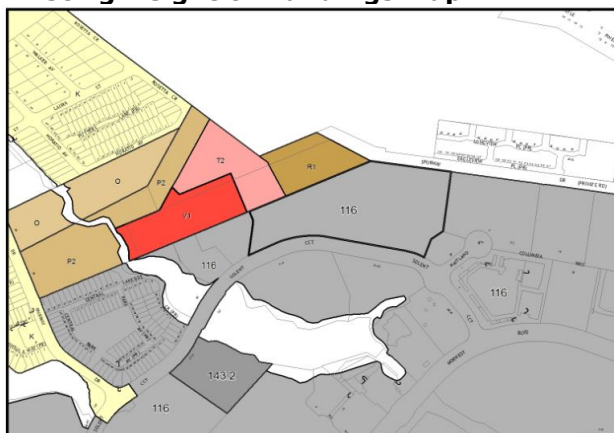
A list of all relevant agencies to be consulted would be determined as part of any Gateway Determination. It is anticipated that the following agencies should be consulted:

- Department of Education and Communities;
- Transport for NSW;
- Roads and Maritime Services; and
- Sydney Water.

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 2012*.

Existing Height of Buildings Map



Proposed Height of Buildings Map



Height of Buildings (m) (HOB)

K	10.0	P2	18.0	T2	27.0
O	16.0	R1	21.0	V1	36.0

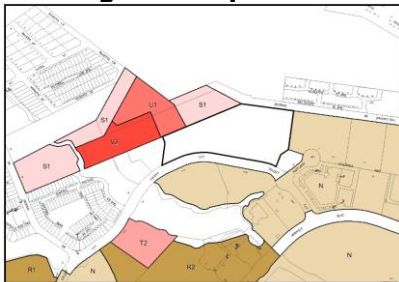
Heights Shown on Map in RL (m)

116 143.2 176

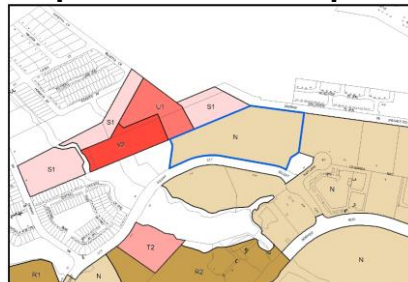
Figure 4

Current and Proposed Height of Buildings Map

Existing FSR Map



Proposed Base FSR Map



Proposed Incentive FSR Map



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

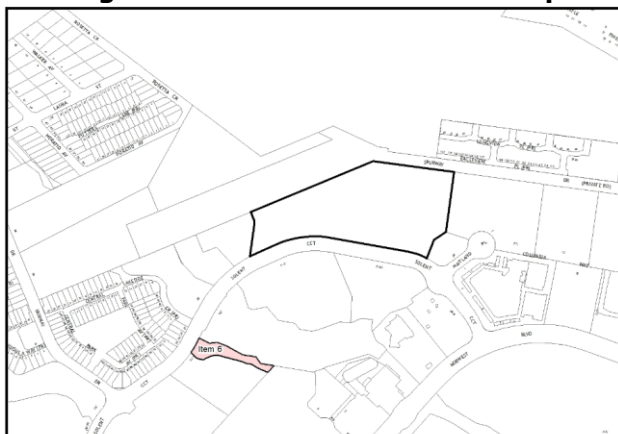
N	1.0	R1	1.4	S1	1.5	U1	2.6	U	2.9
P	1.2	R2	1.49	T2	2.1	V2	3.2		

Clause A

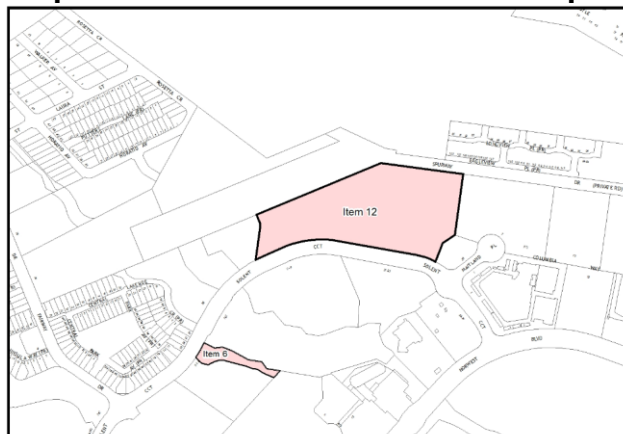
Figure 3

Current and Proposed Floor Space Ratio Maps

Existing Additional Permitted Uses Map



Proposed Additional Permitted Uses Map



Additional Permitted Uses (APU)

 refer to schedule 1

Figure 3

Current and Proposed Additional Permitted Uses Map

PART 5 COMMUNITY CONSULTATION

The planning proposal will be advertised in local newspapers and on display at Council's administration building located at 3 Columbia Court, Baulkham Hills, Castle Hill Library located at the corner of Castle Street and Pennant Street, Castle Hill and Vinegar Hill Memorial Library located at 29 Main Street, Rouse Hill Town Centre, Rouse Hill. The planning proposal will also be made available on Council's website. In addition, letters will be issued to adjoining and nearby property owners and stakeholders.

PART 6 PROJECT TIMELINE

STAGE	DATE
Commencement Date (Gateway Determination)	December 2016
Government agency consultation	January 2017
Commencement of public exhibition period (28 days)	January 2017
Completion of public exhibition period	February 2017
Timeframe for consideration of submissions	February 2017
Timeframe for consideration of proposal post exhibition	March 2017
Report to Council on submissions	April 2017
Planning Proposal to PCO for opinion	May 2017
Date Council will make the plan (if delegated)	June 2017
Date Council will forward to department for notification (if delegated)	June 2017

ATTACHMENT A: LIST OF STATE ENVIRONMENTAL PLANNING POLICIES

STATE ENVIRONMENTAL PLANNING POLICY (SEPP)		APPLICABLE	RELEVANT? (YES/NO)	(IF RELEVANT) INCONSISTENT/CONSISTENT
No. 1	Development Standards	NO	-	-
No. 14	Coastal Wetlands	NO	-	-
No. 15	Rural Landsharing Communities	NO	-	-
No. 19	Bushland in Urban Areas	YES	NO	-
No. 21	Caravan Parks	YES	NO	-
No. 26	Littoral Rainforests	NO	-	-
No. 29	Western Sydney Recreation Area	NO	-	-
No. 30	Intensive Agriculture	YES	NO	-
No. 33	Hazardous and Offensive Development	YES	NO	-
No. 36	Manufactured Home Estates	NO	-	-
No. 39	Spit Island Bird Habitat	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. 59	Central Western Sydney Regional Open Space and Residential	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	-
No. 71	Coastal Protection	NO	-	-
Affordable Rental Housing (2009)		YES	NO	-
Building Sustainability Index: BASIX 2004		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	-
Kosciuszko National Park – Alpine Resorts (2007)		NO	-	-
Kurnell Peninsula (1989)		NO	-	-
Major Development (2005)		YES	NO	-
Mining, Petroleum Production and Extractive Industries (2007)		YES	NO	-
Miscellaneous Consent Provisions (2007)		YES	NO	-
Penrith Lakes Scheme (1989)		NO	-	-
Port Botany and Port Kembla (2013)		NO	-	-
Rural Lands (2008)		NO	-	-
SEPP 53 Transitional Provisions (2011)		NO	-	-
State and Regional Development (2011)		YES	NO	-

STATE ENVIRONMENTAL PLANNING POLICY (SEPP)	APPLICABLE	RELEVANT? (YES/NO)	(IF RELEVANT) INCONSISTENT/ CONSISTENT
Sydney Drinking Water Catchment (2011)	NO	-	-
Sydney Region Growth Centres (2006)		NO	-
Three Ports (2013)	NO	-	-
Urban Renewal (2010)	NO	-	-
Western Sydney Employment Area (2009)	NO	-	-
Deemed SEPPs			
SREP No. 8 (Central Coast Plateau Areas)	NO	-	-
SREP No. 9 – Extractive Industry (No. 2 – 1995)	YES	NO	-
SREP No. 16 – Walsh Bay	NO	-	-
SREP No. 20 – Hawkesbury – Nepean River (No 2 – 1997)	YES	NO	-
SREP No. 24 – Homebush Bay Area	NO	-	-
SREP No. 25 – Orchard Hills	NO	-	-
SREP No. 26 – City West	NO	-	-
SREP No. 30 – St Marys	NO	-	-
SREP No. 33 – Cooks Cove	NO	-	-
SREP (Sydney Harbour Catchment) 2005	NO	-	-

ATTACHMENT B: ASSESSMENT AGAINST SECTION 117 MINISTERIAL DIRECTIONS

DIRECTION		APPLICABLE	RELEVANT? (YES/NO)	(IF RELEVANT) INCONSISTENT/ CONSISTENT
1. Employment and Resources				
1.1	Business and Industrial Zones	YES	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	-
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 Highway, North Coast	NO	-	-
5.8	Second Sydney Airport: Badgerys Creek	NO	-	-
5.9	North West Rail Link Corridor Strategy	YES	YES	CONSISTENT

DIRECTION		APPLICABLE	RELEVANT? (YES/NO)	(IF RELEVANT) INCONSISTENT/ 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	NO	-