

The Hills Local Environmental Plan 2012 – Increase the floor space ratio from 1:1 to 1.4:1 for 2 – 4 Burbank Place, Baulkham Hills.

Proposal Title : The Hills Local Environmental Plan 2012 – Increase the floor space ratio from 1:1 to 1.4:1 for 2 – 4 Burbank Place, Baulkham Hills.

Proposal Summary : The planning proposal proposes to amend the floor space ratio from 1:1 to 1.4:1 for part of Lot 4054 DP 1070487, 2 – 4 Burbank Place, Baulkham Hills. The site is zoned B7 Business Park. The planning proposal will facilitate an increase in floor space for an existing commercial building within the Northwest Business Park. The planning proposal will increase opportunities for employment within walking distance of the future Norwest Rail Station.

PP Number : PP_2015_THILL_005_00 **Dop File No :** 15/04267

Proposal Details

Date Planning Proposal Received : 19-Dec-2014 **LGA covered :** The Hills Shire

Region : Metro(Parra) **RPA :** The Hills Shire Council

State Electorate : BAULKHAM HILLS **Section of the Act :** 55 - Planning Proposal

LEP Type : Policy

Location Details

Street : 2-4 Burbank Place

Suburb : Baulkham Hills **City :** Baulkham Hills **Postcode :** 2153

Land Parcel : Lot 4054 DP 1070487

DoP Planning Officer Contact Details

Contact Name : Amar Saini

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RPA Contact Details

Contact Name : Bronwyn Inglis

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DoP Project Manager Contact Details

Contact Name : Derryn John

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Contact Email : derryn.john@planningd.nsw.gov.au

Land Release Data

Growth Centre : **Release Area Name :**

Regional / Sub Regional Strategy : Metro West Central subregion **Consistent with Strategy :** Yes

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MDP Number :		Date of Release :	
Area of Release (Ha) :		Type of Release (eg Residential / Employment land) :	
No. of Lots :	0	No. of Dwellings (where relevant) :	0
Gross Floor Area :	0	No of Jobs Created :	42

The NSW Government Lobbyists Code of Conduct has been complied with : **Yes**

If No, comment :

Have there been meetings or communications with registered lobbyists? : **No**

If Yes, comment : **The Department' Lobbyist Contact Register has been checked on 4 March 2015, and there are no records on the Department's Lobbyist Contact Register regarding this matter.**

Supporting notes

Internal Supporting Notes :

External Supporting Notes :

POLITICAL DONATIONS DISCLOSURE STATEMENT

Political donations disclosure laws commenced on 1 October 2008. The legislation requires the public disclosure of donations or gifts for certain circumstances relating to the Planning system.

"The disclosure requirements under the new legislation are triggered by the making of relevant planning applications and relevant public submissions on such applications.

The term relevant planning application means:

- A formal request to the Minister, a council or the Secretary to initiate the making of an environmental planning instrument..."

Planning Circular PS 08-009 specifies that a person who makes a public submission to the Minister or Secretary is required to disclose all reportable political donations (if any).

The Department has not received any disclosure statements for this Planning Proposal.

Adequacy Assessment

Statement of the objectives - s55(2)(a)

Is a statement of the objectives provided? **Yes**

Comment : **The objective of the planning proposal is to facilitate alterations and additions to an existing commercial building by 1,237 square metres of additional office floor space.**

Explanation of provisions provided - s55(2)(b)

Is an explanation of provisions provided? **Yes**

Comment : **Council has provided the following explanation for the proposed amendment:**

The Hills Local Environmental Plan 2012 – Increase the floor space ratio from 1:1 to 1.4:1 for 2 – 4 Burbank Place, Baulkham Hills.

The aims of this planning proposal will be achieved by an amendment to the Floor Space Ratio Map to increase the floor space ratio from 1:1 to 1.4:1 for that part of the site zoned B7 Business Park.

Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? **No**

b) S.117 directions identified by RPA :

* May need the Director General's agreement

1.1 Business and Industrial Zones

2.1 Environment Protection Zones

3.4 Integrating Land Use and Transport

4.3 Flood Prone Land

7.1 Implementation of A Plan for Growing Sydney

Is the Director General's agreement required? **No**

c) Consistent with Standard Instrument (LEPs) Order 2006 : **Yes**

d) Which SEPPs have the RPA identified?

e) List any other matters that need to be considered :

SECTION 117 DIRECTIONS

1.1 BUSINESS AND INDUSTRIAL ZONES:

This direction applies as the planning proposal proposes to alter the floor space ratio of a site within a business zone. Council has advised that the proposal is not a result of any strategic study. However, it is considered that the planning proposal is not inconsistent with the direction as the proposal:

- will maintain the existing business functions that currently exists, and
- will not reduce the total potential floor space area of employment uses in business zones.

The proposal is consistent with the objective of this direction to encourage employment growth in suitable locations.

2.1 ENVIRONMENT PROTECTION ZONES

This direction applies when a planning proposal proposes to reduce an existing environmental protection zoned land or reduces the environmental protection standards.

The subject site is zoned part B7 Business Park and part SP2 Infrastructure (Drainage). The works associated with the subject planning proposal will be confined to the portion of land zoned B7 Business Park only. Council has advised that there will not be any adverse impacts on environmentally sensitive areas as a result of the planning proposal.

In light of above, it is considered that the proposal is consistent with the Direction.

3.4 INTEGRATED LAND USE AND TRANSPORT:

The direction applies to the planning proposal.

Under this Direction, a planning proposal must include provisions that give effect to and are consistent with the aims, objectives and principle of:

- (a) Improving Transport Choice – Guidelines for planning and development (DUAP 2001) and
- (b) The right Place for Business and Services – Planning Policy (DUAP 2001).

Central to these two documents is the objective of improving access to housing, jobs and services by walking, cycling and public transport, and the reducing travel demand including the number of trips generated by development and the distance travelled, especially by car.

Given the site has good access to bus services along Norwest Boulevard and is well situated within walking distance of the future Norwest Rail Station and, the proposal is considered to be consistent with the direction.

4.3 FLOOD PRONE LAND

This direction applies when a planning proposal creates, removes or alters a zone or a provision that affects flood prone land.

The subject site is located adjacent to a lake and is partly zoned SP2 Infrastructure (Drainage). It is identified as a flood control lot under The Hills Development Control Plan 2012. The proposed 1,237 square metres of additional floor space will be provided in association with an existing commercial building and is not considered to constitute a significant increase in development of the site.

In this light, the planning proposal is considered to be consistent the direction.

5.9 NORTH WEST RAIL LINK CORRIDOR STRATEGY

The objectives of this direction are to promote transit-oriented development and manage growth around the eight train stations of the North West Rail Link and to ensure that development within the North West Link corridor is consistent with the Corridor Strategy and precinct Structure Plans.

The site is identified as 'business park' under the Structure Plan for the North West Rail Station. The Corridor Strategy anticipates that such land could accommodate commercial offices on sites that are carefully integrated into the character of the area. The proposed additional floor space will integrate with the business park character of the area.

The Corridor Strategy sets a target of an additional 15,000 jobs by 2031 for the North West Business Park. The subject planning proposal will assist with meeting this target by providing additional office floor space and new employment opportunities.

In light of above, the planning proposal is considered to be consistent with the direction.

7.1 IMPLEMENTATION OF THE METROPOLITAN STRATEGY:

The planning proposal is broadly consistent with the objectives of "A Plan Growing Sydney" (see Assessment Section of this report for more detail).

Have inconsistencies with items a), b) and d) being adequately justified?

If No, explain :

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment : **Maps are provided to show existing zoning, existing floor space ratio and proposed floor space ratio.**

It is considered that the maps are adequate for consultation purposes.

Community consultation - s55(2)(e)

Has community consultation been proposed? **No**

Comment : **Council has not specified the community consultation period. However, given the nature of the planning proposal, it is recommended that it should be placed on public exhibition for a minimum of 14 days.**

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Additional Director General's requirements

Are there any additional Director General's requirements? **No**

If Yes, reasons :

Overall adequacy of the proposal

Does the proposal meet the adequacy criteria? **Yes**

If No, comment :

Proposal Assessment

Principal LEP:

Due Date :

Comments in
relation to Principal
LEP :

The Hills LEP 2012 is a Principal LEP.

Assessment Criteria

Need for planning
proposal :

BACKGROUND AND PROPOSAL

The site

The site is located on the corner of Burbank Place and Solent Circuit in the Norwest Business Park. It is irregular in shape and has an area of area of 1.389 hectares. It is in the vicinity of Hillsong Church and existing commercial buildings. Low and medium density residential dwellings are located to the north, north east and west of the adjoining lake (location map in documents).

Background

The subject site is zoned B7 Business Park and SP2 Infrastructure (Drainage). The commercial buildings on the site were approved in June 2004 with a combined floor area of 13,890square metres and a floor space ratio of 1:1. In April 2010 an additional 375square metres of floor space was approved for the site. Following this, in November 2013 consent was granted for an additional 1,918 square metres of floor area to achieve an approved building area of 16,183 square metres of the site. Works associated with this Development Approval have not yet commenced.

The applicant is seeking to increase the total building area by a further 1,237 square metres. This will result in a total floor area of 17, 420 square metres which equates to a 25.4% increase in floor space over the initial June 2004 approval.

The Proposal

The planning proposal is to increase the floor space ratio from 1:1 to1.4:1 for part of Lot 4054 DP 1070487, 2 – 4 Burbank Place, Baulkham Hills.

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Consistency with strategic planning framework :

METROPOLITAN STRATEGY

The planning proposal is considered to be consistent with 'A plan for growing Sydney' as it supports the following key Directions within the Plan:

1.6 Expand the Global Economic Corridor. The additional 1,237 square metres of commercial floor space, proposed for the site through the FSR increase, provides an opportunity for the expansion of the 'knowledge jobs' prevalent in the Global Economic Corridor.

1.7 Grow strategic centres – providing more jobs close to home. The proposed site is located within Norwest with its associated residential development and transport links. Norwest is identified as a strategic centre in the Strategy.

DRAFT NORTH WEST SUBREGIONAL STRATEGY

The planning proposal is not considered to be inconsistent the draft North West Sub-regional Strategy.

LOCAL STRATEGY

Council has advised that the draft planning proposal is consistent with The Hills Future Community Strategic Plan and Draft Local Strategy as it provides an opportunity for business to grow and meet the needs of a modern local economy in a location that will have good access to the future North West Rail Line.

Environmental social economic impacts :

It is considered that there are no likely environmental, social and economic impacts, as:

- The land subject to the planning proposal is already developed and occupied by two commercial office buildings and associated car parking. The portion of the building to be extended 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 communities and their habitats.
- The planning proposal supports the 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.
- The proposed increase in the floor space ratio for the site will not adversely impact on the amenity of nearby residential dwellings or on adjoining commercial developments. The site is well landscaped and the new works will be in keeping with the surrounding business park development.

Assessment Process

Proposal type : **Minor** Community Consultation Period : **14 Days**

Timeframe to make LEP : **6 months** Delegation : **RPA**

Public Authority Consultation - 56(2) (d) : **Other**

Is Public Hearing by the PAC required? **No**

(2)(a) Should the matter proceed ? **Yes**

If no, provide reasons :

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Resubmission - s56(2)(b) : **No**

If Yes, reasons :

Identify any additional studies, if required. :

If Other, provide reasons :

Identify any internal consultations, if required :

No internal consultation required

Is the provision and funding of state infrastructure relevant to this plan? **No**

If Yes, reasons :

Documents

Document File Name	DocumentType Name	Is Public
Council letter.pdf	Proposal Covering Letter	Yes
Planning Proposal.pdf	Proposal	Yes
Council Planning Report.pdf	Proposal	Yes
Location Maps.pdf	Map	Yes
Current Zoning Map.pdf	Map	Yes
Existing Floor Space Ratio Map.pdf	Map	Yes
Proposed Floor Space Ratio Map.pdf	Map	Yes
Traffic and Parking Assessment Report.pdf	Study	Yes

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

S.117 directions:

- 1.1 Business and Industrial Zones**
- 2.1 Environment Protection Zones**
- 3.4 Integrating Land Use and Transport**
- 4.3 Flood Prone Land**
- 7.1 Implementation of A Plan for Growing Sydney**

Additional Information : **Delegation of Gateway determination**

The proposal is considered to be minor in nature, and it is recommended that the determination function of the Gateway be exercised under delegation by the Director, Metropolitan Region (Parramatta).

Delegation to Council

The Hills Shire Council has not requested plan making functions be delegated to Council in this instance. However, given the minor of the planning proposal, it is recommended that delegations of the Plan Making functions be given to Council in this instance.

Recommendation:

It is recommended that the planning proposal proceed subject to the following conditions:

1. Prior to exhibition, the planning proposal should be updated to include a discussion regarding its consistency with 'A Plan for Growing Sydney which was adopted by the State Government in December 2014.

2. Community consultation is required under Section 56(2)(c) and 57 of the EP&A Act as

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follows:

- (a) the planning proposal must be made publicly exhibited for 14 days, and
- (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with the planning proposal as identified in section 5.5.2 of A Guide to preparing local environmental plans (Department of Planning and Environment 2013).

3. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act and/or to comply with the requirements of relevant S117 Directions:

Transport NSW
Road and Maritime Services
Sydney Water
Endeavour Energy
Telstra

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.

4. A public hearing is not required to be held in relation to this matter by any person or body under section 52(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

5. The timeframe for completing the local environmental plan is to be 6 months from the week following the date of the Gateway determination.

Supporting Reasons :

The planning proposal is supported as it will increase opportunities for employment within walking distance of the future Norwest Rail Station.

Signature:



Printed Name:

DERRYN JOHN

Date:

12/3/15