



Planning Proposal

Rezoning Submission

CIRCA Business Centre
Bella Vista

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Planning Proposal
"Circa" Business Centre – Norwest Business Park

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1. INTRODUCTION

1.1 Background

Norwest Business Park is a state-of-the-art commercial, business and employment hub in the developing north-western region of Metropolitan Sydney.

Located in The Hills Shire, the business park provides a comprehensive range of employment and support service amenities including restaurants, retailing, child care integrated into a business and residential environment.

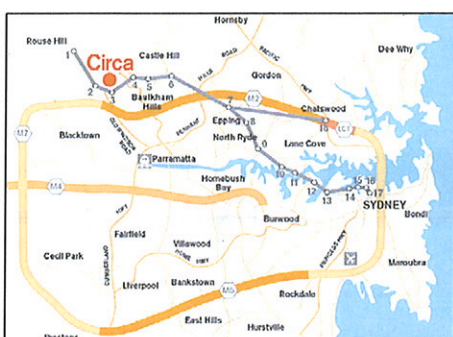


Figure 1 Location

Development of the Business Park has now proceeded to the stage where the last precinct, known as Circa Business Centre, is being developed for employment and other support purposes. Over time the experience has been that employment densities have increased and it has become important to provide for the convenience needs of business park workers.

This precinct is located in the south-west corner of the business park, well removed from the existing retail centre and other amenities afforded to the workforce in the eastern portion of the park.

The vision for this precinct is to develop a business centre featuring commercial office and business employment activities, incorporating mixed use, neighbourhood business, retail and support facilities, providing for business needs and amenities. Current development comprises the recently opened Circa Shopping Village, and adjacent Hills Private Hospital, a commercial office development and approvals for two data warehouses.

In order for these facilities and services to be provided, it was necessary to seek a rezoning in 2005 for part of the site to permit the shopping village given that the current Employment Area 10(a) zone does not permit the full range of ancillary retail support activities envisaged for the centre. Subsequently Council supported rezoning for 3,890m² of retail which was gazetted in October 2007.

The purpose of this rezoning proposal is to seek an increase in the retail component to augment existing retail facilities.

1.2 Objectives

The objectives of this rezoning proposal are to:-

- Outline the planning proposal for additional retail development in the Circa Business Centre;
- Provide justification for additional retail facilities and an assessment of the economic

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impact of this proposal; and

- Seek Council's support for rezoning to allow additional retail development in the business centre.

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2. CONTEXT

2.1 Location and Ownership

Norwest Business Park covers some 377 hectares of land in the Shire of Baulkham Hills and comprises a mix of uses including corporate headquarters, offices, warehousing, research, development, a retail centre, housing, recreation, religious convention and other uses.

Norbrik Precinct 6 is located at the south-western boundary of Norwest Business Park and is bounded by Norwest Boulevard to the north, Bella Vista Farm Park to the east, Bingara Crescent Residential Release Area to the south and Old Windsor Road to the west.

This Precinct covers an area of some 30 hectares of land formerly occupied by a quarry and brick manufacturing plant. The Circa Business Centre occupies a central location in the precinct and covers an area of approximately 4.8 hectares.

The subject site is known as Lots 3 & 4, DP 270592 Norbrik Drive, Bella Vista which forms part of a 4 lot community title subdivision over part of the Circa Business Centre. The site is owned by Mulpha FKP Pty Limited and has an area of approximately 3.1 hectares.



Aerial Photograph of Site - April 2009

2.2 Landform

Landforms in the precinct have been substantially modified by former quarry activities and have undergone significant alterations as the area is developed for employment purposes.

Currently the precinct is gently sloping with a high point of RL 102 along the eastern boundary adjoining Bella Vista Farm Park and a low point of RL 65 adjoining the southern boundary adjacent

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to housing in the Bingara Crescent area.

The subject site is centrally located within the precinct and comprises earth embankments on three sides (approximately RL 70m) surrounding a lower basement level (RL 70m). The majority of the site is generally level.

2.3 Existing Development

The site is currently unoccupied by any substantial buildings or structures. Buildings associated with the former use have been removed and the site is clear for development.

The northern portion of the precinct is occupied by a number of completed buildings and buildings under construction including the Resmed Corporate office complex, NEMMCO off Elizabeth Macarthur Drive and Q- Central in Norbrik Drive.

Immediately east of the site, The Hills Private Hospital is nearing completion part of which comprises a commercial medical consulting office building. Further commercial office and business development is planned for this part of the locality.

Norbrik Drive provides a direct connection to Old Windsor Road as part of recently opened intersection road works incorporating an overhead pedestrian bridge connection to the bus transitway. Elizabeth Macarthur Drive provides access from Norbrik Drive to Norwest Boulevard, the remainder of the business park and both Windsor and Old Windsor Roads.

The southern and south-eastern boundary of the precinct adjoins housing in the Bingara Crescent residential release area including zoned residential land off Patrine Place, Bella Vista. No vehicle access is planned from this area to the precinct.

The eastern boundary of the precinct adjoins Bella Vista Farm Park which has been set aside for conservation and public open space purposes. No further vehicle access is planned from this area to the precinct.

2.4 Topography and Drainage

The topographical and drainage features of the precinct have undergone substantial change since the cessation of the former grazing activities. Landform reshaping to accommodate development has established a new contour regime over the precinct designed to support future employment development.

As can be seen from the aerial photograph the site and adjoining lands have been substantially developed. Contours slope away from Lexington Drive towards Elizabeth Macarthur Creek in the east and its associated detention pond system before draining northwards following the natural watercourse through the Balmoral Road Release Area. West of Lexington Drive drainage falls towards the modify creek system in Blacktown west of Old Windsor Road.

In its current modified state all site run-off drains into Elizabeth Macarthur Creek to the east or Old Windsor Road to the west. None of the land in or adjacent to the site is subject to flooding.

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2.5 Flora and Fauna

As evidenced by the aerial photograph and site inspections the site is cleared of any remnant vegetation consistent with development activities.

The site, as part of the Business Park was subject to environmental investigations in the early 1980's and subsequently no lands within the site were identified as warranting conservation or protection based on flora and fauna values.

2.6 Soils and Contamination

There are no known constraints to development of the site as proposed based on soil contamination. The site has been extensively re-engineered early in the site development stage.

2.7 Archaeology

There are no known constraints arising from archaeological features which would prohibit approval of the proposal.

The site, as part of the Business Park was subject to environmental investigations in the early 1980's and subsequently no lands within the site were identified as warranting conservation or protection based on archaeological values.

2.8 Heritage

There are no known constraints arising from items of environmental heritage which would prohibit approval of the proposal.

The site, as part of the Business Park was subject to environmental investigations in the early 1980's and subsequently no lands within the site were identified as warranting conservation or protection based on heritage values.

The site is not within the view-shed of Bella Vista Farm Park and the temporary signage does not:-

- affect the heritage significance of this site or its buildings;
- interfere with the Bella Vista Farm Park's setting;
- adversely affect its heritage significance or conservation value; or
- impact on its visual curtilage or view corridors.

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3. PLANNING OVERVIEW

3.1 Planning History

The site has is zoned Employment Area 10(a) (Business Park) under The Hills Local Environmental Plan (BHLEP) 2005 since gazettal in August 2005. This zoning, which controls land use, was initially introduced in 1987 under Local Environmental Plan No. 90 and applied to all of the land known as Norwest Business Park. Subsequent amendments to the Shire-wide LEP in 1991 and 2005 retained this zoning over the site.

Under the current zoning additional retail requires an amendment to the BHLEP. This approach was undertaken in recent times to enable the development of the Circa Shopping Village. BHLEP 2005 was amended in October 2007 to permit 3,890m² of retailing in Schedule 6 - Additional Development on Certain Land of BHLEP.

26 October 2007	OFFICIAL NOTICES	8111
Baulkham Hills Local Environmental Plan 2005 (Amendment No 11)		
Amendments	Schedule 1	
Schedule 1 Amendments		
(Clause 4)		
[1] Clause 5 Definitions		
Insert in appropriate order in the definition of <i>the map</i> in clause 5 (1): Baulkham Hills Local Environmental Plan 2005 (Amendment No 11)		
[2] Schedule 6 Additional development on certain land		
Insert at the end of the Schedule in Columns 1, 2 and 3, respectively:		
Lot 6012, DP 1098337, Elizabeth Macarthur Drive, Hells Vista	Development for the purpose of shops	The total gross floor area of the shops must not exceed 3,890m ² .

Figure 2 Zoning Extract

The proposal on this occasion is to follow a similar path albeit that a different parcel of land is involved and in knowledge of the fact that compliance with the Department of Planning's Standard Instrument - Principal Local Environmental Plan may be required by Council. Consequently it is recognised that the final form that this planning proposal may take is reliant upon the guidance of the relevant planning authorities.

The site is also subject to The Hills Shire Development Control Plan which sets out the objectives, standards and controls for all development. The relevant components of this plan are:-

- Part D - Section 1 - Parking
- Part E - Section 4 - Norwest Business Park

Other components of this plan may be applicable depending upon the location and form of development. It is anticipated that subject to the necessary approvals future development on the site would be designed to comply with Council's requirements.

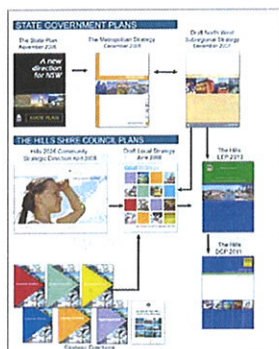


Figure 3 NSW Planning Framework

The State Government requires Council to prepare a new principal Local Environmental Plan (LEP) based on a State-wide Standard LEP Instrument and to take into account the Metropolitan Strategy, the North West Subregional Strategy and local strategic planning. The following sections review these documents for relevancy to the planning proposal.

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3.2 Metropolitan Strategy

Sydney's Metropolitan Strategy - City of Cities plan released in December 2005 represents the State Government's blueprint for planning for a growth in population of 1.1 million over the next 25 years.

"City of Cities - A Plan for Sydney's Future supports continuing economic growth while balancing social and environmental impacts" (Premier's Vision - Metropolitan Strategy p.3, 2005). The plan has five aims:-

- Enhanced Livability
- Strengthen Economic Competitiveness
- Ensure fairness
- Protect the Environment
- Improve Governance

The plan sets a broad framework to manage growth and development and for more detailed planning in the sub-regions of Metropolitan Sydney over the next 25 years. In order to achieve this, the plan supports a metropolis of 5 regional cities and 22 strategic centres.

Norwest is one of these centres, identified as a "Specialised Centre" in the strategy.

"For the first time, planning for Sydney's future has identified specialised centres which play a critical role in the city's economy. These centres contain concentrated business and research functions or airport and port facilities which are vital to create wealth - high quality jobs." (Minister's Vision - Metropolitan Strategy p.5, 2005).

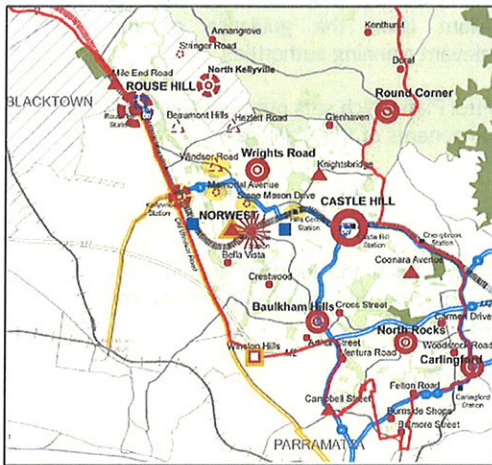


Figure 4 Centres Structure Plan Extract

Since the Metropolitan Strategy's release more detailed planning has commenced and a number of sub-regional plans have been prepared.

Norwest Business Park has a pivotal role to play in terms of the future growth and economic development of the North-West Sector.

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3.3 North-West Draft Sub-Regional Strategy

The importance of the North West Subregion to the future of Sydney is summarised by the Premier's Vision in the Draft Subregional Strategy as follows:-

"The North West is the largest and fastest growing of Sydney's subregions. The subregion comprises a mix of urban areas, Greenfield sites for future urban growth, valuable rural and resources lands and nationally significant environmental assets. Already home to over 760,000 people, the North West will have the greatest share of Sydney's future housing growth (23 per cent) and future jobs (24 per cent) over the next 25 years" (Premier's Vision - Metropolitan Strategy p.3 2005).

Under this plan two key directions impinging on the Norwest Business Park are :-

- **Plan to meet employment and housing capacity targets** - the Business Park is a leading employment growth asset which has and will continue to provide for employment in the subregion; and
- **Strengthening the role of Centres** - the strategy states that urban growth and intensification should be located around existing and proposed centres, infrastructure and bus corridors.

Under the draft strategy Norwest Business Park is identified as a Specialised Centre and is recognised as performing a vital economic and employment role generating metropolitan wide benefits. The business park provides a unique environment achieving a number of strategic actions in the plan by providing a broad range of land uses, with intensification/redevelopment, potential clustered around public transport (T-way) and road infrastructure (M2/M7, Old Windsor and Windsor Roads).

The current planning proposal is considered to be consistent with this strategy.

3.4 Centres Direction

Adopted by The Hills Shire Council on 23 June 2009, the Centres Direction provides the strategic context for the planning, management and growth of centres in the Shire to 2031. The Direction sets out five key directions and objectives and the proposal has been assessed against these as follows:-

KEY CENTRES DIRECTIONS & OBJECTIVES	REZONING PROPOSAL ASSESSMENT/COMMENT
C1 Create vibrant centres that meet the needs of the community	Rezoning seeks to increase retail services to meet business park and local demand
o Ensure that planning and future development reinforces the hierarchy of centres within the Shire.	Satisfactory – builds on existing retailing to meet demand
o Meet the diverse shopping needs of the community.	
C2 Make centres more attractive places to visit	Rezoning seeks to improve the attractiveness of the location for business and employment
o Achieve centres that are safe, vibrant and active.	
o Provide for attractive centres that address changing lifestyle trends.	Satisfactory -- builds on creating a convenient place to meet business and employee needs
o Improve the sustainability of centres.	
C3 Make centres accessible to the community	Rezoning reinforces the use of recently provided public transport and road infrastructure
o Encourage appropriate transport infrastructure to serve, support and connect centres.	
o Improve accessibility within centres.	Satisfactory -- builds upon the accessibility of the location near the bus T-Way and Old Windsor Road
C4 Improve the functioning and viability of existing centres	Rezoning seeks to expand the range of retail services available

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- o Guide the revitalisation and redevelopment of existing centres.
- o Facilitate and promote the revitalisation and redevelopment of existing centres.

Satisfactory – expands the range of retailing opportunities and services, provides for lifestyle trends and hence viability

C5 Plan for centres in new areas

Rezoning responds to development opportunities provided by on-going growth in this part of the Shire

- o Guide the development of new centres to meet the needs of the future population.

Satisfactory – proposal fits within the scope of the Centres Direction

The Draft North West Subregional Strategy contains a Centres Hierarchy and desired typology for each centre to provide guidance for The Hill's Shire LEP 2010. For Norwest, a Specialised Centre the Strategy contains the following table.

CENTRE TYPE	NAME	TYPOLGY	LEP OBJECTIVES / ZONE CRITERIA
Specialised Centre 	Norwest	Landscaped Business Park. Access to major transport infrastructure, road, future rail Large office floorplates, commercial built form Technology based business and industry Higher density and variety of housing High amenity restaurants, recreation facilities, child care centres, parkland.	Promote the specialised technology based employment role of the centre. Mix of employment, commercial and industrial uses is appropriate. Facilities and services should meet the day to day needs of workers in the centre. Minimum lot size and FSR should reflect commercial built form. Height to reflect suburban locality. Densities should be greater near to transport hubs. Locate all retail activities (including bulky goods premises) in a separate and appropriate business zone.

Figure 5 Centres Typology

Having regard to the contents of this table, it is considered that the planning proposal sits comfortably within the typology statement for a Specialised Centre and the quantum of retailing proposed is designed to promote the role of the centre, serve the needs of the workforce, satisfies built form objectives and reinforces local transport.

3.5 Employment Direction

Adopted by The Hills Shire Council on 23 June 2009, the Employment Direction provides the strategic context for the planning, management and growth of employment in the Shire to 2031. The Direction sets out six key directions and objectives and the proposal has been assessed against these as follows:-

KEY CENTRES DIRECTIONS & OBJECTIVES	REZONING PROPOSAL ASSESSMENT/COMMENT
E1 Accommodate the growth of a modern local economy to meet community needs o Ensure that planning and future development provides for employment generation opportunities.	Rezoning seeks to increase retail services to meet business park and local demand Satisfactory – proposal adds to the variety of employment opportunities
o Respond to employment land needs in an effective and timely manner.	Satisfactory – proposal responds to the need to serve local employment
E2 Enhance the attractiveness of the Shire for new business and visitors o Promote the Shire's competitive strengths to attract new business.	Rezoning seeks to improve the attractiveness of the Shire for business and employment Satisfactory – builds on creating a convenient place to meet business
o Encourage appropriate infrastructure and services to support and connect business.	Satisfactory – builds upon the accessibility of the location near the bus T-Way and Old Windsor Road
o Support local businesses to make the Shire an attractive place to visit.	Satisfactory – provides a more diversified employment basis and services
E3 Promote growth in local business and employment	Rezoning adds to the diversified base of local employment

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opportunities	opportunities and economy
o Encourage local businesses to grow locally within the Shire.	Satisfactory – provides new employment and business opportunities to meet demand
E4 Enhance the use and viability of existing employment lands	Rezoning promotes the redevelopment of the former brickworks site and designated Specialised Centre
o Guide the revitalisation and redevelopment of existing employment precincts.	Satisfactory – proposal fits within the development plan for this part of Circa
o Facilitate and promote the revitalisation and redevelopment of existing employment precincts.	Satisfactory - responds to development opportunities provided by on-going growth in this part of the Shire
E5 Plan for new employment lands	Rezoning proposal fits within the scope of the Employment Direction and designated Specialised Centre
o Guide the development of new employment lands to build a modern local economy.	Satisfactory – proposal fits within the planning vision for the centre
E6 Encourage quality employment lands	Rezoning enhances the Circa Business Centre as a quality place for business
o Improve the quality and functioning of employment lands.	Satisfactory – improves the current retail offer and services to support employment

The Draft North West Subregional Strategy sets an employment target of an additional 47,000 jobs for the Shire from 2001-2031 comprising 25,000 for the Norwest Business Park. In this regard the planning proposal provides for local employment opportunities both during and after construction bringing further economic benefits to the locality, and augmenting the attractiveness of the business centre for employment.

3.6 Draft Centres Policy

The State Government's Draft Centres Policy released in April 2009 aims to create a network of vital and vibrant centres that cater for the needs of business, and are places where individuals and families want to live, work and shop. The policy contains six key planning principles against which the planning proposal has been assessed:-

DRAFT CENTRES POLICY	PLANNING PROPOSAL ASSESSMENT
Principle 1 – Retail and commercial activity should be located in centres to ensure the most efficient use of transport and other infrastructure, proximity to labour markets, and to improve the amenity and liveability of those centres.	Consistent with the locational characteristics and role of the Specialised Centre.
Principle 2 – The planning system should be flexible enough to enable centres to grow, and new centres to form.	Consistent with growth management principle.
Principle 3 – The market is best placed to determine the need for retail and commercial development. The role of the planning system is to regulate the location and scale of development to accommodate market demand.	Proposal responsive to demonstrated market demand.
Principle 4 – The planning system should ensure that the supply of available floor space always accommodates the market demand, to help facilitate new entrants into the market and promote competition.	Proposal promotes competition.
Principle 5 – The planning system should support a wide range of retail and commercial premises in all centres and should contribute to ensuring a competitive retail and commercial market.	Proposal adds to the diversity of retail on offer.
Principle 6 – Retail and commercial development should be well designed to ensure it contributes to the amenity, accessibility, urban context and sustainability of centres.	Proposal will be designed to complement the aesthetic qualities of the built environment.

The Draft Policy also sets out the steps to be followed when a rezoning is involved along with the need to carry out a net community benefit test. These steps have been followed with respect to this application to the extent that discussions have been held with Council officers regarding the rezoning and a net community benefit test assessment has been conducted - see Attachment A.

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3.7 Section 117 Directions

The Minister for Planning, under section 117(2) of the Environmental Planning and Assessment Act 1979 (EP&A Act) issues directions that relevant planning authorities including local councils must follow when preparing new LEPs. The directions cover the following broad categories:

1. Employment and Resources
2. Environment and Heritage
3. Housing, Infrastructure and Urban Development
4. Hazard and Risk
5. Regional Planning
6. Local Plan Making
7. Metropolitan Planning

A review indicates that the most relevant directions in respect to this proposal which apply are:-

1	Employment and Resources and more specifically; 1.1 Business and Industrial zones
3	Housing, Infrastructure and Urban Development and more specifically; 3.4 Integrating Land use and Transport
6	Local Plan Making and more specifically; 6.3 Site Specific Provisions
7	Metropolitan Planning 7.1 Implementation of the Metropolitan Strategy

The planning proposal has been assessed for consistency or where inconsistent justification for any variation to the directions - see below.

1.1 Business and Industrial Zones	Consistency/ Inconsistency	Justification
Objectives (1) The objectives of this direction are to: (a) encourage employment growth in suitable locations, (b) protect employment land in business and industrial zones, and (c) support the viability of identified strategic centres.	Consistent Inconsistent Consistent	Rezoning seeks to expand permitted uses - does not change current employment zoning
Where this direction applies (2) This direction applies to all relevant planning authorities.	Consistent	Direction applies to The Hills Shire
When this direction applies (3) This direction applies when a relevant planning authority prepares a planning proposal that will affect land within an existing or proposed business or industrial zone (including the alteration of any existing business or industrial zone boundary).	Consistent	Direction applies to subject proposal

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What a council must do if this direction applies (4) A planning proposal must: (a) give effect to the objectives of this direction, (b) retain the areas and locations of existing business and industrial zones, (c) not reduce the total potential floor space area for employment uses and related public services in business zones, (d) not reduce the total potential floor space area for industrial uses in industrial zones, and (e) ensure that proposed new employment areas are in accordance with a strategy that is approved by the Director-General of the Department of Planning.	Consistent Consistent Inconsistent Not Relevant Consistent	Subject proposal has potential to marginally reduce floor space for employment zone but provides a wider variety of employment opportunities
Consistency (5) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are: (a) justified by a strategy which: (i) gives consideration to the objective of this direction, and (ii) identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and (iii) is approved by the Director-General of the Department of Planning, or (b) justified by a study (prepared in support of the planning proposal) which gives consideration to the objective of this direction, or (c) in accordance with the relevant Regional Strategy or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or (d) of minor significance.	Consistent Consistent Consistent Consistent	This planning report considers the objective of the direction, identifies the site and context, and seeks to justify what may be considered to be a minor variation to planning controls.
Note: In this direction, "identified strategic centre" means a centre that has been identified as a strategic centre in a regional strategy, sub-regional strategy, or another strategy approved by the Director General.		

Direction 1.1 – Issued 1 July 2009

3.4 Integrating Land Use and Transport	Consistency/ Inconsistency/ Relevancy	Justification
Objectives (1) 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.	Consistent Consistent Consistent Consistent Not Relevant	
Where this direction applies (2) This direction applies to all relevant planning		

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authorities.	Consistent	Direction applies to The Hills Shire
When this direction applies		
(3) This direction applies when a relevant planning authority prepares a planning proposal that will create, alter or remove a zone or a provision relating to urban land, including land zoned for residential, business, industrial, village or tourist purposes.	Consistent	Direction applies to subject proposal
What a relevant planning authority must do if this direction applies		
(4) A planning proposal must locate zones for urban purposes and include provisions that give effect to and are consistent with the aims, objectives and principles of:		
(a) <i>Improving Transport Choice – Guidelines for planning and development</i> (DUAP 2001), and	Consistent	
(b) <i>The Right Place for Business and Services – Planning Policy</i> (DUAP 2001).	Consistent	
Consistency		
(5) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are:		
(a) justified by a strategy which:		
(i) gives consideration to the objective of this direction, and		
(ii) identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and	Consistent	This planning report considers the objective of the direction, identifies the site and context, and seeks to justify what may be considered to be a minor variation to planning controls.
(iii) is approved by the Director-General of the Department of Planning, or		
(b) justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or	Consistent	
(c) in accordance with the relevant Regional Strategy or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or	Consistent	
(d) of minor significance.	Consistent	
Direction 3.4 – issued 1 July 2009		

6.3 Integrating Land Use and Transport	Consistency/Inconsistency	Justification
Objectives		
(1) The objective of this direction is to discourage unnecessarily restrictive site specific planning controls.	Consistent	Rezoning seeks to expand permitted uses and is not unnecessarily restrictive
Where this direction applies		
(2) This direction applies to all relevant planning	Consistent	Direction applies to The Hills Shire

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authorities.		
When this direction applies		
(3) This direction applies when a relevant planning authority prepares a planning proposal that will allow a particular development to be carried out.	Consistent	Direction applies to subject proposal
What a relevant planning authority must do if this direction applies		
(4) A planning proposal that will amend another environmental planning instrument in order to allow a particular development proposal to be carried out 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	Consistent	The proposal seeks to expand the area of an use permitted by an existing planning instrument.
(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.		
(5) A planning proposal must not contain or refer to drawings that show details of the development proposal.	Consistent	
Consistency		
(6) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are of minor significance.	Consistent	
Direction 6.3 – Issued 1 July 2009		

7.1 Implementation of the Metropolitan Strategy	Consistency/Inconsistency	Justification
Objectives		
(1) The objective of this direction is to give legal effect to the vision, land use strategy, policies, outcomes and actions contained in the Metropolitan Strategy.	Consistent	
Where this direction applies		
(2) This direction applies to land comprising of the following local government areas:		
Baulkham Hills	Consistent	Direction applies to The Hills Shire
<i>(Note: Only relevant authority in this case)</i>		
When this direction applies		
(3) This direction applies when a Relevant Planning Authority prepares a planning proposal.	Consistent	Direction applies to subject proposal
What a Relevant Planning Authority must do if this direction applies		

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(1) Planning proposals shall be consistent with: (a) the NSW Government's Metropolitan Strategy: <i>City of Cities, A Plan for Sydney's Future</i>, published in December 2005 ('the Metropolitan Strategy').	Consistent	
Consistency (5) A planning proposal may be inconsistent with the terms of this direction only if the Relevant Planning Authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General), that the extent of inconsistency with the Metropolitan Strategy: (a) is of minor significance, and (b) the planning proposal achieves the overall intent of the Strategy and does not undermine the achievement of its vision, land use strategy, policies, outcomes or actions.	Consistent Consistent	This planning report considers the objective of the direction, identifies the site and context, and seeks to justify what may be considered to be a minor variation to planning controls.
Direction 7.1 – issued 1 October 2009		

4. REZONING PROPOSAL

4.1 Development Principles

The development principles for the site are:-

- To create a unique neighbourhood business centre complementing development in the business park;
- To provide office space and building accommodation for a wide variety of business and employment needs in a campus style environment;
- To incorporate a range of convenience retail and ancillary support uses serving the needs of employees; and
- To create an attractive, highly accessible urban business place featuring contemporary ESD technology.

The new business centre in Circa will comprise:-

- Multi-level commercial office buildings in a campus style development;
- Ground floor retail and ancillary support services;
- Car parking both at the street level and below grade;
- Open space located in a central location to maximize access for employees and visitors; and
- Pedestrian paths and landscaping to complement local amenity.

4.2 Indicative Master Plan

The design principles applied to the development of Circa are:-

- Massing of buildings around a central open space, enclosing this space, creating a focus and sense of place for the centre;
- Creating a central main street and other roads providing access to the centre for both vehicles and pedestrians; and
- Respecting the need to provide a visual corridor to Bella Vista Farm Park and positioning of buildings to fit height plans designed to protect views.



Figure 6 Indicate Master Plan

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The planning proposal is considered to be consistent with these objectives. Any building to house future retail as part of this proposal is envisaged to occur at the ground level either free-standing or within a future building.

4.3 Economic Impact Assessment

Urbis were commissioned by FKP to prepare an Economic Impact Assessment (EIA) report to assess the proposed rezoning of land to accommodate a supermarket based centre in the Circa Precinct. The purpose of this report was to determine the potential impacts the proposed centre may have on the retail centres within the locality. The commentary in this section of the report summarises the EIA carried out by Urbis and contained in Attachment A.

The subject site is proposed to comprise of a small supermarket (1,500m²) as well as 1,000m² of specialty retail floorspace.

The trade area has been determined with consideration to the proximity of competing retailers, the strength and character of the subject site, the accessibility of the centre and the location of any physical barriers such as freeways. For the purposes of the EIA Urbis assumed that a retailer similar to ALDI would occupy the supermarket space to base this assessment on the highest potential impact scenario. In this regard Urbis considered that alternative supermarket or food and grocery tenants that could occupy this space are likely to have a lower economic impact profile (e.g. IGA, Foodworks, Harris Farm Markets, etc).

Retail Trade Area and Turnover

Given the above, the trade area has been broken down into 4 sectors. The *primary* trade area consists of the suburbs of Bella Vista and Crestwood. The *secondary north* trade area extends into Kellyville, encompassing parts of Stanhope Gardens. The *secondary south and west* trade areas incorporate parts of the suburbs of Baulkham Hills and Glenwood Park respectively.

The trade area defined above generates an average of \$12,748 per capita in retail spending. This is well above the Sydney Average of \$11,637. At present the trade area generates \$569.4m in total retail spend. Growth in population and expenditure will see this increase to \$649.7 million by 2016, this represent an average annual growth of 1.7%.

The retail expenditure generated by the trade area is currently distributed between a number of retail centres such as Castle Towers, Rouse Hill, Stockland Baulkham Hills, Norwest Marketown, Stanhope Gardens as well as a number of other centres.

The proposed development will provide an opportunity for residents in the trade area as well as workers within Norwest to conduct both top up and weekly shopping within the Circa Retail Precinct with the convenience of being able to shop at two supermarkets as well as a range of specialty retailers. The co-location of an additional supermarket/food and grocery tenant and a Woolworths will result in more competitive pricing for residents in the trade area, as well as superior products.

The existence of two supermarkets in the same location also provides an alternate shopping experience for budget conscious households.

As stated above, the Urbis report estimates the likely turnover and impact of a supermarket chain which would have the widest trade area and therefore the greatest turnover and impacts. By

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determining the likely capture of expenditure, or market share, generated by each of the trade areas, Urbis has calculated that as the highest impact scenario the proposed supermarket is likely to turn over \$18.2m in its first established full year of trade (2012). The centre as a whole is expected to turn over \$24.2m.

Retail Impact

In terms of impact, the proposed supermarket based centre is unlikely to affect the viability of any retail centre within the surrounding hierarchy. Indeed, the proposed centre is likely to enhance, rather than detract from the retail offer within Circa.

Urbis' impact models show that no centre is likely to experience an impact of more than -3.2% in 2012, which is considered insignificant. As this centre will be Circa Retail itself, the proposed development will more than make up for any negative impacts that Circa Retail will suffer due to the increased patronage that will come from the inclusion of an additional supermarket. In addition, growth in population and retail spending will lessen the impact of the proposed development.

It is important to note that the proposed development makes up a very small proportion of the total supply that Council's Draft Centres Directions forecasts is necessary to meet future demand within the Local Government Area. The proposed supermarket will satisfy only 2.48% of the 60,500 sq.m of supermarket floorspace that is forecast to 2031 and the specialty component of the development will fulfil less than 1% of the 143,000 sq.m that is forecasted for supply over the next few decades.

This demonstrates that the proposed development will not impede any future development within the trade area and that there is ample demand in the LGA to support the required future supply of retail floorspace.

The proposed development will also provide employment and shopper convenience. The proposed development is forecast to create 25 direct jobs during the construction phase and 122 jobs once the centre is complete. The construction of the proposed centre will also create more jobs indirectly as a result of multiplier factors, these are estimated at 64 jobs during construction and 219 post construction.

With growth in population and expenditure in the trade area and the remainder of the LGA the proposed development will not restrict future growth but will satisfy requirements of the NSW Draft Centres Policy in that it will create a vibrant, active retail centre which will encourage competition between other retailers resulting in better prices and products for consumers. The development seeks to meet the growing consumer demand for greater choice within the market and will provide a high level of amenity for residents and workers within the trade area.

Essentially, the proposed development will provide a number of social and economic benefits for residents and workers within the trade area and for the retail centre of Circa as a whole. The proposed development will meet the retailing demands of the trade area and will offer an alternate shopping experience, particularly for budget conscious households.

Further, the proposed development is unlikely to adversely affect the viability of any retail centre within the hierarchy and seeks only to fulfil a void in the trade area's retail market. Given that the proposed development is unlikely to result in the closure of any retail centre, that it meets the requirements of both the Draft Centres Direction and the NSW Draft Centres Policy and it will result in a range of social and economic benefits for residents and workers in the trade area,

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there is no reason, on economic grounds why the proposed development should not be approved.

4.4 Roads, Access and Parking

Roads

Vehicle access is provided from a new traffic controlled intersection in Old Windsor Road comprising two right hand turn lanes north-bound and a single left turn south-bound. This intersection is also being designed to accommodate bus movement from the Norbrik transit way station located on the western side of Old Windsor Road.

Access is also available via Elizabeth Macarthur Drive from Norwest Boulevard within Norwest Business Park to Norbrik Drive which forms a loop road around the business centre. Traffic light controlled intersections in Norbrik Drive provide access into the centre.

Road widths and design standards have been approved and are constructed in accordance with Council's requirements. Any amendments that may be required are likely to form part of future development applications as development progresses on-site.

Parking

Based upon the development potential of 2,500m² (2,000m² retail GLFA), a total of 108 spaces are required to be provide on-site. Given the proposed configuration of ground floor retail with commercial above these spaces will comprise off-street car parking with the majority being provided below grade in basement structured car parking facilities. There is sufficient space for these spaces to be provided for as part of any future development.

Access to car parking will be via the road system and driveways to below grade parking. All car parking is to be provided in accordance with Council's BHDCP - Parking. Similarly loading facilities can be provided in any future development in accordance with this DCP.

Pedestrian Movement

The business centre is being designed as a pedestrian friendly environment. Pedestrian movement is to be accommodated by roadside paths and walkways adjoining ground floor retail and providing access to commercial office, other business premises, the Hills Private Hospital, the transit way and Bella Vista Farm Park.

Traffic Impact

Development within the Business Park has required numerous traffic studies to ensure the capacity of the road system and intersections are capable of handling vehicle movement. For the purposes of this Submission, a traffic assessment has been carried out by Gennaoui Consulting Pty Ltd. This assessment considered traffic conditions arising from development approvals updated from the Master Plan report for Norbrik (Gennaoui 2006).

This shows that floor space creation and consequently traffic generation in the Circa Business Centre precinct has been lower than expected – see Table below (source Gennaoui 2006 and 2009).

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Time*	Arrive	AM Peak Depart	Total	Arrive	PM Peak Depart	Total
2006	3237	967	4204	1089	2666	3755
2009	2864	902	3766	1095	2541	3636

Total volumes are expected to be lower than previously estimated meaning that all major approach roads and intersections will operate satisfactorily with the proposal.

4.5 Landscaping and Setbacks

A key component of the proposal is the creation of an attractive business and pedestrian friendly place. The provision of a centrally located open space will be complemented by an overall landscape planting and streetscape design to enhance local amenity.

The main elements of the landscape concept will be:-

- Landscape planting to enhance the passive/active use and attractiveness of open space located within the centre as a place for pedestrians and workers;
- Street tree planting and infrastructure to complement the business centre increasing legibility for vehicle and pedestrian movement;
- Accent planting provided adjacent to building entry, roads and outdoor areas for identification and definition of space; and
- Signage integrated with landscaping, hedge planting and ground covers where appropriate.

The proposal rezoning does not alter the planning philosophy or design intent for creating an integrated business centre in Circa. Rather it is recognised as complementing existing facilities, broadening the scope of facilities and services available, and adding to the attractiveness of the precinct for future employment.

Landscaping and setbacks will be generally in accordance with the requirements of BHDCP - Landscaping and the Norwest Master Scheme.

4.6 Services and Amenities

The provision of water, sewer, electricity, waste services and telecommunications will be consistent the requirements of the various State Government agencies and authorities. Details are to be submitted for approval as part of development applications for the site. No additional services and utilities are required over and above those for such development.

4.7 Stormwater

The stormwater management strategy for the precinct involves the retention of stormwater on each site outside of the Circa business centre.

From these on-site detention systems stormwater is directed to an approved detention basin located adjacent to southern boundary of the business park site, prior to discharge into the Council drainage system south of the precinct.

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Stormwater discharge from the Circa retail centre will be directed to the detention basin located adjacent to southern boundary of the site.

4.8 ESD Strategy

Consideration is being given to a range of ESD measures with the view to minimise energy use, solar harvesting, rain-water recycling and possible gray water re-use from development in the Circa business centre. Measures for energy and water conservation may also include façade design, mechanical, electrical and water conservation systems. The ultimate design and installation of these systems depends upon building use and needs and will form part of any future development application.

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5. DRAFT LOCAL ENVIRONMENTAL PLAN

5.1 Planning Instrument

This proposal seeks Council support for additional 2,500m² retail floor space to be permitted on Lots 3 and 4 DP 270592 Norbrik Drive, Bella Vista.

Under the current zoning of the site, namely (Employment Area 10(a) (Business Park) Zone, retail uses contributing to the function of the business centre and range of support activities are not be permitted other than 3,890m² of retail, now taken up by the Circa Shopping Village.

The formal rezoning of this site will require the preparation of an amendment to Baulkham Hills Local Environmental Plan 2005 Schedule 6 as setout below and in Attachment B. No other controls or changes are envisaged to be required to the LEP.

Existing Schedule 6

SCHEDULE 6 ADDITIONAL DEVELOPMENT ON CERTAIN LAND

(Clause 56)

Column 1	Column 2	Column 3
Lot 6012, DP 1098937, Elizabeth Macarthur Drive, Bella Vista	Development for the purpose of shops	The total gross floor area of the shops must not exceed 3,890m ² .

Proposed Schedule 6

SCHEDULE 6 ADDITIONAL DEVELOPMENT ON CERTAIN LAND

(Clause 56)

Column 1	Column 2	Column 3
Lot 2, DP 270592 Norbrik Drive, Bella Vista	Development for the purpose of shops	The total gross floor area of the shops must not exceed 3,890m ² (Note 1).
Lot 3 & 4, DP 270592 Norbrik Drive, Bella Vista	Development for the purpose of shops	The total gross floor area of the shops must not exceed 2,500m ² .

Note 1: Existing retail zoning of 3,890m² + additional as proposed 2,500m²=6,390m².

Note 2: In the event that the proposal proceeds under the Standard Template zoning regime suitable zones may include Zones B2 Local Centre, B4 Mixed Use, B5 Business Development and B7 Business Park.

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5.2 Development Control Plan

A review of the current BHDCP Part E Section 14 - Norwest Business Park indicates that the proposed amendment can be adequately covered by the LEP and no change is considered necessary to the DCP. The proposed zoning change will affect land already identified as Norbrik Neighbourhood Business Centre in the DCP.

Significantly the development potential of the precinct and site is impacted by two important factors. These are the need to respect views to and from Bella Vista Farm Park and the design of the road network to accommodate traffic volumes both internal and external to the site.

In terms of visual impact the layout of the business centre has been designed to ensure minimal affect on views. The DCP allows for variations where these may arise depending upon final design. This proposal being a development at ground level will not interfere with these view corridors.

With respect to traffic access to the site, this has been planned and developed as part of the road pattern for the precinct along with improvements to the arterial road system. The traffic assessment has shown these roads to be adequate and operate satisfactorily with this proposal.

It is expected these matters will be addressed as part of the development application process as development proceeds in future.

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6. CONCLUSION

This submission has been prepared to support a request to The Hills Shire Council to amend Baulkham Hills Local Environmental Plan to allow an additional 2,500m² of retail floor space in the Circa Business Centre, Bella Vista.

The proposal is in response to the demand for additional retail services to support an expanding employment workforce expected to comprise over 30,000 employees in future. The small quantum of retail proposed will provide additional shopping opportunities for local residents.

From a strategic viewpoint, the proposal sits comfortably within the planning framework of both metropolitan and local planning intentions and actions which focus on Norwest Business Park as a Specialised Centre. Importantly the proposal reinforces the attractiveness of a key employment generator in the North West subregion and reinforces recent public transport infrastructure investment in road, pedestrian and bus transit way due to its proximity to these facilities.

The proposal has been shown to be compatible with the relevant plans, policies, Section 117 directions and will provide significant local and possibly regional benefits to the community by way of increased retail competition and diversifying the local employment opportunities.

For these reasons this planning proposal - rezoning request is now recommended to Council for its support.

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ATTACHMENT A - PLANNING PROPOSAL

CONTENTS

Part 1 Objectives or Intended Outcomes

Part 2 Explanations of Provisions

Part 3 Justification

- A Need for the Planning Proposal
- B Relationship to Strategic Planning Framework
- C Environmental, Social and Economic Impact
- D State and Commonwealth Interests

Part 4 Community Consultation

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Part 1 Objectives or Intended Outcomes

A statement of the objectives or intended outcomes of the proposed local environmental plan.
[Act s. 55(2)(a)]

The purpose of the draft plan is to rezone privately owned land known as Lots 3 & 4 DP 270592 Norbrik Drive, Bella Vista to permit an additional 2,500m² of retail floor space development. The intended outcome is to increase the amount of retail development permissible in the Circa Business Centre to serve the needs of the business park and local area.

Part 2 Explanations of Provisions

An explanation of the provisions that are to be included in the proposed local environmental plan.
[Act s. 55(2)(b)]

The formal rezoning of this site will require the preparation of an amendment to Baulkham Hills Local Environmental Plan 2005 Schedule 6 as setout below. No other controls or changes are envisaged to be required to the LEP.

Column 1	Column 2	Column 3
Lot 3 & 4, DP 270592 Norbrik Drive, Bella Vista	Development for the purpose of shops	The total gross floor area of the shops must not exceed 2,500m ² .

In the event that the proposal proceeds under the Standard Template zoning regime suitable zones may include Zones B2 Local Centre, B4 Mixed Use, B5 Business Development and B7 Business Park.

Part 3 Justification

Justification for those objectives, outcomes and provisions and the process for their implementation. [Act s. 55(2)(c)]

A Need for the Planning Proposal

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

The Hills Shire Council Centres Direction adopted on 23 June 2009 identifies a demand for an additional 346,000m² of retail floor space by 2031 comprising some 60,500m² of supermarket space and 143,000m² of specialty retail space. The Business Park is recognised as a Specialised Centre in the Centres Direction hierarchy and located within the Central Sector where demand for retail offer by 2016 is estimated to be:-

Central Sector:	4 additional large supermarkets 1 additional small supermarket 2 additional department / DDS 334 additional specialty shops
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The Economic Impact Assessment carried out by Urbis shows that this proposal for an additional 2,500m² of retail will have minimal adverse impact on existing or planned retailing. The proposed supermarket will satisfy only 2.48% of the 60,500m² of supermarket floorspace that is forecast to 2031 and the specialty component of the development will fulfil less than 1% of the 143,000m² that is forecasted for supply over the next few decades.

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

Positioned within a major Specialised Centre and adjacent to existing retail, the site satisfies locational criteria and is considered appropriate. The rezoning proposal matches the previous amendment to the LEP to provide for retailing and is considered to be the most effective and efficient mechanism to increasing the quantum of retailing permitted on the site.

3. **Is there a net community benefit?**

The proposal has been assessed against the Net Community Benefit Test from the Draft Centres Policy as follows:-

NET COMMUNITY BENEFIT TEST	REZONING PROPOSAL
Evaluation Criteria	Assessment/Comment
• Will the LEP be compatible with agreed State and regional strategic direction for development in the area (e.g. land release, strategic corridors, development within 800 metres of a transit node)?	Proposal located within a Specialised Centre – Norwest Business Park, compatible with growth plans and under the Metropolitan and Draft North-West Subregion Strategies and 350m from bus transit station.
• Is the LEP located in a global/regional city, strategic centre of corridor nominated within the Metropolitan Strategy or other regional/subregional strategy?	Proposal located within a Specialised Centre – Norwest Business Park under the Metropolitan and Draft North-West Subregion Strategies.
• Is the LEP likely to create a precedent or create or change the expectations of the landowner or other landholders?	No – proposal augments existing retail.
• Have the cumulative effects of other spot rezoning proposals in the locality been consistent? What was the outcome of these considerations?	Previous rezoning permitted retail development consistent with planned vision for this precinct
• Will the LEP facilitate a permanent employment generating activity or result in a loss of employment lands?	Employment generation promoted by retailing activity during and after construction.
• Will the LEP impact upon the supply of residential land and therefore housing supply and affordability?	No impact – land current zoned for employment and business purposes
• Is the existing public infrastructure (roads, rail, utilities) capable of servicing the proposed site? Is there good pedestrian and cycling access? Is public transport currently available or is there infrastructure capacity to support future supply transport?	The site is serviced by public bus transport on the Old Windsor Road T-Way and directly with buses able to use Norbrik Drive. Cycleways are also located on Old Windsor Road and off-road path connections are available to the site.
• Will the proposal result in changes to the car distances travelled by customers, employees and suppliers? If so, what are the likely impacts in terms of greenhouse gas emissions, operating costs and road safety?	The proposal can reduce distances travelled by employees and local residents to retail facilities. In turn this reduces greenhouse gas emissions, operating costs and can improve safety by allowing direct off-road pedestrian access.
• Are there significant Government investments in infrastructure or services in the area whose patronage will be affected by the proposal? Is so, what is the expected impact?	Government investments in road and bus transit way infrastructure will be further utilised as a result of this development.
• Will the proposal impact on land that the Government has identified a need to protect (e.g. land with high biodiversity values) or have other environmental	No impact on environmentally sensitive land. The site is not subject to flooding or other environmental constraints.

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impacts? Is the land constrained by environmental factors such as flooding.	
• Will the LEP be compatible/complementary with surrounding land uses? What is the impact on amenity in the location and wider community? Will the public domain improve?	The proposal is compatible with adjoining retail and commercial business uses and will allow further improvements to public domain. No adverse impacts on the wider community are expected.
• Will the proposal increase choice and competition by increasing the number of retail and commercial premises operating in the area?	The proposal will increase choice and competition by increasing the number of retail and commercial premises operating in the area.
• If a stand-alone proposal and not a centre, does the proposal have the potential to develop into a centre in the future?	The proposal is consistent with the planned vision for the precinct and is located in the Norwest Business Park Specialised Centre.
• What are the public interest reasons for preparing the draft plan? What are the implications of not proceeding at that time?	Public interest is served by locating facilities adjacent to public transport and pedestrian infrastructure for the convenience of employees and local residents. The proposal increases choice and competition in the locality which would not occur if the proposal does not proceed.

The provision of an additional 2,500m² of retailing has potential to create 122 jobs and annual sales turnover of approximately \$24M in 2012. Additional multiplier employment of 97 jobs has also been predicted by Urbis. The net effect of the proposal is to increase the attractiveness of the precinct as a viable business centre providing employment in the Shire.

B Relationship to Strategic Planning Framework

1. 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)?

The Metropolitan Strategy and the Draft North West Subregional Strategy make reference to objective *B4.1 Concentrate retail activity in centres, business development zones and enterprise corridors*. In this regard the subject proposal is well positioned within the Norwest Business Park which is identified as a Specialised Centre.

The Metropolitan Strategy (Action B4.1.2) also requires that retailing in industrial areas be limited to those uses which are ancillary to industrial uses or that have operating requirements or demonstrable off site impacts similar to industrial uses. The Urbis report shows that the subject proposal is compatible with this action in terms of scale, operation and impact.

The strategy also identifies to other actions including:-

- A1.1.2 – North West Councils to prepare Principal LEPs which provide sufficient zoned and serviced commercial and employment land to meet the employment capacity targets.
- B3.4.1 – North West Councils to continue to support sufficient supply of commercial office sites in strategic centres, in line with employment targets, including through the use of the commercial core zoning in Principal LEPs where appropriate.
- B4.1.2 – North West Councils to investigate appropriate locations for retail uses in centres, business development zones (supporting identified strategic centres) and Enterprise Corridors.

The rezoning proposal in this submission will facilitate a small quantum of future retail development. This can be recognized as a positive response to these actions by providing

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appropriately situated retail floor space that will increase employment opportunities and support the attractiveness of Circa as an employment centre. The planning proposal and likely resultant development is considered to be complementary to the vision for the circa precinct and locality.

Under Baulkham Hills Local Environment Plan 2005 (BHLEP) an addition to Schedule 6 is considered the most appropriate method to permit the retail proposal pending consideration by Council and the requirements under the standard template for LEP's.

2. Is the planning proposal consistent with the local councils' Community Strategic Plan, or other local strategic plan?

The Hills 2026 Community Strategic Direction sets out the vision for the development of the Shire and this proposal would contribute to this by providing local employment, convenience shopping, and efficient land use and infrastructure usage.

The Centres Direction provides the strategic context for planning and management of centres in the Shire. An estimated demand for 60,00m² of retail floor space is anticipated up to 2031. In the Central Precinct the retail demand comprises a range of large and small supermarket and specialty shops. This proposal represents only 4.2% of this demand.

The siting of part of this demand as proposed adjacent to existing services, surrounded by employment development, residential areas, in a highly accessible Specialised Centre makes sound strategic planning sense and represents a best fit with strategic plans.

3. Is the planning proposal consistent with applicable state environmental planning policies?

The proposal has been assessed against the relevant State Environmental Planning Policies and considered to be consistent as follows:-

State Environment Planning Policy (SEPP)	Consistent/Inconsistent	Reason for Any Inconsistency
SEPP No 1 – Development Standards	Consistent	
SEPP No 4 – Development without consent	Consistent	
SEPP No 22 – Shops and Commercial Premises	Consistent	
SEPP No 55 – Remediation of Land	Consistent	
SEPP No 64 – Advertising and Signage	Consistent	
SEPP (Building Sustainability Index: BASIX) 2004	Consistent	
SEPP (Infrastructure) 2007	Consistent	
SEPP (Major Projects) 2005	Consistent	
SEPP (Temporary Structures and Places of Public Entertainment) 2007	Consistent	
SEPP (Exempt and Complying Development Codes) 2008	Consistent	

The proposal has also been assessed against the relevant deemed state environmental planning policies (former Regional Environmental Plans (REPs) and considered to be consistent as follows:-

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Regional Environmental Plan	Consistent/Inconsistent	Reason for Any Inconsistency
18. Public Transport Corridors	Consistent	
19. Rouse Hill Development Area	Consistent	
20. Hawkesbury-Nepean River (No 2-1997)	Consistent	

4. Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?

Section 3.7 of this report assessed the proposal against Section 117 Directions and noted only two areas of minor inconsistency. These are considered justified on the basis that the impacts on employment land and floor space are minor for the following reasons:-

- The proposal seeks to expand permitted uses and does not change the area of current employment zoning; and
- The potential to marginally reduce floor space for employment is balanced by the wider variety of complementary employment opportunities to be provided within the employment zone.

C Environmental, Social and Economic Impact

1. 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?

The proposal has no impact on these environmental factors.

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

The proposal is unlikely to have any other environmental effects.

3. How has the planning proposal adequately addressed any social and economic effects?

The proposal adds to the facilities and services being provided in this part of the business park and locality. Therefore the proposal can be considered to generate positive social and economic impacts.

There are no items of environmental heritage significance affected by this proposal.

D State and Commonwealth Interests

1. Is there adequate public infrastructure for the planning proposal?

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The site is fully serviced with the necessary infrastructure and the proposal will not place any excessive demands on State or Commonwealth interests.

2. 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).

State and Commonwealth Public Authorities have not been consulted at this early stage subject to the Gateway determination.

Part 4 Community Consultation

Details of the community consultation that is to be undertaken on the planning proposal. [Act s. 55(2)(e)]

In accordance with "A Guide for Preparing Local Environmental Plans" NSW Department of Planning, July 2009 the proposal qualifies as a low impact planning proposal requiring an exhibition period of 14 days.

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ATTACHMENT B - ECONOMIC IMPACT ASSESSMENT

