



## **Planning Proposal - Addendum**

### **Amendment to The Hills Local Environmental Plan 2012**

Town Centre, Precinct E of The Gables Box Hill  
North

Prepared by Willowtree Planning Pty Ltd on  
behalf of Celestino Developments Pty Ltd

**August 2018**

## Planning Proposal Report – The Gables Town Centre

Amendment to The Hills Local Environmental Plan 2012 – Building Height and Floor Space Ratio  
10, 12 and 14 Red Gables Road, Box Hill (Lot 25 DP 255616, Lot 26 DP 255616 and Lot 27 DP 255616)

---

### Document Control Table

<b>Document Reference:</b>	WTJ17-413_The Gables Town Centre - Planning Proposal		
<b>Date</b>	<b>Version</b>	<b>Author</b>	<b>Checked By</b>
6 August	Draft 1	A Smith	T Cook
9 August	Draft 2	A Smith	T Cook
14 August	Final	A Smith	T Cook

© 2018 Willowtree Planning Pty Ltd

This document contains material protected under copyright and intellectual property laws and is to be used only by and for the intended client. Any unauthorised reprint or use of this material beyond the purpose for which it was created is prohibited. No part of this work may be copied, reproduced or transmitted in any form or by any means, electronic or mechanical, including photocopying, recording, or by any information storage and retrieval system without express written permission from Willowtree Planning (NSW) Pty Ltd.

## Planning Proposal Report – The Gables Town Centre

Amendment to The Hills Local Environmental Plan 2012 – Building Height and Floor Space Ratio  
10, 12 and 14 Red Gables Road, Box Hill (Lot 25 DP 255616, Lot 26 DP 255616 and Lot 27 DP 255616)

### EXECUTIVE SUMMARY

This Planning Proposal Report (report) has been prepared by Willowtree Planning Pty Ltd on behalf of Celestino Developments Pty Ltd (Celestino) and seeks to amend *This Hills Local Environmental Plan 2012* (THLEP 2012), specifically the building height and floor space ratio development standards across The Gables Town Centre (the Town Centre), located within Precinct E of the Box Hill North Precinct. The allotments subject to this Planning Proposal (PP) are currently described as 10, 12 and 14 Red Gables, Box Hill (Lot 25 DP 255616, Lot 26 DP 255616 and Lot 27 DP 255616).

The PP intends to facilitate the future development of the Town Centre for mixed-use development comprising a range of proposed commercial, residential, educational and community land uses. A range of building heights and floor space ratios (FSR) are sought across the Town Centre to support the creation of a mixed-use precinct capable of appropriately catering to the commercial and residential demand whilst also achieving an improved and optimal urban design and amenity outcome.

The mix of land uses sought to be incorporated across the Site are already permitted with consent in the B2 Local Centre zone pursuant to THLEP 2012. Accordingly, no change of zone or additional permitted uses are sought to facilitate the envisaged mixed-use Town Centre precinct.

To demonstrate the potential for the Site as a mixed-use precinct, as proposed under this PP, Preliminary Concept Plans have been prepared by Rothelowman (**Appendix 1**). The concept has been informed by detailed site analysis and consideration of future land use opportunities and the surrounding context in order to provide an optimal development outcome that capitalises on the strategic potential of the land, uplifts the public domain and provides a high level of amenity.

A summary of the key planning metrics for the concept scheme are provided below.

<b>Table 1 / Development Summary</b>				
<b>Precinct</b>	<b>Site Area</b>	<b>GFA</b>	<b>FSR</b>	<b>Height (range in storeys)</b>
<b>Precinct E1</b>	14,500.6m <sup>2</sup>	14,294.9m <sup>2</sup>	1:1	1-4 storeys
<b>Precinct E2</b>	8,707.9m <sup>2</sup>	16,461.9m <sup>2</sup>	1.89:1	1-7 storeys
<b>Precinct E3</b>	6,822.7m <sup>2</sup>	8,049.6m <sup>2</sup>	1.18:1	3-5 storeys
<b>Precinct E4</b>	16,523m <sup>2</sup>	27,168.2m <sup>2</sup>	1.64:1	5-8 storeys
<b>Proposed Educational Establishment (Precinct E5)</b>	10,000m <sup>2</sup>	20,000m <sup>2</sup>	2:1	-
<b>Total Town Centre</b>	63,671m <sup>2</sup>	85,974.6m <sup>2</sup>	1.35:1	1-8 storeys

The proposed amendments to THLEP 2012 are considered appropriate for the following reasons:

- The proposed THLEP 2012 amendment would enable the improved development opportunities and outcomes of the Town Centre for high density mixed-used development for commercial, residential, educational and community purposes;
- Facilitates the dedication of sub-precinct E5 for the purpose of proposed educational establishment, in response the demand for such land uses within the locality;
- Increase heights and FSR sought to the balance of the Town Centre (sub-precincts E2 to E4) for mixed-use purposes to achieve the intended outcomes as previously planned and

## Planning Proposal Report – The Gables Town Centre

Amendment to The Hills Local Environmental Plan 2012 – Building Height and Floor Space Ratio  
10, 12 and 14 Red Gables Road, Box Hill (Lot 25 DP 255616, Lot 26 DP 255616 and Lot 27 DP 255616)

---

approved under the Box Hill North Masterplan and Voluntary Planning Agreement, as a result of the dedication of sub-precinct E5 for the purpose of a proposed educational establishment;

- The proposal will result in a more desirable urban design outcome and will provide opportunity for the delivery of a local centre that is capable of being developed to its full potential;
- The proposal will result in the provision of improved public domain, connectivity and public open space opportunities throughout the Town Centre, through the provision of street level activation and community active spaces; connecting the land to the south of the Town Centre to the open space and the Lake to the north;
- Additional housing across the Town Centre would respond to the demand of diverse housing opportunities in Sydney's Northwest, whilst maintaining a close proximity to accessible locations and places of employment and future infrastructure;
- The proposal is consistent with the State, Regional and Local strategic planning framework. As described through this report, the proposed development is particularly consistent with the priorities and directions of NSW 2021; Greater Sydney Region Plan; and the Central City District Plan;
- In accordance with priorities set out in NSW 2021, the proposed development of the Town Centre would provide additional housing and increased employment opportunities within Northwest Sydney's greater locality. Opportunities are specifically identified for a mixed-use environment that would be defined by vibrancy, convenience, amenity and diverse opportunities for residents, workers and the greater local community. The delivery of additional dwellings on the Town Centre would respond to increased housing demand in a strategic location, with access to future transport infrastructure, employment, proposed education establishment, community facilities, retail centres and other services;
- The proposed development standards would support the growth of new communities underpinned by a diverse range of housing and appropriate densities to accommodate the growing population, in accordance with the priorities of the Greater Sydney Region Plan.
- The desired development outcome would contribute to the objectives set out in the Central City District Plan by facilitating a greater range of land uses which will be of benefit to the community, including opportunity for a proposed educational establishment, along with other supporting commensurate land use; facilitating the provision of greater and improved open space, pedestrian links and public domain.
- The proposal would support the sustained job creation and economic activity through the provision of additional commercial floor space. Specifically, economic benefits include:
  - The proposal would accommodate jobs across the Town Centre through the provision of additional commercial floor space capable of supporting a higher employment density than is currently available across the Town Centre;
  - The Town Centre would become more attractive to small-large local businesses.
- The proposed LEP amendment aligns with the relevant Section 9.1 Ministerial Directions as they relate to business and residential zones;
- Overall, the proposed outcomes would maximise access and connectivity between the places people live, work and commercial offerings, open space, educational and community land uses, thereby promoting enhanced amenity and convenience for residents; encouraging active living, facilitating passive surveillance and promoting sympathetic built form transitions;

## Planning Proposal Report – The Gables Town Centre

Amendment to The Hills Local Environmental Plan 2012 – Building Height and Floor Space Ratio  
10, 12 and 14 Red Gables Road, Box Hill (Lot 25 DP 255616, Lot 26 DP 255616 and Lot 27 DP 255616)

---

- The anticipated land uses are permitted with consent in the current B2 Local Centre and are also consistent with the zone objectives in that it provides a mixture of compatible land uses in an accessible location to cater to future residents of The Gables;
- The desired development outcome will require the THLEP 2012 height standard to be amended in accordance with **Section 4.2** of this report. The additional building heights proposed are considered highly appropriate for the Town Centre given the future land uses and site context. These heights would in turn facilitate smaller floor plates thus allowing for improved amenity and public domain outcomes;
- The FSR standard is proposed to be amended in accordance with **Section 4.2** of this report. Additional FSR is sought primarily to accommodate a proposed educational establishment whilst also retaining and achieving additional commercial and residential floor space to support jobs, economic growth and the housing needs of Sydney's growing population;
- The amendments sought are considered minor in nature given the average of heights and FSR across the Site, being 16.5m (from 16m) and 1.35:1 (from 1:1) respectively.
- The proposal is largely consistent with the approved Box Hill North Masterplan, which designates land for mixed-use development. The proposed amendments are considered minor and will preserve a range of conceptually approved land uses;
- The desired development outcome would not result in any land use conflicts and would instead complement and support an improved range of commensurate permitted land uses and development typologies within the Town Centre;
- No adverse social impact would arise from the proposal. Rather, the proposed development would contribute to the creation of a vibrant, integrated precinct, defined by public domain, high quality design and the integration of an array of land uses.

The Town Centre is therefore considered suitable for a higher density mixed use development outcome which the proposed amendments to THLEP 2012 would facilitate. Accordingly, the PP is considered to warrant the support of Council.

The PP is structured in accordance with the following:

- **Part A** Introduction
- **Part B** Site Description
- **Part C** Objectives or Intended Outcomes
- **Part D** Explanation of Provisions
- **Part E** Justification for Proposed LEP Amendment
- **Part F** Consultation
- **Part G** Conclusion

## Planning Proposal Report – The Gables Town Centre

Amendment to The Hills Local Environmental Plan 2012 – Building Height and Floor Space Ratio  
10, 12 and 14 Red Gables Road, Box Hill (Lot 25 DP 255616, Lot 26 DP 255616 and Lot 27 DP 255616)

---

### TABLE OF CONTENTS

<b>PART A</b>	<b>INTRODUCTION .....</b>	<b>7</b>
1.1	INTRODUCTION.....	7
<b>PART B</b>	<b>SITE DESCRIPTION .....</b>	<b>9</b>
2.1	SITE DESCRIPTION AND EXISTING DEVELOPMENT .....	9
2.2	LOCAL CONTEXT .....	10
2.3	BOX HILL MASTER PLAN .....	12
2.4	PLANNING CONTEXT .....	14
<b>PART C</b>	<b>OBJECTIVES AND INTENDED OUTCOMES .....</b>	<b>22</b>
3.1	OBJECTIVES AND INTENDED OUTCOMES .....	22
<b>PART D</b>	<b>EXPLANATION OF PROVISIONS .....</b>	<b>24</b>
4.1	OVERVIEW .....	24
4.2	AMENDMENT TO THLEP 2012 HEIGHT OF BUILDINGS .....	24
4.3	AMENDMENT TO THLEP 2012 FLOOR SPACE RATIO .....	27
4.4	CONCEPTUAL BUILT FORM AND YIELD .....	30
4.5	PUBLIC DOMAIN AND LANDSCAPE .....	32
4.6	URBAN DESIGN .....	34
4.7	EDUCATIONAL ESTABLISHMENT .....	34
4.8	BOX HILL NORTH MASTERPLAN .....	35
4.9	BOX HILL NORTH VOLUNTARY PLANNING AGREEMENT .....	35
4.10	SCHOOL/STATE VPA .....	36
4.11	CONTRIBUTIONS PLAN NO. 16 .....	36
4.12	BOX HILL NORTH DEVELOPMENT CONTROL PLAN .....	36
<b>PART E</b>	<b>JUSTIFICATION FOR PROPOSED LEP AMENDMENT .....</b>	<b>39</b>
5.1	NEED FOR THE PLANNING PROPOSAL .....	39
5.2	RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK .....	48
5.3	ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACT .....	56
5.4	STATE AND COMMONWEALTH INTERESTS .....	58
<b>PART F</b>	<b>CONSULTATION .....</b>	<b>60</b>
<b>PART G</b>	<b>CONCLUSION .....</b>	<b>61</b>

### APPENDICES

<b>APPENDIX 1</b>	Architectural Planning Proposal
<b>APPENDIX 2</b>	Landscape Master Plan
<b>APPENDIX 3</b>	Amended LEP Maps
<b>APPENDIX 4</b>	Traffic Impact Assessment
<b>APPENDIX 5</b>	Market Potential Assessment
<b>APPENDIX 6</b>	Servicing and Infrastructure Strategy Report
<b>APPENDIX 7</b>	Bushfire Assessment
<b>APPENDIX 8</b>	Survey Plan

## Planning Proposal Report – The Gables Town Centre

Amendment to The Hills Local Environmental Plan 2012 – Building Height and Floor Space Ratio  
10, 12 and 14 Red Gables Road, Box Hill (Lot 25 DP 255616, Lot 26 DP 255616 and Lot 27 DP 255616)

---

### FIGURES

Figure 1/ The Town Centre (Source: Nearmap, 2018).....	9
Figure 2/ Cadastral Map (Source: SIX Maps, 2018).....	10
Figure 3 / Site Context Map (Google Maps, 2018) .....	11
Figure 4 / Regional Context Map (Google Maps, 2018).....	11
Figure 5 / Box Hill North Master Plan (Source: Urbis, 2016).....	12
Figure 6 / Box Hill North Staging Plan (Source: Box Hill North DCP, 2012).....	13
Figure 7 / Extract of THLEP 2012 Zoning Map – Sheet LZN_005 .....	16
Figure 8 / Height of Buildings Map (NSW Legislation 2018) .....	17
Figure 9 / Floor Space Ratio Map (NSW Legislation 2018) .....	18
Figure 10 / Revised Bushfire Prone Area Map (Source: The Hills Shire Council, 2018).....	19
Figure 11 / Existing and Amended Building Height Map (Source: Rothelowman, 2018).....	26
Figure 12 / Building Height Amendments Assessment (Source: Rothelowman, 2018).....	27
Figure 13 / Current and Amended Floor Space Ratio Map (Source: Rothelowman, 2018).....	29
Figure 14 / Current and Proposal FSR Controls (Source: Rothelowman, 2018).....	30
Figure 15 / Perspective of Town Centre (Source: Rothelowman, 2018).....	31
Figure 16 / Integration of Roads and Built Form (Rothelowman, 2018).....	32
Figure 17 / Landscape Master Plan (Source: AECOM, 2018) .....	33
Figure 18 / Comparative Analysis of Existing and Amended Planning Controls (Source: Rothelowman, 2018).....	34
Figure 19 / Existing ILP, Figure 3 – Town Centre (Source: Box Hill North DCP).....	37
Figure 20 / Existing ILP, Figure 4 – Town Centre (Source: Box Hill North DCP).....	38
Figure 21 / Amended ILP, Box Hill North DCP (Source: Rothelowman, 2018).....	38
Figure 22 / Central City Structure Plan (Source: Central City District Plan, 2017).....	43
Figure 23 / Sydney Metro (NSW Government 2018) .....	44

### TABLES

Table 1/ Development Summary .....	2
Table 2/ Planning Proposal Inputs .....	7
Table 3 / Building Heights Existing and Proposed .....	24
Table 4 / Floor Space Ratio Existing and Proposed .....	27
Table 5/ Built Form Summary .....	31
Table 6 / Precinct E Dwelling Yield .....	35
Table 7 / The Gables Master Plan Dwelling Yield .....	35
Table 8 / Amendments to Box Hill North DCP .....	36
Table 9/ Net Community Benefit .....	45
Table 10 / State Environmental Planning Policies .....	49
Table 11/ Section 9.1 Ministerial Directions .....	52

## Planning Proposal Report – The Gables Town Centre

Amendment to The Hills Local Environmental Plan 2012 – Building Height and Floor Space Ratio  
10, 12 and 14 Red Gables Road, Box Hill (Lot 25 DP 255616, Lot 26 DP 255616 and Lot 27 DP 255616)

### PART A INTRODUCTION

#### 1.1 INTRODUCTION

This Planning Proposal (PP) has been submitted to The Hills Shire Council seeking amendments to *The Hills Local Environmental Plan 2012* including increased building height and floor space ratio (FSR) across The Gables Town Centre (the Town Centre). The land subject to this PP is 10, 12 and 14 Red Gables Road, Box Hill (Lot 25 DP 255616, Lot 26 DP 255616 and Lot 27 DP 255616).

The proposed amendments intend to facilitate to the future development of the Town Centre for mixed-use development comprising commercial, residential, educational and community land uses. Building heights up to 25m and a 2:1 FSR are sought to support the appropriate delivery of a mixed-use precinct across the site.

This PP has been prepared by Willowtree Planning Pty Ltd and a team of specialist consultants on behalf of Celestino Developments Pty Ltd in accordance with Section 3.33 and 9.1 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and the NSW Department of Planning and Environment's *A guide to preparing planning proposals* which specifies the following requirements:

- Objectives and intended outcomes;
- Explanation of provisions;
- Justification in terms of consistency with State and local planning strategies, consideration of relevant environmental, social and economic factors, and State interests;
- Mapping;
- Community consultation; and
- Project timeline.

This report should be read in conjunction with the appended specialist consultant reports listed in the table of contents. The team of specialist consultants used in preparing this PP are identified in **Table 2**.

<b>Table 2  Planning Proposal Inputs</b>	
<b>Discipline</b>	<b>Project Team</b>
Proponent	Celestino Developments Pty Ltd
Project Management	WINIM
Planning	Willowtree Planning
Architecture/ Urban Design	Rothelowman
Landscape Design	AECOM
Transport and Traffic	ASON Group
Servicing and Infrastructure Strategy Report	BG&E
Economic Assessment	Location iQ
Survey	Proust & Gardener
Bushfire	Ecological Australia

## **Planning Proposal Report – The Gables Town Centre**

Amendment to The Hills Local Environmental Plan 2012 – Building Height and Floor Space Ratio  
10, 12 and 14 Red Gables Road, Box Hill (Lot 25 DP 255616, Lot 26 DP 255616 and Lot 27 DP 255616)

---

This PP is structured as follows:

- **Part A** Introduction
- **Part B** The Site
- **Part C** Objectives for Intended Outcomes
- **Part D** Explanation of Provisions
- **Part E** Justification for Proposed LEP Amendment
- **Part F** Community Consultation
- **Part G** Conclusion

## **PART B      SITE DESCRIPTION**

### **2.1    SITE DESCRIPTION AND EXISTING DEVELOPMENT**

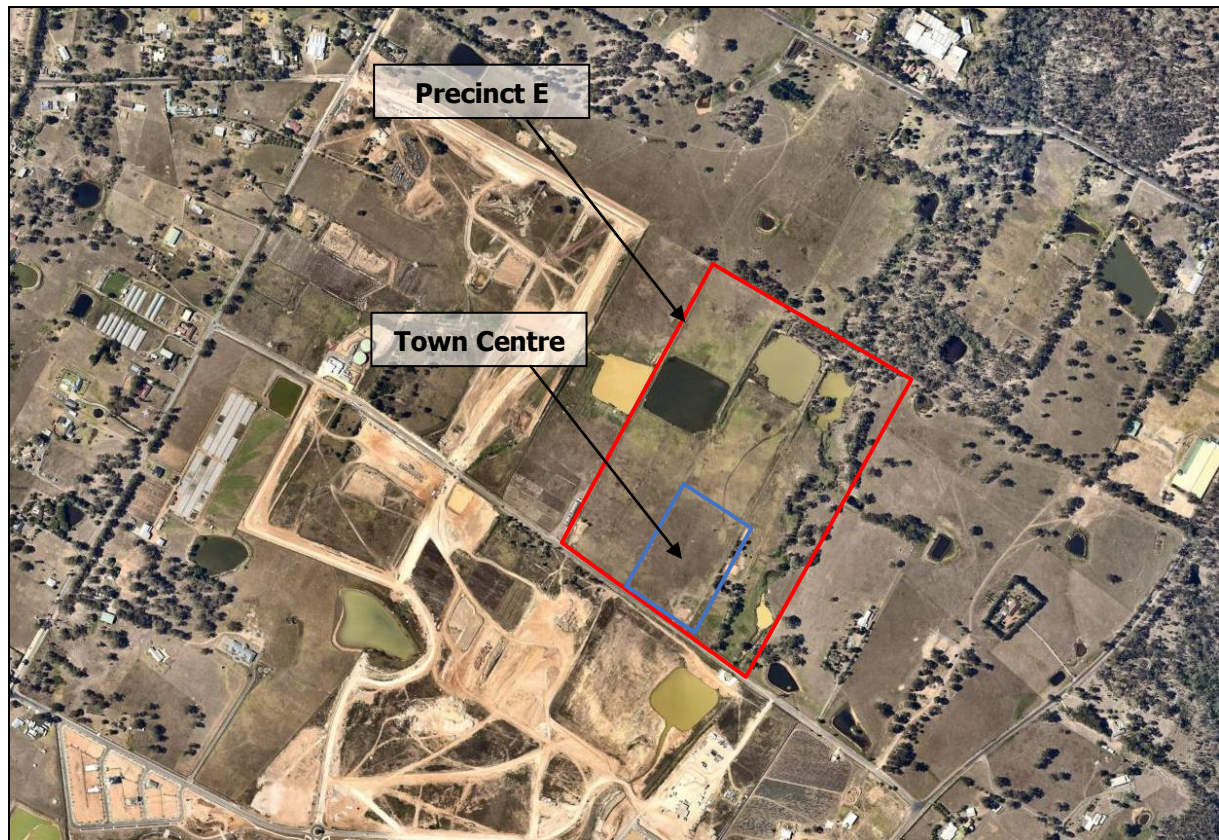
The proposal relates to the B2 zoned land in **Precinct E** of The Gables. The allotments subject to the proposal includes 10, 12 and 14 Red Gables Road, Box Hill (Lot 25 DP 255616, Lot 26 DP 255616 and Lot 27 DP 255616).

The allotments cover an area of approximately 30.6 hectares with frontages to Red Gables Road and Fontana Drive. Fontana Drive is proposed under **2051/2018/ZB**, currently under assessment by The Hill Shire Council. The B2 zoned land subject to the proposal has a total site area of 63,671m<sup>2</sup>.

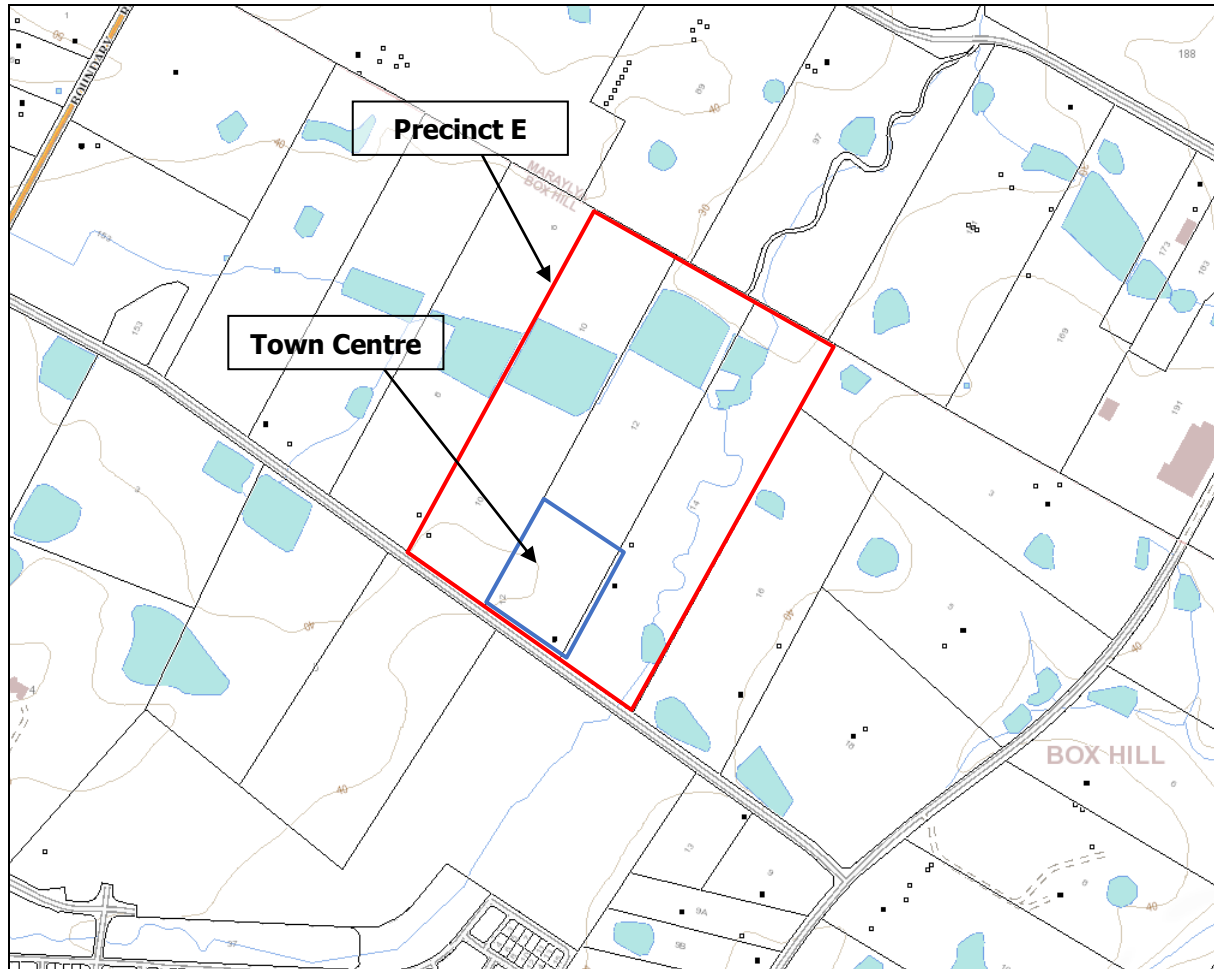
Whilst the Town Centre remains largely untouched at present, Development Application, **1824/2017/ZB**, is currently before Council for bulk earthworks across both the Town Centre and surrounding areas. The bulk earthworks required for the Town Centre to accommodate future urban development both in the immediate and surrounding area is addressed under **1824/2017/ZB**.

Based on the approved Box Hill North Masterplan which applies to the Town Centre and surrounding land of The Gables, Precinct E comprises land designated for a Town Centre including a range of land uses. The Site subject to this PP is that previously designated for the Town Centre.

The Town Centre, in the greater context of Precinct E, can be seen in **Figure 1** and **Figure 2** below.



**Figure 1 | The Town Centre (Source: Nearmap, 2018)**



**Figure 2 | Cadastral Map (Source: SIX Maps, 2018)**

## 2.2 LOCAL CONTEXT

The Town Centre is located to the north of the rezoned Box Hill and Box Hill Industrial Precinct and lies approximately 48km to the north west of the Sydney Central Business District.

The Site is located on the urban fringe of the Shire. Windsor Road, approximately 2.6km south, serves as the main classified road of the locality and connects to Terry Road providing connectivity to the Box Hill North Precinct.

The character of the area surrounding the Town Centre is currently 'rural residential', defined by large lot rural-residential development and low intensity agricultural land uses.

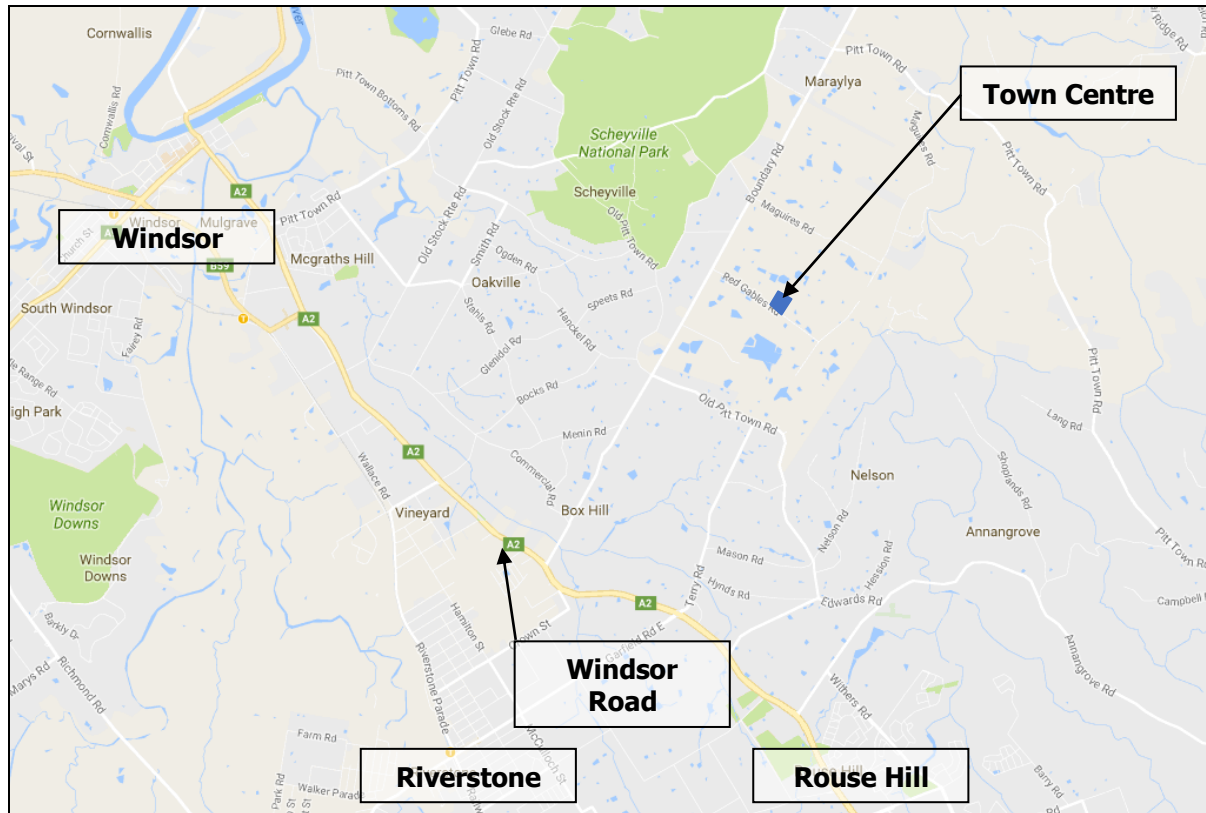
The Box Hill North Precinct comprises an area of approximately 380 hectares and is located on the urban fringe of the Shire, directly north of the Box Hill Growth Centres Precinct. Box Hill north is bounded by Old Pitt Town Road to the south, Boundary Road to the west, Maguires Road to the north and Janpieter Road to the east.

The Context Map in **Figure 3** below illustrates the Town Centre's location and surrounding areas, whilst the Regional Context Map in **Figure 4** shows the Town Centre in Respect of the wider Sydney area.

## Planning Proposal Report – The Gables Town Centre

Amendment to The Hills Local Environmental Plan 2012 – Building Height and Floor Space Ratio

10, 12 and 14 Red Gables Road, Box Hill (Lot 25 DP 255616, Lot 26 DP 255616 and Lot 27 DP 255616)



**Figure 3 | Site Context Map (Google Maps, 2018)**



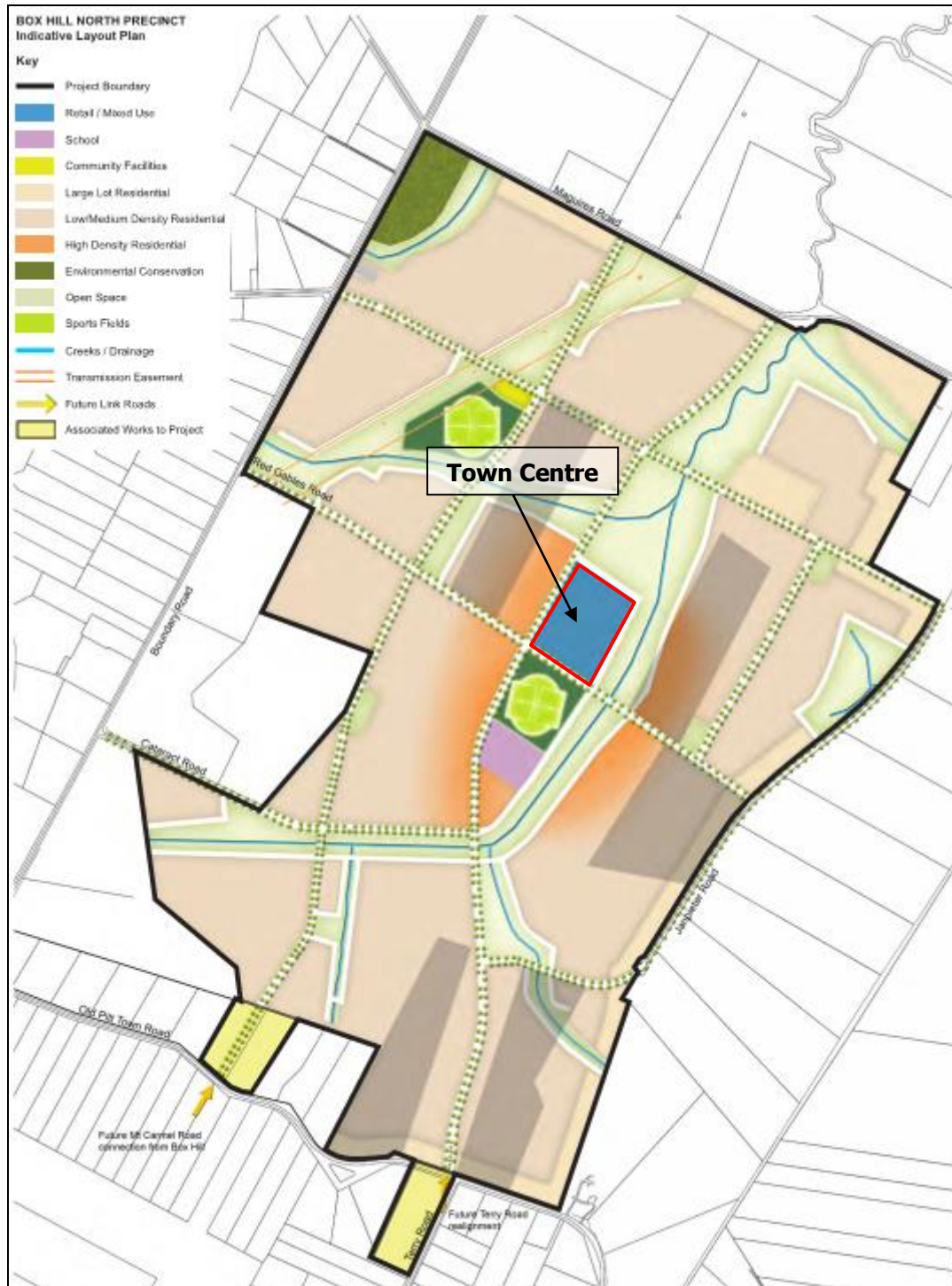
**Figure 4 | Regional Context Map (Google Maps, 2018)**

## Planning Proposal Report – The Gables Town Centre

Amendment to The Hills Local Environmental Plan 2012 – Building Height and Floor Space Ratio  
10, 12 and 14 Red Gables Road, Box Hill (Lot 25 DP 255616, Lot 26 DP 255616 and Lot 27 DP 255616)

### 2.3 BOX HILL MASTER PLAN

As previously discuss the Town Centre is located within the Box Hill North Precinct. The Box Hill North Precinct and Master Plan are illustrated in **Figure 5** and **Figure 6** below.



**Figure 5 | Box Hill North Master Plan (Source: Urbis, 2016)**

## Planning Proposal Report – The Gables Town Centre

Amendment to The Hills Local Environmental Plan 2012 – Building Height and Floor Space Ratio  
10, 12 and 14 Red Gables Road, Box Hill (Lot 25 DP 255616, Lot 26 DP 255616 and Lot 27 DP 255616)

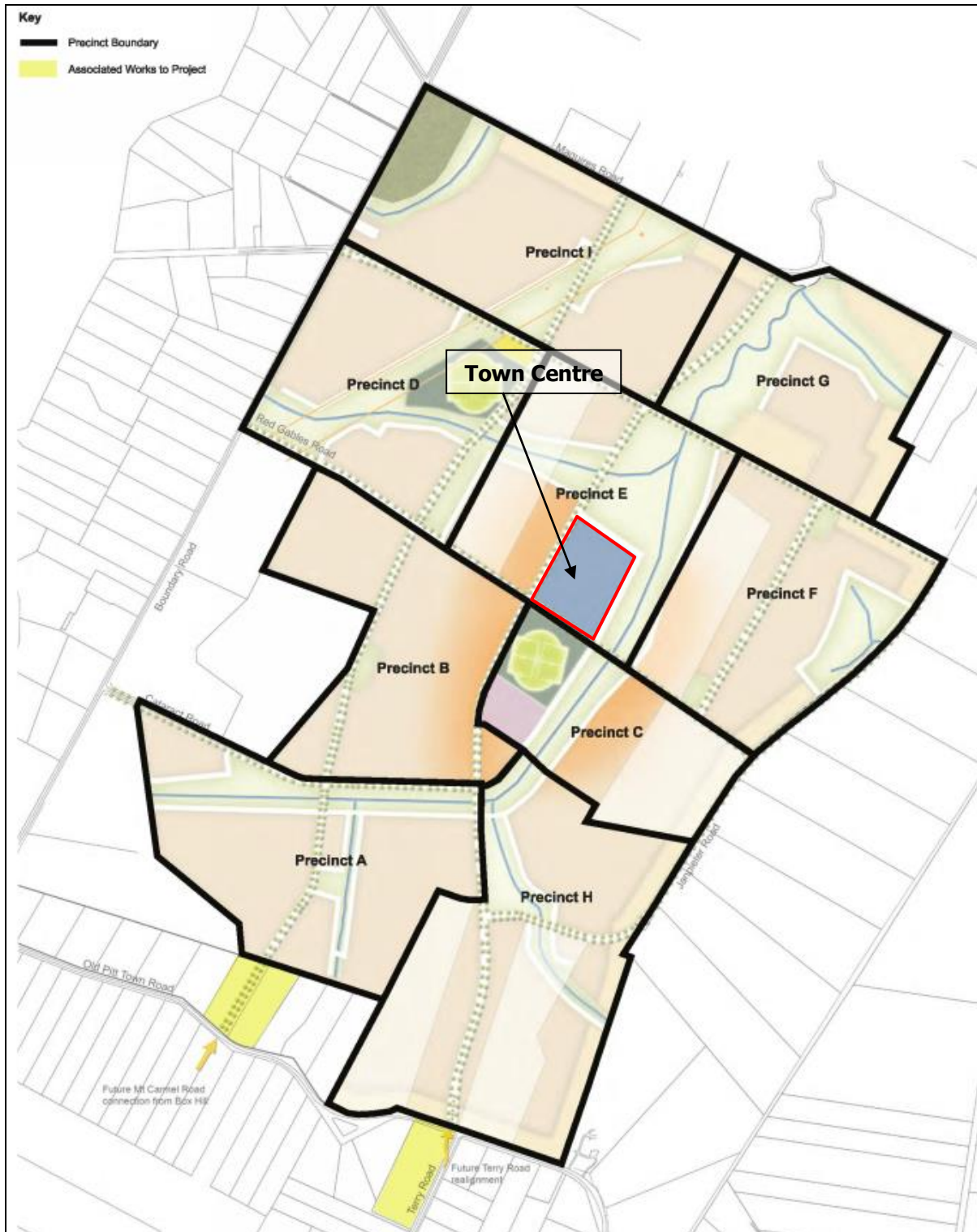


Figure 6 | Box Hill North Staging Plan (Source: Box Hill North DCP, 2012)

## **2.4 PLANNING CONTEXT**

### **2.4.1 ENVIRONMENT PLANNING AND ASSESSMENT ACT 1979**

A Planning Proposal application must have consideration of the objectives of the *Environmental Planning and Assessment Act 1979* (EP&A Act). The objectives are as follows:

- (a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources;*
- (b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment;*
- (c) to promote the orderly and economic use and development of land;*
- (d) to promote the delivery and maintenance of affordable housing;*
- (e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats;*
- (f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage);*
- (g) to promote good design and amenity of the built environment;*
- (h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants;*
- (i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State;*
- (j) to provide increased opportunity for community participation in environmental planning and assessment.*

This submission is consistent with, and has considered, the objects of the Act, which have been addressed in the various sections of this report and summarised as follows:

- Biodiversity has been previously addressed under the Box Hill North Masterplan approval (**1397/2015/JP**) and will continue to be in accordance with the approved biodiversity offset and biobanking scheme agreed between the developer and OEH. Notwithstanding, the proposal will ensure the biodiversity will be protected and enhanced in accordance with previously approved assessments.
- The proposal will facilitate the orderly, economic use and development of land by preserving an adequate density of land for employment generating activities whilst enabling a range of complementary uses.
- The proposal would support surrounding communities by providing additional housing, commercial, educational establishment and community opportunities to accommodate current and projected growth.
- The proposal generates opportunity for the creation of a mixed-use precinct that delivers high quality design and high levels of amenity.

### **2.4.2 THE HILLS LOCAL ENVIRONMENTAL PLAN 2012**

The Town Centre is subject to the provisions of *The Hills Local Environmental Plan 2012* (THLEP 2012).

The aims of THLEP 2012 are:

- (a) to guide the orderly and sustainable development of The Hills, balancing its economic, environmental and social needs,*

- (b) to provide strategic direction and urban and rural land use management for the benefit of the community,*
- (c) to provide for the development of communities that are liveable, vibrant and safe and that have services and facilities that meet their needs,*
- (d) to provide for balanced urban growth through efficient and safe transport infrastructure, a range of housing options, and a built environment that is compatible with the cultural and natural heritage of The Hills,*
- (e) to preserve and protect the natural environment of The Hills and to identify environmentally significant land for the benefit of future generations,*
- (f) to contribute to the development of a modern local economy through the identification and management of land to promote employment opportunities and tourism.*

The proposal is consistent with the aims of THLEP2012 as it supports the orderly and sustainable development of The Gables ensuring the fostering of liveable communities, as per the previous approvals for the Master Plan.

### ***Zoning and Permissibility***

The Town Centre is zoned B2 Local Centre under to THLEP 2012 (**Figure 7**).

The objectives of the B2 zone are:

- *To provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area.*
- *To encourage employment opportunities in accessible locations.*
- *To maximise public transport patronage and encourage walking and cycling.*

Within the B2 zone the following are permissible without consent:

*Home businesses; Home occupations*

Within the B2 zone the following are permissible with consent:

*Attached dwellings; Boarding houses; Building identification signs; Business identification signs; **Centre-based child care facilities; Commercial premises; Community facilities; Educational establishments;** Entertainment facilities; Function centres; Home-based child care; Information and education facilities; **Medical centres;** Multi dwelling housing; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; **Residential flat buildings;** Respite day care centres; Restricted premises; Roads; Service stations; **Shop top housing;** Tourist and visitor accommodation; Any other development not specified in item 2 or 4*

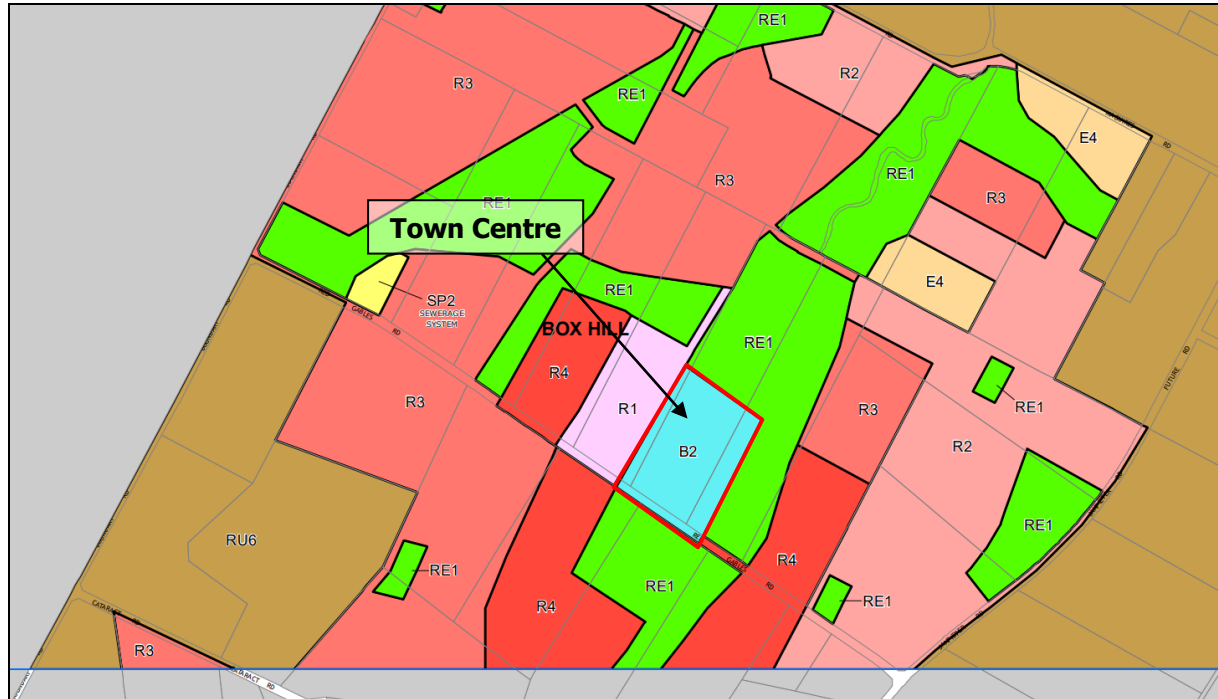
Within the B2 zone the following are prohibited:

*Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Environmental facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Jetties; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Port facilities; Recreation facilities (major); Research stations; **Residential accommodation;** Resource recovery facilities; Rural industries; Sewerage systems; Sex services premises; Signage; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Warehouse or distribution centres; Waste disposal facilities; Water recreation structures; Water supply systems; Wharf or boating facilities; Wholesale supplies*

## Planning Proposal Report – The Gables Town Centre

Amendment to The Hills Local Environmental Plan 2012 – Building Height and Floor Space Ratio  
10, 12 and 14 Red Gables Road, Box Hill (Lot 25 DP 255616, Lot 26 DP 255616 and Lot 27 DP 255616)

The provision of mixed-use Town Centre comprising commercial and retail premises, residential accommodation, community facilities, and educational establishments, is consistent with the B2 objectives as it provides a mixture of compatible land uses in a future highly accessible location. The proposal does not seek to rezone the Town Centre or seek any additional permitted use within the B2 zone.



**Figure 7 | Extract of THLEP 2012 Zoning Map – Sheet LZN\_005**

### ***Minimum Lot Size***

The portion of the Town Centre zoned B2 is subject to 600m<sup>2</sup> minimum lot size.

No change to the minimum subdivision lot size control is required to support the proposal.

### ***Minimum Lot Sizes for Dual Occupancy, Multi Dwelling Housing and Residential Flat Buildings***

Subclause (2) outlines the minimum lot size requirements for a *residential flat building* development lot. The minimum lot size across the B2 Local Centre zone for such development is **4,000m<sup>2</sup>**.

No change to the minimum lot size control is required to support the PP.

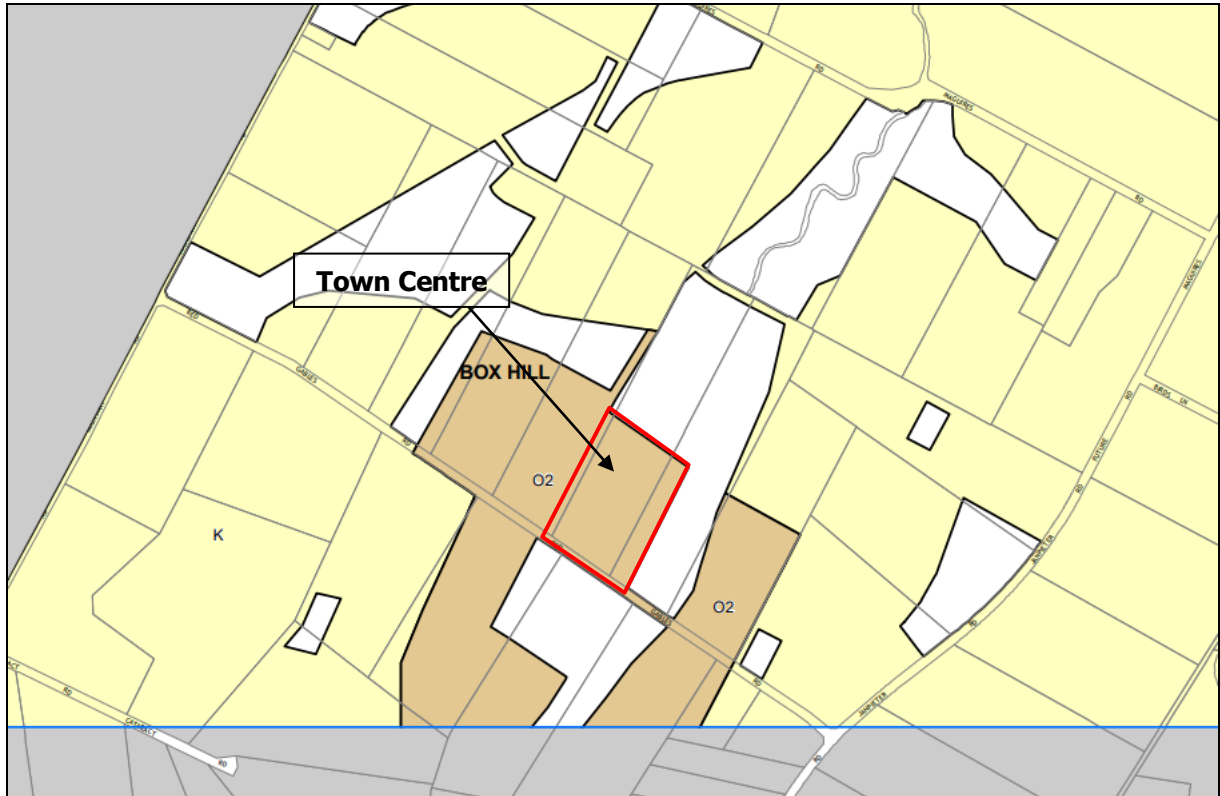
### ***Height of Buildings***

The Town Centre is subject to a maximum building height of 16m pursuant to THLEP 2012 (**Figure 8**).

This PP seeks to amend the Height of Buildings development standard, as described in **Part D**.

## Planning Proposal Report – The Gables Town Centre

Amendment to The Hills Local Environmental Plan 2012 – Building Height and Floor Space Ratio  
10, 12 and 14 Red Gables Road, Box Hill (Lot 25 DP 255616, Lot 26 DP 255616 and Lot 27 DP 255616)



**Figure 8 | Height of Buildings Map (NSW Legislation 2018)**

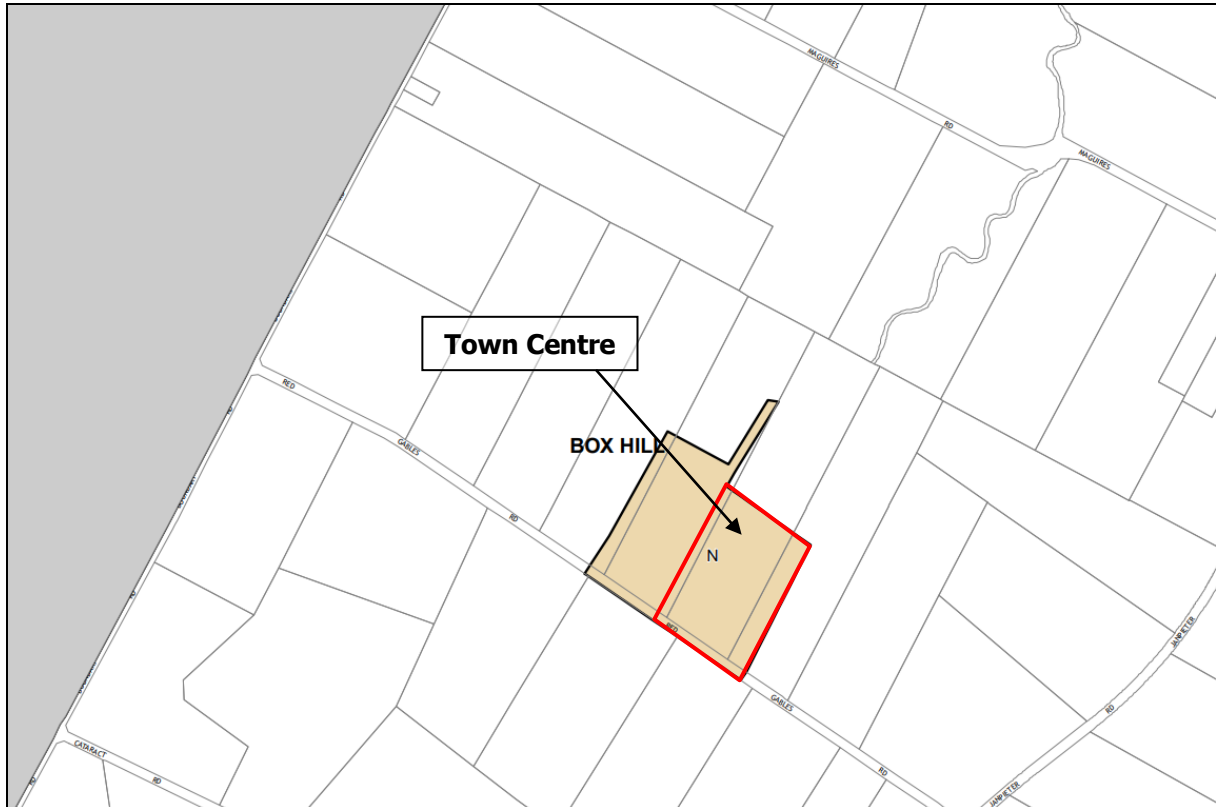
### ***Floor Space Ratio***

The Town Centre is subject to a maximum FSR of 1:1 pursuant to THLEP 2012 (**Figure 9**).

This PP seeks to amend the FSR development standard, as described in **Part D**.

## Planning Proposal Report – The Gables Town Centre

Amendment to The Hills Local Environmental Plan 2012 – Building Height and Floor Space Ratio  
10, 12 and 14 Red Gables Road, Box Hill (Lot 25 DP 255616, Lot 26 DP 255616 and Lot 27 DP 255616)



**Figure 9 | Floor Space Ratio Map (NSW Legislation 2018)**

### ***Heritage Conservation***

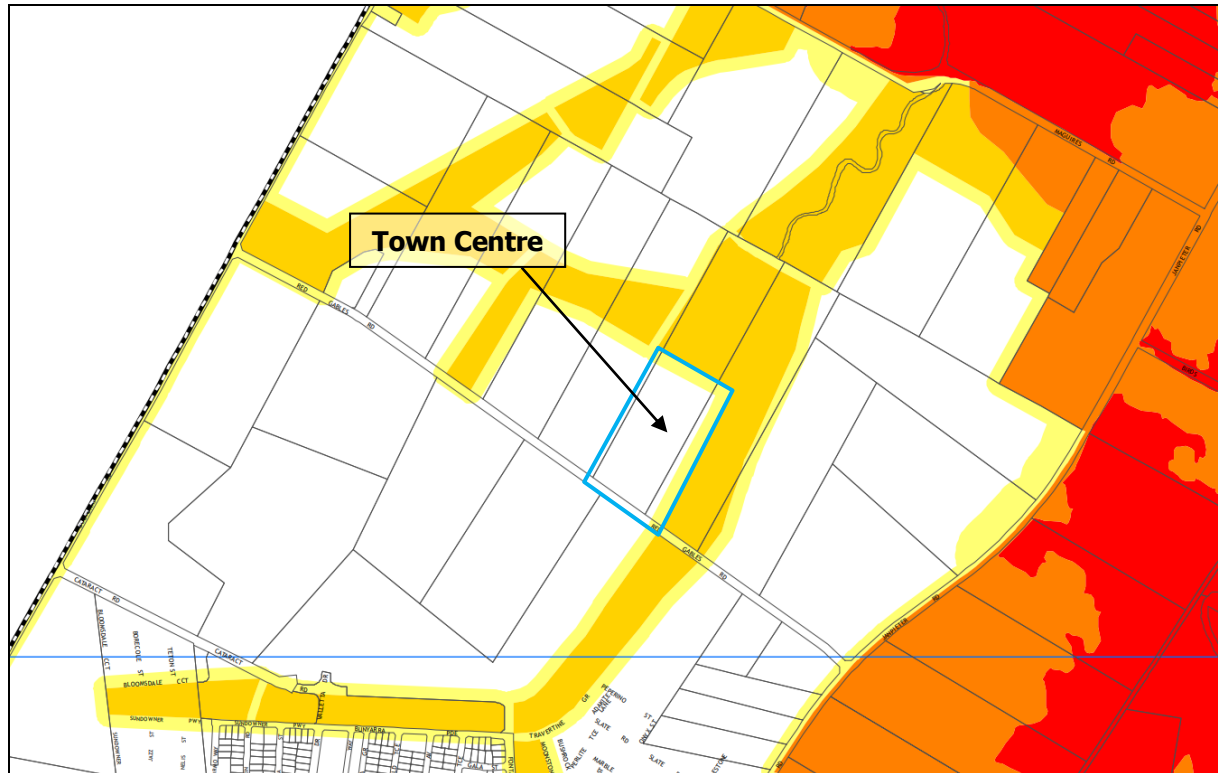
The Town Centre is not identified as an item of environmental heritage, nor is it located within close proximity of an item of environmental heritage. The proposal will not result in any impact on the heritage significance of The Hills Local Government Area.

### ***Bushfire Prone Land***

Council have recently endorsed and adopted updated bushfire mapping prepared by the NSW Rural Fire Service (RFS) which has resulted in additional parts of Box Hill North (namely RE1 zoned land not nominated as park/public open space) being deemed Bushfire Prone Land – Category 2 and Vegetation Buffer (**Figure 10**). The RE1 zoned land directly to the east of the playing fields, containing the riparian corridor, has been categorised as Category 2 with an associated Vegetation Buffer encroaching into the Town Centre.

## Planning Proposal Report – The Gables Town Centre

Amendment to The Hills Local Environmental Plan 2012 – Building Height and Floor Space Ratio  
10, 12 and 14 Red Gables Road, Box Hill (Lot 25 DP 255616, Lot 26 DP 255616 and Lot 27 DP 255616)



**Figure 10 | Revised Bushfire Prone Area Map (Source: The Hills Shire Council, 2018)**

A Bushfire Protection Assessment has been prepared by Ecological Australia and accompanies this application as **Appendix 7**. The proposal has been assessed in accordance with Section 100B of the *Rural Fires Act 1997*, Section 4.14 (formerly 79BA) of the EP&A Act and Planning for Bushfire Protection 2006 (RFS 2006).

The Bushfire Attack Level (BAL) for future dwellings within the proposed subdivision will be determined at the individual dwelling Complying Development Certificate (CDC) or Development Application (DA) stage, however, a maximum of BAL-29 is provided by the subdivision design using AS 3959-2009 fuel loads.

The layout of the Site does not include a public perimeter road between the hazard and the future hazard to the east, therefore, it does not currently comply to the acceptable solution criteria for access and will require further assessment at detailed design to demonstrate that a performance solution is achieved. The current proposal shows there is potential to design trafficable verges into the shared path network, which would allow for access for fire fighting vehicles along the Riparian Corridor.

Overall it is considered the proposal for the Town Centre complies with all relevant acceptable solutions within 'Planning for Bush Fire Protection 2006'.

### **Urban Release Areas**

The Town Centre is identified as being within an 'Urban Release Area' under THLEP 2012. Arrangements for the adequate connection of Precinct E services and infrastructure for water, electricity and the disposal and management of sewage have been addressed under previous development applications and will be again considered in respect of future applications.

A Servicing and Infrastructure Strategy Report has been prepared by BG&E and accompanies this report as **Appendix 6**. The Report confirms that there are no required augmentations to the existing service assets as a result of the PP.

### ***Public Utility Infrastructure***

Arrangements for the adequate connection of Precinct E to services and infrastructure for water, electricity and the disposal and management of sewage have been addressed under previous development applications and will be again considered in respect of future applications. As aforementioned, the accompanying Servicing and Infrastructure Strategy Report (**Appendix 6**) confirms that there are no required augmentations to allow for the proposed development uplift under the subject PP.

### ***Acid Sulfate Soils***

The Acid Sulfate Soils Maps do not identify the Town Centre as containing Acid Sulfate Soils.

### ***Landslide Risk***

The Landslide Risk Map does not identify the Town Centre as being subject to potential land movement or slip.

## **2.4.3 STATE ENVIRONMENTAL PLANNING POLICY NO. 65 DESIGN QUALITY OF RESIDENTIAL APARTMENT BUILDINGS**

*State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Buildings* (SEPP 65) contains nine (9) design principles aimed to ensure a high quality of residential apartment development. More detailed design criteria are provided within the Apartment Design Guide (ADG).

Future redevelopment of the Town Centre for mixed-use development incorporating residential accommodation is required to consider SEPP 65 and the ADG.

SEPP 65 has been considered in the event the Town Centre is developed for residential purposes. The Concept Design demonstrates the proposal is capable of compliance with the key requirements of the ADG, including with respect to building setbacks, building depth, visual privacy, open space, solar access, parking, apartment size and mix, and apartment design. Whilst detailed assessment of a proposed development for the Town Centre would be undertaken at the DA stage, the concept design demonstrates that future mixed-use development on the Site can be designed to provide a high level of amenity for residents of the subject and adjoining sites, as well as the public domain.

## **2.4.4 DRAFT ENVIRONMENTAL PLANNING INSTRUMENTS**

There are no draft Environmental Planning Instruments applicable to the proposed development across the Town Centre.

## **2.4.5 THE HILLS DEVELOPMENT CONTROL PLAN 2012**

*The Hills Development Control Plan 2012* (THDCP 2012) provides a comprehensive framework for development in The Hills, the objectives of which are considered to be achieved through the proposal, as outlined below.

### ***Box Hill North Development Control Plan (Part D Section 17)***

The Box Hill North DCP was created through approval of Planning Proposal **1/2014/PLP** to communicate the planning, design and environmental objectives and controls applicable for the Town Centre.

The objectives of the Box Hill North DCP are as follows:

- (i) *To focus business and community activities in and around the Town Centre with a mix of retail, commercial and community uses.*

## Planning Proposal Report – The Gables Town Centre

Amendment to The Hills Local Environmental Plan 2012 – Building Height and Floor Space Ratio  
10, 12 and 14 Red Gables Road, Box Hill (Lot 25 DP 255616, Lot 26 DP 255616 and Lot 27 DP 255616)

---

- (ii) To create a mixed use Town Centre which has main street characters, is pedestrian friendly and offers high levels of amenity for residents, workers and visitors.*
- (iii) To accommodate up to 10,000m<sup>2</sup> of non-residential floor space principally within the Town Centre.*
- (iv) Accommodate approximately 4,000 dwellings within a range of housing products and densities.*
- (v) Promote innovative housing types/design.*
- (vi) Encourage walking and cycling and use of public transport.*
- (vii) Provide a hierarchy of roads and paths with links to the surrounding area.*
- (viii) Create safe and walkable neighbourhoods.*
- (ix) Provide community and social infrastructure including schools, local parks, district sporting fields that provide for a range of facilities and opportunities.*
- (x) Accommodate water sensitive urban design measures, including the use of recycled water and integrated options for water supply, wastewater and stormwater servicing.*
- (xi) Protect and rehabilitate waterways and riparian corridors as natural systems.*

The proposed amendments are generally consistent with the objectives and controls of the Box Hill North DCP as it supports the development of a vibrant mixed-use community incorporating appropriate densities of housing within the Town Centre.

The more detailed provisions of the Box Hill North DCP will be considered at the DA stage for each respective component of development.

As a result, to the amendment sought to the LEP and desired outcomes for the Town Centre it is acknowledged that the Box Hill North DCP would require further amendments. The proposed amendments to the Box Hill North DCP are discussed in further detail in **Section 4.11** of this report.

## **PART C      OBJECTIVES AND INTENDED OUTCOMES**

### **3.1    OBJECTIVES AND INTENDED OUTCOMES**

The key objective of the PP is to achieve a more appropriate density and distribution of building typologies throughout the Town Centre whilst accommodating a greater range of land uses throughout.

Currently, the building height and FSR standards applied to the Town Centre do not provide ample opportunity to appropriately develop the Site to its full potential. Applying these development standards would result in a gross underutilisation of this land and restrict the delivery of a local centre capable of fully achieving the zone objectives and intended outcomes for the Site. The proposal would facilitate a transition in built form, scale and density, and enhance the connectivity between housing, the town centre and open space. The proposal also allows for the accommodation of a proposed educational establishment without jeopardising the development potential of the Town Centre.

The dedication of approximately 10,000m<sup>2</sup> for an educational establishment within the Town Centre has resulted in a need to provide further uplift within the balance of the Site and achieve the delivery of an appropriate amount of residential, commercial and community floor space.

The intended outcome will be achieved with respect to the following objectives:

- Amend the THLEP 2012 Floor Space Ratio and Height of Buildings Maps to achieve the desired uplift in density in the Town Centre;
- Facilitate the delivery of a proposed educational establishment;
- Maintain and increase residential and commercial floor space throughout the balance of the town centre;
- Provide improved urban design outcome throughout the Site and surrounding;
- Provide improved public domain, connectivity and public open space opportunities throughout the Site;
- Provide an improved density transition between low, medium and high-density residential areas and commercial land use within the Town Centre;
- Provide a range of housing opportunities within the Town Centre;
- Provision of additional employment opportunities close within the Town Centre, closer to housing;
- Activate the Site and public domain at street level through the provision of active ground floor uses and high-quality architectural design;
- Ensure strategically located land is able to be developed to their full potential by recognising the housing product being sought by new home buyers;
- Facilitate a greater range of land uses of benefit to the community including a proposed educational establishment and other supporting/commensurate land uses;
- Contribute to the planned and projected growth of Box Hill North over the long term;
- Facilitate the provision of greater and improved open space, community and pedestrian spaces; and

## **Planning Proposal Report – The Gables Town Centre**

Amendment to The Hills Local Environmental Plan 2012 – Building Height and Floor Space Ratio  
10, 12 and 14 Red Gables Road, Box Hill (Lot 25 DP 255616, Lot 26 DP 255616 and Lot 27 DP 255616)

---

- With the provision of additional housing population within the region, there is also a necessity to ensure additional employment and commercial, recreational and community services/facilities are appropriately delivered.

The future development of the Site for mixed-use development will be subject to separate approval under Development Application in respect of THLEP 2012.

**Appendix 1** illustrates the preliminary design concepts for the proposed future redevelopment at the Site including the general built form, roads, access, parking and landscaped open space areas.

## **PART D EXPLANATION OF PROVISIONS**

### **4.1 OVERVIEW**

The amendments sought to the THLEP 2012 are in relation to the existing building height and FSR development standards.

The proposal does not seek a rezoning of the Site or any additional permitted uses and shall not contravene the objectives of the B2 zoned land. The amendments sought to these standards are further discussed in **Sections 4.2** and **Section 4.3** below.

### **4.2 AMENDMENT TO THLEP 2012 HEIGHT OF BUILDINGS**

Amendment is sought to **Clause 4.3 Height of Buildings** of THLEP 2012 in order to achieve the objectives of the proposal, being the future development of the Town Centre for mixed-use development.

Pursuant to Clause 4.3 of THLEP 2012 the Site is currently subject to a **16m maximum building height**. Height of Buildings is defined as:

- (a) in relation to the height of a building in metres – the vertical distance from ground level (existing) to the highest point of the building, or*
- (b) in relation to the RL of a building – the vertical distance from the Australian Height Datum to the highest point of the building,*

*including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like.*

The extent of the increase varies from each sub-precinct. However, the maximum building height sought ranges from 16m to 27m. **Table 3** below demonstrates the existing and proposed building heights across the Town Centre sub-precincts:

<b>Table 3   Building Heights Existing and Proposed</b>				
<b>Sub-Precinct</b>	<b>Existing</b>	<b>Proposed (max.)</b>	<b>No. of Storeys</b>	<b>Variation</b>
<b>Precinct E1</b>	16m	18m	1-4	2m
<b>Precinct E2</b>	16m	27.4m	1-7	11.4
<b>Precinct E3</b>	16m	18.1m	3-5	2.1m
<b>Precinct E4</b>	16m	27.4m	5-8	11.4m
<b>Proposed Educational (Precinct E5)</b>	16m	-	-	-
<b>Average</b>	-	22.7m (excl. P. E5)	5 (16.5m)	-

The objectives of Clause 4.3 are as follows:

- (a) to ensure the height of buildings is compatible with that of adjoining development and the overall streetscape.*
- (b) to minimise the impact of overshadowing, visual impact, and loss of privacy on adjoining properties and open space areas.*

The objectives of Clause 4.3 would be satisfied as a result of the amendments as follows:

## Planning Proposal Report – The Gables Town Centre

Amendment to The Hills Local Environmental Plan 2012 – Building Height and Floor Space Ratio  
10, 12 and 14 Red Gables Road, Box Hill (Lot 25 DP 255616, Lot 26 DP 255616 and Lot 27 DP 255616)

---

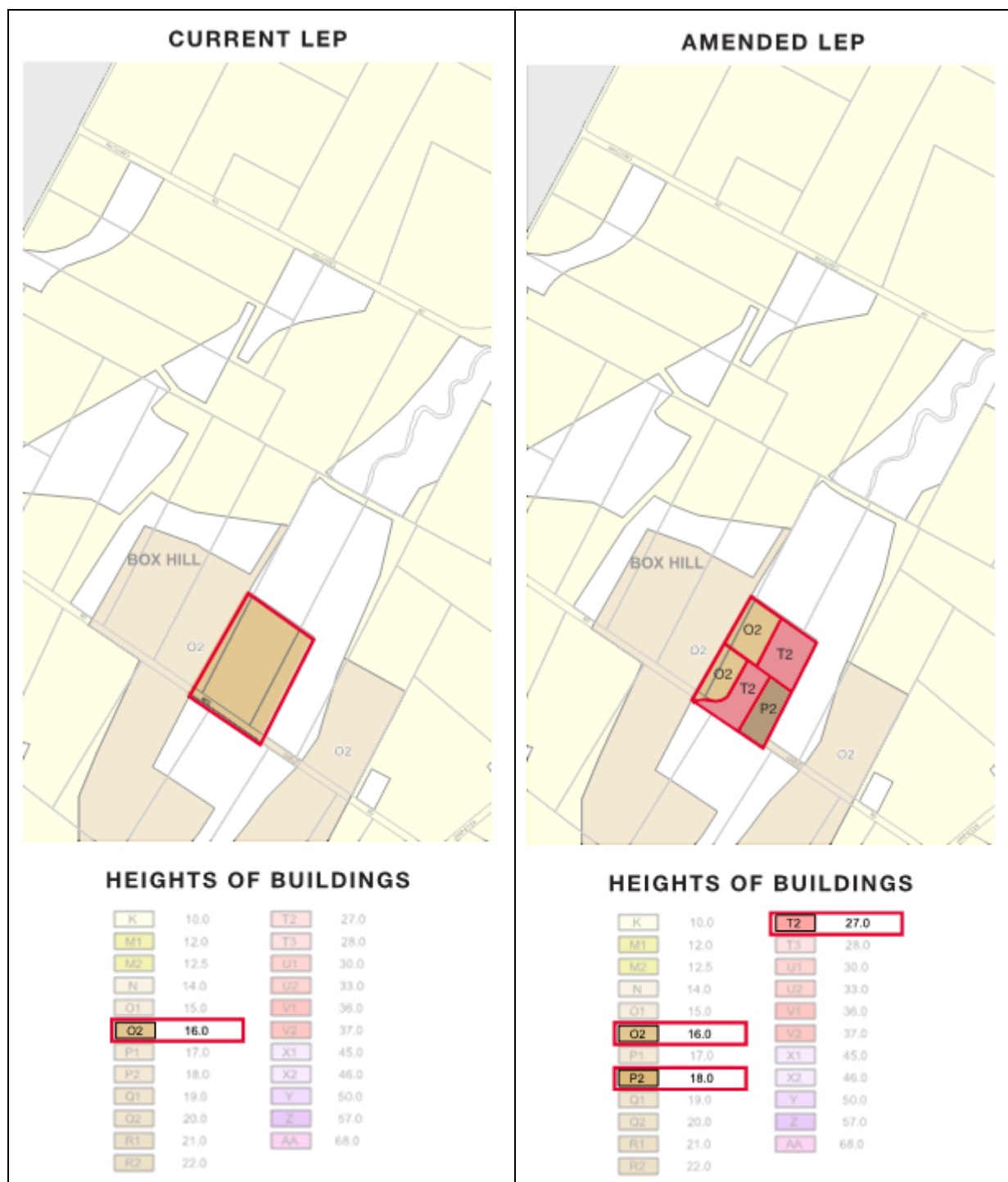
- The height of the development has been informed by site and context analysis, as outlined in the Architectural Drawings at **Appendix 1**.
- The sought development standard building height varying from 16 metres to 27 metres will ensure the height of the future built form is consistent with the desired future character of The Gables and provides for the efficient and sustainable use of the land.
- The proposal will be designed to provide a suitable level of amenity and minimise impact on overshadowing, visual impact, and loss of privacy on adjoining properties and open space areas, improving overall amenity and public domain.
- The proposal will not result in an undesirable urban design outcome.

The required extent of the LEP amendment for additional building height is shown in **Figure 11**.

## Planning Proposal Report – The Gables Town Centre

Amendment to The Hills Local Environmental Plan 2012 – Building Height and Floor Space Ratio

10, 12 and 14 Red Gables Road, Box Hill (Lot 25 DP 255616, Lot 26 DP 255616 and Lot 27 DP 255616)



**Figure 11 | Existing and Amended Building Height Map (Source: Rothelowman, 2018)**

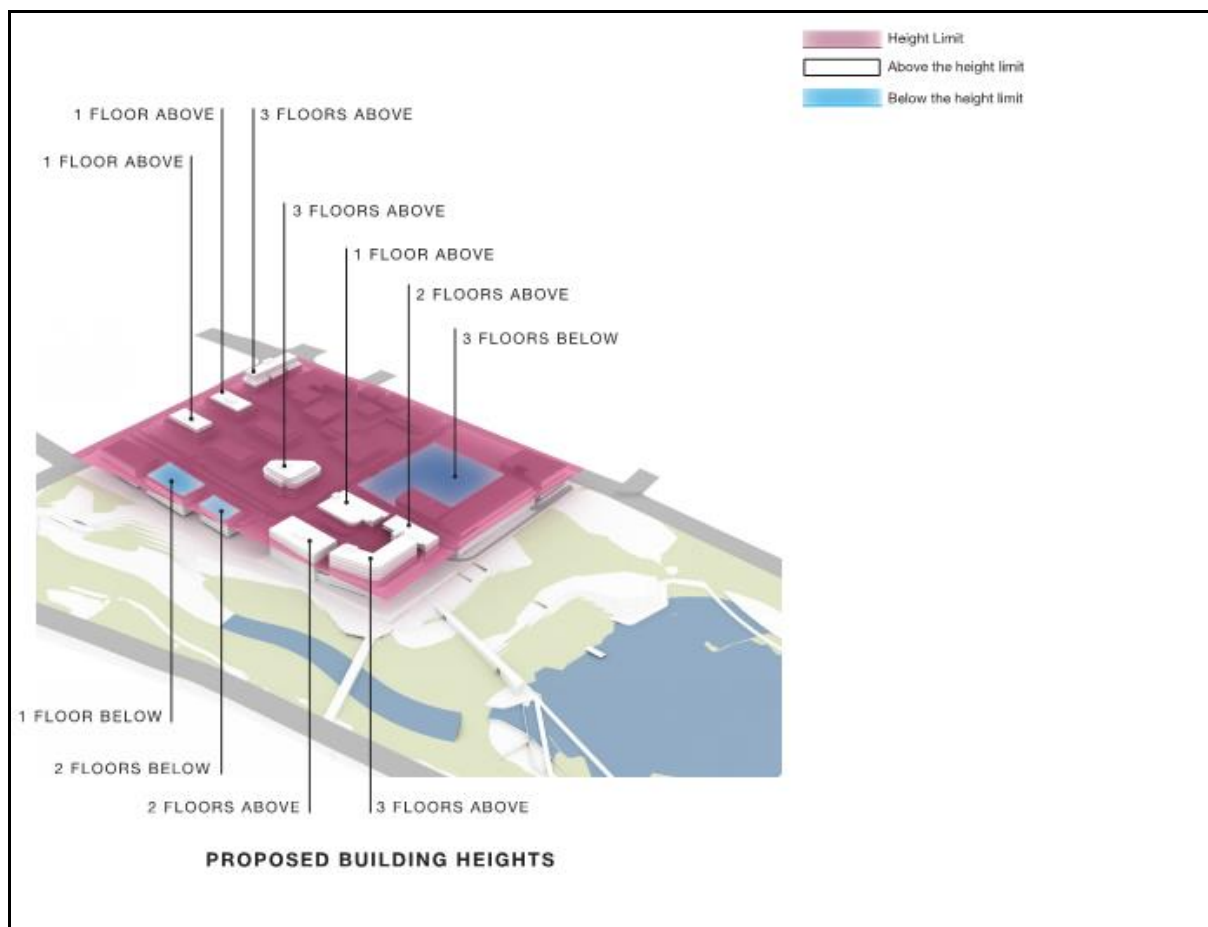
Whilst a range of building heights are sought throughout each sub-precinct, only one (1) maximum building height is proposed for each sub-precinct within the LEP Maps. However, the resulting building heights within each sub-precinct shall be guided and restricted by the FSR applied to each (refer to **Section 4.3** below). Accordingly, the maximum LEP height sought for sub-precincts E2 – E5 could not be achieved across the entire sub-precinct, thus facilitating and encouraging a variety of building heights throughout the Town Centre.

As a result of the proposed amendments, the built form and floor space controls for the Town Centre would be more dynamic and result in an improved urban design outcome. A variety of heights above and below the existing maximum height plane have been generated through a detailed and integrated

## Planning Proposal Report – The Gables Town Centre

Amendment to The Hills Local Environmental Plan 2012 – Building Height and Floor Space Ratio  
10, 12 and 14 Red Gables Road, Box Hill (Lot 25 DP 255616, Lot 26 DP 255616 and Lot 27 DP 255616)

design process. **Figure 12** below illustrates the varying height planes and extrusions being sought under this PP.



**Figure 12 | Building Height Amendments Assessment (Source: Rothelowman, 2018)**

### 4.3 AMENDMENT TO THLEP 2012 FLOOR SPACE RATIO

To achieve the objectives of the proposal, it is also required to amend **Clause 4.4 Floor Space Ratio** of THLEP 2012 to allow increased density.

Pursuant to Clause 4.4 of THLEP 2012 the Site is currently subject to a **1:1 maximum FSR**.

To facilitate the desired outcome for the Site, the maximum FSR (rounded up) sought for the Site would be as outlined in **Table 4** below.

<b>Table 4   Floor Space Ratio Existing and Proposed</b>		
<b>Sub-Precinct</b>	<b>Existing</b>	<b>Proposed</b>
<b>Precinct E1</b>	1:1	1:1
<b>Precinct E2</b>	1:1	1.89:1
<b>Precinct E3</b>	1:1	1.18:1
<b>Precinct E4</b>	1:1	1.64:1
<b>Precinct E5</b>	1:1	2.1
<b>Town Centre</b>	1:1	1.35:1

## Planning Proposal Report – The Gables Town Centre

Amendment to The Hills Local Environmental Plan 2012 – Building Height and Floor Space Ratio  
10, 12 and 14 Red Gables Road, Box Hill (Lot 25 DP 255616, Lot 26 DP 255616 and Lot 27 DP 255616)

---

The objectives of Clause 4.4 are as follows:

- (a) to ensure development is compatible with the bulk, scale and character of existing and future surrounding development;*
- (b) to provide for a built form that is compatible with the role of town and major centres.*

The existing objectives of Clause 4.4 would not be altered by this proposal but rather would be achieved by the amendment, as follows:

- The proposal will result in a more desirable urban design outcome and will provide opportunity for the delivery of a local centre that is able to be developed to its full potential;
- The proposal would provide a built form which takes into consideration the existing and anticipated built form surrounding the Site, and which is compatible with the context of the Site.
- The design outcome as a result of the PP aims to redistribute the gross floor area across the Site in order to achieve a better urban design outcome.

The desired extent of this LEP amendment for additional FSR is shown in **Figure 13**.

## Planning Proposal Report – The Gables Town Centre

Amendment to The Hills Local Environmental Plan 2012 – Building Height and Floor Space Ratio

10, 12 and 14 Red Gables Road, Box Hill (Lot 25 DP 255616, Lot 26 DP 255616 and Lot 27 DP 255616)



**Figure 13 | Current and Amended Floor Space Ratio Map (Source: Rothelowman, 2018)**

The FSR sought across the site is a consequence of the built form generated in this proposal, and the various densities across each sub-precinct reflects the desired character and capacity for each part of the Town Centre. **Figure 14** illustrates a comparative analysis of the existing FSR controls in comparison to the amended FSR controls sought under this PP, and the resultant built form and urban design outcome.



**Figure 14 | Current and Proposal FSR Controls (Source: Rothelowman, 2018)**

#### **4.4 CONCEPTUAL BUILT FORM**

In accordance with the desired development outcome for the Town Centre, indicative built form plans (**Appendix 1**) have been prepared by Rothelowman Architects and include analysis of vehicle/pedestrian/cycle movement, active street frontages, open space and building massing.

The desired built form outcomes across the five (5) sub-precincts are summarised in **Tables 5** below, as presented in **Appendix 1**.

## Planning Proposal Report – The Gables Town Centre

Amendment to The Hills Local Environmental Plan 2012 – Building Height and Floor Space Ratio  
10, 12 and 14 Red Gables Road, Box Hill (Lot 25 DP 255616, Lot 26 DP 255616 and Lot 27 DP 255616)

**Table 5/ Built Form Summary**

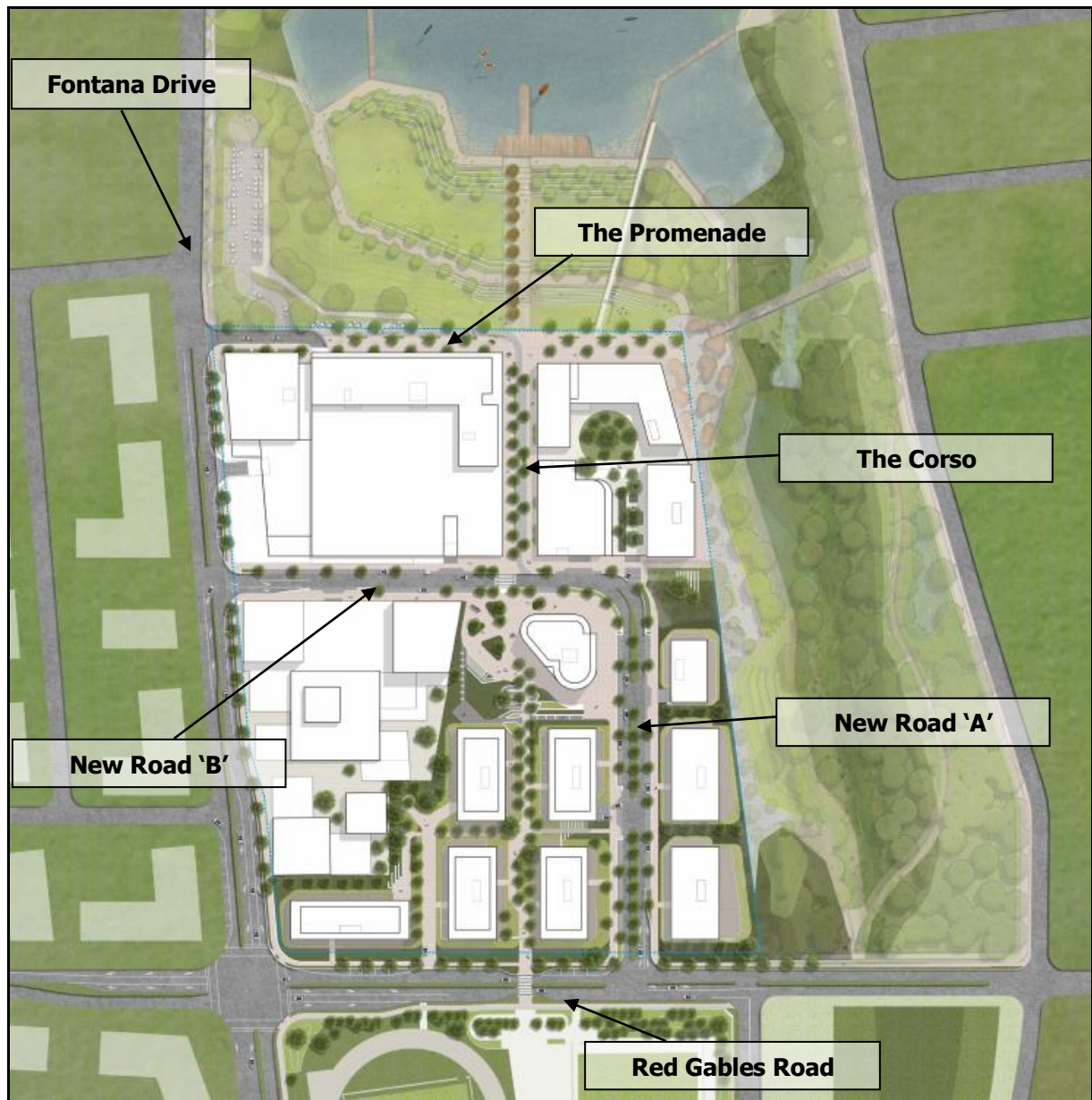
Precinct	Site Area	GFA	FSR	Height (range in storeys)
<b>Precinct E.1</b>	14,500.6m <sup>2</sup>	14,294.9m <sup>2</sup>	1:1	1-5 storeys
<b>Precinct E.2</b>	8,707.9m <sup>2</sup>	16,461.9m <sup>2</sup>	1.89:1	1-7 storeys
<b>Precinct E.3</b>	6,822.7m <sup>2</sup>	8,049.6m <sup>2</sup>	1.18:1	3-5 storeys
<b>Precinct E.4</b>	16,523m <sup>2</sup>	27,168.2m <sup>2</sup>	1.64:1	5-8 storeys
<b>Proposed Educational Establishment (Precinct E5)</b>	10,000m <sup>2</sup>	20,000m <sup>2</sup>	2:1	-
<b>Total Town Centre</b>	63,671m <sup>2</sup>	85,974.6	1.35:1	1-8 storeys

The indicative built form (**Figure 15**) illustrates the potential layout of buildings, building heights (ranging from 2 – 8 storeys), open space and landscaping. The plan demonstrates a range of built form throughout the Site with varying heights and orientations with consideration of the interfaces with Fontana Drive, Red Gables Road, The Promenade, The Corso, New Road 'A' and 'B', The Lake and Riparian Corridor (refer to **Figure 16**). Collectively, the overall built form comprises an FSR of approximately 1.35:1.

**Figure 15** below illustrates the development potential and opportunity that may be achieved across the Site. This is shown in further detail in **Appendix 1**.



**Figure 15 | Perspective of Town Centre (Source: Rothelowman, 2018)**



**Figure 16 | Integration of Roads and Built Form (Rothelowman, 2018)**

As demonstrated above, the desired ultimate development outcome for the Town Centre departs from the current building height and FSR development standards being 16m and 1:1 respectively.

#### **4.5 PUBLIC DOMAIN AND LANDSCAPE**

The ultimate development outcome sought to be achieved through the proposed LEP amendments, would significantly improve the quality of the public domain and connectivity throughout and adjacent to the Site. By enabling greater flexibility and alternative built form typologies, there is further opportunity to create new public spaces and expand the scale of the public domain to the benefit of the local community and will provide improved connectivity to the Lake to the north of the Town Centre, from adjoining development to the south.

An activated public domain would be achieved through:

- Ground level public open spaces;
- New pedestrian through site links;

## Planning Proposal Report – The Gables Town Centre

Amendment to The Hills Local Environmental Plan 2012 – Building Height and Floor Space Ratio  
10, 12 and 14 Red Gables Road, Box Hill (Lot 25 DP 255616, Lot 26 DP 255616 and Lot 27 DP 255616)

- Active commercial and retail frontage at street level;
- Orientation of buildings to address the street, lanes and public open spaces;
- Improved pedestrian infrastructure including widened footpaths and awnings;
- Pedestrian and Cycle Links; and
- Provision of appropriately landscaped areas.

The Landscape Master Plan is visually depicted in **Figure 17**. Further details of landscaping are provided in the Landscape Report prepared by Aecom, provided in **Appendix 2**. State and Local Government Policies have guided the concept landscape scheme for the future development of the Town Centre.



**Figure 17 | Landscape Master Plan (Source: AECOM, 2018)**

As demonstrated in **Appendix 2**, the increased building heights and FSRs across the Site will facilitate the delivery of potentially smaller building floorplates, as well as a variety of commensurate land uses. The resulting building floorplates will ultimately enable greater opportunity to provide improved pedestrian connectivity and links, and public domain areas, creating a more interactive and greener local centre, which is not dominated by hard surfaces. The main spine, between the Town Centre and the Lake and associated public open space, will further strengthen the pedestrian connectivity across the Site and improves the public domain and pedestrian relation to the built form. Key pedestrian links and connectivity will be clearly defined by a variety of planting and the creation of active community space dispersed throughout the Town Centre.

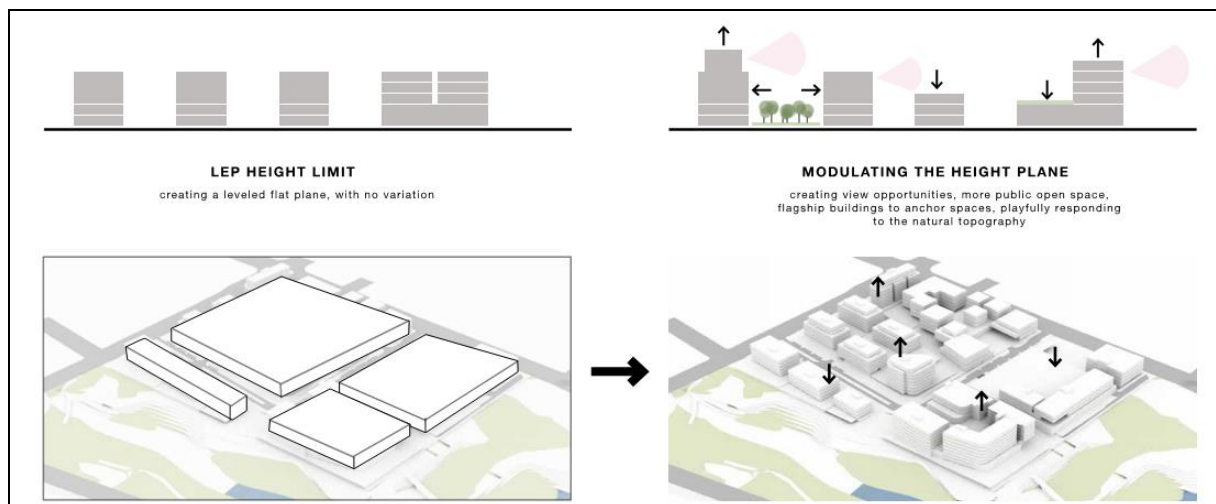
The plan has been broken up into five key precincts in order to minimise the bulk and scale from a streetscape perspective and offer improved pedestrian/ cycle access throughout the Site and connectivity to the Lake to the north. Each of the individual precincts have been designed to create an improved urban design outcome and pedestrian activity, that responds to the local context and environment. The 'greening' of the pedestrian links would contribute to the fine grain and human scale of the streetscape, positively contributing to the microclimate, biodiversity and habitat, whilst optimising opportunities for social interaction amongst residents.

## 4.6 URBAN DESIGN

The Site leverages on place-making attributes to create a Town Centre with a unique identity. The proposal has been strongly driven in response to the local context and topography in order to deliver a Town Centre that will serve the future residents and users of The Gables. The concept design demonstrates that the future mixed-use development on the site can be designed to provide a high level of amenity for both the residents and consumers of the Site and surrounding development.

The PP aims to deliver an improved and superior urban design outcome to that currently achievable under the existing build form development standards. The Site provides a unique opportunity to provide a high level of amenity and interest to a place where people want to visit and interact. For this reason alone, the proposal is considered to warrant consideration in an attempt to avoid a gross underutilisation of The Gables Town Centre.

**Figure 18** clearly illustrates the how the proposed amendments will improve the built form and urban design outcomes of the Town Centre through creation of view opportunities, activated public open space, and articulation in the future built form.



**Figure 18 | Comparative Analysis of Existing and Amended Planning Controls (Source: Rothelowman, 2018)**

## 4.7 EDUCATIONAL ESTABLISHMENT

The Department of Education and Training have identified the need for educational infrastructure within Sydney's North West, in particular The Hills Shire Local Government Area.

The proposed amendments to the building height and FSR development standards have been informed by the opportunity to dedicate a portion of the Town Centre for the purpose of an educational establishment within sub-precinct E5. It is understood the proposed educational establishment would have the capacity to accommodate approximately 2,000 students.

The dedication of this land (approximately 10,000m<sup>2</sup>) means that the previously planned and intended commercial, residential and community outcomes for the Town Centre could likely not come to fruition without departing from the existing development standards. Further, the existing development standards would be unlikely to appropriately cater to allow the delivery of an educational establishment in this location, thus forfeiting the opportunity to positively respond to need for educational infrastructure in this area.

Therefore, the amendments sought under this PP would allow the opportunity for a portion of the Town Centre to be developed for the purpose of an educational establishment and provide a further social and community contribution to The Gables.

#### **4.8 BOX HILL NORTH MASTERPLAN**

The Box Hill North Masterplan was approved under **1397/2015/JP** on 9 February 2016 to guide the future development of the Site. Development within the Box Hill North precinct is to be carried out in accordance with the Master Plan Conditions of Consent.

The proposal is consistent with the approved outcomes of the Masterplan.

#### **4.9 BOX HILL NORTH VOLUNTARY PLANNING AGREEMENT**

The Box Hill North Voluntary Planning Agreement (VPA) was executed on 12 March 2015 between The Hills Council and EJ Cooper & Son Ltd (the developer) in respect of the Planning Proposal for the rezoning of the land.

Schedule 2 of the VPA nominates a dwelling yield for Precinct E of **545 dwellings**. The amendments sought under this PP are anticipated to result in an exceedance of this dwelling yield for Precinct E.

<b>Table 6   Precinct E Dwelling Yield</b>	
<b>Precinct Zone</b>	<b>Dwelling Yield</b>
Anticipated Yield - B2 Local Centre (the Site)	circa. 570
Anticipated Yield - R1 General Residential	circa. 200
Anticipated Yield – R3 Medium Density	circa. 30
<b>Total Anticipated Yield</b>	<b>circa. 800</b>

The dwelling yield is anticipated to exceed that previously nominated under VPA by approximately 255 dwellings. Whilst a dwelling yield increase is anticipated within Precinct E, the full extent of how this land will be developed, and the resulting yield, is currently unknown and will be driven by the housing market at the time of development.

Notwithstanding the variation in dwelling yield for Precinct E, as demonstrated in **Table 7** below, The Gables Precinct (subject to the existing VPA) is anticipated to experience a total variation of approximately 202 additional dwellings.

<b>Table 7   The Gables Master Plan Dwelling Yield</b>			
<b>Precinct</b>	<b>VPA Approved Dwellings</b>	<b>Proposed Dwelling Yield</b>	<b>Variation</b>
Precinct A	593	540	-53
Precinct B	897	897	-
Precinct C	243	243	-
Precinct D	405	405	-
Precinct E	545	800	+255
Precinct F	331	331	-
Precinct G	190	190	-
Precinct H	388	388	-
Precinct I	508	508	-
<b>Total</b>	<b>4,100</b>	<b>4,302 (approx.)</b>	<b>+202</b>

## Planning Proposal Report – The Gables Town Centre

Amendment to The Hills Local Environmental Plan 2012 – Building Height and Floor Space Ratio  
10, 12 and 14 Red Gables Road, Box Hill (Lot 25 DP 255616, Lot 26 DP 255616 and Lot 27 DP 255616)

It is acknowledged that under Clause 24 of the VPA (Monetary Contributions for exceedance of the proposed number of dwellings) seeking dwellings/lots in exceedance the nominated VPA yields requires a monetary contribution by the developer and thus consideration of Contributions Plan No. 16 – Box Hill North. Refer to **Section 4.10** below.

### 4.10 SCHOOL/STATE VPA

The Box Hill North Precinct Planning Agreement was executed on 6 May 2015 between the Minister for Planning and EJ Cooper & Son Pty Limited (the developer) and makes provision for the provision of infrastructure for public purposes by the developer, in connection with the Planning Proposal for Box Hill North. The proposal has no impact on the obligations of the State VPA.

### 4.11 CONTRIBUTIONS PLAN NO. 16

Contributions Plan No. 16 (CP16) for Box Hill North provides a per dwelling/lot contribution rate. Whilst this rate does apply to lots/dwellings within the maximum yield under Schedule 2 (4,100) of the VPA, this rate is applied for all lots/dwellings which exceed the maximum yield.

Box Hill North is identified as a 'Local Infrastructure Growth Scheme (LIGS) transitional area' under the Ministerial Direction for which CP was formally endorsed for LIGS funding (State Contributions Cap).

The proposed amendments to the development standards are likely to result in an exceedance to the nominated dwelling yield of 545 dwellings across Precinct E. However, at present the extent of the anticipated exceedance is uncertain.

### 4.12 BOX HILL NORTH DEVELOPMENT CONTROL PLAN

The proposed amendments would generally be consistent with the objectives and controls of the Box Hill North DCP as it supports the development of a vibrant mixed-use community incorporating appropriate densities of housing within the Town Centre. However, it is acknowledged that the following sections would need to be amended to reflect the proposed development. **Table 8** proposes the following wording for the revised Sections of the Box Hill North DCP.

<b>Table 8   Amendments to Box Hill North DCP</b>		
<b>Section</b>	<b>Existing Objective Control</b>	<b>Proposed Objective Control</b>
<b>1.3 Aim, Vision and Objectives of this Section</b>	<ul style="list-style-type: none"><li>Objectives:<ul style="list-style-type: none"><li>To accommodate up to 10,000m<sup>2</sup> of non-residential floor space principally within the Town Centre.</li></ul></li></ul>	<ul style="list-style-type: none"><li>Objectives:<ul style="list-style-type: none"><li>To accommodate a <b>minimum of 10,000m<sup>2</sup> of non-residential floor space</b> principally within the Town Centre</li></ul></li></ul>
<b>2.3 Town Centre</b>	<ul style="list-style-type: none"><li>A range of building heights (up to 5 storeys, or 16m) with a transition to surrounding residential areas.</li></ul>	<ul style="list-style-type: none"><li>A range of heights (<b>up to 8 storeys and 27m</b>) with a transition to surrounding residential areas.</li></ul>
<b>Figures</b>	<ul style="list-style-type: none"><li>Town Centre ILP (Figure 3);</li><li>Town Centre ILP (Figure 4);</li></ul>	<ul style="list-style-type: none"><li>Refer to Figures below.</li></ul>
<b>Road Cross Sections</b>	-	<ul style="list-style-type: none"><li>Local Street – Road A</li><li>Local Street – Road B</li><li>Local Street – Road C</li><li>Local Street – Fontana Drive</li></ul>

## Planning Proposal Report – The Gables Town Centre

Amendment to The Hills Local Environmental Plan 2012 – Building Height and Floor Space Ratio  
10, 12 and 14 Red Gables Road, Box Hill (Lot 25 DP 255616, Lot 26 DP 255616 and Lot 27 DP 255616)

Further to the above, in response to the amendments sought, Figure 3 and Figure 4 under the Box Hill North DCP are proposed to be amended to reflect the ultimate development outcomes sought. **Figure 19** and **Figure 20** below illustrates the existing ILPs under the DCP, and **Figure 21** illustrates the amended ILP, capturing the amendments sought.

The new road cross sections are captured in the accompanying Landscape Master Plan (**Appendix 2**).

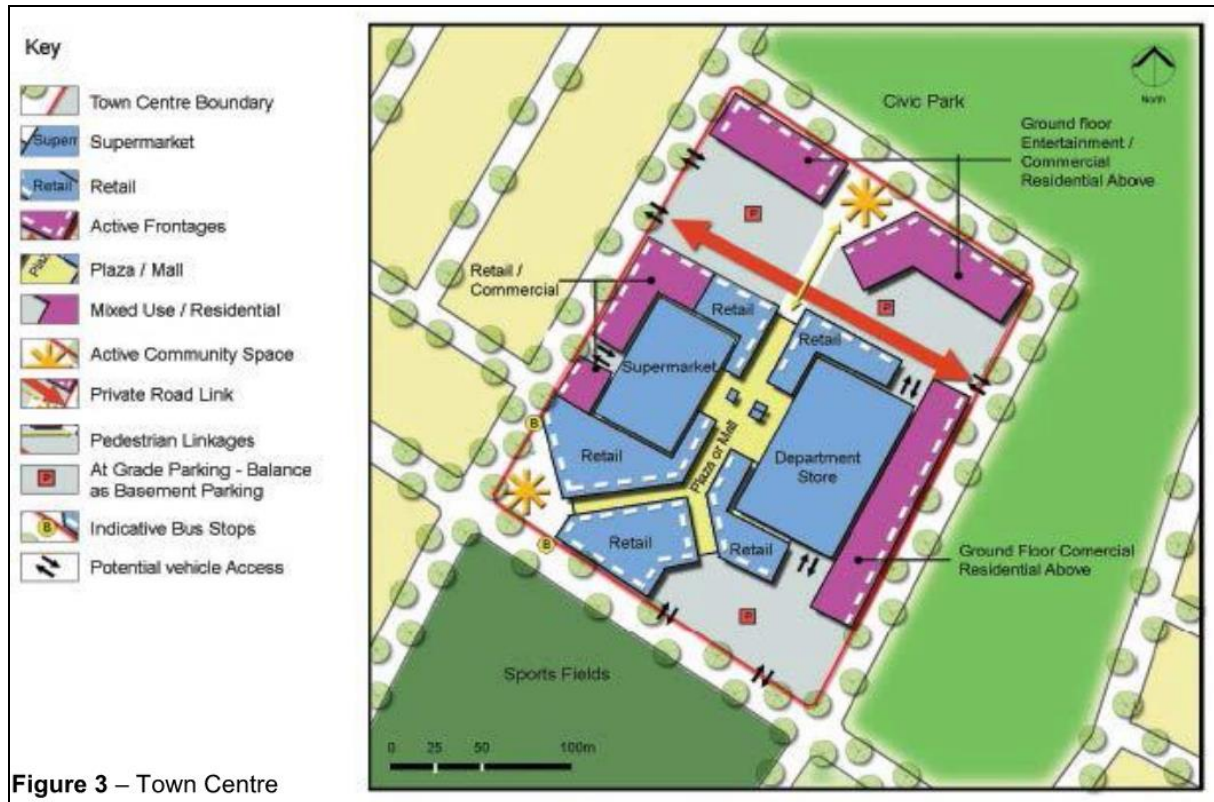


Figure 3 – Town Centre

Figure 19 | Existing ILP, Figure 3 – Town Centre (Source: Box Hill North DCP)

## Planning Proposal Report – The Gables Town Centre

Amendment to The Hills Local Environmental Plan 2012 – Building Height and Floor Space Ratio

10, 12 and 14 Red Gables Road, Box Hill (Lot 25 DP 255616, Lot 26 DP 255616 and Lot 27 DP 255616)



Figure 20 | Existing ILP, Figure 4 – Town Centre (Source: Box Hill North DCP)



## **PART E JUSTIFICATION FOR PROPOSED LEP AMENDMENT**

### **5.1 NEED FOR THE PLANNING PROPOSAL**

The Department of Planning and Environment document *"A Guide to Preparing Planning Proposals"* includes the following questions in describing the need for the Planning Proposal.

#### **5.1.1 IS THE PLANNING REPORT A RESULT OF ANY STRATEGIC STUDY OR REPORT?**

The PP is not the direct result of a strategic study or report. The proposed amendment to THLEP 2012 to facilitate the desired future development of the Site does however align with a number of State and regional strategic studies and reports.

The intention of the PP is to achieve an appropriate built form and density across the Site to enable the provision of additional employment and housing opportunities within the Urban Release Area, whilst providing a greater range of land uses of benefit the community and facilitating the provision of greater and improved open space and pedestrian areas. The benefits; opportunities; and strategic merit of the PP shall be further explored and responded to as part of the PP submission.

Overall, the desired outcomes and objectives are consistent with the State, Regional and Local strategic planning framework, as outlined in the ensuing sections of this report.

These studies and reports have been addressed in the ensuing sections of the report.

##### **5.1.1.1 NSW 2021: A PLAN TO MAKE NSW NUMBER ONE**

NSW 2021 was developed by the NSW State Government to set economic, social and environmental directions for NSW. It sets targets, priorities and actions for delivery of services across the State. The proposed development is consistent with the five (5) agenda items under NSW 2021, including:

- Rebuild the economy;
- Return quality services;
- Renovate infrastructure;
- Strengthen our local environment and communities;
- Restore accountability to government.

Key priority actions and targets outlined in each strategy are discussed below as they relate to the proposed development across the Site.

#### **Rebuild the Economy**

The Government's number one priority is to restore economic growth and establish NSW as the first place in Australia to do business. The proposed development would positively contribute to the economy through the provision of employment-generating development in the form of additional commercial floor space, as-well-as promoting additional job opportunities during the construction phases of development.

Further to the above, the proposed development would stimulate additional commercial activity in the locale with positive connotations for surrounding businesses. Similarly, the provision of new jobs and services close to where people live, work and visit would improve the overall level of service-provision in the area.

Furthermore, the proposed development would provide the opportunity to improve the availability and affordability of housing through additional supply and diversity. As such, the proposed development would positively contribute towards dwelling targets.

## **Return Quality Services**

The Government's goal to return quality services includes targets relating to the improved efficiency of the road network, increased use of public transport and walkability. The provision of additional commercial floor space and residential accommodation within the Centre would promote the adoption of active transport modes by site users. As such, the proposed development would contribute to the attainment of the following targets:

- *Improve the efficiency of the road network during peak times on Sydney's road corridors.*
- *Increase walking and cycling.*

In light of the above, the proposal is considered to be consistent with NSW 2021 in that it will positively contribute to the economy by providing additional jobs and housing in a highly accessible location.

### **5.1.1.2 GREATER SYDNEY REGION PLAN**

*The Greater Sydney Region Plan (the Plan), A Metropolis of Three Cities* sets a 40-year vision (to 2056) for growing Greater Sydney with a focus on the regional significance of central and western Sydney in order to contribute to a more productive, liveable and sustainable city. The Plan has been prepared concurrently with *Future Transport 2056* and *State Infrastructure Strategy 2018-2038* to align land use, transport and infrastructure outcomes for Greater Sydney.

The Plan envisages Sydney as a metropolis of three (3) cities, including:

- The Western Sydney Parkland City;
- The Central River City; and
- The Eastern Harbour City.

The Site is located on the northern fringe of the Central River City. The Plan seeks to foster productivity, liveability and sustainability, to be achieved through the '30 minute city' model by which more than 60% of people live within 30 minutes of jobs, education, health facilities and services. The creation of the 30 minute city is to be promoted through infrastructure investment and coordinated transport and land use planning.

Priorities for Greater Sydney are summarised as follows:

- **A productive Sydney:**
  - A growing city of 817,000 additional jobs, 1.74 million additional people, 725,000 new homes and \$655 billion worth of economic activity;
  - Smart jobs including increased knowledge-intensive, health and education jobs, as well as increased productivity per worker;
  - A 30-minute city characterised by better accessibility to an increased range of jobs, local services and amenities, including for socially disadvantaged areas;
  - By 2036 the Central City is envisioned as a health, education, administration, and finance and business services hub;
- **A liveable Sydney:**
  - An equitable, polycentric city focusing on access to jobs, education, health services, open space and community/cultural infrastructure, new infrastructure to accommodate growth, enhanced heritage areas and consideration of demographic change;
  - Housing choice and diversity to suit people through all stages of life and in different income groups, including affordable rental housing, social housing, increased supply and the prioritisation of growth close to jobs and in walkable centres;
  - A collaborative city across state agencies, local government, service providers and the wider community;

- The vision for the Central City in 2036 is one offering a diversity of housing opportunities, access to green spaces and cultural and entertainment facilities;
- **A sustainable city:**
  - A city in its landscape with aims to improve the health of waterways, protect and enhance biodiversity, open space, scenic/cultural heritage and productive landscapes and increase access to open space;
  - An efficient city by which environmental impacts are minimised and mitigated through the efficient use of energy and resources, recycling of water and materials and the development of renewable energy sources;
  - A resilient city adapting to the impacts of climate change, minimising exposure to hazards and strengthening social, organisation and infrastructure capacity;
  - The Central City, by 2036, is envisioned as the river city with environmentally-enriched waterways and a fully revealed and restored underlying natural landscape.

Overall, the Central River City, of which the Site forms a part, is expected to experience the most significant urban transformation over the next 10-15 years. In accordance with the priorities and actions of the Plan, the proposed development standards will support the growth of new communities underpinned by a diverse range of housing and appropriate densities to accommodate the growing population. The provision of housing in the Central City District will reinforce the role of the Central River City as a strategic location for new housing, jobs and activities, connected by new public transport and road infrastructure.

The PP positively contributes to the Priorities of the Plan by:

- Commercial premises and residential accommodation on the Site would contribute to the creation of the 30-minute city owing to the immediate proximity of the Site to jobs, services and future transport infrastructure;
- The proposed future development of the Site would increase employment floorspace, and would provide additional employment opportunities;
- The proposal would contribute to diversity in the local housing market to accommodate population growth and improve housing supply, choice and affordability;
- Further, the proposal would create landscaped open space and provide for improved urban amenity across the Site; and
- The activation of streets, as well as the delivery of new public open spaces, would enhance the pedestrian network and green network linking the Precinct with surrounding areas.

In summary, the proposed development would contribute to the objectives set out in the *Greater Sydney Region Plan* by promoting minor environmental impacts and the further promotion of employment-generating opportunities to the wider locality and community.

### **5.1.1.3 CENTRAL CITY DISTRICT PLAN**

Greater Sydney's aforementioned three cities reaches across five (5) districts. *The Greater Sydney Region Plan* identifies Box Hill North as being located within the Central City District, which includes The Hills Shire Council Local Government Area (LGA). The plan encourages a twenty year plan to help encourage and establish the goals set out in the Greater Sydney Region Plan mentioned above. The plan is considered the 'bridge' between Regional and Local planning. Box Hill is situated within the Central City District, which falls within the Central River City.

The plan reinforces the four (4) planning priorities and action items for concern as previously mentioned in **Section 5.1.1.2**. The Plan establishes a number of priorities and actions to guide growth, development and change, relating to infrastructure & collaboration, liveability, productivity and sustainability.

The Greater Sydney Commission further reinforces the Plan's potential for achievement by outlining the following strategies, including:

## **Planning Proposal Report – The Gables Town Centre**

Amendment to The Hills Local Environmental Plan 2012 – Building Height and Floor Space Ratio  
10, 12 and 14 Red Gables Road, Box Hill (Lot 25 DP 255616, Lot 26 DP 255616 and Lot 27 DP 255616)

---

- Developing the economy with jobs and skills growth from unprecedented city-scale infrastructure investments;
- Supporting cohesive and socially dynamic communities with new social infrastructure like educational establishment and community services, new cultural and sporting facilities;
- Establishing transport connections north, south, east and west from Parramatta to optimise Greater Parramatta's location in the centre of Greater Sydney;
- Transforming Westmead health and education precinct to an innovation district with greater diversity of knowledge-intensive jobs;
- Retaining industrial and urban services land and creating new skills with a 21st century cleantech and advanced manufacturing cluster around precincts such as Camellia, Rydalmere Silverwater and Auburn;
- Linking parks, bushland, playgrounds and waterways through the objectives of the Greater Sydney Green Grid with enhanced opportunities for safe walking and cycling paths; and,
- Enhancing the quality of, and access to, waterways such as Parramatta River, Duck River and South Creek.

The desired development outcome would contribute to the objectives set out in the Central City District Plan by promoting a greater range of land uses of benefit to the community including an educational establishment and other supporting commensurate land use; facilitating the provision of greater and improved open space, and community and pedestrian spaces; and promoting additional employment-generating opportunities to the wider locality and community closer to home, whilst supporting an economically and environmentally sustainable proposed development.



**Figure 22 | Central City Structure Plan (Source: Central City District Plan, 2017)**

#### 5.1.1.4 SYDNEY METRO

Sydney Metro (**Figure 23**) encompasses 31 stations along a 66km route extending from Cudgegong Road in Sydney's north-west to Bankstown, via Macquarie Park, Chatswood, North Sydney, Sydney CBD and Sydenham. Sydney Metro is being delivered in three (3) stages, being the Northwest (stage 1 – currently under construction), City & Southwest (Stage 2 – early works underway) and West (Stage 3 – Planning phase ongoing). Whilst Stage 1 is scheduled to be opened in the first half of 2019, Stage 2 is scheduled for completion by the end of 2024.

The new metro station at Rouse Hill form part of the Stage 1 link.

Whilst the subject site is not located in the immediate radius of the Sydney Metro (being approximately 2.3km north of the Rouse Hill Station), increased accessibility in the general area may be anticipated in association with the significant government investment in Sydney Metro and subsequent road and transport infrastructure upgrades anticipated in those areas in close proximity.

## Planning Proposal Report – The Gables Town Centre

Amendment to The Hills Local Environmental Plan 2012 – Building Height and Floor Space Ratio  
10, 12 and 14 Red Gables Road, Box Hill (Lot 25 DP 255616, Lot 26 DP 255616 and Lot 27 DP 255616)

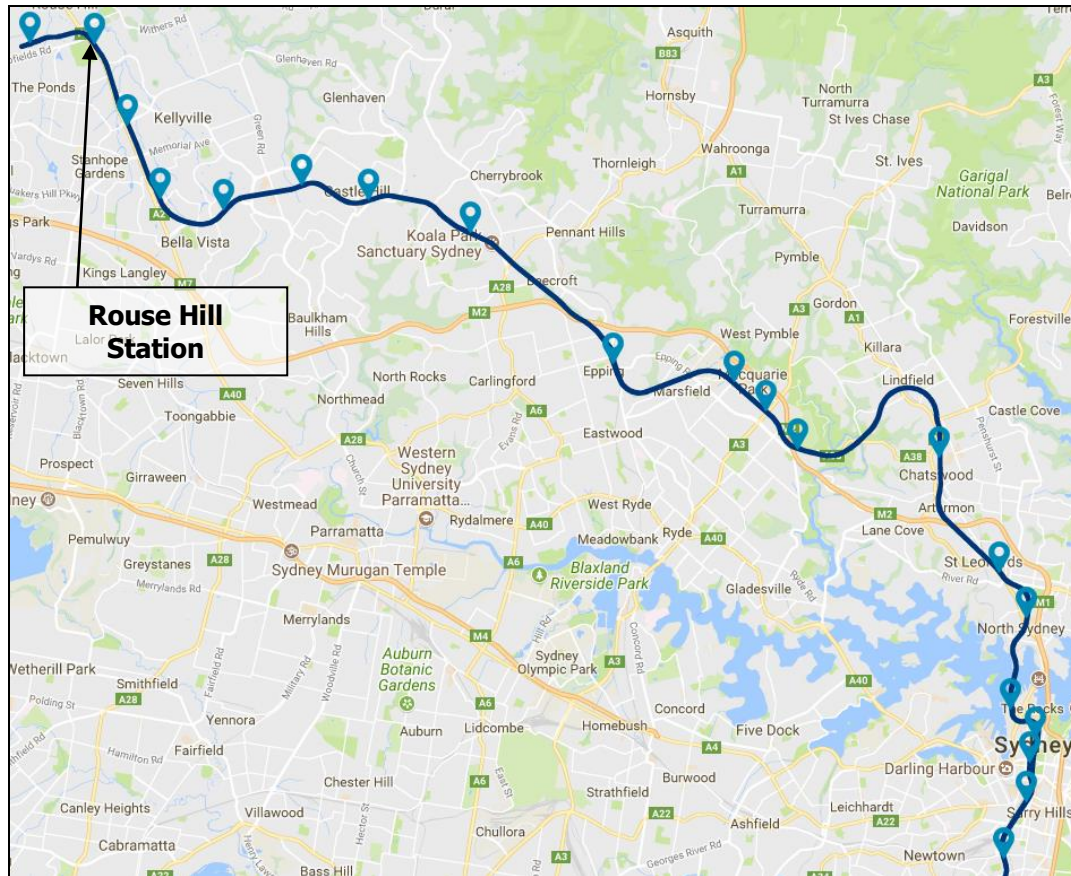


Figure 23 | Sydney Metro (NSW Government 2018)

### 5.1.2 IS THIS PLANNING PROPOSAL THE BEST MEANS OF ACHIEVING THE OBJECTIVES OR INTENDED OUTCOMES OR IS THERE A BETTER WAY?

It is considered that the PP is the best means of achieving the objectives stipulated in **Section 3.1** of this report.

The Town Centre is zoned B2 Local Centre, however the current THLEP 2012 building height and FSR standards unjustifiably restrict the density of development that may be provided across the Site. The proposed building height and FSR standards would enable the creation of a more appropriate high-density mixed-use precinct, on land within a designated urban release area. The co-creation of employment opportunities and new housing is consistent with the '30-minute city' ideology. By facilitating a higher density of employment premises and residential accommodation, the proposed THLEP 2012 amendments would ensure the efficient and sustainable use of land in a strategic location, consistent with objectives of the relevant strategic directions.

The PP is the most appropriate mechanism to achieve the intended outcomes for the Site as it is a direct response to an optimal urban design outcome for the Centre derived from the demand for additional density with the locality set within an urban release area. The PP is anticipated to define the future built form character of the surrounding context.

Further, the changes resulting are considered to be minor in nature given the *average* of heights and FSR being sought across the Site, being 16.5m (from 16m) and 1.35:1 (from 1:1) respectively. As such, the proposed amendments will result in an improved urban design outcome creating modulation in building forms and smaller building floorplates, creating activated space at ground level, whilst continuing to achieve the relevant objectives and outcomes.

## Planning Proposal Report – The Gables Town Centre

Amendment to The Hills Local Environmental Plan 2012 – Building Height and Floor Space Ratio  
10, 12 and 14 Red Gables Road, Box Hill (Lot 25 DP 255616, Lot 26 DP 255616 and Lot 27 DP 255616)

Therefore, an amendment to THLEP 2012 is the best means of achieving the intended development outcomes as this will provide both Council and the Proponent certainty of the resulting development across the Site as part of any future development applications.

### 5.1.3 IS THERE A NET COMMUNITY BENEFIT?

Net community benefit has been assessed in accordance with relevant guidelines and as outlined in the following table.

<b>Table 9/ Net Community Benefit</b>		
<b>Criteria</b>	<b>Y/N</b>	<b>Proposal</b>
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 800m of a transit node)?	Y	The proposal is consistent with key elements of NSW State Priorities, Directions for a Greater Sydney, the Greater Sydney Region Plan and the Central City District Plan, as discussed above.
Is the LEP located in a global/regional city, strategic centre or corridor nominated within the Metropolitan Strategy or other regional/subregional strategy?	Y	<p>The site is located within the Box Hill North precinct being the subject of an approved Masterplan (<b>DA 1397/2015/JP</b>) for 4,100 residential dwellings, 10,000m<sup>2</sup> GFA of retail/commercial space, a town centre, primary school and open space across nine (9) precincts.</p> <p>Consistent with this Masterplan and other policies applicable to the precinct, this proposal will support the delivery of medium and high-density housing and commercial land uses in appropriate locations to complement the creation of The Gables.</p>
Is the LEP likely to create a precedent or create or change the expectations of the landowner or other landholders?	N	The proposed amendments will facilitate the orderly development of the Town Centre. Given land has been previously designated for these uses, and the scope of modification is minimal, no precedent or changing expectations will be created, other than those demonstrated in this PP.
Have the cumulative effects of other spot rezoning proposals in the locality been considered? What was the outcome of these considerations?	Y	The Site forms part of The Gables, being a 9-precinct subdivision for a town centre, residential development, open spaces and community facilities. The rezoning to facilitate this new community was approved on 25 February 2015 under Planning Proposal <b>1/2014/PLP</b> . The subject proposal responds to the overall outcomes of this PP including the approved Town Centre through consideration of these previously planned outcomes, the amendments sought under this PP shall provide for a superior and more appropriate arrangement for the Centre.
Will the LEP facilitate a permanent employment	N/A	The proposal will preserve the quantity of land designated for the Town Centre, and will not affect the level of employment

## Planning Proposal Report – The Gables Town Centre

Amendment to The Hills Local Environmental Plan 2012 – Building Height and Floor Space Ratio  
10, 12 and 14 Red Gables Road, Box Hill (Lot 25 DP 255616, Lot 26 DP 255616 and Lot 27 DP 255616)

generating activity or result in a loss of employment lands?		generated by the approved Masterplan.
Will the LEP impact upon the supply of residential land and therefore housing supply and affordability?	N	There will be no net change in the quantity of land zoned B2, and accordingly, previously-approved dwelling yields will be capable of being achieved. As such the supply of residential land will not be impacted by the proposal. The amendments sought shall provide further opportunity to deliver additional housing supply, diversity and affordability.
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 transport?	Y	<p>As referenced in the accompanying Traffic Impact Assessment prepared by ASON (<b>Appendix 4</b>), accessibility to the Site will be improved with the extension of bus routes within the Precinct, as well as delivery of the Sydney Metro Northwest stations by early 2019.</p> <p>Immediately within the Town Centre, the internal road network has been designed to facilitate a pedestrian friendly environment by providing cycleways, and pedestrian paths, whilst also reducing the road width and provision of on-street parking.</p> <p>Further to the above, no additional augmentations are required to the existing utility service assets as they will be able to accommodate the changes sought under the PP.</p>
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?	Y	As aforementioned, the proposal will result in a positive outcome, improving permeability and connectivity between the varying land uses, public domain and public open space.
Are there significant Government investments in infrastructure or services in the area where patronage will be affected by the proposal? If so, what is the expected impact?	N	Whilst no additional government investment or infrastructure has been nominated for the locality, the surrounding infrastructure and services upgrades already planned for the Site shall accommodated the changes sought under the PP.
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 impacts? Is the land constrained by environmental factors such as flooding?	N	The subject land has been previously designated for residential and commercial development, and therefore the proposal will not affect any land that may require protection or that exhibits biodiversity value. The Site is therefore highly appropriate for their proposed uses.

## Planning Proposal Report – The Gables Town Centre

Amendment to The Hills Local Environmental Plan 2012 – Building Height and Floor Space Ratio  
10, 12 and 14 Red Gables Road, Box Hill (Lot 25 DP 255616, Lot 26 DP 255616 and Lot 27 DP 255616)

Will the LEP be compatible/complementary with surrounding adjoining land uses? What is the impact on the amenity in the location and wider community? Will the public domain improve?	Y	<p>The proposed development will be highly compatible with adjoining and surrounding land uses including medium and high density housing, lower density housing, playing fields, and riparian corridor, as affirmed through the previous approval of land for these uses.</p> <p>The amendments to building height and FSR will provide for an improved interface between various land uses. The concentration of density within the Town Centre, radiating out to lower density areas, reflects an efficient model of planning for centres and secures high levels of amenity for more sensitive land uses. The built form has been orientated to reduce density adjacent to the riparian corridor, which would protect sensitive environments.</p>
Will the proposal increase choice and competition by increasing the number of retail and commercial premises operating in the area?	Y	<p>The proposal will provide increased opportunities for a variety of retail and commercial land uses that will complement the Town Centre and surrounding land uses.</p>
If a stand-alone proposal and not a centre, does the proposal have the potential to develop into a centre in the future?	N	<p>The proposed LEP amendments are not a standalone proposal but rather forms part of the staged development of Box Hill North in accordance with the approved Box Hill North Masterplan. Accordingly, the proposal will assist in the creation of The Gables.</p>
What are the public interest reasons for preparing the draft plan? What are the implications of not proceeding at that time?	Y	<p>The proposed amendments to the LEP is entirely in the public interest in that it will provide an improved transition of built form and more complementary land use interface, whilst still ensuring the delivery of a variety of new housing types and supply, and commercial opportunities, to support The Gables community.</p> <p>Were the proposal not to proceed at this time, a lower level of retail activity would be attracted, and the housing market would be characterised by less supply, less choice and lower affordability. The Site would forgo its opportunity to accommodate a proposed educational establishment and to contribute to the desired development outcome of Box Hill. Medium and high-density housing would be developed in the formerly-approved locations, forgoing the opportunity to create a more harmonious interface between the town centre, proposed educational establishment, playing fields and residential accommodation.</p> <p>In addition, as a result of the proposal, additional 'green' open space and improved pedestrian connectivity will be provided resulting in a more desirable urban design outcome.</p>

## **5.2 RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK**

### **5.2.1 IS THE PLANNING PROPOSAL CONSISTENT WITH THE OBJECTIVES AND ACTIONS CONTAINED WITHIN THE APPLICABLE REGIONAL OR SUBREGIONAL STRATEGY (INCLUDING THE SYDNEY METROPOLITAN PLAN AND EXHIBITED DRAFT STRATEGIES)?**

As previously discussed in **Section 5.1**, the PP is consistent with NSW State Priorities, the Greater Sydney Region Plan and the Central City District Plan.

### **5.2.2 IS THE PLANNING PROPOSAL CONSISTENT WITH THE LOCAL COUNCIL'S COMMUNITY STRATEGIC PLAN OR OTHER LOCAL STRATEGIC PLAN?**

#### **5.2.2.1 THE HILLS LOCAL STRATEGY**

The Local Strategy forms The Hills Shire Council's strategic plan and establishes a vision for 2026 of *resilient leadership creating vibrant communities, balancing urban growth, protecting our environment and building a modern local economy*.

The Local Strategy is also supported by a suite of key directions focusing on employment, centres, residential development, integrated transport, rural lands, environment & leisure and waterways.

In accordance with the Local Strategy, the proposed amendments to the LEP will support the creation of the Town Centre as a vibrant and sustainable community that provides for the residential, employment, educational and recreational needs of The Hills Shire growing population.

#### **5.2.2.2 THE HILLS CENTRE DIRECTION**

The Centres Direction supports The Hills Local Strategy by providing an overall strategic context for the planning, management, growth and development of The Hills Shire centres to 2031. The five (5) key directions identified for centres are outlined as follows:

- *Create vibrant centres that meet the needs of the community;*
- *Make centres more attractive places to visit;*
- *Make centres accessible to the community;*
- *Improve the functioning and viability of existing centres; and*
- *Plan of new centres in new areas.*

In accordance with these key directions and their underpinning objectives, the proposed amendments to the development standards will provide a more positive interface between the Town Centre and surrounding land uses, thereby enhancing its vibrancy, attractiveness, accessibility, functionality and ultimately its ability to effectively meet the needs of the future community and contribute to the creation of a highly amenable place to live and work. The proposal will integrate a mixture of compatible land uses, public open space and pedestrian friendly movement networks to further enhance the creation of a vibrant, accessible, walkable and sustainable community.

In supporting the future town centre, the desired development outcome will assist in creating the town centre envisaged by the Centres Direction for Box Hill. This in turn will contribute to satisfying demand forecast by the Centres Direction.

## Planning Proposal Report – The Gables Town Centre

Amendment to The Hills Local Environmental Plan 2012 – Building Height and Floor Space Ratio  
10, 12 and 14 Red Gables Road, Box Hill (Lot 25 DP 255616, Lot 26 DP 255616 and Lot 27 DP 255616)

### 5.2.3 IS THE PLANNING PROPOSAL CONSISTENT WITH APPLICABLE STATE ENVIRONMENTAL PLANNING POLICIES?

This PP is consistent with the relevant State Environmental Planning Policies (SEPPs), as outlined in **Table 10** below.

<b>Table 10   State Environmental Planning Policies</b>	
<b>Policy</b>	<b>Details</b>
<i>State Environmental Planning Policy 1 – Development Standards</i>	The PP does not contain provisions that would contradict or hinder the application of the SEPP.
<i>State Environmental Planning Policy No 19 Bushland in Urban Areas (SEPP 19)</i>	The Site is within an LGA listed in Schedule 1 of SEPP 19. However, the proposed future redevelopment of the Site would not require the disturbance of bushland zoned for public open space purposes, nor would it take place on a site which adjoins bushland on land which is so zoned. Therefore, no further consideration of SEPP 19 is required.
<i>State Environmental Planning Policy No 44 – Koala Habitat Protection (SEPP 44)</i>	The Site is not located within an LGA listed in Schedule 1 of SEPP 44 and to which SEPP 44 applies. In any event, the Site has been cleared of all vegetation under previous approvals.
<i>State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55)</i>	As recommended in their Detailed Site Investigation (DSI) in 2014, JBS&G Australia Pty Ltd (JBS&G) have prepared a Remediation Action Plan (RAP). Following the outcomes of the DSI identifying the state of the site and potential contamination, the RAP has provided Possible Remedial Options as well as Preferred Remediation Options. JBS&G confirm that as the Master Plan for the Site has been divided into nine (9) Precincts, the remedial strategies can be applied across the Site as a whole, or on a staged basis.
<i>State Environmental Planning Policy No. 64 – Advertising and Signage (SEPP 64)</i>	<p>The proposed development is likely to require business identification signage or advertising signage. SEPP 64 sets out requirements for advertising and signage, which the consent authority must have regard to as follows:</p> <p>(a) <i>That the signage is consistent with objectives of this Policy as set out in Clause 3 (1)(a), and</i></p> <p>(b) <i>That the signage subject of the application satisfies the assessment criteria specified in Schedule 1.</i></p> <p>A DA to support signage at the site would have to respond to these matters.</p>
<i>State Environmental Planning Policy No 65 – Design of Quality Residential Apartment Development (SEPP 65)</i>	SEPP 65 requires DAs for residential apartment buildings to be assessed against the Design Quality Principles contained in Schedule 1 of SEPP

## Planning Proposal Report – The Gables Town Centre

Amendment to The Hills Local Environmental Plan 2012 – Building Height and Floor Space Ratio  
10, 12 and 14 Red Gables Road, Box Hill (Lot 25 DP 255616, Lot 26 DP 255616 and Lot 27 DP 255616)

	<p>65 with respect to:</p> <ul style="list-style-type: none"> <li>▪ Context and neighbourhood character;</li> <li>▪ Built form and scale;</li> <li>▪ Density;</li> <li>▪ Sustainability;</li> <li>▪ Landscape;</li> <li>▪ Amenity;</li> <li>▪ Safety;</li> <li>▪ Housing diversity and social interaction;</li> <li>▪ Aesthetics.</li> </ul> <p>The Concept Design prepared for the proposed future redevelopment of the Site (refer to <b>Appendix 1</b>) includes residential flat buildings that have been designed to meet the provisions of SEPP 65 with respect to the above matters.</p> <p>A DA prepared for the proposed future redevelopment of the site would need to respond to these matters.</p>
<i>State Environmental Planning Policy No. 70 – Affordable Housing (Revised Schemes) (SEPP 70)</i>	Not Applicable.
<i>State Environmental Planning Policy (Affordable Rental Housing) 2009 (Affordable Rental Housing SEPP)</i>	<p>Affordable Rental Housing SEPP provides that, where a development would have the effect of reducing the amount of affordable rental housing, the consent authority must take certain matters into account.</p> <p>As the proposed future redevelopment of the site relates to land which does not currently contain any dwellings and would add to the existing housing stock rather than redevelop existing dwelling land, a DA for the proposed future redevelopment of the site need not respond to these matters.</p>
<i>State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 (BASIX SEPP)</i>	<p>Clause 3 of BASIX SEPP clarifies that the EP&amp;A Regulations require an agreed list of sustainability commitments to be carried out at a new residential development prior to the construction certificate being issued.</p> <p>The proposed future redevelopment of the Site can meet the key sustainability requirements set out in the BASIX SEPP.</p> <p>These matters would require consideration in a DA prepared to support the proposed future redevelopment of the Site.</p>
<i>State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011 (Sydney Drinking Water Catchment) 2011</i>	The Site lies outside of the area captured by the SEPP (Sydney Drinking Water Catchment) 2011.
<i>State Environmental Planning Policy (Vegetation)</i>	The Site lies within an LGA (The Hills Shire) and

## Planning Proposal Report – The Gables Town Centre

Amendment to The Hills Local Environmental Plan 2012 – Building Height and Floor Space Ratio

10, 12 and 14 Red Gables Road, Box Hill (Lot 25 DP 255616, Lot 26 DP 255616 and Lot 27 DP 255616)

<i>in Non-Rural Areas) 2017 (Vegetation SEPP)</i>	<p>land zone (B2 Local Centre) which are subject to Vegetation SEPP.</p> <p>Clause 7 of Vegetation SEPP provides that vegetation may not be cleared without either a council permit or a relevant development consent in place. Should the vegetation clearing proposed at the Site exceed the biodiversity offset scheme threshold (as defined in the <i>Biodiversity Conservation Act 2016</i>), then approval to clear this vegetation must be obtained from the Native Vegetation Panel under 4 of Vegetation SEPP.</p> <p>Removal of all vegetation on-site has been previously dealt with under <b>1/2014/PLP</b>. No further consideration is required.</p>
<i>State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Growth Centres SEPP)</i>	Not Applicable.
<i>State Environmental Planning Policy Housing for Seniors or People with a Disability) 2004 (SEPP HSPD)</i>	SEPP HSPD sets out site related requirements, design requirements, design principles and development standards to be complied with when developing land for seniors' living or people with a disability. As the proposed future redevelopment of the site does not include housing for either, no further consideration of SEPP HSPD is required.
<i>State Environmental Planning Policy Exempt and Complying Development Codes (2008) (Codes SEPP)</i>	The base build DA for the proposed future redevelopment of the site has been identified as suitable candidate for assessment under the Code SEPP provisions. As such, the base built DA would be prepared to support the proposed future redevelopment of the Site, to be submitted to The Hills Shire Council for determination.
<i>State Environmental Planning Policy (Infrastructure) 2007 (Infrastructure SEPP)</i>	<p>The proposed future redevelopment of the Site would meet the following referral thresholds for Traffic Generating Development under the Infrastructure SEPP based on its location with access to any road:</p> <ul style="list-style-type: none"> <li>▪ 300 or more residential flat buildings;</li> <li>▪ 4,000m<sup>2</sup> in area of commercial and retail premises;</li> <li>▪ Parking of more than 200 vehicles.</li> </ul> <p>A DA for the proposed future redevelopment of the Site may therefore require referral to the RMS.</p>

## Planning Proposal Report – The Gables Town Centre

Amendment to The Hills Local Environmental Plan 2012 – Building Height and Floor Space Ratio  
10, 12 and 14 Red Gables Road, Box Hill (Lot 25 DP 255616, Lot 26 DP 255616 and Lot 27 DP 255616)

<i>State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP)</i>	The proposed future redevelopment of the Site and the Site do not trigger any consideration of the SRD SEPP criteria. The proposed future redevelopment of the Site therefore does not trigger the State Significant Development requirements.
<i>State Environmental Planning Policy No 71 – Coastal Protection (Coastal SEPP)</i>	The Site is not mapped as lying within the NSW Coastal Zone. As such, no further consideration of Coastal SEPP is required to support the proposed future redevelopment of the Site.

### 5.2.4 THE PLANNING PROPOSAL CONSISTENT WITH THE APPLICABLE MINISTERIAL DIRECTIONS (S9.1 DIRECTIONS)?

**Table 11** assesses the PP against the Section 9.1 (formerly Section 117) Ministerial Directions made under the EP&A Act.

<b>Table 11 / Section 9.1 Ministerial Directions</b>		
<b>Direction</b>		<b>Comment</b>
<b>1. Employment and Resources</b>		
1.1	Business and Industrial Zones	The proposal will retain the B2 Local Centre zoning of the site, and in accordance with the objectives and permissibility provisions of the B2 zone would support the co-location of commercial premises and residential accommodation. Consistent with the objectives of this Direction, the proposal would encourage employment generation through the delivery of increased commercial GFA comprising flexible and affordable floor space. New jobs would be situated within and identified urban release area, envisaged for high density employment uses and housing.
1.2	Rural Zones	Not applicable.
1.3	Mining, Petroleum Production and Extractive Industries	Not applicable.
1.4	Oyster Aquaculture	Not applicable.
1.5	Rural Lands	Not applicable.

## Planning Proposal Report – The Gables Town Centre

Amendment to The Hills Local Environmental Plan 2012 – Building Height and Floor Space Ratio  
10, 12 and 14 Red Gables Road, Box Hill (Lot 25 DP 255616, Lot 26 DP 255616 and Lot 27 DP 255616)

<b>2. Environment and Heritage</b>	
2.1 Environment Protection Zones	This PP does not apply to land within an environment protection zone or land which is otherwise identified for environmental protection purposes in the THELP 2012.
2.2 Coastal Protection	Not applicable.
2.3 Heritage Conservation	Not applicable.
2.4 Recreation Vehicle Areas	Not applicable.
<b>3. Housing, Infrastructure and Urban Development</b>	
3.1 Residential Zones	Consistent with the current B2 Local Centre (which will be retained), the proposal would support the provision of residential accommodation on the site, co-located with commercial premises within mixed-use development. The delivery of 570 new dwellings in the Town Centre would place downward pressure on housing affordability and improve diversity in housing choice. A range of unit sizes, as well as affordable housing units, would assist in accommodating a variety of price-points and meeting the needs of Sydney's diverse and growing population.
3.2 Caravan Park and Manufactured Home Estates	The proposed future redevelopment of the Site would not include any caravan parks or manufactured home estates.
3.3 Home Occupations	Not applicable.
3.4 Integrating Land Use and Transport	The proposed future redevelopment of the Site will be serviced by new roads delivered in conjunction with the development of Box Hill North
3.5 Development Near Licenced Aerodromes	Not applicable.
3.6 Shooting Ranges	Not applicable.
<b>4. Hazard and Risk</b>	
4.1 Acid Sulfate Soils	The site is not known to contain acid sulfate soils.

## Planning Proposal Report – The Gables Town Centre

Amendment to The Hills Local Environmental Plan 2012 – Building Height and Floor Space Ratio  
10, 12 and 14 Red Gables Road, Box Hill (Lot 25 DP 255616, Lot 26 DP 255616 and Lot 27 DP 255616)

4.2 Mine Subsidence/Unstable Land	The Site is not known to contain mine subsidence or unstable land.
4.3 Flood Prone Land	Previous development applications have addressed the matter of flooding and existing studies have demonstrated that the impacts of future development, across the Site, on the flood regime can be managed to acceptable levels.
4.4 Planning for Bushfire Protection	The site is identified as being affected by bushfire. Refer to <b>Section 5.3</b> of this report.
<b>2. Regional Planning</b>	
5.1 Implementation of Regional Strategies.	Not applicable.
5.2 Drinking Water Catchments	Not applicable.
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	Not applicable.
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	Not applicable.
5.5 Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA) (Revoked 18 June 2010)	Not applicable.
5.6 Sydney to Canberra Corridor (Revoked 10 July 2008. See amended Direction 5.1)	Not applicable.
5.7 Central Coast (Revoked 10 July 2008. See amended Direction 5.1)	Not applicable.
5.8 Second Sydney Airport: Badgerys Creek	Not applicable.
5.9 North West Rail Link Corridor Strategy	Not applicable.
5.10 Implementation of Regional Plans	Not applicable.

## Planning Proposal Report – The Gables Town Centre

Amendment to The Hills Local Environmental Plan 2012 – Building Height and Floor Space Ratio  
10, 12 and 14 Red Gables Road, Box Hill (Lot 25 DP 255616, Lot 26 DP 255616 and Lot 27 DP 255616)

<b>3. Local Plan Making</b>	
6.1 Approval and Referral Requirements	Referral to NSW Rural Fire Service and RMS <u>may</u> be required.
6.2 Reserving Land for Public Purposes	Not applicable.
6.3 Site Specific Provisions	No site-specific change of zoning or additional permitted uses are required to support the future development of the site. The proposed LEP amendments relate to development standards already applicable to the site, and would not introduce any additional development standards.
<b>4. Metropolitan Planning</b>	
7.1 Implementation of A Plan for Growing Sydney	This PP identifies the proposal's consistency with the relevant Regional Strategies including NSW State Priorities, the Greater Sydney Region Plan and the Central District Plan.
7.2 Implementation of Great Macarthur Land Release Investigation	Not applicable.
7.3 Parramatta Road Corridor Urban Transformation Strategy	Not applicable.
7.4 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	Not applicable.
7.5 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable.
7.6 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable.
7.7 Implementation of Glenfield to Macarthur Urban Renewal Corridor	Not applicable.

### **5.3 ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACT**

#### **5.3.1 IS THERE ANY LIKELIHOOD THAT CRITICAL HABITAT OF THREATENED SPECIES, POPULATIONS OR ECOLOGICAL COMMUNITIES, OR THEIR HABITATS, WILL BE ADVERSELY AFFECTED AS A RESULT OF THE PROPOSAL?**

The Box Hill North Masterplan DA (**1397/2015/JP**) approved the future development of the Site for urban purposes. As part of this approval, Council OEH and the Department of Environment endorsed the future development of the Site and removal of existing vegetation.

This included the approval of a Species Impact Statement for Box Hill North which adopted the required biobanking and offsetting scheme. A Vegetation Management Plan has also been prepared previously for the Site and confirms that Precinct E does not comprise any critically endangered ecological communities.

The proposal will therefore not affect any critical habitats, populations or ecological communities.

#### **5.3.2 ARE THERE ANY OTHER LIKELY ENVIRONMENTAL EFFECTS AS A RESULT OF THE PLANNING PROPOSAL AND HOW ARE THEY PROPOSED TO BE MANAGED?**

##### ***Traffic and Parking***

- As described within the Traffic Impact Assessment prepared by Ason Group and provided at **Appendix 3**, the PP and outcomes sought within, is supportable on traffic grounds.
- The accessibility of the Box Hill North Precinct would be improved with the extension of bus routes within the Precinct, as well as the delivery of the Sydney Metro Northwest stations in early 2019.
- Compliance with Council's DCP indicates that a total of 1,984 parking spaces will be required to accommodate the proposed uplift. The parking provision for the individual precincts will be investigated in further detail subject to future Development Applications. However, preliminary design works indicate that these would be able to be comfortably accommodated.
- The forecast traffic generation of the Town Centre has been determined using the RMS Guide and RMD TDT2013/04a. It was established that 1,843 and 1,139 vehicle trips would be generated during the AM and PM peaks respectively.
- SIDRA modelling of the Town Centre Local Intersections determined that they would operate within acceptable operating conditions. The network design has been determined through an iterative process which aimed at mitigating and reducing queuing along the public roadways and within the Precinct. Overall, all Town Centre local intersections would operate in a satisfactory manner.
- The internal road network has been designed to provide a pedestrian friendly environment by providing cycleways, and pedestrian paths whilst reducing the road width and provision of on-street parking.
- Site access, car park and loading areas would be designed to comply with relevant Australian Standards.
- Further to this overview, full details are provided within the Traffic Impact Assessment at **Appendix 3**.

### ***Bushfire Prone Land***

- Council have recently endorsed and adopted updated the bushfire mapping prepared by the NSW Rural Fire Service (RFS) which has resulted in additional parts of Box Hill North (namely RE1 zoned land not nominated as park/public open space) being deemed Bushfire Prone Land – Category 2 and Vegetation Buffer (refer to **Figure 10**). The RE1 zoned land directly to the east of the playing fields, containing the riparian corridor, has been categorised as Category 2 with an associated Vegetation Buffer encroaching into the Site.
- A Bushfire Protection Assessment has been prepared by Ecological Australia and accompanies this application as **Appendix 7**. The proposal has been assessed in accordance with Section 100B of the *Rural Fires Act 1997*, Section 4.14 (formerly 79BA) of the EP&A Act and Planning for Bushfire Protection 2006 (RFS 2006).
- The Bushfire Attack Level (BAL) for future dwellings within the proposed subdivision will be determined at the individual dwelling Complying Development Certificate (CDC) or Development Application (DA) stage, however, a maximum of BAL-29 is provided by the subdivision design using AS 3959-2009 fuel loads.
- Of note, the current perimeter access does not meet the acceptable solutions as prescribed by the RFS. Notwithstanding, access can be accommodated within the layout of the proposal. This can be assessed at future detailed design and development application; suitable perimeter access will be assessed.
- Overall it is considered the proposal for the Town Centre complies with all relevant acceptable solutions within 'Planning for Bush Fire Protection 2006'.

### ***Heritage***

- The Site is not identified as a heritage item or conservation area and is not identified in proximity of any items or areas of heritage significance. Therefore, the proposal will not affect the heritage of The Hills.

### ***Economic Impacts***

- A specialist Market Potential Assessment has been prepared by Location iQ is included in the PP (refer to **Appendix 5**) which finds the subject site strategically located as a basis of greater employment and housing provisions for locals and visitors to the area.
- The proposal will not have detrimental impact on the role of the Box Hill Town Centre within the Box Hill and Box Hill North release area.
- The proposal would express connotations of economic benefit, derived from the provision of lower-level commercial premises, as-well-as supporting job creation and stimulating economic activity

### **5.3.3 HOW HAS THE PLANNING PROPOSAL ADEQUATELY ADDRESSED SOCIAL AND ECONOMIC EFFECTS?**

The proposed amendments to the building height and floor space ratio development standards is considered to generate the following positive social and economic effects:

- The proposal will continue to support the delivery of a variety of housing types and will achieve the dwelling yield for Precinct E. The proposal is therefore key to meeting the housing needs of the future community in terms of dwelling diversity and supply.

## Planning Proposal Report – The Gables Town Centre

Amendment to The Hills Local Environmental Plan 2012 – Building Height and Floor Space Ratio  
10, 12 and 14 Red Gables Road, Box Hill (Lot 25 DP 255616, Lot 26 DP 255616 and Lot 27 DP 255616)

---

- Given the anticipated immediate 570 residential dwellings within the Town Centre, and the anticipated 4,300 dwelling within the Box Hill North Precinct, the proposed education infrastructure is considered to be a community benefit for the future development, that will positively integrate with the Town Centre;
- The proposal will provide a greater range of land uses including the proposed educational establishment, along with other supporting commensurate land uses, facilitating the provision of greater and improved open space, and community and pedestrian spaces; and promoting additional employment-generating opportunities to the wider locality and community closer to home, whilst supporting an economically and environmentally sustainable proposed development.
- The proposal would provide direct employment during the construction as well as wider and longer term economic benefits associated with the new population base within Box Hill North. Specifically, economic benefits include:
  - The proposal would accommodate jobs on site through the provision of commercial premises capable of supporting a higher employment density than is currently capable across the Site;
  - The concept development would provide suitable commercial floor space to accommodate businesses in a number of industries;
  - The Site will remain attractive to small-medium local businesses.
- Additional to the above needs assessment completed in the Location iQ considers the potential for the proposal to contribute to the local economy and employment-generation.
- The proposed amendments will not impact on the existing or proposed retail hierarchy throughout the Box Hill/ Rouse Hill area. The Gables Town Centre will serve the food and grocery and convenience shopping needs of primarily primary sector residents, while the Rouse Hill Town Centre and future Box Hill Town Centre will serve the non-food shopping need of the wider population.

## 5.4 STATE AND COMMONWEALTH INTERESTS

### 5.4.1 IS THERE ADEQUATE PUBLIC INFRASTRUCTURE FOR THE PLANNING PROPOSAL?

Arrangements for the adequate connection of Precinct E to services and infrastructure for water, electricity and the disposal and management of sewage have been addressed under previous development applications and will be again considered in respect of future applications.

As detailed in the Traffic Impact Assessment Report (**Appendix 3**), *the development is supported on traffic planning grounds and remains consistent with the modelling conclusions of previous assessments for the entire precinct*. The Town Centre intersections would operate within acceptable operating conditions. Overall, the PP meets the key objective of not having a detrimental impact on the surrounding road network and the traffic generated by the Proposal can be accommodated on the wider road network.

In addition, the Servicing and Infrastructure Strategy Report as prepared by BG&E (**Appendix 6**) confirms that there are no required augmentations to the existing service assets as a result of the PP, and the existing infrastructure and services upgrades already planning for the Site shall accommodate the changes sought under the PP.

The proposal is for the uplift to building height and floor space ratio to accommodate the economic development of the Town Centre only and allow the provision of the proposed educational establishment. Given the land has previously been nominated for urban purposes, no additional public infrastructure will be required.

**5.4.2 WHAT ARE THE VIEW OF STATE AND COMMONWEALTH PUBLIC AUTHORITIES  
CONSULTED IN ACCORDANCE WITH GATEWAY DETERMINATION?**

The Hills Shire Council has been included in discussions pertaining to the intention to lodge a PP to amend THLEP 2012.

No consultation with Commonwealth authorities have been carried out to date.

It is acknowledged that The Hills Shire Council will consult with relevant public authorities following the Gateway determination.

## **PART F          CONSULTATION**

Division 2.6 of the EP&A Act requires the relevant planning authority to consult with the community in accordance with the Gateway Determination. It is anticipated that the PP will be required to be publicly exhibited for 28 days in accordance with the requirements of the Department of Planning and Environment guidelines '*A guide to preparing local environmental plans*'.

It is anticipated that the public exhibition would be notified by way of:

- A public notice in local newspaper(s);
- A notice on The Hills Shire Council website;
- Written correspondence to adjoining and surrounding landowners.

The Gateway determination, PP and specialist studies would be publicly exhibited by Council's offices and any other locations considered appropriate to provide interested parties with the opportunity to view the submitted documentation.

## **PART G CONCLUSION**

The proposed amendments to THLEP 2012 would enable greater opportunity for positive outcomes resulting from the future development of the Town Centre. The delivery of a Town Centre development of this nature is consistent with the B2 Local Centre zone objectives, and the increased density sought to be provided reflects and aligns with the key strategic directions for the locality.

In summary, the proposed amendments to the THLEP 2012 for additional building height and FSR is considered appropriate and necessary for the following reasons:

- The proposed THLEP 2012 amendment would enable the improved development opportunities and outcomes of the site for high density mixed-used development for commercial, residential, educational and community purposes;
- Facilitates the dedication of sub-precinct E5 (approximately 10,000m<sup>2</sup>) for the purpose of a proposed educational establishment, in response the demand for such land uses and services within the locality;
- Increased heights and FSR are sought to the balance of the Site (sub-precincts E2 - E4) for mixed-use purposes to achieve the intended outcomes as previously planned and approved under the Box Hill North Masterplan and Voluntary Planning Agreement, as a result of the dedication of sub-precinct E5 for the purpose of a proposed educational establishment;
- The amendments sought are considered minor in nature given the average of heights and FSR across the Site, being 16.5m (from 16m) and 1.35:1 (from 1:1) respectively.
- The proposal will result in a more desirable urban design outcome and will provide opportunity for the delivery of a local centre that is capable of being developed to its full potential;
- The proposal will result in the provision of improved public domain, connectivity and public open space opportunities throughout the Site. The main spine will traverse in a north-south direction, providing opportunity active community spaces, and connecting the town centre with the lake and dedicated open space to the north. Active community public spaces will be achieved through the amendments to the development standards as they will allow for smaller floorplates, providing greater activation of the public domain;
- The proposal would contribute to diversity in the local housing market to accommodate population growth and improve housing supply, choice and affordability, whilst maintaining a close proximity to accessible locations and places of employment and future infrastructure;
- The proposal is consistent with the State, Regional and Local strategic planning framework. As described through this report, the proposed development is particularly consistent with the priorities and directions of NSW 2021; Greater Sydney Region Plan; and the Central City District Plan;
- The proposed development standards would support the growth of new communities underpinned by a diverse range of housing and appropriate densities to accommodate the growing population, in accordance with the priorities of the Greater Sydney Region Plan.
- The proposal would support the sustained job creation and economic activity through the provision of additional commercial floor space. Specifically, economic benefits include:
  - The proposal would accommodate jobs on site through the provision of additional commercial floor space capable of supporting a higher employment density than is currently available across the Site;
  - The Site would become more attractive to small-large local businesses.

## **Planning Proposal Report – The Gables Town Centre**

Amendment to The Hills Local Environmental Plan 2012 – Building Height and Floor Space Ratio  
10, 12 and 14 Red Gables Road, Box Hill (Lot 25 DP 255616, Lot 26 DP 255616 and Lot 27 DP 255616)

---

- Overall, the proposed outcomes would maximise access and connectivity between the places people live, work and commercial offerings, open space and educational/ community land uses, thereby promoting enhanced amenity and convenience for residents; encouraging active living, facilitating passive surveillance and promoting sympathetic built form transitions;
- The proposal has demonstrated that the existing and future planned infrastructure and services for the site have the capacity to effectively accommodate the increased floor space sought under this PP;
- The proposal is largely consistent with the approved Box Hill North Masterplan, which designates land for mixed-use purposes; and
- Overall, there are no anticipated adverse social or economic impacts that would arise from the proposal. Rather, the proposed development would contribute to the creation of a vibrant, integrated precinct, defined by public domain, high quality design and the integration of an array of land uses.

In light of the above, the Site is considered suitable for higher density mixed-use development outcome for the Site for which the proposed amendments to THLEP 2012 would facilitate. Accordingly, the PP is considered to warrant the support of Council and proceed to Gateway Determination by the Department of Planning & Environment.

## **APPENDIX 1 – CONCEPT MASTER PLAN**

## **APPENDIX 2 – LANDSCAPE MASTER PLAN**

## **APPENDIX 3 – AMENDED LEP PLANS**

## **APPENDIX 4 – TRAFFIC IMPACT ASSESSMENT**

## **APPENDIX 5 – MARKET POTENTIAL ASSESSMENT**

## **APPENDIX 6 – SERVICING AND INFRASTRUCTURE STRATEGY REPORT**

## **APPENDIX 7 – BUSHFIRE ASSESSMENT**

## **APPENDIX 8 – SURVEY PLAN**