

**THE HILLS SHIRE COUNCIL**

3 Columbia Court, Baulkham Hills NSW 2153  
PO Box 7064, Baulkham Hills BC NSW 2153

Telephone +61 2 9843 0555  
Facsimile +61 2 9843 0409

Email [council@thehills.nsw.gov.au](mailto:council@thehills.nsw.gov.au)  
[www.thehills.nsw.gov.au](http://www.thehills.nsw.gov.au)

DX 9966 Norwest

ABN No. 25 034 494 656

6 June 2016

Ms Catherine Van Laeren  
Department of Planning & Environment  
GPO Box 39  
SYDNEY NSW 2001

Our Ref: 19/2015/PLP

Dear Ms Van Laeren

**PLANNING PROPOSAL – CIRCA COMMERCIAL PRECINCT, BELLA VISTA  
The Hills Local Environmental Plan 2012 (Amendment No. (#)) – to amend the  
maximum permissible building height and floor space ratio (19/2015/PLP)**

---

Pursuant to Section 117(2) of the *Environmental Planning and Assessment Act 1979* (EP&A Act), it is advised that Council has resolved to prepare a planning proposal for the above amendment.

Please find enclosed the information required in accordance with the guidelines 'A guide to preparing planning proposals' issued under Section 55(3) of the EP&A Act. The planning proposal and supporting material is enclosed with this letter for your consideration. It would be appreciated if all queries by the Panel could be directed to Council's Principal Forward Planner Megan Munari on 9843 0407.

The planning proposal seeks to amend the building height and floor space ratio applicable to land in the Circa Precinct, Bella Vista. The planning proposal would facilitate development of an additional 450,000m<sup>2</sup> of commercial floor space (under the current controls 240,000m<sup>2</sup> could be delivered) through a range of commercial office, café and restaurant developments which could provide up to 25,000 jobs.

Pursuant to Clause 5(d) of Local Planning Direction 5.9 North West Rail Link, this Section 56 notification also seeks the concurrence of the Secretary with respect to minor inconsistencies with this Direction as detailed in the attached Planning Proposal.

Following receipt by Council of the Department's written advice, Council will proceed with the planning proposal. Any future correspondence in relation to this matter should quote reference number 19/2015/PLP. Should you require further information please contact Megan Munari, Principal Forward Planner on 9843 0407.

Yours faithfully



**Stewart Seale**  
**MANAGER FORWARD PLANNING**

## PLANNING PROPOSAL

**LOCAL GOVERNMENT AREA:** The Hills Shire Council

**NAME OF PLANNING PROPOSAL:** Proposed The Hills Local Environmental Plan 2012 (Amendment No (#)) – to increase the maximum building height from RL108 and RL116 to RL116 and RL140 (which would allow eight (8) to 17 storey buildings) and increase the maximum floor space ratio, in specific locations, from 1:1 to 1.2:1, 2:1 and 3:1 (19/2015/PLP).

**ADDRESS OF LAND:** Circa Precinct, Bella Vista

**Campus Precinct**

2-6 Norbirk Drive, Bella Vista

**Eastern Commerical Precinct**

8-24 Norbrik Drive, Bella Vista

**Core Precinct**

1-2 Circa Boulevarde, Bella Vista

5-11 Norbrik Drive, Bella Vista

**Retirement Precinct**

26-30 Norbrik Drive, Bella Vista

**SUMMARY OF HOUSING AND EMPLOYMENT YIELD:**

	EXISTING	PROPOSED	TOTAL YIELD
<b>Dwellings</b>	0	466 (seniors housing units)	466
<b>Jobs</b>	700 (approx.)	25,000	24,300

**SUPPORTING MATERIAL:**

<b>Attachment A</b>	Assessment against State Environment Planning Policies
<b>Attachment B</b>	Assessment against Section 117 Local Planning Directions
<b>Attachment C</b>	Council Report and Minute (26 April 2016)
<b>Attachment D</b>	Preliminary Concept (February 2015)
<b>Attachment E</b>	Traffic Report (May 2015)
<b>Attachment F</b>	Heritage Report (June 2015)

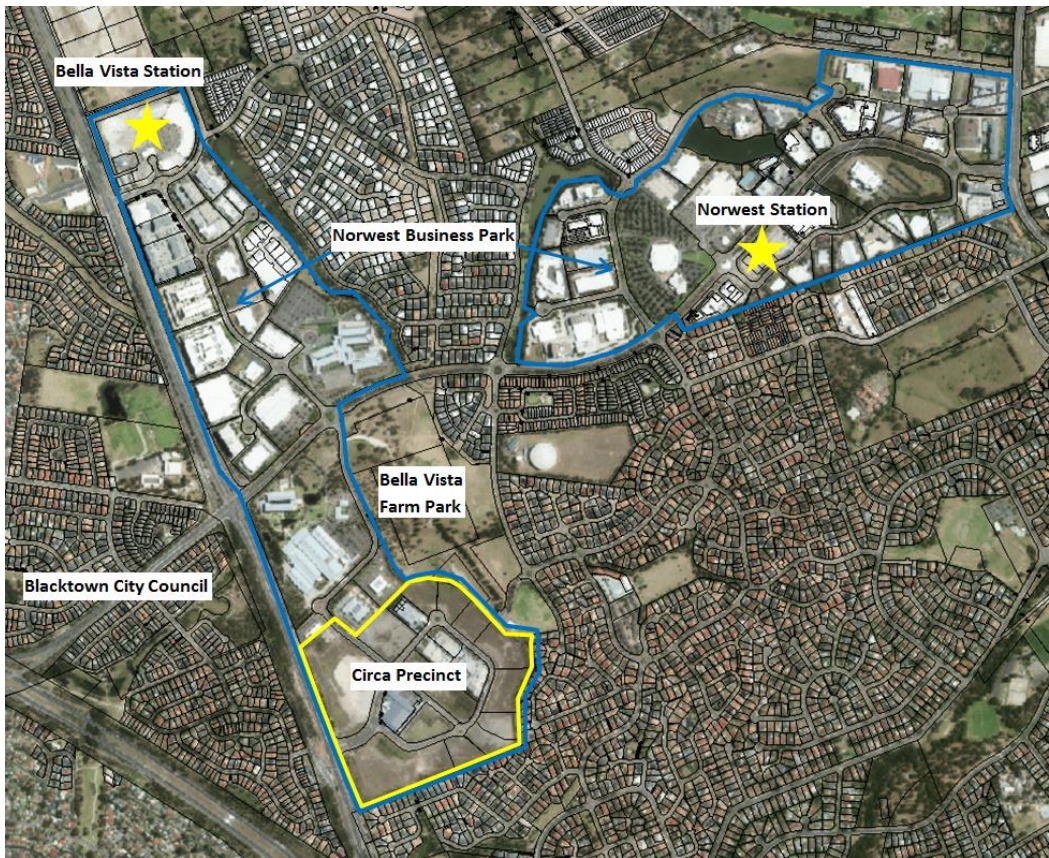
**THE SITE:**

The subject site consists of 17 lots and 5 strata plans located on Norbrik Drive and Elizabeth Macarthur Drive, Bella Vista. The site includes approximately 25.3 hectares of developable land, including 4.6 hectares being already partially or wholly developed and 20.7 hectares vacant land. The site currently contains the Norwest Private Hospital, Circa Shopping Centre, commercial office development and the Quest Apartments (under construction). The remainder of the land is vacant. The site slopes generally to the south, with the lowest point being adjacent to Council's reserve on Prestige Avenue (refer to Figure 1).

The site is bound by Bella Vista Farm Park the north east, low density residential development to the east and south, Old Windsor Road to the west and low scale commercial development to the north.



**Figure 1**  
Aerial photograph of subject site



**Figure 2**  
Aerial photograph of subject site and surrounds

The master plan breaks the site into precincts that reflect the intended development outcome. The Core Commercial Precinct includes the Circa Shopping centre, hospital and medical centre, the Eastern Commercial Precinct includes Quest Apartments and Q Central and the Campus Precinct which is vacant. The Retirement Precinct is the subject of a separate planning proposal to allow for seniors housing, which has received a Gateway Determination. The planning proposal considered in this report includes the Retirement Precinct land and proposes to increase the maximum building height and floor space ratio.



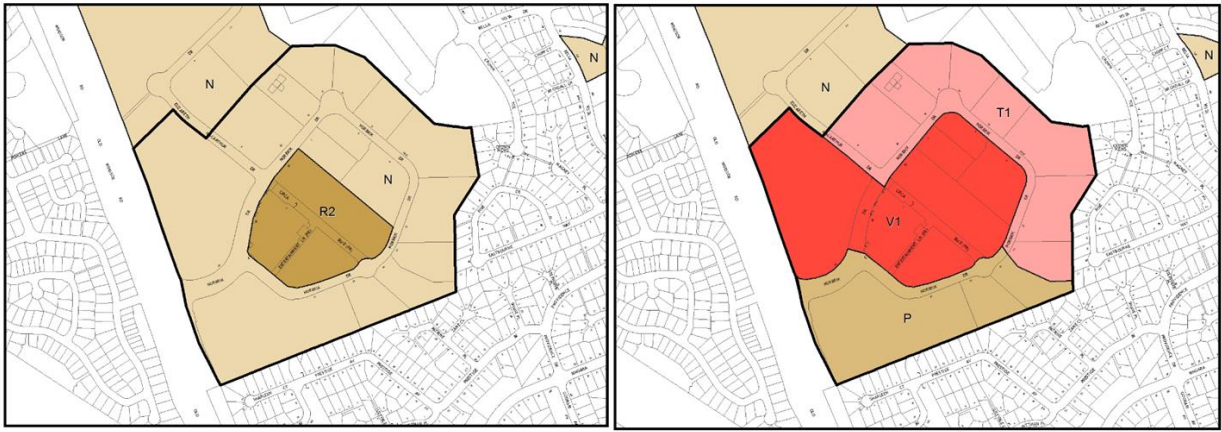
**Figure 3**  
Site identification map showing four 'Precincts'

**PART 1 OBJECTIVES OR INTENDED OUTCOME**

The planning proposal seeks to facilitate development of an additional 450,000m<sup>2</sup> of commercial floor space (under the current controls 240,000m<sup>2</sup> could be delivered) through a range of commercial office, café and restaurant developments which could provide up to 25,000 jobs.

This is intended to be achieved by amending LEP 2012 to increase the maximum building height from RL108 and RL116 to RL116 and RL140 and increase the maximum floor space ratio from 1:1 to 1.2:1, 2:1 and 3:1. The existing and proposed planning controls for each precinct are:

Precinct	Maximum Building Height		Floor Space Ratio	
	Existing	Proposed	Existing	Proposed
Core Commercial	RL108 & RL116	RL116 & RL140	1:1 & 1.49:1	3:1
Eastern Commercial	RL108 & RL116	RL116	1:1	2:1
Campus	RL108 & RL116	RL116 & RL140	1:1	3:1
Retirement	RL108 & RL116	RL116	1:1	1.2:1



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

N	1.0	P	1.2	R2	1.49	T1	2.0	V1	3.0
---	-----	---	-----	----	------	----	-----	----	-----

**Figure 4**

Existing and Proposed Floor Space Ratio



Height of Buildings (m) (HOB )

J	9.0
---	-----

Heights Shown on Map in RL (m)

108	116	140
-----	-----	-----

**Figure 5**

Existing and Proposed Maximum Building Height

The applicant has provided a development concept to indicate how the proposed buildings will be arranged on the site and to demonstrate how these buildings will integrate with the surrounding environment, particularly with relation to Bella Vista Farm.



**Figure 6**  
Aerial view of development concept

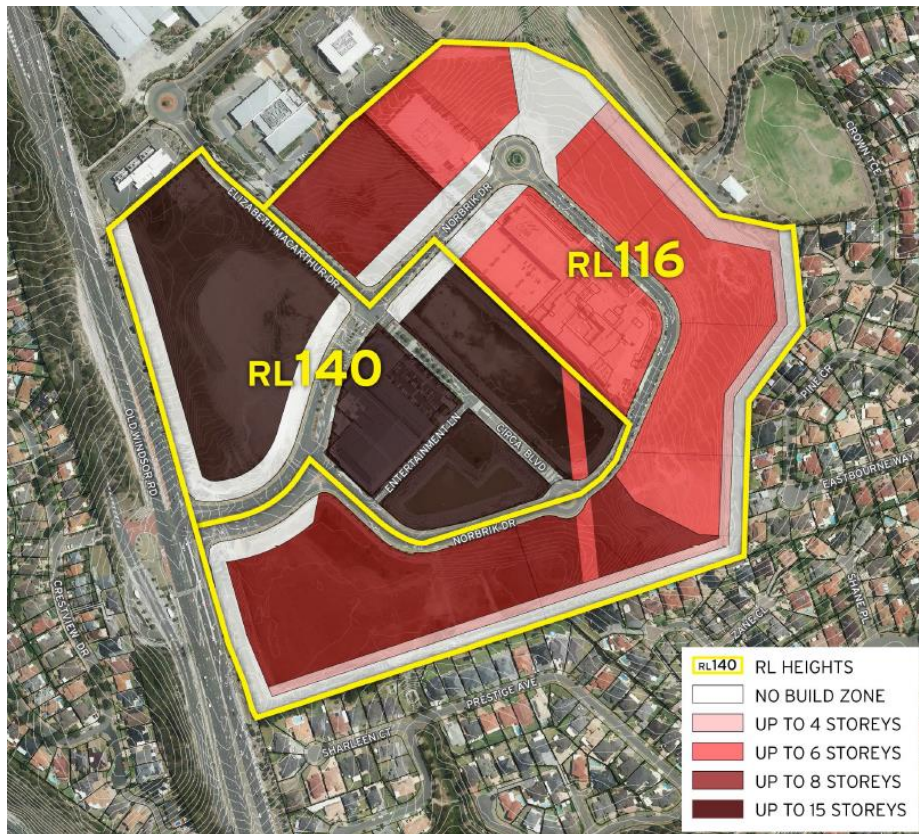
The Core Commercial Precinct is expected to predominantly comprise office buildings but will include range of other uses which promote ground level tenancies that encourage pedestrian activities and interaction, such as small scale shops, cafes and restaurants. The area is expected to exhibit an intensity of built form, commercial activity and highly utilised public spaces, with buildings ranging from two (2) to 15 storeys in height.

The Core Commercial Precinct will contain the focal point for the activation of the whole Circa Precinct. This space will be linked to the surrounding precincts via a pedestrian network that encourages movement through shade, seating, artwork and design interest.

The Campus Precinct is an area which is expected to predominantly comprise medium and high rise office buildings, ranging in height from five (5) to 15 storeys, but may also include:

- clinics, consulting rooms and health facilities;
- high technology and research centres;
- high tech industries;
- education establishments;
- function centres; and
- clubs.

The Eastern Commercial Precinct is an area with a similar land use mix to that of the Campus Precinct but at low and medium heights (maximum six (6) storeys) reflecting its interface with the Bella Vista Farm Park and the existing residential neighbourhood to the southeast (refer to Figure 7).



**Figure 7**

Proposed maximum building heights and proposed heights in storeys

## PART 2 EXPLANATION OF THE PROVISIONS

To achieve this, the planning proposal seeks to amend LEP 2012 to:

- a) Increase the maximum building height from RL108 and RL116 to RL116 and RL140; and;
- b) Increase the maximum floor space ratio from 1:1 to 1.2:1, 2:1 and 3:1.

## PART 3 JUSTIFICATION

### SECTION A - NEED FOR THE PLANNING PROPOSAL

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

The planning proposal has been initiated by a private landowner. However, the site forms part of the Sydney Metro North West Corridor for which Council has recently undertaken a strategic review of redevelopment opportunities around future railway stations. This work was completed to build on the existing NSW Government North West Rail Link Corridor Strategy and is contained within *The Hills Corridor Strategy*.

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

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

The proposed amendments will facilitate increased employment opportunities within the Norwest business park.

The site forms part of the Bella Vista Station Precinct, for which a Priority Precinct plan has been exhibited by the Department of Planning and Environment. However this plan did not include any changes to development standards for the subject site.

A separate planning proposal is considered the best way to achieve the desired outcome.

## **SECTION B - RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK**

3. *Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Plan for Growing Sydney)?*

Yes, a discussion of consistency is provided below.

- **A Plan for Growing Sydney**

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

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

Norwest is identified as part of the Global Economic Corridor that extends from the Sydney CBD to Parramatta and Sydney Olympic Park, as well as Norwest. Direction 1.6 of the Plan is to 'Expand the Global Economic Corridor', which is supported by sub-directions 1.6.1 'grow high-skilled jobs in the Global Economic Corridor by expanding employment opportunities and mixed-use activities' and 1.6.2 'invest to improve infrastructure and remove bottlenecks to grow economic activity'. The planning proposal will increase the development potential on land to facilitate new jobs, particularly high skilled jobs located in commercial office environments.

Direction 1.7 is to 'grow strategic centres – providing more jobs closer to home'. Norwest is identified as a strategic centre in the Plan. It is a suburban business park, surrounded by residential development. Norwest is strategically located in close proximity to a large catchment of skilled workers. This planning proposal will capitalise on the success of Norwest Business Park and provide a significant contribution to jobs growth, close to a large labour force catchment. The planning proposal is consistent with Direction 1.7.

- **North West Rail Link Corridor Strategy**

The subject site is located within the Bella Vista Station Structure Plan, however the site was not included as part of the precinct planning package for the Bella Vista Priority Precinct recently exhibited by the Department of Planning and Environment.

The Bella Vista Station Structure Plan envisages a business park outcome on the subject site, comprising four (4) to six (6) storey commercial office buildings. The planning proposal would facilitate buildings up to 17 storeys in height.

The North West Rail Link Corridor Strategy assumes a floor space ratio of 2:1 to 4:1 for commercial developments. Based on the site area of 25.3 hectares, this would result in somewhere between 506,000m<sup>2</sup> and 1,021,000m<sup>2</sup> of commercial floor space in this Circa Precinct. If only the vacant sites in the Circa Precinct are included, the floor space anticipated



under the Strategy would be between 414,000m<sup>2</sup> and 828,000m<sup>2</sup>. The planning proposal seeks to facilitate 450,000m<sup>2</sup> of commercial floor space.

If development on the site were to meet the desired build form of four (4) to six (6) storeys identified in the Bella Vista Station Structure Plan and use the floor space ratio assumptions of 2:1 to 4:1, the development would have very high site coverage, little public domain space and result in bulky built form. The planning proposal seeks to deliver a high quality commercial precinct that activates the streets and provides a high quality public domain. This vision is consistent with the principles of transit oriented development and will result in a superior outcome to that envisaged in the Bella Vista Structure Plan.

The strategy identifies the Bella Vista Precinct as being capable of delivering 10,500 additional jobs by 2031. However, this is based on a 23% uptake rate for development. This uptake rate is considered low, particularly for a long term strategy. If the uptake was fully realised, the Bella Vista Precinct could deliver up to 47,000 additional jobs. The planning proposal would facilitate approximately 11,700 additional jobs, just in the Circa Precinct.

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

- **The Hills Future Community Strategic Plan**

The planning proposal seeks to promote the better usage of existing land and capitalise on the strategic location of the site. The proposal will increase the development potential of employment land in Norwest Business Park.

The planning proposal is considered to be consistent with the following Hills Future Community Outcomes:

- Vibrant Communities – Public spaces area attractive, safe and well maintained providing a variety of recreational and leisure activities to support active lifestyle;
- Vibrant Communities – A connected and supported community with access to a range of services and facilities that contribute to health and wellbeing;
- Balanced Urban Growth – Safe, convenient and accessible transport options that enable movement through and within our Shire;
- Balanced Urban Growth – Responsible planning facilitates a desirable living environment and meets growth targets;

- **Local Strategy**

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

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

The Local Strategy is supported by various Directions. The Employment Lands Direction is particularly relevant to this planning proposal, as it seeks to facilitate increased development potential in Norwest Business Park, a key employment generating location in the Shire. The key directions within the Employment Lands Direction are to:

- E1 Accommodate the growth of a modern local economy to meet community needs;

- E2 Enhance the attractiveness of the Shire for new business and visitors;
- E3 Promote growth in local business and employment opportunities;
- E4 Enhance the use and viability of existing employment lands;
- E5 Plan for new employment lands; and
- E6 Encourage quality employment lands.

The Employment Lands Direction identifies Norwest Business Park as a key employment destination within the Shire and seeks to support the "*core economic role of the Norwest Business Park*" as a "*premiere professional employment precinct with a focus on professional, scientific and technical service industries*". The focus for Norwest is to leverage investment and economic development opportunities to generate further jobs and business growth. Norwest is a key contributor to economic growth and employment in the Global Economic Corridor, drawing on the Shire's competitive strengths of an accessible location, prestigious image, and a skilled labour force to attract world class business and investment.

The Direction identifies the need for sufficient commercial office space to be provided to match the skills of residents within the Shire. The resident labour force represents 51% of the total population and 48.2% of these persons have an advanced diploma or higher degree. Currently, 62% of the resident labour force is employed in professional and managerial occupations and 61% of these persons travel outside the Shire for work. Applying these same breakdowns to the expected incoming population of 100,000, the Shire will have an additional 31,000 residents that will seek employment in professional or managerial occupations.

The planning proposal will facilitate 450,000m<sup>2</sup> of commercial office floor space that will deliver 25,000 jobs over the next 20 years. This represents a significant portion of the jobs that are anticipated to be needed to serve the resident labour force. The planning proposal is consistent with the Employment Lands Direction as it will promote the core economic role of Norwest Business Park and provide increased floor space for professional employment uses to match the skills of residents in the Shire.

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

The planning proposal is consistent with all applicable State Environmental Planning Policies. An assessment of the proposal against applicable State Environmental Planning Policies is provided in Attachment A.

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

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

- **Direction 1.1 Employment and Resources**

The objective of this Direction is to encourage employment growth, protect employment lands and support the viability of strategic centres. This Direction is relevant given the planning proposal relates to land in a business zone and would increase the development potential of the land.

The planning proposal is consistent with this Direction as it will increase the development potential in a strategic centre and protect the viability of employment lands into the future.

- **Direction 2.3 Heritage Conservation**

The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.

The subject site is located adjacent to Bella Vista Farm Park, a State and locally listed heritage item. The planning proposal will facilitate development that exceeds the current Development Control Plan controls relating to views and vistas to and from Bella Vista Farm Park. The proposal includes an approach to retaining key views and vistas, such as that to the Pearce Family Cemetery.

The planning proposal is consistent with this Direction as it does not impact on the conservation of a key item of environmental heritage. Further controls to ensure the protection of key views and vista will be developed as the planning proposal progresses.

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

This Direction aims to ensure that development improves access to housing, jobs and services, increase choice of available transport, reduce travel demand, and provide for the efficient movement of freight. A planning proposal must locate zones for urban purposes and include provisions that are consistent with the aims, objectives and principles of *Improving Transport Choice – Guidelines for planning and development* (DUAP 2001) and *The Right Place for Business and Services – Planning Policy* (DUAP 2001).

The proposal is considered to be consistent with this Direction as it will facilitate development which meets the following key objectives:

- a) Improve access to housing, jobs and services by walking, cycling and public transport; and
- b) Increase the choice of available transport and reducing dependence on cars; and
- c) Reduce travel demand including the number of trips generated by development and the distances travelled, especially by car; and
- d) Support the efficient and viable operation of public transport services including the North West Transitway and the North West Rail Link.

- **Direction 4.3 Flood Prone Land**

The objectives of this direction are:

- (a) to ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the *Floodplain Development Manual 2005*, and
- (b) to ensure that the provisions of an LEP on flood prone land is commensurate with flood hazard and includes consideration of the potential flood impacts both on and off the subject land.

The Circa Precinct's lowest point is in the Retirement Precinct in the south. As part of the planning proposal to make seniors housing a permitted use under LEP 2012, detailed work has been undertaken with respect to flood prone land and drainage. Further, Council has granted development consent for the decommissioning and reconstruction of the existing dam on this part of the site. The works under this development consent allow for the future built form proposed under this planning proposal to be accommodated in terms of drainage and stormwater.

The planning proposal is consistent with this Direction.

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

The objectives of this Direction are to promote transit-oriented development and manage growth around the eight train stations of the Sydney Metro Northwest and to ensure development within the rail corridor is consistent with the proposals set out in the Corridor Strategy and precinct Structure Plans.

The subject site is located within the Bella Vista Station Structure Plan, however the site was not included as part of the precinct planning package for the Bella Vista Priority Precinct recently exhibited by the Department of Planning and Environment.

The Bella Vista Station Structure Plan envisages a business park outcome on the subject site, comprising four (4) to six (6) storey commercial office buildings. The planning proposal would facilitate buildings up to 17 storeys in height.

Given that there is a need to provide additional jobs in the Shire, the additional employment yield in the proposal is appropriate. Any inconsistency with the strategy is justified on the basis that the business park outcome is still achieved, although a greater range of building heights would be permitted than identified in the desired future character.

The planning proposal is inconsistent with the North West Rail Link Corridor Strategy, however this inconsistency is considered minor and justified.

- **Direction 6.1 Approval and Referral Requirements**

The purpose of this Direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development by minimising the inclusion of provisions that require the concurrence, consultation or referral of development applications to a Minister or public authority. The proposal is considered to be consistent with this Direction as it does not include any concurrence, consultation or referral provisions and does not identify any development as designated development.

## **SECTION C - ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACT**

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

No, the land that is subject to the planning proposal is generally void of any significant vegetation or trees. Therefore the planning proposal is unlikely to create any adverse impacts on critical habitat or threatened species, populations or environmental communities and their habitats.

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

The subject site is currently zoned B7 Business Park and as such, development for the purpose of commercial development is already permissible under the current controls.

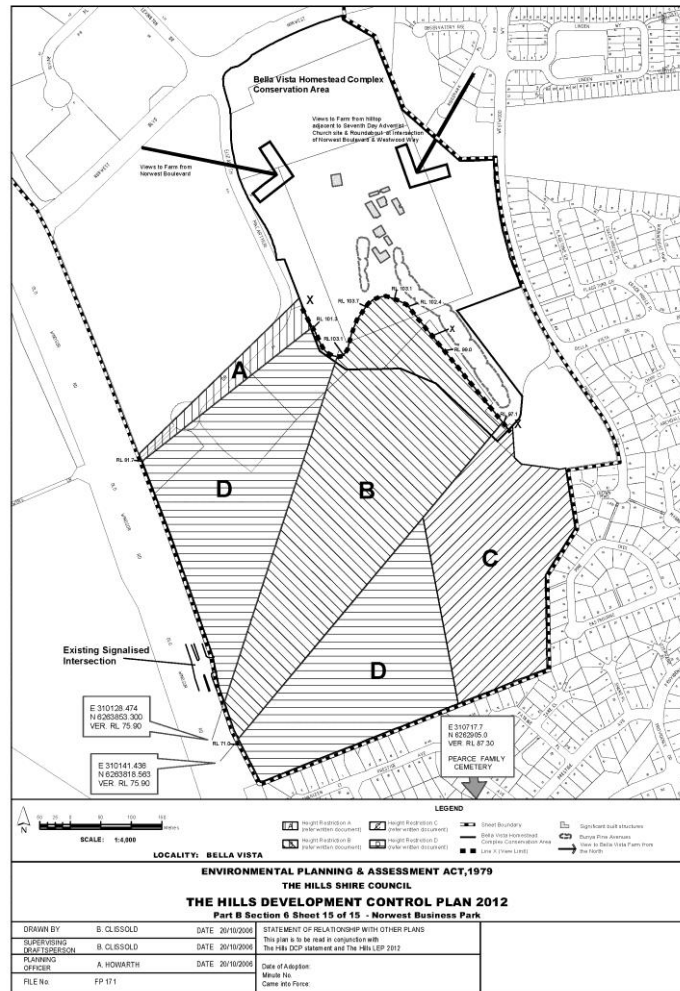
The planning proposal would allow for increased intensity of development on the site (by way of increased building height and floor space ratio) however it is considered that the site is appropriately located and is capable of accommodating a higher density form of development without any unacceptable environmental effects (subject to further investigations through the Gateway Process as well as any subsequent Development Assessment process). The proposed character of development on the site is consistent with the envisaged future character within the Bella Vista station precinct and on land within proximity to the site.

A key consideration for this planning proposal is the potential impacts on Bella Vista Farm Park and the views and vistas to and from the park that may be obstructed by buildings facilitates under the planning proposal.

Bella Vista Farm Park is a State and locally listed heritage item, comprising a grouping of early farm buildings, surrounding parklands and a prominent row of Bunya Pines that sits above and overlooking the Circa Precinct. The heritage listing of Bella Vista Park includes the built form and the Bunya Pines and includes protection of key vistas to and from the Park.

The planning proposal includes increasing the maximum building height to the point that it would contradict the existing DCP 2012 requirements with respect to heritage views to and from Bella Vista Farm.

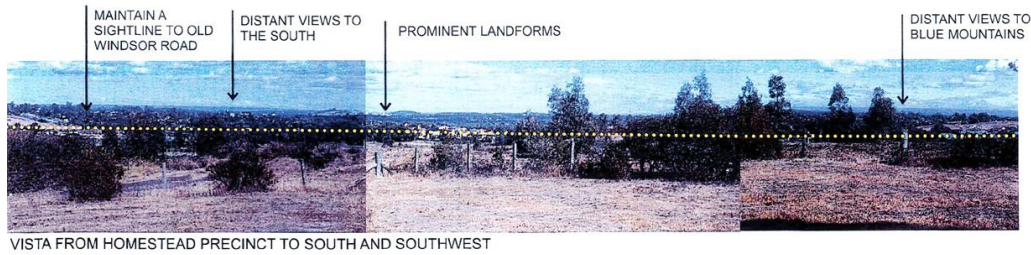
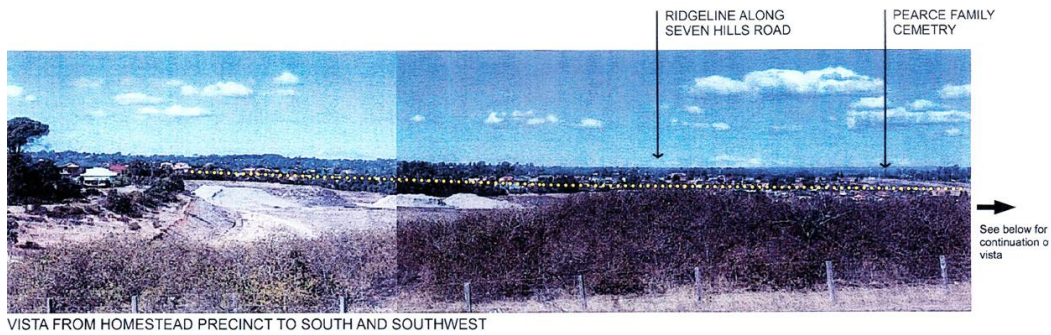
The existing controls in DCP 2012 relate to views to the Homestead and the prominent ridgeline from the key locations of Old Windsor Road and the Pearce Family Cemetery. The controls are supported by a map (Figure 8) illustrating specific view corridors. The map contains 'Line X' with marked heights through the south of the heritage conservation site applying to the view limit. These are to be aligned with the identified survey points to provide the view vistas that must be maintained.



**Figure 8**

Extract from DCP 2012 Part B Section 6 – Bella Vista view corridors

The controls also protect panoramic views from the site to the surrounding landscape. This is supported by a series of photomontages (Figure 9) and that depict the maximum development height to ensure retention of views by restricting development to below the dotted lines.



**Figure 9**

Extract from DCP 2012 Part B Section 6 – panoramic views from Bella Vista

The Circa Precinct Preliminary Concept outlines the key features that the Circa Precinct is intended to incorporate to enhance the heritage of Bella Vista Farm being:

- enhanced permeability through the built form so as to increase public accessibility;
- enhanced public experiences through maintaining or expanding the reasons and ease to visit the site;
- increased open space to maintain the heritage setting and integrity of what remains of Bella Vista Farm;
- views from the homestead to the cemetery;
- views to the site from key vantage points within the precinct; and
- views from the site into the surrounding urban landscape.



**Figure 10**

Photomontage showing Circa Precinct as viewed from Bella Vista Farm

Key challenges to maintaining the views are also identified:

- The views from Old Windsor Road are no longer available;
- The view between Bella Vista Farm Homestead and the Pearce Family Cemetery is difficult to identify as the Cemetery is lost within the landscape; and
- The existing development and associated landscaping around Bella Vista Farm Park has modified the views.

The applicant has provided a Heritage Report that provides an assessment of the existing circumstances relating to heritage in the vicinity of the site and details a new approach to building heights and the views to and from Bella Vista Farm. The Heritage report identifies considerations in relation to the relationship of proposed building heights and the retention of significant views to and from Bella Vista Farm. Key considerations include identifying the viewing points that take into account the likely future built spaces and the separations between built forms, noting that views out of the site are important to provide roundedness and connection with the outside world.

With respect to the existing controls in DCP 2012 related to the views, the Heritage Report advises that the views to Seven Hills Road, the Pearce Family Cemetery, prominent landforms and the distant views to the Blue Mountains are to be retained. The view to the Pearce Family Cemetery has been framed by the design modulation of buildings within the Circa Precinct. The report also advises that the distant views to the south will be partially retained.

Further work is required to develop amended Development Control Plan controls for this site to accompany the planning proposal. Any future development application for the site would be assessed against the LEP provisions and the Hills Development Control Plan, as amended, having regard to potential impacts of the development on adjoining and surrounding properties.

## **SECTION D - STATE AND COMMONWEALTH INTERESTS**

### *9. Is there adequate public infrastructure for the planning proposal?*

It is considered that the existing and planned local infrastructure within the locality in combination with additional monetary contributions from the developer towards the provision of additional local infrastructure (to be negotiated further) will be sufficient to accommodate the additional development on the site facilitated by the planning proposal.

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

A list of relevant agencies would be determined as part of the Gateway Determination. Following the Gateway determination, all relevant agencies will be consulted.

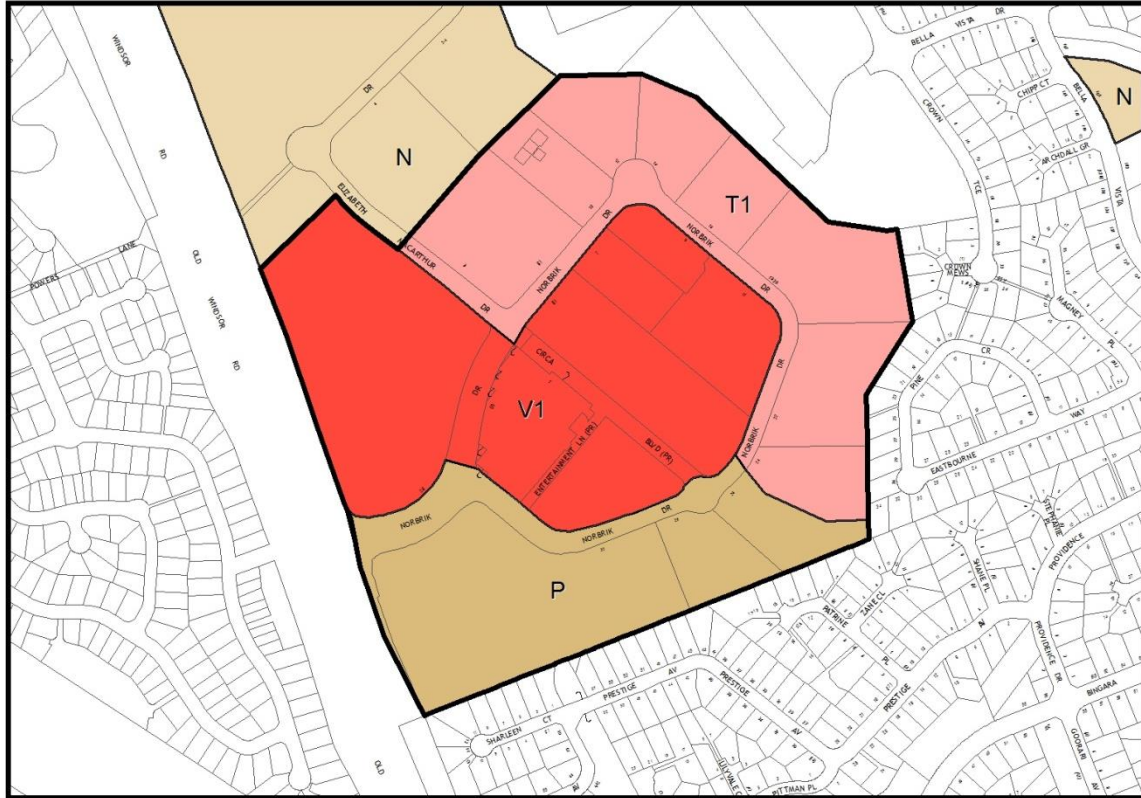
A preliminary list of public agencies which could be consulted is included below.

- Sydney Water;
- Office of Environment and Heritage;
- Roads and Maritime Services; and
- Transport for NSW.





# Proposed Base Floor Space Ratio Map

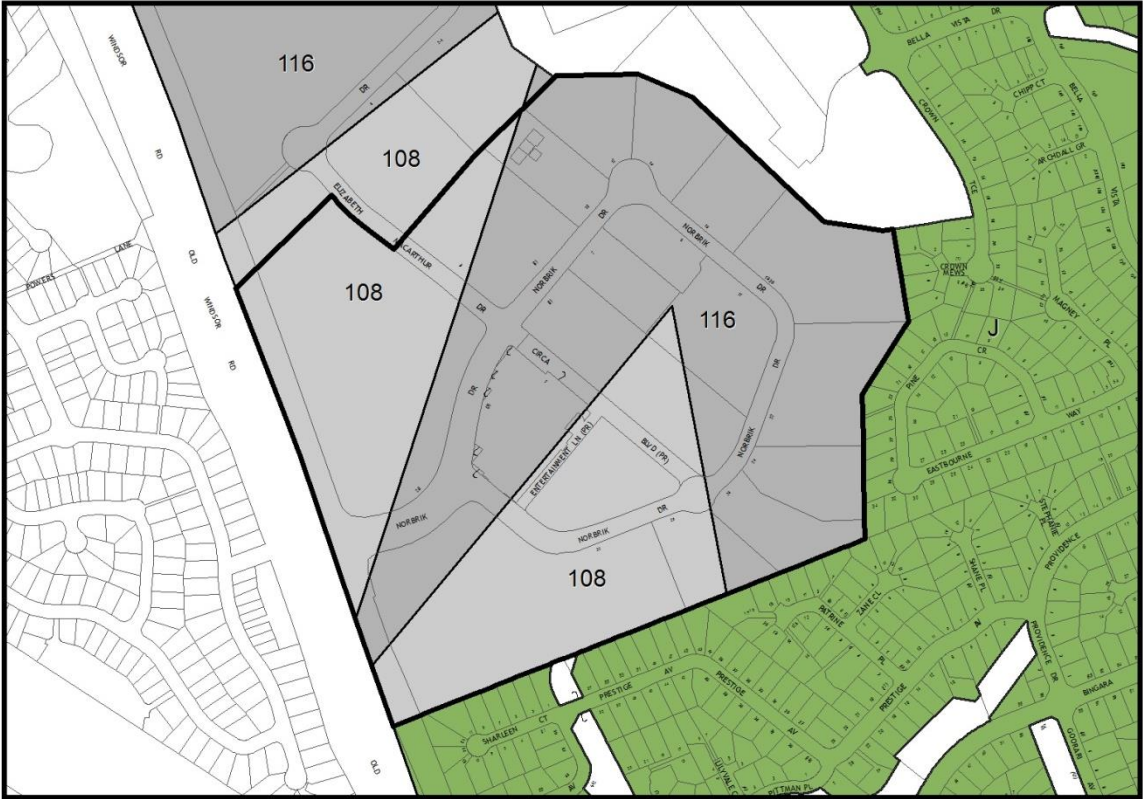


## Maximum Floor Space Ratio (FSR) (n:1)

<b>N</b>	1.0	<b>P</b>	1.2	<b>T1</b>	2.0	<b>V1</b>	3.0
----------	-----	----------	-----	-----------	-----	-----------	-----

The planning proposal seeks to amend the Height of Buildings Map of *The Hills Local Environmental Plan 2012*.

### Existing Height of Buildings Map



Height of Buildings (m) (HOB )

J 9.0

Heights Shown on Map in RL (m)

108 116



## PART 5 COMMUNITY CONSULTATION

The planning proposal will be advertised in local newspapers and on display at Council's administration building, Castle Hill Library and Rouse Hill Library. The planning proposal will also be made available on Council's website. In addition, letters will be issued to adjoining and nearby property owners and stakeholders.

## PART 6 PROJECT TIMELINE

<b>STAGE</b>	<b>DATE</b>
Commencement Date (Gateway Determination)	August 2016
Government agency consultation	August 2016
Commencement of public exhibition period (28 days)	September 2016
Completion of public exhibition period	October 2016
Timeframe for consideration of submissions	November 2016
Timeframe for consideration of proposal post exhibition	November 2016
Report to Council on submissions	December 2016
Planning Proposal to PCO for opinion	February 2017
Date Council will make the plan (if delegated)	February 2017
Date Council will forward to department for notification (if delegated)	February 2017

**ATTACHMENT A: LIST OF STATE ENVIRONMENTAL PLANNING POLICIES**

<b>STATE ENVIRONMENTAL PLANNING POLICY (SEPP)</b>		<b>APPLICABLE</b>	<b>RELEVANT? (YES/NO)</b>	<b>(IF RELEVANT) INCONSISTENT/CONSISTENT</b>
No. 1	Development Standards	YES	NO	-
No. 14	Coastal Wetlands	NO	-	-
No. 15	Rural Landsharing Communities	NO	-	-
No. 19	Bushland in Urban Areas	YES	NO	-
No. 21	Caravan Parks	YES	NO	-
No. 26	Littoral Rainforests	NO	-	-
No. 29	Western Sydney Recreation Area	NO	-	-
No. 30	Intensive Agriculture	YES	NO	-
No. 32	Urban Consolidation (Redevelopment of Urban Land)	YES	NO	-
No. 33	Hazardous and Offensive Development	YES	NO	-
No. 36	Manufactured Home Estates	NO	-	-
No. 39	Spit Island Bird Habitat	NO	-	-
No. 44	Koala Habitat Protection	NO	-	-
No. 47	Moore Park Showground	NO	-	-
No. 50	Canal Estate Development	NO	-	-
No. 52	Farm Dams and Other Works in Land and Water Management Plan Areas	NO	-	-
No. 55	Remediation of Land	YES	NO	-
No. 59	Central Western Sydney Regional Open Space and Residential	NO	-	-
No. 62	Sustainable Aquaculture	YES	NO	-
No. 64	Advertising and Signage	YES	NO	-
No. 65	Design Quality of Residential Flat Development	YES	NO	-
No. 70	Affordable Housing (Revised Schemes)	YES	NO	-
No. 71	Coastal Protection	NO	-	-
	Affordable Rental Housing (2009)	YES	NO	-
	Building Sustainability Index: BASIX 2004	YES	NO	-
	Exempt and Complying Development Codes (2008)	YES	NO	-
	Housing for Seniors or People with a Disability (2004)	YES	NO	-
	Infrastructure (2007)	YES	NO	-
	Kosciuszko National Park – Alpine Resorts (2007)	NO	-	-
	Kurnell Peninsula (1989)	NO	-	-
	Major Development (2005)	NO	-	-
	Mining, Petroleum Production and Extractive Industries (2007)	NO	-	-
	Miscellaneous Consent Provisions (2007)	YES	NO	-
	Penrith Lakes Scheme (1989)	NO	-	-
	Port Botany and Port Kembla (2013)	NO	-	-
	Rural Lands (2008)	NO	-	-

<b>STATE ENVIRONMENTAL PLANNING POLICY (SEPP)</b>	<b>APPLICABLE</b>	<b>RELEVANT? (YES/NO)</b>	<b>(IF RELEVANT) INCONSISTENT/CONSISTENT</b>
SEPP 53 Transitional Provisions (2011)	NO	-	-
State and Regional Development (2011)	NO	-	-
Sydney Drinking Water Catchment (2011)	NO	-	-
Sydney Region Growth Centres (2006)	NO	-	-
Three Ports (2013)	NO	-	-
Urban Renewal (2010)	NO	-	-
Western Sydney Employment Area (2009)	NO	-	-
<b>Deemed SEPPs</b>			
SREP No. 8 (Central Coast Plateau Areas)	NO	-	-
SREP No. 9 – Extractive Industry (No. 2 – 1995)	YES	NO	-
SREP No. 16 – Walsh Bay	NO	-	-
SREP No. 18 – Public Transport Corridors	NO	-	-
SREP No. 19 – Rouse Hill Development Area	NO	-	-
SREP No. 20 – Hawkesbury – Nepean River (No 2 – 1997)	YES	NO	-
SREP No. 24 – Homebush Bay Area	NO	-	-
SREP No. 25 – Orchard Hills	NO	-	-
SREP No. 26 – City West	NO	-	-
SREP No. 30 – St Marys	NO	-	-
SREP No. 33 – Cooks Cove	NO	-	-
SREP (Sydney Harbour Catchment) 2005	NO	-	-

**ATTACHMENT B: ASSESSMENT AGAINST SECTION 117 MINISTERIAL DIRECTIONS**

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

<b>DIRECTION</b>		<b>APPLICABLE</b>	<b>RELEVANT? (YES/NO)</b>	<b>(IF RELEVANT) INCONSISTENT/ CONSISTENT</b>
5.9	North West Rail Link Corridor Strategy	YES	YES	INCONSISTENT
<b>6. Local Plan Making</b>				
6.1	Approval and Referral Requirements	YES	YES	CONSISTENT
6.2	Reserving Land for Public Purposes	YES	NO	-
6.3	Site Specific Provisions	NO		
<b>7. Metropolitan Planning</b>				
7.1	Implementation of A Plan for Growing Sydney	YES	YES	CONSISTENT
7.2	Implementation of Greater Macarthur Land Release Investigation	NO	-	-