

## PLANNING PROPOSAL

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

**NAME OF PLANNING PROPOSAL:** Draft The Hills Local Environmental Plan 2019 (Amendment No (#) – to increase the maximum floor space ratio from 1:1 to 2.36:1 and increase the maximum height of buildings from RL 116m to RL 155.85m for land at 7-15 Columbia Way, Norwest.

**STATUS:** Public Exhibition

**ADDRESS OF LAND:** 7-15 Columbia Way, Norwest (Lot 2015 DP 857690 and Lot 200 DP 877496)

### SUMMARY OF HOUSING AND EMPLOYMENT YIELD:

	EXISTING	PROPOSED	TOTAL YIELD
Jobs	440	2,383	+1,943
Housing	n/a	n/a	n/a

### SUPPORTING MATERIAL:

<b>Attachment A</b>	Assessment against State Environment Planning Policies
<b>Attachment B</b>	Assessment against Section 9.1 Local Planning Directions
<b>Attachment C</b>	Council Report and Minute (26 October 2022)
<b>Attachment D</b>	Local Planning Panel Report and Minute (18 August 2022)

### BACKGROUND:

At its Ordinary Meeting of 26 October 2022, Council considered a planning proposal applicable to land at 7-15 Columbia Way, Norwest and resolved that:

- The planning proposal for land at 7-15 Columbia Way, Norwest (Lot 2015 DP 857690 and Lot 200 DP 877496) be submitted to the Department of Planning and Environment for Gateway Determination.*
- Draft The Hills Development Control Plan 2012 Part D Section X – 7-15 Columbia Way, Norwest (Attachment 3) be publicly exhibited concurrent with the planning proposal.*
- Council accept, in principle, the draft Voluntary Planning Agreement (Attachment 4). The draft VPA be subject to legal review (at the cost of the Proponent) and then updated, prior to exhibition, to reflect the recommendations of the legal review and encompass the various options for the upgrade of Columbia Way which will be further investigated by Council officers (including partial or full construction by the Proponent), as discussed within this report. Following this, the draft Voluntary Planning Agreement be placed on public exhibition concurrent with the planning proposal and draft Development Control Plan.*
- Council receive a further report following the completion of exhibition of the planning proposal, draft Development Control Plan and draft Voluntary Planning Agreement and resolution of the investigations relating to the options for the upgrade of Columbia Way, as discussed within this report.*

A copy of the Council Report and Minute is provided as Attachment C.

In satisfaction of Council's Resolution (in particular, Point 3), investigations on the feasibility of delivering either full or partial road construction of Columbia Way, by the developer, have been completed. The outcomes of this investigation (including the cost to construct Columbia Way) are reflected in the draft Voluntary Planning Agreement (VPA), which is concurrently on exhibition with the planning proposal and draft DCP amendments.

## THE SITE:

The site is known as 7-15 Columbia Way, Norwest (Lot 2015 DP 857690 and Lot 200 DP 877496) and is located within the Norwest Strategic Centre. The site is zoned B7 Business Park under The Hills Local Environmental Plan 2019 and is approximately 830 metres walking distance from Norwest Station.

The site is a large single landholding with a total area of 33,320m<sup>2</sup> and currently contains two warehouses and associated office premises, with an existing combined gross floor area (GFA) of approximately 13,201m<sup>2</sup>. Under the existing planning controls, the site would be capable of achieving a total GFA of approximately 30,320m<sup>2</sup> (a floor space ratio of 1:1). Accordingly, there is an additional 17,119m<sup>2</sup> of unrealised development capacity on the site under the existing controls however the viability of redeveloping the site to achieve this incremental uplift is uncertain.

The site has a fall of approximately 13 metres from a ground level of RL 99 metres in the northeast corner to a ground level of RL 86 metres in the southwest corner.

Under Schedule 5 of The Hills Local Environmental Plan 2019, Spurway Drive is listed as an item of local heritage significance (Item 25). Its heritage significance relates to the avenue of mature trees along the road that provide evidence of European settlement and the use of this land since the early 19th century.



Figure 1: Aerial view of the site and surrounding locality

## PART 1 OBJECTIVES OR INTENDED OUTCOME

The planning proposal seeks to facilitate redevelopment of the site to accommodate a commercial development comprising five commercial buildings, ranging from 5 to 15 storeys with a total GFA of 71,516m<sup>2</sup> gross floor area and 2,043 basement car parking spaces. It is anticipated that future development on the site will primarily comprise commercial office space, with complementary uses such as food and drink premises, a health club, childcare facility that would facilitate approximately 2,383 total jobs.

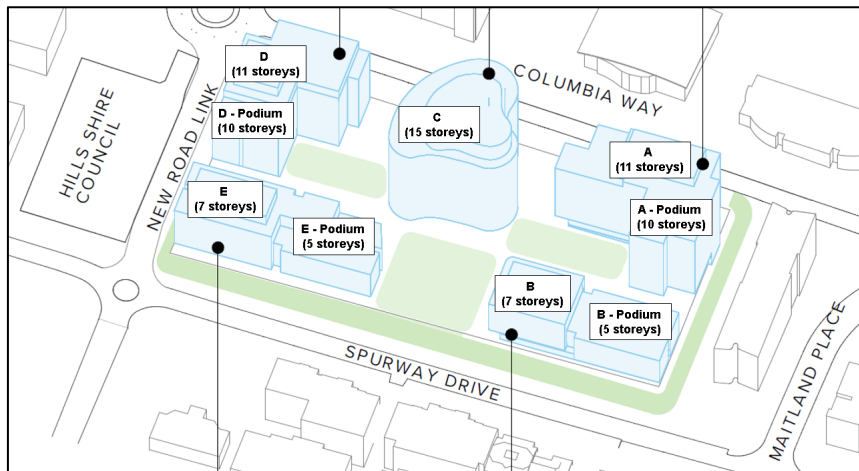


Figure 2: Proposed development outcome

## PART 2 EXPLANATION OF THE PROVISIONS

To enable the proposed development outcome, the planning proposal seeks to amend The Hills LEP 2019 as follows:

1. Increase the maximum Floor Space Ratio from 1:1 to 2.36:1; and
2. Increase the maximum Height of Building from RL 116 to RL 155.85 (approx. 15 storeys).

The planning proposal is also accompanied by a draft site-specific (DCP) to guide built form outcomes and establish a building envelope for future development on the site as well as identify land designated for public open space. Draft controls relate to setbacks, landscaping, built form design, parking and vehicular access, public domain, pedestrian amenity, solar access, and overshadowing.

## PART 3 JUSTIFICATION

### SECTION A - NEED FOR THE PLANNING PROPOSAL

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

No, the planning proposal is not a result of any strategic study or report. It has been initiated by the Proponent, acting on the behalf the landowner.

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 the best way to achieve the intended outcomes for the site. The proposed floor space ratio and building height will regulate an appropriate built form outcome and facilitate an increase in commercial floor space and employment opportunities. The site's proximity to Norwest Metro Station will encourage transit oriented development and reinforce Norwest's role as a strategic centre.

### SECTION B - RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK

3. *Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?*

Yes, a discussion of consistency is provided below.

▪ **Greater Sydney Region Plan and Central City District Plan**

The Greater Sydney Region Plan and Central City District Plan seek to attract investment and business activity in key strategic centres and ensure infrastructure provision aligns with forecast growth through various objectives and priorities. Those relevant to this planning proposal are as follows:

- Objective 2 – Infrastructure supports the three cities;
- Objective 14 – Integrated land use and transport creates walkable and 30-minute cities;
- Objective 22 – Investment and business activity in centres;
- Priority C1 – Planning for a city supported by infrastructure;
- Priority C9 – Delivering integrated land use and transport planning and a 30-minute city; and
- Priority C10 – Growing investment, business, and job opportunities in strategic centres.

The proposal will facilitate a commercial-only development that would assist in realising the potential for Norwest Strategic Centre to become one of nine specialised commercial office precincts within Greater Sydney. Specifically, the proposal would facilitate approximately 1,943 additional jobs and contribute toward the 49,000 total jobs target identified for Norwest over the next 10-15 years. The retention and growth of existing and new commercial office precincts is essential to growing employment opportunities and in turn, Sydney's global competitiveness.

The planning proposal is accompanied by a draft Voluntary Planning Agreement (VPA) that would secure contributions valued at 2.8% of the cost of construction (\$9.25 million), comprising monetary contributions, road construction and land dedication associated with the upgrade of Columbia Way and extension of Columbia Court to Spurway Drive. In the absence of a finalised Norwest precinct plan, the contribution offer is considered to be fair and reasonable and is considered to be commensurate with the proposal's impact on the cumulative local infrastructure needs of the Precinct.

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

Yes, a discussion of consistency is provided below.

▪ **The Hills Local Strategic Planning Statement**

The Hills Local Strategic Planning Statement (LSPS) outlines the Shire's 20-year vision regarding land use, planning, population, housing, economic growth, and environmental management. The planning proposal will give effect to the following relevant planning priorities of the LSPS:

- Planning Priority 1 – Plan for sufficient jobs targeted to suit the skills of the workforce
- Planning Priority 2 – Build strategic centres to realise their potential; and
- Planning Priority 12 – Influence travel behaviour to promote sustainable choices.

The proposed wholly commercial development outcome is consistent with the LSPS as it would increase commercial floor space within the Norwest Strategic Centre and will contribute towards the anticipated additional 16,600 to 20,600 jobs identified for the Norwest Strategic Centre by 2036. The increase in commercial office space aligns with the highly skilled professional workforce within The Hills and is consistent with the identified need to match jobs growth with the skills of the Shire's workforce.

The planning proposal seeks to capitalise on its proximity to Norwest Metro Station (at approximately 830m walking distance) and prioritise public and active transport to reduce car dependency and minimise traffic generation on the local and regional road network.

Although the planning proposal precedes the completion of detailed precinct planning and infrastructure analysis of Norwest as identified in the LSPS, the proposed development is consistent with what has been envisaged for the site and the proposed monetary contribution toward local infrastructure is considered commensurate with the proposal's impact on the cumulative local infrastructure needs.

- **The Hills Future Community Strategic Plan**

The Hills Future Community Strategic Plan aims to manage new and existing development with a robust framework of policies, plans and processes that is in accordance with community needs and expectations. The planning proposal seeks to better utilise the existing site to provide for additional employment opportunities, consistent with the Strategic Plan. The proposed floor space ratio and building height provisions will contribute to the realisation of Norwest as a strategic centre and key office precinct whilst achieving an appropriate built form outcome on the site. Further, compliance with the associated site specific DCP will ensure development is sympathetic to adjoining low rise seniors housing and provides accessible public open space.

- **The Hills Corridor Strategy**

The proposed delivery of a commercial FSR of 2.36:1 exceeds the specified minimum FSR of 1.5:1 anticipated for the site under Council's Hills Corridor Strategy. Such an increased density is considered reasonable as the proposal appropriately addresses relevant strategic and site-specific factors.

The Proponent's Urban Design Report demonstrates compliance with the draft development controls to achieve an optimal built form and urban design outcome. While the proposed maximum building height of 15 storeys exceeds what is anticipated in the Strategy, careful site planning and urban design demonstrate that the proposed built form outcome is suitable at this location.

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

Yes. An assessment of the planning proposal against the applicable State Environmental Planning Policies is provided in Attachment A.

*6. Is the planning proposal consistent with applicable Ministerial Directions (s. 9.1 directions)?*

Yes. The consistency of the planning proposal with the Section 9.1 Ministerial Directions is detailed within Attachment B and below.

- **Direction 1.16 North West Rail Link Corridor Strategy**

This Direction aims to promote transit-oriented development and manage growth around the eight new stations of the North West Rail Link (now known as Sydney Metro Northwest). It requires that proposals for development within the corridor be consistent with the State Corridor Strategy and precinct Structure Plans. The planning proposal is consistent with this Direction as it will contribute to the identified employment targets for Norwest Station Precinct, and it proposes a height, density and character outcome consistent with the State Corridor Strategy.

- **Direction 2.3 Heritage Conservation**

This Direction seeks to conserve items, areas, objectives and places of environmental heritage significance and indigenous heritage significance. It requires planning proposals to include provisions that facilitate the conservation of environmental heritage. The heritage listing does not relate to existing trees along the site's immediate boundary with Spurway Drive, or any trees physically located within the boundaries of the subject site. The provisions proposed within the

subject planning proposal will facilitate a built form and design which are unlikely to create an adverse impact on the heritage significance of The Avenue of Trees. Additionally, the subject site is not within any identified view corridor nor is there an existing view corridor between the site and Bella Vista Farm. The proposed development outcome is consistent with the intended character of Norwest and the anticipated built form along Spurway Drive. Accordingly, the planning proposal is consistent with this Direction.

- Direction 4.1 Flooding

This Direction seeks 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. It also seeks to ensure provisions of an LEP applying to flood prone land are commensurate with flood behaviour and consider potential flood impacts both on and off the subject land. While the site is identified as a Flood Controlled Lot under The Hills DCP 2012, the Proponent's Flood Study concludes that development on the subject site is expected to be feasible and generally in accordance with the requirements of Direction.

- Direction 5.1 Integrating Land Use and Transport

This Direction intends to ensure that future development encourages the use of sustainable integrated transportation options. The planning proposal is consistent with this Direction as it seeks to improve access to jobs and reduce car dependence by co-locating higher density commercial employment opportunities in walking distance to public transport services.

- Direction 7.1 Business and Industrial Zones

This Direction aims to encourage employment growth in suitable locations, protect employment land and support the viability of identified centres. The planning proposal is consistent with this Direction as it seeks to encourage employment growth in a strategic business centre in close proximity to the Norwest Metro Station, which would support the economic viability of the Norwest Business Park into the future.

## **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, Council's Vegetation Mapping identified Gardens / Modified Vegetation Communities on the subject site.

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

The site currently contains 76 trees generally located within the periphery of the existing lot boundaries and along the Columbia Way setback. Existing trees on-site do not comprise any endangered species. The proposed development requires the removal of 45 existing trees and in response, the draft DCP would require future development on the site to facilitate the planting of an additional 193 trees to facilitate tree replacement at a rate of 4:1 and approximately 25% total tree canopy cover throughout the site. In accordance with the Gateway Determination, consultation will be undertaken with the Environment and Heritage Group.

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

The proposal will facilitate a positive economic impact through the provision of an additional 1,943 jobs to the local economy of Norwest, contributing to Greater Sydney's global economic

competitiveness. Additionally, the site strategically co-locates employment opportunities proximate to local residents and Norwest Metro Station, which provides access to the Greater Sydney metro / rail network.

The large site area enables future built form to be arranged such that it mitigates visual and privacy impacts on adjoining low rise seniors housing on the northern side of Spurway Drive and reduces the development's overall perceived bulk. The proposed public open space and landscaped areas will receive adequate solar access and adjoining residential properties will not be overshadowed by the proposed development. The proposed built form provides more slender (and slightly taller) buildings in order to achieve optimal ground plane outcomes and is considered superior to the alternative of shorter, bulkier buildings with a greater extent of site coverage.

Compliance with the associated draft DCP will ensure future development on the site achieves the desired built form and urban design outcomes.

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

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

The subject site is identified for commercial development uplift in response to the operation of the Sydney Metro Northwest. The site is located approximately 830 metres walking distance from Norwest Station. It is likely that the proposed uplift sought will generate additional public transport patronage and it is considered that there is adequate capacity for the Metro to accommodate this.

Based on the proposed development concept of 71,516m<sup>2</sup> GFA with 2,043 car parking spaces, the supporting Transport Impact Assessment (TIA) anticipates that development will generate an additional 343-347 AM and 270-274 PM peak hour vehicle movements from what could be generated from the site under the current planning controls (594 AM trips and 400 PM trips). The reduced parking rate sought by the Proponent (1 space per 35m<sup>2</sup> GFA) is considered reasonable for this site as an interim measure until such time as the outcomes of the Council's holistic parking rate review have been finalised.

Notwithstanding, the assessment concludes that existing traffic conditions are not representative of future conditions and that an assessment based on current conditions and intersection configurations would not provide meaningful results to inform the planning proposal.

It is noted that precinct-wide traffic modelling of Norwest Station Precinct (and Showground and Castle Hill Station Precincts) has commenced which will analyse the impacts of cumulative growth anticipated for the Norwest Precinct and identify any traffic infrastructure upgrades or improvements required to support future uplift on the site and beyond. In accordance with the Gateway Determination, Transport for NSW will be consulted during the public exhibition process.

As the planning proposal precedes detailed precinct planning and infrastructure analysis of Norwest, Council has negotiated a draft Voluntary Planning Agreement to secure a fair and reasonable contribution valued at 2.8% of the cost of construction (\$9.25 million). This comprises road construction and land dedication associated with the upgrade of Columbia Way and the Columbia Court extension to Spurway Drive, as well as monetary contributions towards broader infrastructure throughout Norwest Precinct.

The upgrade of Columbia Way will be undertaken as either a full road upgrade (subject to obtaining the remaining road reserve from the relevant landowners) or a partial road upgrade.

### *11. What are the views of State and Commonwealth Public Authorities consulted in accordance with the gateway determination, and have they resulted in any variations to the planning proposal?*

In accordance with the Gateway Determination, Council will consult with the following agencies as part of the exhibition period:

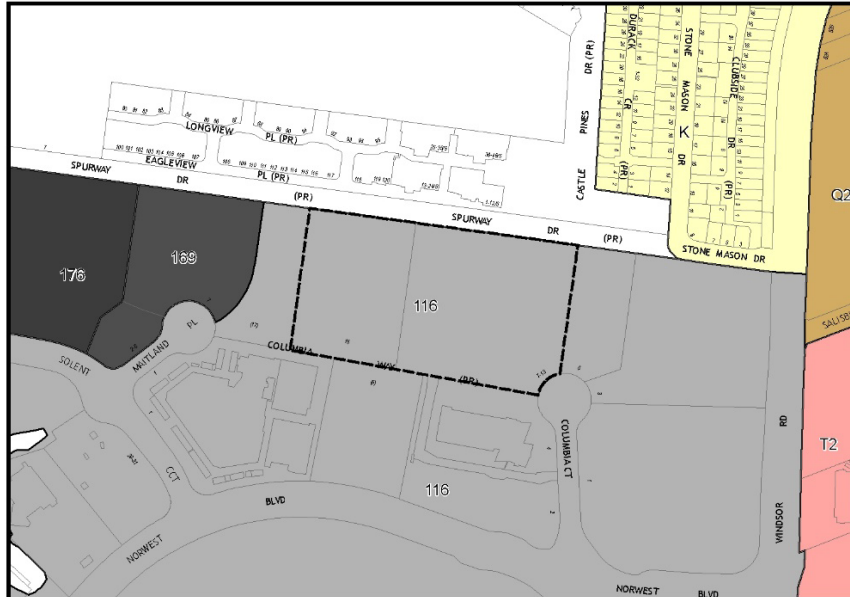
- Transport for NSW;
- Environment and Heritage Group; and
- Endeavour Energy.



## PART 4 MAPPING

The planning proposal seeks to amend the Height of Buildings Map and Floor Space Ratio Map of *The Hills Local Environmental Plan 2019*.

### Existing Height of Buildings Map



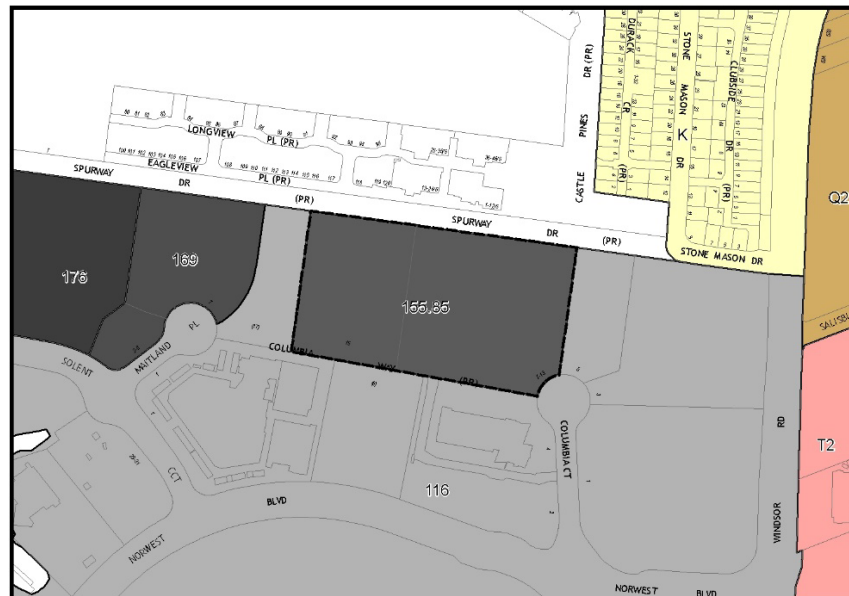
Maximum Building Height (m) (HOB )

K 10.0 Q2 20.0 T2 27.0

Heights shown on map in RL(m)

116 169 176

### Proposed Height of Buildings Map



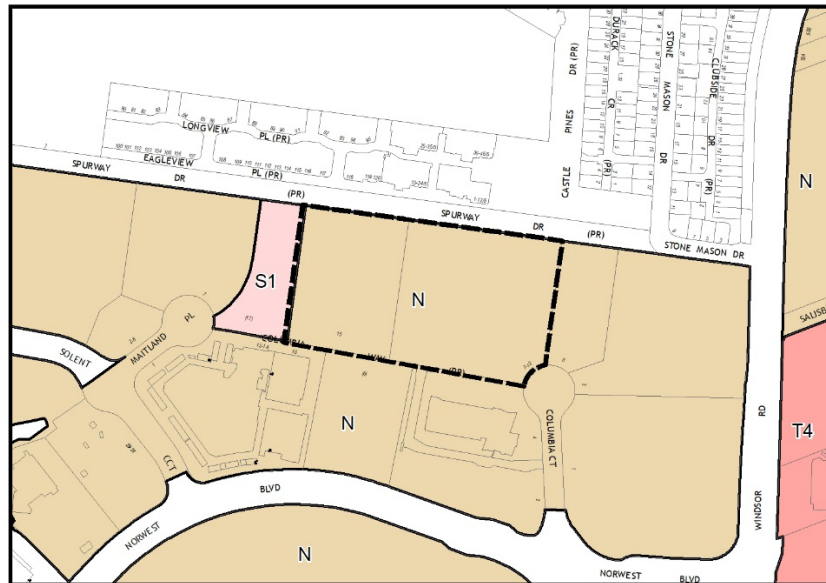
Maximum Building Height (m) (HOB )

K 10.0 Q2 20.0 T2 27.0

Heights shown on map in RL(m)

116 155.85 169 176

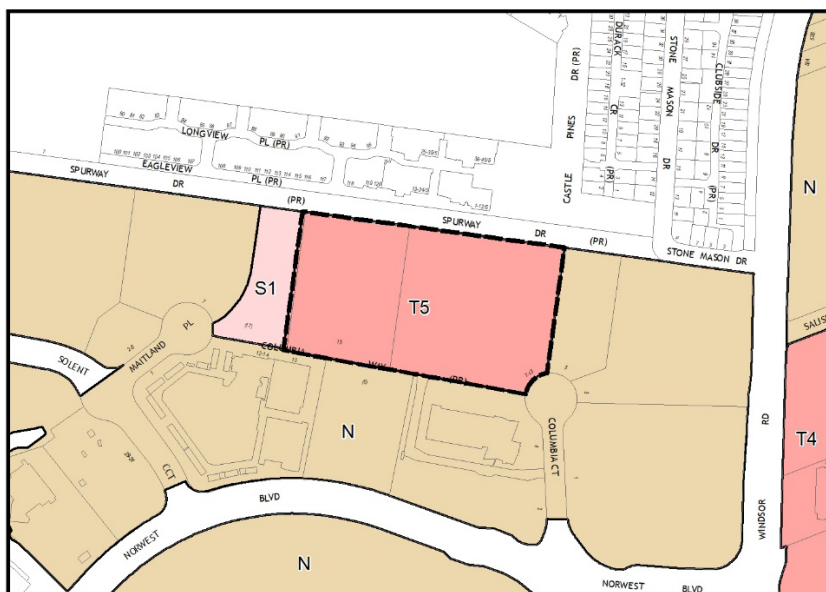
## Existing Floor Space Ratio Map



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

**N** 1.0 **S1** 1.5 **T4** 2.3

## Proposed Floor Space Ratio Map



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

**N** 1.0 **S1** 1.5 **T4** 2.3 **T5** 2.36

## PART 5 COMMUNITY CONSULTATION

The planning proposal will be advertised on Council's website and social media platforms. Adjoining landowners have been directly notified of the public exhibition period and are invited to comment on the proposal.

## PART 6 PROJECT TIMELINE

STAGE	DATE
Commencement Date (Gateway Determination)	January 2023
Completion of infrastructure investigations and legal review of Voluntary Planning Agreement	March 2024
Government agency consultation	April 2024
Commencement of public exhibition period	April 2024
Completion of public exhibition period	May 2024
Timeframe for consideration of submissions	May 2024
Timeframe for consideration of proposal post exhibition	May 2024
Report to Council on submissions	June 2024
Planning Proposal to PCO for opinion	June 2024
Execution and registration of associated Voluntary Planning Agreement	July 2024
Date Council will make the plan	July 2024

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

<b>STATE ENVIRONMENTAL PLANNING POLICY (SEPP)</b>	<b>APPLICABLE TO THSC</b>	<b>RELEVANT? (YES/NO)</b>	<b>(IF RELEVANT) INCONSISTENT/ CONSISTENT</b>
Biodiversity and Conservation (2021)	YES	NO	-
Building Sustainability Index: BASIX (2004)	YES	NO	-
Exempt and Complying Development Codes (2008)	YES	NO	-
Housing (2021)	YES	NO	-
Industry and Employment (2021)	YES	NO	-
No. 65 – Design Quality and Residential Apartment Development	YES	NO	-
Planning Systems (2021)	YES	NO	-
Precincts – Central River City (2021)	YES	NO	-
Precincts – Eastern Harbour City (2021)	NO	-	-
Precincts – Regional (2021)	NO	-	-
Precincts – Western Parkland City (2021)	NO	-	-
Primary Production (2021)	YES	NO	-
Resilience and Hazards (2021)	YES	NO	-
Resources and Energy (2021)	YES	NO	-
Transport and Infrastructure (2021)	YES	NO	-

**ATTACHMENT B: ASSESSMENT AGAINST SECTION 9.1 MINISTERIAL DIRECTIONS**

DIRECTION		APPLICABLE	RELEVANT? (YES/NO)	(IF RELEVANT) INCONSISTENT/ CONSISTENT
<b>1. Planning Systems</b>				
1.1	Implementation of Regional Plans	YES	NO	-
1.2	Development of Aboriginal Land Council land	NO	-	-
1.3	Approval and Referral Requirements	YES	NO	-
1.4	Site Specific Provisions	YES	NO	-
<b>1. Planning Systems – Place-based</b>				
1.5	Parramatta Road Corridor Urban Transformation Strategy	NO	-	-
1.6	Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	YES	NO	-
1.7	Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	NO	-	-
1.8	Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	NO	-	-
1.9	Implementation of Glenfield to Macarthur Urban Renewal Corridor	NO	-	-
1.10	Implementation of the Western Sydney Aerotropolis Plan	NO	-	-
1.11	Implementation of Bayside West Precincts 2036 Plan	NO	-	-
1.12	Implementation of Planning Principles for the Cooks Cove Precinct	NO	-	-
1.13	Implementation of St Leonards and Crow Nest 2036 Plan	NO	-	-
1.14	Implementation of Greater Macarthur 2040	NO	-	-
1.15	Implementation of Pyrmont Peninsula Place Strategy	NO	-	-
1.16	North West Rail Link Corridor Strategy	YES	YES	CONSISTENT
1.17	Implementation of the Bays West Place Strategy	NO	-	-
<b>2. Design and Place</b>				
<b>3. Biodiversity and Conservation</b>				
3.1	Conservation Zones	YES	NO	-
3.2	Heritage Conservation	YES	YES	CONSISTENT
3.3	Sydney Drinking Water Catchments	NO	-	-
3.4	Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs 26	NO	-	-
3.5	Recreation Vehicle Areas	YES	NO	-

DIRECTION		APPLICABLE	RELEVANT? (YES/NO)	(IF RELEVANT) INCONSISTENT/ CONSISTENT
3.6	Strategic Conservation Planning	NO	-	-
<b>4. Resilience and Hazards</b>				
4.1	Flooding	YES	YES	CONSISTENT
4.2	Coastal Management	NO	-	-
4.3	Planning for Bushfire Protection	YES	NO	-
4.4	Remediation of Contaminated Land	YES	NO	-
4.5	Acid Sulfate Soils	YES	NO	-
4.6	Mine Subsidence and Unstable Land	YES	NO	-
<b>5. Transport and Infrastructure</b>				
5.1	Integrating Land Use and Transport	YES	YES	CONSISTENT
5.2	Reserving Land for Public Purposes	YES	NO	-
5.3	Development Near Regulated Airports and Defence Airfields	YES	NO	-
5.4	Shooting Ranges	NO	-	-
<b>6. Housing</b>				
6.1	Residential Zones	YES	NO	-
6.2	Caravan Parks and Manufactured Home Estates	YES	NO	-
<b>7. Industry and Employment</b>				
7.1	Business and Industrial Zones	YES	YES	CONSISTENT
7.2	Reduction in non-hosted short-term rental accommodation period	NO	-	-
7.3	Commercial and Retail Development along the Pacific Highway, North Coast	NO	-	-
<b>8. Resources and Energy</b>				
8.1	Mining, Petroleum Production and Extractive Industries	YES	NO	-
<b>9. Primary Production</b>				
9.1	Rural Zones	YES	NO	-
9.2	Rural Lands	NO	-	-
9.3	Oyster Aquaculture	YES	NO	-
9.4	Farmland of State and Regional Significance on the NSW Far North Coast	NO	-	-