

**ITEM 2: LOCAL PLANNING PANEL – PLANNING PROPOSAL – 21-23
LEXINGTON DRIVE, BELLA VISTA - LOCAL PLANNING PANEL
(1/2019/PLP)**

COUNCIL OFFICER’S RECOMMENDATION:

The planning proposal proceed to Gateway Determination.

PANEL’S ADVICE:

1. The planning proposal applicable to land at 21-23 Lexington Drive Bella Vista (Lot 7081 DP 1037626) to increase the maximum floor space ratio from 2:1 to 2.7:1 proceed to Gateway Determination.
2. Council Officers prepare amendments to The Hills DCP 2012 to reduce the parking rate applicable to the land to 1 space per 40m² of commercial gross floor area.
3. Prior to the application being reported to Council, the Proponent submit additional information demonstrating the ability to achieve compliance with the proposed parking rates under the DCP following the conversion of the two above ground parking levels to commercial space.

VOTING:

For – 3 (Pamela Soon, Glennys James & Ken Willimott)

Against – 1 (Chris Young)

LOCAL PLANNING PANEL - PLANNING PROPOSAL - 21-23 LEXINGTON DRIVE, BELLA VISTA (1/2019/PLP)

THEME: Shaping Growth

OUTCOME: 5 Well planned and liveable neighbourhoods that meets growth targets and maintains amenity.

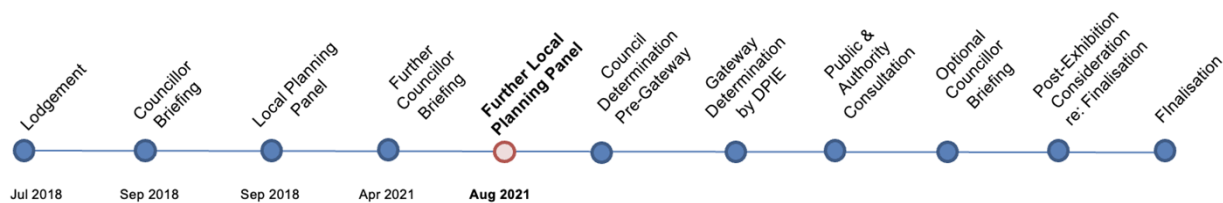
STRATEGY: 5.1 The Shire's natural and built environment is well managed through strategic land use and urban planning that reflects our values and aspirations.

MEETING DATE: **18 AUGUST 2021**
LOCAL PLANNING PANEL

AUTHOR: **SENIOR TOWN PLANNER**
TAMARA WEST

RESPONSIBLE OFFICER: **MANAGER – FORWARD PLANNING**
NICHOLAS CARLTON

Proponent	URBIS PTY LTD ON BEHALF OF CAPITAL PROJECTS CORPORATION
Owner	CAPITAL PROJECTS CORPORATION PTY LIMITED
Planning Consultant	URBIS PTY LTD
Architect	KOICHI TAKADA ARCHITECTS
Landscape Architect	SCOTT CARVER PTY LTD
Traffic Consultant	STANTEC GTA CONSULTANTS (NSW) PTY LTD
Site Area	1.02 HECTARES
List of Relevant Strategic Planning Documents	GREATER SYDNEY REGION PLAN CENTRAL CITY DISTRICT PLAN NORTH WEST RAIL LINK CORRIDOR STRATEGY THE HILLS LOCAL STRATEGIC PLANNING STAEMENT
Political Donation	NIL DISCLOSURES BY PROPONENT
Recommendation	THAT THE PLANNING PROPOSAL PROCEED TO GATEWAY DETERMINATION



EXECUTIVE SUMMARY

This report recommends that the planning proposal for land at 21-23 Lexington Drive, Bella Vista (Lot 7081 DP 1037626) which seeks to increase the maximum floor space ratio from 2:1 to 2.7:1 under The Hills Local Environmental Plan 2019 (LEP 2019) proceed to Gateway Determination. The proposal relies on a recently approved Development Consent for the site and proposes to retain the approved building envelope however would enable conversion of two floors of approved above ground car parking into additional commercial space.

The proposal is supported for the following reasons:

- The proposal would increase the employment capacity of land within the Norwest Strategic Centre and walkable catchment of the Bella Vista Station, to accommodate an additional 238 jobs in comparison to the existing planning framework.
- The proposal would reduce the required parking rate for the site from 1 space per 25m² to 1 space per 40m² of gross floor area (which aligns with Council's existing centres parking rate). This modest reduction in required parking is considered reasonable within walking catchment of the Bella Vista Station. This reduction in parking would ultimately reduce the likely traffic generation associated with the development, irrespective of the increased density sought.
- The site benefits from a recent Development Consent which was issued under the current planning controls. The proposal would retain the building envelope approved under the current planning framework and, through reducing the required parking rate, allow for additional employment GFA to be accommodated within areas of the approved building envelope that would no longer be required for above ground parking. As a result, the planning proposal would not result in any increase or change to the built form already approved under the existing Development Consent.
- The infrastructure demand generated by the planning proposal can be appropriately catered for under the draft Section 7.12 Norwest Innovation Contributions Plan, which was recently adopted by Council post-exhibition.

This planning proposal is relatively unique, in that there is a recently approved 'baseline' development outcome which is likely to occur on the site under the current planning settings and the building envelope proposed by the planning proposal is identical to that which has already been approved. In addition to the normal strategic and site specific considerations, a key factor in determining the merit of the proposal is assessing whether or not the planning proposal outcome represents a superior outcome to the recently approved 'baseline' development outcome. In this regard, it is considered that the planning proposal does represent the superior development outcome on the basis that it would accommodate increased employment capacity within 500 metres of Bella Vista Station, with lower traffic generation from the development and no change to the approved built form and building envelope.

In conjunction with the amendments to the maximum floor space ratio control under LEP 2019, it is recommended that a reduced car parking rate of 1 space per 40m² of gross floor area be applied to the site under The Hills Development Control Plan (DCP 2012). This

reduced rate is consistent with Council's existing Commercial Centres rate and is appropriate given the proximity of the site to Bella Vista Metro Station.

THE HILLS LOCAL ENVIRONMENTAL PLAN 2019

The planning proposal seeks to amend The Hills LEP 2019 as follows:

Controls	NWRL Corridor Strategy (2013)	Current Controls (Planned Precinct) (2017)	Original Planning Proposal (2018)	Development Consent 172/2021/JP	Current Planning Proposal (2021)
Zone	B7 Business Park	No change	No change	No change	No change
Height	4-6 storeys	RL116 (11 storeys)	RL133.45 (14 Storeys)	RL116 (to top of parapet) (11 storeys)	RL116 (11 storeys)
FSR	2:1 – 4:1	2:1	3.45:1	2:1	2.7:1
Jobs	680 – 1,360	680	1,173	680	918
Parking	Not Specified	753 (1 space per 25m ²)	880 spaces (1 space per 40m ²)	753 (1 space per 25m ²)	676 spaces (1 space per 40m ²)

Table 1

Comparison of current controls, strategic framework and proposed LEP amendments

Note: The site was not included Council's The Hills Corridor Strategy (2015) as the land along Lexington Drive was heavily constrained by strata title developments and was subject to the State Governments precinct planning process at that time.

Note: Car parking calculations include a number of different rates applicable to the different uses within the commercial building as per the Hills DCP 2012.

REPORT

The purpose of this report is to present the subject planning proposal to the Local Planning Panel for advice, in accordance with Section 2.19 of the Environmental Planning and Assessment Act 1979.

1. THE SITE AND BACKGROUND

The subject site has an area of 1.02 hectares and is currently vacant. The land has a fall of approximately 8m from the north-east to the south-west of the site, towards Lexington Drive. The land is located approximately 500m walking distance from the Bella Vista Metro Station (refer to the figure below). The site is located within the Bella Vista Station Precinct and the Sydney Metro Northwest tunnel is located directly beneath the land.

The Government's precinct planning for the Bella Vista Station Precinct (through the Planned Precinct Program) was completed in 2017. At this time, the site was subject to an increase in FSR from 1:1 to 2:1.



Figure 1
Site Locality and Proximity to Bella Vista Station

The planning proposal was first lodged in July 2018 and was previously considered by the Local Planning Panel on 19 September 2018. No advice was given by the Panel at this time. The Proposal was subsequently placed on hold in December 2018, at the Proponent's request. In January 2021, the Proponent submitted a revised proposal which is the subject of this report.

A Development Application for the site was approved by the Sydney Central City Planning Panel on 9 June 2021, for an 11 storey commercial development with a total gross floor area of 20,400m² (FSR of 2:1) comprising 16,500m² of commercial floor space as well as food and drink premises, an indoor recreation facility, serviced apartments and 753 car spaces, as depicted below. The application was approved under the current planning framework and complies with the relevant development standards currently applicable to the land (including the maximum building height of RL116 metres, maximum FSR of 2:1 and required parking rate of 1 space per 25m² of commercial GFA).

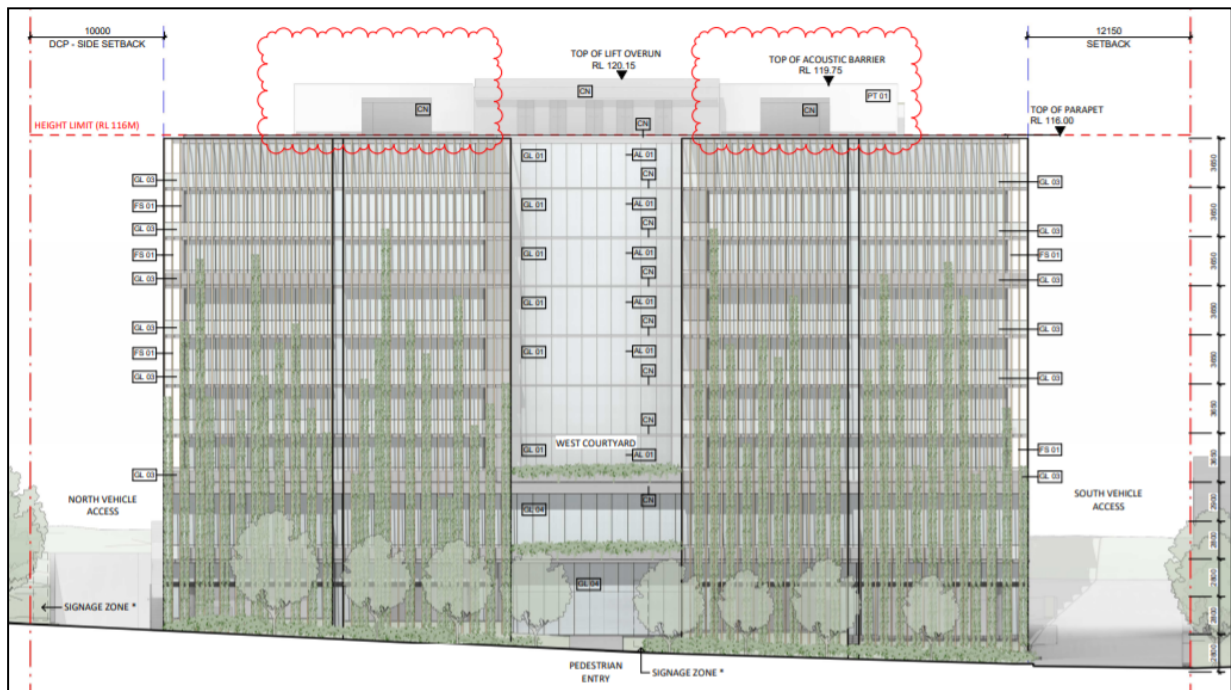


Figure 2
Approved built form Development Consent 172/2021/JP

2. DESCRIPTION OF THE CURRENT PLANNING PROPOSAL (JAN 2021)

The current planning proposal application seeks to make two changes to the applicable planning framework:

1. Reduce the car parking rate applicable to the site under Council's DCP from 1 parking per 25m² of GFA to Council's established Commercial Centres rate of 1 car parking space per 40m² of GFA; and
2. Increase the maximum floor space ratio applicable to the site under LEP 2019 from 2:1 to 2.7:1.

In combination, these amendments would enable the Proponent to preserve the recently approved building envelope (DA 172/2021/JP) however convert two levels of approved above ground car parking into additional office space instead, as shown in Figure 4 below.



Figure 3
Proposed development concept, 21-23 Lexington Drive, Bella Vista

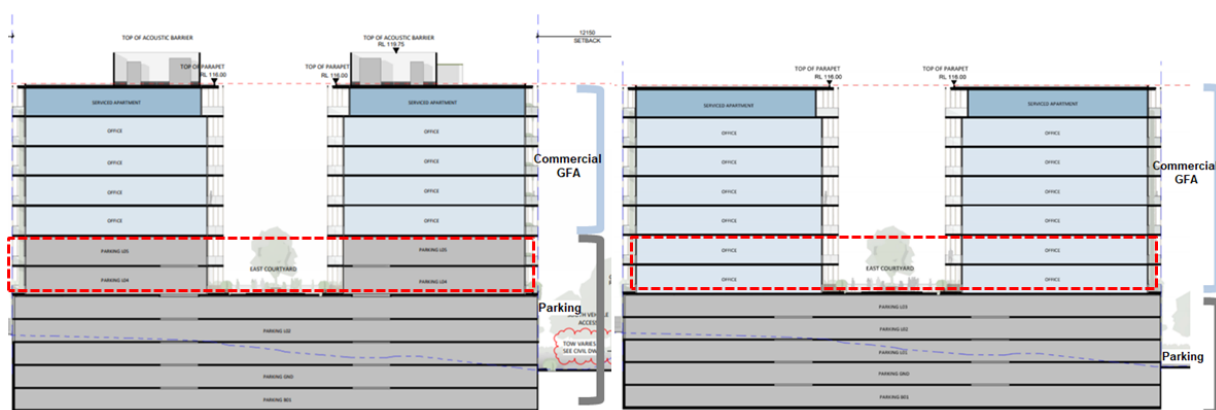


Figure 4
Development Consent (left) and Planning Proposal Concept (right)
Floors to be converted from parking to commercial space outlined in red

A comparison between the outcomes recently approved under the Development Consent (DA 172/2021/JP) and those sought through the planning proposal is provided in the table below.

	DA Approval (DA172/2021/JP)	Planning Proposal (2021)	Proposed changes
Zone	B7 Business Park	B7 Business Park	No change
Building Height	RL116 (11 storeys)	RL116 (11 storeys)	No change
FSR	2:1 (20,400m ² GFA)	2.7:1 (27,540m ² GFA)	+ 0.7:1 (7,140m ² GFA)
Jobs	680	918	+ 238 jobs
Parking spaces	753	676	- 77 spaces

Table 2
Comparison table between approved DA172/2021/JP to Planning Proposal

As detailed in the table above, the proposal would facilitate an additional 7,140m² of gross floor area (GFA) (approximately 238 jobs), with a corresponding reduction in the number of required parking spaces on the site from 753 to 676. It is noted that a portion of the commercial yield within both the approved and proposed development includes food and drink premises and serviced apartments. Parking rates for these components of the development are calculated in accordance with the respective DCP controls for these uses, rather than the general commercial parking rate.

3. MATTERS FOR CONSIDERATION

The planning proposal requires consideration of the following matters:

- Strategic context;
- Built form and density;
- Car parking; and
- Traffic impact and infrastructure demand.

a) Strategic context

A discussion on consistency with the strategic planning framework is provided below.

▪ Greater Sydney Region Plan

The Plan seeks to integrate land use planning with transport and infrastructure corridors to facilitate a 30-minute city where houses, jobs, goods and services are co-located and supported by public transport (Objective 14). To achieve this, the Plan seeks to develop a

network of 34 strategic centres, one of which is Norwest Business Park, which extends into Bella Vista and incorporates the subject site.

The Plan advocates investment and business activity in centres, particularly strategic centres identified for delivering the 30-minute city. Strategic centres should facilitate high levels of private sector investment, co-location of a wide mix of land uses, include areas identified for commercial use, and where appropriate, commercial cores (Objective 22). Norwest Business Park is identified within the Plan as one of nine (9) commercial office precincts that are essential for growing jobs and productivity to enhance Sydney's global economic competitiveness. The planning proposal would facilitate additional jobs and a choice of modern office space close to where people live, in a location that has good access to services and the future Bella Vista Rail Station. The planning proposal is generally consistent with the relevant objectives of the Greater Sydney Region Plan.

- Central City District Plan

The Central City District Plan requires integration of land use planning and transport to facilitate walkable 30-minute cities amongst the 34 strategic centres identified. Norwest, being within the Sydney Metro Northwest Rail Corridor, is identified for growth that enables efficient access to jobs, services and a wide range of other uses through reduced travel times (Planning Priority C9). The site is located approximately 500m walking distance from the Bella Vista Railway Station and increased commercial floor space and reduced parking rates (and as a result, traffic generation) on the site would support the objectives of the plan.

The Plan also encourages growth in investment, business opportunities and jobs in strategic centres. Norwest is identified as a strategic centre that has the opportunity to develop into a more diversified, specialised centre with higher employment densities (Planning Priority C10). The District Plan emphasises the role that the built form of development in business parks has to play in creating places with high amenity and vibrancy, while maintaining their function as an employment precinct. The planning proposal would result in the creation of more jobs and enhance economic and business opportunities within the business park. The planning proposal is generally consistent with the Central City District Plan.

- Ministerial Direction 1.1 Business and Industrial Zones

This Direction seeks to encourage employment growth in suitable locations, protect employment land in business and industrial zones and support the viability of identified centres. A planning proposal must retain the areas and locations of existing business zones and not reduce the total potential floor space area for employment uses and related public services in business zones. The planning proposal does not include a reduction in business zoned land. In contrast, the planning proposal would increase the potential for commercial floor space on the site and is therefore consistent with this Ministerial Direction.

- Ministerial Direction 3.4 Integrating Land Use and Transport

The objectives of this Direction are to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives:

- a) Improve access to housing, jobs and services by walking, cycling and public transport;
- b) Increase the choice of available transport and reduce dependence on cars;
- c) Reduce travel demand including the number of trips generated by development and the distances travelled, especially by car;
- d) Support the efficient and viable operation of public transport services; and
- e) Provide for the efficient movement of freight.

The location of increased employment opportunities in close proximity to the future Sydney Metro Northwest (Bella Vista Station) will support job creation in Norwest Business Park. The proposed reduction in the parking rate applicable to the site (to reflect Council's existing Commercial Centres rate) will encourage utilisation of the Sydney Metro Northwest and reduce the number of vehicle trips generated by the development. The planning proposal is consistent with this Ministerial Direction.

- Ministerial Direction 5.9 North West Rail Link Corridor Strategy

This Direction promotes transit-oriented development and balanced growth around the eight train stations of the Sydney Metro Northwest. A planning proposal must be consistent with the structure plans, growth projections and proposed future character of the station precincts.

The planning proposal seeks to increase the applicable floor space ratio from 2:1 to 2.7:1, which remains within the FSR range identified in the North West Rail Link Corridor Strategy for commercial development within a station precinct (2:1 to 4:1).

While the planning proposal is consistent with this Ministerial Direction, it is important to note that the North West Rail Link Corridor Strategy was prepared in 2013. The strategic planning process for this area has since progressed by way of the Government's Planned Precinct program and the completion of precinct planning for the Bella Vista Precinct in 2017. This more recent planning work takes precedence over the original outcomes and vision detailed within the North West Rail Link Corridor Strategy.

- Corridor Strategies and Precinct Planning

The Bella Vista Station Structure Plan within the Government's North West Rail Link Corridor Strategy (2013) anticipates that the Business Park area of the precinct (including the subject site) could accommodate 4-6 storey commercial offices on sites that are carefully designed to integrate into the surrounds. It is noted that the anticipated height ranges in the Government's corridor strategy were less than what could already be achieved under the planning controls that applied to the land at that time.

The site was not included Council's The Hills Corridor Strategy (2015) as the land along Lexington Drive was heavily constrained by strata title developments and this land was subject to the State Government's precinct planning process at this time.

Critically, both the North West Rail Link Corridor Strategy and The Hills Corridor Strategy were higher-level strategic planning documents, intended to be superseded by more detailed precinct planning work. Accordingly, while these documents provide useful context, the Bella Vista Precinct (including the subject site) has since been subject to detailed precinct planning work completed by Government in 2017, through the Planned Precinct program.

- Bella Vista Station Precinct Plan

On 1 December 2017, the Department of Planning and Environment completed the precinct planning for the Bella Vista Station Precinct, culminating in amendments to Council's LEP with respect to the Precinct including an increase in the floor space ratio applicable to land along Lexington Drive (including the subject site) from 1:1 to 2:1. The Precinct Planning retained the B7 Business Park zoning applicable to the site and, despite increasing the permissible density, did not make any change to the maximum height of building limit which remained RL 116m.

- The Hills Local Strategic Planning Statement

Council's Local Strategic Planning Statement: Hills Future 2036 (LSPS) outlines the Shire's 20-year vision for land use planning, population, housing, economic growth and environmental management. Planning Priority 1 in the LSPS supports employment-generating development in targeted locations to suit the skills of residents. Planning Priority 2 promotes the development of strategic centres to realise their full potential. The site is located within the Norwest Innovation sub-precinct of the Norwest Strategic Centre and the strong employment outcome sought through the proposal is generally consistent with the LSPS.

Further, the LSPS identifies that the Shire has historically had high levels of car ownership and usage, due to limited public transport options and long distances from key employment areas of Sydney. Planning Priority 12 identifies that future growth should influence travel behaviour to promote sustainable choices. The proposed reduced parking rates, on a site within walking distance to Bella Vista station, is consistent with the priorities of the LSPS.

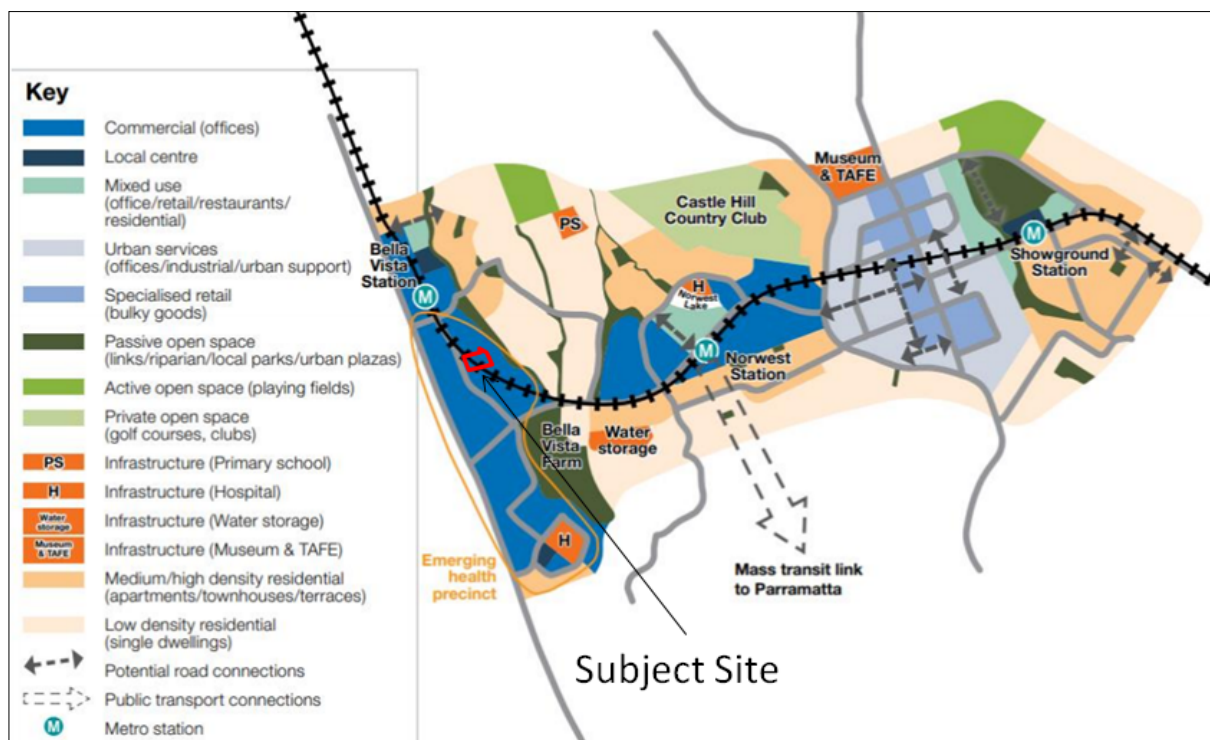


Figure 5
Norwest Strategic Centre – Structure plan

b) Built form and density

In addition to relevant strategic factors (such as proximity to a public transport node), it is important for the determination of appropriate densities (FSR) and heights for any site to have regard to the individual characteristics of each site. Even in instances where two sites may be located similar distance from a transport node, the ultimate density and height appropriate for each site would nonetheless be influenced by other factors such as the size of the site (undersized, standard or master-planned), topography, environmental constraints, proximity to sensitive uses (for example low density residential development) and existing built form and approvals.

Uniquely, the built form and building envelope proposed by this planning proposal has already been approved, by way of Development Consent granted in June 2021 (DA 172/2021/JP). As a result of the rail corridor running beneath the north-eastern half of the site, there is limited scope for excavation of basement parking to occur and it was therefore necessary for the approved development to accommodate a greater share of the required on-site car parking in above-ground parking levels within the building envelope. Despite this constraint, the

approved development application was able to demonstrate compliance with the maximum floor space ratio and height controls for the site applicable under LEP 2019 as well as the required parking provisions under the DCP.

While the site is vacant, the currently approved development outcome for the site can reasonably be viewed as the “baseline” development scenario for the purposes of assessing this planning proposal. The planning proposal does not seek to amend the applicable maximum height of buildings and would not result in any change to the height, built form or building envelope which is already permitted under the current controls and which has already been approved under the current Development Consent. Accordingly, in comparison to the “baseline” development scenario, the planning proposal would not result in any impacts in terms of amenity, bulk, scale, visual impact or overshadowing. This means that a number of site-specific considerations, which would typically be the subject of in-depth discussion in the assessment of a planning proposal, are not issues of concern for this particular proposal.

The planning proposal would permit an increased density of development on the site, by replacing two approved floors of above ground car parking with additional office space, equivalent to an FSR increase of 0.7:1 (approximately 7,140m² of commercial floor space and 238 additional jobs). Having regard to the unique factors relevant to this individual site, the proposed FSR increase is considered to be supportable for the following reasons:

- The opportunity to increase employment capacity on the site, within 500m walking distance of Bella Vista Station is positive, especially noting that this increased employment capacity can be accommodated without any built form impacts or change in the bulk, scale or height of the approved building envelope. In comparison to the development already approved for the land, there are no adverse site-specific outcomes that would arise from the proposal;
- The site is located within the Commercial Office Precinct of the Norwest Strategic Centre. The proposal is entirely consistent with the objectives of the B7 Business Park Zone and does not seek to introduce any residential uses on the site. The proposal would assist in reinforcing and protecting the role of strategically identified employment lands within Norwest and will promote the long term commercial viability of the Precinct;
- The site is the only site on Lexington Drive that remains undeveloped and is uniquely placed to capitalise on the opening of the metro with a new building, without needing to demolish or displace existing businesses. It is a short-term opportunity site for delivery of new jobs within the Norwest Strategic Centre and is also in singular ownership, which provides a greater level of certainty that the outcomes being sought would be delivered. The proposed uplift has been presented by the Proponent as a feasible development outcome which will enable the uplift to be achieved on the site; and
- The proposal would result in an overall decrease in traffic generation associated with development on the site. Irrespective of the increased development yield on the site (0.7:1), the proposed application of Council’s existing Commercial Centres rate to the land would result in an overall reduction in the number of parking spaces within the development and consequently, a reduction in the likely peak hour trip generation from the development. The proposed parking rates are discussed further below.

c) Car parking

The planning proposal is accompanied by a proposed amendment to the Hills DCP to apply Council’s existing Commercial Centres parking rate of 1 car parking space per 40m² of commercial GFA, in comparison to the rate currently applicable to this site of 1 car parking space per 25m² of commercial GFA.

The existing Development Consent includes 753 car parking spaces for a development with an FSR of 2:1 (it is noted that this incorporates some parking associated with serviced apartments, which has a rate of 1 car parking space per guest room and 1 per 2 employees). In comparison, if Council's Commercial Centres parking rate was applied to the proposed development (with an FSR of 2.7:1), the total number of parking spaces required would be approximately 676.

The existing development consent accommodates 629 spaces within the first 5 parking levels within the development. Through minor internal re-design of the layout of these parking levels to accommodate up to 47 additional spaces, and depending on the mix of commercial uses proposed within the additional commercial floor space, it would be possible for the development to provide the reduced total of approximately 676 spaces within 5 of the 7 planned parking levels within the approved building envelope. This would then negate the need for the remaining 2 above ground parking levels, which could be converted to commercial space. Council Officers have requested the Proponent submit additional information (for example, a revised plan) demonstrating that the required number of total parking spaces, compliant with the proposed DCP controls, can be achieved within the proposed development. It is recommended that this be provided before the matter is reported to Council for determination.

The application of Council's existing Commercial Centres parking rate to the site is considered reasonable. This reduced rate was established prior to the opening of the Sydney Metro Northwest and has been applied to the centres of Castle Hill, Rouse Hill and Baulkham Hills in recognition of the availability of bus services to and from these centres at that time. While the Commercial Centres rate has not been revisited following the opening of the Sydney Metro Northwest and does not currently apply to the Norwest Strategic Centre, the opening of the Sydney Metro Northwest provides strong justification for the extension of this rate (or application of lower rates) to land within walking distance of Metro stations.

The Proponent has submitted that the application of the Commercial Centres rate is appropriate, on the following grounds:

- *The proximity of the site to the station and other transport options.*
- *The current Hills DCP parking rate is not considered sustainable for future development in Norwest with the proposed vision for Norwest being a strategic centre and does not encourage a mode shift towards more sustainable modes of travel – noting the specific recommendation in the station precinct finalisation report to move toward a rate of 1:40m² GFA.*
- *Consistency with the RMS guidelines and the general direction established for other similar precincts.*

It is acknowledged that the parking rate currently applicable to the Norwest Precinct (1 space per 25m² of GFA) is broadly equivalent to 1 space for every employee within a development, which assumes that nearly 100% of workers will access the site using private vehicle and 0% of workers will utilise public transport. Accordingly, the continued application of this rate would fail to take into account any change to the travel behaviour of workers as a result of the site now being located within 500 metres walking distance of high frequency public transport.

For reference, Council has resolved to apply lower parking rates of 1 space per 60m² of commercial GFA to other sites within the Norwest Strategic Centre as part of site-specific planning proposals for Norwest Station Site, 2-4 Burbank Place, 34-46 Brookhollow Avenue and 14-16 Brookhollow Avenue.

The Proponent has not sought a reduction in parking rates to this same extent but rather has proposed application of Council's existing Commercial Centres Rate (1 space per 40m² of commercial GFA), identifying that this is an alternative and lower rate which already applies to a number of other centres within The Shire. The application of this reduced rate is considered reasonable at this time.

It is recommended that if Council were to proceed with this reduced parking rate, it should be expressed as a minimum parking rate, which would result in the requirement for 676 spaces to be provided in association with the proposal. Parking requirements are currently specified as minimum rates within Council's DCP and are not mandated through primary controls contained within Council's LEP. When specified as minimum parking rates, individual developers would continue to have discretion to provide parking at a higher rate on any individual site, in response to market demands or the requirements of any specific tenants.

It is noted that separate to this planning proposal, a broader review of parking rates within Council's Centres is currently underway in accordance with Action 12.1 of Council's LSPS. Regional traffic modelling for Castle Hill, Showground, Norwest and Bella Vista Precincts is also underway and expected to near completion in late-2021. The progression of this additional work will provide an evidence base for Council to determine the most appropriate parking rates and policies within its centres. It is anticipated that if the planning proposal progresses to Gateway Determination and public exhibition, this evidence base would be available to Council at the time of making a decision with respect to the finalisation of the proposal and as such, the final parking rate could be reconsidered at this time.

d) Traffic impact and infrastructure demand

The Proponent has submitted a Strategic Transport Review in support of the proposal. The Study calculated that the proposed development would generate 332 AM peak trips and 252 PM peak trips. In comparison, the approved Development Application outcome would generate 361 trips in the AM peak and 272 trips in the PM peak, when calculated using the same methodology in the Strategic Transport Review provided with the planning proposal. Although the Development Consent provides less commercial floor space, the current car parking rate provides for significantly more car parking spaces and therefore greater potential for peak hour trip generation to and from the site.

Despite the proposed increase in density, the planning proposal would not result in any increase in traffic generated from the site, as a result of the proposed application of Council's reduced Commercial Centres parking rate. As the proposed development would contain less parking spaces on-site than the approved development, vehicular demand to and from the site is anticipated to ultimately be less than that which has already been approved under the current controls.

The site is located within the Norwest Innovation sub-precinct of the Norwest Strategic Centre. Council recently adopted a draft Section 7.12 Contributions Plan for this sub-precinct. This draft Plan is currently being reviewed by the Department of Planning, Industry and Environment, with Council seeking approval to levy a contribution of 2.8% of the cost of development to fund new and upgraded infrastructure necessary to service the precinct.

Council has previously relied on VPAs in association with a number of other site specific planning proposals, as a means to have in place an appropriate contributions mechanism where the proposal was in advance of the completion of detailed precinct planning and associated update of the contributions planning framework. However, within the Norwest Innovation Sub-Precinct, Council's planning has now progressed to the point where the uplift in development associated with the Sydney Metro Northwest has now been considered, planned and catered for within this draft Norwest Innovation Section 7.12 Contributions Plan.

The draft Norwest Innovation Section 7.12 Contributions Plan includes road upgrade works to Lexington Drive, contributions to traffic signals for Lexington Drive/Norwest Boulevard and intersection expansions at Lexington/Irvine and Woolworths Way and Lexington/Meridian Place. It also includes additional public domain works, pedestrian and cycle connections and passive open space for future workers within the Precinct.

This plan was not in force at the time the existing Development Consent was issued and as such, contributions have been imposed on the approved development under the Shire-wide Section 7.12 Contributions Plan (1% of the cost of development). However, following the finalisation of the draft Norwest Innovation Section 7.12 Contributions Plan, any new Development Consents would include conditions levying for contributions under the new contributions plan that applies.

Accordingly, it is expected that if approved, the proposed development would contribute towards these works through contributions levied under this new plan (once in force), at a rate of 2.8% of the cost of development. Once a Contributions Plan has been prepared and adopted for a Precinct which addresses the infrastructure requirements associated with the development of that Precinct, it is fair and reasonable for development within to be levied under this Contributions Plan. It is considered that the new draft Norwest Innovation Precinct Section 7.12 Contributions Plan is therefore appropriate to cater for the local infrastructure demand likely to be generated by this proposal, especially noting that the outcome would result in lower traffic generation in comparison to the currently approved development.

IMPACTS

Financial

The planning proposal has no impact on Council's budget or forward estimates. It is anticipated that should the proposal proceed, the contributions framework that will be in place under the Norwest Innovation Precinct Section 7.12 Contributions Plan will be sufficient to levy development for a proportionate contribution towards new and upgraded local infrastructure.

Strategic Plan – The Hills Future

The Hills Future 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 provide for additional employment opportunities, consistent with the Strategic Plan. The scale and built form of the development is consistent with what has been approved via Development Consent and is appropriate given the location of the site within the Norwest Strategic Centre and specialised employment precinct.

RECOMMENDATION

1. The planning proposal applicable to land at 21-23 Lexington Drive Bella Vista (Lot 7081 DP 1037626) to increase the maximum floor space ratio from 2:1 to 2.7:1 proceed to Gateway Determination.
2. Council Officers prepare amendments to The Hills DCP 2012 to reduce the parking rate applicable to the land to 1 space per 40m² of commercial gross floor area.
3. Prior to the application being reported to Council, the Proponent submit additional information demonstrating the ability to achieve compliance with the proposed parking rates under the DCP following the conversion of the two above ground parking levels to commercial space.

ATTACHMENTS

1. Revised Planning Proposal Report
2. Architectural Plans
3. Landscape Design Report

4. Traffic and Parking Assessment
5. Strategic Transport Review
6. Market Demand Analysis

[Attachment 1 - Revised Planning Proposal Report – January 202 - 21-23 Lexington Drive, Bella Vista \(1/2019/PLP\)](#)

[Attachment 2 - Appendix A – Architectural Plans – January 2021 – 21-23 Lexington Drive, Bella Vista \(1/2019/PLP\)](#)

[Attachment 3 – Appendix B - Landscape Design Report – January 202 – 21-23 Lexington Drive, Bella Vista \(1/2019/PLP\)](#)

[Attachment 4 – Appendix C – Traffic and Parking Assessment – January 2021 – 21-23 Lexington Drive, Bella Vista \(1/2019/PLP\)](#)

[Attachment 5 – Appendix D – Strategic Transport Review – January 2021 – 21-23 Lexington Drive, Bella Vista \(1/2019/PLP\)](#)

<https://cianywhere.thehills.nsw.gov.au/T1Prod/CiAnywhere/Web/T1PROD/RedirectToFunction?sk.DocumentSetId=19300789&f=%24EMC.DOC.PROP.MNT&suite=ECM&h=ivrpWMuUGa&t=11B667B6>