



Planning Proposal to amend The Hills Local Environmental Plan 2019

10-16 SEVEN HILLS ROAD,
BAULKHAM HILLS

27 OCTOBER 2023



QUALITY ASSURANCE

Project:	Planning Proposal
Address:	10-16 Seven Hills Road, Baulkham Hills
Council:	Hills Shire Council
Author:	Think Planners Pty Ltd

Date	Purpose of Issue	Rev	Author	Authorised
28 October 2021	Draft Issue for Internal Review	Draft	JW	JW
28 October 2021	Draft Issue for Client & Council Discussions	Draft	JW	JW
4 April 2022	Submission Issue	Final	JW	JW
15 September 2022	Revised Issue for Amended Scheme and Reduced Yield	Final	JW	JW
5 December 2022	Revised Issue for Amended Scheme and Reduced Yield	Final	JW	JW
28 July 2023	Revised Issued to address Rezoning Review Panel Feedback	Final	BC/JW	JW
25 October 2023	Updated to address Gateway Conditions	Final	BC/JW	JW
27 October 2023	Minor editing updates	Final	BC/JW	JW

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INTRODUCTION¹

The purpose of this Planning Proposal is to explain the intended effect and provide a justification for a proposed amendment to The Hills Local Environmental Plan 2019 (The Hills LEP 2019) as well as demonstrate the strategic merit of the amendment proceeding.

This Planning Proposal seeks to amend the Hills LEP 2019 to allow for the redevelopment of the site for the purposes of greater residential density than the current planning controls to provide a better urban design outcome for the site.

- Amend the Maximum Height of Building (HOB) map facilitate a range from 16m to 25 m
- Amend the Floor Space Ratio (FSR) map to provide a maximum FSR of 1.69:1

The Planning Proposal relates to 10-16 Seven Hills Road, Baulkham Hills, referred to within this document as the '*subject site*'. The subject site is situated on the fringe of the Baulkham Hills Town Centre.

The site is located within proximity to employment opportunities, educational establishments, recreational activities and public transportation including bus transport corridors and the bus routes that run along the M2 noting the commuter carpark is approximately 650m from the site.

The amendments proposed in this Planning Proposal are specific to the site and will facilitate a new high quality residential flat building development that provides a high quality built form that seeks to provide a more suitable transition from the Baulkham Hills Town Centre to the R4 land to the west. This is achieved through a stepped height arrangement of 8 storeys on the eastern portion transitioning down to 4 storeys on the western side with a series of cut-out elements across the façade to break the form of the building up across the width of the site. This achieves a tapering of building heights that follows the recent Modena development on the '5 ways' junction. The amended scheme also provides a lowered height and increased setback to the R4 land to the south of the site to limit the extent of overshadowing to those properties and the visual impact of the scheme on those properties.

¹ This planning proposal has been updated to reflect Gateway Conditions.

The proposed amendments are driven by a desire to deliver a better built form outcome for the site and has been the subject of a design review by Integrated Design Group.

The proposed amendments to planning controls will facilitate the delivery of high quality development contributing to housing supply within this strategic centre.

The Planning Proposal has been prepared in accordance with Section 3.33 of the Environmental Planning and Assessment Act 1979 and the Department of Planning and Infrastructure (Department of Planning and Environment) document 'A guide to preparing planning proposals' (August 2016).

The Planning Proposal is supported by –

- Urban Design Report by IDG
- Traffic Report by TTPP.
- Landscape Plans by Taylor Brammer

This Planning Proposal proposes site specific provisions over 10-16 Seven Hills Road, Baulkham Hills. This Planning Proposal puts forward maximum building height and floor space ratio controls that will permit the delivery of a development which can provide a high quality urban form and a suitable interface with the western fringe of the Baulkham Hills Town Centre.

Support for the Planning Proposal is sought; and the subsequent referral to the Department of Planning and Environment for Gateway determination and public exhibition.

PLANNING PROPOSAL MERITS, INFRASTRUCTURE AND COMMUNITY BENEFITS

The Planning Proposal seeks to deliver the following key benefits:

- **Urban Design and Streetscape Contribution.** The proposal has been carried out on the basis of a detailed urban design analysis of the best approach in transitioning between the commercial zoned land in the Baulkham Hills Town Centre to the residential land to the west noting the current stark contrast in built form and heights arising from the Modena development on the '5 ways' intersection. Considering the height and built form transitions the proposal will facilitate a much more sensitive transition in terms of height, setbacks, bulk and scale and the general form and presentation.
- **High quality public domain.** The proposal will ensure the delivery of an improved pedestrian link along the eastern boundary of the site and a suitable interface and 'greening' of this area as well as potential widening of the space and introduction of some quality public domain elements to the edge of this pedestrian link as per the drawings by Taylor Brammer.
- **Housing within the 30-minute city.** The proposal delivers a variety of housing opportunities on the fringe of the Baulkham Hills Town Centre and on public transport corridors that connect to Norwest and also to Macquarie Park, North Sydney and Sydney CBD.
- **Housing supply.** The proposal will provide additional new housing supply on a site already identified for higher density development that will contribute to choice and affordability with access to jobs, services and public transport.

The subject land parcel is ideal to accommodate the proposed development as it is located within an accessible area and is consistent with the evolving character of developments in the Baulkham Hills Town Centre.

We note that the extent of uplift sought is modest, being from 50 residential units under the current controls to 66 residential units under the proposed controls- being an increase of 16 units in total. Hence the extent of impact in terms of infrastructure demand is very limited and as noted in the traffic report the extent of additional yield compared to the base scenario is 5 vehicles per hour which has no discernible impact on the traffic network.

BACKGROUND

This Planning Proposal has been prepared following discussions, reporting, assessments and meetings with relevant planning authorities and urban design experts. The following timeline represents the relevant background leading up to the Planning Proposal:

Date	Key event
22 January 2021	Pre-Lodgment Meeting with Council
7 April 2021	Pre-lodgement Advice from Council
30 November 2021	Pre-lodgement meeting with Council
17 December 2021	Pre-lodgement Advice from Council
7 April 2022	Planning Proposal submitted to Council
18 August 2022	The Hills Local Planning Panel Advice
31 August 2022	Request for Information
16 September 2022	Updated Planning Proposal submitted
31 October 2022	Meeting with Council staff
7 December 2022	Updated Planning Proposal submitted
14 March 2023	Item 3: The Hills Council Business Paper
24 March 2023	Rezoning Review request lodged with DPE
29 June 2023	Rezoning Review Panel Meeting
11 July 2023	Notified of rezoning review decision:
	<p><i>The Panel's recommendation that the planning proposal be supported and proceed to Gateway determination is subject to the following qualifying minor changes to the planning proposal:</i></p> <ul style="list-style-type: none"> – <i>The current R4 High Density Residential zoning to be retained;</i> – <i>The appropriate FSR, of no more than 1.69:1, is to be determined from modelling that demonstrates the ability for a future development application to achieve consistency with the Apartment Design Guideline and Council's larger apartment sizes per The Hills DCP; and</i> – <i>The Height of Building (HOB) Map is to be modified to show a transition from a maximum 25 metres to 16 metres across the site</i>

based on the above modelling, and particularly potential impacts on properties to the south.

The Panel also recommended that:

- a draft Site Specific DCP is to be prepared and placed on public exhibition with the planning proposal; and*
- consultation is to be undertaken with Transport for NSW at exhibition stage.*

July 2023

Planning proposal, and UD report, updated to:

- Retain the R4 High Density Zone
- Apply on the FSR map a maximum FSR of 1.69:1 over the site
- Show on the Height of Buildings map a transition in height from 16m to 25m

18 October 2023

Gateway Conditions provided by email requiring the Planning proposal to be updated to:

1. *Prior to exhibition, the planning proposal and supporting documents are to be amended to:*
 - a. *reflect the revised planning proposal considered by the Sydney Central Planning Panel on 8 September 2023.*
 - b. *provide an assessment of the consistency of the revised planning proposal with all relevant strategic plans and policies.*
-



SITE AND LOCALITY DESCRIPTION

LEGAL DESCRIPTION

The subject site is comprised of four land parcels and is legally defined as Lots 1-2 DP 366137, Lot D DP 357085, and Lot F DP 363039, though commonly known as 10-16 Seven Hills Road, Baulkham Hills.

SUBJECT SITE

The site has a width of approximately 65m and a depth of approximately 62m for a total site area of approximately 3950m².

The site adjoins the B2 fringe of the Baulkham Hills Town Centre and is separated by a pedestrian pathway linking Seven Hills Road to Yattenden Crescent.

The aerial photographs provided at Figures 1 and 2 show the subject site and the immediate context.

Figure 1: Aerial photograph of the subject site (Source: Nearmap)

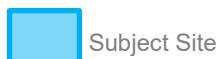
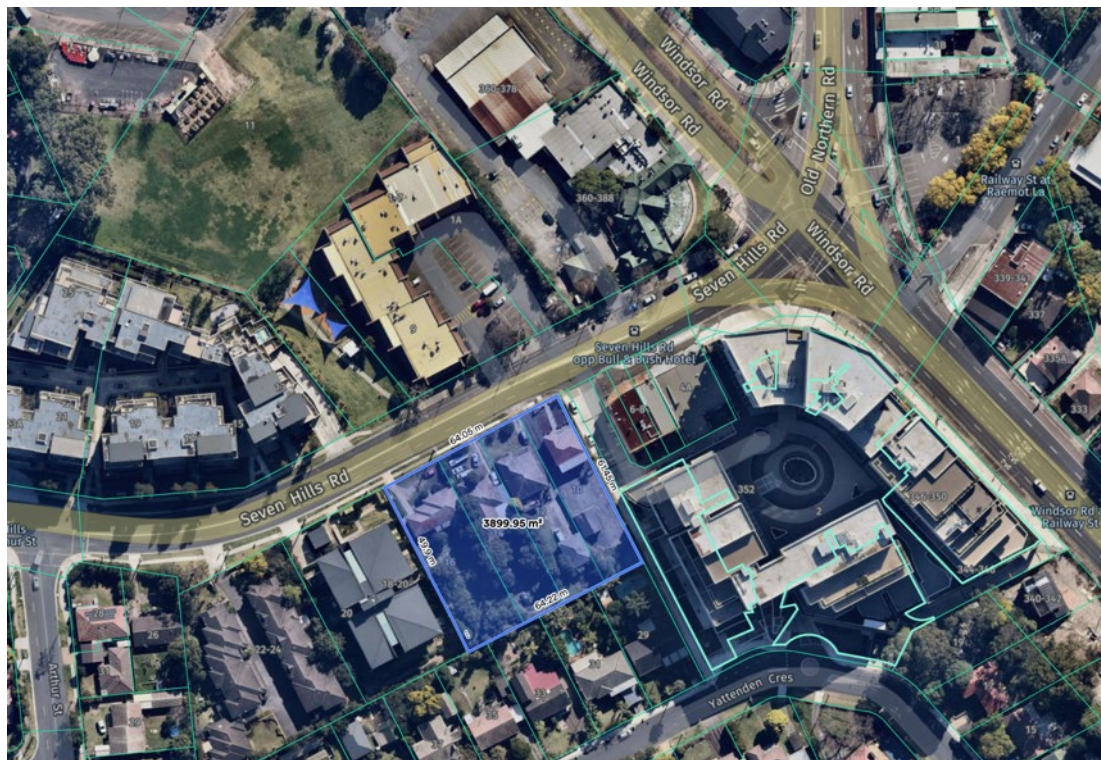
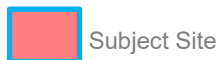
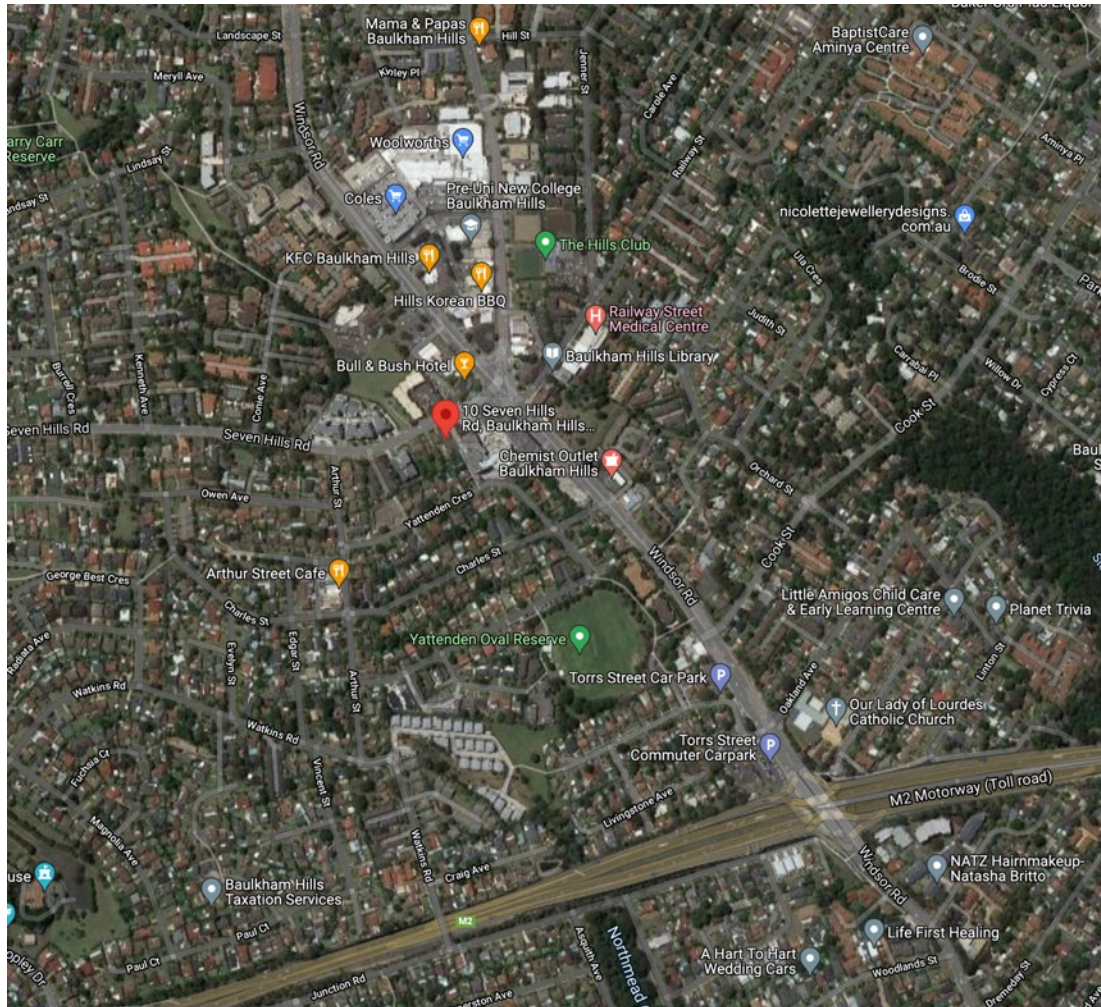


Figure 2: Aerial photograph of the site and locality (Source: Google)

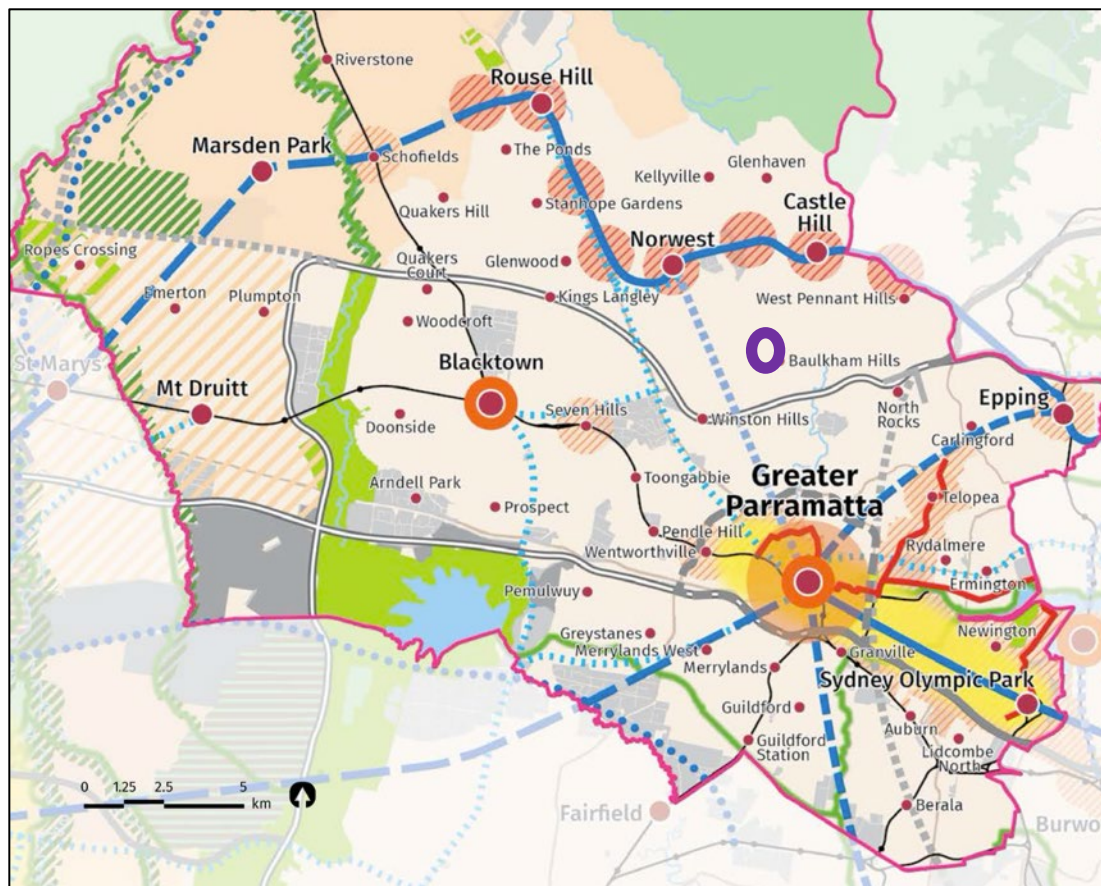


LOCALITY

The subject site is located within the western fringe of the Baulkham Hills Town Centre. The Baulkham Hills Town Centre is identified as being within the Central City under The Greater Sydney Region Plan- A Metropolis of Three Cities.

It is noted the strategic context map provided below demonstrates the site's location noting the site is within Baulkham Hills.

Figure 3: Strategic Context Map (source: Greater Cities Commission)



Photographs overleaf and in the following pages are provided to illustrate the context of the locality.

Figure 4: Shows the subject site, being the 4 dwellings, as viewed from Seven Hills Road. The vehicular access to Modena is also shown.



Figure 5: Shows the pedestrian linkage, the site, and Modena vehicular access in a closer format.



Figure 6: Shows the site as viewed from Seven Hills Road with the relationship to the 4 storey apartment building.



Figure 7: Shows the development opposite the site as viewed from Seven Hills Road, being Conie Ave Reserve, a 6 storey apartment building, and an adjoining commercial building.





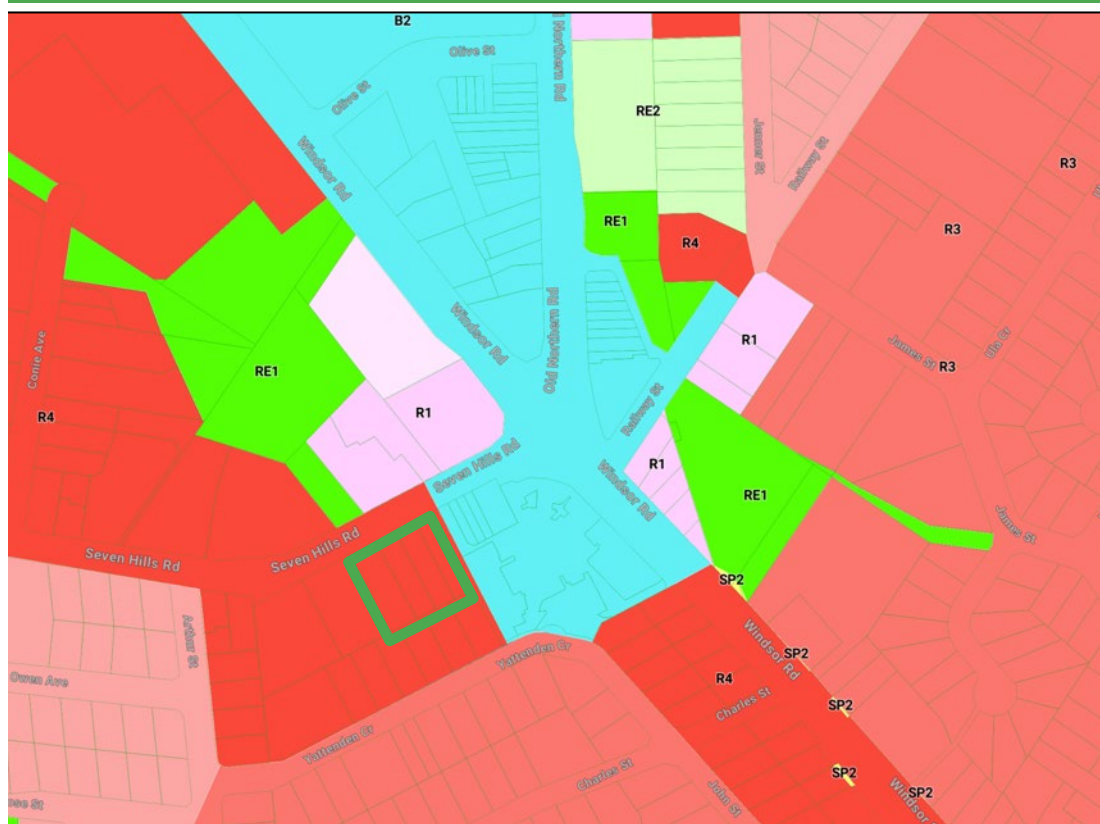
LOCAL PLANNING FRAMEWORK

ZONING

The land is currently zoned R4 High Density Residential, with no change to zoning proposed.

Figure 3 is an extract from the land zoning map for The Hills Local Environmental Plan 2019.

Figure 8: Extract from The Hills LEP 2019 Zoning Map



Subject Site Shown Green.

BUILDING HEIGHT

The Height of Buildings Map for the Hills LEP 2019 indicates that the maximum building height permitted on the subject site is 16m and Figure 4 in the below is an extract from the Height of Buildings Map.

It is proposed to apply a transition from 16m to 25m in building height over the subject site, consistent with the advice of the Sydney Central Planning Panel. The transition in building height across the site ensures that the amenity of neighbouring properties is retained, particularly with regard to solar access. For context the proposed map amendments are provided below.

Figure 9: Height – existing and proposed



FLOOR SPACE RATIO

The FSR Map for the Hills LEP 2019 indicates that in relation to the FSR there is no prescribed control for the current site. Existing and proposed maps are provided below.

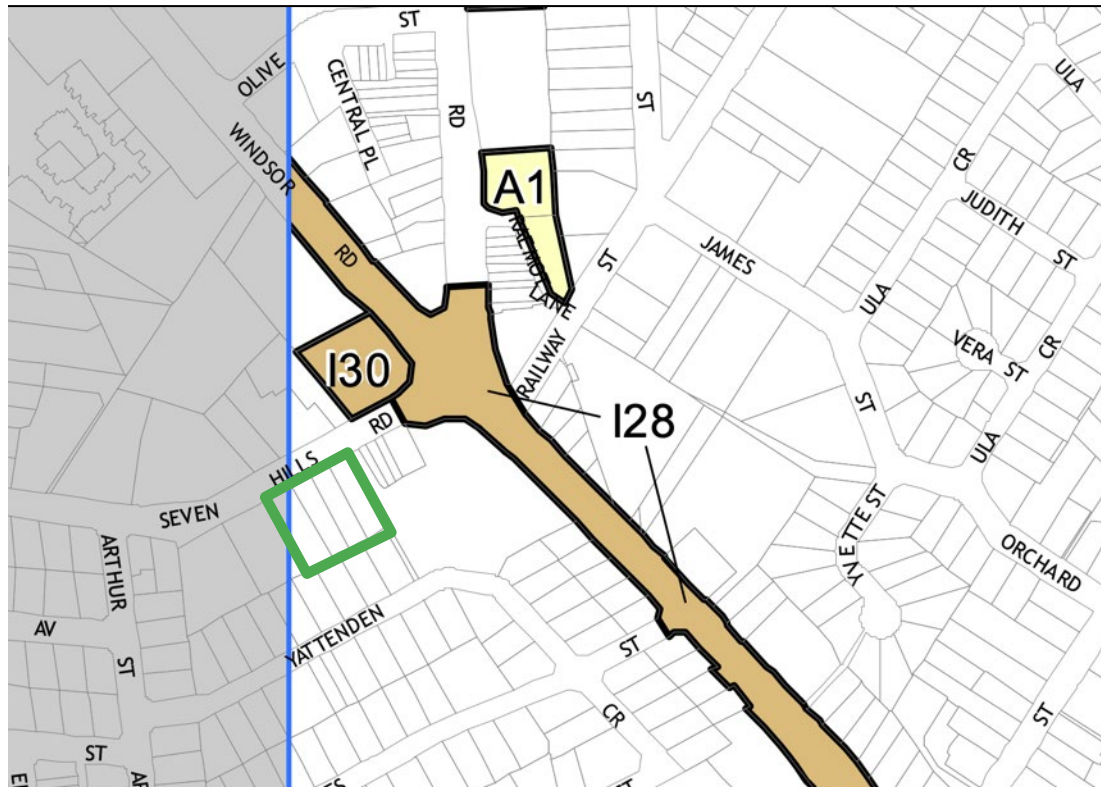
Figure 10: Floor Space Ratio – existing and proposed



HERITAGE

There are no heritage items located within the site boundaries however, heritage listed items are within proximity of the site as demonstrated via Figure 6 below, notably the Bull and Bush Hotel and Windsor Road.

Figure 11: Extract from Hills LEP 2019 Heritage Map Sheet



 Subject Site

The site is within walking distance of a cluster of heritage sites. Additional details are to be provided to consider any future impact on heritage features within the vicinity of the site however the physical separation means that there is limited utility in exploring at this stage as any impacts are considered to be negligible.

TECHNICAL STUDIES

URBAN DESIGN & RATIONALE & CONTEXT

The site is located within proximity to employment opportunities, educational establishments, recreational activities and public transportation including bus transport corridors and the bus routes that run along the M2 noting the commuter carpark is approximately 650m from the site.

The amendments proposed in this Planning Proposal are specific to the site and will facilitate a new high quality residential flat building development that provides a high quality built form that seeks to provide a more suitable transition from the Baulkham Hills Town Centre to the R4 land to the west.

This is achieved through a stepped height arrangement of 8 storeys on the eastern portion transitioning down to 4-5 storeys on the western side. This achieves a tapering of building heights that follows the recent Modena development on the '5 ways' junction.

The proposed amendments are driven by a desire to deliver a better built form outcome for the site and has been the subject of a design review by Integrated Design Group.

That analysis needs to be read in full but the key principles of the Urban Design Review and Report are:

- To provide a more cohesive approach to height at the interface with the B2 lands on the western edge of the Town Centre and a more gradual transition from the large development to the east and likely future development on the residual B2 lands.
- To provide a more appropriate transition in terms of street setbacks and a street wall design and approach that gives a less stark transition from the B2 land to the west. The site bridges the residential and retail/commercial zones and as such there is an opportunity to transition between these two zones and maintain a consistent streetscape and landscape setting.
- To provide a clear transition that also aligns with the park edge to the north that will provide a key 'edge' to the entry to the Town Centre.

Diagrammatically this is reflected in the IDG report that shows the rationale for the scheme and extracts are provided below.

DESIGN PRINCIPLES

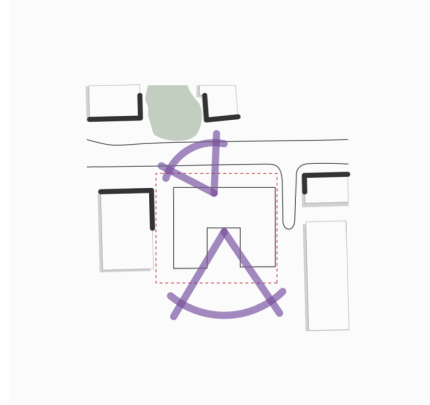
KEY PRINCIPLES



TRANSITION

The site bridges the residential and retail/commercial zones and as such with these different required setbacks there is an opportunity present an opportunities to bridge this and maintain a consistent street wall.

Similarly in elevation the proposal seeks to provide a consistent transition from the residential zoning to the commercial zoning, providing a gradual entry to the Baulkham Hills CBD.



ACCESS TO VIEWS

The proposal seeks to utilise the access to views around the site, and provide positive open space to improve amenity, and respond to local landmarks.

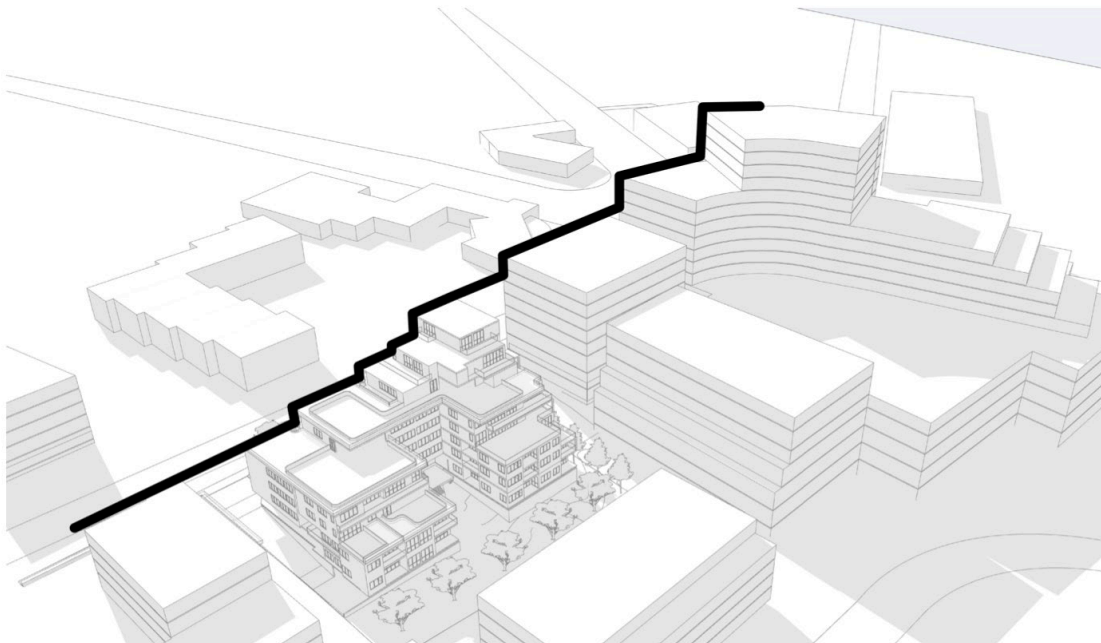
By angling the walls to the west as the street setback changes to the residential zone, the building addresses the park opposite and activates the views from the park, and provides a positive surveillance of this area.

Developing a building form in a u-shape provides a significant number of units with precinct views to the south east towards Parramatta CBD.

Source: IDG

DESIGN PRINCIPLES

TRANSITION



Source: IDG

The simplest way to appreciate the high quality forms and the concept of transition and presentation is reflected in the 3d modelling, with extracts provided below from the various vantage points of the site.

VISUALISATION

VIEW FROM SEVEN HILLS ROAD



VISUALISATION

VIEW FROM EAST SEVEN HILLS ROAD



TRAFFIC AND PARKING ASSESSMENT

The proposal delivers a variety of housing opportunities on the fringe of the Baulkham Hills Town Centre and on public transport corridors that connect to Norwest and also to Macquarie Park, North Sydney and Sydney CBD.

The subject land achieves good access to pedestrian pathways, cycleways as well as bus routes. This will result in a significant lower reliance on private vehicle trips. A traffic report has been prepared by TTPA noting that a key issue was consideration of the extent of uplift relative to what is achievable under the current controls.

We note that the extent of uplift sought is modest, being from 50 residential units under the current controls to 66 residential units under the proposed controls- a net increase of 16 units.

Hence the extent of impact in terms of infrastructure demand is very limited and as noted in the traffic report the extent of additional yield compared to the base scenario is 5 vehicles per hour which has no discernible impact on the traffic network and as noted in the TTPP report: *the low level of traffic generation is not anticipated to result in any material difference on the road network performance.*

It is noted that feedback from TfNSW will be a key consideration for the Planning Proposal.

PLANNING PROPOSAL

The required content of a planning proposal is set out in Section 3.33 of the Environmental Planning and Assessment Act 1979. To assist with the preparation of a planning proposal, the DPE have published the Local Environmental Plan Making Guideline (August 2023) which sets out the form and content that is required within the six parts identified below:

- **Part 1 – Objectives and intended outcomes -**
a statement of the objectives of the proposed instrument
- **Part 2 –Explanation of provisions –**
an explanation of the provisions that are to be included in the proposed instrument
- **Part 3 – Justification of strategic and site specific merit –**
justification of strategic and potential site-specific merit, outcomes, and the process for implementation
- **Part 4 - Maps –**
existing and proposed maps, where relevant, to identify the effect of the planning proposal and the area to which it applies
- **Part 5 – Community consultation –**
details of consultation undertaken with Government agencies, council or other authorities, and community consultation that is to be undertaken on the planning proposal post Gateway and during exhibition
- **Part 6 – Project timeline –**
Project timeline to detail the anticipated timeframe for the LEP making process

This Planning Proposal has been prepared in a manner consistent with the LEP Plan Making Guidelines, including the specific matters required to be addressed and also the anticipated timeframe.

Whilst this Planning Proposal was submitted in April 2022, it has been updated to reflect the August 2023 Guideline, post gateway determination.

PART 1 – OBJECTIVES AND INTENDED OUTCOMES

The objective of the Planning Proposal is:

- To provide suitable building height and floor space ratio which facilitate urban renewal of the subject site along with the provision of high-density development and seeks to locate additional residents on the fringe of the Baulkham Hills Town Centre.

The intended outcomes of the Planning Proposal are to:

- Deliver additional housing that meets community needs
- Provide a height and FSR that is more consistent with the site's location on the edge of the Baulkham Hills Town centre
- Improve the overall quality of the neighbourhood through the delivery of high-quality public and private domain
- Contribute to a mode shift from private vehicles towards public and active transport modes by linking higher densities with public transport accessibility.
- Influence the revitalisation of the Baulkham Hills town centre by providing a residential density that supports its long term viability
- Support NSW Government strategies and policies seeks to capitalise on existing infrastructure by providing greater housing choice and density near public transport, centres, open space, and employment areas.
- Apply a building height and FSR that supports the NSW Government's vision for a more diverse housing mix, leading to greater choice and ideally, housing affordability.
- Introduce a building height that supports higher building performance and environmental standards, leading to a more sustainable built environment and better living conditions.
- Establish a more suitable transition to residential areas



PART 2 – EXPLANATION OF PROVISIONS

Part 2 of the Planning Proposal provides an explanation of the provisions that are to be included within the Planning Proposal. It includes a written explanation that is supported by mapping where relevant.

The stated objective will be achieved by:

- Amending the Maximum Height of Building (HOB) map to facilitate a transition in height across the site from 16m to 25m.
- Amending the Floor Space Ratio (FSR) map to provide a maximum FSR of 1.69:1 across the site.

For context the proposed map amendments are provided below.

Site Specific DCP

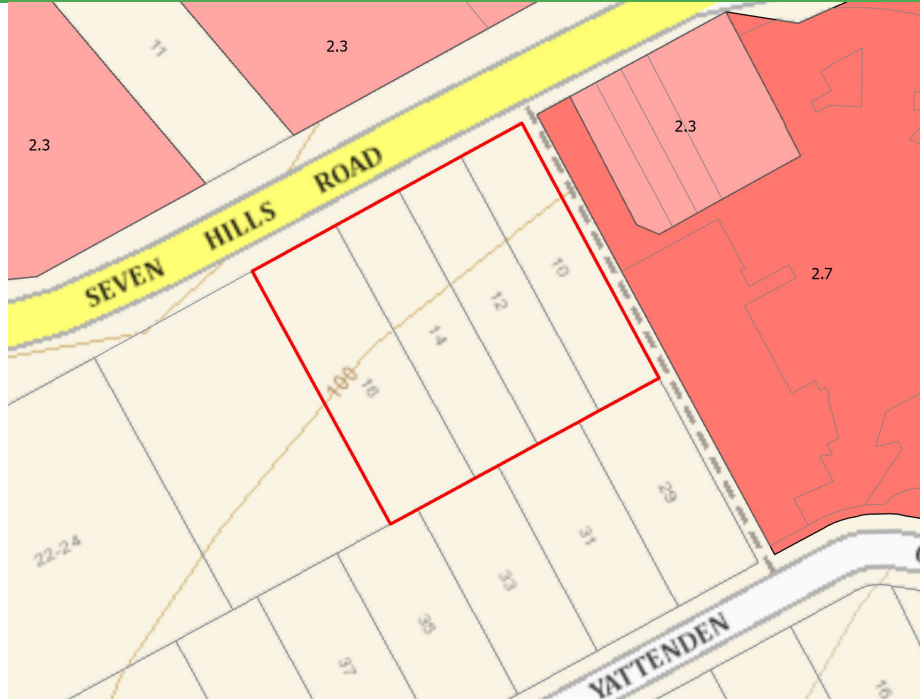
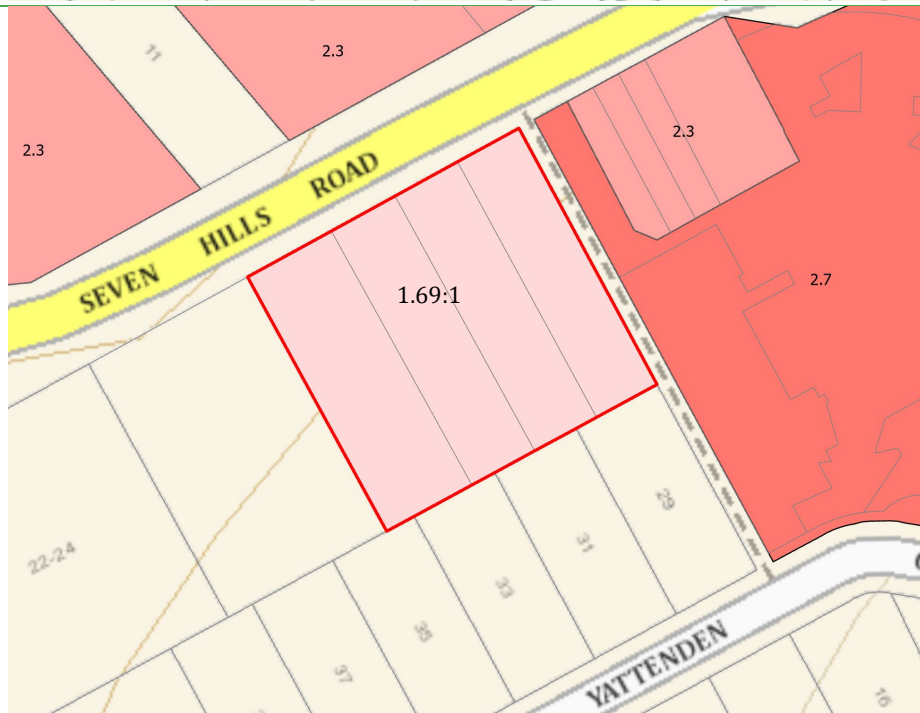
A site specific development control plan will complement the Building Height and FSR maps within the Hills LEP 2023. It is anticipated that this will include setbacks controls that guides the future building form and particularly the building envelopes.

Figure 12: Height – existing and proposed



Figure 13: Floor Space Ratio – existing and proposed

Existing –
No FSR

Proposed
1.69:1

PART 3 – JUSTIFICATION OF STRATEGIC + SITE-SPECIFIC MERIT

SECTION A – NEED FOR THE PLANNING PROPOSAL

1. Is the planning proposal a result of an endorsed LSPS, strategic study or report?

The Planning Proposal has been initiated following the key directions and strategies described in the Plan for Growing Sydney, A Metropolis of Three Cities – Greater Sydney Region Plan, and the Central City District Plan.

The proposal is consistent with the key directions and strategies described in *A Plan for Growing Sydney*. Discussion on the consistency of the planning proposal with this strategy is contained in the response to *Question 3*.

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

It is considered that the Planning Proposal is the best means of achieving the stated objective of urban revitalisation of this land. The Planning Proposal is certainly the most efficient mechanism available for stimulating urban renewal and accelerating delivery of high-density housing on this site in a manner consistent with the strategic directions established in the documents the Plan for Growing Sydney, A Metropolis of Three Cities – Greater Sydney Region Plan, the Central City District Plan.

The Planning Proposal is certainly the most efficient mechanism available for stimulating urban renewal and accelerating delivery of high-density housing.

SECTION B – RELATIONSHIP TO THE STRATEGIC PLANNING FRAMEWORK

3. Will the planning proposal give effect to the objectives and actions of the applicable regional or district plan or strategy (including any exhibited draft plans or strategies)?

The stated objective of the planning proposal closely aligns with several State Government strategies, specifically the Plan for Growing Sydney, A Metropolis of Three Cities – Greater Sydney Region Plan, and the Central City District Plan.

a. The Plan for Growing Sydney (Department of Planning and Environment, December 2014)

The Plan for Growing Sydney outlines the State Government's plan to deliver homes, jobs and infrastructure to support a growing population. Key directions described in the Plan relate to accelerating housing supply and urban renewal across Sydney, with a focus on providing homes in areas well serviced by existing or planned infrastructure.

The Plan identifies that there is a significant gap between current housing production and future housing needs and that it is critical to remove the barriers to increased housing production to facilitate accelerated housing supply. The Plan explains that the Government intends to work with councils and the development sector to put in place flexible planning controls which enable housing development in feasible locations.

The Plan states that the Government intends to focus on the urban renewal in existing centres, within which the subject site is situated- being on the fringe of the Baulkham Hills Town Centre.

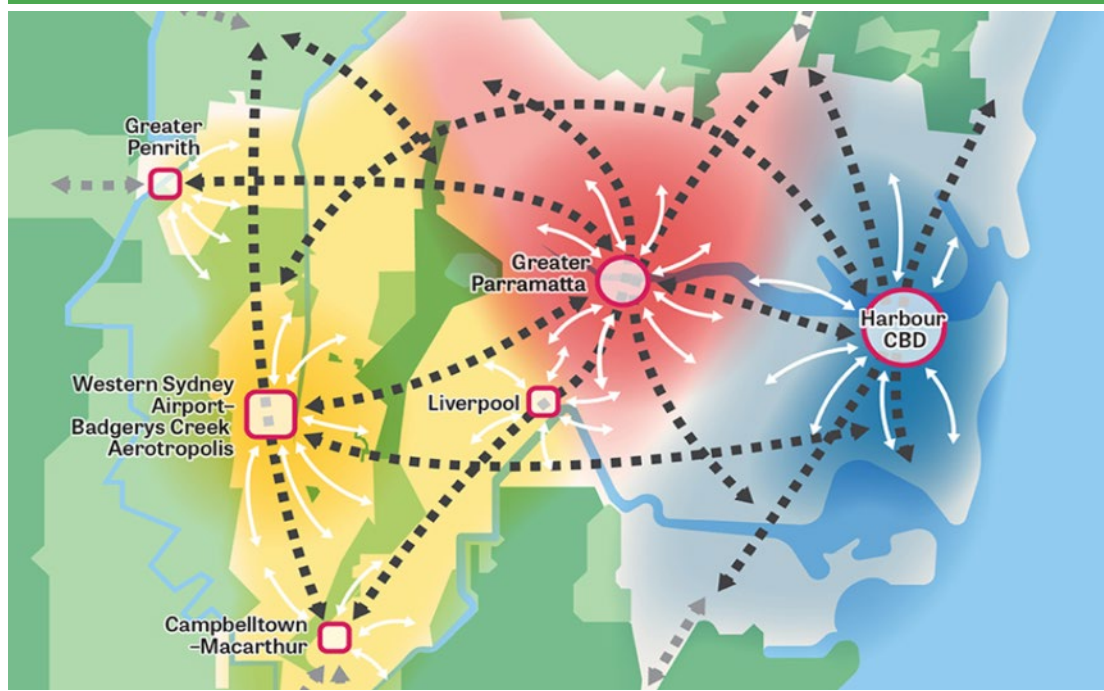
The planning proposal seeks to relax building height and floor space ratio controls to allow the delivery of high-density housing in an area that can accommodate increased population. Baulkham Hills is serviced by public transport services that are frequent and is located to key connections to Norwest, Macquarie Park, Parramatta, and more broadly the Sydney CBD. The planning proposal is consistent with the objectives and actions of The Plan for Growing Sydney.

b. A Metropolis of Three Cities – Greater Sydney Region Plan (Greater Sydney Commission March 2018)

The Metropolis of Three Cities – Greater Sydney Region Plan provides a framework for the predicted growth in Greater Sydney. Key themes based on delivering a metropolis of three 30-minute cities which are a follow on from the ten directions envisioned by the Greater Sydney Commission. This vision is set out in the structure plan shown in Figure 14 below.



Figure 14: Extract from A Metropolis of Three Cities - Greater Sydney Region Plan March 2018



The four key themes are focused on infrastructure and collaboration, liveability, productivity and sustainability. The planning proposal is aligned with these key themes, directions, metrics and objectives by:

1. *Infrastructure and collaboration.* The subject land is located on the fringe of the Baulkham Hills Town Centre in a highly accessible location with opportunities for everyday needs, employment and public transport corridors.
2. *Liveability.* The reference architectural design drawings provided with this planning proposal and the urban design study show that liveability for the future residents is a primary consideration for the future building design. Solar access and cross ventilation has been maximised along with general compliance with the requirements of the Apartment Design Guide. Further the design and configuration are also carried out with the remote work and work from home trend arising from the COVID-19 pandemic.
3. *Productivity.* The proposal capitalises on the location on the fringe of the Town Centre. The proposal creates a more accessible and walkable city with pedestrian links to be enhanced adjacent the site.
4. *Sustainability.* The planning proposal facilitates building capacity based on existing and committed infrastructure noting that whilst traffic problems are known within the Town Centre there is not expected to be any discernible impact of the proposal on the traffic network as confirmed in the traffic report.

The table below provides a summary of relevant priorities.

THEME	DIRECTION	JUSTIFICATION
Infrastructure and collaboration	1. A city supported by infrastructure	<p>The subject site is located within proximity to the Baulkham Hills Town Centre. It has the necessary essential infrastructure to accommodate development, being an established urban area.</p> <p>The site is within 30 minutes by public transport to key strategic centres including Castle Hill and Rouse Hill, and the metropolitan centre Parramatta.</p> <p>Consolidating a population around an existing town centre supports the existing infrastructure within these areas, in addition to the provision of future infrastructure that enhances the opportunities within the centres.</p>
	3. A city for people	<p>This direction seeks to increase the number of people within proximity to a local centre. An indicator of the success of this direction is whether there has been an increase in the number of people who can walk to local centres. The Planning Proposal achieves consistency with this direction.</p>
	4. Housing the city	<p>The planning proposal will assist The Hills Shire in achieving its housing targets, in addition to providing living opportunities close to employment, public transport, active transport opportunities and other services that are essential for socially vibrant and cohesive communities.</p>
Liveability	5. A city of great places	<p>The planning proposal will enhance accessibility to local open space and other areas by active transport modes. This makes efficient use of infrastructure and improves the equitability of the city.</p>
	6. A well connected city	<p>A well connected city seeks to ensure that homes are within 30 minutes by public transport to a metropolitan centre or strategic centre. The strategic centres of Castle Hill and Rouse Hill, and the metropolitan centre of Parramatta are within 30 minutes by bus or bus/metro.</p> <p>The local centre of Baulkham Hills is adjacent to the subject site and within strolling distance. This high level of walkability to a local centre</p>
Productivity		

THEME	DIRECTION	JUSTIFICATION
		providing essential services ensures that the proposal will have a high degree of liveability.
		The planning proposal therefore is consistent with this direction.
Sustainability	8. A city in its landscape	Future development of the site can make a positive contribution to urban greening, including the enhancement of local canopy cover. This will provide local cooling benefits, in addition to supporting local biodiversity values. Together, this results in a much more liveable community, with exceptional amenity values.
	9. An efficient city	The proposal is within walking distance of essential bus services providing rapid connections to major destinations such as the Sydney CBD, and more locally, Parramatta and Castle Hill. As investment in public transport infrastructure continues, public transport use is expected to grow which reduces reliance on private vehicles. Likewise, the proximity to the town centre ensures that people do not need to drive, which contributes to a reduction in greenhouse gases.

c. Central City District Plan (Greater Sydney Commission March 2018)

The Central City District Plan sets out the priorities and actions for this District and these are structured around 3 key themes of a Productive City, a Liveable City and a Sustainable City.

Expediting the delivery of housing brings more dwellings to the market which in turn drives prices down. Delivering more dwellings and within shorter timeframes aims to respond to the current housing crisis in Western Sydney where scarcity has resulted in an affordable housing shortage. The planning proposal seeks to deliver housing to the market quickly and in a highly liveable location which is within walking/cycling distance of the Baulkham Hills Town Centre and public transport.

In summary, this planning proposal seeks to deliver on the vision set forward in the Central City District Plan by:

1. Increasing diversity of housing choice.
2. Delivering housing to meet the need for an additional 207,500 homes in the period between 2016 to 2036. This is an ambitious target that can only be met with significant increases to permitted building heights and FSRs.

3. Expediting the delivery of new housing stock to ease the pressure of demand resulting in a generally more affordable housing product.
4. Contribution to energy efficiency through aims to deliver a development that meets environmental performance criteria.
5. Reduced emissions through both building environmental performance but also through reduction in reliance on private vehicle travel. Focusing increased housing on the subject site which is highly accessible to local bus means that future residents are more likely to walk, cycle and use integrated public transport systems. EV's and future mobility solutions are also likely to further assist in unlocking greater liveability across The Hills.
6. Provision of high quality housing that will reflect the greater propensity for remote working or work from home opportunities arising from COVID 19. This is achieved through a 'family friendly' mix of units and larger apartment sizes to align with the broader Hills Shire Council approach on unit developments.

The table below addresses relevant priorities of the District Plan.

THEME	DIRECTION	JUSTIFICATION
Infrastructure and Collaboration	1. Planning for a city supported by infrastructure	<p>This priority area seeks to ensure that the city maximises its efficient use of existing and planned infrastructure. In doing so, it aims to ensure that residents have the facilities and services to lead productive and healthy lives. Importantly, this includes being within 30 minutes of the nearest strategic centre by public transport.</p> <p>The Planning Proposal facilitates this priority by consolidating growth within land directly adjacent to the Baulkham Hills Town Centre. This ensures that all residents, regardless of age or ability can access services within the town centre, open spaces and public transport comfortably.</p>
Liveability	3. Providing services and social infrastructure to meet people's changing needs	The planning proposal facilitates this priority by providing housing within an area that is well suited for expanded social infrastructure. Furthermore, the site is located adjacent to a town centre, ensuring that people regardless of age or ability can access the necessary services efficiently, thereby contributing to improved liveability.
	4. Fostering healthy, creative, culturally rich and socially connected communities	The proposal seeks to increase the density of housing within an existing town centre. This expands the range of housing choice, opening up greater opportunities for a greater diversity of people to live within the Hills Shire. Likewise, being located within walking distance to a diversity of bus services ensures that future

THEME	DIRECTION	JUSTIFICATION
		residents are connected to other destinations, ensuring that social connectivity outside of the local area is achieved.
	5. Providing housing supply, choice and affordability with access to jobs, services and public transport	The proposal increases housing supply adjacent to a town centre providing local jobs, services and entertainment offerings. In addition, the proposal also enhances public transport use through providing more people within a highly accessible location. It is noted that the subject site has local bus services to key destinations including Sydney CBD, Parramatta, Castle Hill, Rouse Hill, Blacktown, Epping and more.
	6. Creating and renewing great places and local centres, and respecting the District's heritage	The proposal contributes to the revitalisation and long term viability of the Baulkham Hills Town Centre.
Productivity	9. Delivering integrated land use and transport planning and a 30-minute city	<p>The Planning Proposal facilitates this priority by consolidating growth within land directly adjacent to the Baulkham Hills Town Centre. This ensures that all residents, regardless of age or ability can access services within the town centre, open spaces and public transport comfortably.</p> <p>Furthermore, the location of additional housing within a highly accessible location, serviced by good public transport infrastructure will contribute to the implementation of the 30 minute city vision. The strategic centres of Castle Hill and Rouse Hill, and the metropolitan centre of Parramatta are within 30 minutes by bus or bus/metro. Likewise Castle Hill is within 30 minutes by bicycle.</p>
	10. Growing investment, business opportunities and jobs in strategic centres	Baulkham Hills Town Centre is not a strategic centre. However, regardless of its designation, the planning proposal increases the population within close proximity to an important local centre. This contributes to activity within the centre, and therefore supports its ongoing and long term viability.
Sustainability	13. Protecting and improving the health and enjoyment of the District's waterways	Future development of the site will include necessary measures to ensure that the water is appropriately treated, including meeting all pollution reduction targets. This will ensure that waterways that are far beyond the site are not impacted by the site's future development.

THEME	DIRECTION	JUSTIFICATION
	16. Increasing urban tree canopy cover and delivering Green Grid connections	A future development application will provide additional canopy cover and urban greening. This will enhance cooling of the local environment, in addition to providing valuable habitat which enhances overall biodiversity in the area.

4. Is the planning proposal consistent with a council LSPS that has been endorsed by the Planning Secretary or GCC, or another endorsed local strategy or strategic plan?

a. Hills Local Strategic Planning Statement

Hills Future 2036 has been adopted and made on 6 March 2020. *Hills Future 2036* is described as a long-term vision for the Hills Local Government Area to 2036. The plan identifies five related themes for the vision of The Hills, notably:

- a vibrant community and prosperous economy
- shaping growth
- delivering and maintaining infrastructure
- valuing our surroundings
- proactive leadership

There are a total of 23 Planning Priorities and methods for implementation set out. Those of relevance to this proposal are identified in the table below.

THEME	PRIORITY	JUSTIFICATION
Economy	2. Build Strategic Centres to Realise Their Potential	Noting desire for Baulkham Hills Town centre to improve the public domain to drive-place making, and this proposal seeks to do that through the interface to the street and pedestrian laneway and potential contribution to the improvement of the parkland to the north. Whilst Baulkham Hills is not a Strategic Centre it plays a support role to the Strategic Centres
Shaping Growth	6. Plan for New Housing to Support Greater Sydney's	Noting the anticipated dwelling targets are 38,500 dwellings largely through greenfield areas and station precincts. However this proposal serves to unlock 16 additional units in a location already identified for high density development and can

THEME	PRIORITY	JUSTIFICATION
	Growing Population.	utilise and rely on existing infrastructure rather than the need to continue greenfield development and to supplement the station precincts.
	7. Plan for New Housing in the Right Locations	<p>Noting the high density development planned for Baulkham Hills which is nominated as having 600 new dwellings to 2036 but critically noting that redevelopment potential is diminishing over time with developable land in Baulkham Hills Town Centre largely taken up.</p> <p>There is also no significant change by this proposal such that there is no need to 'unstick' the current issues with the traffic network in association with this proposal as the increase in vehicle movements is only 5 vehicles per hour which has no impact on the traffic network.</p>
	8. Plan for a Diversity of Housing	<p>Noting the proposal provides for diversity of apartment typology to contribute to the 24,000 apartments needed and the scheme has been designed to facilitate larger apartment sizes with the desired mix of unit sizes and types to align with the desired family sizing of new units in the Hills Shire.</p> <p>The plan nominates the dwelling mix in the Hills will shift from 6% apartments in 2016 to 30% apartments in 2036 and this proposal can contribute to that.</p> <p>The expansion of supply will also contribute to downward pressure on pricing and affordability.</p> <p>The proposal will provide additional apartments with a variety of sizes to also encourage affordable housing in the locality.</p>
	9. Renew and Create Great Places	<p>The proposal will contribute to the renewal of the fringe of the Town Centre and contribute to high quality built forms. The LSPS does not include definition of the boundary of the Baulkham Hills town centre, with other documents showing the site as outside this area. The LSPS does not seek to strictly prohibit commercial and residential uplift in the Baulkham Hills town centre, only discouraging until traffic and transport issues are resolved. Prohibiting uplift in the town centre until these issues are is inconsistent with the District Plan, other objectives of the LSPS and the Local Housing Strategy. These documents all seek to deliver additional, well located housing that</p>

THEME	PRIORITY	JUSTIFICATION
		contributes to the 30 minute city concept. Renewal in this area provides new dwellings within close proximity to shops and transport, representing a significant benefit for the community and the enhancement of local character and place.
	10. Provide social infrastructure and retail services to meet residents' needs	The planning proposal includes supports the social infrastructure within the Baulkham Hills Town Centre, in addition to its retail and commercial offerings.
Infrastructure	11. Plan for convenient, connected and accessible public transport	The planning proposal is located close to major transport infrastructure including rapid bus services. Providing additional population in areas with good public transport accessibility and routes, supports the ongoing viability and future public transport investment.
Environment	18. Increase urban tree canopy cover	A future development application can contribute to the improved urban canopy cover. This will improve the quality of life for residents and visitors alike.
	19. Manage natural resources and waste responsibly	A future development application can contribute towards achieving the sustainability goals of council.
	20. Prepare residents for environmental and urban risks and hazards	The site is neither subject to flood nor bushfire risk. The concept submitted within this Planning Proposal confirms that future residents can live in resilient dwellings that reduce the risks associated with climatic extremes.

As set out above the planning proposal will contribute toward achieving the goals identified in the plan. Specifically, the redevelopment of the subject site will contribute to the economic growth of Baulkham Hills, will encourage diversity and liveability of places and will enhance the status of The Hills as a City in which people want to reside.

b. Hills Local Housing Strategy

The DPE provided conditional approval to the Hills Local Housing Strategy on 6 July 2021. According to the Housing Strategy, by 2036 the population of the Hills Shire will have increased by 80%, to 290,000 people. The Housing Strategy is providing the strategic background for how council will achieve its housing targets. The Local Housing Strategy has the following key actions relevant to the subject site:

- the delivery of 600 additional dwellings by 2036,
- aligning housing growth and density with infrastructure,
- delivering additional housing in an infill area,
- improving better diversity and choice in housing choice, particularly apartments, and
- renewing and creating great places that have high quality built form, are affordable, and with exceptional amenity and lifestyle.

The table below identifies relevant priorities of the local housing strategy.

PRIORITY	JUSTIFICATION
Plan for new housing to support Greater Sydney's growing population	<p>This priority recognises that the Hills Shire is growing, with an additional 38,500 dwellings expected by 2036. Council's commitment is to ensure that the planning framework supports the delivery of new housing ...<i>near jobs, transport and services</i>.... The planning proposal assists council achieve this priority.</p> <p>The Housing Strategy also recognises that high density housing is to be provided in areas that are connected to or within reach of transport and other urban services. The subject site is close to the Baulkham Hills Town Centre and also major bus routes. By increasing housing in the right locations, car use can be decreased as people can now walk to the town centre and public transport services.</p> <p>The planning proposal provides therefore assists Council in achieving its priority to plan for 600 new dwellings in the Baulkham Hills town centre area.</p>
Plan for new housing in the right locations	<p>Infill development is identified as a pillar to contain housing growth, with the Baulkham Hills Town Centre identified. Council is seeking to have mass public transport infrastructure upgrades resolved before encouraging renewal in the Baulkham Hills Town Centre. Regardless, as noted in the Gateway Determination Report by the DPE:</p> <p><i>"Prohibiting uplift in the town centre until these issues are resolved could effectively restrict uplift in the centre indefinitely, contrary to objectives of the District Plan and other objectives of the LSPS and the Local Housing Strategy, which seek to deliver additional, well located housing. The Department notes that the proposal is unlikely to have a significant impact on worsening the existing traffic conditions."</i></p> <p>Increasing housing supply nearby the Baulkham Hills Town Centre is clearly consistent with the desire of Council to locate housing in the right locations, being close to schools, town centre offerings, and good bus services.</p>

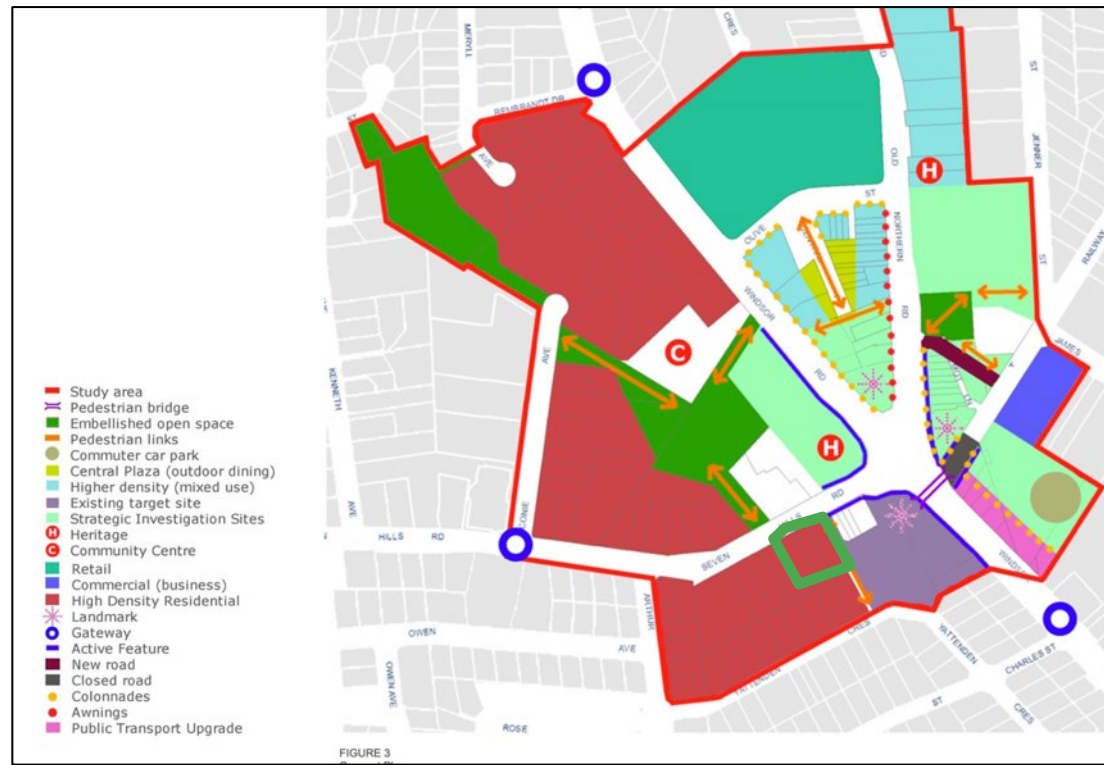
PRIORITY	JUSTIFICATION
Plan for a diversity of housing	This priority is facilitated by the planning proposal. It will deliver a diversity of apartments, of a size required by the Hills Council. In addition, unlocking supply contributes to greater housing choice, and can contribute to greater affordability. This is particularly for families who may want to live in the Hills Shire but cannot afford to live in a detached house. to have sufficient space for larger households. The units are also located close to the town centre and public transport, consistent with the desire for Council to have more affordable housing options close to key infrastructure and services.
Renew and create great places	The subject site is not identified in an area requiring a local character statement. Other elements of this priority include amenity and lifestyle aspirations. The planning proposal assists with improving the lifestyle opportunities within walking distance of the town centre, open space and public transport (buses).
Provide social infrastructure and retail services to meet residents' needs	This priority recognises the importance of housing in areas where there is adequate social infrastructure and retail services. The subject site is located adjacent to the Baulkham Hills Town Centre, with the additional housing close to existing social and retail offerings. It is therefore consistent with this priority.

c. Draft Baulkham Hills Town Centre Master Plan 2014

It is noted that this Draft Master Plan and Public Domain Plan was not progressed and being over 8 years old is not considered particularly relevant to this scheme. It also broadly considered the improvements associated with the Town Centre. The subject site is within Figure 3 of that consideration which is nominated specifically for High Density Residential and adjacent to a pedestrian linkage and the gateway site on the 5 ways junction.

The site is also identified as an 'opportunity site'- however these are noted to be developable under the current planning controls, but the subject site is considered to have significant potential for greater density than the remainder of the Seven Hills Road Precinct owing to its location and interface with the commercial zoned land and the pedestrian linkages.

Figure 15: Baulkham Hills Structure Plan (Hills Shire Council). The subject site is edged in green outline.



Is the planning proposal consistent with any other applicable State and regional studies or strategies?

The planning proposal is consistent with all relevant studies and strategies prepared by the NSW Government as discussed in the table below.

Document	Discussion
Future Transport Strategy 2056	<p>The Future Transport Strategy sets the direction of the NSW Government to improve the transport system across the state. It intends to make decisions by putting people and places at the centre to ensure that customers, community and the economy experience maximum benefits.</p> <p>The planning proposal over the subject site is consistent with key strategic directions within the strategy including:</p> <ul style="list-style-type: none"> - C1.1 Enhance 30-minute metropolitan cities - C2.1 Support car-free, active, sustainable transport options - C3.1 Provide transport choices for people no matter where they live - P1.2 Support growth around public transport

Document	Discussion
	<ul style="list-style-type: none"> - P2.1 Support thriving and healthy 15-minute neighbourhoods
Staying Ahead: State Infrastructure Strategy 2022 – 2042	<p>The State Infrastructure Strategy provides a 20-year plan for the NSW Government for strategic investment decisions. The strategy aims to provides recommendations that aid the growth and productivity of the State to improve living standards for the community.</p> <p>Chapter 4 Service Growing Communities is relevant to this Planning Proposal. Key Strategic directions include:</p> <ul style="list-style-type: none"> - <i>Deliver housing in great neighbourhoods for all parts of the community</i> - <i>Improve access to efficient, quality services through better use of assets and a better mix of physical infrastructure and technology-enabled solutions</i> <p>The proposal satisfies the above strategic directions by providing housing within a highly accessible location, adjacent to a town centre, and within a location previously identified by Council as suitable for higher density housing.</p>
Housing Strategy 2041	<p>This strategy establishes the 20 year housing vision for NSW and aims to provide the framework for greater housing supply, improved affordability of housing, along with hosing diversity and resilience. There are four pillars of housing supply in the strategy, with the diagram reproduced below:</p> <div data-bbox="609 1184 1343 1904">  <p>The diagram consists of four colored boxes arranged in a 2x2 grid, each with a circular icon and a title. The top-left box is blue with an upward arrow icon and is titled 'SUPPLY'. The top-right box is purple with a four-way arrow icon and is titled 'DIVERSITY'. The bottom-left box is green with a handshake icon and is titled 'AFFORDABILITY'. The bottom-right box is orange with a group of people icon and is titled 'RESILIENCE'. Each box contains a short paragraph describing the pillar.</p> </div> <p>The Planning Proposal is consistent with these pillars.</p>

Document	Discussion
Net Zero Plan	<p>The Net Zero Plan outlines the NSW Government's plan to grow the economy, creating jobs and reducing emissions over the next decade.</p> <p>A future Development Application will be subject to the provisions of the Sustainable Buildings SEPP 2022. This SEPP will ensure that development over the subject site is sustainable and resilient, making a valuable contribution to NSW being a net zero emitter.</p>

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

The following table provides a brief assessment of consistency against each State Environmental Planning Policy (SEPP) relevant to the planning proposal.

Consideration of relevant SEPPs	Comment
State Environmental Planning Policy (Biodiversity and Conservation) 2021	<p>Consistent.</p> <p>The site is not identified as Koala habitat and does not contain any significant vegetation.</p>
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008	Not applicable
State Environmental Planning Policy (Housing) 2021	<p>The proposal is consistent with the intent of the Housing SEPP.</p> <p>Future development under the SEPP remains permissible, though rezoning of the site may expand opportunities for a greater diversity and type of housing.</p>
State Environmental Planning Policy (Industry and Employment) 2021	Not applicable
State Environmental Planning Policy No. 65 - Design Quality of Residential Apartment Development	<p>Consistent.</p> <p>The planning proposal seeks to facilitate high-density housing in the form of a residential flat building. An urban design study submitted with this planning proposal considers potential design options which address the provisions of SEPP 65.</p>
State Environmental Planning Policy (Planning Systems) 2021	<p>Not applicable.</p> <p>It is likely that future development of the site will constitute Regional Development and may be determined by the Sydney West Planning Panel</p>

State Environmental Planning Policy (Precincts—Central River City) 2021	Not applicable
State Environmental Planning Policy (Precincts—Eastern Harbour City) 2021	Not applicable
State Environmental Planning Policy (Precincts—Regional) 2021	Not applicable
State Environmental Planning Policy (Precincts—Western Parkland City) 2021	Not applicable
State Environmental Planning Policy (Primary Production) 2021	Not applicable
SEPP (Resilience and Hazards) 2021	<p>The existing uses of the site include residential development which are unlikely to result in contamination of the land.</p> <p>The planning proposal is consistent with the aims and provisions of this SEPP.</p> <p>In any case, future redevelopment of the site will need to address the requirements of the SEPP. The proposal is consistent with the provision of this SEPP.</p>
State Environmental Planning Policy (Resources and Energy) 2021	Not applicable
State Environmental Planning Policy (Sustainable Buildings) 2022	The planning proposal is consistent with the aims or provisions of this SEPP. Future development incorporating a BASIX affected buildings will be subject to the provisions of this SEPP.
SEPP (Transport and Infrastructure) 2021	<p>Consistent</p> <p>Future development may constitute traffic generating development and trigger an assessment under this SEPP.</p>

Draft State Environmental Planning Policy (Environment SEPP)

The draft Environment SEPP aims for the protection and management of the natural environment. Since its exhibition between 31 October 2017 and 31 January 2018, the SEPP has not been finalised and remains in draft form. Since this time, the DPE has consolidated a number of SEPPs, with the Biodiversity and Conservation SEPP consolidating many of the SEPPs that had been addressed in the draft Environment SEPP. Whilst the Environment SEPP status is unknown, it does not appear as if it will be made imminently. Regardless, any future development of the subject site is likely

to be consistent with the draft SEPP and a more detailed assessment can occur at the DA stage.

6. Is the planning proposal consistent with applicable Ministerial Directions (section 9.1 Directions) or key government priority?

The following table provides a brief assessment of consistency against each S.9.1 Direction relevant to the Planning Proposal.

Ministerial Directions	Consistency	Comments
Focus Area 1: Planning Systems		
1.1 Implementation of Regional Plans	Yes	<p>This proposal is consistent with the objectives and strategies of A Plan for Growing Sydney as outlined in the Planning Proposal report.</p> <p>The Planning Proposal is consistent with the NSW Government's A Plan for Growing Sydney. Refer to Part 3 – Justification of this report, Section B – Relationship to Strategic Planning Framework of the Planning Proposal for an explanation of the consistency of the Planning Proposal with A Plan for Growing Sydney.</p> <p>The Planning Proposal achieves the overall intent of the Plan and seeks to implement the achievement of its vision, land use strategy, policies, outcomes or actions.</p> <p>This Planning Proposal seeks to facilitate development of this key parcel of land which will encourage economic investment in this strategic centre, employment generation and delivery of new housing opportunities.</p> <p>This planning proposal seeks to facilitate development of a site that will contribute to housing supply adjacent to a town centre and major transport infrastructure. It supports the implementation of a 30 minute city.</p>
1.2 Development of Aboriginal Land Council Land	N/A	Aboriginal and archaeological investigations will be completed as part of the future detailed design and development application documentation.
1.3 Approval and Referral Requirements	N/A	The Planning Proposal does not introduce any provisions that require any additional concurrence, consultation, or referral.
1.4 Site Specific Provisions	Yes	The planning proposal relates to building height and floor space ratio provisions. This planning proposal does not impose any development standards or requirements in addition to those

		already contained in the principal environmental planning instrument being amended.
Focus Area 1: Planning Systems – Place Based	N/A	Not relevant to the subject planning proposal.
Focus Area 2: Design and Place	N/A	Directions not made
Focus Area 3: Biodiversity and Conservation	N/A	Not relevant to the subject planning proposal.
3.1 Conservation Zones	N/A	Not relevant to the subject planning proposal.
3.2 Heritage Conservation	Consistent	There are no items, areas, objects and places of environmental heritage significance and indigenous heritage significance, on the subject site. Accordingly, there is no impact on any areas requiring heritage conservation.
3.4 Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs	N/A	Not relevant to the subject planning proposal.
3.5 Recreational Vehicle Areas	N/A	Not relevant to the subject planning proposal.
3.6 Strategic Conservation Planning	N/A	Not relevant to the subject planning proposal.
3.7 Public Bushland	Consistent	There are no areas of public bushland on the subject site
3.8 Willandra Lakes Region	N/A	Not relevant to the subject planning proposal.
3.9 Sydney Harbour Foreshores and Waterways	Consistent	The subject site is well away from any foreshore and waterway area. A future development application can provide the necessary measures to manage water quality.
3.10 Water Catchment Protection	Consistent	The subject site is within an existing urban area zoned R4 for High Density Residential. A future development application can provide the necessary measures to manage water quality.
Focus Area 4: Resilience and Hazards		
4.1 Flooding	Consistent	The planning proposal does not seek to change the existing Council controls relating to flooding. However the site is not subject to flooding.
4.2 Coastal Management	N/A	Not relevant to the subject planning proposal.

4.3 Planning for Bushfire Protection	Consistent	The site is not impacted by a Bushfire Map, nor is it bushfire prone.
4.4 Remediation of Contaminated Land	Consistent	<p>The existing uses of the site include residential development which are unlikely to result in contamination of the land.</p> <p>The planning proposal is consistent with the aims and provisions of this SEPP.</p> <p>In any case, future redevelopment of the site will need to address the requirements of the SEPP. The proposal is consistent with the provision of this SEPP.</p>
4.5 Acid Sulfate Soils	Consistent	The land is not mapped on the acid sulfate soil map.
4.6 Mine Subsidence and Unstable Land	N/A	Not relevant to the subject planning proposal.
Focus Area 5: Transport and Infrastructure		
5.1 Integrating Land Use and Transport	Consistent	The planning proposal is consistent with the direction. The subject site is within proximity of high frequency bus routes and public transport. The site is well serviced by transport infrastructure and has optimal access to employment opportunities within Baulkham Hills Town Centre and related employment precincts.
5.2 Reserving Land for Public Purposes	N/A	The planning proposal does not seek to change the current zoning provisions and therefore does not impact on land reserved for public purposes
5.3 Development Near Regulated Airports and Defence Airfields	N/A	The land is not within the vicinity of an aerodrome.
5.4 Shooting Ranges	N/A	The land is not within the vicinity of a shooting range.
Focus Area 6: Housing		
6.1 Residential Zones	Consistent	<p>The planning proposal is consistent with the direction. The planning proposal seeks to facilitate the development of high-density housing through the application of appropriate floor space ratio and building height controls.</p> <p>The planning proposal represents a more efficient use of existing infrastructure and services and reduces the consumption of land for housing through urban renewal.</p>

6.2 Caravan Parks and Manufactured Home Estates		The planning proposal does not seek amend the current prohibition of caravan parks on this site
Focus Area 7: Industry and Employment		
7.1 Employment zones	N/A	The planning proposal does not seek to amend the existing zoning of the site.
7.2 Reduction in non-hosted short-term rental accommodation period	N/A	Not relevant to the subject planning proposal.
7.3 Commercial and Retail Development along the Pacific Highway, North Coast	N/A	Not relevant to the subject planning proposal.
Focus Area 8: Resources and Energy		Not relevant to the subject planning proposal.
Focus Area 9: Primary Production		Not relevant to the subject planning proposal.

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 because of the proposal?

The subject site does not contain habitat of any description. There is no likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the planning proposal. No further assessment is considered necessary.

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

The Planning Proposal seeks to revise the maximum permitted building height and floor space ratio controls contained within Hills LEP 2019 in order to facilitate the redevelopment of the subject site for the purpose of high-density residential development. The anticipated environmental effects associated with the higher-density development that will be permitted by the amendment are discussed below.

Urban Design

The site is located within proximity to employment opportunities, educational establishments, recreational activities and public transportation including bus transport corridors and the bus routes that run along the M2 noting the commuter carpark is approximately 650m from the site.

The amendments proposed in this Planning Proposal are specific to the site and will facilitate a new high quality residential flat building development that provides a high quality built form that seeks to provide a more suitable transition from the Baulkham Hills Town Centre to the R4 land to the west.

This is achieved through a stepped height arrangement of 8 storeys on the eastern portion transitioning down to 4-5 storeys on the western side. This achieves a tapering of building heights that follows the recent Modena development on the '5 ways' junction.

The proposed amendments are driven by a desire to deliver a better built form outcome for the site and has been the subject of a design review by Integrated Design Group.

That analysis needs to be read in full, but the key principles of the Urban Design Review and Report are:

- To provide a more cohesive approach to height at the interface with the B2 lands on the western edge of the Town Centre and a more gradual transition

from the large development to the east and likely future development on the residual B2 lands.

- To provide a more appropriate transition in terms of street setbacks and a street wall design and approach that gives a less stark transition from the B2 land to the west. The site bridges the residential and retail/commercial zones and as such there is an opportunity to transition between these two zones and maintain a consistent streetscape and landscape setting.
- To provide a clear transition that also aligns with the park edge to the north that will provide a key 'edge' to the entry to the Town Centre.

Refer to the Technical Reports section of this Planning Proposal and attached Urban Design Report for further detail.

Traffic and Parking Assessment

The proposal delivers a variety of housing opportunities on the fringe of the Baulkham Hills Town Centre and on public transport corridors that connect to Norwest and also to Macquarie Park, North Sydney and Sydney CBD.

The subject land achieves good access to pedestrian pathways, cycleways as well as bus routes. This will result in a significant lower reliance on private vehicle trips. A traffic report has been prepared by TTPA noting that a key issue was consideration of the extent of uplift relative to what is achievable under the current controls.

We note that the extent of uplift sought is modest, being from 50 residential units under the current controls to 66 residential units under the proposed controls- a net increase of 16 units.

Hence the extent of impact in terms of infrastructure demand is very limited and as noted in the traffic report the extent of additional yield compared to the base scenario is 5 vehicles per hour which has no discernible impact on the traffic network and as noted in the TTPP report: *the low level of traffic generation is not anticipated to result in any material difference on the road network performance.*

It is noted that feedback from TfNSW will be a key consideration for the Planning Proposal.

9. Has the planning proposal adequately addressed any social and economic effects?

The social and economic effects of the Planning Proposal are most appropriately described in the context of the challenges associated with a growing population as described in the State Government document the Metropolis of Three Cities. Among other things, the Plan explains that to meet the needs of a larger population and to

maintain economic growth, urban renewal in combination with infrastructure delivery must occur in strategic urban centres.

As previously described, the objective of the Planning Proposal aligns closely with the strategic direction identified in the Metropolis of Three Cities. The delivery of high-density housing in a location that is well serviced by infrastructure and where there are minimal existing environmental site constraints is considered to represent a positive social outcome.

The Planning Proposal will facilitate future development that will result in higher population density on the land on the fringe of the Baulkham Hills Town Centre.

The development will serve to promote healthy lifestyles and social interaction with the high quality public domain and common open space areas of the proposed development.

SECTION D – INFRASTRUCTURE (LOCAL, STATE AND COMMONWEALTH)

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

The existing controls identifies this site as suitable for high density residential development due to its superior access to transport and employment opportunities in the Baulkham Hills Town Centre. The site is located not only on the fringe of the Baulkham Hills Town Centre but also within walking distance to rapid bus transport.

Given the proximity of the subject site to public transport services including bus services it is anticipated that a significant proportion of new residents would opt to use public transport rather than private vehicle.

We note that the extent of uplift sought is modest, being from 50 residential units under the current controls to 66 residential units under the proposed controls. Hence the extent of impact in terms of infrastructure demand is very limited and as noted in the traffic report the extent of additional yield compared to the base scenario is 5 vehicles per hour which has no discernible impact on the traffic network.

Consultation with the Hills Shire Council will occur in accordance with the Gateway Determination, issued by the DPE on 11 October 2023.

SECTION E –STATE AND COMMONWEALTH INTERESTS

11. What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway determination?

Consultation with public authorities and agencies will occur in a manner consistent with the Gateway Determination. The following extract is relevant:

3) *Consultation is required with the following public authorities and government agencies under section 3.34(2)(d) of the Act and/or to comply with the requirements of applicable directions of the Minister under section 9 of the Act:*

- *The Hills Shire Council*
- *Transport for NSW*
- *Sydney Water*
- *Other utility providers*

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material via the NSW Planning Portal and given at least 30 working days to comment on the proposal.

Condition 4. of the Gateway Determination also requires that: *A site-specific Development Control Plan or identification of similar LEP mechanism must be in place prior to finalisation*

The proponent will work with the Hills Shire Council and DPE to prepare an amendment to the DCP. It is anticipated that Condition 3 of the Gateway Determination will assist with the preparation of the Site Specific DCP amendment, though the proponent will be making early contact with The Hills Shire to prepare the DCP amendment in accordance with their corporate requirements.

PART 4 – MAPS

It is understood that mapping will be prepared by the relevant planning authority to accord with the standard instrument mapping layouts prior to the Planning Proposal being finalised.

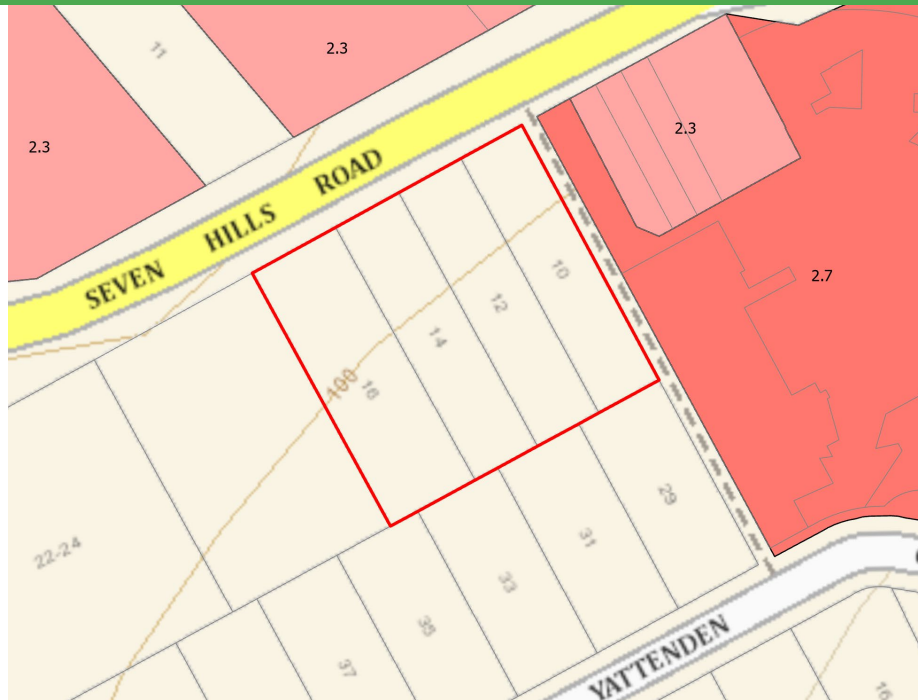
The planning proposal seeks amendments to Height of Buildings Map and Floor Space Ratio and Map as shown below.

Figure 16: Height – existing and proposed

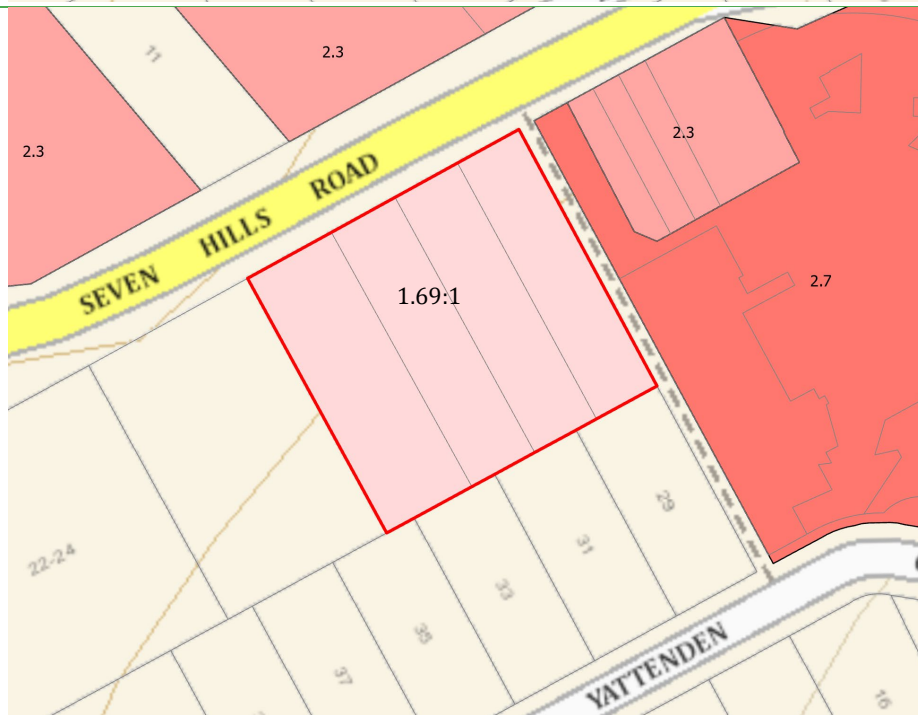


Figure 17: Floor Space Ratio – existing and proposed

Existing –
No FSR



Proposed
1.69:1



PART 5 – COMMUNITY CONSULTATION

Community consultation will be undertaken in accordance with the requirements prescribed by the Gateway determination issued on 11 October 2023. This includes the following requirements:

- 2) *Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the Act as follows:*
 - c) *the planning proposal is categorised as standard, as described in the Local Environmental Plan Making Guideline (Department of Planning and Environment, August 2023) and must be made publicly available for a minimum of 20 working days; and*
 - d) *the planning proposal authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in Local Environmental Plan Making Guideline (Department of Planning and Environment, August 2023).*

PART 6 – PROJECT TIMELINE

The Gateway Determination recommends that the LEP be completed by 7 August 2024.

An indicative timeline for the planning proposal includes:

Milestone	Timeframe
Rezoning Review	July 2023
PP submitted to Sydney Central Planning Panel for endorsement to proceed to Gateway Determination	August 2023
PP Submitted to DPE for Gateway Determination	August 2023
Gateway issued	11 October 2023
Public exhibition and agency consultation	December 2023 / February 2024
Consideration of submissions and report back to Central Sydney Local Planning Panel	March/ April 2024
Submission back to Department of Planning and Environment to finalise LEP amendments	May 2024
Amendments to be published	7 August 2024

CONCLUSION

This Planning Proposal explains the intended effect of and provides a justification for a proposed amendment to the *Hills Local Environmental Plan 2019*. The Planning Proposal has been prepared in accordance with Section 3.33 of the *Environmental Planning and Assessment Act 1979* and the Department of Planning and Environment's document *Local Environmental Plan Making Guideline* (August 2023).

This Planning Proposal proposes site specific provisions over 10-16 Seven Hills Road, Baulkham Hills. This Planning Proposal puts forward maximum building height and floor space ratio controls that will permit the delivery of a development which can provide a high quality urban form and a suitable interface with the western fringe of the Baulkham Hills Town Centre.

It is considered that the LEP amendments sought by the planning proposal will allow for the accelerated delivery of high-density residential development in an area which is well serviced by public transport and infrastructure.

The planning proposal is considered to have strong merit based on a sound analysis of relevant planning considerations and is submitted to Hills Shire Council for consideration.