



PLANNING PROPOSAL

64 MACKILLOP DRIVE, BAULKHAM HILLS

PREPARED FOR AQUALAND

DOCUMENT CONTROL

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Contents

1	Introduction	1
1.1	Overview.....	1
1.2	Structure of the Report	2
2	Site Detail and Context	3
2.1	Site Detail	3
2.2	Site Context	5
3	Background	10
3.1	Development Applications and Section 96 Modification Applications	10
3.2	Voluntary Planning Agreement – Aqualand	11
4	Planning Proposal	12
4.1	Overview.....	12
4.2	Masterplan.....	13
4.3	Voluntary Planning Agreement	25
4.4	Summary Benefits of the Proposal	25
5	Strategic Planning Context	27
5.1	A Plan for Growing Sydney.....	27
5.2	Draft West Central District Plan	30
5.3	North West Rail Link Corridor Strategy – Norwest Station Structure Plan	31
5.4	The Hills Corridor Strategy	32
6	Local Planning Framework	34
6.1	The Hills Local Environmental Plan 2012	34
6.2	The Hills Development Control Plan 2012 – Site Specific Controls	38
7	Parts of a Planning Proposal	39
7.1	Part 1 – Objectives or Intended Outcomes	39
7.2	Part 2 – Explanation of Provisions	40
7.3	Part 3 – Justification for the Planning Proposal	44
7.4	Part 4 – Mapping	56
7.5	Part 5 – Community Consultation	56
7.6	Part 6 – Project Timeline	56

Tables

Table 4.1	Indicative Development Yield	12
Table 4.2	Proposed Development Yield and Density	14
Table 7.1	Proposed amendments to The Hills LEP 2012	40

Figures

Figure 2.1	Subject Site	3
Figure 2.2	Heritage Farmhouse	4
Figure 2.3	Street View on the corner of Barina Downs Road and Mackillop Drive	4
Figure 2.4	Street View from Hillsborough Way facing Barina Downs Road	4
Figure 2.5	Local Context.....	5
Figure 2.6	Local Context.....	5
Figure 2.7	Open Space Linkage	6
Figure 2.8	Norwest Business Park.....	7
Figure 2.9	Sydney Rail Network	8
Figure 2.10	Active Transport Connections.....	9
Figure 4.1	Proposed Masterplan.....	13
Figure 4.2	Medium Density Typology	15
Figure 4.3	Apartment Typology.....	15
Figure 4.4	Proposed Superlot Massing.....	16
Figure 4.5	Massing of Apartment Buildings	16
Figure 4.6	Street Views – Proposed Massing of Apartment Buildings	17
Figure 4.7	Street Views – Approved Massing of Apartment Buildings (Indicative).....	17
Figure 4.8	Urban Connectivity	18
Figure 4.9	Examples of Preferred Medium Density Typologies	19
Figure 4.10	Indicative Attached Dwelling Sketch Facades	19
Figure 4.11	Indicative Attached Dwelling Plan Types	20
Figure 4.12	Indicative Zero Lot Dwelling Plan Types.....	20
Figure 4.13	Examples of Preferred Apartment Typologies	21
Figure 4.14	Indicative Apartment Sketch Facades	21
Figure 4.15	Indicative Typical Plate Plan.....	22
Figure 4.16	Street Perspective Along Barina Downs Road With Views to Heritage Farmhouse	22
Figure 4.17	Street Perspective Along Barina Downs Road	23
Figure 4.18	Internal Perspective of the Ridgeline Open Space Area.....	23
Figure 4.19	Internal Perspective.....	24
Figure 5.1	A Plan for Growing Sydney.....	28
Figure 5.2	Norwest Structure Plan.....	31
Figure 6.1	Extract of Land Use Zoning Map	34
Figure 6.2	Extract of Land Use Zoning Map	36
Figure 6.3	Heritage Map	37
Figure 7.1	Existing Land Use Zoning Map	41
Figure 7.2	Proposed Land Use Zoning Map	41
Figure 7.3	Existing Height of Buildings Map	42
Figure 7.4	Proposed Height of Buildings Map	42
Figure 7.5	Existing Heritage Map.....	43

Figure 7.6	Proposed Heritage Map	43
Figure 7.7	Vision and Structure Plan	46
Figure 7.8	The Hills Shire Council Vegetation Mapping.....	49
Figure 7.9	Native Tree Impact	50
Figure 7.10	Tree Survey	51
Figure 7.11	Proposed Amendments to Heritage Curtilage	53

Appendices

Appendix A	Architectural Masterplan prepared by DKO Architecture (NSW) Pty Ltd
Appendix B	Statement of Heritage Impact prepared by Eco Logical Australia Pty Ltd
Appendix C	Traffic Impact Assessment prepared by Ason Group
Appendix D	Landscape Plans prepared by Mclean Design
Appendix E	Arboricultural Impact Assessment prepared by Eco Logical Australia Pty Ltd
Appendix F	Flora and Fauna Assessment prepared by Eco Logical Australia Pty Ltd
Appendix G	Infrastructure Report prepared by Calibre Consulting (NSW) Pty Ltd
Appendix H	Letter of offer for Voluntary Planning Agreement
Appendix I	Consistency with the SEPPs
Appendix J	Consistency with the s117 Ministerial Directions
Appendix K	Draft DCP amendment

1 Introduction

1.1 Overview

This Planning Proposal is prepared on behalf of the applicant, Aqualand Dee Why Development Pty Ltd (Aqualand) by Calibre Consulting (NSW) Pty Ltd, and supports planning amendments to *The Hills Local Environmental Plan 2012* (LEP) in relation to the subject site being, lots 1001 and 1002 in DP 1190982 at 64 Mackillop Drive, Baulkham Hills and Lot 574 in DP 713531, 34 Salamander Grove, Baulkham Hills (the site). The proposal seeks to commence rezoning of the site to permit higher residential densities in order to facilitate a masterplan providing a variety of high quality residential housing types, increase building height controls and modify the heritage map. An Architectural Masterplan accompanies this Planning Proposal in Appendix A and depicts the desired development for the site comprising of low rise apartments and medium density dwellings, in addition to the approved low density detached housing.

The masterplan of the site would allow for the establishment of a new vibrant community within walking distance to the Norwest Station and Norwest Business Park. Norwest Station is part of the Sydney Metro infrastructure project, which will connect Sydney's North-Western suburbs to the wider metropolitan rail network. The proposed amendments to *The Hills LEP 2012* sought in this Planning Proposal will assist in achieving strategic objectives to implement a transit oriented development that responds to changing land use as a result of the transport infrastructure, new station, density and demographic trends within the locality.

The development of lots 1001 and 1002 in DP 1190982 of 64 Mackillop Drive, Baulkham Hills, and Lot 574 in DP 713531 being 34 Salamander Grove, Baulkham Hills will require the following site-specific amendments to *The Hills LEP 2012*:

- Rezoning by amending the 'Land Zoning Map':
 - From R2 Low Density Residential to part R3 Medium Density Residential, part RE1 Public Recreation, and retaining an existing portion of R2 Low Density Residential (Lot 1001); and
 - From Part R2 Low Density Residential and part R3 Medium Density Residential to R4 High Density Residential (Lot 1002)
- Increase Building Height under Clause 4.3 Height of Buildings and amend the 'Height of Buildings Map':
 - From 9m to part 9m, part 12m and part 16m
- Amend the 'Heritage Map':
 - Heritage Item No. 17 applying to all of Lot 1002 to only include the heritage curtilage.

This Planning Proposal does not seek to rezone or amend the building height controls for Lot 1003 which is retained by the Sisters of St Joseph. It is noted that Lot 1003 is zoned both Low and High Density Residential with applicable building heights of 9m and 16m respectively.

This Planning Proposal also seeks site-specific amendments to The Hills Development Control Plan (DCP) 2012 Part B Section 2 – Residential, to support the Mackillop Drive Masterplan including development controls addressing site planning and heritage. The site has an existing approved masterplan and this proposal seeks to amend this masterplan with the new concept.

The site presents a unique opportunity to develop one of the largest remaining landholdings in close proximity to Norwest train station. This site has been masterplanned to integrate into the existing residential community with aesthetically pleasing urban design, with the provision of additional public open space and linkages through the site for the adjoining residential communities.

The masterplan is consistent with the NSW Government's *A Plan for Growing Sydney* which identifies the site as a short term opportunity site for the development of "*medium density living comprising of 3-6 storey apartments*" located along Barina Downs Road. Low-rise apartments with a maximum of 4-5 storeys are proposed to front Barina Downs Road.

The development of the site will result in approximately 110 medium density housing comprising of multi dwelling housing (townhouses) and small lot dwellings as well as 270 apartments. The site also includes 28 low density detached dwellings that were approved under the existing consent, being DC 6/2012/JP. This portion will remain as is and is shown in the masterplan submitted with this Planning Proposal. A public reserve is to be dedicated to Council under the existing Voluntary Planning Agreement originally entered into by the Sisters of Saint Joseph, now applicable to Aqualand and a large open space area will be provided as part of the proposed development which incorporates a heritage listed farmhouse and follows the avenue of trees traversing the ridgeline of the site.

This Planning Proposal is supported with an offer by the applicant for a Voluntary Planning Agreement to dedicate part of the ridge line park, provide additional pedestrian and open space connections to 34 Salamander Grove which will be dedicated to Council, substantial embellishment of the public park at Lot 214 and as well as public domain upgrades from the site and adjacent area to the imminent Norwest Train Station and town centre.

The structure of the report is outlined in the next section.

1.2 Structure of the Report

This Planning Proposal is structured as follows:

- Section 2: Description of the site and its context
- Section 3: Background for the site includes an overview of the history of the site, including development consent and modifications
- Section 4: Description of the Planning Proposal including key features and benefits of the proposal
- Section 5: An outline of the strategic planning objectives for the site
- Section 6: A summary of the local planning framework
- Section 7: Explanation and justification for the Planning Proposal (Section 55 of the EP&A Act)

This Planning Proposal has been prepared in accordance with Section 55 of the *Environmental Planning and Assessment Act 1979* (EP&A) and the relevant guidelines issued by the Department of Planning and Environment being *A Guide to Preparing Planning Proposals* and *A Guide to Preparing Local Environmental Plans*.

This Planning Proposal is submitted to The Hills Shire Council for consideration and if supported, the Proposal will be submitted to the Department of Planning and Environment for Gateway determination. All strategic planning policies and statutory planning instruments have been taken into consideration and addressed within this Planning Proposal including the following:

- A Plan for Growing Sydney
- Draft West Central District Plan
- North West Rail Link Corridor Strategy – Norwest Station Structure Plan
- The Hills Corridor Strategy
- Relevant State Environmental Planning Policies
- Relevant Section 117 Directions
- *The Hills Local Environmental Plan 2012*

This Planning Proposal is supported by various documentation including:

- Architectural Masterplan prepared by DKO Architecture (NSW) Pty Ltd (Appendix A)
- Statement of Heritage Impact prepared by Eco Logical Australia Pty Ltd (Appendix B)
- Traffic Impact Assessment prepared by Ason Group (Appendix C)
- Landscape Plans prepared by Mclean Design (Appendix D)
- Arboricultural Impact Assessment prepared by Eco Logical Australia Pty Ltd (Appendix E)
- Flora and Fauna Assessment prepared by Eco Logical Australia Pty Ltd (Appendix F)
- Infrastructure Report prepared by Calibre Consulting (NSW) Pty Ltd (Appendix G)
- Letter of offer for Voluntary Planning Agreement (Appendix H)
- Consistency with the SEPPs (Appendix I)
- Consistency with the s117 Ministerial Directions (Appendix J)
- Draft DCP amendment (Appendix K)

2 Site Detail and Context

2.1 Site Detail

This Planning Proposal applies to the following parcels of land, owned by Aqualand:

- Lot 1001 DP 1190982 and Lot 1002 DP 1190982, contained in 64 Mackillop Drive, Baulkham Hills
- Lot 574 DP 713531, being 34 Salamander Grove, Baulkham Hills

The third lot, being 1003 makes up a portion of 64 Mackillop Drive at the western end and contains St Joseph's Centre for Reflective Living, which provides a range of facilities for uses as retreats, conferences, seminars and workshops. This lot is being retained by the Sisters of Saint Joseph and will not form part of this Planning Proposal or masterplan and will retain Low and High Density Residential zoning.

The subject site has a combined total area of approximately 12.5 hectares. As shown in Figure 2.1, the site is largely undeveloped and apart from the Centre for Reflective Living, there is a single storey residential brick dwelling on Lot 574 and a heritage listed former farmhouse building located on Lot 1002. According to a previous heritage impact statement undertaken for the site, the farmhouse building is a single storey, Inter-War period California Bungalow-style brick residence constructed in circa 1930 (Tropman and Tropman Architects 2010). Significant vegetation on site includes the tree lined avenue leading to the Centre as well as the mature stand of Brush Box trees to the south of the farmhouse and existing vegetation around the perimeter of the site including Barina Downs Road.

The site has an existing entrance off Mackillop Drive and Lot 574 can be accessed from Salamander Grove. In terms of the topography, there is a prominent east to west ridgeline near the top of the site. The site is generally level on the top half and slopes down from the ridgeline towards the south and north.

Figure 2.1 Subject Site



(Source: Google Maps)

Figure 2.2 Heritage Farmhouse



(Source: Eco Logical Australia Pty Ltd)

Figure 2.3 Street View on the corner of Barina Downs Road and Mackillop Drive



(Source: Google Maps)

Figure 2.4 Street View from Hillsborough Way facing Barina Downs Road



(Source: Google Maps)

2.2 Site Context

The site is located some 30km north-west of the Sydney CBD. It is situated within a strategic location, near the rail corridor of the Sydney Metro Northwest and between 400m-800m from Norwest Station.

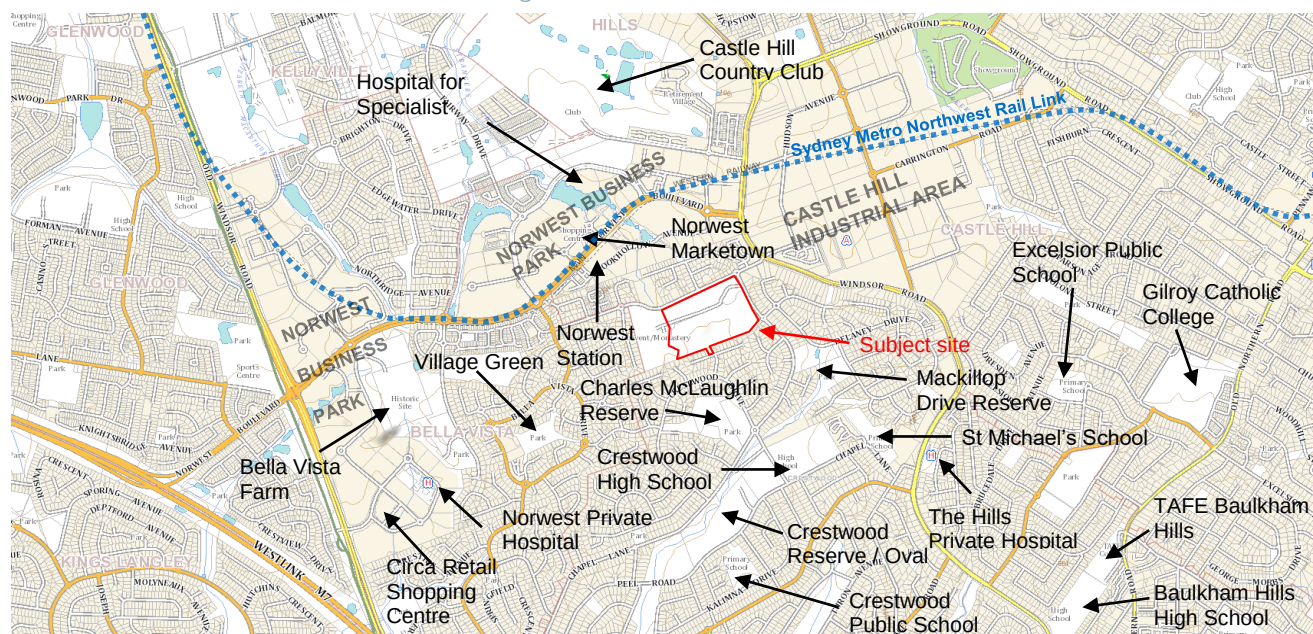
Figure 2.5 Local Context



(Source: DKO Architecture)

The site is located within the suburb of Baulkham Hills and adjoins Bella Vista which are suburbs characterised by typically low to medium density residential dwellings set in leafy green suburban streetscapes. To the north of the site are generally residential development that has occurred over the last 15 years. In recent times, higher density development have been approved within the locality. Opposite Lot 1003, lies the Barina Park development which comprises of 138 units in nine 3-5 storey residential flat buildings. As part of the consent under DC 6/2012/JP, 3 low rise apartments consisting of 2 and 3 bedrooms have been approved in Lot 1003. This consent is discussed in Section 3 of this Planning Proposal.

Figure 2.6 Local Context



(Source: Six Maps)

There are a number of local public and private primary schools and high schools within the vicinity of the site as shown in Figure 2.6, including Crestwood Public School, Crestwood High School, St Michael's School, Excelsior Public School, Gilroy Catholic College and Baulkham Hills High School. Baulkham Hills TAFE college is also located nearby. The closest shopping destination is Castle Towers, which is located further east of the site. The shopping centre is in the process of expanding, and is set to become one of Australia's biggest shopping centres. The local shopping centre of Norwest is located adjacent to the station.

Various health related services including private hospitals and a number of medical centres are readily available within the area. As shown in Figure 2.6 on the preceding page as well as Figure 2.7 below, substantial public open space surrounds the site including Crestwood Reserve and Oval, Mackillop Drive Reserve as well as Charles McLaughlin Reserve.

Figure 2.7 Open Space Linkage



The site is in close proximity to Norwest, being a specialised employment centre with office buildings within a business park environment.

Another prominent employment precinct is the Castle Hill Industrial Area, which is a large area bounded by Showground Road and Windsor Road adjoining the eastern precinct of the Norwest Business Park. This area is occupied by light industries, business and warehouse uses, offices, bulky goods premises as well as car dealerships along Victoria Avenue. A large homemaker centre, being Castle Hill Home Hub and a Bunnings hardware store are also located within this precinct.

2.2.1 Norwest Business Park

The closest centre within the vicinity of the site is Norwest Business Park, which was established in 1987 and is identified within 'A Plan for Growing Sydney' as a strategic centre within the Global Economic Corridor.

Norwest Business Park is characterised by commercial and light industrial uses including office spaces and bulky goods retailing. The business park is split into two main precincts to the west and to the east.

Key features of the business park include Norwest Marketown (eastern part of the Business Park) and Circa Retail Shopping Centre (western part of the Business Park), which provide the major supermarkets such as Coles and Woolworths, along with other specialty retailers and services. The Hills Shire Council chambers is located at the eastern end of the business park adjoining Windsor Road. Hillsong Church is another hub of activity, attracting a large number of people to the area, is situated adjacent to Norwest Marketown and fronts Norwest Boulevard. Two major private hospitals are located within the business park including Norwest Private Hospital at Norbrick Drive and the Hospital for Specialist Surgery (HSS) which fronts Norwest Lake.

Norwest Business Park is one of the main employment sectors within North-West Sydney, home to a range of prominent companies such as Woolworths Limited, which is headquartered on the corner of Norwest Boulevard and Lexington Drive (western part of the Business Park). The business park is continuing to grow substantially and evolve in nature, especially with the onset of the Northwest Metro link. Two stations including Norwest Station and Bella Vista Station will both benefit those who work and reside within the area. Norwest Station is the closest station and will be an underground station situated at the corner of Norwest Boulevard and Brookhollow Avenue.

The area around Norwest Business Park is undergoing transition with approvals in place for high density residential development. These include:

- East Precinct: High density residential precinct comprising of six residential flat buildings, 88 townhouses and ancillary open space, pedestrian and vehicular connections.
- 11-13 Solent Circuit: Two mixed use buildings consisting of 267 residential apartments and commercial floor space known as *'The Esplanade'*.

Figure 2.8 Norwest Business Park



(Source: The Hills Shire Council)

2.2.2 Rail and Bus Network

North-West Sydney is a very car dependent area and has historically lacked suitable public transport networks. The nearest train station in relation to the site include Seven Hills Station which is a 15 minute drive south-west of the site.

However, the site will be serviced by the Sydney Metro Northwest, being the first stage of the Sydney Metro infrastructure project slated to open in 2019. This will service residents in Sydney's North-western suburbs with a metro system connecting Norwest into the Epping to Chatswood Line which will also be converted into a rapid transit line. This rail link will then continue through to two new metro lines through the Sydney CBD and towards Sydenham to Bankstown as shown in Figure 2.5.

Figure 2.9 Sydney Rail Network



(Source: Transport for NSW)

There is a large bus network providing for the North-West area. In particular, a bus rapid transit line known as the North-West T-way provides much of the bus services including routes to major centres. In recent years, more frequent bus services have been provided for those working within the business park along Norwest Boulevard.

The site itself is serviced by two bus routes being the 614X which provides peak hour services to and from the Sydney CBD via Winston Hills and M2 Busway as well as the T60 which runs regularly in peak hours and in 1 hour intervals during off-peak hours to and from Castle Hill and Parramatta via the North-West T-way, Winston Hills and Crestwood. There are four bus stops that directly service the site and are located along Barina Downs Road and Mackillop Drive.

2.2.3 Road Network

The site is bounded by Barina Downs Road to the north and Mackillop Drive to the east which are both local roads that carry residential traffic into more regionally significant roads such as Norwest Boulevard and Windsor Road. The site is also highly connected to other prominent roads including Old Windsor Road, Showground Road and Seven Hills Road.

As demonstrated within the Traffic Impact Assessment included in Appendix C, existing traffic conditions surrounding the site were surveyed which found that the left in-left out intersection of Windsor Road and Barina Downs Road exceeds capacity, especially during the morning peak hours where vehicles queue to turn left into Norwest Boulevard along Windsor Road, restricting the ability for vehicles to exit Barina Downs Road, causing “*excessive delays and queues*”. In addition, the intersection of Reston Grange and Norwest Boulevard was also found to have exceeded capacity as a result of east-west traffic movements along Norwest Boulevard which prevents traffic on the intersections of Reston Grange and Solent Circuit from entering the roundabout. The intersections of Barina Downs Road with Reston Grange and Mackillop Drive were however found to have acceptable levels of existing traffic with spare capacity.

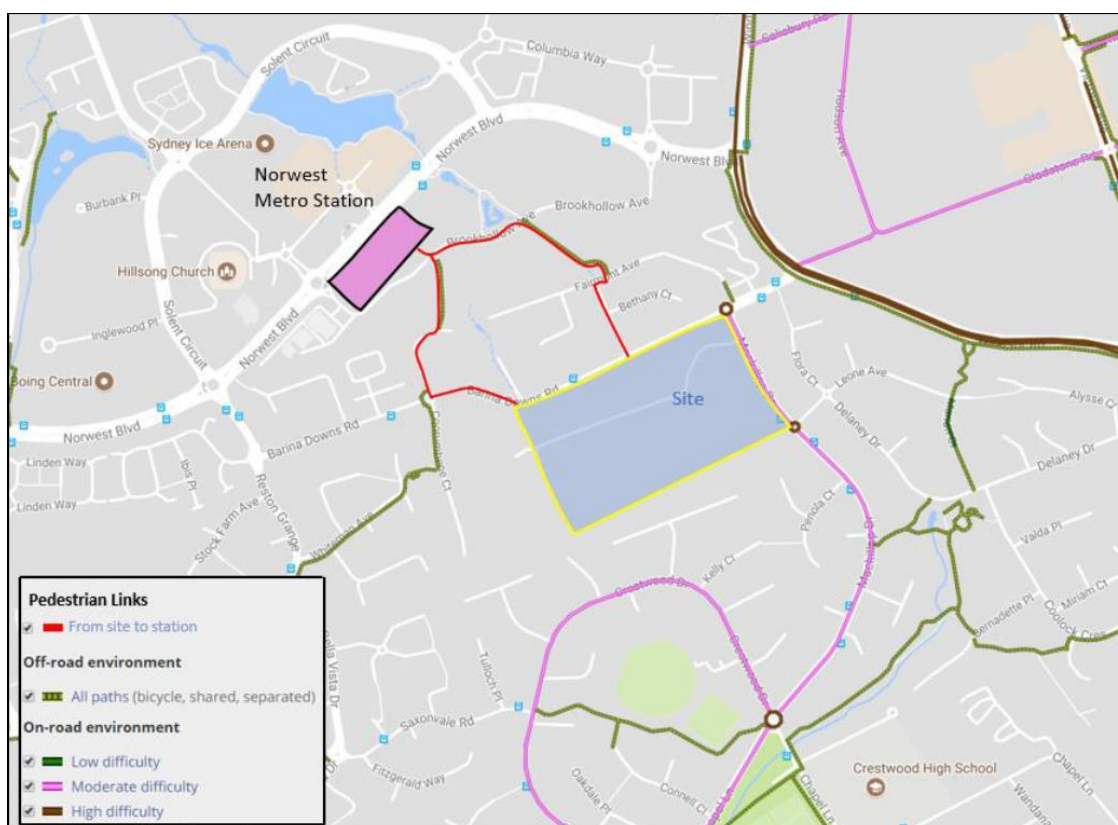
Within the vicinity of the site lies the M2 Hills Motorway and Westlink M7, which are key nodes of the Sydney Orbital Network, which are a ring of motorways that provide access around the Sydney metropolitan area. In addition, the NorthConnex will be a future 9km tunnel linking the M2 Motorway at West Pennant Hills to the M1 Pacific Motorway at Wahroonga to reduce traffic congestion along Pennant Hills Road.

2.2.4 Active Transport Connections

In regards to the current pedestrian movement network pertaining to the subject site and surrounds, there is a lack of permeability along and from Barina Downs Road and Mackillop Drive, which prevents suitable active transport movement to and from Norwest Station and the core of the precinct.

According to the Transport Report, there are shared paths between Norwest Station and the site that is depicted in the figure below, which could be enhanced.

Figure 2.10 Active Transport Connections



(Source: Ason Group)

3 Background

3.1 Development Applications and Section 96 Modification Applications

The site has been subject to several Development Applications and Section 96 modification applications including the following directly pertaining to the development of the site sought under this Planning Proposal:

- On 25 September 2013, Development Consent 6/2012/JP was approved by The Joint Regional Planning Panel for a concept masterplan and staged residential subdivision with road construction and public reserve creation and dedication.

This concept plan and staged masterplan approval included a mix small lot housing, standard residential lots and apartment buildings consisting of a yield of 195 dwellings, including 68 integrated housing allotments, 85 medium and large conventional lots, and 42 residential units in three (3) stages including Stages 1A, 1B, 2A, 2B and 3.

Each approved stage included the following:

- Stage 1A:
 - Subdivision of Lot 1001 into 15 residential lots along the eastern boundary and Residue Lot 116 with an area of 6.484 ha
 - Construction of 15.5m wide public roads (Road No. 1 and 2)
 - Stage 1B:
 - Subdivision of Residue Lot 116 into 56 residential lots
 - Construction of two public roads 15.5m (Road No. 3) and 13.5m (Road No. 4) wide as well as the continuation of Road No. 1
 - Creation of a public reserve (Residue Lot 257)
 - Construction of two pathways in the following locations:
 - On the western boundary of Stage 1A connecting Road No. 1 and 2
 - Bordering the western property boundaries of lots 235 and 250
 - Stage 2A:
 - Subdivision of Lot 1002 into Residue Lot 2001 (4.224 ha)
 - Construction of a 15.5m public road (Road No. 5) along the eastern boundary of Lot 1002
 - Creation of a pathway between the turning heads of Road No. 4 and 5
 - Stage 2B:
 - Subdivision of Lot 2001 into residue lots 2002 (1.9 ha) and 2003 (2.153 ha) for future residential development
 - Continuation of Road No. 1 intersecting with Barina Downs Road
 - Stage 3:
 - Subdivision of Lot 1003 into Residue Lot 301 (split into two parts) for future residential development and Residue Lot 302 (4.871 ha) to accommodate St. Joseph's Centre
- On 29 August 2017, a Section 96(1A) modification application (DA 6/2012/JP/A) was approved by The Hills Shire Council proposing to modify *Condition of Consent No. 1 Development in Accordance with Submitted Master Plans*, seeking to replace the approved subdivision plans with a revised plan showing amended staging to facilitate a Stage 1 residential subdivision consisting of 28 residential lots, four (4) residue lots, public reserve creation, as well as the construction of four (4) public roads and two (2) pathways. The modification application also sought the creation of two additional residue lots for future development, the construction of four (4) roads instead of five (5) and lot renumbering.
 - On 22 August 2017, a Section 96(1A) modification application DA 6/2012/JP/B was lodged at The Hills Shire Council proposing to amend the road grading approved under the original consent being DC 6/2012/JP, include two (2) associated temporary detention basins as well as provide an additional retaining wall and revised earthworks by replacing the relevant approved engineering plans with amended plans. This application is awaiting determination.

3.2 Voluntary Planning Agreement – Aqualand

A Voluntary Planning Agreement (VPA) was entered into on 30 October 2013 between The Hills Shire Council and the Trustees of the Sisters of Saint Joseph which supported the approved DC 6/2012/JP. The VPA outlines monetary contributions, land dedication and stormwater detention works.

Under the terms of the VPA, the developer of the site is obligated to:

- *Dedicate land to the Council being Lot 257 (Lot 214 approved under DA 6/2012/JP/A) having an area of 8,771 square metres;*

Clause 6.3 of the VPA states:

“After the Dedication Land is transferred to Council, Council will use the land for public purposes being the provision of public open space, drainage and such other public purposes on the future as Council may consider appropriate”.

- *Pay the monetary contribution to Council of \$360,000.00 towards water quality improvement works within the downstream catchment in lieu of water quality treatment devices being located within the Land; and*
- *To carry out works in kind specified in Schedule 3 to the Planning Agreement*

Works in Schedule 3 are specified as:

“Stormwater detention within the Dedication Land sized on the basis that 100 year ARI rainfall intensities are increased by 20% to ensure that overland flow does not occur through downstream properties located 32 and 36 Salamander Grove and 12 Albion Place, Baulkham Hills.”

Council at its meeting at 27 July 2017 received notice of the changed developer in respect of this VPA for the proponent, Aqualand Dee Why Development Pty Ltd.

Aqualand is committed to the signed VPA and is working closely with Council to achieve water quality improvements within the downstream catchment.

4 Planning Proposal

4.1 Overview

This Planning Proposal seeks to amend *The Hills Local Environmental Plan 2012* to rezone the site, increase the maximum building height and modify the heritage map to facilitate a residential masterplan for the subject site being lots 1001 and 1002 in DP 1190982 at 64 Mackillop Drive, Baulkham Hills and Lot 574 in DP 713531, 34 Salamander Grove, Baulkham Hills.

The Planning Proposal seeks to rezone the site from the current part R2 Low Density Residential and part R3 Medium Density Residential to part R3 Medium Density Residential, part R4 High Density Residential, part RE1 Public Recreation and retain existing R2 Low Density Residential. The proposal also seeks to amend the maximum building height to include building heights of part 9m, part 12m and part 16m in the proposed R4 High Density Residential land. The Heritage Map is proposed to be modified to only include the portion of the site affected by the heritage curtilage to be identified on the LEP map as a Heritage Item, as opposed to the whole lot, being Lot 1002.

This Planning Proposal is supported by a masterplan depicting the desired vision for the site including approximately 110 medium density dwellings comprising of multi dwelling housing (townhouses) and small lot dwellings as well as approximately 270 apartments in low rise residential flat buildings. The development of the site also includes the adaptive reuse of the existing heritage farmhouse residence and curtilage as well as the surrounding green open space as a communal area for the use of future residents.

Table 4.1 Indicative Development Yield

Dwelling Type	Approved	Proposed	Net Change
Low Density	71	28	-43
Medium Density	120 (STCA based on minimum lot size and density requirements)	110	-10
Apartments		270	+270
Total	191	408	+217

Note:

- 1) It should be noted that this table does not include the 42 apartments and 7 large lot detached homes approved in Lot 1003 (Stages 3A, 3B, 3C under Development Consent 6/2012/JP), which is not part of the subject site for this Planning Proposal.
- 2) This table is based on the Low Density Lots approved in the staged subdivision under DC 6/2012/JP.
- 3) The 'approved' medium density yield is based on the minimum small lot housing sizes and multi-unit dwelling density requirements of the existing site specific DCP.

4.2 Masterplan

An architectural masterplan and supporting documentation has been prepared by DKO Architecture for the proposed development of 64 Mackillop Drive and 34 Salamander Grove, Baulkham Hills. These plans are attached in Appendix A of this Planning Proposal.

The masterplan focuses on the following key features:

- **Proposed Residential Mix:**

Approximately 110 medium density dwellings consisting of multi dwelling housing (townhouses) and small lot housing will be centrally located within Lot 1001. Lot 1002 is proposed to accommodate an approximate 270 apartments with a mix of 1, 2 and 3 bedrooms in eight (8) low rise residential flat buildings along the frontage of Barina Downs Road.

Figure 4.1 Proposed Masterplan



(Source: DKO Architecture)

Table 4.2 Proposed Development Yield and Density

Block	Type	Area (Ha)	Total Dwellings	Dwellings /Ha	1 Bed Dwellings	2 Bed Dwellings	3 Bed Dwellings	Approx. Occupancy	Occupancy/Ha (People/Ha)
Lot 215	Small Lot	2.3155	24	30.231	0	0	24	189	81.624
	Multi Dwelling		46		0	0	46		
Lot 216	Small Lot	1.4127	17	28.315	0	0	17	108	76.449
	Multi Dwelling		23		0	0	23		
Lot 217	Apartments	2.19	110	50.228	28	71	11	214.6	97.968
Lot 218	Apartments	1.8804	160	85.088	40	104	16	313.6	166.773
	Total:	7.7986	380	48.727	68	175	137	825	105.807

A shown in Figure 4.1, the proposed masterplan would result in a density that is in accordance with Council's provisions. The Multi-Dwelling Housing DCP states that the maximum population density permitted is 95 persons per hectare. The small lot and multi dwellings have a combined total of 79.66 persons per hectare.

The proposed apartment buildings are consistent with the density controls as contained within the site specific DCP, which states that the maximum population density is 140 persons per hectare for residential flat buildings. The apartments provide a density of 129.76 persons per hectare.

In addition, the masterplan identifies the 28 low density lots for context purposes only. This proposal does not include these lots along the southern border and eastern frontage of Lot 1001, as approved under DC 6/2012/JP.

Figure 4.2 Medium Density Typology



(Source: DKO Architecture)

Figure 4.3 Apartment Typology



(Source: DKO Architecture)

- **Height:**

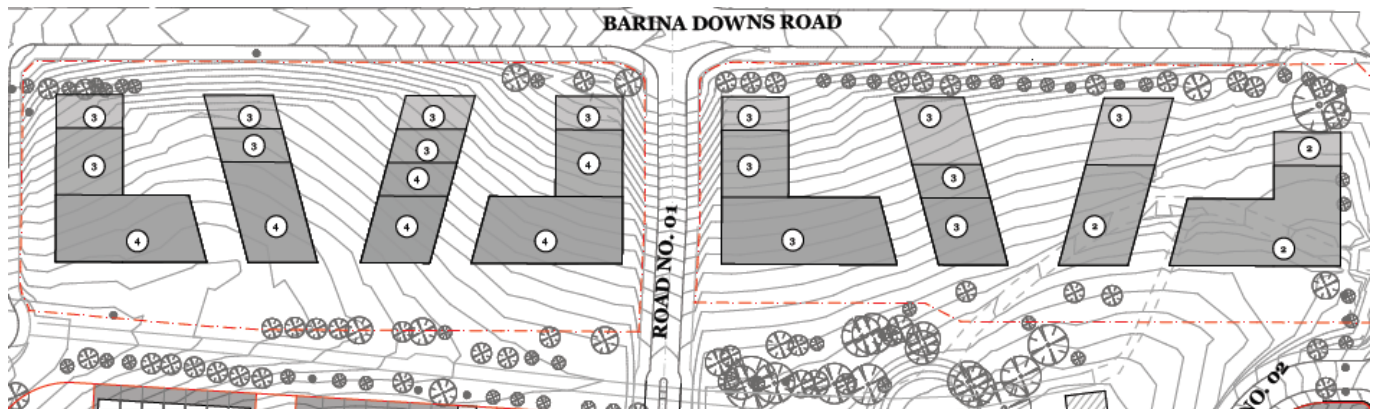
The eight residential flat buildings are proposed to consist of 2-3 storeys to the east transitioning to 3-4 storeys to the western end of Lot 1002. The apartment buildings are generally stepped in accordance with the natural landform of the site and assists to create a harmonious relationship with the low density residential development along the northern side of Barina Downs Road. A maximum 3 storey height is maintained along Barina Downs Road. The proposed built form is also sympathetic to the heritage item.

The medium density residential will not exceed two storeys, which will be consistent with the surrounding locality, including the approved low density residential lots on the southern border.

- **Massing and Streetscape:**

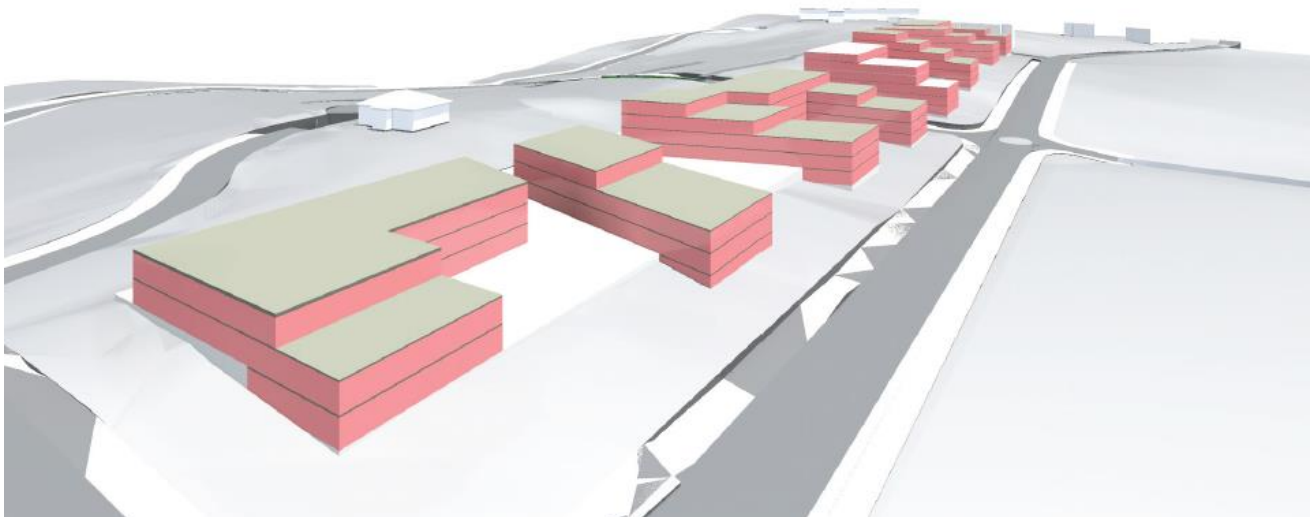
The masterplan was developed over several options in respect of massing and relationship/interface to the surrounding residential development. The preferred option demonstrates effective configuration and massing of apartment buildings to ensure that there are substantial open space facing Barina Downs Road, and allow both visual and pedestrian access towards the ridgeline park. The buildings will be gradually stepped and have larger separation which provides a better outcome for a more desirable streetscape, minimising visual impact of street walls. The retention of significant trees that line Barina Downs Road will further soften the frontage and provide amenity for adjoining residents.

Figure 4.4 Proposed Superlot Massing



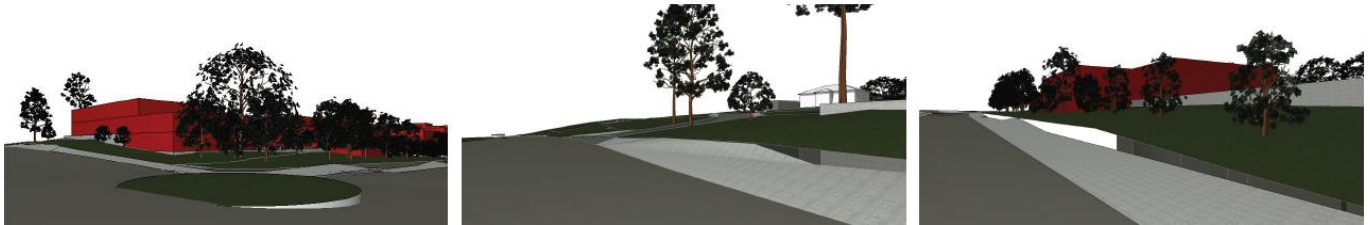
(Source: DKO Architecture)

Figure 4.5 Massing of Apartment Buildings



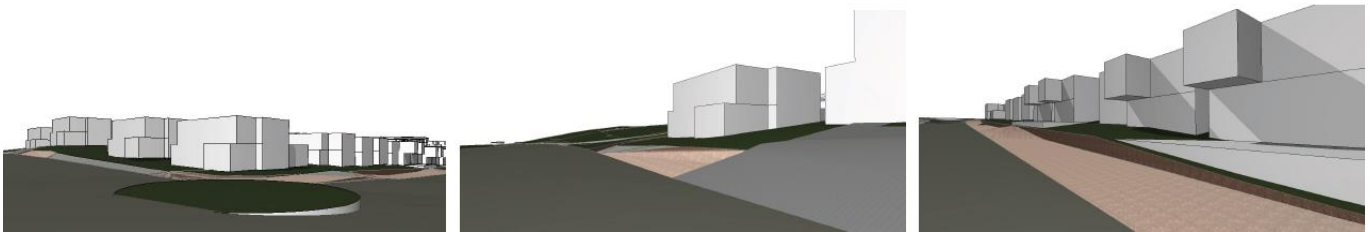
(Source: DKO Architecture)

Figure 4.6 Street Views – Proposed Massing of Apartment Buildings



(Source: DKO Architecture)

Figure 4.7 Street Views – Approved Massing of Apartment Buildings (Indicative)



(Source: DKO Architecture)

- **Open Space:**

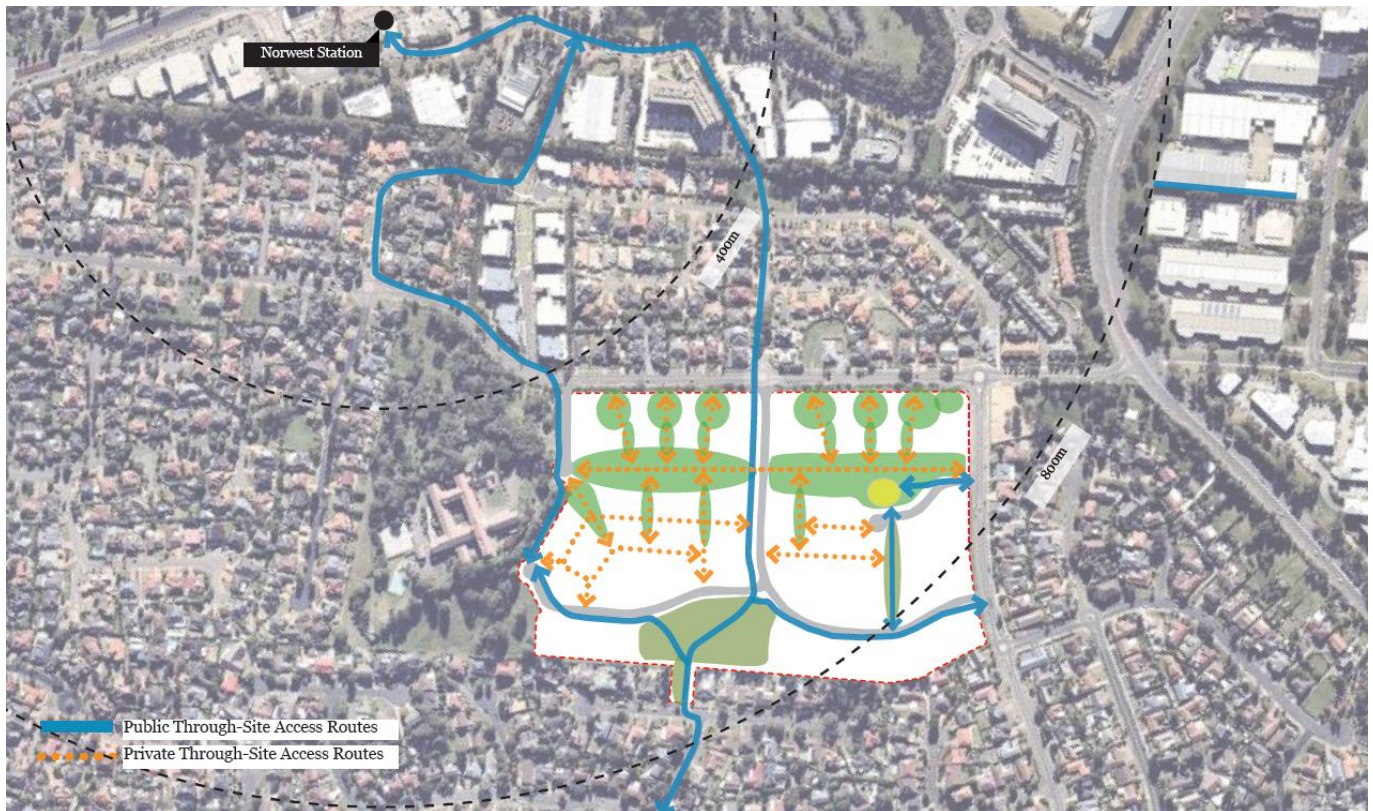
The masterplan features one public open space area being 8,783m² consisting of approved Lot 214 under DC 6/2012/JP/A. 34 Salamander Grove was purchased by Aqualand with the intention of improving open space linkages and pedestrian connectivity in the area, which will also be dedicated as public open space under the proposed VPA. The masterplan also includes a substantial central spine of communal open space for future residents incorporating the heritage farmhouse and the area of the tree lined avenue along the ridgeline. This will operate as private open space unless Council acquires part of this space for public recreation as offered through the VPA.

- **Access:**

The proposed concept plan illustrates permeable and connected vehicular and pedestrian access ways. The proposed development will effectively provide linkages to and from Norwest Station and the local centre. The site will have four vehicular access points which is generally consistent with what was approved under DC 6/2012/JP.

The main access road of the masterplan is the approved public Road No. 1 and Road No. 3, which together with 34 Salamander Grove improves connectivity for the surrounding residents to provide direct pedestrian access to Norwest Station. Road No. 2, providing access to the heritage item is also a public road while the remainder of the access streets and laneways are private roads.

Figure 4.8 Urban Connectivity



(Source: DKO Architecture)

- **Car Parking:**

The masterplan includes basement car parking for the low rise apartments and medium density dwellings that will be consistent with The Hills DCP requirements.

- **Building Typologies:**

In terms of building typologies, the built form and design of the apartments and medium density housing will complement the approved low density detached housing and incorporate elements reflective of the site's heritage.

A statement is provided within the masterplan regarding the architectural response to the heritage of the site.

"The farmhouse is seen as the key to the site's character, with key views and vistas being sought to be retained and framed, as well as its architecture being appropriate into the new built form surrounding it."

1. *Roof: Visually prominent, low pitch, simple form*
2. *Verandah: Deep and shady, wraps around*
3. *Base: Low, heavy solid base, fine grain materials*
4. *Windows: Expressed, projecting, decorative element*
5. *Piers: Masonry veranda pier, prominent but short vertically*

From taking the key elements that provide the heritage farmhouse with its distinct character, contemporary interpretation of these can establish an architectural character that both respects the farmhouse but that is timeless and relevant in contemporary society."

Figure 4.9 Examples of Preferred Medium Density Typologies



(Source: DKO Architecture)

Figure 4.10 Indicative Attached Dwelling Sketch Facades



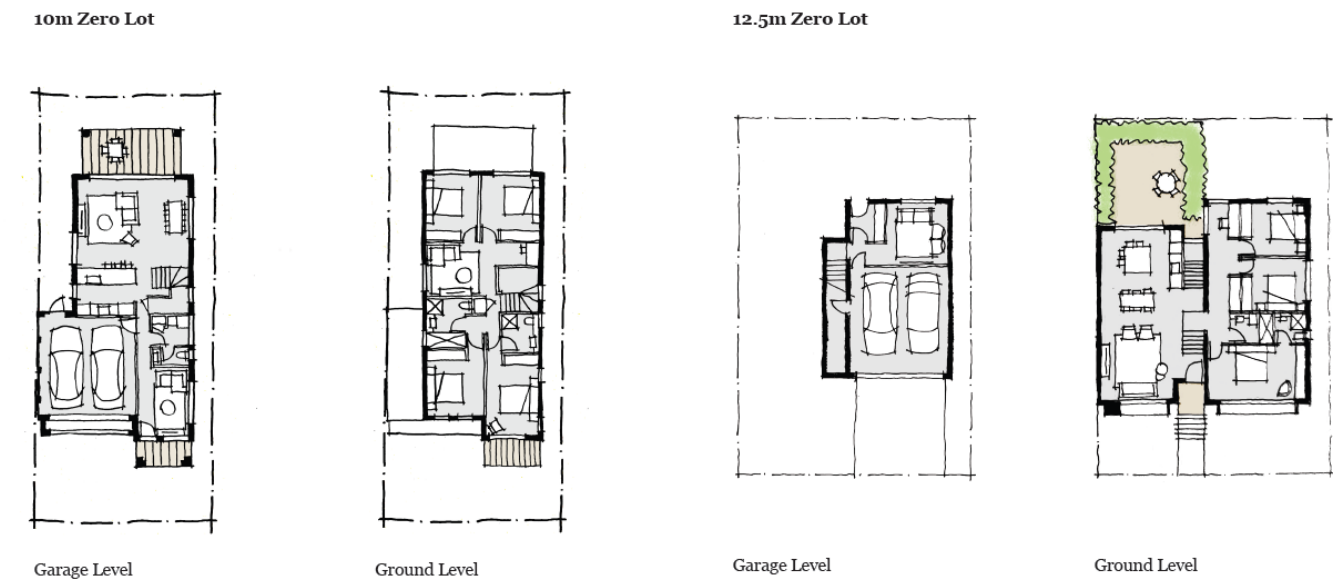
(Source: DKO Architecture)

Figure 4.11 Indicative Attached Dwelling Plan Types



(Source: DKO Architecture)

Figure 4.12 Indicative Zero Lot Dwelling Plan Types



(Source: DKO Architecture)

Figure 4.13 Examples of Preferred Apartment Typologies

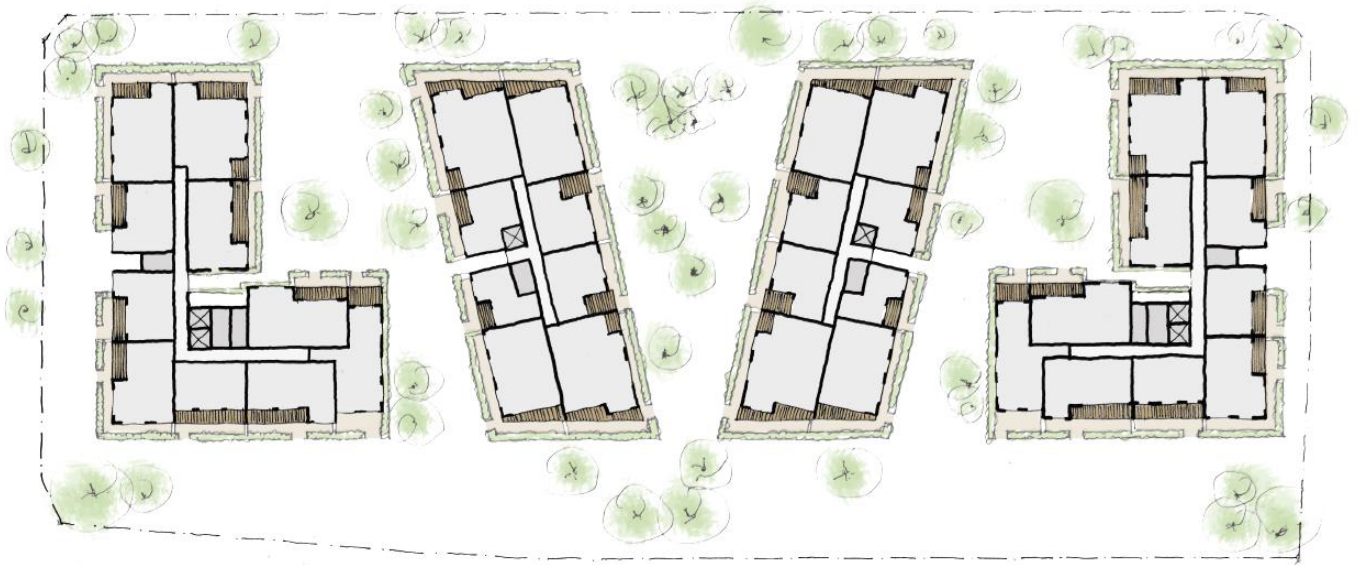


(Source: Conrad Architects; Mirvac)

Figure 4.14 Indicative Apartment Sketch Facades



Figure 4.15 Indicative Typical Plate Plan



(Source: DKO Architecture)

Figure 4.16 Street Perspective Along Barina Downs Road With Views to Heritage Farmhouse



(Source: DKO Architecture)

Figure 4.17 Street Perspective Along Barina Downs Road



(Source: DKO Architecture)

Figure 4.18 Internal Perspective of the Ridgeline Open Space Area



(Source: DKO Architecture)

Figure 4.19 Internal Perspective



4.3 Voluntary Planning Agreement

The proponent, Aqualand is offering to enter into a separate Voluntary Planning Agreement (VPA) with The Hills Shire Council to support this Planning Proposal. This Planning Proposal is supported by a letter of offer to enter into a VPA under Section 6.F of the *Environmental Planning and Assessment Act 1979* to deliver community benefits that provide for, or can be applied towards, a public purpose. This is separate to the existing VPA which supported the approved masterplan for the site under DC 6/2012/JP.

The letter of offer is attached in Appendix H and the key items to be offered through the VPA are:

1. Dedication of 1,600m² ridge line park (\$2.0m)
2. Upgrade of Drainage Reserve (Lot 214) to Public Park including landscaping, pathways and plantings. (\$0.65m)
3. Dedication of 34 Salamander Grove as Open Space and an extension of the Public Park (Lot 214). Including demolition of improvements, park construction and landscaping. (\$1.85m)
4. Public domain upgrades offsite including lighting for pedestrian link to the station (Fairmont Avenue to Brookhollow Avenue), new footpaths and streetscape works. (\$1.5m)
5. Offsite active open space contribution (\$1.0m)

Total: \$7 million

Aqualand proposes that the public benefit items be in lieu to the Section 94A Contribution of 1% that would be applicable to the project if the project proceeds to a development application following approval of the Planning Proposal.

This VPA offer is considered as a substantial public benefit for facilities and works to not just the proposed development but the wider community.

4.4 Summary Benefits of the Proposal

The Planning Proposal is initiated by the proponent in order to facilitate a new residential concept masterplan for the subject site.

The proposed masterplan has been designed to positively contribute to the Bella Vista/Baulkham Hills neighbourhood, ensuring good quality design, in respect of bulk and scale and adjoining residences. This Planning Proposal has many public benefits such as improving open space linkages and permeability within the surrounding area as well as providing better connectivity to Norwest Station and to Norwest Business Park.

The main benefits of this proposal are:

- The proposal takes advantage of the proximity to the Norwest train station which therefore allows the site excellent access to employment opportunities along the Global Economic Corridor as well as key shopping destinations.
- The site is also serviced by suitable bus services including to North Sydney, Sydney CBD and Parramatta, which is set to become Sydney's second CBD.
- The proposal provides a significant opportunity to create a vibrant, well-connected new residential community with an array of housing choice that responds to the changing demographic and housing trends within The Hills Shire and the West Central subregion that is within close proximity to Norwest Station.
- The proposal is consistent with the strategic vision of Greater Sydney, supplying additional high quality housing to meet demand from population growth within proximity to transport infrastructure and facilities.
- The proposal significantly responds to the growing changes within the area and also thoughtfully integrates with the context of the existing locality.

- The proposal will provide local infrastructure in the form of additional pedestrian and cycling linkages to and from Norwest station as well as public open space which enhance the central spine of open space within the locality.
- The proposal retains significant mature trees fronting Barina Downs Road, not only ensuring the amenity of adjoining residences but also protecting high value vegetation from the Cumberland Plain Woodland community.
- The proposal results in the retention and enhancement of heritage values on site with the adaptive re-use of the farmhouse and associated curtilage.

5 Strategic Planning Context

This Planning Proposal seeks to rezone the site, increase the building height controls and amend the heritage map under *The Hills Local Environmental Plan 2012*. This proposal is supported by a concept masterplan which reflects the desired vision for the area as demonstrated within the NSW Government's 'A Plan for Growing Sydney' and the 'North West Rail Link Corridor Strategy' regarding the development of the Norwest Station Precinct, the Greater Sydney Commission's 'Draft West Central District Plan', and Council's 'The Hills Corridor Strategy'.

5.1 A Plan for Growing Sydney

'A Plan for Growing Sydney' (2014) is the NSW Government's key strategic plan for Greater Sydney which sets out a vision for continued growth of the city through four clear goals which include the following:

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

The plan aims to shape Sydney as a strong global city and a great place to live. In particular the plan emphasises the importance of appropriately accommodating the needs of a rapidly growing population. An additional 664,000 homes are identified along with the need to provide more jobs, infrastructure and open space to ensure that Sydney is a liveable, connected and productive city.

The strategic plan identifies three guiding principles to the growth of Sydney, which are applicable to the subject site. The first principle emphasises the need to increase housing choice around all centres through urban renewal in established areas which will result in a range of economic, social and environmental benefits. These benefits include the facilitation of active transport including walking and cycling to work, essential services and other centres, decrease traffic congestion and creation of stronger community oriented neighbourhoods. The subject site is situated in an established area approximately 400m- 800m from a transit node, being Norwest Station which provides opportunities to achieve this vision.

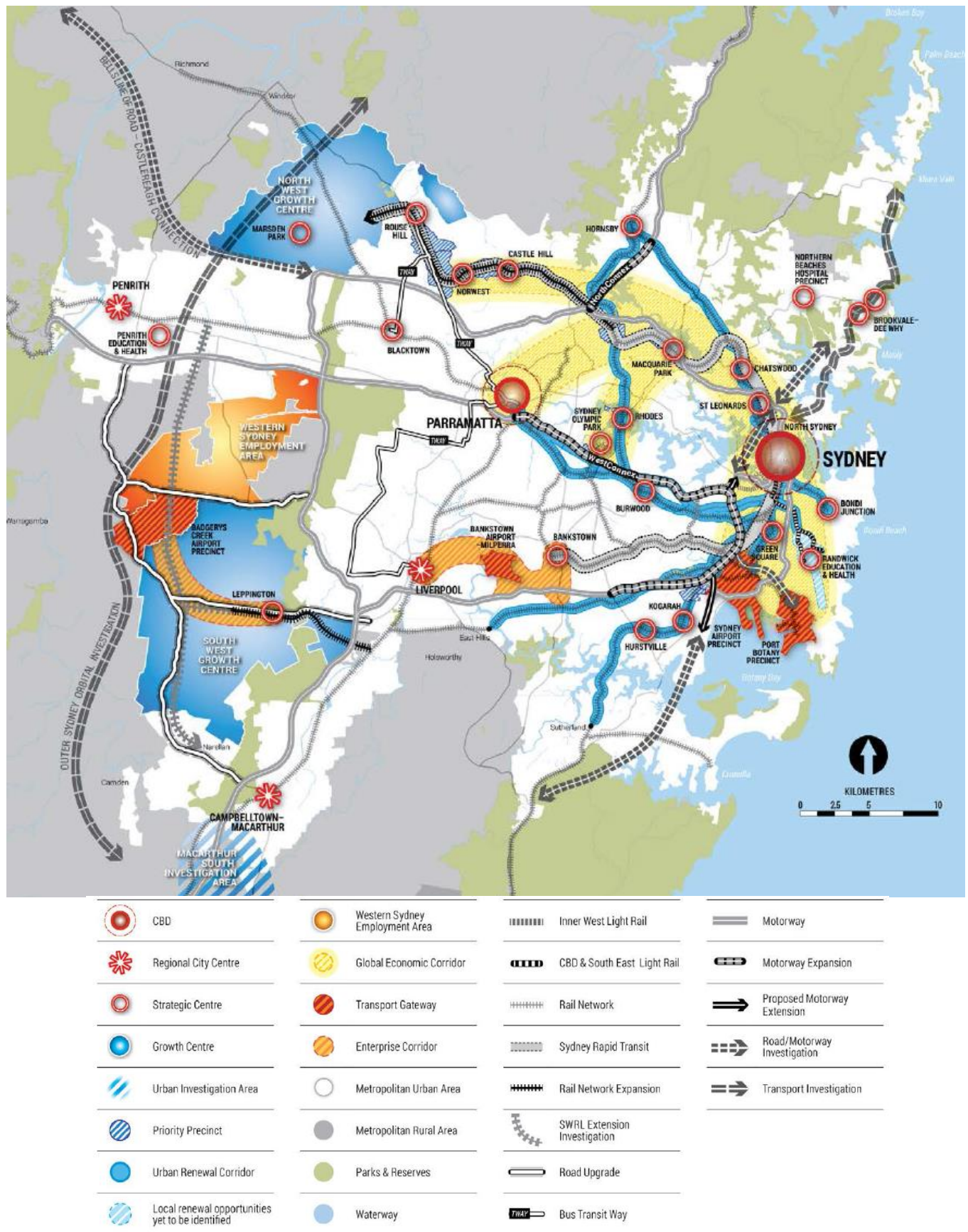
The second guiding principle promotes stronger economic development in strategic centres and transport gateways, locating a range of jobs across the strategic centres to contribute to Sydney's economic productivity. The third principle relates to connecting centres with a networked transport system that allows easy accessibility to jobs, health and education facilities, as well as sporting, cultural and entertainment premises.

A Plan for Growing Sydney emphasises the importance of Western Sydney to Greater Sydney's long-term prosperity. It identifies the need to expand the economic role of Western Sydney's key centres, taking advantage of opportunities arising from infrastructure investment such as the North West Rail Link.

The Planning Proposal relates to a large, mostly undeveloped site approximately 400m-800m to Norwest Station. Norwest is identified as one of Sydney's strategic centres, which are places of intense, mixed economic and social activity that are built around the transport network. Norwest has a strong agglomeration or cluster of businesses which is important for efficiency and productivity, supporting faster economic growth. It is identified as Sydney's 10 major office markets, performing very strongly alongside Parramatta and Macquarie Park. Stronger investment into strategic centres is an action identified within the plan to provide a number of jobs close to where people live.

The Global Economic Corridor as shown in Figure 4.1, is a corridor of concentrated employment and economic activity, which spans from Port Botany and Sydney Airport, through Sydney CBD, across Macquarie Park and notably through Norwest, Parramatta and Sydney Olympic Park.

Figure 5.1 A Plan for Growing Sydney



Importantly, the proposal for the residential masterplan contributes to the notion of a city of housing choice with homes that meet people's needs and lifestyles. To meet the demands of a bigger population that is projected for Sydney, the acceleration of new housing within greenfield and established urban areas is a priority identified within the plan. Diverse housing choice in a variety of sizes, types and locations is essential to cater towards a range of household types, changing household needs and lifestyles. The plan emphasises that the most suitable areas for significant urban renewal are those areas best connected to employment and include the following:

- *In an around centres that are close to jobs and are serviced by public transport services that are frequent and capable of moving large number of people; and*
- *In and around strategic centres.*

The North West Metro Corridor will provide many opportunities for additional housing as the new train line will enable easy accessibility to employment within the Global Economic Corridor.

The plan notes that Sydney is rapidly seeing a change in household trends with single person households being the fastest growing sector. The population is also ageing and therefore, downsizing would also be a prevalent concern in the coming years. The plan notes that there is a shortage of semi-detached houses across Greater Sydney and apartments within the middle and outer areas of the metropolitan area. Supplying additional apartments and townhouses is believed to be a key factor in facilitating downward pressure on house prices.

The proposal also ensures that the future development of the site will be a great place to live with communities that are strong, healthy, well connected and safe. The plan emphasises the need for Sydney to enhance its provision of high quality public open green spaces, and precincts that engage people and reflect the city's heritage. Strong, inclusive communities are envisioned within the plan with good access to jobs and economic opportunities, good transport and social infrastructure, as well as healthy natural and built environments. A network (known as the Sydney Green Grid) of interlinked, multipurpose open green spaces and parks, tree-lined streets, bushland reserve, riparian walking tracks and National Parks across Sydney is envisioned within the plan to promote healthier urban environments. A major part of this proposal involves the provision of additional open space for the public and improving connectivity in the surrounding area to the station.

5.1.1 West Central Subregion

Sydney is split into six different subregions and the subject site is within the West Central subregion which includes the localities of Auburn, Bankstown, Blacktown, Holroyd, Parramatta and The Hills. The West Central subregion is identified as a significant region to focus on infrastructure investment and intensive growth over the next 20 years. The subregion would be supported by a network of centres, which provide opportunities for employment closer to home for residents.

Parramatta is in particular singled out as a significant area for growth as Sydney's second CBD and is planned to become Western Sydney's leading area for long term employment, health and education services supported by cultural, recreational and social activity. Parramatta is easily accessible to and from various key centres within the West Central subregion including Norwest, connected by the North West T-way.

Below are specific priorities and activities for Norwest included in the plan:

- *Work with Council to implement the Norwest and Bella Vista Structure Plans in the North West Rail Link Corridor Strategy to provide additional capacity around the future Norwest and Bella Vista train stations for offices, retail, services and housing.*
- *Support health-related land uses and infrastructure around Norwest Private Hospital.*
- *Work with Council to improve walking and cycling connections to the future Norwest and Bella Vista train stations.*

The Planning Proposal seeks to supply additional housing within 400m-800m of Norwest Station, which is an appropriate walking distance. It proposes permeable and safe pedestrian and cycling paths throughout the future development that will connect to the train station.

5.2 Draft West Central District Plan

The draft district plans prepared by the Greater Sydney Commission (GSC) are intended to connect local planning with longer-term metropolitan planning and splits Greater Sydney into six subregions. The GSC has amended *A Plan for Growing Sydney* and now sees Greater Sydney as the economic, social and environmental integration of a metropolis of three cities principally revolving around Western Sydney Airport (Western City), Greater Parramatta (Central City) and Sydney City (Eastern City).

A number of metropolitan priorities are listed to achieve this vision:

- A productive city
 - A growing city
 - A city smart with jobs
 - A 30-minute city
- A liveable city
 - An equitable, polycentric city
 - A city of housing choice and diversity
 - A collaborative city
- A sustainable city
 - A city in its landscape
 - An efficient city
 - A resilient city

The Draft West Central District Plan (2016) is a 20 year vision to guide the development of the West Central district, which plays a significant role in Sydney's economic and employment growth. The district, as noted by the plan, is one of the fastest growing areas within Sydney and Australia where an additional 550,500 + people are projected to reside within the area by 2036. According to the plan, 53,500 more dwellings are required in the West Central district by 2021. The West Central district is envisioned to be a place of energy, diversity and change and the plan sets out priorities and actions to shape the future of the area and guide policy decisions.

These include in part:

- Encourage employment growth including growing smart jobs within the district and develop health and education activities in Westmead.
- Create a more connected district by improving transport links between the district's diverse economic centres and Parramatta to enhance business to business interaction, supply chains and workforce mobility. Easier walking and cycling routes around key transport nodes such as the Sydney Metro Northwest rapid transit system would create an interconnected network of business and employment hubs.
- Improve housing design and diversity including provision of affordable, high quality housing to accommodate a variety of household circumstances. Infrastructure will be planned alongside population growth.
- Design vibrant and active centres that people can access within 30 minutes to encourage healthy lifestyles and allow easier walking and cycling.
- Providing existing and new communities within the district with better planning and coordination of community infrastructure such as schools, civic places, open spaces, roads etc. through smarter collaboration between local and state governments.

The plan references The Norwest Station Structure Plan and Hills Corridor Strategy as providing additional detail regarding the vision for Norwest which will be discussed in Sections 4.3 and 4.4 respectively.

In particular, to create housing capacity in the district, the district plan notes that The Hills Shire Council has included priorities to monitor and support the delivery of 8,850 dwellings in the next five years. Council will also investigate local opportunities demand and diversity in and around local centres and infill areas with high accessibility.

5.3 North West Rail Link Corridor Strategy – Norwest Station Structure Plan

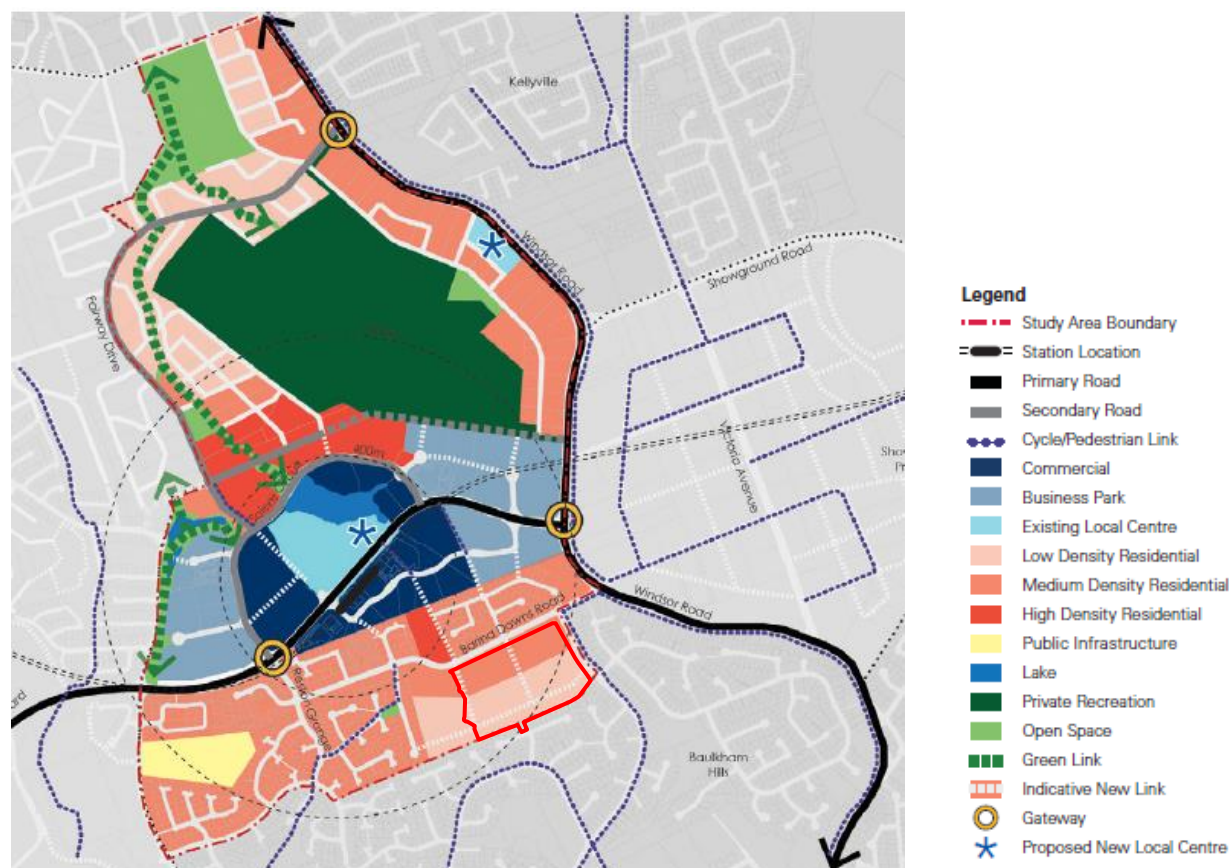
The Department of Planning and Environment's North West Rail Link Corridor Strategy (2013) is a comprehensive strategic plan to guide the future character and development around the stations. The vision of each station precinct is determined through studies investigating the challenges present and identify opportunities to support growth in and around the centres. To achieve the overall vision, a series of actions are outlined for each study area.

The Norwest Station Structure Plan identifies Norwest as an important employment centre of the region with the potential to strengthen its role as a Specialised Precinct to become a metropolitan-scale business park with an intensification of uses, especially within 1km of the station for Sydney. The vision for Norwest is to transform into a *“vibrant and active Centre of business for the region, comprising offices, retailing, community facilities, recreation, cultural, education and housing”*. In addition, there is a vision for the local centre to *“integrate expanded retailing, community uses and cultural facilities which will activate a number of new pedestrian streets, plazas and squares”*.

It is to be anticipated that Norwest will deliver an additional 13,200 jobs by 2036 which will be supported by a projected rate of 14,000m² of commercial floor space per annum and a retail floor space of 1,200m² per annum. In addition, an additional 4,350 dwellings within the Norwest precinct is required by 2036 by increasing residential densities within walking and cycling distance of the station. A number of housing types are preferred to enable housing choice for residents to suit household needs, budgets and lifestyles. This includes an additional 8% of 7-12 storey apartments, 62% of 3-6 storey apartments, 25% of townhouses and 5% of single detached dwellings within the precinct. Improving the public domain is another significant action identified for Norwest including the creation of new open space linkages, additional plazas, parks and open spaces as well as legible secondary road networks that are pedestrian and cycle friendly.

The structure plan for Norwest is underpinned by the principles of Transit Oriented Development (TOD) where mixed use communities are within walking distance of a transit node and provide a range of residential, employment, open space as well as services and facilities. A key issue within the Norwest precinct is pedestrian connectivity across Norwest to and from the station.

Figure 5.2 Norwest Structure Plan



(Source: NSW Government)

The subject site sits within the Norwest Station precinct and is identified as a short term opportunity site for development. The proposed structure plan envisions ***“medium density living comprising of 3-6 storey apartments to be located within the residential areas to the south of the Business Park and core on Barina Downs Road and the east, along Windsor Road”***. The structure plan notes that medium density apartment living should deliver a high level of amenity for the existing and future residents and be carefully master planned around communal open spaces and incorporate landscaped setbacks for existing streetscapes. Low density single detached dwellings are identified for the lower half of the site to ease the transition into the low density residential areas beyond the study area.

The masterplan envisaged with this Planning Proposal is consistent with the proposed development as outlined in the Norwest Station Structure Plan.

5.4 The Hills Corridor Strategy

The Hills Corridor Strategy (2015), is a strategic plan which sets out Council's framework to promote the orderly future development in the Sydney Metro Northwest rail corridor to ensure appropriate delivery of housing and jobs that is compatible with the character of The Hills Shire. The objective of the strategy is to adequately respond to land use development over the next 20 years for each of the stations within or adjacent to The Hills LGA.

Six guiding principles are outlined within the strategy to ensure highly liveable and diverse urban areas within The Hills Shire including the following:

- **Accountable and sustainable approach:** *Outcomes are guided by clear evidence that respond to the opportunities and constraints presented by the existing natural and built environment.*
- **Balance high and lower density housing:** *Higher density housing is located in areas that has the greatest potential for change, in easy walking distance to retail centres and the future stations, thereby enabling nearby low density character to be retained.*
- **Housing to match Shire needs:** *A diversity of housing options are to be provided to respond to future demand, with a particular focus on the delivery of viable and attractive apartment living for families.*
- **Facilities to match Shire lifestyle:** *Residents of new development are able to access open space, recreation and community facilities in line with the lifestyle enjoyed by existing Hills residents.*
- **Jobs to match shire needs:** *A range of employment opportunities are made available that reflect the qualifications and skills of Shire residents and facilitate more jobs close to home.*
- **Grow our strategic centres:** *Reinforce the hierarchy of centres recognising the significance of Castle Hill and Rouse Hill as major centres and Norwest as a specialised centre.*

Norwest Station Precinct is envisioned to become a major specialised employment, retail and entertainment centre and the largest employment hub for the North West region. The precinct will comprise of a commercial core around the station, retail/mixed use destination, business park uses to the east and west, as well as increased housing densities surrounding the employment areas, especially around Norwest Lake. Within the immediate vicinity of the station, high density commercial and mixed use development is to be a maximum of 20-22 storeys in height. The strategy also identifies large undeveloped landholdings north of Solent Circuit accommodating densities between 96 and 216 dwellings per hectare. In addition, land on the northern side of the Barina Downs Road is identified with a density of 96 dwellings per hectare to accommodate lower scale apartment developments which will allow transition to nearby lower density residential areas.

The Hills Corridor Strategy forecasts that 5,320 additional dwellings could be achieved for the precinct taking into consideration the existing development controls and additional opportunity sites. This would correspond to an additional 11,758 people. Approximately 14,450 additional jobs are envisioned within the precinct under this strategy. The strategy emphasises the importance of providing public facilities and services to meet demand from increased populations within The Hills Shire. Approximately 75.5 hectares of public open space, including 32.3 hectares of active open space and 43.2 hectares of passive open space is estimated to be generated from future development around the Northwest Metro stations. A range of community facilities and services including additional primary and high schools, hospital beds, aged care housing, family and community support services, childcare facilities, libraries and cultural centres and community centres are required within the precinct.

Key constraints concerning the Norwest Precinct were identified, namely being limited internal pedestrian accessibility due to the major roads passing through the precinct which create hostile environments, preventing enjoyable pedestrian experience. Other constraints include pockets of strata and community title properties within the precinct which impede re-development due to the housing stock's age, as well as heritage items such as Bella Vista Farm where views to and from the farm are a major asset to the surrounding areas and the cultural significance of the farm. The precinct also contains areas with Cumberland Plain Woodland which is listed as a Critically Endangered Ecological Community.

Opportunities identified for the precinct involve enhancing the permeability of the road network and reduce congestion through locating increased housing and employment within walking and cycling distance to the station and town centre. The station also provides opportunities to increase opportunities to leverage investment in jobs and businesses for more skilled, professional workforces. The local centre adjacent to Norwest Lake is envisioned to accommodate a range of residential, retail and community uses to enhance the local liveability of the precinct and establish desirable public domains.

The strategy acknowledges that amendments to LEP and DCP would be required to achieve the desired outcomes envisaged for The Hills Shire.

The subject site is a large development site that is more opportune for increased housing densities as opposed to the land to the north of Barina Downs Road that is in fragmented ownership. The significance of the site is the context of providing housing choice and mix that is consistent with Council's corridor strategy.

The previous masterplan for the site was approved in September 2013, which is prior to Council's adoption of its Corridor Strategy. It is contended that the previous masterplan does not make sufficient regard to the North West Rail Link Corridor Strategy for increased density and built form opportunity. While the proposed masterplan is a high density than the previous approved masterplan it is argued that Council's Corridor Strategy does not preclude consideration for higher densities on large sites such as the subject site.

6 Local Planning Framework

The section of the Planning Proposal provides an overview of the local planning framework applicable to the subject site.

6.1 The Hills Local Environmental Plan 2012

The Hills Local Environmental Plan 2012 (LEP) is the relevant environmental planning instrument which guides the orderly development within The Hills Shire Local Government Area.

The Planning Proposal is consistent with the following aims of the LEP as stated in Clause 1.2:

- (1) *This Plan aims to make local environmental planning provisions for land in The Hills in accordance with the relevant standard environmental planning instrument under section 33A of the Act.*
- (2) *The particular aims of this Plan are as follows:*
 - (a) *to guide the orderly and sustainable development of The Hills, balancing its economic, environmental and social needs,*
 - (b) *to provide strategic direction and urban and rural land use management for the benefit of the community,*
 - (c) *to provide for the development of communities that are liveable, vibrant and safe and that have services and facilities that meet their needs,*
 - (d) *to provide for balanced urban growth through efficient and safe transport infrastructure, a range of housing options, and a built environment that is compatible with the cultural and natural heritage of The Hills,*
 - (e) *to preserve and protect the natural environment of The Hills and to identify environmentally significant land for the benefit of future generations,*
 - (f) *to contribute to the development of a modern local economy through the identification and management of land to promote employment opportunities and tourism.*

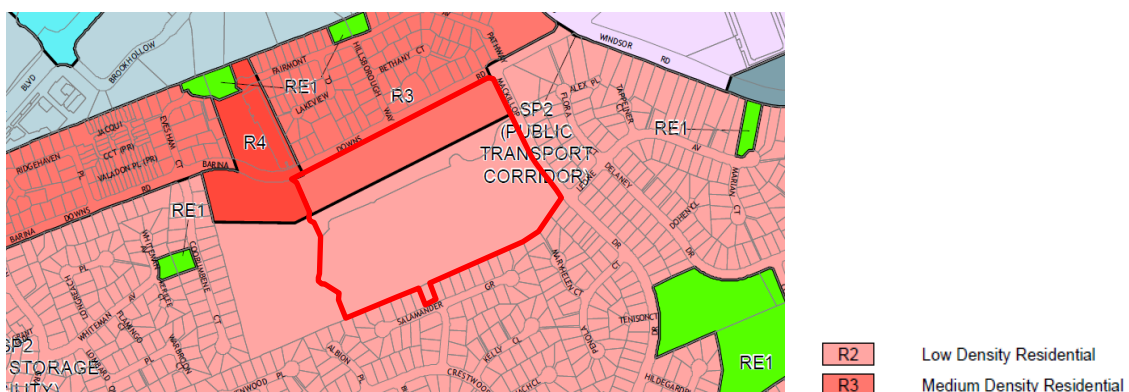
The proposal contributes to the making of local environmental planning provisions, specifically relating to land use zoning and building height controls for land situated within The Hills Shire in accordance with the standard environmental planning instrument. The proposal aims to promote the orderly and sustainable development the site, especially ensuring the economic, environmental and social needs prevalent in The Hills are met.

The Planning Proposal contributes to the development of a liveable, vibrant and safe community within The Hills that is easily accessible to Norwest Station and Norwest Business Park. The proposal will also preserve and protect the natural environment including the avenue of trees along the ridgeline of the site and views to and from the heritage item.

6.1.1 Zoning

The site currently has split zoning, being part R2 Low Density Residential and part R3 Medium Density Residential under *The Hills LEP 2012* as shown in Figure 5.1 below. Within the vicinity of the site, areas zoned R4 High Density Residential adjoin the site include the northern portion of Lot 1003 and the Barina Park development opposite. Land characterised by low density detached dwellings between the northern side of Barina Downs Road and the business park employment area are zoned R3 Medium Density Residential. Areas surrounding the site to the west, south and east are zoned R2 Low Density Residential.

Figure 6.1 Extract of Land Use Zoning Map



The land use table for each of zones identified on the site are provided below.

Zone R2 Low Density Residential

1 Objectives of zone

- To provide for the housing needs of the community within a low density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To maintain the existing low density residential character of the area.

2 Permitted without consent

Home businesses; Home occupations

3 Permitted with consent

Bed and breakfast accommodation; Boarding houses; Building identification signs; Business identification signs; Dual occupancies; Dwelling houses; Group homes; Health consulting rooms; Home-based child care; Roads; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Car parks; Caravan parks; Cemeteries; Charter and tourism boating facilities; Child care centres; Commercial premises; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Entertainment facilities; Environmental facilities; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Function centres; Health services facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Information and education facilities; Jetties; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Passenger transport facilities; Port facilities; Public administration buildings; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Research stations; Residential accommodation; Respite day care centres; Restricted premises; Rural industries; Service stations; Sewerage systems; Sex services premises; Signage; Storage premises; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Warehouse or distribution centres; Waste or resource management facilities; Water recreation structures; Water supply systems; Wharf or boating facilities; Wholesale supplies

Zone R3 Medium Density Residential

1 Objectives of zone

- To provide for the housing needs of the community within a medium density residential environment.
- To provide a variety of housing types within a medium density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To encourage medium density residential development in locations that are close to population centres and public transport routes.

2 Permitted without consent

Home businesses; Home occupations

3 Permitted with consent

Attached dwellings; Boarding houses; Building identification signs; Business identification signs; Child care centres; Community facilities; Dual occupancies; Dwelling houses; Group homes; Home-based child care; Multi dwelling housing; Neighbourhood shops; Places of public worship; Respite day care centres; Roads; Seniors housing; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Commercial premises; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Entertainment facilities; Environmental facilities; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Function centres; Heavy industrial storage establishments; Helipads; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Information and education facilities; Jetties; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Passenger transport facilities; Port facilities; Public administration buildings; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Research stations; Residential accommodation; Restricted premises; Rural industries; Service stations; Sewerage systems; Sex services premises; Signage; Storage premises; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Warehouse or distribution centres; Waste or resource management facilities; Water recreation structures; Water supply systems; Wharf or boating facilities; Wholesale supplies

Amendments to *The Hills LEP 2012* are required to facilitate the desired development on the subject site to ensure higher density residential development are permitted on the site.

6.1.2 Building Height

As shown in Figure 5.2, the subject site is identified with a maximum building height of 9m, which is consistent with the surrounding low density residential land. The adjacent portion of land in the northern part of Lot 1003 and the Barina Park apartment development has a maximum building height of 16m.

Figure 6.2 Extract of Land Use Zoning Map



6.1.3 Floor Space Ratio

Under the LEP, there is no floor space ratio identified for the site nor surrounding residential development.

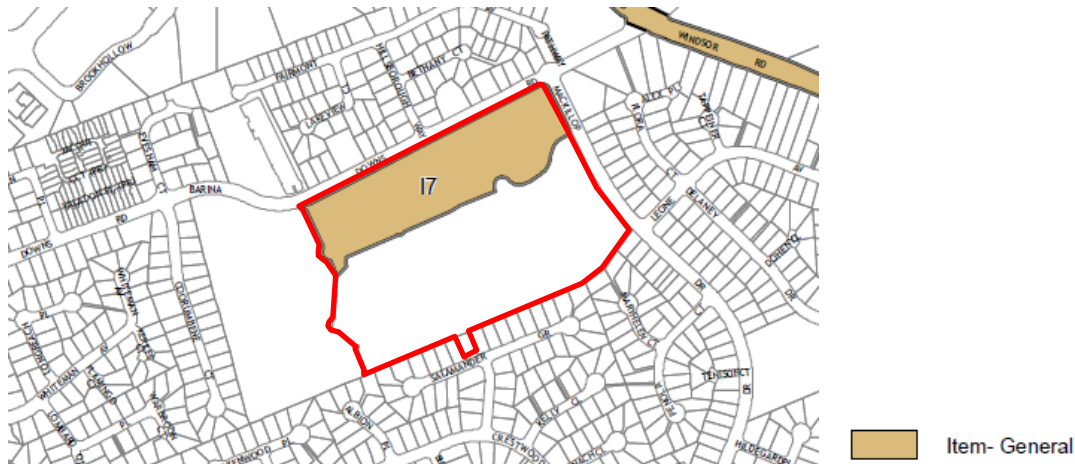
6.1.4 Minimum lot size

The minimum lot size identified for the site is 700m² which is consistent with the surrounding land. The Barina Park site has a minimum lot size of 1,800m².

6.1.5 Heritage

The site is identified with a heritage item (I7), being the farmhouse residence. The building is named within The Hills LEP Schedule 5 Environmental heritage as St Joseph's Novitiate and is of local significance.

Figure 6.3 Heritage Map



6.1.6 Clause 7.12 – Development on certain land within the Sydney Metro Northwest Urban Renewal Corridor

Clause 7.12 of The Hills LEP 2012 relates to development on certain land within the Sydney Metro Northwest Urban Renewal Corridor. The clause has the following objectives:

- a) To support the provision of increased housing around train stations forming part of the Sydney Metro Northwest at densities compatible with the future character of the surrounding area,
- b) To ensure the provision of a mix of dwelling types in residential flat buildings, providing housing choice for different demographics, living needs and household budgets,
- c) To promote development that accommodates the needs of larger households, consistent with the demographics and family household structures of The Hills Shire

Although this clause applies to development on land identified as “Area A” on the Floor Space Ratio Map, the proposed rezoning of part of the site to R4 High Density Residential is believed to have certain regard to this clause.

The Planning Proposal meets the objectives of this clause as it supports the provision of increased housing within 400m-800m of Norwest Station, providing future residents with easy accessibility to the Sydney Metro Northwest rapid transit line, connecting to the wider metropolitan areas of Sydney. The proposal provides for appropriate densities that is compatible with the existing and future character of the surrounding locality.

The provision of a mix of dwelling types include 1, 2 and 3 bedroom apartments in low rise residential flat buildings as well as townhouses and small lot dwellings as demonstrated in the masterplan, ensure that a variety of housing choice is provided for different household needs, demographics and budgets. The development would also accommodate the needs of larger households, consistent with the family household structure found within The Hills Shire.

This clause provides provisions stating the following:

- a) no more than 25% of the total number of dwellings (to the nearest whole number of dwellings) contained in the development are to be studio or 1 bedroom dwellings, or both, and
- b) at least 20% of the total number of dwellings (to the nearest whole number of dwellings) contained in the development are to be 3 or more bedroom dwellings, and
- c) at least 40% of all 2 bedroom dwellings contained in the development will have a minimum internal floor area of 110m², and
- d) at least 40% of all 3 bedroom dwellings contained in the development will have a minimum internal floor area of 135m², and

- e) *the following minimum number of car parking spaces are to be provided for the development:*
 - i. *for each dwelling—1 car parking space, and*
 - ii. *for every 5 dwellings—1 car parking space, in addition to the car parking space required for the individual dwelling.*

The provisions in this clause have guided the development of the masterplan supporting this Planning Proposal.

6.2 The Hills Development Control Plan 2012 – Site Specific Controls

This Planning Proposal also seeks to put forward site specific amendments to The Hills Development Control Plan 2012, specifically Part B Section 2 – Residential, Section C.5 64 Mackillop Drive, Baulkham Hills.

The amendments to the DCP accompanies this Planning Proposal in Appendix K. The amendments are in accordance with the masterplan for the site attached in Appendix A.

7 Parts of a Planning Proposal

This Planning Proposal has been prepared in accordance with Sections 55 (1) and (2) of the *Environmental Planning and Assessment Act 1979* and the Department of Planning and Environment's guidelines including 'A guide to preparing planning proposals' and 'A guide to preparing Local Environmental Plans'.

The proposal is outlined in the following components:

- **Part 1** – A statement of the objectives and intended outcomes of the proposed instrument
- **Part 2** – An explanation of the provisions that are to be included in the proposed instrument
- **Part 3** – The justification of those objectives, outcomes and the process for their implementation
- **Part 4** – Maps, where relevant, to identify the intent of the planning proposal and the area to which it applies
- **Part 5** – Details of the community consultation that is to be undertaken on the planning proposal
- **Part 6** – Project Timeline

7.1 Part 1 – Objectives or Intended Outcomes

The Planning Proposal has the following objectives:

- To enable the development of lots 1001 and 1002 at 64 Mackillop Drive, Baulkham Hills and Lot 574 being 34 Salamander Grove, Baulkham Hills to create a vibrant new community within walking distance to the train station
- To establish high quality residential development with a range of housing types including medium density low rise apartment living, small lot housing and townhouses which complement the approved low density detached housing, catering for a range of household needs within The Hills Shire
- To provide improved connectivity for the locality to and from Norwest station for pedestrians and cyclists
- To create public open space linkages through the provision of a public reserve connecting to the central spine
- To provide substantial open space incorporating the heritage farmhouse and curtilage as well as the tree lined avenue across the site
- To retain the heritage of the area through adaptive re-use of farmhouse residence and curtilage

These objectives are to be achieved by amending *The Hills Local Environmental Plan 2012* with revised development standards and associated LEP maps to:

- Rezone the site from a split zoning of R2 Low Density Residential and R3 Medium Density Residential to a split zoning of R2 Low Density Residential, R3 Medium Density Residential, R4 High Density Residential and RE1 Public Recreation
- Amend the maximum building height from 9m to part 9m, part 12m and part 16m
- Amend the area of the heritage item from the whole of Lot 1002 to only identify the curtilage

The intended outcome for the rezoning of the site is to provide approximately 270 apartments with a mix of 1, 2 and 3 bedrooms, approximately 110 townhouses and small lot dwellings, and retain the approved 28 low density detached dwellings to accommodate approximately 800 residents with easy access to public transport and employment opportunities. Future residents would be supported by pedestrian links to and from the station as well as substantial open space. This will be consistent with State Government objectives to encourage residential growth in areas within walking distance to a transit node.

7.2 Part 2 – Explanation of Provisions

This Planning Proposal seeks to amend *The Hills Local Environmental Plan 2012* to ensure that the objectives and intended outcomes for residential development of the site is achieved to facilitate the development of the masterplan. Table 7.1 below summarises the proposed amendments to rezone the site and increase building height controls. Figures 7.1, 7.2, 7.3, 7.4, 7.5 and 7.6 on the following pages supports this table.

Table 7.1 Proposed amendments to The Hills LEP 2012

Development standard to be amended	Existing development standard applying to the site	Parcels of land	Proposed amendment
Land Use Zone	R2 Low Density Residential	Part Lot 1002	Amendment of the Land Zoning Map – Sheet LZN_016 to part R4 High Density Residential
		Lot 1001	Amendment of the Land Zoning Map – Sheet LZN_016 to part R2 Low Density Residential, part R3 Medium Density Residential and part RE1 Public Recreation
	R3 Medium Density Residential	Part Lot 1002	Amendment of the Land Zoning Map – Sheet LZN_016 to R4 High Density Residential
Building Height	9m	All	Amendment of the Height of Buildings Map – Sheet HOB_016 to part 9m, part 12m and part 16m
Heritage Map	Heritage item No 17	1002	Amendment of Heritage Map – Sheet HER_016 for heritage item 17 to only apply to the heritage curtilage of site

Figure 7.1 Existing Land Use Zoning Map

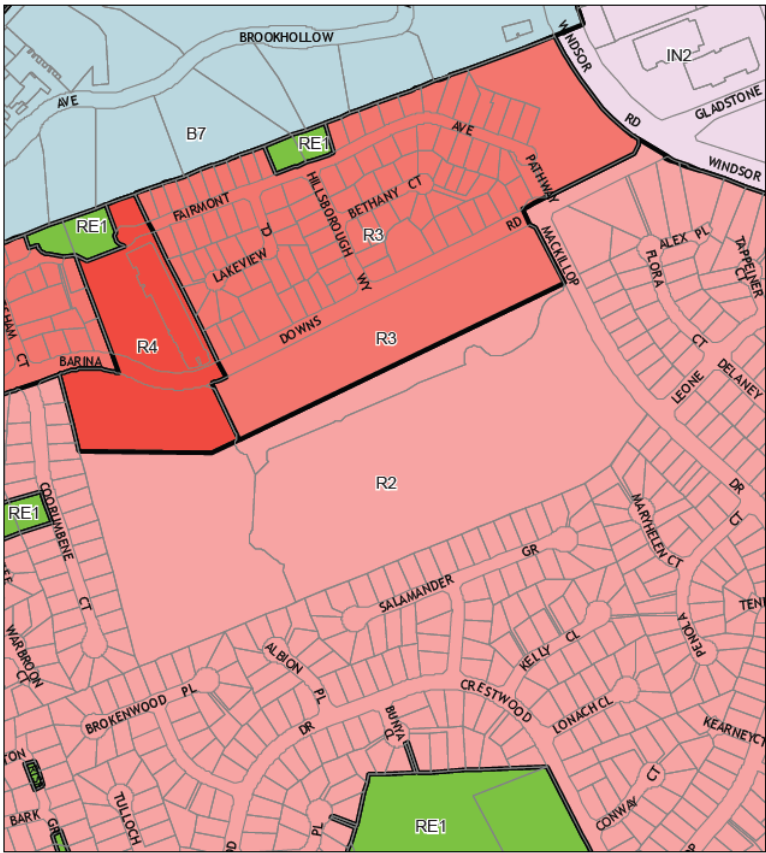


Figure 7.2 Proposed Land Use Zoning Map

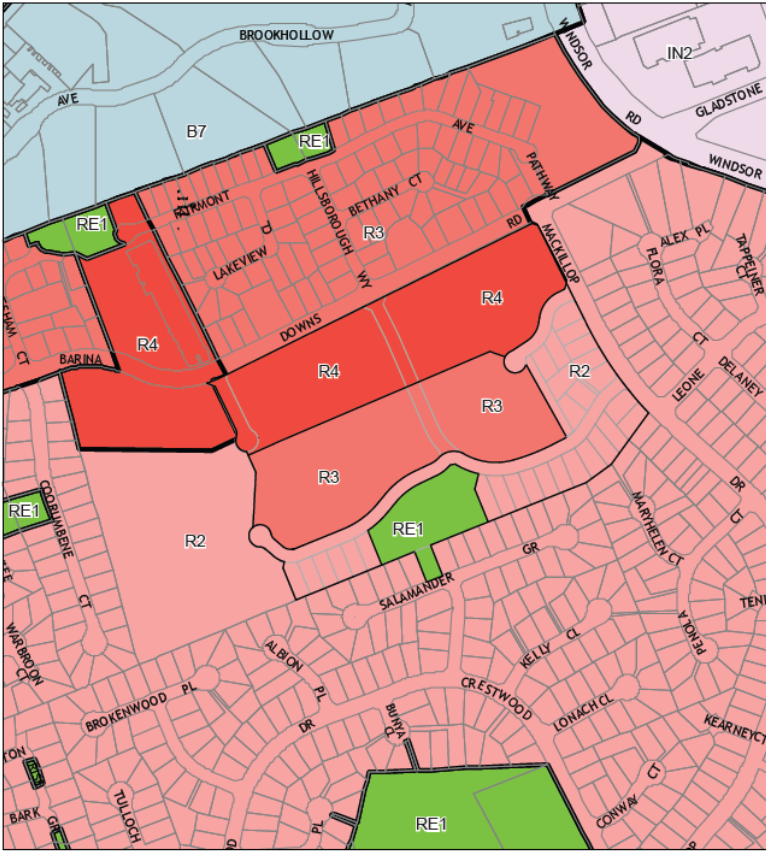


Figure 7.3 Existing Height of Buildings Map

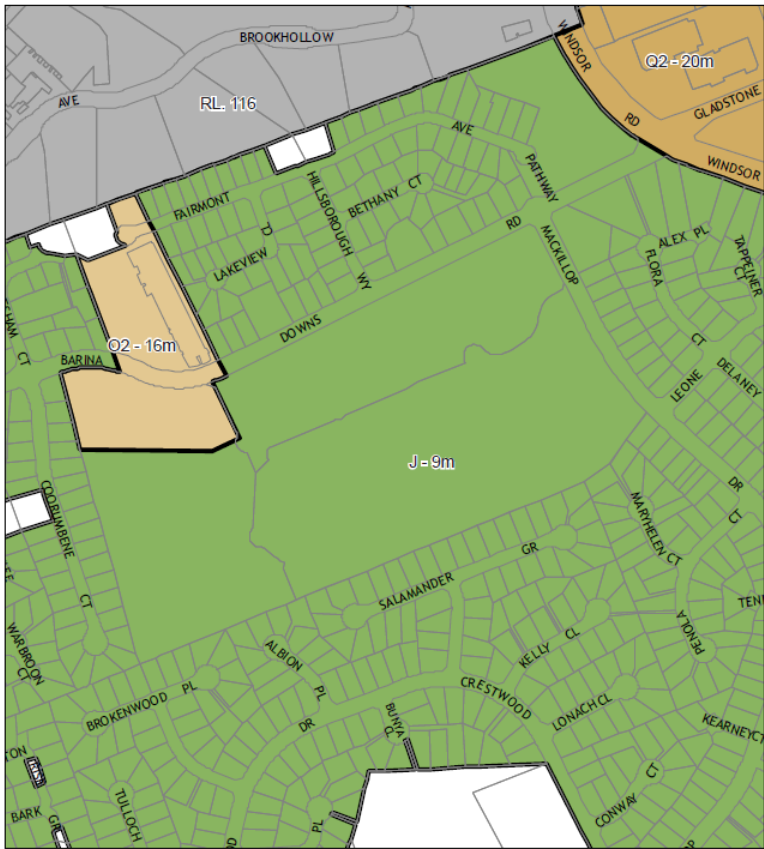


Figure 7.4 Proposed Height of Buildings Map

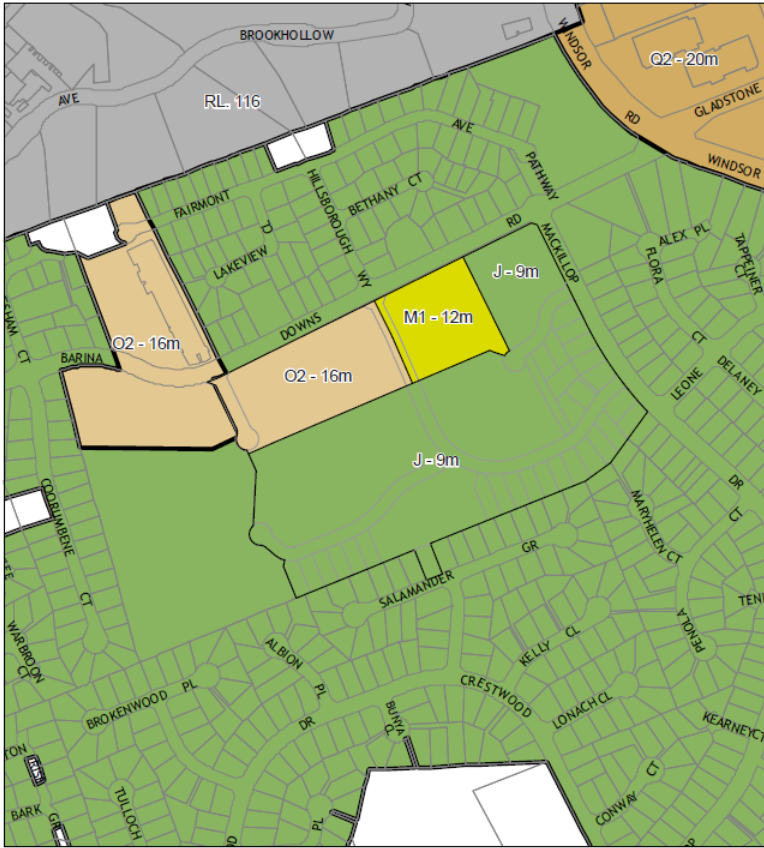


Figure 7.5 Existing Heritage Map

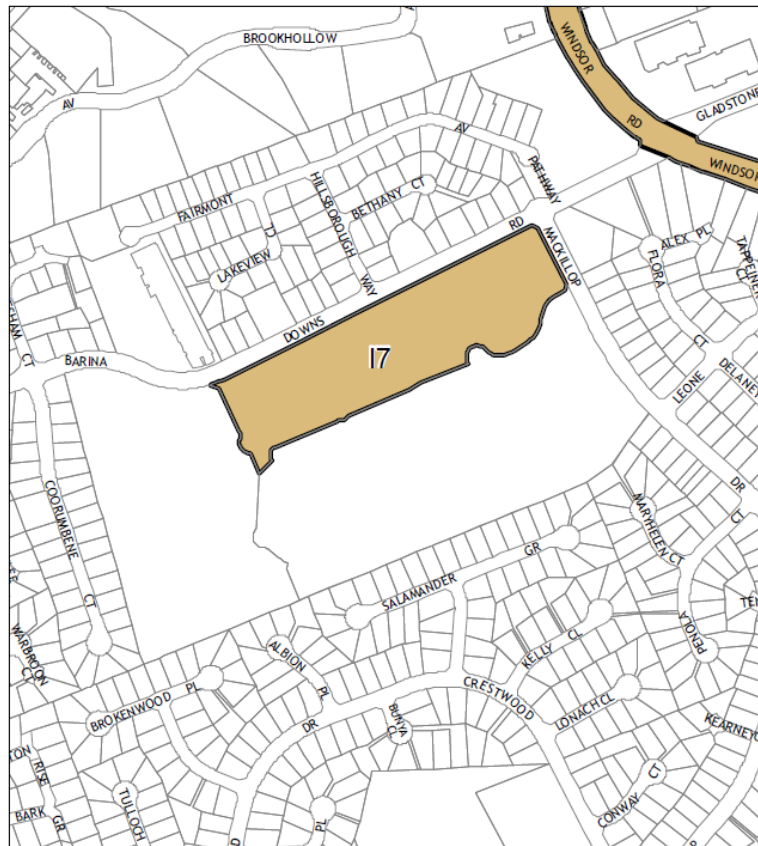
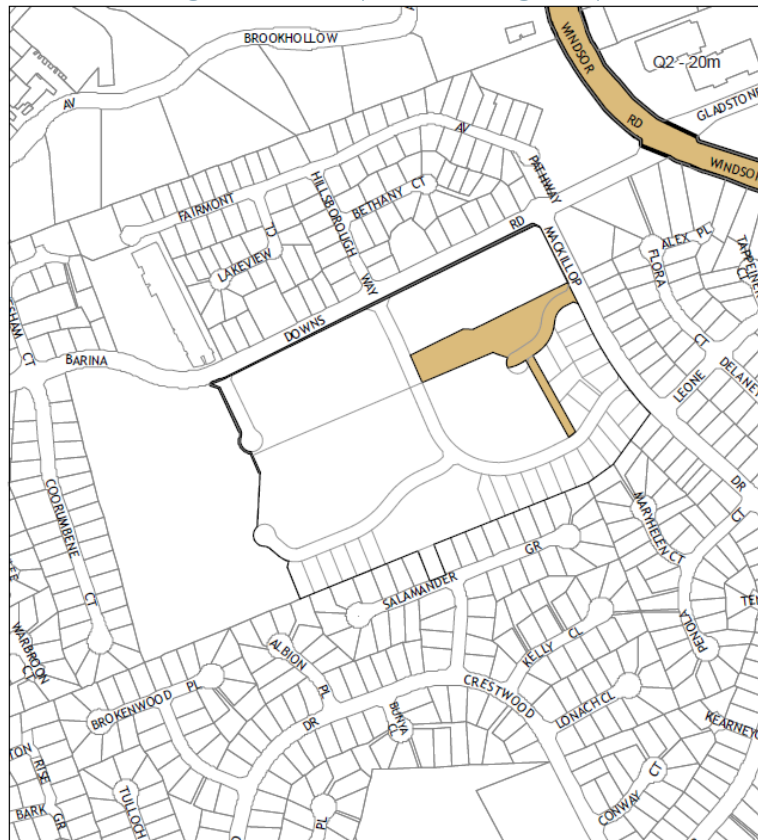


Figure 7.6 Proposed Heritage Map



7.3 Part 3 – Justification for the Planning Proposal

This section provides the justification for the proposed amendments to *The Hills Local Environmental Plan 2012* in accordance with Section 2.3 of 'A guide to preparing Planning Proposals'.

7.3.1 Questions to Consider When Demonstrating the Justification

Section A – Need for the Planning Proposal

Q1. Is the planning proposal a result of any strategic study or report?

The Planning Proposal is not the result of any strategic study or report, however is consistent with the applicable strategic plans. This Planning Proposal has been instigated to support a proposed masterplan attached in Appendix A for the development of the subject site, being Lots 1001 and 1002 DP 1190982, 64 Mackillop Drive, Baulkham Hills and Lot 574 DP 713531, 34 Salamander Grove, Baulkham Hills.

Q2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

This Planning Proposal, which seeks to amend *The Hills LEP 2012* by rezoning the site, increasing building height controls and modifying the heritage map is believed to be the most appropriate means, in terms of effectiveness and efficiency, of achieving the objectives and intended outcomes for the development of the site. The site is envisioned to be a high quality master planned residential community accommodating diverse housing types within walking distance to the Norwest Metro station which will be operational in 2019. The station will provide access to the wider Sydney metropolitan rail network, ensuring that the residents are more connected to Greater Sydney and that job opportunities are easily accessible.

The amendments to the land zoning and building height controls would allow increased densities at the site which is within a walkable 400m-800m distance to the station. This will ensure that a greater number of future residents would be able to access one of the major city-shaping infrastructure projects within Sydney as well as a range of amenities and services within the growing Norwest hub. The amendments to the heritage map would ensure that only the farmhouse and associated curtilage are identified as a heritage item as opposed to the whole of Lot 1002.

The Planning Proposal is essential towards realising the desired development of the site which is a suitable response towards the strategic objectives for the Norwest Precinct, The Hills Shire and Greater Sydney.

Section B – Relationship to the Strategic Planning Framework

Q3. Is the planning proposal consistent with the objectives and actions of the applicable regional, sub-regional or district plan or strategy (including any exhibited draft plans or strategies)?

The Planning Proposal has been reviewed against the following applicable strategic plans:

- A Plan for Growing Sydney

The proposal is consistent with the objectives and actions of *A Plan for Growing Sydney*, especially supporting the overarching vision for Sydney as a city of housing choice with homes that meet people's needs and lifestyles. The proposal would also ensure the facilitation of strong, healthy and well connected communities in a great place to live. The proposed master plan would allow housing targets to be met, considering the need to accommodate Sydney's rapidly growing population.

The site presents a suitable location for increased densities supported by a variety of housing types within walking distance to Norwest station (approximately 400m-800m or 5-10 minutes). The provision of low rise, residential apartments and medium density dwellings including townhouses and small lot dwellings, respond to the locality's streetscape and character and is consistent with the plan, which notes that these housing types are central to addressing housing affordability issues prevalent across the city. The additional pedestrian and cycling linkages proposed under the masterplan would allow for easier accessibility to and from the rail line, as well as promote healthier activity within the neighbourhoods. The accessible nature of the station would reduce the need for private vehicle reliance, with the combination of bus services and train line providing access to the main centres in Sydney.

- Draft West Central District Plan

The Planning Proposal is considerably supportive of the Draft West Central District Plan's metropolitan priorities which ensures the economic, social and environmental prosperity of Greater Sydney. The proposal would allow the facilitation of a residential development that is reflective of the character of the West Central district, being a place of energy, diversity and change.

The Planning Proposal would support the delivery of approximately 380 additional homes within the Sydney Metro Northwest rail corridor to contribute to The Hills's five year housing target of 8,550 dwellings as stated within the district plan. The proposal would also address demand and diversity of housing types in and around local centres with high level accessibility.

A liveable city is one of the clear goals to be achieved in the draft district plan. The Planning Proposal seeks to support the provision of a mix of household types through the delivery of medium density dwellings including townhouses and small lot housing as well as low rise apartments. This meets of the key liveability priorities including improving housing choice and affordability. The provision of apartments with a mix of 1, 2 and 3 bedrooms within the development would offer convenience being close to the station and cater towards a variety of different household needs such as for families, seniors who choose to downsize as well as the younger demographic, being more affordable than single detached homes. The Greater Sydney Commission also highlights that more medium density housing including "*row, terrace and villa homes*" are needed to cater towards a diversity of homes found within the West Central district.

The Planning Proposal is consistent with the notion of creating great places for people consisting of environments that are safe, healthy, well-designed and inclusive. The plan recognises that the West Central District is characterised by high levels of car dependency and encourages all future land development to enhance walking and cycling connections. The Planning Proposal aims to achieve this by establishing more permeable and pedestrian/cycling friendly street networks that easily connect to the station.

In addition, the draft plan notes that provision of a whole range of recreation and community facilities are key to a liveable city. The Planning Proposal would result in a new accessible public reserve for the community, which will form part of a system of linear parklands stemming from the central green spine. This will not only encourage more active lifestyles, but allow the site to be linked to the wider urban context, supporting and extending pedestrian and cycle movement within the area. This also reflects the objectives outlined for the delivery of Sydney's Green Grid, which was proposed under A Plan for Growing Sydney. The Green Grid aims to be a highly connected and diverse network of green corridors, connecting residents to public transport, jobs, centres and recreation.

The draft district plan also identifies the need to conserve and enhance environmental heritage. In particular, the West Central district has a wide range of heritage expressed in different places and structures. The plan notes that opportunities to adaptively re-use heritage buildings through the development process should be used to protect and enhance these spaces and qualities valued by the local community. The Planning Proposal supports this objective by proposing to adaptively re-use the heritage farmhouse and curtilage to conserve and appreciate the cultural values that exist within the site.

- North West Rail Link Corridor Strategy – Norwest Station Structure Plan

The Planning Proposal is consistent with the objectives and actions of the Norwest Station Structure Plan by contributing to the supply of additional housing within the Norwest Precinct. The proposal allows for increased residential densities within walking and cycling distances to and from the station, which supports the concept of Transit Oriented Development. A number of housing types including apartments with a mix of 1, 2 and 3 bedrooms, and medium density housing such as townhouses and small lot housing are offered, which meets various household needs. An additional 62% of 3-6 storey apartments, 25% of townhouses and 5% of single detached dwellings are identified within the plan for the precinct. It can be said that the Planning Proposal would ensure that these targets are realised.

The Planning Proposal demonstrates minor variations with the structure plan's envisioned character for the subject site. The desired future character for the existing portion of the site zoned R2 Low Density Residential is identified for low density single detached dwellings to ease transition into the low density residential areas beyond the boundaries of the precinct. The Planning Proposal only proposes that the southern end of the site and the eastern border of the Lot 1001 remain as low density residential, consistent with the approved masterplan consent (DC 6/2012/JP). In addition, approved Lot 214 (under DC 6/2012/JP/A) and 34 Salamander Grove is proposed to be rezoned as RE1 Public Recreation. However, the remainder of the existing R2 Low Density Residential within Lot 1001 is proposed to be rezoned into R3 Medium Density Residential to accommodate medium density housing including small lot dwellings and multi-dwelling housing (townhouses).

The structure plan also envisions that the portion of the site fronting Barina Downs Road, being the majority of Lot 1002 is to be designated for **medium density apartment living, comprising of 3-6 storey apartment buildings**, carefully master planned around communal open spaces and incorporating landscaped setbacks to existing streetscapes. All of Lot 1002 is proposed to transition from part R3 Medium Density Residential and part R2 Low Density Residential to R4 High Density Residential, which will considerably meet the vision. The concept plan shows low rise 2-4 storey apartments fronting Barina Downs Road, with significant open space separating each building. A park is situated behind the apartments along the linear ridgeline, encompassing the avenue of trees leading to St Joseph's Centre and the heritage farmhouse.

Figure 7.7 Vision and Structure Plan



(Source: NSW Government)

The facilitation of increased residential densities through the provision of low rise apartments and medium density housing in the suitable locations proposed, will ensure that the key objectives of providing a variety of housing types and allowing more residents closer to public transport, jobs and essential services are achieved. In addition, the areas north of Barina Downs Road are long term opportunity sites due to their relatively recent longevity (around 10-15 years) and will not likely be developed in the near future, while the subject site is identified as a short term opportunity site, which provides the most potential for renewal to complement the new station and rail link. The Planning Proposal is also considered to be reasonable as it will address the housing targets that would be lost by the long term opportunity sites to the north of the site.

The proposed masterplan also positively contributes to the urban design, open space and movement planning for the Norwest Precinct. The proposal seeks to create new open space linkages with the provision of the public reserve which will connect to the central spine/corridor of green open space within the locality. Pedestrian links to and from the station will increase the permeability along Barina Downs Road and provide safe and efficient movement to and from the core of the precinct.

Q4. Is the planning proposal consistent with a council's local strategy or other local strategic plan?

- The Hills Corridor Strategy

The Planning Proposal is consistent with Council's local strategy being, The Hills Corridor Strategy which provides the framework for land use development in the Sydney Metro Northwest rail corridor. The Planning Proposal supports the development of a highly liveable and diverse urban community within The Hills Shire on a large undeveloped site nearby a future station. The proposal aims to achieve Council's goal of promoting travel behavioural change to support the operation of the rapid transit services, through appropriate planning of housing growth.

Future proposed development on the site responds to key guiding principles contained within the strategy. The design of the development has utilised an accountable and sustainable approach, taking into consideration natural environmental characteristics of the site. The built environment, including the existing road network, public transport, pedestrian/cycle links as well as open space were also importantly considered to gauge the ability of increased residential densities to be supported by various infrastructure.

The proposal ensures that higher density housing is located in areas that have the greater potential for change, being in walking distance to the core of Norwest which provides retail, employment opportunities and public transport. The plan notes that higher density residential development should be located within 400m-800m of well integrated transport networks and major services at a 5-10 minute walking distance. The location of the higher residential densities including low rise apartments and medium density housing are located within 800m of these services aforementioned and enable the surrounding low density character to be maintained. Future residents would be supported by permeable road networks for easy pedestrian/cycle movement.

In addition, the land to the northern side of Barina Downs Road is identified with a density of 96 dwellings per hectare to accommodate lower scale apartment developments. However, this Planning Proposal recognises that this area is comprised of relatively recent low density development and therefore the proposal for accommodation of low rise apartments along the southern side of Barina Downs Road would be reasonable to achieve the dwelling targets for this precinct.

A diverse range of housing is proposed for the site which would be enabled at the rezoning stage. Medium density dwellings including townhouses and small lot dwellings as well as apartments with a mix of 1, 2 and 3 bedrooms comprise the development of the site. These various dwelling types effectively respond to differing needs, lifestyles and financial capacities of future residents in The Hills Shire.

The proposed development as depicted in the masterplan and landscape plans accompanying this Planning Proposal, provide future residents with access to substantial open space, recreation and community facilities which keeps in line with the lifestyle found within The Hills. The approved Lot 214 under DC 6/2012/JP/A and 34 Salamander Grove is to be dedicated as a public open space and therefore proposed to be rezoned into RE1 Public Recreation as part of this Planning Proposal. Additional open space is proposed within the development incorporating the heritage farmhouse and ridgeline of trees across the site. The farmhouse residence will be refurbished into a communal facility and retained in perpetuity for future use by residents of the development.

The strategy defines high density as comprising of apartments and medium density as comprising townhouses, villas and terrace homes. Maximum dwelling density yields and occupancy rates are also identified for land within the rail corridor comprising of the following:

Dwelling density:

- Apartments: 24 dwellings per storey over 1 hectare
- Townhouses: 34 dwellings per hectare

Occupancy rates:

- Townhouses/Terraces: 2.8 persons
- Apartments: 2 persons

The proposal takes into account these dwelling densities and occupancy rates of Council's Corridor Strategy.

Q5. Is the planning proposal consistent with applicable State Environmental Planning Policies?

The Planning Proposal is consistent with the following applicable State Environmental Planning Policies (SEPPs):

- SEPP No. 65 – Design Quality of Residential Flat Development
- SEPP (Buildings and Sustainability Index: BASIX) 2004
- SEPP (Exempt and Complying Development Codes) 2008
- SEPP (Infrastructure) 2007
- SREP No. 20 – Hawkesbury Nepean River (No. 2 – 1997)

A table demonstrating consistency with the applicable SEPPs is attached in Appendix I of this Planning Proposal.

Q6. Is the planning proposal consistent with applicable Ministerial Directions (s117 directions)?

The Planning Proposal is consistent with the applicable Section 117 Ministerial Directions being:

- 1.1 Business and Industrial Zones
- 2.3 Heritage Conservation
- 3.1 Residential Zones
- 3.4 Integrating Land Use and Transport
- 5.9 North West Rail Link Corridor Strategy
- 6.1 Approval and Referral Requirements
- 6.2 Reserving Land for Public Purposes
- 6.3 Site Specific Provisions
- 7.1 Implementation of A Plan for Growing Sydney

Appendix J shows a table demonstrating consistency with the applicable s117 Ministerial Directions.

Section C – Environmental, Social and Economic Impact

Q7. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

Flora and Fauna

According to The Hills Shire Council's Vegetation Mapping from 2012 which is depicted below in Figure 7.8, the site contains Gardens/Modified Vegetation Communities, which is prevalent throughout the locality. The site also contains Cumberland Plain Woodland (CPW), which is concentrated in two areas including between the approved Road No.1 and the turning head of Road No. 2 and a section towards the south of the site. Cumberland Plain Woodland is identified as a critically endangered ecological community under the Commonwealth *Environment Protection and Biodiversity Act 1999* (EPBC Act) and the *Biodiversity Conservation Act 2016* (BC Act).

A detailed Flora and Fauna Assessment undertaken by Eco Logical Australia Pty Ltd (Appendix F) revealed that two remnant trees of CPW exists in the north-east and that the condition of the CPW on site were considered good, with a canopy cover greater than 10%. The assessment also identified the presence of moderate to low conditions of Sydney Turpentine Ironbark Forest (STIF), which is also a critically endangered ecological community under the BC Act. The STIF community was identified in a previous Flora and Fauna Assessment undertaken by Ambrose Ecological Services in 2011 to support DC 6/2012/JP and is not as extensive as previously mapped. The conditions of both ecological communities were found to not satisfy criteria for listing under the EPBC Act.

One threatened flora species was recorded within the study area, which is found in the proposed road corridor that was approved under DC 6/2012/JP. The report states that *"no other threatened flora or fauna species were recorded during the field survey"*. A number of habitats such as hollow-bearing trees were identified within the study area and are likely to provide habitat for threatened fauna.

An Assessment of Significance was undertaken which determined that the proposal is *"unlikely to have a significant impact on threatened species or threatened ecological communities"* to which a Species Impact Statement is not required.

The masterplan would require 0.12 hectares of native vegetation, including 0.02 hectares of CPW to be removed. The remaining CPW on site (approximately 0.28 hectares) will be avoided by the development. No impacts to the STIF community are expected and 0.22 hectares of this community is to be retained within the public open space component of the Planning Proposal. There is also the potential that two hollow bearing trees and one standing dead tree may be removed as part of the proposal. The masterplan has, where possible, utilised cleared and exotic areas.

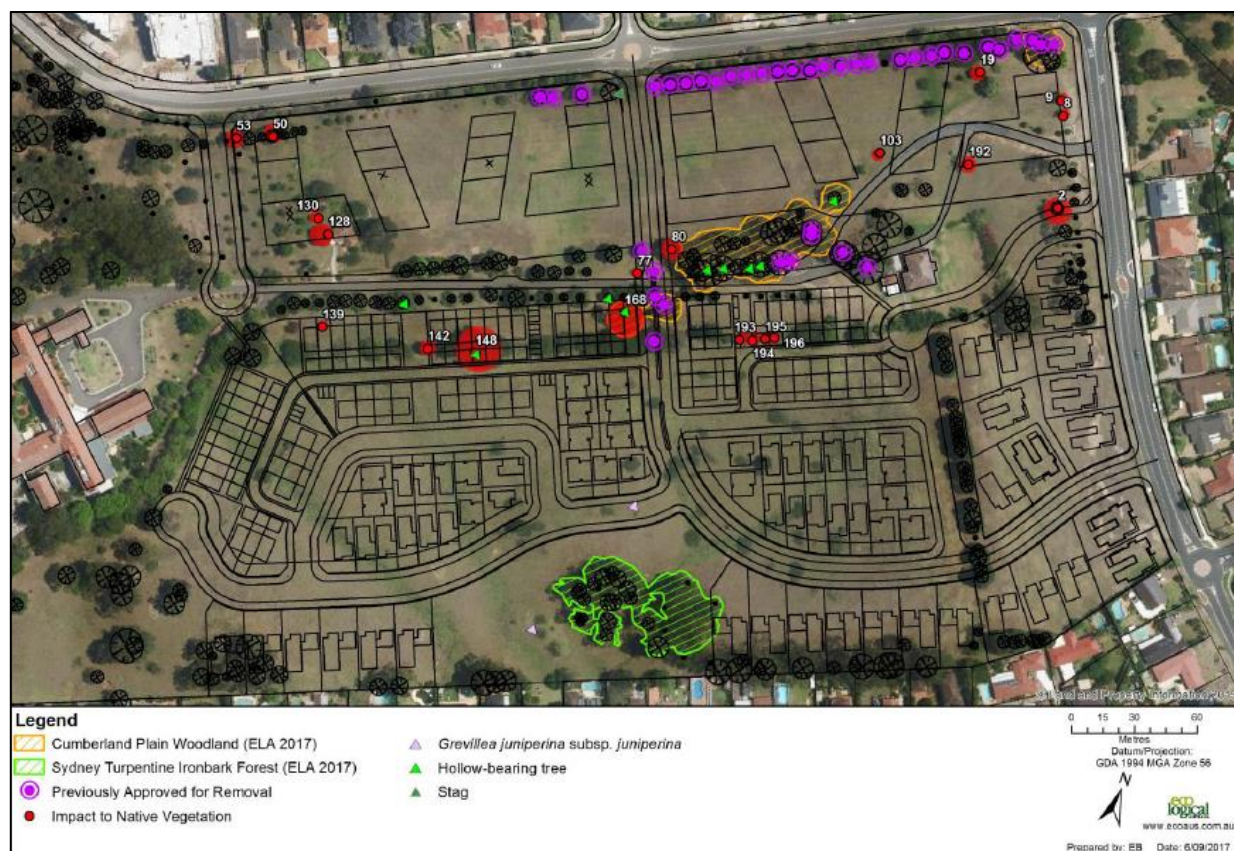
The Flora and Fauna Report reviewed the framework and new assessment methodology from the *Biodiversity Conservation Act 2016* against the proposal and concluded that a development application at a later stage is unlikely to trigger the Biodiversity Offsets Scheme and therefore impacts from the proposal would not require offsets.

Figure 7.8 The Hills Shire Council Vegetation Mapping



(Source: Eco Logical Australia Pty Ltd)

Figure 7.9 Native Tree Impact



(Source: Eco Logical Australia Pty Ltd)

Q8. Are there any likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

The Planning Proposal will not result in any additional environmental impacts other than what was approved under the previous consent being DC 6/2012/JF.

In terms of vegetation on site, the Planning Proposal will result in the removal of some trees. According to the Arborist Report prepared by Eco Logical Australia Pty Ltd, a total of 220 subject trees were inspected with their retention value assessed. The results showed that 80 trees within the site are required to be removed from the site with one tree subject to further detailed assessment to determine suitability of retention. A total of 139 trees will be successfully retained under the proposal including 58 trees of high retention value, 64 trees of medium retention value and 17 trees of low retention value.

In addition, the masterplan proposes to retain 23 existing trees along Barina Downs Road, previously approved for removal. This is a significant benefit as 18 of these trees were assessed of high retention value, of which 5 form part of the Cumberland Plain Woodland community. The proposal has also resulted in the retention of 6 trees for the previously approved Road No. 2 adjacent to the farmhouse, of which 4 trees are part of the CPW community.

The report also provides the following recommendations for offsetting and tree works.

- Any loss of trees should be offset with replacement planting in accordance with the relevant offset policy.
- The tree protection plan outlined in **Chapter 5** and **Appendix C** should be implemented for all trees proposed to be retained and all trees that fall within 10 m of any construction activities.
- All tree work is to be carried out by an arborist with a minimum AQF Level 3 qualification in Arboriculture.
- All tree work must be in accordance with Australian Standard AS 4373-2007, *Pruning of Amenity Trees* and the NSW WorkCover Code of Practice for the Amenity Tree Industry (1998).
- Permission must be granted from the relevant consent authority, prior to removing or pruning of any of the subject trees.

Figure 7.10 Tree Survey



(Source: Eco Logical Australia Pty Ltd)

The Flora and Fauna Assessment recommended avoidance and mitigation measures (Section 6 of the report) associated with the clearing of native vegetation, to be implemented for the development of the site. These measures include the preparation of a Vegetation Management Plan to reduce weed infestations and establish native species diversity within the patch of Sydney Turpentine Ironbark Forest.

Stormwater drainage of the site and proposed methods to mitigate any risk/impact that will be associated with stormwater and drainage run-off from the site will be addressed with future applications.

The site is not identified as bush fire prone land and therefore no bushfire protection measures are necessary.

Q9. Has the planning proposal adequately addressed any social and economic effects?

This Planning Proposal has addressed concerns regarding social and economic effects. The Planning Proposal will not have any adverse economic effects as the development would locate increased densities in walkable distance to Norwest Station and the business park, thereby allowing more residents to easily access employment opportunities.

The proposal has regard to the existing local community and future residents. The built form as shown in the masterplan seeks to create a balance between the low density residential dwellings surrounding the development by providing a transition of low rise residential flat buildings which suit the undulating landform into medium density dwellings and low density detached dwellings further away from the station.

The proposal will not have negative social effects in respect of social infrastructure as the development will provide open space that will link to the central spine south of the site connecting to Charles McLaughlin Reserve and Crestwood Reserve. This will enable the local community to lead healthy and active lifestyles.

The Architectural Planning Proposal Report states the following in relation to the open space linkage:

“The system of linear parklands through the site, stemming from the central green spine, allow the site to be unlocked for the wider urban context, re-linking it to the network of surrounding heritage sites and to support and extend pedestrian and cycle movement through the area.”

Heritage

In terms of heritage, the development as shown in the masterplan seeks to maintain the heritage farmhouse in perpetuity as a key cultural asset for the future residents. A Statement of Heritage Impact prepared by Eco Logical Australia supports this Planning Proposal which is attached in Appendix B. The significance of the farmhouse relies on it being a fine example of an interwar Californian bungalow, the views to and from the item as well as the setting on a ridge surrounded by open space. The report concludes that the Planning Proposal, which would result in increased densities is *“unlikely to impact on the heritage item any greater than that currently approved”*, where the house would retain its aesthetic and representative values. The masterplan leaves the allotment of land adjacent to Mackillop Drive and the access to the site undeveloped, with two storey building heights to the north and lower bulk and scale to the south and south-west, improving views to and from the heritage farmhouse. The vista spanning from the west to the east is being maintained through the provision of the ridgeline open space area for the use of future residents. The proposal has also altered the alignment of the previously approved road, which eliminates the need for the removal of mature trees.

Although the report notes that the proposal (as with the previously approved development) will impact the heritage curtilage for Lot 1002 as per The Hills DCP 2012, this land surrounding the house was determined to have *“little to no historic heritage value other than being contextual to the building”*. The report justifies that views to the heritage farmhouse are restricted by the surrounding mature trees. In addition, the property and farmhouse have stopped functioning as intended with the original allotment being significantly reduced.

Therefore, the report supports the Planning Proposal by suggesting that the *“listing of the LEP Heritage Schedule be modified to reflect the status of the heritage item”*.

The following are recommended in the Heritage Report:

- *Where possible the tennis court should be located to the north of the house or fencing used that does not obstruct the farm house from Mackillop Drive.*
- *Mature planting should be retained wherever possible.*
- *Mature plantings should not be removed to make way for a swimming pool or tennis court where possible.*
- *The farm house and mature plantings will require protection during any future development of the site.*
- *Tree screening should be considered around the house to obscure views of any surrounding future development.*
- *This report recommends a change to the DCP curtilage to encompass land that will no longer be proposed for development to the east of the house on Mackillop Drive and modify the curtilage south of the house to exclude the proposed allotments. This change to the curtilage will ensure the views to and from Mackillop Drive and the farm house are preserved. It is also recommended that the listing on the LEP Heritage Schedule be modified to reflect the status of the heritage item.*
- *The adaptive reuse of the farm house has been proposed. The building retains a number of original features but has also undergone alterations and additions.*
- *The following features of the farm house should be retained:*
 - *The original room layout of the building;*
 - *The decorative brick and stone work;*
 - *Font entry, doors and stained glass;*
 - *Original doors and window openings;*
 - *Original fittings such as door handles, architraves, ceiling roses, picture rails, skirtings and mouldings, sliding doors, glass doors, cupboards, window seat;*
 - *Floor boards;*

- Roof and chimney.
- The following features can be altered or removed:
 - Carpet;
 - Fireplace;
 - All kitchen, bathroom and laundry fittings and coverings;
 - Safety screens or doors and windows;
 - Rear accommodation and garage addition;
 - Clothes line and concrete path.
- In the unlikely event that unexpected historical or Aboriginal archaeological objects or deposits are uncovered during development works it would be necessary to cease works, and contact a qualified Archaeologist to assess the significance of the material and recommend whether further investigation is required.

A heritage impact statement is likely to be required at the DA stage to assess the extent to which any future development would affect the heritage significance of the heritage item.

Figure 7.11 Proposed Amendments to Heritage Curtilage



Traffic

Generation of additional traffic would be an outcome of the Planning Proposal due to increased residential densities within the area. The proposed site access is generally consistent with that under the approved masterplan.

A Traffic Impact Assessment is included in Appendix C to address the envisaged increase in traffic movements and concludes that the proposal is “*supportable on traffic planning grounds*”.

The report also anticipates that the northern connection to Mackillop Drive via Road No. 2 will be “*restricted to a left-in, left-out movements due to slight distance issues caused by the crest in Mackillop Drive in a short distance to the north of the access*”.

The key findings of the Traffic Impact Assessment are detailed below:

- *The proposed development is expected to generate in the order of 173 and 174 veh/hr during the AM and PM peak periods, respectively. This represent an increase of only 16-17 veh/hr above that previously assessed (157 veh/hr) in relation to the approved concept plan.*
- *Sensitivity analysis has also been undertaken to assess the impact of the uplift without considering the reduced mode share to private vehicles as a result of the Norwest Station. This test of higher traffic generation rates is an academic exercise to provide Council comfort that the impacts of the development have been adequately assessed.*
- *Under all modelled scenarios, local intersections of Barina Downs Road with Mackillop Drive and Reston Grange operate well, with a Level of Service A.*
- *Barina Downs Road with Windsor Road experience considerable delays and queuing under “existing” and “without Station” scenarios. However, the relative increase in delay as a result of the development is minimal and not considered to require remedial works. Indeed, the changes to transport patterns on the wider road network as a result of the Sydney Metro Northwest, such as reduced vehicular traffic to Norwest from Windsor Road generally, are expected to alleviate delays within Barina Downs Road by removing downstream blockage effects.*
- *The existing roundabout at Norwest Boulevard / Reston Grange exceeds capacity under all modelled scenarios. However, the planned upgrade of Norwest Boulevard including signalisation of that intersection will improve performance with a modelled Level of Service C/D during peak periods. It is noted that conversion from a roundabout to signals will not only increase intersection capacity but will also have pedestrian safety and amenity benefits for those pedestrian and cyclists crossing the intersection.*

Section D – State and Commonwealth Interests

Q10. Is there adequate public infrastructure for the planning proposal?

According to 'A guide to preparing planning proposals', this question applies to Planning Proposals which will result in residential subdivisions in excess of 150 lots, substantial urban renewal, infill development or development and/or development that will result in additional demand on infrastructure (such as public transport, roads, utilities, waste management and recycling services, essential services such as health, education and emergency services).

The Planning Proposal seeks to rezone the site to accommodate higher residential densities and increase building height controls to establish a diverse residential community which will ultimately house approximately 800 residents. This would result in increased demand for local infrastructure. The site is serviced by a wide range of infrastructure and services within the locality. Additional infrastructure will also be suitably provided to support the Planning Proposal as demonstrated in the Infrastructure Report prepared by Calibre Consulting (NSW) Pty Ltd in Appendix G.

The site will have adequate water supply through a water reticulation to be installed that will connect to the existing mains at Barina Downs Road and Mackillop Drive. In respect of wastewater servicing, the site, which falls under two catchments will have adequate access to sewer reticulation. The northern catchment will drain the apartment buildings to the main in Hillsborough Way while the southern catchment will connect to the existing sewer main at Salamander Road.

Endeavour Energy will supply the required electricity from the Castle Hill zone substation via an 11kV feeder located at Barina Downs Road. It is noted that the Bella Vista zone substation may be used as a backup feeder. Jemena will be the natural gas service provider for the site with connections made from existing mains at Mackillop Drive and Barina Downs Road. In addition, NBN rollout has commenced in the area and it is believed that there is sufficient capacity to service the proposed development.

Q11. What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?

The views of State and Commonwealth public authorities will not be known until after the initial Gateway determination as no consultation has been carried with either of the authorities. The determination will identify the relevant State agencies to be consulted as part of the rezoning process.

7.4 Part 4 – Mapping

The Department's guidelines state that planning proposals should be supported by relevant and accurate mapping where appropriate. This mapping is provided within Appendix A in the Architectural Masterplan package and shown in Section 7.2 of this report.

7.5 Part 5 – Community Consultation

The Department notes that community consultation should be undertaken in respect of the Planning Proposal. 'A guide to preparing Local Environmental Plans' sets out requirements for community consultation and distinguishes between 'low impact' proposals and other types of planning proposals.

This Planning Proposal would require a standard consultation length of 28 days. The Gateway Determination will confirm the degree of community consultation required. Following Gateway Determination, the community consultation will be undertaken in accordance with the Gateway conditions.

7.6 Part 6 – Project Timeline

'A guide to preparing Planning Proposals' states that the primary goal of the plan making process is to reduce the overall time taken to produce LEPs. This Planning Proposal does not have a timeframe for completion. This timeframe will depend on Council's reporting and decision as well as the Department's assessment at Gateway.

8 Pre-lodgement Meeting Advice

A pre-lodgement meeting was held with The Hills Shire Council on May 2017 regarding the Planning Proposal for the subject site. Advice was given on the following:

- *The Planning Proposal will likely generate additional traffic to the area and a traffic impact report must be prepared to address the envisaged increase in traffic movements. This should be prepared as a worst case-scenario with no residents using the Norwest train station as a means of transport.*

A Traffic Impact Assessment was prepared by Ason Group (Appendix C) which details the envisaged increase in traffic movements. This was also addressed in Section 7.3 detailing Part 3 – Justification for the Planning Proposal.

- *Another consideration are the site constraints, in particular the stormwater and drainage of the site. Could you please make sure that the planning proposal addresses these concerns by providing a stormwater and drainage report which will propose methods to mitigate any risk/impact that will be associated with stormwater and drainage run-off from the site to any adjoining site.”*

This will be addressed during the development application stage.

- *Statement of objectives and intended outcomes, explanation and justification of the planning proposal in reference to the Department of Planning and Environment Guide to Preparing a Planning Proposal (2012)*

Section 7 addresses the Department of Planning and Environment guidelines for preparing Planning Proposals.

- *Address the inconsistencies the planning proposal has with the Northwest Rail Corridor Strategy and The Hills Corridor Strategy*

This is addressed in Section 7.3 – Justification for the Planning Proposal.

- *As the planning proposal will result in a yield that is higher than envisaged under any existing Contribution Plan, please address how the planning proposal will deal with this additional demand for local infrastructure as a result (i.e. traffic impacts, passive open space, active open space and provision of community facilities)*

This has been addressed throughout the Planning Proposal and supporting masterplan.

The proponent has proposed a VPA for additional local parks with embellishment as well as enhancement of pedestrian pathways to the rail station. The proponent is prepared to negotiate with Council on the relevant contributions for local infrastructure as a result of the proposed development.

9 Conclusion

This Planning Proposal has been prepared in accordance with Section 55 of the *Environmental Planning and Assessment Act 1979* and the Department of Planning and Environment's guidelines including 'A guide to preparing Planning Proposals' and 'A guide to preparing Local Environmental Plans' seeking an amendment to *The Hills Local Environmental Plan 2012* for a rezoning, increase in building height controls and modification to the heritage map for the subject site, being lots 1001 and 1002, 64 Mackillop Drive, Baulkham Hills and Lot 574 in DP 713531, 34 Salamander Grove, Baulkham Hills. These amendments would support a concept masterplan for the development of a diverse residential community within the locality. The Architectural Masterplan is included in Appendix A and shows the site characterised by the following:

- Eight 2-4 storey low rise residential flat buildings comprising of approximately 270 apartments along the frontage of Barina Downs Road
- Medium density housing consisting of approximately 110 multi dwelling housing (townhouses) and small lot dwellings
- Public park connecting the central spine of open space within the surrounding area
- Communal open space incorporating the ridgeline of trees and heritage farmhouse and curtilage, which will be adaptively reused

The proposed development of lots 1001 and 1002 in DP 1190982, at 64 Mackillop Drive, Baulkham Hills and Lot 574 in DP 713531, 34 Salamander Grove, Baulkham Hills provides a significant opportunity to ensure that the best outcome can be achieved to facilitate a high quality master planned residential development with a range of housing types that is sensitive to the site's natural character and heritage. The site is unique, being one of the remaining large landholdings within the Sydney Metro Northwest rail corridor to undergo transformation. The Planning Proposal would respond to strategic objectives and priorities for the Norwest Precinct as well as local and state government targets, unlocking the capacity for residents to be located closer to jobs and accessible public transport as well as new housing that caters for a range of lifestyle choices within The Hills Shire.

This Planning Proposal will require the following amendments to *The Hills LEP 2012* to support the concept residential masterplan:

- Rezoning by amending the 'Land Zoning Map':
 - From part R2 Low Density Residential and part R3 Residential to R4 High Density Residential (Lot 1002)
 - From part R2 Low Density Residential to part R3 Medium Density Residential, part RE1 Public Recreation and retaining an existing portion of R2 Low Density Residential (Lot 1001)
- Increase Building Height under Clause 4.3 Height of Buildings and amend the 'Height of Buildings Map':
 - From 9m to part 9m, part 12m and part 16m
- Amend the 'Heritage Map':
 - Heritage Item No. 17 applying to all of Lot 1002 to only include the heritage curtilage.

The Planning Proposal is supported by an offer from Aqualand to enter into a Voluntary Planning Agreement for improved public facilities such as open space land and embellishment, dedication of open space and pedestrian linkage through 34 Salamander Grove, public domain upgrades including improvement for pedestrian linkages to the Norwest Station, and contribution to active open space offsite.

It is believed that the Planning Proposal would result in a superior outcome for the site both in terms of built form and public benefits associated with the masterplan.

The Planning Proposal is submitted to Council for consideration and if supported, the Proposal will be submitted to the Department of Planning and Environment for a Gateway determination.

All strategic planning policies and statutory planning instruments have been taken into consideration and addressed within this Planning Proposal including A Plan for Growing Sydney, Draft West Central District Plan, North West Rail Link Corridor Strategy, The Hills Corridor Strategy, relevant Section 117 Directions, relevant State Environmental Planning Policies, and The Hills LEP 2012.

PLANNING PROPOSAL - 64 MACKILLOP DRIVE, BAULKHAM HILLS

Appendix A Architectural Masterplan
prepared by DKO Architecture
(NSW) Pty Ltd

AQUALAND

PLANNING PROPOSAL - 64 MACKILLOP DRIVE, BAULKHAM HILLS

Appendix B Statement of Heritage Impact
prepared by Eco Logical
Australia Pty Ltd

AQUALAND

PLANNING PROPOSAL - 64 MACKILLOP DRIVE, BAULKHAM HILLS

Appendix C Traffic Impact Assessment prepared by Ason Group

AQUALAND

PLANNING PROPOSAL - 64 MACKILLOP DRIVE, BAULKHAM HILLS

Appendix D Landscape Plans prepared by Mclean Design

AQUALAND

PLANNING PROPOSAL - 64 MACKILLOP DRIVE, BAULKHAM HILLS

Appendix E Arboricultural Impact
Assessment prepared by Eco
Logical Australia Pty Ltd

AQUALAND

PLANNING PROPOSAL - 64 MACKILLOP DRIVE, BAULKHAM HILLS

Appendix F Flora and Fauna Assessment
prepared by Eco Logical
Australia Pty Ltd

AQUALAND

PLANNING PROPOSAL - 64 MACKILLOP DRIVE, BAULKHAM HILLS

Appendix G Infrastructure Report prepared
by Calibre Consulting (NSW)
Pty Ltd

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PLANNING PROPOSAL - 64 MACKILLOP DRIVE, BAULKHAM HILLS

Appendix H Letter of offer for Voluntary Planning Agreement

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PLANNING PROPOSAL - 64 MACKILLOP DRIVE, BAULKHAM HILLS

Appendix I Consistency with the SEPPs

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PLANNING PROPOSAL - 64 MACKILLOP DRIVE, BAULKHAM HILLS

Appendix J Consistency with the s117 Ministerial Directions

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PLANNING PROPOSAL - 64 MACKILLOP DRIVE, BAULKHAM HILLS

Appendix K Draft DCP amendment

AQUALAND

