

2nd February 2018

Department of Planning & Environment
Level 1, 10 Valentine Avenue,
Parramatta, 2150

Attention: Mr. Adrian Hohenzollern
Team Leader, Sydney Region West
Planning Services

Dear Adrian,

**Re: Our request for a Rezoning Review – RR_2018_THILL_001_00
64 Mackillop Drive and 34 Salamander Grove, Baulkham Hills (408
dwellings) – Ref IRF 18/415**

I refer to Aqualand's request for a Rezoning Review submitted to the Department of Planning and Environment on 25 January 2018 and receipted 31 January 2018.

The application noted that the Strategic and Site Specific Merit Assessment would be submitted by 3 February 2018 due to public holidays and the Christmas holiday period.

Accordingly, please find attached the required assessment document for consideration in the Rezoning Review process.

Aqualand would welcome a meeting to discuss any aspect of the planning proposal, or any request for additional information or clarification and in this regard do not hesitate to contact either myself on (02) 9228 1800 or our Planning Manager, Jeff Ellis on (02) 9228 1842.

Thank you in advance for accepting and considering our rezoning review application.

Yours sincerely,



Tony Pizzolato
Head of Development

STRATEGIC & SITE-SPECIFIC MERIT ASSESSMENT

REZONING REVIEW APPLICATION

1. Background

The Planning Proposal was prepared on behalf of the applicant, Aqualand Dee Why Development Pty Ltd (Aqualand) by Calibre Consulting (NSW) Pty Ltd, and proposes 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 Hills Local Environmental Plan 2012 (Amendment No 8) which applies to 64 Mackillop Drive, Baulkham Hills came into force on the 22nd November 2013.

64 Mackillop Drive was purchased by Aqualand in 2016 and settled in 2017 (not shortly after 2013 as purported by Council).

34 Salamander Grove was purchased by Aqualand in May 2017.

The Planning Proposal, subject of this rezoning review application, was lodged with The Hills Shire Council on the 25th September 2017.

The Council advised by letter dated 18 December 2017 that the Council at its meeting of 12 December 2017 resolved that the Planning Proposal not proceed to Gateway Determination.

The Planning 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 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.

2. Rezoning Review

The rezoning review process aims to increase independence, transparency and to focus reviews on a Strategic Merit Test and a Site-Specific Merit test.

As required, this submission letter aims to demonstrate that the Planning Proposal satisfies both tests.

In preparing this justification, consideration has been given to the following publications:

- A Guide to Preparing Local Environmental Plans published by the Department.
- Planning Circular, PS16-004 Independent reviews of plan making decisions published by the Department.

3. Strategic Merit Test

To decide whether a Planning Proposal has Strategic Merit and should proceed to a Gateway determination, proposals are assessed to determine if they are:

- consistent with the relevant regional plan outside of the Greater Sydney Region, the relevant district plan within the Greater Sydney Region, or corridor/precinct plans applying to the site, including any draft regional, district or corridor/precinct plans released for public comment;
- or consistent with a relevant local strategy that has been endorsed by the Department; or
- responding to a change in circumstances, such as the investment in new infrastructure or changing demographic trends that have not been recognized by existing planning controls.

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.

The detailed Planning Proposal submission prepared on behalf of Aqualand by Calibre Consulting (NSW) Pty Ltd demonstrates the Strategic Merit of the Planning Proposal (at the time of submission) with it noted that in October 2017, after submission of the Planning Proposal the Greater Sydney Commission released the Revised Draft Central City District Plan.

The following section first addresses the Revised Draft Central City District Plan followed by the other relevant Strategic plans and strategies as per the Planning Proposal submission.

In summary it is considered that the Planning Proposal clearly meets the Strategic Merit Test and accordingly has strategic merit.

3.1. Revised Draft Central City District Plan

The revised draft Central City District Plan sets out Directions and Planning Priorities for the district to manage growth while enhancing liveability, productivity and sustainability into the future. It is a guide for implementing the draft Greater Sydney Region Plan by district, providing a relationship between local and regional planning.

Within the catchment of the Central River City, The Hills and particularly Norwest will play a pivotal role in supplying both jobs and housing in a dynamic and growing population.

The Revised Draft Central City District Plan sets out Planning Priorities and Actions

The Planning Proposal is consistent with the following Planning Priorities of the Draft Central City District Plan.

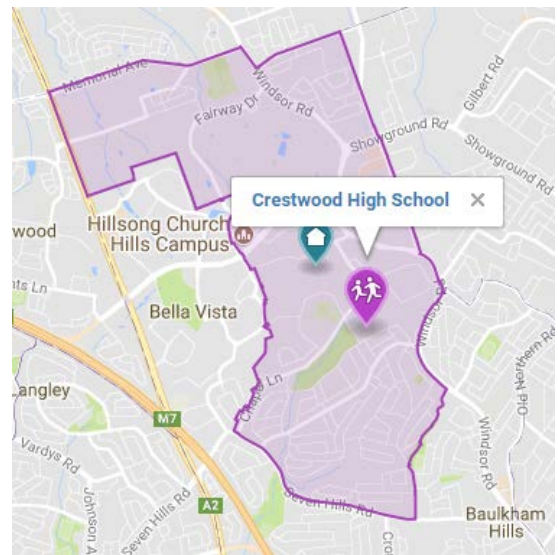
Liveability

3.1.1 Planning Priority C3 - Providing services and social infrastructure to meet peoples changing needs.

The Planning Proposal responds to population growth and composition by providing a range of dwelling types and sizes across the site, linked through a proposed network of public and private open space and walkways linking this community to others.

The Planning Proposal includes a newly purchased, adjoining 767m² residential property which will be incorporated as public open space, providing access through and beyond the site. The redesign of the approved 8,783m² drainage reserve by removing and better designing drainage infrastructure, committing to park design and augmentation and incorporating the adjoining residential property will result in a quality 9,550m² local park, adding to the rich tapestry of open space in the neighbourhood.

The Planning Proposal provides connectivity through the site from the imminent Norwest Station and growing a strategic centre to the established areas to the south. This adjacent established area includes a rich network of open space and walking/cycling tracks and trails (Charles McLaughlin Reserve, Crestwood Reserve, Snake Pit, Mackillop Drive Reserve, The Baulkham Hills Walk, Heritage Trail), Crestwood Public and High Schools (the site is within these school catchments as depicted below) and other community infrastructure including Crestwood community centre, churches and childcare.



Source: Dept. of Education Website

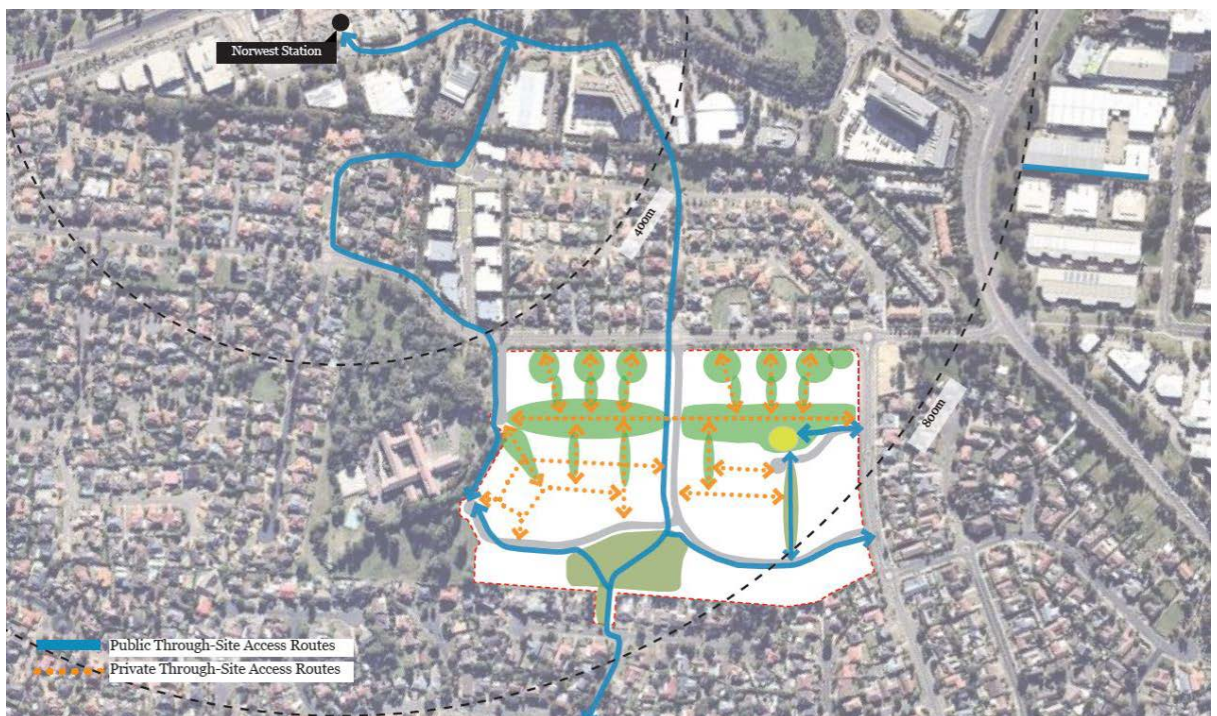
3.1.2 Planning Priority C4 – Fostering healthy, creative, culturally rich and socially connected communities

The Planning Proposal fosters the key aspects of the existing, established neighbourhood providing walkable streets, extensions to the tracks and trails and open space network that provide safe access to schools, social interaction, recreation and facilitate physical activity and a healthy lifestyle for existing and new residents.

This extension to the existing network provides access through the site to the new Norwest Station and growing CBD and similarly from that area to the wealth of open space, playing fields and green trails through Crestwood and beyond. The existing open space network is enhanced by new public parks and walkways proposed by the Planning Proposal encapsulating the heritage of the area through interpretative recognition of Indigenous Culture, European Land Use (Sisters of St Josephs) built form (the farmhouse) and natural environment (remnant bushland).

Whilst originally offered (but discounted by Council), the heritage farmhouse provides a unique opportunity for use by the wider community. Proposed as a community hub for residents within the Planning Proposal development the space is ideal for use by the wider community by offering invitation to classes such as yoga, art, or booking for interest groups such as mothers groups, clubs and the like. This public activation can occur in conjunction with the hub being primarily for residents of the site.

The following diagram shows the proposed links and open space.



Source: DKO

3.1.3 Planning Priority C5 - Providing housing supply, choice and affordability with access to jobs and services

The Planning Proposal site is vacant, has an area of 125,000m² or 12.5 hectares and is approximately 550-600 metres walking distance from the Norwest Railway Station and adjacent Norwest Strategic Centre.

A fundamental feature of the Planning Proposal is to provide housing diversity and choice. The proposal maintains large lot, single dwellings adjacent to other existing similar dwellings along the southern boundary (the furthest part of the site from the Norwest Station). The proposal then steps through to medium density and small lot housing in the mid part of the site closer to Norwest Station. The ridgetop is maintained as a mix of private-communal and public open space. The section of the site adjacent to Barina Downs Road is proposed to accommodate 2 to 4 storey residential flat buildings containing a range of unit sizes and is the closest part of the site to Norwest Station.

The Planning Proposal responds to the sites proximity to the Norwest Strategic Centre and train station, accessibility to jobs, provides a range of housing configurations (1, 2, 3 or more bedrooms), retains heritage, cultural, natural and visual elements and provides a transition between different built forms.

It is noted that realisation of the development proposed by the Planning Proposal will extend through to approximately 2023, beyond the current 5-year (2016-2021) housing target of 8,550 dwellings for The Hills. This additional new supply can be taken into account in The Hills rolling program to deliver the 20-year district strategic supply.

It is noted that prior to lodging the Planning Proposal the inclusion of affordable or key-worker housing was raised with but rejected by Council officers, Aqualand however would welcome discussion for inclusion of this form of housing.

3.1.4 Planning Priority C6 - Creating and renewing great places and local centres, and respecting the District's heritage

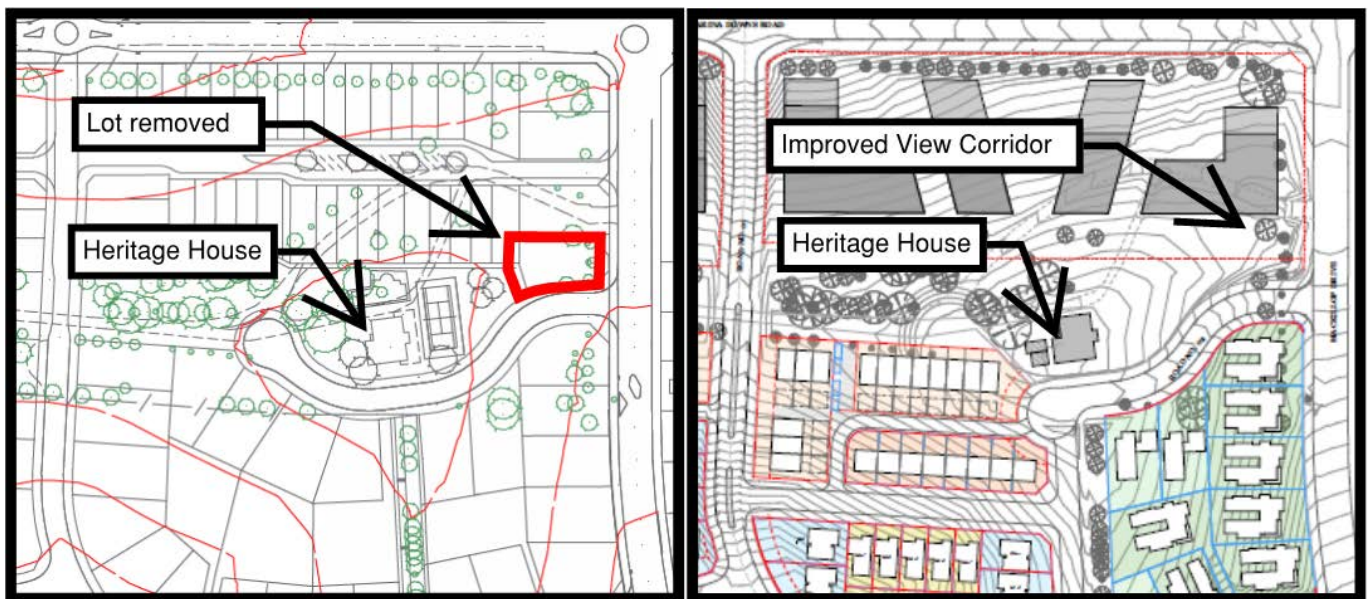
The Planning Proposal is consistent with this planning priority. An intrinsic feature of the proposal is its focus on open space, the heritage of the site and creating a people-friendly public realm.

The Planning Proposal extends the established local open space network through the site, connecting this community and others. The proposal significantly adds to the open space network by adding the through site link and open space on 34 Salamander Grove, rethinking what was an 8,783m² drainage reserve adjoining 34 Salamander Grove by reconsidering drainage infrastructure (in consultation with Council) and committing to a park design that provides new 9,550m² local park for the wider community. Additionally, a VPA offer of a new 1600+m² ridgetop public park further enhances this network and opportunities for social interaction and community use.

The location of different housing typologies enhances the permeability and walkability of the site. For instance, the location of apartments along Barina Downs Road creates a landscaped setback that is in the public realm, as opposed to the many private front yards proposed in the current approved concept of small lot housing. Similarly, the location of parking within basements of the apartments reduces the expanse of at grade hard paving used for access and parking, freeing the ground plane for landscaping and social interaction.

The ridgetop of the site has been retained as open space which will be utilised for communal open space by residents of the development, through-site links for the greater community and as offered in the VPA a new public park (1600m² with opportunity for a larger space subject to discussion).

The site contains a Local Heritage Item (#17 The Hills LEP 2012) located within the ridge top open space towards Mackillop Drive. This original farm house is proposed to be adaptively reused as a Community Hub for the residents of the development, there is also opportunity for use by the wider community by attending classes or hiring for use. The view to the farm house from Mackillop Drive has also been enhanced in the Planning Proposal by removing potential-built form between it and the street.



Source: Aqualand

It is noted that the farm house and curtilage's potential dedication to Council was rejected by Council officers and accordingly is not pursued in the current Planning Proposal's VPA offer.

Productivity

3.1.5 Planning Priority C9 - Delivering integrated land use and transport planning and a 30-minute city

The Planning Proposal enhances the local walking and cycling network by providing access through the site and new connections to the adjacent neighbourhoods. This will provide wider and easier access to the Norwest Strategic Centre and train station and facilitate access to jobs and services locally and further afield.

Sustainability

3.1.6 Planning Priority C15 - Protecting and enhancing bushland and biodiversity

This Planning Proposal retains remanent vegetation as green infrastructure within open space proposed to be dedicated to Council.

3.1.7 Planning Priority C16 - Increasing urban tree canopy cover and delivering Green Grid Connections

This Planning Proposal enhances the green grid connections in the local neighbourhood and provides access through and beyond the site.

3.1.8 Planning Priority C17 - Delivering high quality open space

An intrinsic feature of this Planning Proposal is the high quality open space. This will be delivered through private, communal and public open space, retaining a landscaped ridgeline, well vegetated streetscapes and by the new public open space and green connections proposed by the addition of 34 Salamander Grove into the site.

The 1600m² park proposed to be dedicated to Council is located adjacent to the new central road, adjacent to the rear of the farm house. The size of the park is able to be increased and Aqualand welcomes discussion with Council. It is noted that Council mistakenly identified this new park as being the tree lined walkway which was already required to be dedicated under the current approval. Aqualand confirms that our proposal is a new park, regular in shape and includes an area of remnant vegetation.



Source: Aqualand

The current approval located a large 8,783m² drainage reserve adjacent to the southern boundary of the site. Aqualand has been actively working with Council to better locate drainage infrastructure, including removing the bio retention pond, so the drainage reserve can be redesigned as an attractive family park. This vision has been further enhanced by the purchase and inclusion of 34 Salamander Grove (767m²) into the Planning Proposal site. This additional land will provide an extension of the park and green connections. This new park will have an area of approximately 9,550m².

A principal aim of this Planning Proposal is to provide connectivity through the site, linking new and existing public open space for not only this new neighbourhood but also the wider community. This is further enhanced through the location of high quality private, communal open space which will create a park like environment.

3.2. Other Strategic Plans and Strategies

3.2.1 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, 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.

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 and 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 Planning 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.

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.

3.2.2 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.

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.

3.2.3 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 higher 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.

4. Site Specific Merit Test

Having clearly met the Strategic Merit Test, as outlined above, the following section demonstrates that the Planning Proposal has site specific merit, having regard to:

- the natural environment (including known significant environmental values, resources or hazards);
- the existing uses, approved uses and likely future uses of land in the vicinity of the land subject to the proposal; and
- the services and infrastructure that are or will be available to meet the demands arising from the proposal and any proposed financial arrangements for infrastructure provision.

As well as demonstrating consistency with established strategic planning objectives and directions under the strategic merit test, a proponent seeking a Rezoning Review must also establish that the Planning Proposal demonstrates site specific merit in relation to the following matters:

4.1 The natural environment (including known significant environmental values, resources or hazards);

Justification

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

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 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. It is noted that Aqualand are actively working with Council to enhance the stormwater system approved in conjunction with the original approval DC6/2012/JP.

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

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 forms part of the Planning Proposal documentation. 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 previously approved 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 Planning 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 Planning 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”.

4.2 The existing uses, approved uses and likely future uses of land in the vicinity of the land subject to a proposal;

Justification

It is considered that the Planning Proposal is suitable in terms of the existing uses; approved uses and likely future uses of land in the vicinity of the site.

The Planning Proposal will in effect, increase residential density of an existing residential zone in an area that is within close proximity to Norwest, which is a large employment hub. The proposal will not change the areas and locations of existing business and industrial zones or reduce the FSR for employment and industrial uses.

The Planning Proposal would contribute to allowing homes to be closer to jobs. The planned growth of the Norwest Precinct would complement the increased residential density proposed for the site.

The Planning Proposal seeks to provide increased residential density and will ensure that greater housing choice will be provided for the locality, including well designed apartments, small lot housing and low density detached dwellings. The apartments and medium density housing are in appropriate locations within close proximity of the Norwest hub and train station (450m-600m). The Planning Proposal will therefore encourage more efficient use of existing infrastructure and services.

Additional public open space will be provided as part of the development of the site to address social infrastructure demand as a result of the growth in population.

The Planning Proposal would contribute towards the development of Norwest as a concentrated centre containing appropriate densities of housing within an acceptable walking distance (which is noted as 400 to 1000m) of a major public transport node, being the future Norwest Station, which will provide access to the wider metropolitan rail network within Sydney including key centres along the Global Economic Corridor. In addition, homes would be located closer to employment and essential services that are available in the growing Norwest Precinct. This would reduce travel demand, including the number of trips generated by the development and the distances travelled and support the efficient and viable operation of public transport services.

The Planning Proposal would support the facilitation of high quality street networks with multiples and direct connections for pedestrians and cyclists to the station. These street connections would be safe, permeable and well-designed to encourage pedestrian use, rather than discourage usage. Street connectivity would allow for a range of movement options and reduce dependence on cars.

4.3 The services and infrastructure that are or will be available to meet the demands arising from the proposed financial arrangements for infrastructure provision.

Justification

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 will result in increased demand for local infrastructure.

The site is serviced by a wide range of infrastructure and services within the locality.

- General

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.

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. It is noted that Aqualand are actively working with Council to enhance the stormwater system approved in conjunction with the original approval DC6/2012/JP.

- 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 the Planning Proposal documentation to address the envisaged increase in traffic movements and concludes that the proposal is “supportable on traffic planning grounds”.

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.
- Voluntary Planning Agreement

The 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 details that the key items to be offered through the VPA are:

- Dedication of 1,600m² ridge line park (\$2.0m)
- Upgrade of Drainage Reserve (Lot 214) to Public Park including landscaping, pathways and plantings. (\$0.65m)
- 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)
- Public domain upgrades offsite including lighting for pedestrian link to the station (Fairmont Avenue to Brookhollow Avenue), new footpaths and streetscape works. (\$1.5m)
- Offsite active open space contribution (\$1.0m)

Aqualand welcomes discussion with Council regarding the VPA and any of the items offered. For instance, the size of the ridge line park has the potential to be increased if considered desirable.

5. Conclusion

This rezoning review request has been prepared in accordance with the Departments A *Guide to Preparing Local Environmental Plans and Planning Circular, PS16-004 Independent reviews of plan making decisions.*

The Rezoning Review has been submitted as The Hills Council resolved that the Planning Proposal not proceed to Gateway Determination.

The Planning Proposal was initiated by Aqualand 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 Norwest 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 Planning Proposal are:

- The Planning 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 Planning 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 Planning 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 Planning Proposal significantly responds to the growing changes within the area and also thoughtfully integrates with the context of the existing locality.
- The Planning Proposal will provide local infrastructure in the form of additional pedestrian and cycling linkages to and from Norwest station, through the site and to adjoining neighbourhoods. The Planning Proposal provides additional public open space which adds to the established open space network of the area.
- The Planning Proposal retains significant mature trees fronting Barina Downs Road and also within the site, not only ensuring the amenity of adjoining residences but also protecting high value vegetation from the Cumberland Plain Woodland community.
- The Planning Proposal results in the retention and enhancement of heritage values on site with the adaptive re-use of the farmhouse and associated curtilage.

The Planning Proposal clearly has strategic merit and is consistent with:

- Draft Greater Sydney Region Plan
- Draft Central City District Plan,
- A Plan for Growing Sydney,
- North West Rail Link Corridor Strategy – Norwest Station Structure Plan
- The Hills Corridor Strategy

The Planning Proposal clearly has site specific merit considering the natural environment; existing, approved and likely uses of land in the vicinity of the site; and the availability of or financial arrangements for services and infrastructure to meet the demand arising from the development.

Based on the above support for the Planning Proposal to proceed to Gateway Determination is justified and a positive rezoning review is sought by Aqualand.