

# **Updated Planning Proposal**

**The Hills Club  
Baulkham Hills**



**Amendment to The Hills Local Environmental Plan 2019**

**Prepared for The Hills Club  
Submitted to The Hills Shire Council**

**February 2021 (Updated March 2022, August 2022)**

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## Contact



This report has been prepared by:



Cameron Thomson BCP (Hons)  
Planner  
E: [cameron@keylan.com.au](mailto:cameron@keylan.com.au)



Padraig Scollard BA MURP  
Principal Planner  
E: [padraig@keylan.com.au](mailto:padraig@keylan.com.au)

This report has been reviewed by:



Michael Woodland BTP  
Director  
E: [michael@keylan.com.au](mailto:michael@keylan.com.au)

Cover image: the site (Source: Altis)

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4	CT & PS	MW	04/02/2022	Draft (Updated)
5	CT & PS	MW	03/03/2022	Final (Updated)
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## Executive Summary

This report has been prepared by *Keylan Consulting Pty Ltd* on behalf of The Hills Club working with Arden Clubs (Arden) in support of a Planning Proposal to The Hills Shire Council (Council) for a site at 6-18 Jenner Street, Baulkham Hills (the site).

The August 2022 Updated Planning Proposal (Planning Proposal) seeks an amendment to *The Hills Local Environmental Plan 2019* (HLEP 2019) to facilitate its urban renewal and future mixed use development. This Proposal has been updated to respond to comments by the Local Planning Panel.

The Planning Proposal retains the site's RE2 Private Recreation zone and will amend the maximum building height and floor space ratio (FSR) controls, as currently set out in the HLEP 2019.

The Planning Proposal also seeks to include a Schedule 1 Amendment to allow additional permitted uses on the site. The proposed additional uses include residential accommodation including seniors housing, shop top housing and residential flat buildings, commercial premises and registered Club.

The Hills Club is the legal owner of the site and has entered into an agreement with Arden to redevelop the site due to the aging and declining nature of the existing clubhouse and associated facilities. Arden is an experienced development company in redeveloping sporting and community clubs. The Planning Proposal has been developed through a collaborative process undertaken jointly by The Hills Club Board and Arden.

The vision for the site is a revitalised modern club with state-of-the-art bowling and community facilities, civic and communal spaces and a greater diversity of activities available to its members and the broader community. The Club will continue to function as the heart of the site and will be supported by a diversified set of uses including commercial, residential and seniors accommodation, ensuring its long term viability.

The proposal will lead to a wide range of public benefits to the local and broader community including new jobs, improved traffic and transport outcomes and improved linkages to the Town Centre.

### The site

The site has an area of 13,409.6m<sup>2</sup> with street frontages of 117 metres to Jenner Street and 137 metres to Old Northern Road. The site falls 8 metres from Old Northern Road to Jenner Street.

The site is located within the Baulkham Hills Town Centre and is approximately 6.5km to the Parramatta CBD and approximately 24km to the Sydney CBD.

The site is currently occupied by The Hills Club which is a bowling club with 3 bowling greens; clubhouse; restaurant; at grade car parking; and ancillary facilities.

The site does not contain any heritage items under the HLEP 2019. The site adjoins a heritage item to the north and an archaeological item to the south.

## The August 2002 Updated Planning Proposal

The Planning Proposal seeks to retain the RE2 Private Recreation Zone and apply a maximum building height and floor space ratio (FSR) controls to the site under the HLEP 2019. The Planning Proposal also seeks to include a Schedule 1 Amendment for additional permitted uses on the site to allow residential and commercial uses (Table 1).

The primary objective of the Planning Proposal is to retain The Hills Club and RE2 Private Recreation zone and to facilitate the redevelopment of the site. The proposed redevelopment is summarised below:

- 3,108m<sup>2</sup> of community floor space for the Hills Club<sup>1</sup>
- 152m<sup>2</sup> of commercial/retail space<sup>2</sup>
- 228 residential apartments<sup>3</sup> across 4 buildings comprising market residential and seniors housing

The proposal involves a single tower building fronting Old Northern Road with a height of 6 to 18 storeys and 3 buildings fronting Jenner Street ranging in height from 5 to 6 storeys. The Planning Proposal comprises a variety of dwelling types/apartment mix which are fully compliant with The Hills DCP 2012.

The proposed amendments to the LEP land uses and development standards are detailed below (Table 1).

Planning control	Existing Controls	Original Planning Proposal	Planning Proposal March 2022	Planning Proposal August 2022
<b>Land use zone</b>	RE2 Private Recreation	RE2 Private Recreation	RE2 Private Recreation	RE2 Private Recreation
<b>Height</b>	N/A	68m (21 storeys)	Part 54m and part 20m (16 and 6 storeys)	Part 63m and part 20m (18 and 6 storeys)
<b>FSR</b>	N/A	2.5:1	2.31:1	2.24:1
<b>Schedule 1 Additional permitted uses</b>	N/A	<ul style="list-style-type: none"> <li>• Residential accommodation including seniors housing, shop top housing and residential flat buildings</li> <li>• Registered Club</li> <li>• Commercial premises</li> </ul>	<ul style="list-style-type: none"> <li>• Residential accommodation including seniors housing, shop top housing and residential flat buildings</li> <li>• Registered Club</li> <li>• Commercial premises</li> </ul>	<ul style="list-style-type: none"> <li>• Residential accommodation including seniors housing, shop top housing and residential flat buildings</li> <li>• Registered Club</li> <li>• Commercial premises</li> </ul>

Table 1: Summary of Planning Proposal

<sup>1</sup> All figures provided are approximates

<sup>2</sup> All figures provided are approximates

<sup>3</sup> All figures provided are approximates

## Planning Proposal Refinements

This Planning Proposal has been updated following further consultation with Council undertaken after the lodgement of the original Planning Proposal in February 2021 and the updated Planning Proposal in March 2022.

The Updated Planning Proposal submitted in March 2022 sought significantly reduced built form controls to respond to Council's concerns regarding overdevelopment of the site and the planned urban structure of Baulkham Hills.

In summary, the March 2022 Updated Planning Proposal was modified as follows:

- a 5 storey reduction (23%) reduction in height along Old Northern Road
- a 2,547m<sup>2</sup> (8%) reduction in maximum gross floor area
- 43 (16%) fewer units

The reduction in built form was also accompanied by a 90.5% (\$2.85 million) increase in the value of the letter of offer to enter a VPA (Appendix 8). A comparison of the built form along Old Northern Road sought under the original Planning Proposal and the March 2022 Planning Proposal is shown in the figure below.

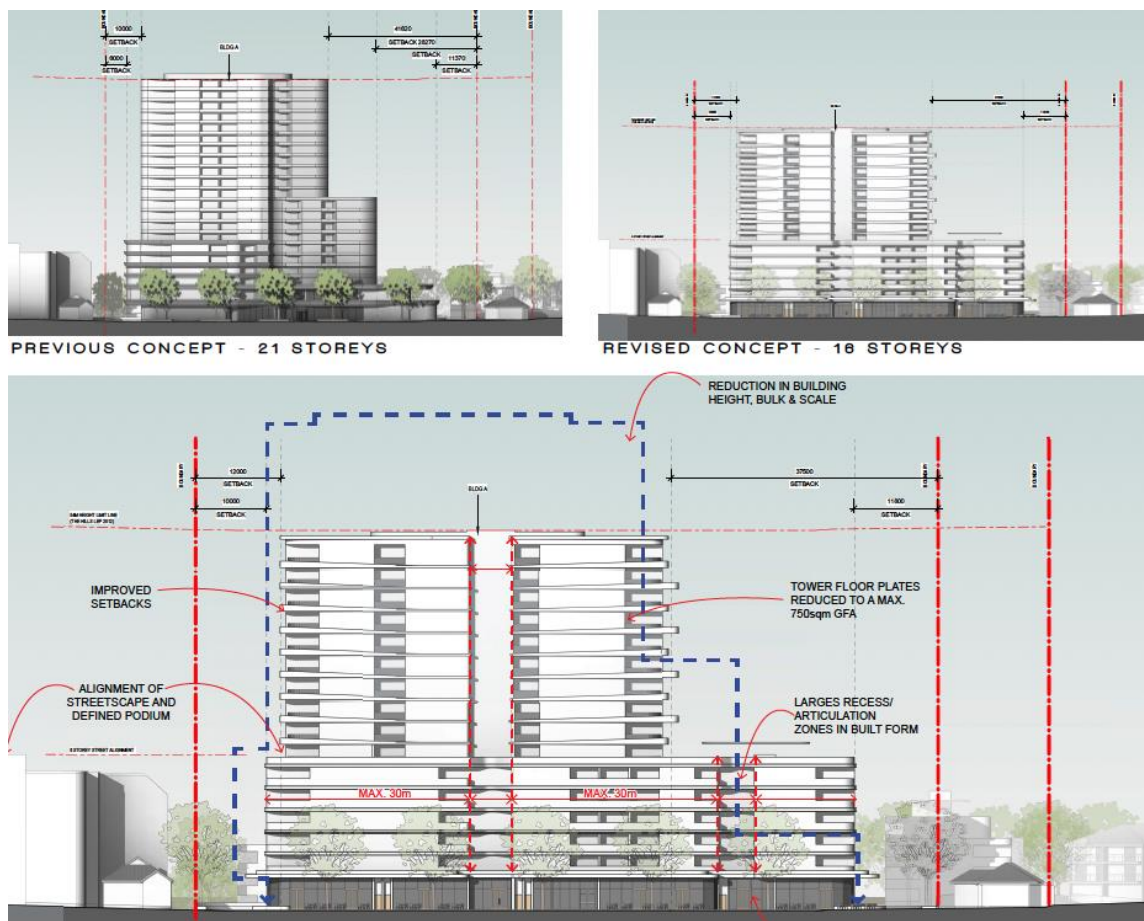


Figure 1: Comparison of original and revised concept plans (Source: Altis)



The August 2022 Updated Planning Proposal now includes further amendments in response to urban design and built form concerns raised by The Hills Local Planning Panel.

The Updated Planning Proposal has significantly amended the built form in accordance with the LPP recommendation as follows:

- the building length along the Old Northern Road frontage is reduced to 65m (p34 of Architectural Package)
- increased northern and southern setback are provided on the Old Northern Road frontage, providing view lines and passive surveillance to the communal open space and bowling greens within the centre of the site (p47 of Architectural Package)
- an increased front setback at ground level is provided to Old Northern Road to achieve a wider footpath and to improve sight-lines to Creasy's Cottage (p47 of Architectural Package)
- an additional through-site link is provided along the northern boundary, improving the permeability and walkability of the area (p42 of Architectural Package)
- the southern through site link has been amended to provide a more direct path of travel (p42 of Architectural Package)
- the tower height of Building A fronting Old Northern Road is increased from 16 to 18 storeys to facilitate the above changes while maintaining an appropriate density and FSR of 2.24:1 at the site (p34 of Architectural Package)

The above amendments are demonstrated in the below figure.

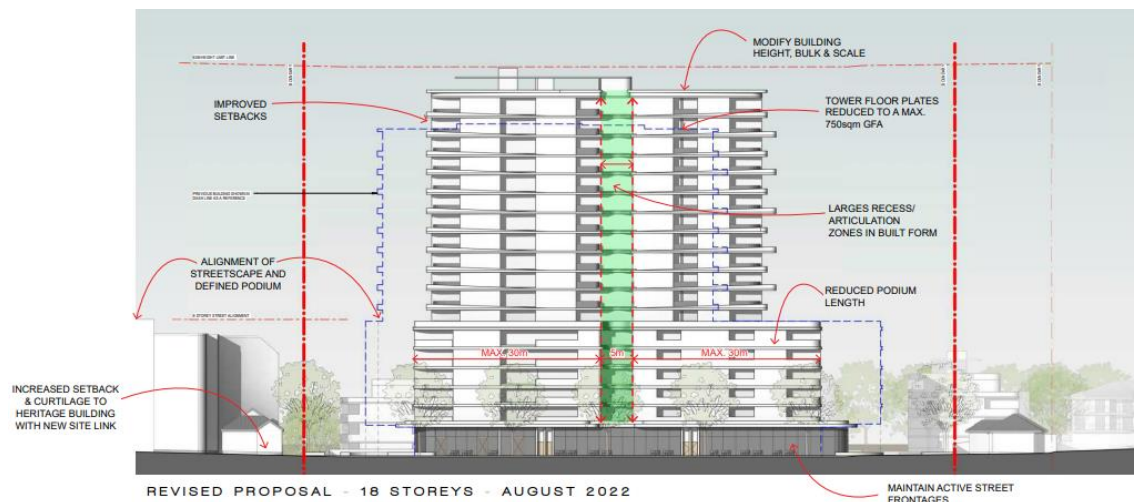


Figure 2: Old Northern Road elevation showing amendments from the previous version of the Planning Proposal (Source: Altis)

The revised densities are considered appropriate for the site as it can offer additional dwellings within a high amenity and accessible area which is close to shops and services. This contrasts many other key sites within the Baulkham Hills Town Centre which suffer from poor amenity, accessibility and isolation resulting from the Windsor Road corridor and intersection.

### **Draft Site Specific Development Control Plan (DCP)**

The Planning Proposal is supported by a Draft Development Control Plan (DCP) (Appendix 9). The Draft DCP provides detailed objectives and controls to guide the future development of the site in a way which promotes a high quality design outcome and ensures development responds to the site's context.

The DCP also describes the desired future character of the site as a high-quality mixed use development which activates Old Northern Road and retains private recreation uses at its core.

### **Strategic Planning Merit**

The Planning Proposal has been prepared in consideration of the following strategic plans and policies prepared by the NSW State government and The Hills Shire Council (Council):

- *Greater Sydney Region Plan – A Metropolis of Three Cities*
- *Central City District Plan*
- *Baulkham Hills Town Centre Draft Master Plan*
- *Baulkham Hills Town Centre Draft Public Domain Plan*
- *Future Transport Strategy 2056*
- *Hills Future 2036: Local Strategic Planning Statement*
- *Hills Future 2017 – 2021: Community Strategic Plan*

The Planning Proposal demonstrates consistency with the relevant objectives and actions set out in the above listed strategic plans and policies. In particular, the Planning Proposal will revitalise The Hills Club, a key piece of social infrastructure within the Baulkham Hills Town Centre. The Planning Proposal will also provide for increased housing and a variety of housing types including seniors housing within an accessible location.

The Hills LSPS states Baulkham Hills town centre is an urban renewal area for development and assigns a growth target of 600 new dwellings in Baulkham Hills by 2036. Furthermore, the Baulkham Hills Town Centre Draft Master Plan identifies the site as a 'Strategic Investigation Site' being suitable for approximately 80 dwellings and 4,000m<sup>2</sup> retail/commercial floor space.

The proposal will contribute to the urban renewal of the Baulkham Hills Town Centre through the redevelopment of an identified strategic Investigation site, providing approximately 228 residential dwellings, 3,108m<sup>2</sup> of club floor space and 152m<sup>2</sup> of retail/ commercial floor space.

Based on the above, the proposal will positively contribute towards achieving the housing and employment generating floor space targets established for Baulkham Hills under both the Hills LSPS and the Baulkham Hills Town Centre Draft Master Plan.

The Planning Proposal has been prepared in accordance with the requirements of Section 3.33 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and in consideration of the *Department of Planning, Industry and Environment's* (DPIE's) *A guide to preparing Planning Proposals* (2018) and *A guide to preparing local environmental plans* (2018).

The Planning Proposal is supported by technical information and investigations to justify the proposed amendments.

An assessment has also been undertaken against the relevant environmental planning instruments (EPIs) that apply to the site and Local Directions issued by the Minister for Planning and Public Spaces under Section 9.1 of the EP&A Act (formerly section 117).

### **Site Specific Merit**

The characteristics of the site, its land use context and its location are described in Section 4 of this report. The site is suitably located and well positioned to accommodating the Planning Proposal as:

- the site is strategically located within the Baulkham Hills Town Centre providing an opportunity for urban renewal and activation of both Old Northern Road and Jenner Street
- it is identified as a Strategic Investigation Site under the Baulkham Hills Town Centre Draft Master Plan, which identifies the site as being suitable for approximately 80 dwellings and 4,000m<sup>2</sup> retail/commercial floor space
- provides an opportunity to revitalise an existing and underutilised recreational facility, resulting in positive economic, social and community benefits and safeguarding the long term financial viability of The Hills Club
- is suitably located to provide a range of housing choices where residents will have ready proximity to a range of facilities and amenities for recreating and socialising, directly supporting their health and wellbeing
- is well positioned to provide increased local employment opportunities through the creation of enhanced and expanded club and retail facilities
- it is well serviced by public transport, including regular bus services to two Metropolitan City Centres (Sydney & Parramatta) and eight strategic centres (Hornsby, Norwest, Castle Hill, Blacktown, Epping, Macquarie Park, St Leonards, North Sydney)
- provides an opportunity to improve permeability between Baulkham Hills Town Centre and the surrounding area

### **Environmental, social and economic considerations**

The Planning Proposal is accompanied by various technical reports and studies that assess the relevant environmental, social and economic issues to the proposed amendments to the HLEP 2019, including the following:

- Social and Economic Impact Assessment
- Urban Design Report / Architectural Package
- Landscape and Public Domain Concept
- Transport Impact Assessment (TIA)
- Heritage Impact Statement
- Geotechnical / Service Infrastructure & Acoustic Assessments
- Flora, Fauna and Arboriculture
- Contamination

The Planning Proposal is found to have minimal and acceptable environmental impacts and will provide net social and economic benefits for Baulkham Hills and the wider Hills Local Government Area (LGA). These issues are discussed in further detail in Section 6.

## Traffic and Transport

The site fronts Old Northern Road, which is a classified road and the proposal includes a new connection to Old Northern Road for the purposes of loading access to Building A. Detailed consideration of section 2.119 of the Transport and Infrastructure SEPP has been given within the TIA.

The TIA demonstrates that the proposed loading dock access from Old Northern Road is acceptable as:

- the additional traffic produced by the loading dock will be negligible in comparison to existing traffic volumes
- adjacent developments on Old Northern Road are non-residential and unlikely to be impacted by additional traffic volumes
- the proposed location is the most practical access point for service vehicles and preserves the amenity of residential areas to the east of the site
- works to add the access to the existing traffic signal intersection of Old Northern Road and Olive Street will include construction of a pedestrian crossing to improve the safety of the existing intersection
- the design of the development will incorporate appropriate measures to ameliorate potential traffic noise or vehicle emissions

## Public Benefits

The urban renewal and transformation of the site will result in significant public benefit for the new communities within the site, existing communities and the surrounding neighbourhood. These public benefits include:

- revitalise The Hills Club by providing new community and commercial facilities including 2 new multi-use synthetic bowling greens to expand and improve recreational facilities within Baulkham Hills
- approximately 228 residential apartments including seniors living to supply the growing suburb with a diverse housing choice
- **\$130 million direct investment in the local area** during the construction stage - a key investment in the local community
- **255 direct and 408 indirect FTE jobs<sup>4</sup>** during the construction stage
- **663 FTE construction-related positions** (direct and indirect) over the lifetime of the project
- **132 FTE jobs** (direct and indirect jobs) once fully occupied and operational, representing an almost 700% increase in employment compared to the existing operation (noting that without change existing jobs will continue to dramatically decrease, on the site and within Baulkham Hills Town Centre)
- two east-west public through site links, along the northern and southern site boundaries respectively, increasing permeability through the site and to Baulkham Hills Town Centre
- contribute to the renewal of Baulkham Hills Town Centre by providing supporting land uses and an improved streetscape outcome with an active frontage to Old Northern Road

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<sup>4</sup> Please note all jobs figures are approximates

The Planning Proposal is accompanied by a Letter of Offer to enter into a Voluntary Planning Agreement (VPA) with Council. The letter of offer includes a contribution valued at **\$7.65 million** including contributions towards upgrades to George Suttor Reserve and traffic/pedestrian improvements surrounding the site.

#### **Next Steps**

- Consideration of the Planning Proposal by The Hills Council and (subject to in-principle support), submission to DPIE
- Continue to work with Council on detailed DCP controls for the site
- Council to place the Planning Proposal, Draft DCP and supporting studies on formal public exhibition
- Continue working with The Hills Council and State agencies on the provision of associated infrastructure and VPA including relevant delivery mechanisms
- Consideration of submissions by Council following public exhibition
- Finalisation of the LEP and DCP amendments



## **1 The Hills Club – community benefit for future generations**

### **1.1 The Case for Change**

The Hills Club is currently negotiating a range of structural and cyclical factors including demographic changes, social needs as well as impacts from the COVID-19 pandemic.

The COVID-19 pandemic has highlighted the urgent need to maintain places for the community to socialise - as well as stimulate local economies. All levels of Government are taking long-term policy positions to first protect the health of its citizens but also to provide significant economic stimulus.

This Planning Proposal provides the opportunity to revitalise a long standing community club as well as providing new jobs and housing within a Town Centre

The decline of the community club is not unique to the Hills. The last 10-15 years has seen many local community clubs throughout NSW close their doors – unable to address the economic and social factors facing the industry.

Declining revenue, outdated facilities and an ageing membership base are (among other factors) impacting the Club's long-term viability. There is an urgent need to renew the site to ensure its survival as a key community and recreational destination in order to meet the needs of members and the broader community.

There is also an opportunity to revitalise a site located in the heart of the Baulkham Hills Town Centre by creating new jobs and homes close to transport, shops and services.

This Planning Proposal and seeks to address these challenges and act on the many opportunities of the site. The Proposal includes delivery of a new community club (including food and dining facilities, multi-functional recreation areas, business hubs, function facilities and world class bowling greens), commercial/ retail premises and other ancillary uses, as well as high quality residential apartments with a seniors' living component.

The Proposal will also lead to a wide range of public benefits to the local and broader community including new jobs, improved traffic and transport outcomes and better linkages to the Town Centre.

The Planning Proposal will provide new revenue streams to future-proof the Club's operations and will leverage significant economic and social value from a property that is identified by Council as a **strategic investigation site** under the 2014 Draft Baulkham Hills Town Centre Master Plan.

The Planning Proposal represents the creation of a thriving new community hub – a destination for socialising, sports and recreation, which will serve the future community of the site as well as the broader community of the locality into the future.

In addition, the revitalisation of the club will safeguard the use of its facilities by other community groups including

- *Probus*
- *Hills Toastmasters*
- *Hills Rugby Union Club – Seniors*
- *Hills Games Club*
- *Hills Shire Garden Club*
- *Hills Golf Club*
- *Vintage Motor Car Club*
- *Castle Hill Stamp Club*
- *Sprite Car Club*
- *Barbarians Cricket club*

The proposal will deliver a wide range of significant community benefits associated with the delivery of this vibrant new community hub, ensuring:

- the Club's viability for the future;
- a stronger local economy;
- new housing, including housing for an ageing population
- a range of amenities and services both on and off-site
- local and district employment opportunities
- enhanced activation of the overall Baulkham Hills Town Centre

The Planning Proposal also comprises a variety of dwelling types and unit mix which are consistent with The Hills DCP 2012 (Part B Section 5). These community benefits will lead directly to strengthening community cohesion, health and wellbeing in Baulkham Hills over the long term.



Figure 3: Site perspective – open air bowling green (Source: Altis)

## 1.2 Key Outcomes and Planning Principles

The proposed scheme will result in a number of key outcomes for the site, the wider area and the community. These outcomes are achieved through a series of Planning Principles that guide the proposal. An overview of the site outcomes and associated planning principles in detailed below.

Retain RE2 Private Recreation	<ul style="list-style-type: none"> <li>• Retain the RE2 Private Recreation zone and make the site viable through introducing complimentary land uses</li> </ul>
Revitalise social infrastructure	<ul style="list-style-type: none"> <li>• Revitalise the Hills Club - critical social infrastructure for Baulkham Hills</li> </ul>
Contribute to town centre urban renewal	<ul style="list-style-type: none"> <li>• Urban renewal of the Baulkham Hills Town Centre, through the redevelopment of a Strategic Investigation site</li> <li>• Facilitate active and vibrant spaces through mixed uses, pedestrian links and placing development in the right places</li> </ul>
Improve access and traffic impacts	<ul style="list-style-type: none"> <li>• Mitigate adverse traffic impacts by providing vehicular access from Jenner Street and Old Northern Road</li> <li>• Provide contributions towards traffic/pedestrian improvements on various intersections surrounding the site</li> </ul>
Create employment opportunities	<ul style="list-style-type: none"> <li>• Additional employment generating floor space contributes to job creation both within the site and the wider local economy</li> </ul>
Contribute to housing targets	<ul style="list-style-type: none"> <li>• Contribute to the housing supply targets for The Hills LGA, consistent with the Greater Sydney Region Plan, Central City District Plan and The Hills LSPS</li> </ul>
Appropriate built form	<ul style="list-style-type: none"> <li>• Provision of well designed buildings maintaining a low FSR (2.24:1) on the site</li> <li>• Respect surrounding low density residential development by minimising overshadowing through stepped, slender buildings</li> <li>• Activate Old Northern Road whilst respecting surrounding heritage items</li> </ul>
Minimise environmental impacts	<ul style="list-style-type: none"> <li>• Protect and respect adjoining open space and residential development.</li> <li>• Minimise overshadowing on George Sutter Reserve and adjoining residential development on Jenner Street</li> </ul>
Better connectivity	<ul style="list-style-type: none"> <li>• Improve permeability through provision of an east-west pedestrian link (from Old Northern Road to Jenner Street)</li> <li>• Encourage active travel to and from the town centre</li> </ul>
Public domain improvements	<ul style="list-style-type: none"> <li>• Contribute to streetscape upgrades, including street tree planting that will reinforce and contribute to the character of the locality</li> </ul>

## 2 Introduction

This report has been prepared by *Keylan Consulting Pty Ltd* (KEYLAN) on behalf of The Hills Club and Arden Clubs (Arden) in support of a Planning Proposal to The Hills Shire Council (Council) for a Site at 6-18 Jenner Street, Baulkham Hills (the site).

The August 2022 Updated Planning Proposal (Planning Proposal) seeks an amendment to *The Hills Local Environmental Plan 2019* (HLEP 2019) to facilitate its urban renewal and future mixed use development. This Proposal has been updated to respond to comments by the Local Planning Panel.

The site has an area of 13,409.6m<sup>2</sup> with street frontages of 117 metres to Jenner Street and 137 metres to Old Northern Road. The site is located within the Baulkham Hills Town Centre and is approximately 6.5km to the Parramatta CBD and 24km to the Sydney CBD.

The site is currently occupied by The Hills Club which is a bowling club comprising two bowling greens, clubhouse, at grade car parking and ancillary facilities. The site does not contain any heritage items under the HLEP 2019. The site adjoins a heritage item to the north and an archaeological item to the south.

The Planning Proposal retains the sites RE2 Private Recreation zone and will incorporate a maximum building height and floor space ratio (FSR) control for the site under the HLEP 2019. The Planning Proposal also seeks to include a Schedule 1 amendment for additional permitted uses in the RE2 Zone. These additional uses include residential accommodation including seniors housing and residential flat buildings, commercial premises and registered club.

The primary objective of the Planning Proposal is to retain The Hills Club and RE2 Private Recreation zone and to facilitate the redevelopment of the site comprising approximately 3,108m<sup>2</sup> of community floor space for the Hills Club, 152m<sup>2</sup> of commercial/retail space, and approximately 228 dwellings.

The proposed scheme involves 1 x 18 storey building fronting Old Northern Road and 3 x buildings fronting Jenner Street which range in height from 5 to 6 storeys.

The successful transformation of an increasingly disused bowling club will provide a renewed mixed-use residential community with high quality housing and public benefits for new and existing communities to support The Hills LGA, Greater Parramatta and Western Sydney.

The amendments proposed to the permitted land uses and development controls are summarised in Table 2.

Planning control	Existing Controls	Original Planning Proposal	Planning Proposal March 2022	Planning Proposal August 2022
<b>Land use zone</b>	RE2 Private Recreation	RE2 Private Recreation	RE2 Private Recreation	RE2 Private Recreation
<b>Height</b>	N/A	68m (21 storeys)	Part 54m and part 20m (16 and 6 storeys)	Part 63m and part 20m (18 and 6 storeys)
<b>FSR</b>	N/A	2.5:1	2.31:1	2.24:1

Planning control	Existing Controls	Original Planning Proposal	Planning Proposal March 2022	Planning Proposal August 2022
<b>Schedule 1 Additional permitted uses</b>	N/A	<ul style="list-style-type: none"> <li>Residential accommodation including seniors housing, shop top housing and residential flat buildings</li> <li>Registered Club</li> <li>Commercial premises</li> </ul>	<ul style="list-style-type: none"> <li>Residential accommodation including seniors housing, shop top housing and residential flat buildings</li> <li>Registered Club</li> <li>Commercial premises</li> </ul>	<ul style="list-style-type: none"> <li>Residential accommodation including seniors housing, shop top housing and residential flat buildings</li> <li>Registered Club</li> <li>Commercial premises</li> </ul>

Table 2: Current and Proposed Planning Controls

The Planning Proposal is submitted to the Hills Shire Council. The intent is for Council to support the proposed amendments to the HLEP 2019 and refer the Planning Proposal (as the Planning Proposal authority) to the Department of Planning, Industry and Environment (DPIE) for review and subsequent issuing of a Gateway determination.

The Planning Proposal has been prepared in accordance with the requirements of Section 3.33 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and in consideration of the DPIE's *A guide to preparing Planning Proposals* (2018) and *A guide to preparing local environmental plans* (2018).

The Planning Proposal is supported by technical information and investigations to justify the proposed amendments.

## 2.1 Project Team

An expert project team has been formed to deliver the Planning Proposal and is outlined in Table 3.

Discipline	Consultant
Town Planners	Keylan Consulting Pty Ltd
Urban Design	Dickson Rothschild
Architecture	Altis
Landscape Design	Site Image
Heritage	Weir Phillips Heritage and Planning
Transport and Traffic	Traffix
Social and Economic Assessment	Ethos Urban
Geotechnical	EI Australia
Infrastructure and servicing	Land Partners
Land Survey	LTS Lockley
Site Investigation Report	eiaustralia
Flora, Fauna and Arboriculture	Travers Bushfire and Ecology

Table 3: Project Team



## 2.2 Consultation

### 2.2.1 Pre-lodgement Consultation (July 2019 to February 2021)

The Applicant and its project team have undertaken extensive consultation with Council throughout the preparation of the Planning Proposal, which has assisted in the refinement of the proposed land use zones and development controls that are proposed for the site. A summary of consultation activities carried out with Council to date is provided in Table 4.

Date	Location	Matters discussed
24/07/2019	The Hills Shire Council	<ul style="list-style-type: none"> <li>• Process for lodging a planning proposal</li> <li>• Minimum documentation requirements</li> <li>• Urban design assessment to include concept plans, detailed overshadowing analysis and information on how a transition of height and density across the town centre would be facilitated</li> <li>• The Planning Proposal to include discussion on future demand for local structure including traffic, community facilities, passive and active open space</li> <li>• Lodgment fees</li> </ul>
22/07/2020	The Hills Shire Council	<ul style="list-style-type: none"> <li>• The existing strategic planning framework</li> <li>• The proposed built form</li> <li>• Residential and commercial yields</li> <li>• Traffic and access</li> <li>• Community floorspace and public infrastructure</li> <li>• Information requirements for a planning proposal</li> </ul>
17/09/2020	The Hills Shire Council	<ul style="list-style-type: none"> <li>• Update and response to matters raised in Council's letter of 13 August 2020</li> <li>• Update on consultant reports</li> <li>• Update on meeting with TfNSW</li> <li>• Discussion on contributions to the local infrastructure</li> </ul>

Table 4: Consultation with Council

In addition to this, the project team has undertaken consultation (at varying degrees of detail) with the following state agencies and key stakeholders during the preparation of this report:

- Transport for NSW (TfNSW)
- The Hills Club members
- Endeavour Energy
- Sydney Water
- Telstra
- NBN
- Jemena

### **2.2.2 Post-lodgement of Original Planning Proposal Consultation (March 2021 to March 2022)**

On 3 March 2021, the Planning Proposal was lodged with Council. The proposal as submitted sought the following amendments to the HLEP 2019:

- retain the existing RE2 Private Recreation zoning and introduce residential accommodation, registered club and commercial premises as additional permitted uses under Schedule 1
- introduce a maximum building height of 68m
- introduce a maximum FSR of 2.5:1

Following lodgement of the original Planning Proposal, the Applicant and project team continued to consult with Council.

On 4 May 2021, a briefing was held with the Councillors to discuss the Planning Proposal including a presentation by the Applicant and project team and a question and answer session.

On 26 July 2021, Council provided a letter to the Applicant including several matters for consideration which had been identified following the Council officer's assessment and the briefing to the Councillors.

### **2.2.3 Updated Planning Proposal (March 2022)**

In response to Council's concerns, an Updated Planning Proposal was submitted in March 2022 which sought the following amendments to the HLEP 2019:

- retain the existing RE2 Private Recreation zoning and introduce residential accommodation, registered club and commercial premises as additional permitted uses under Schedule 1
- introduce a maximum building height of part 54m and part 20m
- introduce a maximum FSR of 2.31:1

In summary, the updated Planning Proposal resulted in:

- a 5 storey reduction (23%) reduction in height along Old Northern Road
- a 2,547m<sup>2</sup> (8%) reduction in maximum gross floor area
- 43 (16%) fewer units

The reduction in built form was also accompanied by a 90.5% (\$2.85 million) increase in the value of the letter of offer to enter a VPA.

The issues within Council's letter dated 26 July 2021 were addressed as part of an Updated Planning Proposal in March 2022 and the response that were provided are included below.

Council Comment	Response
<b>Strategic Framework and Density</b>	
<p><i>The site is identified as a Strategic Investigation Site under the draft Baulkham Hills Town Centre Master Plan. While it is acknowledged that the planning proposal seeks to facilitate the viable redevelopment of the Hills District Bowling Club, the FSR of 2.5:1 (275 dwellings) represents a density which is in excess of the outcomes envisaged for the residential development on the site under the draft Master Plan, which indicates approximately 80 dwellings.</i></p> <p><i>The Hills Housing Strategy 2019 identifies a target of 600 additional dwellings to be provided by 2036 across the Baulkham Hills Town Centre. The subject application (including seniors housing) proposes almost half of this target on a singular site, which would lead to exceedance of the anticipated density for Baulkham Hills Town Centre. Critically, any increase in residential population on the site would require commensurate infrastructure improvements to support the incoming population.</i></p>	<p>The Planning Proposal has been revised to reduce the proposed FSR from 2.5:1 to 2.31:1 and the proposed number of dwellings from 275 to 232 in response to Council's concerns. The proposed density is now consistent with other sites in the Baulkham Hills Town Centre.</p> <p>It is also noted the draft Master Plan is outdated as it was prepared in 2014 and never adopted. The Planning Proposal is supported by an Urban Design Report, Traffic Impact Assessment and a Social and Economic Impact Assessment which found the site can accommodate 232 dwellings as proposed.</p> <p>It is noted that 232 dwellings on the site represents a significant portion of the 600 dwellings target established in The Hills Housing Strategy 2019. However, the site is considered well placed to contribute towards this target. The draft Master Plan identified the site as a Strategic Investigation Site and the site is also located within proximity to retail, services and public transport. Additionally, the site is in single ownership and The Hills Club is well placed to progress the proposal. We note delivery of dwellings on other Strategic Investigation Sites is uncertain as the Bull and Bush Planning Proposal was refused and no other proposals have progressed for other sites.</p> <p>Further, the Planning Proposal is accompanied by a letter of offer to enter a VPA (Appendix 8) which seeks to provide infrastructure improvements in Baulkham Hills to support the incoming population.</p>
<b>Built Form and Height</b>	
<p><i>The draft Baulkham Hills Town Centre Master Plan anticipates a 4-5 storey built form on the site and the Baulkham Hills DCP identifies future landmark feature buildings with a maximum height of buildings of 30m. The majority of the centre comprises buildings of approximately 20m in height, with the tallest building currently permitted in Baulkham Hills being 50 metres in height (16 storeys above the podium), located on the corner of Seven Hills Road and Windsor Road.</i></p>	<p>The Planning Proposal has been revised to include a maximum building height of 16 storeys along Old Northern Road. The proposed height of 16 storeys reflects the building height of 344 Windsor Road. A height of 16 storeys on this site would 'book end' the town centre to create a cohesive built form connecting the two sides of Baulkham Hills and reinforcing the planned urban structure.</p> <p>Additionally, the site is arguably a more suitable location for this level of density as it can offer additional dwellings within a high amenity and</p>

Council Comment	Response
<p><i>With respect to the proposed tower on the site, concern is raised that the maximum height of buildings of 68 metres (21 storeys) would be substantially taller than any other approved built form at this location and would alter the planned urban structure of the town centre, where the highest buildings were intended to be located around the junction of Windsor Road, Seven Hills Road and Old Northern Road. Furthermore, concern is raised with respect to the bulk of the overall tower envelope, which should be refined having regard to Council's recently established controls for higher density residential towers in areas such as Showground Station Precinct and Castle Hill North Precinct. For example, I would note the following requirements:</i></p> <ul style="list-style-type: none"> <li>• <i>Maximum building length of 65 metres, with any building greater than 30 metres in length to be separated into at least two parts by a significant recess or projection.</i></li> <li>• <i>Tower floor plates in excess of 8 storeys must be limited to 750m<sup>2</sup> of gross floor area per storey.</i></li> </ul> <p><i>It is noted that the proposal does not specify the floor plate area or the overall length and width dimensions of the development blocks and tower floor plates. However, the residential tower and podium appear to presents as greater than 65 metres length fronting Old Northern Road and are massed as a singular continuous structure. It is recommended that the design be refined having regard to these key urban design requirements and that updated plans be submitted which detail an ability for compliance as part of future development to comply with.</i></p> <p><i>It is recommended that consideration be given to reducing the maximum building height of the proposed tower building, to better align with the planned urban structure and demonstrate the ability to achieve an excellent design outcome within the planning controls sought. This may also result in a marginal reduction in density which is more in keeping with the outcomes identified for this site within the relevant strategies.</i></p>	<p>accessible area as opposed to an isolated site which suffers from poor pedestrian connectivity and amenity due to proximity to the Windsor Road corridor and intersection.</p> <p>The indicative design for the development has also been revised to have a maximum building length less than 65m and articulation to separate the tower into 2 x30m lengths. Tower floor plates have also been revised to be limited to 750m<sup>2</sup> above 8 storeys. These controls have also been included within the Draft DCP.</p> <p>The indicative design also demonstrates an ability to exhibit design excellence and enhance the urban structure of Baulkham Hills by bookending the town centre. Additionally, as suggested by Council's letter the revised design resulted in a marginal reduction in density to closer align with Council's strategies.</p>

Council Comment	Response
<p><i>With respect to the proposed building heights proposed fronting Jenner Street, the Planning Proposal and draft DCP notes that these buildings will be 4-6 storeys however the Urban Design Response indicates that these buildings will be 8 storeys in height. Building heights along Jenner Street should be consistent with the existing prevailing heights, in the order of 4 storeys, potentially with some 6 storey elements if this allows for reduced building footprints and increased setbacks from boundaries in comparison to a 4 storey built form.</i></p>	<p>The buildings along Jenner Street are 5-6 storeys with an upper level setback to minimise the bulk and scale of the development as viewed from Jenner Street. A 6m setback is provided to Jenner Street to provide opportunities for landscaping.</p>
<p><i>The Planning Proposal indicates that a 'blanket' maximum height limit is proposed for the entirety of the site, while the DCP points to the more specific location of building forms. Concern is raised that this approach does not provide sufficient certainty that building heights will be appropriately limited at key locations, including the interface with lower scale developments. Following reconsideration of the proposed maximum heights across the site in light of the comments above, it is considered appropriate for the proposal to more specifically nominate and map these different heights across the site within the LEP amendments sought.</i></p>	<p>The Planning Proposal has been updated to include two maximum height controls with 54m proposed along the portion fronting Old Northern Road and 20m proposed for the more sensitive frontage to Jenner Street.</p> <p>The revised approach to the maximum height limit as well as controls within the Draft Site-Specific DCP (Appendix 9) provides certainty to Council and the community that density will be appropriately limited in key locations in line with the concept design.</p>
Landscaping	
<p><i>The concept development plans provided with the application indicate that there is limited deep soil landscaped area proposed. The development concept is comparable in bulk and scale to a residential flat building (and contains a number of residential flats as part of the mixed use development), which would require 50% deep soil landscaped area to comply with existing DCP controls. In addition, State Environmental Planning Policy (Housing for seniors or People with a Disability) 2004, contains minimum deep soil landscape ratios for seniors housing developments that are greater than what is shown in the concept design.</i></p>	<p>Updated concept development plans have been prepared and are provided within the Architectural Package at Appendix 6.</p> <p>The concept development plans have been revised to increase the deep soil area from 12.7% to 15.8% of site area.</p> <p>We note the ADG design criteria only requires 7% of the site area to be provided as deep soil and design guidance notes 15% may be possible on sites greater than 1,500m<sup>2</sup> depending on site area and context. The concept development plans exceed both the criteria and guidance.</p>
<p><i>Further consideration should be given to providing increased deep soil landscaping on site. It is recommended that the concept be revisited to reduce hardstand areas and increase setbacks where deep soil planting can occur. The depth of soil for plantings should demonstrate compliance with The Hills Development Control Plan 2012.</i></p>	<p>Further, the Draft Site-Specific DCP (Appendix 9) also proposes a control ensuring 15% deep soil area is provided.</p> <p>We also request that Council takes into consideration the amount of site area occupied by bowling greens which limits opportunities to provide deep soil. The proposed bowling greens will provide for the wider community's</p>



Council Comment	Response
	recreational needs and also the community's social needs, notably for the community's most vulnerable.
<b>Development Control Plan</b>	
<p><i>The application includes an outline of a future proposed site specific DCP, however the draft DCP has not yet been submitted to Council. It is requested that a draft site specific DCP be prepared and submitted to Council for assessment and consideration by Council concurrently with the planning proposal. The draft DCP is an important supporting document which is relevant to Council's determination of the planning proposal.</i></p>	<p>A Draft Site Specific DCP has been prepared and is provided at Appendix 9.</p>
<b>Traffic, Vehicular Access and Engineering</b>	
<p><i>The net traffic increase based on the data provided in the Traffic Impact Assessment will result in an additional 111 AM and 189 PM peak trips to the site. While this number of additional trips is not significant in isolation, existing traffic volumes on the Old Northern Road and the intersection with Seven Hills Road and Windsor Road are close to or at capacity and consideration must also be given to any cumulative impact associated with other uplift within Baulkham Hills Town Centre over the longer term.</i></p> <p><i>In recognition of the existing regional traffic issues at Baulkham Hills Town Centre, Council's LSPS contains the action that Council will "discourage commercial and residential uplift in Baulkham Hills town centre until transport and traffic issues are resolved". This action reflects that irrespective of whether an application can address the impacts of incremental uplift on an individual site, concerns remain around permitting any uplift within the centre until such time as existing traffic and transport issues are resolved.</i></p> <p><i>It should be noted that this action is one of a number of LSPS actions that relate to Council's planning for town centres, with all of these actions having weight in Council's assessment and consideration of the planning proposal. For reference, with respect to planning for town centres, the LSPS also states that Council will:</i></p> <ul style="list-style-type: none"> <li><i>Prioritise place-making in new and emerging neighbourhoods;</i></li> </ul>	<p>Responses to traffic and transport issues prepared by ptc are provided below:</p> <p><i>We have modelled a future growth scenario based on 10 years (2033) from the original year of opening. Refer to section 7.6.3 [of Appendix 10]</i></p> <p><i>The development proposal has been adjusted so that all traffic (other than the loading dock) will enter and exit the site from Jenner Street, avoiding placing any traffic from the car park on to the state and regional roads. We consider that this detaches the development from the transport issues raised in the LSPS.</i></p> <p><i>Noted. Given the revised access arrangement described above, the proposal is considered to be consistent with the actions and aims of the LSPS.</i></p>

Council Comment	Response
<ul style="list-style-type: none"> <li>Promote the economic benefits of centre redevelopment to businesses and landowners; Only encourage planning proposals for local centres that align with our master plan for the centre and protect its primary role to provide goods and services, or be a place for new or evolving employment functions;</li> <li>Protect items of Aboriginal and European cultural heritage significance from the impacts of development;</li> <li>Investigate measures to encourage land uses that will promote vibrancy in higher density residential zones; and</li> <li>Work with the community to extend local character mapping to identified areas of significant local character, and develop local character statements to guide development in these areas.</li> </ul> <p>Notwithstanding the range of relevant factors, regional traffic will nonetheless be a major consideration and for any proposal to successfully progress, these issues would need to be resolved. It is anticipated that if Council is supportive of the proposal progressing to Gateway Determination, it would be necessary for public agency consultation be undertaken with TfNSW prior to any public exhibition, with a requirement for support and commitment from TfNSW to the resolution of the existing regional traffic issues.</p>	<p>We consider that the relocation of the car park access to Jenner Street provides a solution to distributing the development traffic away from the roads and intersections that are operating at capacity.</p>
<p>In terms of technical vehicle access and engineering matters, the following is identified for your consideration:</p> <ul style="list-style-type: none"> <li>It is noted that access for service vehicles is proposed from Old Northern Road. Council officers understand that initial informal consultation with TfNSW has been undertaken in preparation of the Planning Proposal. However, it is noted that the documentation does not provide any indication of TfNSW feedback or willingness to agree to access to the development from Old Northern Road. TfNSW is the roads authority for Old Northern Road and their concurrence will be required for vehicular access from Old Northern Road into the development.</li> <li>Vehicular access to the site carpark should be designed to facilitate Heavy</li> </ul>	<p>The plan has been referred to TfNSW and further discussion is pending.</p> <p>Noted and this is the case for the loading dock (not the car park, which has no requirement for service vehicle access).</p>

Council Comment	Response
<p><i>Rigid Vehicles entering and exiting the site, compliant with the relevant Australian Standards;</i></p> <ul style="list-style-type: none"> <li>• <i>Vehicular access to the site, including the internal ramps, should be designed to provide a two-way traffic movement;</i></li> <li>• <i>Stormwater Management will require Onsite Stormwater Detention (OSD) facilities and Water Sensitive Urban Design (WSUD) measures within the development; and</i></li> <li>• <i>The Jenner Street drainage will need to be extended from the existing drainage network to the southern side of the development frontage.</i></li> </ul>	<p><i>Noted and included.</i></p> <p><i>Drainage and stormwater issues will be further considered at the DA stage.</i></p>
Local Infrastructure and Contributions	
<p><i>The planning proposal is accompanied by a letter of offer to enter into a Voluntary Planning Agreement. While a comprehensive internal review of the offer is still underway, the following preliminary feedback is provided below for your consideration:</i></p> <ul style="list-style-type: none"> <li>• <i>The offer to embellish George Suttor Reserve and the connection from the development into the reserve is a positive design response, however the demolition of the existing early childhood health centre and its re-construction within the development may not be appropriate. While the Baulkham Hills Public Domain Plan does include a concept plan that indicates the early childhood health centre may no longer be located on the site, this is only a concept for the longer term outcome at this location. At this time, the facility is not at a point where demolition is warranted, nor has the Council resolved for this to occur. This would ultimately be a longer-term decision to be made by Council and as such, is unlikely to be an outcome which could be agreed to at this point in time through the VPA.</i></li> <li>• <i>Further information is sought regarding the traffic and pedestrian improvements identified in the VPA offer. These monetary contributions have been valued at \$1 million, however there is no rationale included in the offer to verify the value of this contribution. The offer includes possible intersections to expend the funds, such as Old Northern</i></li> </ul>	<p><i>Noted.</i></p> <p><i>Ptc has prepared the following response to this item:</i></p> <p><i>Refer to Section 7.8 [of Appendix 10] where we have outlined potential works within the road network. It is noted that these are over and above any mitigation required as a result of the development. This assessment has concluded that no mitigation measures are required, but</i></p>

Council Comment	Response
<p>Road/Hill Street, Jenner/Railway Streets and Hill/Jenner Streets, however the Traffic Impact Assessment does not identify any upgrades necessary for these intersections.</p> <ul style="list-style-type: none"> <li>The total value of the contribution offered (based on the expected value of the development being \$150 million) is approximately 2.1% of the cost of future development. This value is substantially lower than the contributions payable under VPAs in association with other residential developments of this scale within the Shire, which range from approximately \$26,000 to \$38,000 per residential dwelling and approximately 3% of the cost of development in association with non-residential components of the development.</li> </ul>	<p>that the measures identified in the VPA would improve the transport environment in the area.</p> <p>The total value of the contribution offered under the VPA has been increased to <b>\$6,000,000</b> and the proposed units has decreased by 43 to a total of 232 units. This equates to a contribution of \$25,862 per unit.</p> <p>Note, this is in addition to the significant community benefits associated with The Hills Club itself.</p>

Table 5: Response to matters raised in Council's letter dated 26 July 2021

#### 2.2.4 Post-lodgement of Updated Planning Proposal Consultation (March 2022 to Present)

Following the lodgement of the Updated Planning Proposal in March 2022, The Hills Local Planning Panel (LPP) considered the revised Planning Proposal and provided advice on the indicative scheme with further suggested design amendments.

Since this time, the Applicant and project team have worked hard to revise the Planning Proposal and indicative scheme to address concerns raised by Council's LPP.

In response, the Planning Proposal has been further updated and now seeks the following amendments to the HLEP 2019:

- retain the existing RE2 Private Recreation zoning and introduce residential accommodation, registered club and commercial premises as additional permitted uses under Schedule 1
- introduce a maximum building height of part 63m and part 20m
- introduce a maximum FSR of 2.24:1

A response to the issues raised by the LPP is provided within the table below.

Issues raised	Response
<p><i>In the absence of a commitment from Government to the resolution of regional traffic and transport issues impeding development within the Baulkham Hills Town Centre, the proposal is inconsistent with the policy position articulated within Council's LSPS, which specifically identifies that Council will "discourage</i></p>	<p>The concept scheme has been designed so that all traffic, with the exception of the loading dock, will enter and exit the site from Jenner Street.</p> <p>This access arrangement has been developed to avoid placing any traffic from the car park directly on to the state and regional roads. It is therefore considered that</p>

Issues raised	Response
commercial and residential uplift in Baulkham Hills town centre until transport and traffic issues are resolved". It is noted that the Council's LSPS has been endorsed by the Greater Sydney Commission, and State agencies that it is informed by, and therefore its provisions have policy weight that needs to be observed.	<p>this detaches the development from the transport issues raised in the LSPS.</p> <p>Notwithstanding, as part of the VPA, upgrades are proposed at the following local intersections:</p> <ul style="list-style-type: none"> <li>• Old Northern Rd and Hill Street</li> <li>• Old Northern Rd and Cook Street</li> </ul> <p>These upgrades will not only reduce the impact of new vehicle movements in the wider area, but will also improve pedestrian and vehicle safety at these locations.</p>
The development concept submitted demonstrates an outcome which is beyond the built form capacity of the site. Upon resolution of these issue identified in a) above, further revision of the proposed development would be required to demonstrate adequate site-specific merit, involving a marginal reduction in the maximum floor space ratio to the point where the following built form outcomes could be achieved:	The indicative scheme has been updated to respond to the matters raised by Council's LPP as detailed below.
Maximum building length of 65 metres;	<p>All buildings now comply with the maximum building length requirement of 65m.</p> <p>In particular, the podium of Building A fronting Old Northern Road has been reduced from 82.6m to 65m.</p>
Maximum tower floor plate of 750m <sup>2</sup>	As detailed on the Architectural Plans, the tower floor plate of Building A will have a GFA of 716m <sup>2</sup>
Building separation which complies with the Apartment Design Guide	<p>As detailed on the Architectural Plans, the proposal is compliant with the applicable ADG building separation distance and setback requirements.</p> <p>For ease of reference building separation distances are annotated on the Architectural Plans.</p>
Solar access to at least 50% of George Suttor Reserve between 11am - 2pm on 21 June;	<p>The indicative scheme achieves a suitable level of sunlight to George Suttor Reserve in mid-winter with an average of 74% of the park area receiving sunlight between the hours of 9am and 3pm.</p> <p>This is achieved as the indicative scheme limits building height at the eastern end of the site, orientates the proposed tower on the north-south axis and limits building depth on the east-west axis.</p> <p>To clarify, the existing Baulkham Hills Early Childhood Clinic has been discounted from the park area given this is an existing building and contributes to overshadowing of the park.</p>



Issues raised	Response
	<p>Specifically, between 11am and 2pm an average of 64% of the park area of George Suttor Reserve will achieve sunlight.</p> <p>At 1pm 36.7% of the park area of George Suttor Reserve will achieve sunlight. While the total extent of the park in direct sunlight is below 50% at 1pm, the open space area between the playground and Old Northern Road is in sunlight.</p> <p>By 2pm significant solar access is restored to the reserve with over 65% of the park in sunlight and by 3pm 80% of the park is in sunlight.</p> <p>On this basis, a suitable level of sunlight is achieved to George Suttor Reserve.</p>
<p><i>Solar access to common open space of 4 hours between 9am - 3pm on 21 June;</i></p>	<p>Each building is provided with its own primary area of communal open space at roof top level. These areas will achieve in excess of 4 hours of solar access between 9am and 3pm on 21 June.</p> <p>It is noted that this exceeds the requirements of the ADG which establishes that developments are only required to achieve a minimum of 50% direct sunlight to the principal usable part of communal open space for a minimum of 2 hours between 9 am and 3 pm on 21 June.</p>
<p><i>Compliance with the relevant standards within the Apartment Design Guide, including but not limited to solar access for all apartments and deep soil zone provision;</i></p>	<p>An ADG checklist will be included within the updated Planning Proposal Package. This demonstrates that the proposal complies with the requirements of the ADG.</p> <p>With regard to solar access 95% of units achieve solar access between 9am and 3pm in mid winter. The ADG only requires 70% of units to achieve this requirement.</p> <p>15.7% of the site is provided as deep soil zone. This is in excess of the ADG which only requires that 7% of the site be provided as deep soil zones.</p> <p>74% of units are naturally cross ventilated. The ADG only requires 60% of units to achieve this requirement.</p>
<p><i>Common open space for residents is to be designed to be seen from the street between buildings, provide for active and passive recreation needs of all residents, include landscaping, present as a private area for use by residents only, include passive surveillance from adjacent internal living areas and/or pathways, have a northerly aspect where possible and be in addition to any public thoroughfares;</i></p>	<p>Due to the reduced podium length for Building A, increased setbacks are provided to the northern and southern boundaries on the Old Northern Road frontage.</p> <p>In particular, the northern setback is increased from 10m to 17.8m, while the southern setback is increased from 11.8m to 17m.</p> <p>These increased setbacks facilitate improved view lines towards the ground level communal open space and bowling greens to the rear of Building A.</p>

Issues raised	Response
	<p>Whilst it is noted that the bowling greens at ground level are part of the club, they will be capable of being used by future residents through membership of the club. On this basis, this space will positively contribute to the recreation needs of residents.</p> <p>The ground level open space together with the roof top areas of communal open space are orientated to the north for sunlight and are suitably landscaped. This ensures that these areas will achieve a high degree of amenity for future residents.</p>
<p><i>Front setbacks consistent with the building line of the adjacent heritage building and development to ensure that sight lines to the heritage building are maintained from Old Northern Road and ensure the retention of the existing street trees along the front boundary of the site. An increase in the front setback should not be at the expense of the amenity of private open space at the rear of the building, which, as stated above, should also be enhanced and improved through reconsideration of the current design;</i></p>	<p>The ground level front setback for Building A on Old Northern Road is increased from 3.58m to 6m. This facilitates:</p> <ul style="list-style-type: none"> <li>• a consistent building line with Creasy's Cottage, improving view lines towards this heritage item</li> <li>• retention of street trees along Old Northern Road</li> <li>• improved streetscape presentation and public domain outcome through the provision of a wider footpath</li> </ul> <p>The increased front setback has been achieved by reconfiguring the podium level of Building A. This ensures that there has been no net loss of private open space to the rear.</p>
<p><i>Consider provision of an additional through site link on the northern boundary of the site, to provide better pedestrian access to the retail core of Baulkham Hills Town Centre</i></p>	<p>An additional through site link is provided along the northern boundary. This, together with the southern through site link, will significantly improve permeability and walkability within Baulkham Hills Town Centre.</p>
<p><i>The impact of these revisions would need to be tested and found to be suitable in terms of their off-site impacts, particularly traffic impacts on Jenner Street</i></p>	<p>The proposed amendments have been tested to ensure there are no anticipated significant adverse impacts to surrounding residents or traffic flows on Jenner Street.</p>

Table 6: Response to issues raised by the LPP on 18 May 2022

Further consultation with state agencies and key stakeholders will be undertaken on the updated Planning Proposal following Gateway determination as part of the formal public exhibition. Consultation is addressed further at Section 6.

## 2.3 Report Structure

The format of this report is as follows:

Section	Description
<b>Section 1 – The Hills Club – Community Benefit</b>	This section outlines the public benefit and the case for change associated with the proposal.
<b>Section 2 - Introduction</b>	This section provides an introduction to the site and the proposal including consultation and the project team.
<b>Section 3 - The Site and Locality</b>	This section provides a detailed description of the site in terms of the broader context as well as detailed site characteristics.
<b>Section 4 – Strategic Planning Context</b>	This section outlines the relevant state and local strategic plans and assesses the proposal's consistency.
<b>Section 6 – Statutory Planning Context</b>	This section outlines the relevant legislative context with key state and local planning legislation and policies.
<b>Section 6 – The Planning Proposal</b>	This section provides a planning assessment of the Proposal in response to the DPIE's Guidelines.
<b>Section 7 – Conclusion</b>	This section provides a summary of the Proposal and next steps to progress to public exhibition.

Table 7: Report Structure

### 3 The Site and Locality

#### 3.1 Site Description

The site is located in the suburb of Baulkham Hills within The Hills Local Government Area (LGA). Baulkham Hills is largely characterised as a transitioning suburb which is experiencing growth due to its close proximity to the Parramatta CBD and the Castle Hill and Norwest strategic centres.

The site is located to the north of the Parramatta CBD (Parramatta LGA), east of the Seven Hills industrial area (Blacktown LGA) and south of the Castle Hill and Norwest strategic centres.

The site contains a number of separate parcels of land and is known as 6 – 18 Jenner Street, Baulkham Hills. The total site area is approximately 1.34ha, which is legally described as:

- Lot 4 DP 1108855
- Lots 39 to 45 DP 2489
- Lot Z DP 400638

The land subject to the report has dimensions of 117 metres to the north adjoining 11 – 13 Old Northern Road and 20 – 26 Jenner Street, 137 metres to the east fronting Jenner Street, 106 metres to the west fronting Old Northern Road and 132 metres to the south fronting George Suttor Reserve (Lot 5 Old Northern Road) and 2 – 4 Railway Street.

The site is adjacent to Heritage Item I8 to the north, which is identified in the HLEP 2019 and fronts Old Northern Road, Baulkham Hill. The site also borders an Archaeological item A1 to the south, known as the Baulkham Hills Tramway Cutting.



Figure 4: Aerial photograph of site within its locality (base source: Google Maps)





Figure 5: Aerial photograph of the Site with heritage Item I8 indicated in blue and archaeological item A1 indicated in beige (base source: Six Maps)



Figure 6: View north from the existing south west bowling green (Source: Keylan)





Figure 7: View north east from the Hills Club (Source: Keylan)



Figure 8: View north west from the Hills Club (Source: Keylan)





Figure 9: Existing the Hills Club car park accessed from Jenner Street (Source: Keylan)



Figure 10: George Suttor Reserve - archaeological heritage item under HLEP 2019 (Source: Keylan)





Figure 11: View of Old Northern Road looking north from the site (Source: Keylan)



Figure 12: View of Old Northern Road looking south from the site (Source: Keylan)

### 3.2 Regional Context and Key Linkages

The immediate locality is characterised by low density residential development to the east, medium to high density residential to the north and south and neighbourhood shops (including Stockland shopping centre) to the west. There is also a public park bordering the site to the south west, known as George Suttor Reserve.

The site is located along Old Northern Road, approximately 900 metres away from the M2 Motorway, 200 metres from Windsor Road and is situated opposite the Stockland Baulkham Hills Shopping Centre and other local businesses.

The Castle Towers shopping mall is also located close by (approximately 4km), which offers a larger mix of retail, commercial and community uses as well as a metro station. Sydney Olympic Park and its associated open space, sport, recreation and entertainment facilities are easily accessed by car from the site (20 minute drive).

The Hills Shire LGA is a fast growing area in the Greater Sydney Region and will continue to experience significant growth. The population of The Hills Shire LGA is projected to grow from about 147,950 in 2011 to about 290,900 in 2036, an increase of some 142,900 people or 96.5% population growth (GSC 2018).

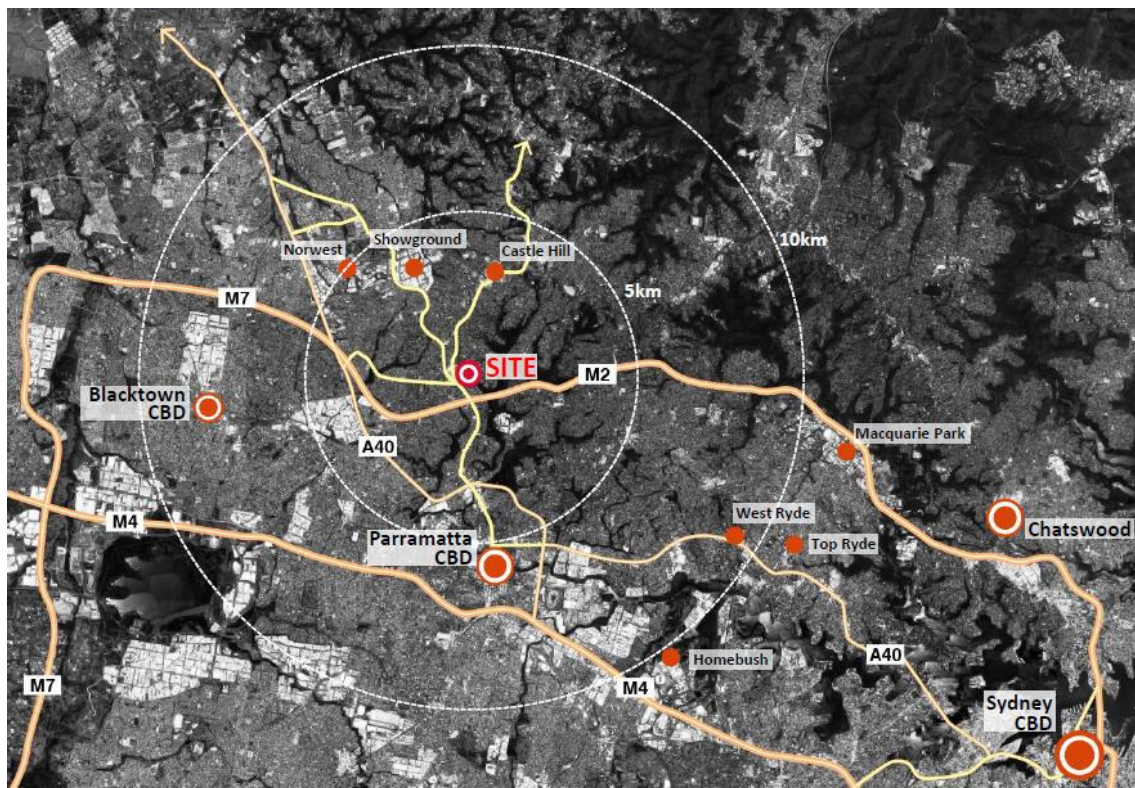


Figure 13: Key Linkages (source: Dickson Rothschild)



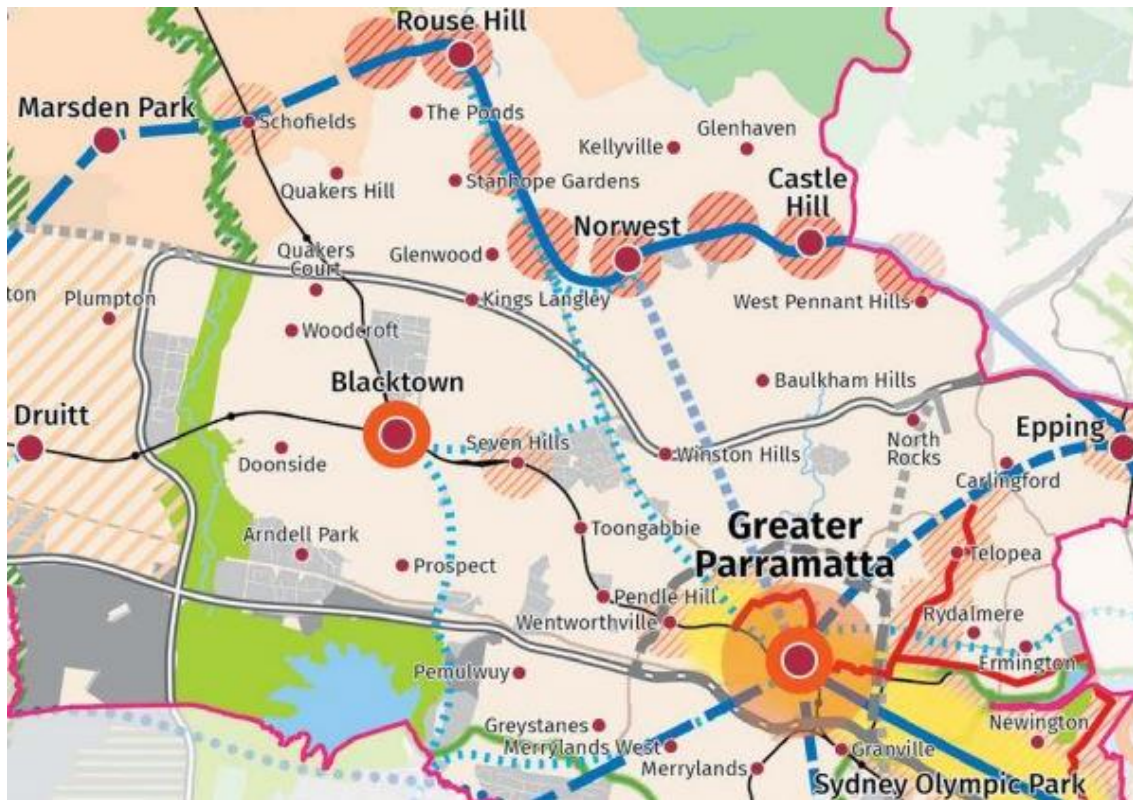


Figure 14: Key Regional Linkages (Source: Central City District Plan 2018)

### 3.3 Characteristics of the Site

#### 3.3.1 Built Form

The site is currently occupied by 3 large bowling greens, a large 2 storey club house and associated structures, landscaping and carparking. These features are visible in the aerial image provided below.



Figure 15: Zoomed aerial (Source: Google)

### 3.3.2 Public Transport

The site is well serviced by existing bus routes. A bus stop is located at the south west corner of the site on Old Northern Road and a corresponding bus stop is located on the opposite side of the road.

These bus stops are serviced by the following routes:

- 600 – Parramatta to Hornsby
- 610 N – City QVB to Norwest via Castle Hill
- 610 X – City QVB to Kellyville via Lane Cove Tunnel
- 612 X – North Sydney to Castle Hill
- 619 – Macquarie Park to Castle Hill via Baulkham Hills
- 630 – Epping to Blacktown

These bus stops each receive a bus service roughly every 5 minutes. Further, these 6 bus stops provide direct access from the site to two Metropolitan City Centres (Sydney & Parramatta) and eight strategic centres (Hornsby, Norwest, Castle Hill, Blacktown, Epping, Macquarie Park, St Leonards, North Sydney).

### 3.3.3 Heritage

#### Aboriginal

The site is not known to have any archaeological potential for items of Aboriginal significance given the site was previously developed. The site is also not known to be a site of Aboriginal significance. As such, no further assessment of Aboriginal heritage has been undertaken.

#### European

The site does not contain any items of European heritage, nor is it located within a heritage conservation area.

A heritage item of local significance adjoins the site to the north at 11-13 Old Northern Road, Baulkham Hills. This item is known as “Creasy’s” (I8) and is a single-storey detached dwelling. To the south the site adjoins George Suttor Reserve which contains an archaeological site, known as the Baulkham Hills Tramway Cutting.

A Heritage Impact Statement (HIS), prepared by Weir Phillips Heritage and Planning accompanies the Planning Proposal and is included at Appendix 1.

### 3.3.4 Topography

A land survey prepared by LTS Lockley accompanies the Planning Proposal and details the levels, contours, built improvements and retaining walls across the Site (Appendix 2). This survey demonstrates that the site has a cross fall from south-west to north-east of approximately 8 metres.

### 3.3.5 Flora and Fauna

The site has minimal vegetation throughout the centre with primarily landscaping associated with the bowling club. However, mature vegetation and large trees are located along Jenner Street and the site’s northern and southern boundaries. There are also street trees located within the road reserve along Old Northern Road. The site is not identified on the Terrestrial Biodiversity Map the HLEP 2019.

A Biodiversity Development Assessment Report has been prepared by Travers and is included at Appendix 14. In respect of matters required to be considered under the *Environmental Planning and Assessment Act 1979* and relating to the species / provisions of the *Biodiversity Conservation Act 2016*, one (1) threatened fauna species Large Bent-winged Bat (*Miniopterus orianae oceanensis*), one (1) threatened flora species *Eucalyptus nicholii*, no endangered populations and one TEC, Sydney Turpentine Ironbark Forest, were recorded within the study area.

The state assessment of significance (Appendix 3) has concluded that the proposed development will not have a significant impact on any threatened species, populations or TECs. Therefore, (a) a Species Impact Statement is not required for the proposal and (b) biodiversity offsetting is not required.



### **3.3.6 Contamination**

The site was previously redeveloped for the purposes of The Hills Club in approximately 1951 and has been used for this purpose to date. The Site Investigation Report prepared by EI Australia (Appendix 13) concludes that the site can be made suitable for the proposed development. It is further noted that the site is not mapped as containing acid sulphate soils maps under the HLEP 2019. Any future Development Application (DA) would also include a contamination assessment.

### **3.3.7 Geotechnical**

A geotechnical investigation has been undertaken by EI Australia and provides advice and recommendations to assist in the preparation of the future detailed design for the proposed development (Appendix 3).

It is noted that the site is not mapped as a risk on the Landslide Risk Map within the HLEP 2019.

### **3.3.8 Services**

A Service Infrastructure Report prepared by Land Partners accompanies the Planning Proposal (Appendix 4). This report outlines the servicing capability of the site with regard to potable water, waste water, electricity, telecommunications and gas.

In terms of potable water the site has frontage to a 200 mm reticulation water main in Jenner Street, a 150mm reticulation main along Old Northern Road and a 300mm trunk main in Old Northern Road.

There is an existing 225 mm sewer reticulation system in Jenner Street. A minor works extension of the reticulation system to the site will be required in the future.

Endeavour Energy advised that there is a high voltage feeder near the north west corner of the site adjacent to the intersection of Olive Street and Old Northern Road and has capacity to serve the demand generated by the proposed development. Extension of this HV feeder across the frontage of the site will be required.

Jemena has a 210kPa gas reticulation systems installed along Old Northern Road and Jenner Street. These reticulation systems are available for connection by the proposed development.

The site is serviced by telecommunications infrastructure (Telstra, NBN Co. and Optus). Telstra's fibre-optic cable system is installed adjacent to the site along Old Northern Road together with a further cabling system installed along Jenner Street. NBN Co also has in service cable and ducting system installed in Old Northern Road and Jenner Street. Optus also has fibre-optic systems available for connection adjacent to the site.

## 4 Strategic Planning Context

This Planning Proposal is consistent with contemporary strategic planning documents including the Greater Sydney Region Plan and Central City District Plan as detailed in this section below.

The site currently has minimal vegetation throughout its centre with more mature vegetation located along Jenner Street and the site's northern and southern boundaries. As detailed within the Landscape and Public Domain Concept the proposal will provide significant landscape planting, resulting in the greening of both the site and the public domain, providing an improved urban design outcome (Appendix 7). This includes the provision of a 'green corridor' within the site through the landscaped east-west links.

The proposal is consistent with the following State-level strategic objectives.

### 4.1 Greater Sydney Region Plan

The *Greater Sydney Region Plan* (Region Plan) outlines how Greater Sydney will manage growth and change in the context of social, economic and environmental matters. It sets the vision and strategy for Greater Sydney, to be implemented at a local level through District Plans. The overriding vision for Greater Sydney in the Region Plan is to rebalance Sydney into a metropolis of 3 unique but connected cities:

- *the established Eastern Harbour City*
- *the developing Central River City*
- *the emerging Western Parkland City*

Historically, Greater Sydney's jobs and transport have been focused to the east, requiring many people to make long journeys to and from work and other services. The 3 cities vision allows opportunities and resources to be shared more equitably while enhancing the local character we value in our communities. By integrating land use, transport links and infrastructure across the three cities, more people will have access within 30 minutes to jobs, schools, hospitals and services.

The Region Plan provides broad *Priorities and Actions* which focus on the following 4 key themes:

- *Infrastructure and collaboration*
- *Liveability*
- *Productivity*
- *Sustainability*

Additionally, the Region Plan sets housing targets for each of the districts, Baulkham Hills is located within the Central City District which has been set a housing target of 53,500 additional dwellings by 2021 and 207,500 additional dwellings by 2036.

Baulkham Hills is strategically positioned to deliver the Region Plan's vision as it is close to the Parramatta CBD (Central River City) to the south and Castle Hill and Norwest to the north, these areas have been identified for future economic growth and as Transit Oriented Development precincts (Figure 16).

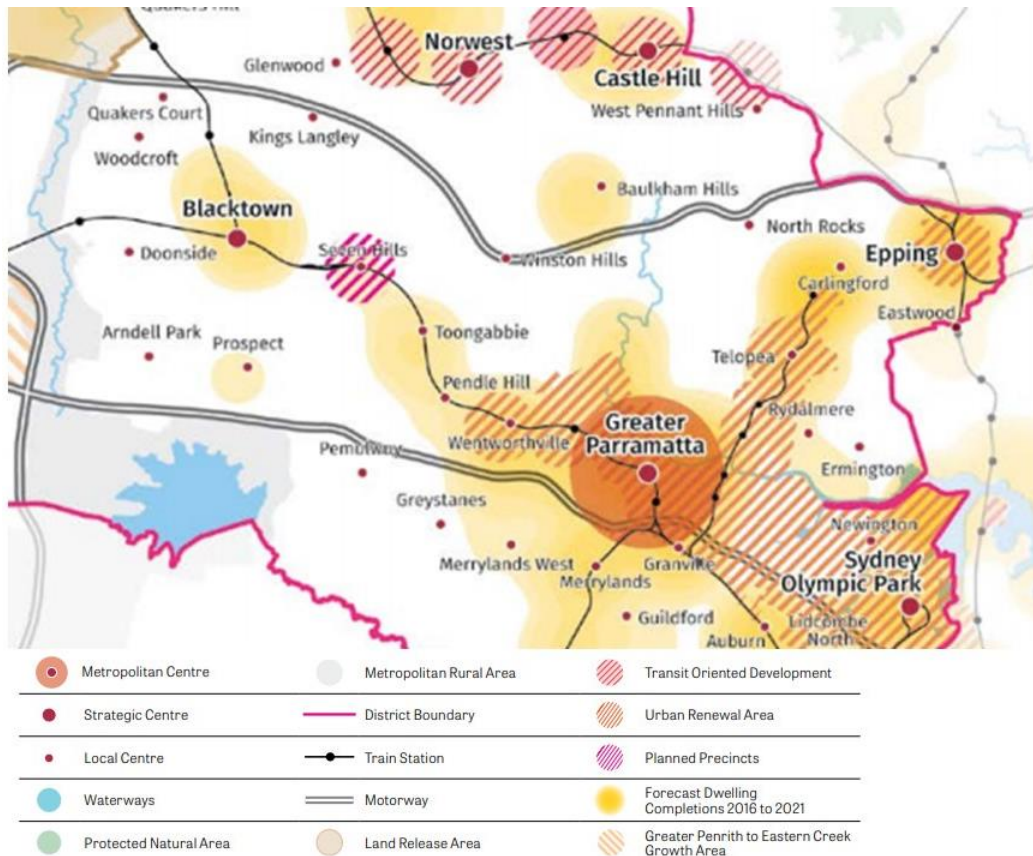


Figure 16: Baulkham Hills's strategic location (Source: GSC)

There are a number of Region Plan Objectives that are of particular relevance to the Proposal which are addressed in the following table:

Objective	Comment
<b>Infrastructure and Collaboration</b>	
<i>O1: Infrastructure supports the three cities</i>	<p>The proposal will revitalise The Hills Club and ensure that the club is financially viable to continue serving the community and provide recreational infrastructure into the future.</p> <p>The Planning Proposal is accompanied by a Letter of Offer to enter into a Voluntary Planning Agreement (VPA) with Council. The letter of offer includes a contribution valued at <b>\$7.65 million</b>, including a contribution towards traffic/pedestrian improvements on various intersections surrounding the site (Appendix 8)</p>
<i>O2: Infrastructure aligns with forecast growth – growth infrastructure compact</i>	<p>The Planning Proposal provides new housing which can utilise existing bus transport infrastructure. The site is also located within the Baulkham Hills Town Centre encouraging walkability and reducing reliance on vehicles.</p> <p>The Future Transport Strategy 2056 identifies that Baulkham Hills is located along a <i>city-shaping corridor</i> that spans between Greater Parramatta and Norwest/Rouse Hill. This plan shows a Mass Transit Link between Parramatta and Norwest via Baulkham Hills for investigation.</p>

Objective	Comment
<i>03: Infrastructure adapts to meet future needs</i>	<p>This Planning Proposal directly responds to this objective by adapting the Hills Club to ensure it continues to be financially viable and can meet future private recreation needs.</p> <p>The Planning Proposal also responds to the needs of the community and members of The Hills Club by providing residential accommodation including seniors housing in an accessible and convenient location near services.</p>
<i>04: Infrastructure use is optimised</i>	<p>This Planning Proposal ensures that The Hills Club's private recreational infrastructure is optimised for the future.</p> <p>Additionally, intensification of development on the site takes advantage of existing infrastructure in Baulkham Hills such as existing bus routes, the nearby shopping centre and the Baulkham Hills Library</p>
<i>05: Benefits of growth realised by collaboration of governments, community and business</i>	<p>The Planning Proposal strongly aligns with this Direction. Arden is working collaboratively with Council, TfNSW, and other government agencies</p>
<b>Liveability</b>	
<i>06: Services and infrastructure meet communities changing needs</i>	<p>As part of this objective the GSC identifies the spatial pattern of population increase over 65 years from 2016 to 2036. Baulkham Hills is identified to have an 80-100% increase.</p> <p>This proposal responds to the changing needs associated with an ageing population and will facilitate housing built to accommodate the specific needs of seniors in a well serviced location.</p> <p>Additionally, the site will continue to provide community and recreational infrastructure.</p>
<i>07: Communities are healthy, resilient and socially connected</i>	<p>The Planning Proposal will facilitate the revitalisation of The Hills Club, with the new club facilities enhanced to provide for physical and social activity for seniors and the wider community.</p>
<i>08: Greater Sydney's communities are culturally rich with diverse neighbourhoods</i>	<p>The Planning Proposal will facilitate the revitalisation of a key piece of community infrastructure, which encourages social interaction between member of the wider community.</p>
<i>010: Greater housing supply</i>	<p>This Planning Proposal will facilitate approximately 228 new high quality dwellings within the Baulkham Hills Town Centre.</p>
<i>011: Housing is more diverse and affordable</i>	<p>Approximately 32 of the 228 new dwellings will be provided as Seniors Housing. This is a response to the need for more diverse housing and the ageing population.</p> <p>Additionally, a diverse unit mix will be provided for the remaining market housing consistent with the dwelling types and unit mix which are consistent with The Hills DCP 2012.</p>
<i>012: Great places that bring people together</i>	<p>The Hills Club is a community-focused organisation providing social and physical activities through bowling and the Hills Club's facilities. The Planning Proposal will help to ensure The Hills Club remains financially viable and will revitalise</p>

Objective	Comment
	the club to ensure it remains a key item of social infrastructure in the future.
<i>O13: Environmental heritage is identified, conserved and enhanced</i>	A heritage item and an archaeological item adjoin the site to the north and south. Nonetheless, the proposal has been designed in a manner to have minimum impact on these items. This is achieved through design considerations including building setbacks and podium heights. This is further detailed in the HIS (Appendix 1).
<b>Productivity</b>	
<i>O14: A Metropolis of Three Cities – integrated land use and transport creates walkable and 30-minute cities</i>	<p>The Planning Proposal promotes integrated land use planning by providing housing within the Baulkham Hills Town Centre creating a walkable neighbourhood.</p> <p>Further, the site is located in a strategic position nearby to the metropolitan centre of Parramatta and the strategic centres of Castle Hill and Norwest.</p> <p>As part of the 30-minute city vision, people can access their nearest strategic centre and metropolitan centre in 30 minutes by public transport. The site is currently able to access:</p> <ul style="list-style-type: none"> <li>• Parramatta by bus is approximately 30-40 minutes</li> <li>• Norwest by bus is approximately 30-40 minutes</li> <li>• Castle Hill by bus is approximately 15-20 minutes</li> </ul>
<i>O19: Greater Parramatta is stronger and better connected</i>	Baulkham Hills is located nearby to Greater Parramatta and the proposal will strengthen Greater Parramatta by revitalising a key item of social infrastructure and providing additional housing that is easily accessible to Parramatta.
<i>O22: Investment and business activity in centres</i>	<p>The Planning Proposal will facilitate investment into the Baulkham Hills local centre and additional jobs. Future occupants will support local services and jobs.</p> <p>A Social and Economic Impact Assessment (SEIA) accompanies the Planning Proposal and identifies:</p> <ul style="list-style-type: none"> <li>• the proposed development is estimated to result in <b>direct investment of approximately \$130 million in the local area</b> during the construction stage. This would result in a key investment in the local community during the current COVID-19 pandemic</li> <li>• approximately <b>255 direct and 408 indirect FTE job years</b> are planned to be generated during the construction stage. In total, it is estimated that the proposed development would support some <b>663 FTE construction-related positions</b> (direct and indirect) over the lifetime of the project</li> <li>• taking into account existing uses at the subject site, the proposed development has the potential to support <b>132 FTE jobs</b> (including direct and indirect employment) once fully occupied and operational, representing an almost 700% increase in employment compared to the existing operation</li> </ul>

Objective	Comment
<b>Sustainability</b>	
O27: Biodiversity is protected, urban bushland and remnant vegetation is enhanced	The site is not identified on Council's Biodiversity mapping. Nonetheless, the proposal will provide significant landscaping within the site.
O30: Urban tree canopy cover is increased	The site currently contains minimal vegetation. The proposed Landscape and Public Domain Concept Plan illustrates significant landscaping is to be provided within the site, including large canopy street cover to the public domain on Old Northern Road and Jenner Street. This approach will provide an improved urban design outcome.
O31: Public open space is accessible, protected and enhanced	<p>The adjoining public open space (George Suttor Reserve) is protected by the proposal as it has been appropriately designed and sited to minimise overshadowing impacts. It is noted that the proposed east-west site link will improve connectivity to this space and the wider Baulkham Hills Town Centre.</p> <p>An extension of open space at George Suttor Reserve is proposed as part of the VPA Letter of Offer (Appendix 8).</p>
O32: The Green Grid links parks, open spaces, bushland and walking and cycling paths	The proposal improves walking links from the residential areas to the Town Centre via the proposed site through links.
O33: A low-carbon city contributes to net-zero emissions by 2050 and mitigates climate change	<p>The proposal is located in close proximity to the Parramatta Metropolitan Centre and the Castle Hill and Norwest strategic centres, encouraging the use of public transport, walking and cycling.</p> <p>Energy efficiency and sustainable measures will be incorporated to ensure compliance with BASIX and resultingly reduce the carbon footprint of the development</p>
O36: People and places adapt to climate change and future shocks and stresses	Measures to reduce waste and energy usage will be incorporated at detailed design at later stages

Table 8: Assessment of the Proposal's consistency with the Region Plan

## 4.2 Central City District Plan

The *Central City District Plan* (District Plan) seeks to manage growth in the context of economic, social and environmental matters in the Central City. It provides the district level framework to implement the goals and directions outlined in the Region Plan for the Central City District.

The District Plan places a significant focus on productivity, including the recognition of the importance of Greater Parramatta and the Olympic Peninsula Area (GPOP) and the protection of industrial and urban services land. The Central City District Plan sets a housing target of 8,550 additional dwellings in The Hills LGA by 2021.



The *Central District Plan* acknowledges the need for increased aged care and childcare facilities throughout the district as demand is rapidly increasing. As stated,

*...Coordinated and additional health, social and aged care services [...] are needed to meet the expected increase in demand for local aged care facilities [...].*

It also seeks to deliver healthy, safe, and inclusive places for people of all ages and abilities that support active, resilient and socially connected communities by:

*...Co-locating schools, health, aged care, sporting and cultural facilities...*

The site is well placed being in the Baulkham Hills Town Centre to deliver much needed seniors housing and improved community and recreational facilities.

The key planning priorities of the *Central District Plan* relevant to the proposal are summarised below.

Planning Priority	Comment
<b>Infrastructure and collaboration</b>	
<i>C1: Planning for a city supported by infrastructure</i>	<p>With the ageing population in The Hills rapidly increasing, it is important to ensure that the adequate infrastructure is in place. This proposal will provide a great number of seniors living possibilities in an area that is easily accessible and is in close proximity to local services.</p> <p>Additionally, the proposal retains the RE2 zone and large spaces dedicated to private recreation. The proposal will revitalise the Hills Club to ensure that the club continues to serve the community.</p>
<i>C2: Working through collaboration</i>	Arden has consulted extensively with the Hills Shire Council, TfNSW and The Hills Club members in the preparation of this Planning Proposal and is committed to continuing this consultation to deliver the project.
<b>Liveability</b>	
<i>C3: Providing services and social infrastructure to meet people's changing needs</i>	This proposal responds to the changing needs associated with an ageing population and will facilitate housing built to accommodate the specific needs of seniors in a well serviced location. Additionally, the site will continue to provide community and recreational infrastructure through the Hills Club.
<i>C4: Fostering healthy, creative, culturally rich and socially connected communities</i>	The Planning Proposal will facilitate the revitalisation of the Hills Club, retaining it for private recreational uses. The Club will continue to provide for physical and social activity for seniors and the wider community.
<i>C5: Providing housing supply, choice and affordability, with access to jobs, services and public transport</i>	<p>This Planning Proposal will facilitate approximately 228 new high quality dwellings within the Baulkham Hills Town Centre.</p> <p>Approximately 32 of the 228 new dwellings will be provided as Seniors Housing. This is a response to the need for more diverse housing and the ageing population. Additionally, a diverse unit mix will be provided for the remaining market</p>

Planning Priority	Comment
	<p>housing. The proposed dwelling types and unit mix are consistent with The Hills DCP 2012.</p> <p>The site has a strong strategic location within the Baulkham Hills Town Centre near services and public transport. Further, the site is located between Greater Parramatta and the Castle Hill and Norwest strategic centres indicating good access to jobs.</p>
<i>C6: Creating and renewing great places and local centres, and respecting the District's heritage</i>	<p>The Hills Club is a community-focused club that provides both social and physical activities. The proposal will ensure the Club continues to support the local community through the introduction of new and complementary uses on the site.</p> <p>Further, the redevelopment will contribute to the renewal of the Baulkham Hills local centre.</p> <p>The proposal adequately responds to nearby heritage items as detailed in the Heritage Impact Statement at Appendix 1.</p>
<b>Productivity</b>	
<i>C7: Growing a stronger and more competitive Greater Parramatta</i>	<p>Baulkham Hills is located nearby to Greater Parramatta and the proposal will strengthen Greater Parramatta by providing additional housing that is easily accessible to Parramatta</p>
<i>C9: Delivering integrated land use and transport planning and a 30-minute city</i>	<p>The proposal promotes integrated land use planning by providing housing within the Baulkham Hills Town Centre creating a walkable neighbourhood.</p> <p>Further, the site is located in a strategic position nearby to the metropolitan centre of Parramatta and the strategic centres of Castle Hill and Norwest.</p> <p>As part of the 30-minute city vision it is aimed that people will be able to access their nearest strategic centre and metropolitan centre in 30 minutes by public transport. The site is currently able to access:</p> <ul style="list-style-type: none"> <li>• Parramatta by bus is approximately 30-40 minutes</li> <li>• Norwest by bus is approximately 30-40 minutes</li> <li>• Castle Hill by bus is approximately 15-20 minutes</li> </ul>
<b>Sustainability</b>	
<i>C16: Increasing urban tree canopy cover and delivering Green Grid connections</i>	<p>The proposal seeks to increase the tree canopy and plantings on the site as detailed in the Urban Design Report and Landscape Concept Plan (Appendix 5 and 7).</p>
<i>C17: Delivering high quality open space</i>	<p>The proposal seeks to minimise environmental impacts on the adjoining public open space (George Suttor Reserve) through careful siting of the built form.</p>
<i>C19: Reducing carbon emissions and managing energy, water and waste efficiently</i>	<p>Energy efficiency and sustainable measures will be incorporated to ensure compliance with BASIX and resultingly reduce the carbon footprint of the development.</p>

Table 9: Consideration of key planning priorities of the *Central District Plan*

### 4.3 Baulkham Hills Town Centre Draft Master Plan

The Draft Baulkham Hills Town Centre Masterplan (draft MP) was exhibited in 2014 and has not been adopted. The draft MP established a vision for a vibrant, safe and attractive place to live, work and shop whilst retaining its role as a retail and residential destination. The draft MP identifies The Hills Club precinct and the Bull and Bush Precinct (360 Windsor Rd) as 'Strategic investigation Sites'.

Both precincts are identified as being suitable for significant development opportunities as part of a future planning proposal:

*...Whilst these sites are considered to have significant development opportunity, they have unique characteristics which would need to be carefully addressed as part of a future planning proposal. It is considered appropriate that any future redevelopment of these sites occur as part of a **future landowner initiated proposal to amend The Hills Local Environmental Plan 2012 which would involve the preparation of a site specific Development Control Plan and design concept...***

The Draft MP also includes design principles for the Hills Club site and potential yield indications – approximately 80 dwellings and 4,000m<sup>2</sup> of retail and commercial floor space.

<b>Baulkham Hills Town Centre Draft Master Plan – Yield Projections</b>					
<b>Precinct</b>	<b>Existing Dwellings</b>	<b>Proposed Dwellings</b>	<b>Net Increase Dwellings</b>	<b>Potential Retail Floor Space (m<sup>2</sup>)</b>	<b>Potential Commercial Floor Space (m<sup>2</sup>)</b>
Bowling Club Precinct	0	200	200	4,000m <sup>2</sup>	N/A

Table 10: Baulkham Hills Town Centre Master Plan – Yield Projections – Bowling Club Precinct

The Planning Proposal incorporates the redevelopment vision of the site as a Strategic Investigation Site and maintains the private recreation land use. As recommended by Council officers in correspondence dated 13 August 2020, the Planning Proposal is also accompanied by a site specific DCP to provide certainty of the proposed future built form outcomes across the site (Appendix 9).

The Planning Proposal also outlines the apartment size and mix for the site will be provided in accordance with Part B Section 5 – Residential Flat Buildings of The Hills Development Control Plan 2012.

Additionally, the Draft MP encourages the provision of a pedestrian link along the southern boundary of the site connecting Jenner Street and Old Northern Road. The Planning Proposal incorporates this through-site link along its southern boundary, providing connection from Jenner Street to the Town Centre and improving permeability through the area.

An additional through-site link is also provided along the northern boundary.

The proposed Design Principles for the site under the draft MP are provided below.

Design Principle	Comment
<p><b>Land Use</b></p> <ul style="list-style-type: none"> <li>Development must promote a vibrant, mixed use environment that provides a range of retail and business uses to serve the daily needs of residents within the development and the local population</li> <li>Future redevelopment of the site is to include the continued use of the site as a club. This will provide for the social interaction needs of future residents within the vicinity of the site.</li> <li>Shop-top housing is to be provided above the ground floor.</li> </ul>	<ul style="list-style-type: none"> <li>The proposal comprises a mixed use development including retail/ commercial uses to serve the daily needs of residents. The proposal will contribute to a vibrant environment.</li> <li>The proposal retains the current The Hills Club use critical to the social interaction needs of residents.</li> <li>The proposal includes ground floor retail/Club uses with residential accommodation above.</li> </ul>
<p><b>Transport and access</b></p> <ul style="list-style-type: none"> <li>Future redevelopment must ensure that vehicular movement within and surrounding the site is safe and efficient</li> <li>Vehicular access to future development is to occur via Jenner Street</li> <li>Future redevelopment is to include safe and convenient pedestrian links between Windsor Road and Jenner Street</li> </ul>	<ul style="list-style-type: none"> <li>As supported by the Traffic Impact Assessment, vehicular movements within and surrounding the site is safe and efficient</li> <li>Vehicle access is proposed from Jenner Street and Old Northern Road</li> <li>The proposal comprises through site links between Old Northern Road and Jenner Street (see figure below).</li> </ul>
<p><b>Parking and Servicing</b></p> <ul style="list-style-type: none"> <li>Private car parking must be provided to meet the needs of residents, having regard to the proximity of the site to high frequency public transport services.</li> <li>Loading, servicing, utilities, and vehicle parking areas are to be located within underground basement areas or within the building mass, away from the public realm and public view.</li> </ul>	<ul style="list-style-type: none"> <li>As supported by the Traffic Impact Assessment, the proposed on-site car parking will meet the needs of residents whilst recognising the site's proximity to existing public transport.</li> <li>The detailed future DA will ensure loading, servicing, utilities and parking areas are located underground or within the building mass.</li> </ul>
<p><b>Treatment of Interfaces</b></p> <ul style="list-style-type: none"> <li>Activation uses will be located along the Windsor Road frontage. This will provide visual interest from the street and will create a connection between public realm and future development.</li> <li>Development must be designed so as to minimise the potential visual impact on adjoining residential areas.</li> <li>The treatment and articulation of facades must demonstrate architectural expression and must contribute to the public realm.</li> </ul>	<ul style="list-style-type: none"> <li>The proposal will activate Old Northern Road through the introduction of retail/commercial uses at the ground level and the continued operation of The Hills Club (see Figure below).</li> <li>The proposal minimises impacts on adjoining residential areas in terms of solar access and visual impacts. This is achieved by concentrating the taller built form along the Old Northern Road frontage (see Figure below).</li> <li>The proposal is highly articulated to reduce the overall perceived bulk.</li> </ul>

Design Principle	Comment
<b>Building Address</b> <ul style="list-style-type: none"> <li>Taller buildings must use public streets for address and building entrances.</li> <li>The primary building entrances must front onto public streets and be clearly defined, easily visible and accessible from the public areas.</li> <li>Future development must address both Jenner Street and Windsor Road</li> </ul>	<ul style="list-style-type: none"> <li>The proposal concentrates the taller built form along Old Northern Road (see figure below). The taller building addresses and has access from the Old Northern Road street frontage.</li> <li>The proposal will activate Old Northern Road through the introduction of retail/commercial uses at the ground level and the continued operation of The Hills Club (see Figure below).</li> </ul>
<b>Built Form</b> <ul style="list-style-type: none"> <li>Setbacks shall be used to create distinct podium and tower elements. Podiums must be incorporated into building design to minimise the bulk and scale of development and to enable a more slender built form.</li> <li>A higher landmark building element is to be provided with a transition of building heights across the site to facilitate a more interesting and varied skyline. Building height elements are to be varied across the site to provide visual interest and to ensure that the built form is not repetitive.</li> <li>The height of future development must respond to the desired height of other precincts within the town centre</li> </ul>	<ul style="list-style-type: none"> <li>The proposed taller building incorporates distinct podium and tower elements to minimise the bulk and form of the development. The proposal results in a slender built form being proposed.</li> <li>The proposal incorporates varied built form height across the site. The taller built form of 18 storeys is sited along Old Northern Road, towards the northern portion of the site. The height transitions down to 5 to 6 storeys adjacent to Jenner Street. This reduction in height provides a transition to the existing residential developments.</li> <li>The proposal responds to the emerging built form within the Town Centre.</li> </ul>
<b>Open Space and Communal Facilities</b> <ul style="list-style-type: none"> <li>Development should provide a variety of innovative and well-designed areas of shared and private open space. The provision of open space and communal areas will improve the amenity for residents and workers within the development. The open space provision will include roof top gardens and other recreational facilities to make the development a highly attractive lifestyle option.</li> <li>Development must be designed so as to provide an appropriate level of passive surveillance for adjoining public areas, especially George Suttor Reserve.</li> </ul>	<ul style="list-style-type: none"> <li>A large communal open space area is provided at an accessible location at the centre of the site. Landscaped roof gardens will be provided on buildings near Jenner Street.</li> <li>Balconies will be provided within the residential component of the development to facilitate passive surveillance and provide private open space. Landscaped podium areas near Old Northern Road will also facilitate passive surveillance.</li> <li>The proposal will facilitate two brand new bowling greens and club facilities on the site. This will provide for renewed recreational space on the site that promotes physical activity and social interaction.</li> </ul>
<b>Public Domain</b> <ul style="list-style-type: none"> <li>The public domain and interface activities will be attractive, safe, functional and accessible for residents and workers. The public domain and pedestrian environment will be characterised by excellence in design and high quality materials.</li> </ul>	<ul style="list-style-type: none"> <li>The proposal seeks to improve the public domain and landscape interface between the site and Old Northern Road and Jenner Street. The proposal will provide accessible entrances for residents and workers.</li> <li>The proposal aims to enhance the public domain through improving street level</li> </ul>

Design Principle	Comment
<ul style="list-style-type: none"> <li><i>The treatment of the public domain works to be provided along all frontages shall be in accordance with the vision established for the public realm within the Baulkham Hills Town Centre.</i></li> <li><i>Active frontages are to be provided with appropriate weather protection in the form of awnings and colonnades.</i></li> </ul>	<p>connections to Old Northern Road. Consistency with the Baulkham Hills Town Centre Draft Public Domain Plan is detailed in the following section.</p> <ul style="list-style-type: none"> <li>As detailed in the Urban Design Report (Appendix 5) the proposed built form and non-residential uses will be sited along Old Northern Road, activating the street frontage.</li> <li>Weather protection and use of high quality materials will be demonstrated at the detailed DA stage.</li> </ul>
<p><i>Environmental Performance</i></p> <ul style="list-style-type: none"> <li><i>Development will achieve maximum environmental performance through the use of best practice environmental design.</i></li> </ul>	<ul style="list-style-type: none"> <li>The proposal will achieve a high level of environmental performance and will be demonstrated at the detailed DA stage.</li> </ul>

Table 11: Extract from Draft MP 2014 (Source: The Hills Council)

The Planning Proposal and site specific DCP responds to the draft Master Plan design principles. The Planning Proposal will result in public domain improvements, improved facilities and importantly will retain the RE2 zone and The Hills Club use.

#### 4.4 Baulkham Hills Town Centre Draft Public Domain Plan

The Baulkham Hills Town Centre Draft Public Domain Plan (Draft Public Domain Plan) was exhibited concurrently with the Draft MP. The Draft Public Domain Plan seeks to illustrate the public domain improvements needed in Baulkham Hills and the desired future character. In particular, the plan focuses on improving open space, pedestrian accessibility and streetscapes. The Draft Public Domain Plan was not adopted by Council.

The Draft Public Domain Plan identifies that the Town Centre is changing and in renewal, as detailed below:

*...As part of the renewal process the precinct will change in character as a result of the introduction of higher density development, providing more housing, commercial/retail and support services...*

The proposal aims to enhance the public domain through improving street level connections to Old Northern Road. As detailed in Urban Design Report (Appendix 5) the proposed built form and non-residential uses will be sited along Old Northern Road, activating the street frontage.

The Planning Proposal also seeks to improve the landscape interface between the site and Old Northern Road and Jenner Street.



## 4.5 Future Transport Strategy 2056

The *Future Transport Strategy 2056* (Transport Strategy) acknowledges the vital role transport plays with regards to land use, tourism and economic development. The Strategy is supported by a suite of plans to achieve a 40-year vision for transport in NSW to cater for the estimated increase in population to 12 million by 2056.

The Transport strategy focuses on the role of transport in delivering movement and place outcomes that support the character of the places and communities for the future. It emphasises technology-enabled mobility and its role in transforming the mass transit network. Baulkham Hills is located along a *city-shaping corridor* that spans between Greater Parramatta and Norwest/Rouse Hill. The plan also shows a Mass Transit Link between Parramatta and Norwest via Baulkham Hills for investigation (Figure 17).

The proposal provides for intensification of development within the Baulkham Hills Town Centre and due to the site's proximity to the Town Centre, will promote walkability. The site is currently well placed to utilise existing bus infrastructure which provides access to:

- Parramatta by bus in approximately 30-40 minutes
- Norwest by bus in approximately 30-40 minutes
- Castle Hill by bus in approximately 15-20 minutes

This demonstrates the proposal's ability to contribute to the 30-minute city and provide housing with good accessibility to multiple strategic centres. Transport impacts are further detailed in the Transport Impact Assessment provided at Appendix 10.

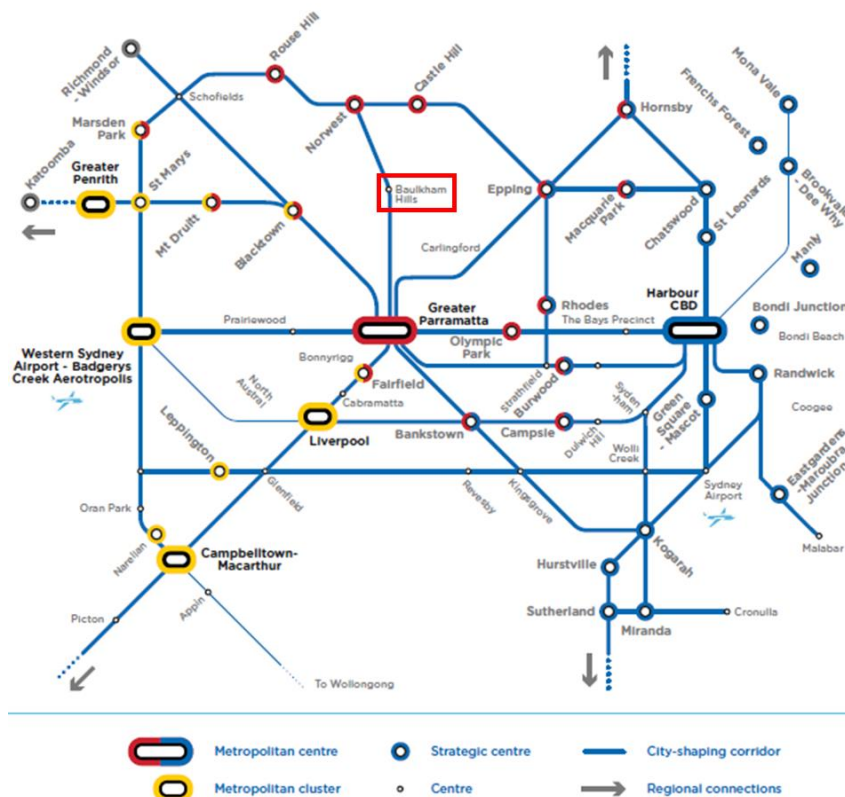


Figure 17: Greater Sydney Mass transit/train network 2056 (visionary) (Source: Transport for NSW)

## 4.6 Hills Future 2036: Local Strategic Planning Statement

The Hills Future 2036: Local Strategic Planning Statement (LSPS) was finalised in 2020. The LSPS is a 20-year plan which establishes Council's land use vision and planning priorities for the LGA.

The Hills Structure Plan (Figure 18) identifies Baulkham Hills as:

- a town centre
- within the urban growth boundary
- along a strategic bus corridor
- within the Norwest to Parramatta public transport investigation area

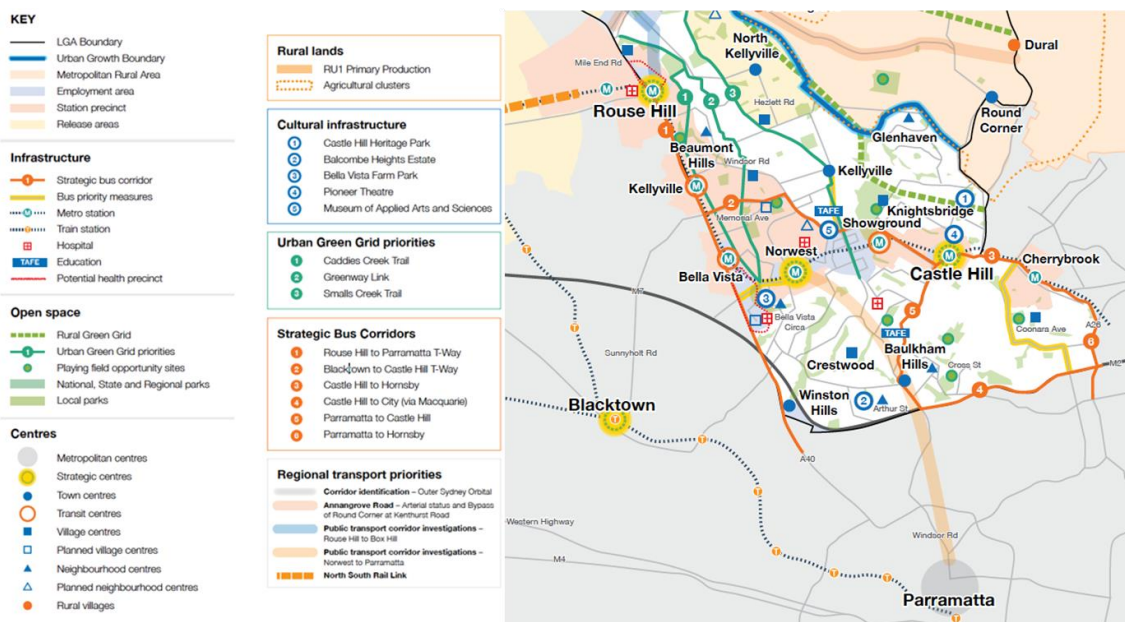


Figure 18: The Hills Structure Plan Extract (Source: The Hills Shire Council)

The LSPS states Baulkham Hills town centre is an urban renewal area for development and assigns a growth target of 600 new dwellings in Baulkham Hills by 2036. It is also noted that the LSPS states Council expects residential development to remain predominantly in the urbanised area.

We note that the LSPS states the following:

*Council will: Discourage commercial and residential uplift in Baulkham Hills town centre until transport and traffic issues are resolved.*

However, we note Council's own Draft MP identifies the site as a 'Strategic Investigation Site' being suitable for approximately 80 dwellings and 4,000m<sup>2</sup> retail/commercial floor space.

The proposal will not significantly add to the existing transport and traffic issues experienced within the wider catchment area. The uplift proposed is generally consistent with the yield projections established for the site under the Draft MP. Furthermore, the proposal will provide residential dwellings in close proximity to existing services within Baulkham Hills Town Centre which together with the proposed through site link will encourage walkability.

The Planning Proposal is accompanied by a Letter of Offer to enter into a Voluntary Planning Agreement (VPA) with Council. The letter of offer includes a contribution valued at **\$7.65 million**, including contributions towards traffic/pedestrian improvements surrounding the site.

The LSPS is supported by the *Housing Strategy 2019* which states that it is vital for developments with housing for seniors and people with a disability to be located in close proximity to services and transport options to ensure an improved quality of life and prevent isolation.

The *Housing Strategy 2019* also encourages a diversity of housing in areas close to centres which incorporate retail, medical and community facilities and access to public transport. The proposal is consistent with the LSPS and supporting strategies, in particular the priorities addressed below.

Planning Priority	Comment
<b>Economy</b>	
<i>P1: Plan for sufficient jobs, targeted to suit the skills of the workforce</i>	<p>The proposal will result in significant investment in the area, additional jobs on the site and greater commercial floor space that will work to enhance and renew the Baulkham Hills economy. In particular,</p> <ul style="list-style-type: none"> <li>the proposed development is estimated to result in <b>direct investment of approximately \$130 million in the local area</b> during the construction stage. This would result in a key investment in the local community during the current COVID-19 pandemic</li> <li>approximately <b>255 direct and 408 indirect FTE job</b> are planned to be generated during the construction stage. In total, it is estimated that the proposed development would support some <b>663 FTE construction-related positions</b> (direct and indirect) over the lifetime of the project</li> <li>taking into account existing uses at the subject site, the proposed development has the potential to support <b>132 FTE jobs</b> (including direct and indirect employment) once fully occupied and operational, representing an almost 700% increase in employment compared to the existing operation</li> </ul>
<b>Shaping Growth</b>	
<i>P6: Plan for new housing to support Greater Sydney's growing population</i>	This Planning Proposal will facilitate approximately 228 high quality dwellings within the Baulkham Hills Town Centre that will contribute to the housing targets for The Hills.
<i>P7: Plan for new housing in the right locations</i>	As mentioned above, the proposal will facilitate new housing within the town centre of Baulkham Hills. This area has good access to services and public transport and is considered an appropriate location for new housing. Further, the proposal will help make Baulkham Hills Town Centre a walkable

Planning Priority	Comment
	neighbourhood, noting the proposed through site link.
<i>P8: Plan for a diversity of housing</i>	<p>Approximately 32 of the 228 new high quality dwellings will be for Seniors Housing. This is fulfilling a need in the Hills and responds to the ageing population.</p> <p>Further, the remaining dwellings will provide a wide dwelling mix with different sizes and bedroom numbers. This ensures the development will be able to accommodate a variety of income levels and household sizes.</p>
<i>P9: Renew and create great places</i>	<p>The Hills Club is a community-focused club that provides social and physical activities. This proposal will help to ensure The Hills Club remains viable and continues to as a great social meeting place.</p> <p>Additionally, the redevelopment will contribute to the renewal of the Baulkham Hills Town Centre.</p>
<i>P10: Provide social infrastructure and retail services to meet residents' needs</i>	<p>The Hills Club is an important piece of social infrastructure. The proposal will renew the site and provide for upgraded social infrastructure.</p> <p>The proposal will also facilitate new commercial/ retail space to meet the needs of local residents.</p>
<b>Infrastructure</b>	
<i>P11: Plan for convenient, connected and accessible public transport</i>	<p>The site is located within the Baulkham Hills Town Centre which is frequently serviced by bus routes. The site has access to:</p> <ul style="list-style-type: none"> <li>• Parramatta by bus in approximately 30-40 minutes</li> <li>• Norwest by bus in approximately 30-40 minutes</li> <li>• Caste Hill by bus in approximately 15-20 minutes</li> </ul> <p>Baulkham Hills is also likely to receive mass transit infrastructure as outlined in Future Transport 2056.</p>
<i>P12: Influence travel behaviour to promote sustainable choices</i>	<p>The site is located within the Baulkham Hills Town Centre and promotes sustainable travel behaviour by creating a walkable neighbourhood. It is predicted the proposal's residents will walk to access the nearby shops, restaurants, library and for some, jobs.</p>
<i>P15: Provide new and upgraded passive and active open space</i>	<p>The proposal will facilitate two brand new bowling greens on the site. This will provide for renewed recreational space on the site that promotes physical activity.</p>
<b>Environment</b>	
<i>P18: Increase urban tree canopy cover</i>	<p>The proposal will facilitate increased tree canopy and plantings on the site as detailed in the Urban Design Report and Landscape Concept Plan (Appendix 5 &amp; 7).</p>

Planning Priority	Comment
<i>P:19 Manage natural resources and waste responsibly</i>	Energy efficiency and sustainable measures will be incorporated to ensure compliance with BASIX and resultingly reduce the carbon footprint of the development
<b>Proactive Leadership</b>	
<i>P22: Initiate and deliver solutions to growth and change challenges</i>	The Hills Club and Arden are committed to working with Council to resolve issues and deliver creative solutions to challenges associated with the development of the site.

Table 12 Consistency with LSPS Planning Priorities

#### 4.7 Hills Future 2017 – 2021: Community Strategic Plan

The *Hills Future 2017 – 2021: Community Strategic Plan* (Community Strategic Plan) is a 4 year plan for The Hills Shire. The plan contains five strategic directions for the LGA and provides a high level plan for how these directions and subsequent objectives will be achieved. The five directions are:

- *Building a vibrant community and prosperous economy*
- *Proactive leadership*
- *Shaping growth*
- *Delivering and maintaining infrastructure*
- *Valuing our surroundings*

The proposal demonstrates consistency with the community strategic plan as it will:

- strengthen the Town Centre's economy by providing investment, new jobs and commercial/ retail floor space
- renew and retain recreational and social infrastructure on the site
- contribute to a liveable and walkable neighbourhood
- provide development with good access to existing services
- have acceptable environmental impacts on the surrounding environment



## 5 Statutory Planning Context

### 5.1 The Hills Local Environmental Plan 2019

The HLEP 2019 sets out the legislative framework for land use and development in the LGA through the application of land use zones and development controls. This Planning Proposal seeks to introduce maximum building height and FSR controls for the site and introduce additional permitted uses by way of an amendment to HLEP 2019.

In summary, the Planning Proposal seeks to:

- amend the height of building control to part 63m (approximately 18 storeys) and part 20m (approximately 6 storeys)
- amend the FSR controls to 2.24:1
- introduce a Schedule 1 amendment to permit the uses proposed including:
  - residential accommodation including seniors housing, shop top housing and residential flat buildings (approximately 26,767m<sup>2</sup>)
  - registered Club, ancillary community floor space and private recreational uses (approximately 3,108m<sup>2</sup>)
  - commercial premises (approximately 152m<sup>2</sup>)

The relevant land use zones and development controls that currently apply to the site are outlined in this section. The proposed amendments that are sought as part of the Planning Proposal are described in Section 6.

#### 5.1.1 Land Use Zone

The Site is zoned part RE2 Private Recreation under the provisions of the HLEP 2019. The development site is sited within the RE2 zone as discussed in Section 5. The objective and permitted uses associated with the RE2 zone are detailed below.

##### *Zone RE2 Private Recreation*

##### *1 Objectives of zone*

- *To enable land to be used for private open space or recreational purposes.*
- *To provide a range of recreational settings and activities and compatible land uses.*
- *To protect and enhance the natural environment for recreational purposes.*
- *To promote tourism and entertainment related activities in appropriate areas*

##### *2 Permitted without consent*

*Environmental protection works*

##### *3 Permitted with consent*

*Aquaculture; Boat launching ramps; Building identification signs; Business identification signs; Charter and tourism boating facilities; Community facilities; Environmental facilities; Hotel or motel accommodation; Jetties; Kiosks; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Restaurants or cafes; Roads; Serviced apartments; Water recreation structures*

##### *4 Prohibited*

*Any development not specified in item 2 or 3*

The proposed uses are currently not permitted within the RE2 zone and resultingly this Planning Proposal seeks to make a Schedule 1 amendment for the site to permit the following uses:

- residential accommodation including seniors housing, shop top housing and residential flat buildings
- registered Club, ancillary community floor space and private recreational uses
- commercial premises

The site is the only RE2 zoned area within the Town Centre. The surrounding sites are zoned a mix of R1 General Residential, R4 High Density Residential, R3 Medium Density Residential, R2 Low Density Residential, RE1 Public Recreation and B2 Local Centre (Figure 19).

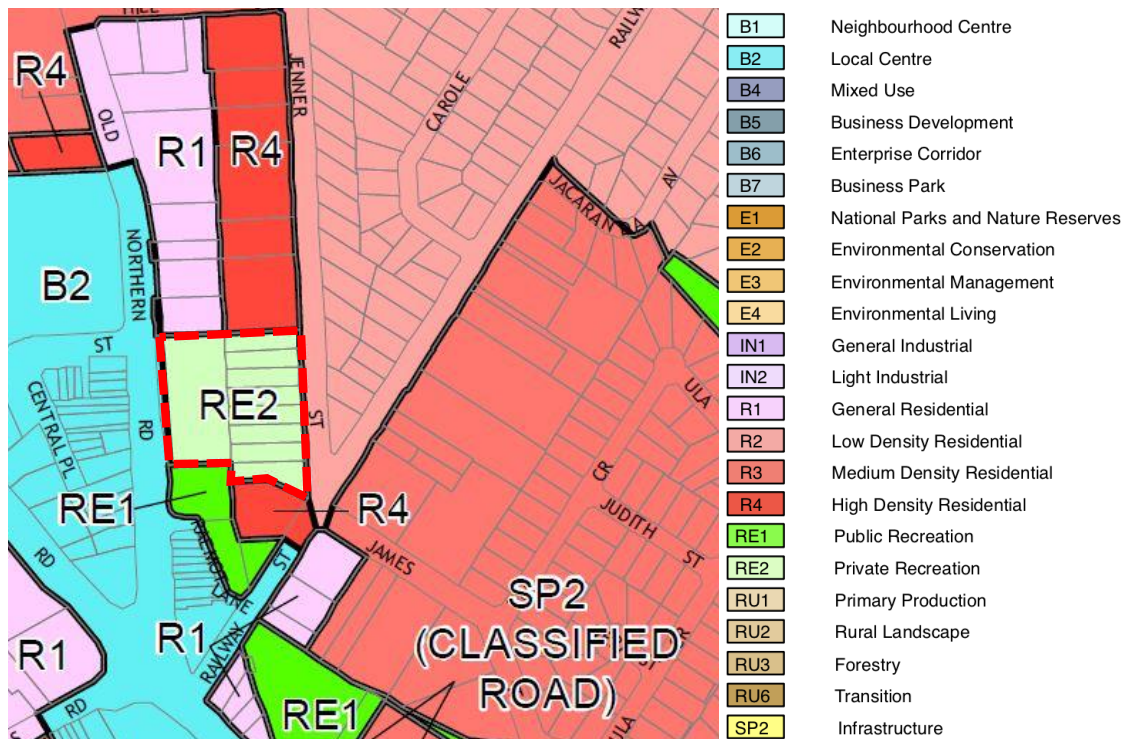


Figure 19: Zoning Map Extract (Source: HLEP 2019)

### 5.1.2 Height of Buildings

Under the HLEP 2019 the site is not assigned a maximum building height control. This Planning Proposal proposes assigning a height limit of part 63m and part 20m (Figure 40).

The immediate surrounding sites have a maximum height of buildings control of:

- 16 metres to 20 metres to the north
- 9 metres to the east
- 16 metres (and non-specified) to the south
- 12 metres to 20 metres to the west

This Planning Proposal is seeking a height of part 63m and part 20m (Figure 40) for the site to facilitate a 18 storey building, 2 x 6 storey buildings and 1 x 5 storey building.

The site and surrounding height controls are shown in Figure 20.

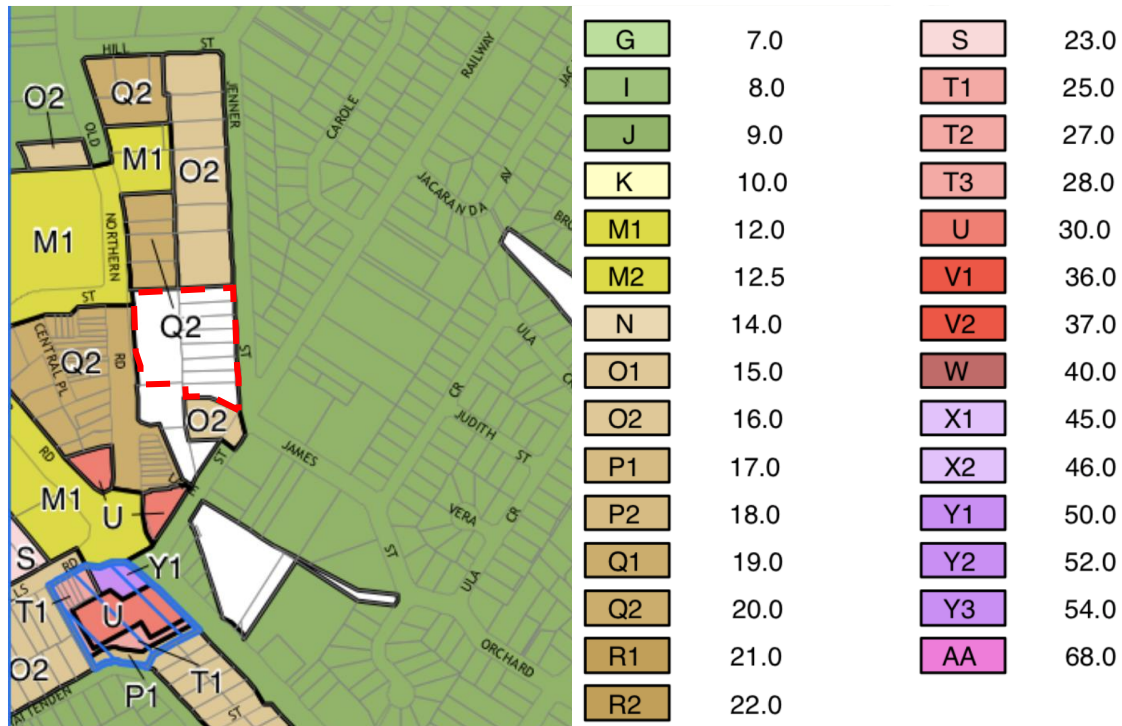


Figure 20: Height of Buildings Map Extract (Source: HLEP 2019)

### 5.1.3 Floor Space Ratio

Under the HLEP 2019 the site is not assigned floor space ratio (FSR) control. This Planning Proposal proposes assigning an FSR of 2.24:1 on the site.

The immediate surrounding sites have a maximum allowable floor space ratio (FSR) of:

- 1.99:1 to the north
- non-specified to the east
- ranging from non-specified to 1.0:1, 2.3:1, 2.7:1 and 3.0:1 to the south
- ranging from 1.00:1, 1.99:1, 2.3:1, 2.7:1 and 3.0:1 to the west

This Planning Proposal is seeking to assign an FSR of 2.24:1 to the site.

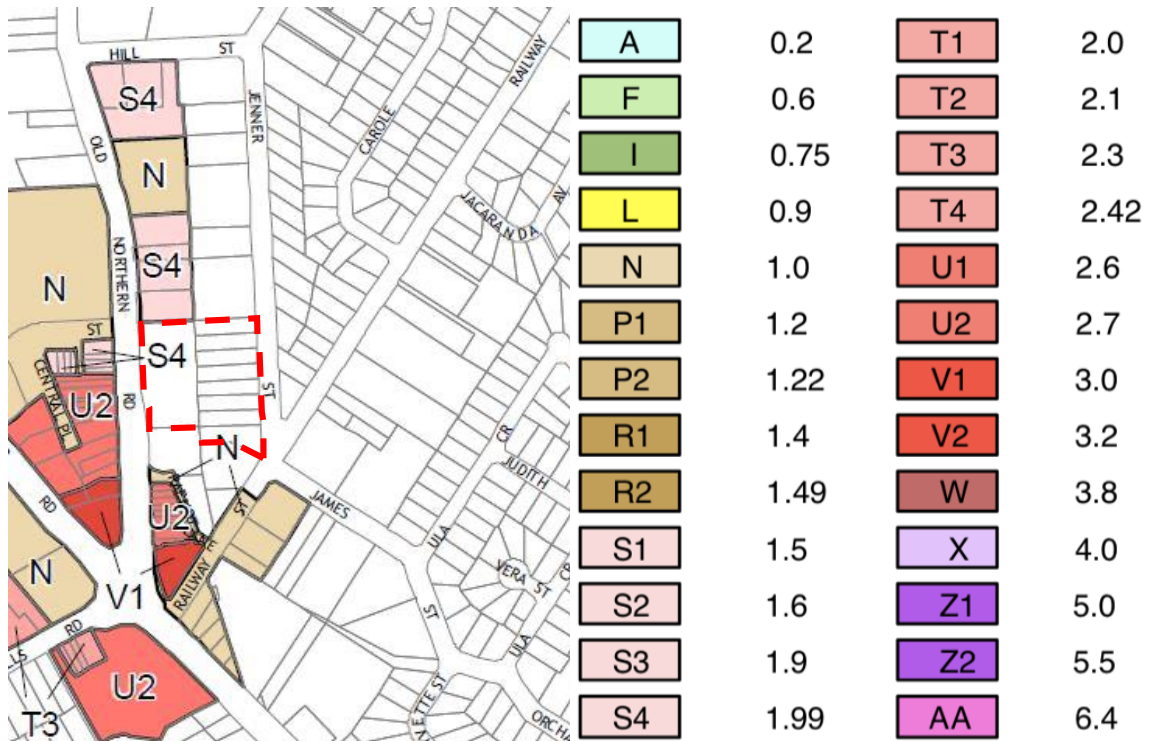


Figure 21: FSR Map Extract (Source: HLEP 2019)

#### 5.1.4 Heritage

The site does not include includes any heritage items. However, it is adjacent to Heritage Item I8 to the north, which is identified in the HLEP 2019 with frontage to Old Northern Road, Baulkham Hill. The site also borders archaeological heritage item 'A1' to the South. It is important to note this does not relate to any Aboriginal significance item but rather is described as the *Baulkham Hills Tramway Cutting*.

Additionally, the site is nearby to four other local heritage items including the Bull and Bush Hotel (I30), two dwelling house heritage items (I9 & I10) and the Windsor Road heritage item (I28) which covers the road from Baulkham Hills to Box Hills.

The Heritage Impact Assessment prepared by Wier Phillips Heritage (Appendix 1) finds that the Planning Proposal will have an acceptable impact on the adjacent heritage items. The HIS finds that the proposed building height is sufficiently mitigated by the setbacks and design which breaks up the massing.



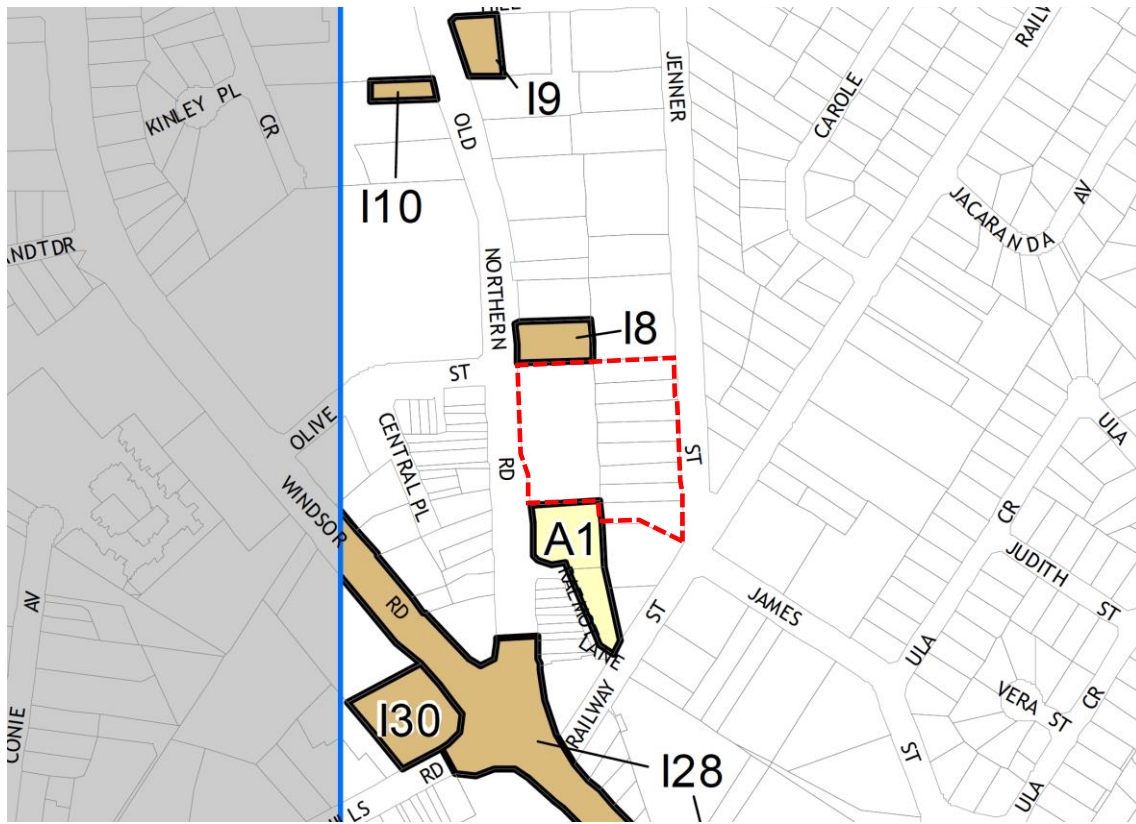


Figure 22: HLEP 2019 Heritage Map (Source: The Hills Shire Council)

#### 5.1.5 Clause 7.7 Design excellence

The future detailed DA will be subject to this design excellence clause as the proposal will incorporate a building height more than 25 metres. The consent authority must find that the future DA exhibits design excellence including:

- (4) In considering whether the development exhibits design excellence, the consent authority must have regard to the following matters—
- whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved,
  - whether the form, arrangement and external appearance of the development will improve the quality and amenity of the public domain,
  - whether the development detrimentally impacts on view corridors,
  - whether the development detrimentally impacts on any land protected by solar access controls established under a development control plan,
  - the requirements of any development control plan to the extent that it is relevant to the proposed development,
  - how the development addresses the following matters—
    - the suitability of the land for development,
    - existing and proposed uses and use mix,
    - heritage issues and streetscape constraints,
    - the relationship of the development with other development (existing or proposed) on the same site or on neighbouring sites in terms of separation, setbacks, amenity and urban form,
    - bulk, massing and modulation of buildings,
    - street frontage heights,



- vii. *environmental impacts such as sustainable design, overshadowing, wind and reflectivity,*
- viii. *the achievement of the principles of ecologically sustainable development,*
- ix. *pedestrian, cycle, vehicular and service access, circulation and requirements, the impact on, and any proposed improvements to, the public domain,*
- x. *the configuration and design of public access areas, recreation areas and communal open space on the site and whether that design incorporates exemplary and innovative treatments,*
- g. *the findings of a panel of 3 or more persons that has been convened by the consent authority for the purposes of reviewing the design excellence of the development proposal.*

## 5.2 The Hills Development Control Plan 2012

The Hills Development Control Plan 2012 (HDCP 2012) applies to all land within The Hills LGA. The DCP provides objectives and design principles for future built form, massing, streetscape and landscaping and public domain.

Part D of the DCP contains specific design requirements for certain precincts of the City including the Baulkham Hills Town Centre.

The aims and objectives for the Baulkham Hills Town Centre are as follows:

- i. *Ensure that all development supports the designated functions of the town centre;*
- ii. *Encourage a high standard of aesthetically pleasing and functional retail, commercial and mixed use developments that sympathetically relate to adjoining and nearby developments;*
- iii. *Ensure that development will not detrimentally affect the environment of any adjoining lands and ensure that satisfactory measures are incorporated to ameliorate any impacts arising from the proposed development;*
- iv. *Ensure that development will promote and support the role of the Baulkham Hills Town Centre as a district centre;*
- v. *Encourage innovative and imaginative designs that add to the character of the Town Centre with particular emphasis on the integration of buildings, landscaped areas, public art and public space;*
- vi. *To ensure that new development moderate the demand for travel, support the efficient and viable operation of public transport and improve accessibility to housing and employment.*
- vii. *Provide safe and high quality useable environments for the employees, visitors and residents using the Town Centre; and*
- viii. *Ensure that all developments incorporate the principles of Ecologically Sustainable Development.*
- ix. *Ensure that water management is a material planning consideration.*

The proposal is consistent with the aims and the objectives as it will deliver a high quality mixed use development that will support the role of the Baulkham Hills Town Centre with minimal adverse environmental impacts.

A site specific DCP accompanies the Planning Proposal (Appendix 9). The proposal will be assessed against the relevant provisions of the HDCP 2012 and the site specific DCP at the DA stage. The purpose of the Draft DCP is to provide detailed objectives and controls to guide the future development of the site in a way which promotes a high quality design outcome and ensures development responds to the site's context.

The DCP also describes the desired future character of the site as a high-quality mixed use development which activates Old Northern Road and retains private recreation uses at its core.

### 5.3 State Environmental Planning Policy (Housing) 2021

The *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004* (Seniors SEPP) was consolidated within *State Environmental Planning Policy (Housing) 2021* (Housing SEPP) which commenced in November 2021. The former provisions of the Seniors SEPP are now located at Part 5 Housing for seniors and people with a disability within Chapter 3 of the Housing SEPP.

The following table provides consideration of several of the relevant clauses of the Housing SEPP applicable to the redevelopment of the site. The future applications will need to consider and address the requirements of the Housing SEPP.

Clause	Comment
<b>Part 5 Housing for seniors and people with a disability</b>	
<b>(79) Land to which Part applies</b> <i>This Part applies to land in the following zones -</i> ... <p>(p) Zone RE2 Private Recreation</p>	This Part applies to the site as it is zoned RE2 Private Recreation.
<b>(80) Land to which Part does not apply - general</b> (1) <i>This Part does not apply to the following land—</i> a. <i>land to which Warringah Local Environmental Plan 2000 applies that is located within locality B2 (Oxford Falls Valley) or C8 (Belrose North) under the Plan</i> b. <i>land described in Schedule 3.</i> (2) <i>Nothing in Schedule 4 operates to preclude the application of this Part to land only because—</i> a. <i>the land is identified under State Environmental Planning Policy (Coastal Management) 2018, or</i> b. <i>in relation to land used for the purposes of an existing registered club—the land is described in another environmental planning instrument as—</i> i. <i>private open space, or</i> ii. <i>open space where dwellings or dwelling houses are permitted.</i> iii.	The land is not excluded from the application of this part.
<b>(81) Seniors housing permitted with consent</b> <i>Development for the purposes of seniors housing may be carried out with development consent—</i> (a) <i>on land to which this Part applies, or</i> (b) <i>on land on which development for the purposes of seniors housing is permitted under another environmental planning instrument.</i>	Development for the purposes of seniors housing may be carried out on this site.

Table 13: Relevant clauses of the Housing SEPP

#### **5.4 State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development**

*State Environmental Planning Policy 65 – Residential Apartment Development* (SEPP 65) seeks to improve the design quality of residential developments and encourage innovative design. The *Apartment Design Guide* (ADG) is closely linked to the principles of SEPP 65 and sets out best practice design principles for residential developments.

The proposal has considered future residential amenity as detailed in the Urban Design Report (Appendix 5). The assessment demonstrates that the proposal can comply with SEPP 65 and the ADG and provides for an acceptable level of amenity.

#### **5.5 State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004**

The *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004* (BASIX) seeks to encourage sustainable development within NSW. An assessment against BASIX will be undertaken at the DA stage to confirm that the proposal is capable of complying with the targets of the Building Sustainability Index.

#### **5.6 State Environmental Planning Policy (Transport and Infrastructure) 2021**

##### *Chapter 2 – Infrastructure*

Chapter 2 of *State Environmental Planning Policy (Transport and Infrastructure) 2021* (Transport and Infrastructure SEPP) aims to facilitate the effective delivery of infrastructure across the State. This includes identifying matters to be considered in the assessment of development adjacent to types of infrastructure development and providing for consultation with relevant public authorities about certain development during the assessment process or prior to development commencing.

Section 2.119 stipulates that the consent authority must not grant consent to development on land that has a frontage to a classified road unless it is satisfied that vehicular access to the land is provided by a road other than the classified road and the safety, efficiency and ongoing operation of the classified road will not be adversely affected.

The development fronts Old Northern Road, which is a classified road. The Proposal includes a new connection to Old Northern Road for the purposes of loading access to Building A. The proposal also comprises access points from Jenner Street for Club and resident car park access.

A Traffic Impact Assessment (TIA) prepared by ptc accompanies the Planning Proposal (Appendix 10). The TIA addresses Section 2.119 of the Transport and Infrastructure SEPP as detailed below.

Section	TIA response
1. The objectives of this clause are:	
a) to ensure that new development does not compromise the effective and ongoing operation and function of classified roads, and	Section 7.6 highlights through SIDRA modelling that the function and operation of the intersection is not compromised. It also allows for the function of a new pedestrian crossing on the southern leg further discussed in Section 6.3.
b) to prevent or reduce the potential impact of traffic noise and vehicle emission on development adjacent to classified roads.	The additional traffic produced by the loading dock will be negligible in comparison to the existing traffic volumes. Adjacent developments on Old Northern Road are non-residential and unlikely to be impacted by additional traffic volumes.
2. The consent authority must not grant consent to development on land that has a frontage to a classified road unless it is satisfied that—	
a) where practicable and safe, vehicular access to the land is provided by a road other than the classified road, and	The site benefits from access from a road other than the classified road, however there is merit in providing the access from Old Northern Road at the intersection with Olive Street, which goes to the issue of practical access for service vehicles, and also the distribution of the service vehicles away from the residential area to the east of the site.
b) the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of—	As part of the works to add the [service vehicle] access to the existing traffic signal intersection of Old Northern Road and Olive Street, the southern pedestrian crossing will be constructed, which can be achieved with minimal works to the existing traffic signals. This would achieve compliance with the requirement for a pedestrian crossing at each approach and would therefore improve the safety of the existing intersection.
i. the design of the vehicular access to the land, or	
ii. the emission of smoke or dust from the development, or	
iii. (iii) the nature, volume or frequency of vehicles using the classified road to gain access to the land, and	The intersection modelling presented in this report demonstrates that the efficiency of the intersection is minimal with only slight changes to the average delay to the existing movements.
c) the development is of a type that is not sensitive to traffic noise or vehicle emissions, or is appropriately located and designed, or includes measures, to ameliorate potential traffic noise or vehicle emissions within the site of the development arising from the adjacent classified road.	The design of the development will incorporate appropriate measures that ameliorate potential traffic noise or vehicle emissions.

Table 14: Response to Clause 2.119 of the Transport and Infrastructure SEPP (Source: TIA)

Schedule 3 identifies the capacity or size of developments that should be referred to Transport for NSW (TfNSW). TfNSW will continue to be closely consulted throughout the Planning Proposal process, given the potential impacts (and opportunities) of the development on Old Northern Road, and wider commitments for public transport enhancement associated with the Planning Proposal.

Noise considerations to and from the proposed development can be addressed through the detailed design stage and would not be a determinative factor in the Planning Proposal. The proposal is accompanied by an Acoustic Assessment prepared by Acouras and (Appendix 11), which recommends appropriate noise mitigation treatments to ensure the development achieves an acceptable noise environment. Noise can be addressed through the detailed design stage.

## **5.7 State Environmental Planning Policy (Planning Systems) 2021**

### *Chapter 2 – State and Regional Development*

Chapter 2 of *State Environmental Planning Policy (Planning Systems) 2021* (Planning Systems SEPP) outlines criteria and processes associated with certain types of development (or within certain areas) deemed to be of State or Regional Significance, and the associated determination regime for such development.

Future development applications for the Site would be subject to the SEPP and are proposed to be determined under Part 4 of the EP&A Act.

Where development has a capital investment value exceeding \$30 million, Council staff would undertake the assessment although the determination function would be exercised by the Sydney Central City Planning Panel.

It is not envisaged that any development applications of the Site would be considered as State Significant.



## 6 The Planning Proposal

### 6.1 Part 1: Objectives and Intended Outcomes

The objectives of the Planning Proposal are:

- to retain and revitalise The Hills Club providing new recreational facilities
- to provide high quality housing within the Town Centre accommodating a diverse group of residents
- provide a variety of housing types and sizes
- to provide new commercial/ retail floor space
- to provide new jobs and economic activity within the Town Centre
- to provide an appropriate built form which respects the surrounding residential and open space land
- to improve pedestrian permeability through the provision of two through-site links
- to improve the public domain

The Proposal seeks to achieve these objectives by allowing the redevelopment of the site as mixed-use development with a range of residential, commercial/ retail and community uses. The intended outcomes of the Proposal are to:

- revitalise the site and retain The Hills Club
- improve housing diversity, affordability and availability within the locality
- provide appropriate services and employment opportunities that suit the resident profile in the area
- allow for a proposal that will complement and support strategic centres including Parramatta, Norwest and Castle Hill
- provide for new private recreational facilities through two new bowling greens and new club facilities
- improved pedestrian permeability

The Proposal seeks to achieve these intended outcomes by proposing amendments to the HLEP 2019. It is also intended the Proposal progress with the Applicant's Letter of Offer to secure public benefits (Appendix 8).

### 6.2 Part 2: Explanation of provisions

The Planning Proposal seeks an amendment to *The Hills Local Environmental Plan 2019* (HLEP 2019) for land at 6-18 Jenner St, Baulkham Hills (the Site). The primary purpose of this Proposal is to allow for greater built form and additional uses on the site. The amendments sought are outlined below.

Planning control	Existing Controls	Original Planning Proposal	Planning Proposal March 2022	Planning Proposal August 2022
<b>Land use zone</b>	RE2 Private Recreation	RE2 Private Recreation	RE2 Private Recreation	RE2 Private Recreation
<b>Height</b>	N/A	68m (21 storeys)	Part 54m and part 20m (16 and 6 storeys)	Part 63m and part 20m (18 and 6 storeys)
<b>FSR</b>	N/A	2.5:1	2.31:1	2.24:1
<b>Schedule 1 Additional permitted uses</b>	N/A	<ul style="list-style-type: none"> <li>Residential accommodation including seniors housing, shop top housing and residential flat buildings</li> <li>Registered Club</li> <li>Commercial premises</li> </ul>	<ul style="list-style-type: none"> <li>Residential accommodation including seniors housing, shop top housing and residential flat buildings</li> <li>Registered Club</li> <li>Commercial premises</li> </ul>	<ul style="list-style-type: none"> <li>Residential accommodation including seniors housing, shop top housing and residential flat buildings</li> <li>Registered Club</li> <li>Commercial premises</li> </ul>

Table 15: Proposed amendments to the HLEP 2019

The Proposal also seeks more appropriate built form controls, seeking a new maximum height limit of part 63m and part 20m (Figure 40), with a floorspace ratio of 2.24:1.

The Proposal nominates a minimum of 152m<sup>2</sup> commercial and 3,108m<sup>2</sup> registered club floor space within the site.

The Planning Proposal is accompanied by a Draft Site Specific DCP (Appendix 9) which provides detailed objectives and controls to guide the future development of the site in a way which promotes a high quality design outcome and ensures development responds to the site's context. The Hills Club and Arden propose to work closely with Council staff to further develop the Site Specific DCP to be part of any formal public exhibition package.

A Letter of Offer to enter a VPA accompanies this Planning Proposal to be progressed in parallel with the Proposal.

### Rationale for Proposed Land Use Controls

This Planning Proposal and supporting reports make the case for include additional permitted uses to the *RE2 Private Recreation* zone.

The consideration of appropriate zones and key built form controls (height and FSR) follows an evidence-based approach which investigated in detail the economic, environmental (including traffic and transport) and social impacts of a new mixed use development of the Site.

A planning justification and rationale for these proposed land uses and key built form controls is detailed below.

## Proposed Land Uses

The proposal seeks to retain The Hills Club and private recreational uses. ***The proposal does not seek to amend the current zoning however it seeks to introduce land uses to secure and complement the Club.*** The proposed land uses include:

- registered club, ancillary community floor space and private recreational uses
- residential accommodation including seniors housing and residential flat buildings
- residential facilities
- commercial premises

The Draft Baulkham Hills Town Centre Master Plan exhibited in 2014, identifies the site as a 'Strategic Investigation Site'. The Draft Master Plan identified that the site is suitable for redevelopment for the purposes of residential and commercial purposes. The Draft Master Plan also identifies a higher yield for the site than the existing development.

The Draft Master Plan identifies that the potential yield would be subject to a detailed design as part of a future planning proposal. The Draft Master Plan also identified several design principles which a planning proposal must also consider. This Planning Proposal is generally consistent with Council's Draft Town Centre Master Plan.

An overview of the proposed built form controls for the Site and planning justification is detailed below.

## Proposed Built Form Controls (Height & FSR)

The original Planning Proposal submitted for the site in March 2022 and supported by an Urban Design analysis sought a maximum building height of 68m and a maximum FSR of 2.5:1. In response to feedback received from Council, the Planning Proposal was amended in March 2022 to reduce the built form of the development along Old Northern Road and to improve its contribution to the streetscape.

The March 2022 Planning Proposal sought heights of part 54m and part 20m (Figure 40) and a maximum FSR of 2.31:1.

This updated Planning Proposal has included further amendments and now seeks heights of part 63m and part 20m and a maximum FSR of 2.24:1. The amendments have been made to respond to concerns from the LPP regarding the width of the podium and setbacks.

A comparison of the March 2022 and current scheme is shown at Figure 23 and Figure 24.

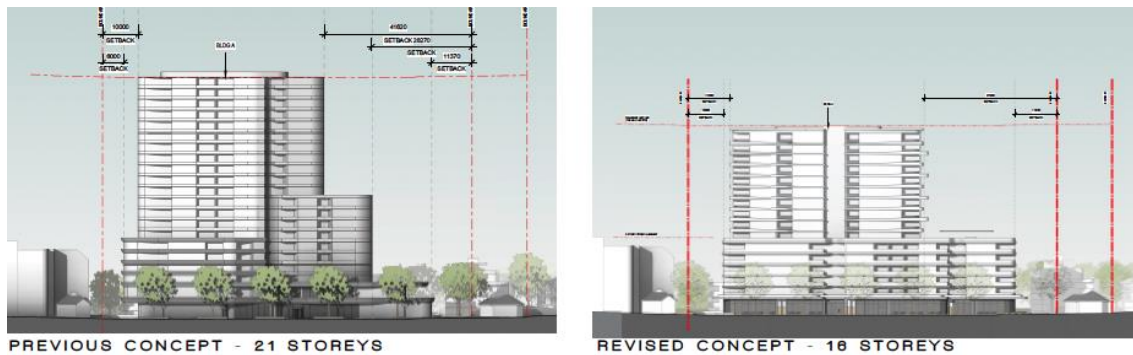


Figure 23: Original and March 2022 concept scheme (Source: Altis)

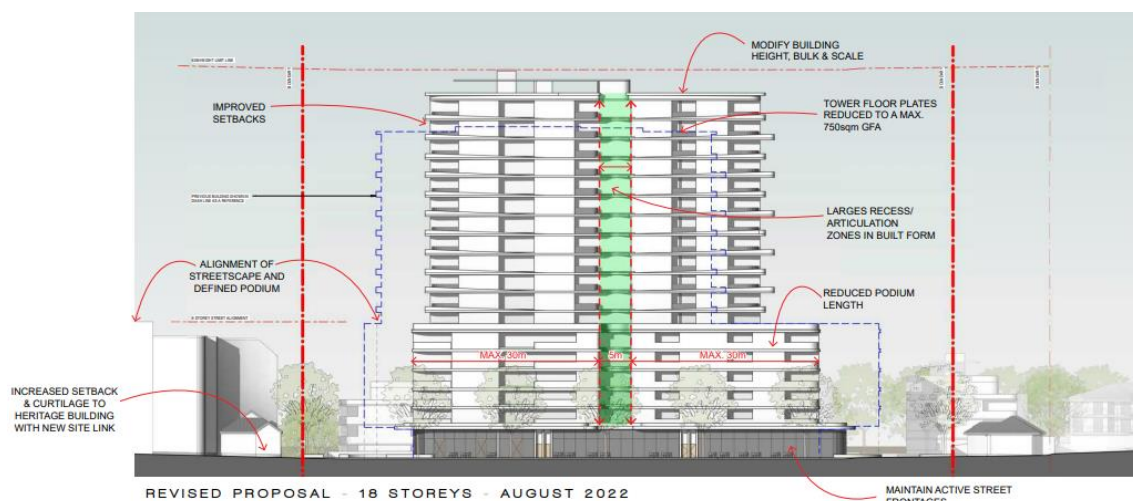


Figure 24: Revised indicative scheme with March 2022 scheme outlined in blue (Source: Altis)

The revised built form achieves the following:

- the building length along the Old Northern Road frontage is reduced to 65m
- increased northern and southern setback are provided on the Old Northern Road frontage, providing view lines and passive surveillance to the communal open space and bowling greens within the centre of the site
- an increased front setback at ground level is provided to Old Northern Road to achieve a wider footpath and to improve sight-lines to Creasy's Cottage
- an additional through-site link is provided along the northern boundary, improving the permeability and walkability of the area
- the southern through site link has been amended to provide a more direct path of travel
- the tower height of Building A fronting Old Northern Road is increased from 16 to 18 storeys to facilitate the above changes while maintaining an appropriate density and FSR of 2.24:1 at the site



Figure 25: Perspective view from Old Northern Road (Source: Altis)

The Urban Design Report prepared by Dickson Rothschild (Appendix 5) outlines the guiding principles, methodology, opportunities and constraints, urban design principles, landscaping and public domain. This Report investigates the Site and considers potential impacts on adjoining properties and of the existing and evolving character of the locality.

These investigations also carefully examine the Site conditions, noting that there are significant level changes within the Site in an east west direction. The site is also elevated above the surrounding residential dwellings located to the east of the site.

The Proposal seeks a range of building heights according to the indicative scheme ranging in height from approximately 20 metres to 63 metres (up to 18 storeys). The building height map allocates two heights based on the masterplan with 63 metres applying along Old Northern Road and 20m applying along Jenner Street.

The proposed maximum 63 metre height limit along Old Northern Road is considered acceptable given it is proposed to book end the Baulkham Hills Town Centre. The siting will ensure overshadowing and the appearance of the proposal is mitigated from the surrounding residential developments and George Suttor Reserve. The proposal seeks to transition the building height over the remainder of the site down to 5 and 6 storeys towards the southern and eastern sections of the site.

In terms of proposed floorspace ratio (FSR), the Proposal seeks a gross FSR of 2.24:1 across the Site. This FSR is appropriate for the desired built form outcomes given the opportunities to provide significant areas of private recreation space.

The building heights and density are justified in this location based on the following rationales:



### Sensitive Location of Tall Buildings

- building heights range between 5 to 18 storeys, with the tallest building located towards the north-western section of the Site adjoining Old Northern Road
- low rise apartments in the order of 5 to 6 storeys are proposed on the northern, eastern and southern portions of the site to assist with the sensitive transition of the Site to the neighbouring high to low-rise dwellings
- the tall building is designed with a podium and a slender tower form, rather than lower bulkier building to avoid significant impacts on adjoining residential properties and George Suttor Reserve in terms of excessive overshadowing, overlooking, bulk and scale visual impacts
- the proposal avoids a monotonous height across the Site leading to poor urban design outcomes



Figure 26: Perspective view from Old Northern Road (Source: Altis)



Figure 27: Perspective view from Jenner Street (Source: Altis)

### **Building Orientation**

- north-south and east-west building orientations are proposed so that a variety of apartment types are encouraged
- buildings are proposed to address Old Northern Road or Jenner Street, encouraging passive surveillance and an active frontage

### **Solar access and Overshadowing Impacts**

- the 18 storey building is orientated along a north-south axis to reduce the impacts of overshadowing on residences and George Suttor Reserve and to meet ADG requirements
- the orientation of the proposed building envelopes ensures they can achieve at least 2 hours of direct solar access in mid-winter as per the ADG

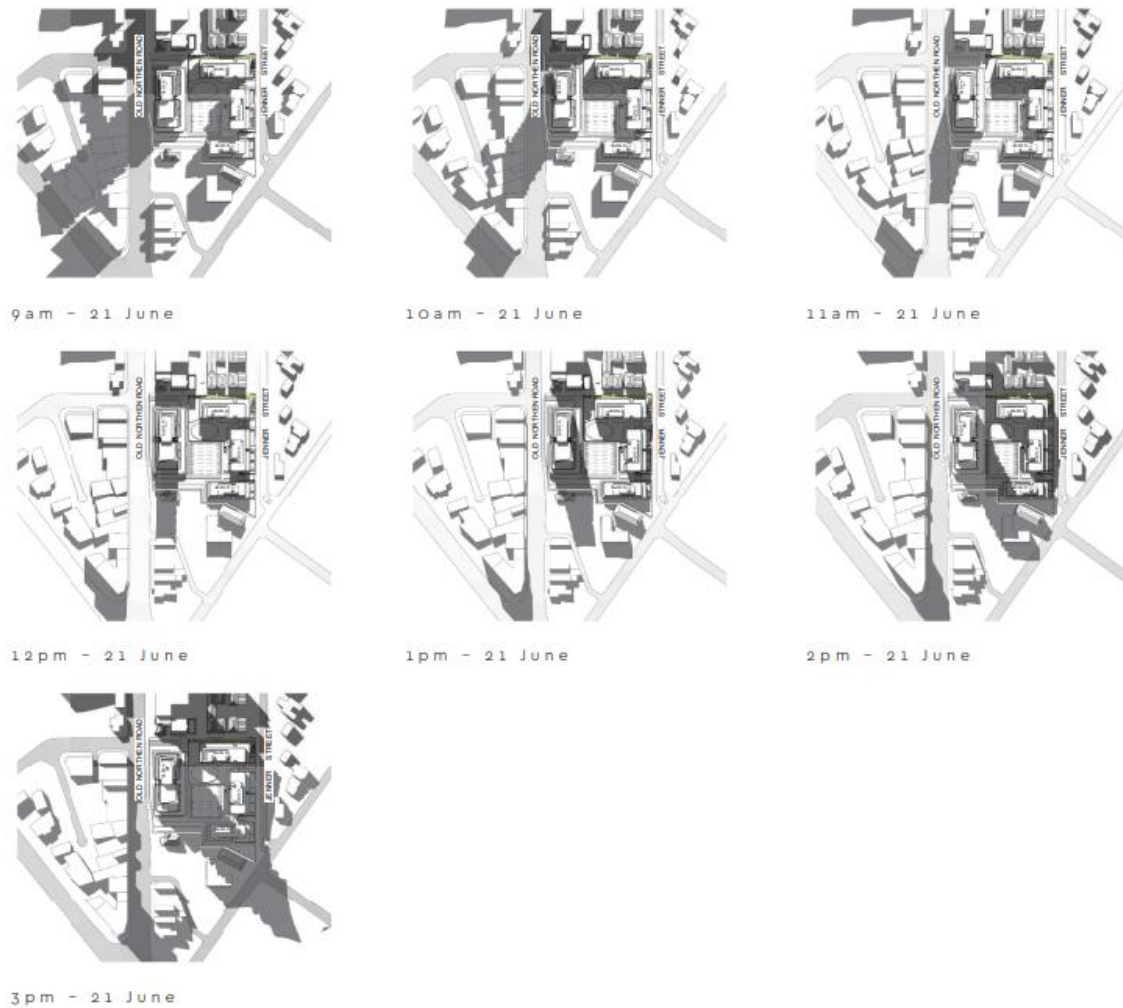


Figure 28: Shadow diagrams (Source: Altis)

## **6.3 Part 3: Justification**

### **6.3.1 Section A – Need for a Planning Proposal**

#### ***Is the Planning Proposal a result of an endorsed local strategic planning statement, strategic study or report?***

The Planning Proposal is the result of a number of strategic studies and reports. The Proposal is also supported by a wide range of technical reports including traffic and transport, urban design and environmental studies.

The key studies that underpin the Planning Proposal are the Social and Economic Impact Assessment and Strategy, Architectural package, Urban Design Report and Traffic Impact Assessment. These studies are summarised below with further analysis in Section 6 of this report.

The proposal is generally consistent with the planning priorities in the LSPS as it provides a diverse range of housing in an accessible location being the Baulkham Hills Town Centre. The LSPS is addressed in greater detail at Section 4. The proposal is also consistent with the Draft Baulkham Hills Town Centre Master Plan exhibited in 2014, which identifies the site as a 'Strategic Investigation Site' and being suitable for redevelopment.

#### ***Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?***

The Planning Proposal is the best and most appropriate means of achieving the desired future redevelopment of the Site. As demonstrated in this Proposal, the existing planning controls are restrictive and do not permit the land uses required to revitalise the site. The proposal seeks to introduce additional land uses to facilitate the redevelopment of the site, to ensure the continued financial viability of The Hills Club.

The mixed use and residential proposal will contribute towards the provision for housing and employment for the future population demands of The Hills Shire LGA and broader region.

Accordingly, the proposed rezoning of the Site through an amendment to the HLEP 2019 is considered the most appropriate method to deliver the desired outcomes.



### 6.3.2 Section B - Relationship to Strategic Planning Framework

*Will the Planning Proposal give effect to the objectives and actions of the applicable regional, or district plan or strategy (including any exhibited draft plans or strategies)?*

#### Greater Sydney Region Plan

The *Greater Sydney Region Plan* (Region Plan) outlines how Greater Sydney will manage growth and change in the context of social, economic and environmental matters. It sets the vision and strategy for Greater Sydney, to be implemented at a local level through District Plans.

The Planning Proposal is consistent with the Region Plan as detailed in the Table below.

Direction	Response
A City supported by infrastructure	The Planning Proposal strongly aligns with this Direction by providing: <ul style="list-style-type: none"> <li>• revitalised private recreation and club facilities</li> <li>• new housing in a location that can utilise existing bus transport infrastructure and within the town centre providing walkability</li> <li>• contributions towards traffic/pedestrian improvements on various intersections surrounding the site</li> </ul>
A collaborative City	The Planning Proposal strongly aligns with this Direction. ARDEN is working collaboratively with Council, TfNSW, and other government agencies
A City for people	The Planning Proposal strongly aligns with this Direction by providing: <ul style="list-style-type: none"> <li>• a renewed The Hills Club</li> <li>• two brand new bowling greens</li> <li>• housing within the Baulkham Hills Town Centre promoting a walkable neighbourhood</li> <li>• new commercial/ retail space</li> </ul>
Housing in the City	The Planning Proposal strongly aligns with this Direction as follows: <ul style="list-style-type: none"> <li>• provides high density housing in an appropriate location</li> <li>• provides seniors housing</li> <li>• provides a diverse of unit mix</li> </ul>
A City of great places	The Planning Proposal strongly aligns with this Direction by: <ul style="list-style-type: none"> <li>• providing two brand new bowling greens</li> <li>• providing brand new club facilities</li> <li>• encouraging activity within the Baulkham Hills Town Centre by providing new commercial/ retail space</li> <li>• contributes to the urban renewal of Baulkham Hills</li> <li>• providing a mix of land uses and activities that provide opportunities for social connection in a walkable, human scale, fine grain town centre</li> </ul>
A well-connected City	The Planning Proposal strongly aligns with this Direction as the site has a bus stop on it's Old Northern Road frontage providing access to: <ul style="list-style-type: none"> <li>• Parramatta in roughly 30-40 minutes</li> <li>• Norwest in roughly 30-40 minutes</li> <li>• Castle Hill in roughly 15-20 minutes</li> </ul>
Jobs and skills for the City	The Planning Proposal strongly aligns with this Direction as follows: <ul style="list-style-type: none"> <li>• it provides employment space and housing within the Baulkham Hills town centre allowing people to live and work nearby</li> </ul>



Direction	Response
	<ul style="list-style-type: none"> <li>will provide 255 direct and 408 indirect full time jobs during the construction stage</li> <li>will provide 132 full time jobs once operational (direct and indirect employment)</li> <li>it supports the continued economic development and diversity of Greater Parramatta</li> </ul>
A City in its landscape	<p>The Planning Proposal strongly aligns with this Direction:</p> <ul style="list-style-type: none"> <li>the Planning Proposal provides for appropriate development within an urban area</li> <li>the site continues to provide green space through the provision of new bowling greens and communal and private open spaces</li> </ul>
An efficient City	<p>The Planning Proposal aligns with this Direction as follows:</p> <ul style="list-style-type: none"> <li>the site is in close proximity to the Parramatta Metropolitan Centre and the Castle Hill and Norwest strategic centres</li> <li>measures to reduce waste and energy usage will be incorporated at detailed design at later stages</li> </ul>
A resilient City	<p>The Planning Proposal aligns with this Direction as follows:</p> <ul style="list-style-type: none"> <li>the site is not prone to natural disasters or hazards such as flooding, sea level rise, bushfire or landslides and resultingly increasing density on the site is consistent with creating resilient housing</li> <li>the proposal includes street tree planting, landscaped roof and podium gardens and deep soil zones to facilitate a greater canopy coverage on the site, these measures will help reduce the urban heat island effect on the site and provide necessary shade in response to rising temperatures</li> <li>energy efficiency and sustainable measures will be incorporated to ensure compliance with BASIX and resultingly reduce the carbon footprint of the development</li> </ul>

Table 16: Alignment with the Greater Sydney Region Plan (Source: Keylan)

The Region Plan is addressed in greater detail at Section 4.

### Central City District Plan

*The Central City District Plan* (District Plan) reinforces the key planning directions and objectives outlined in the Greater Sydney Region Plan.

The District Plan provides broad strategic directions to support the Central City. The District Plan consists of key planning priorities and actions for achieving a liveable, productive and sustainable future for the Central City.

The proposal is consistent with the key planning priorities of the District Plan as it promotes an increased variety of housing within the Baulkham Hills Town Centre and provides for revitalised recreational and community space in an accessible location.

The District Plan is addressed in greater detail at Section 4.

### ***Is the Planning Proposal consistent with a Council's Local Strategy or Other Local Strategic Plan?***

As discussed, the Planning Proposal has been assessed against a number of Council's strategies and plans in detail at Section 4 including the LSPS, Community Strategic Plan and the Draft Baulkham Hills Town Centre Public Domain Plan and Master Plan.

#### **Hills Future 2036: Local Strategic Planning Statement**

The Hills Future 2036: Local Strategic Planning Statement (LSPS) was finalised in 2020 and sets out Council's land use vision and planning priorities for the LGA. As discussed in Section 4 of this report the proposal is consistent with the LSPS as it:

- will provide commercial floor space
- will provide approximately 255 direct and 408 indirect jobs during construction
- will provide approximately 132 full time jobs once operational (direct and indirect employment)
- will support existing services and jobs within the Baulkham Hills Town Centre
- will facilitate 228 high quality residential apartments in an appropriate location that is easily accessible to existing services and transport
- which will provide a diverse apartment mix and seniors housing facilitating a choice in housing types
- will contribute to the renewal of the Baulkham Hills Town Centre and provide for a more active and walkable town centre.
- will facilitate a revitalised modern club with state-of-the-art bowling and community facilities, civic and community spaces and a greater diversity of activities available to its members and the broader community
- contributes towards traffic/pedestrian improvements on various intersections surrounding the site
- will facilitate increased landscaping including extensive tree canopy within the site and to the street frontages providing an improved urban design outcome



Figure 29: The Hills Club perspective (Source: Altis)

## Baulkham Hill Town Centre Draft Master Plan

The Draft Baulkham Hills Town Centre Masterplan (draft MP) exhibited in 2014 identifies The Hills Club site and the Bull and Bush Precinct (360 Windsor Rd) as strategic investigation sites.

Both precincts have been identified as being suitable for significant development opportunities as part of a future planning proposal:

*...Whilst these sites are considered to have significant development opportunity, they have unique characteristics which would need to be carefully addressed as part of a future planning proposal. It is considered appropriate that any future redevelopment of these sites occur as part of a **future landowner initiated proposal to amend The Hills Local Environmental Plan 2012 which would involve the preparation of a site specific Development Control Plan and design concept...***

This intention for a Planning Proposal (via a Schedule 1 amendment) for the site was further advised by Council at our meeting on 27 March 2019. The Draft MP includes specific design principles for the Hills Club site and potential yield indications – approximately 80 dwellings and 4,000m<sup>2</sup> of retail and commercial floor space.

The draft MP was on exhibition from 19 August until 19 September 2014 and has not yet been adopted. The proposal is generally consistent with the key design principles listed for the site within the draft MP.

Design Principle	Comment
<b>Land Use</b> <ul style="list-style-type: none"> <li>Development must promote a vibrant, mixed use environment that provides a range of retail and business uses to serve the daily needs of residents within the development and the local population</li> <li>Future redevelopment of the site is to include the continued use of the site as a club. This will provide for the social interaction needs of future residents within the vicinity of the site.</li> <li>Shop-top housing is to be provided above the ground floor.</li> </ul>	<ul style="list-style-type: none"> <li>The proposal comprises a mixed use development including commercial/ retail uses to serve the daily needs of residents. The proposal will contribute to a vibrant environment.</li> <li>The proposal retains the current The Hills Club use critical to the social interaction needs of residents.</li> <li>The proposal includes ground floor retail/Club uses with residential accommodation above.</li> </ul>
<b>Transport and access</b> <ul style="list-style-type: none"> <li>Future redevelopment must ensure that vehicular movement within and surrounding the site is safe and efficient</li> <li>Vehicular access to future development is to occur via Jenner Street</li> <li>Future redevelopment is to include safe and convenient pedestrian links between Windsor Road and Jenner Street</li> </ul>	<ul style="list-style-type: none"> <li>As supported by the Traffic Impact Assessment, vehicular movements within and surrounding the site is safe and efficient</li> <li>Vehicle access is proposed from Jenner Street and Old Northern Road</li> <li>The proposal comprises through site links between Old Northern Road and Jenner Street (see figure below).</li> </ul>

Design Principle	Comment
<b>Parking and Servicing</b> <ul style="list-style-type: none"> <li>Private car parking must be provided to meet the needs of residents, having regard to the proximity of the site to high frequency public transport services.</li> <li>Loading, servicing, utilities, and vehicle parking areas are to be located within underground basement areas or within the building mass, away from the public realm and public view.</li> </ul>	<ul style="list-style-type: none"> <li>As supported by the Traffic Impact Assessment, the proposed on-site car parking will meet the needs of residents whilst recognising the site's proximity to existing public transport.</li> <li>The detailed future DA will ensure loading, servicing, utilities and parking areas are located underground or within the building mass.</li> </ul>
<b>Treatment of Interfaces</b> <ul style="list-style-type: none"> <li>Activation uses will be located along the Windsor Road frontage. This will provide visual interest from the street and will create a connection between public realm and future development.</li> <li>Development must be designed so as to minimise the potential visual impact on adjoining residential areas.</li> <li>The treatment and articulation of facades must demonstrate architectural expression and must contribute to the public realm.</li> </ul>	<ul style="list-style-type: none"> <li>The proposal will activate Old Northern Road through the introduction of retail/commercial uses at the ground level and the continued operation of The Hills Club (see Figure below).</li> <li>The proposal minimises impacts on adjoining residential areas in terms of solar access and visual impacts. This is achieved by concentrating the taller built form along the Old Northern Road frontage (see Figure below).</li> <li>The proposal is highly articulated to reduce the overall perceived bulk.</li> </ul>
<b>Building Address</b> <ul style="list-style-type: none"> <li>Taller buildings must use public streets for address and building entrances.</li> <li>The primary building entrances must front onto public streets and be clearly defined, easily visible and accessible from the public areas.</li> <li>Future development must address both Jenner Street and Windsor Road</li> </ul>	<ul style="list-style-type: none"> <li>The proposal concentrates the taller built form along Old Northern Road (see figure below). The taller building addresses and has access from the Old Northern Road frontage.</li> <li>The proposal will activate Old Northern Road through the introduction of retail/commercial uses at the ground level and the continued operation of The Hills Club (see Figure below).</li> </ul>
<b>Built Form</b> <ul style="list-style-type: none"> <li>Setbacks shall be used to create distinct podium and tower elements. Podiums must be incorporated into building design to minimise the bulk and scale of development and to enable a more slender built form.</li> <li>A higher landmark building element is to be provided with a transition of building heights across the site to facilitate a more interesting and varied skyline. Building height elements are to be varied across the site to provide visual interest and to ensure that the built form is not repetitive.</li> <li>The height of future development must respond to the desired height of other precincts within the town centre</li> </ul>	<ul style="list-style-type: none"> <li>The proposed taller building incorporates distinct podium and tower elements to minimise the bulk and form of the development. The proposal results in a slender built form being proposed.</li> <li>The proposal incorporates varied built form height across the site. The taller built form of 18 storeys is sited along Old Northern Road, towards the northern portion of the site. The height transitions down to 5 to 6 storeys adjacent to Jenner Street. This reduction in height provides a transition to the existing residential developments.</li> <li>The proposal responds to the emerging built form within the Town Centre.</li> </ul>

Design Principle	Comment
<p><i>Open Space and Communal Facilities</i></p> <ul style="list-style-type: none"> <li>Development should provide a variety of innovative and well-designed areas of shared and private open space. The provision of open space and communal areas will improve the amenity for residents and workers within the development. The open space provision will include roof top gardens and other recreational facilities to make the development a highly attractive lifestyle option.</li> <li>Development must be designed so as to provide an appropriate level of passive surveillance for adjoining public areas, especially George Suttor Reserve.</li> </ul>	<ul style="list-style-type: none"> <li>A large communal open space area is provided at an accessible location at the centre of the site. Landscaped roof gardens will be provided on buildings near Jenner Street</li> <li>Balconies will be provided within the residential component of the development to facilitate passive surveillance and provide private open space. Landscaped podium areas near Old Northern Road will also facilitate passive surveillance.</li> <li>The proposal will facilitate two brand new bowling greens and club facilities on the site. This will provide for renewed recreational space on the site that promotes physical activity and social interaction.</li> </ul>
<p><i>Public Domain</i></p> <ul style="list-style-type: none"> <li>The public domain and interface activities will be attractive, safe, functional and accessible for residents and workers. The public domain and pedestrian environment will be characterised by excellence in design and high quality materials.</li> <li>The treatment of the public domain works to be provided along all frontages shall be in accordance with the vision established for the public realm within the Baulkham Hills Town Centre.</li> <li>Active frontages are to be provided with appropriate weather protection in the form of awnings and colonnades.</li> </ul>	<ul style="list-style-type: none"> <li>The proposal seeks to improve the public domain and landscape interface between the site and Old Northern Road and Jenner Street. The proposal will provide accessible entrances for residents and workers.</li> <li>The proposal aims to enhance the public domain through improving street level connections to Old Northern Road. Consistency with the Baulkham Hills Town Centre Draft Public Domain Plan is detailed in the following section.</li> <li>As detailed in the Urban Design Report (Appendix 5) the proposed built form and non-residential uses will be sited along Old Northern Road, activating the street frontage.</li> <li>Weather protection and use of high quality materials will be demonstrated at the detailed DA stage.</li> </ul>
<p><i>Environmental Performance</i></p> <ul style="list-style-type: none"> <li>Development will achieve maximum environmental performance through the use of best practice environmental design.</li> </ul>	<ul style="list-style-type: none"> <li>The proposal will achieve a high level of environmental performance and will be demonstrated at the detailed DA stage.</li> </ul>

Table 17: Consideration of the Planning Proposal against the Design Principles



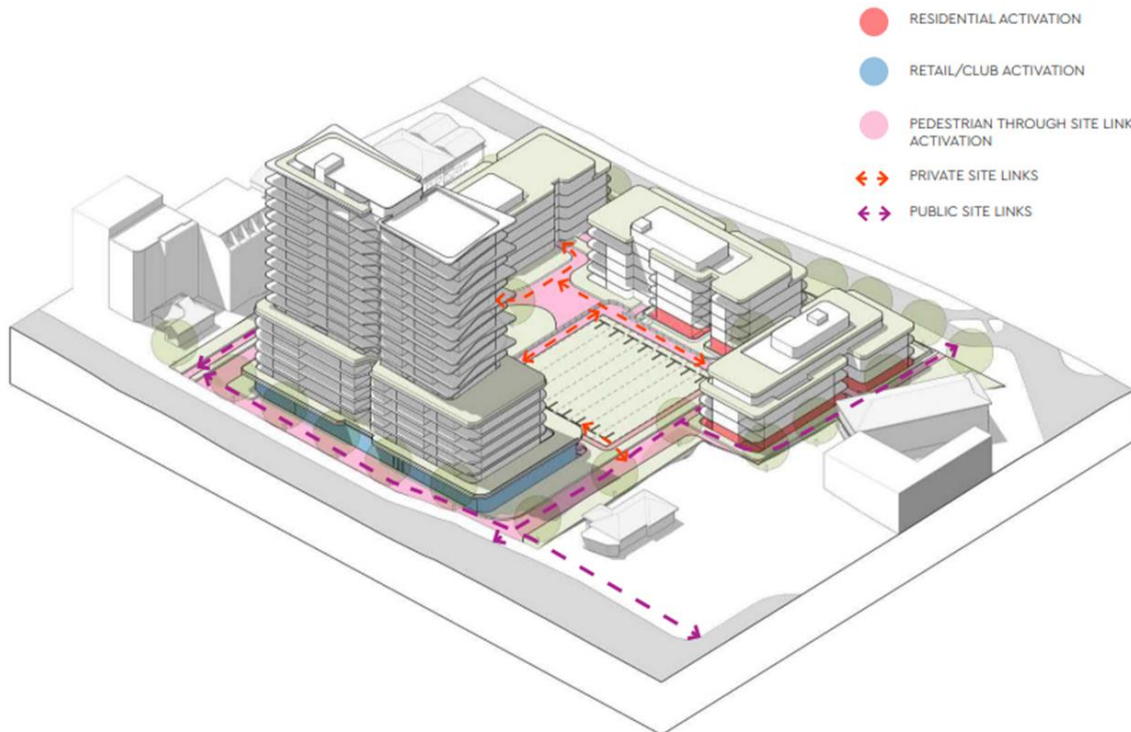


Figure 30: Activation of Old Northern Road and through site links (Source: Altis)

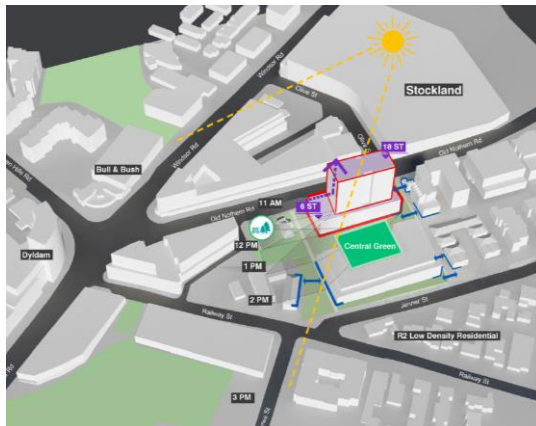


Figure 31: Protects amenity of surrounding sites (Source: Urban Design Report)



Figure 32: Through site links connecting residents to the Town Centre (Source: Urban Design Report)

## Baulkham Hills Town Centre Draft Public Domain Plan

The Baulkham Hills Town Centre Draft Public Domain Plan (Draft Public Domain Plan) was exhibited concurrently with the Draft MP. The Draft Public Domain Plan seeks to illustrate the public domain improvements needed in Baulkham Hills and the desired future character. In particular, the plan focuses on improving open space, pedestrian accessibility and streetscapes. The Draft Public Domain Plan was not adopted by Council.

The Draft Public Domain Plan identifies that the Town Centre is changing and in renewal, as detailed below:

*...As part of the renewal process the precinct will change in character as a result of the introduction of higher density development, providing more housing, commercial/retail and support services...*

The proposal will enhance the public domain by improving street level connections to Old Northern Road including the provision of an east west through site link. In addition, the proposed built form and non-residential uses will be sited along Old Northern Road, activating the street frontage. The Planning Proposal also seeks to improve the landscape interface between the site and Old Northern Road and Jenner Street.

### ***Is the Planning Proposal consistent with applicable State Environmental Planning Policies?***

#### **SEPP (Resilience and Hazards) 2021**

##### *Chapter 4 – Remediation of Land*

Chapter 4 of *State Environmental Planning Policy (Resilience and Hazards) 2021* (Resilience and Hazards SEPP) aims to provide for a State-wide consistent planning approach to the remediation of contaminated land, with various objectives and provisions, particularly to reduce the risk of harm to human health and the environment.

Chapter 4 states that an environmental planning instrument should not include a zone that would change the use of the land, particularly for residential, educational, childcare or hospital uses unless the planning authority is satisfied that the potential risk to human health has been considered.

The site was previously redeveloped for the purposes of The Hills Club in 1951 and has been used as a Club since. The supporting Investigation Report finds that the site can be made suitable subject to the following recommendations:

- *Conduct a Hazardous Materials Survey (HMS) of current site structures prior to demolition works*
- *A Detailed Site Investigation (DSI) will be required after site building demolition to gain access to the site surface. The DSI should include:*
  - *A visual inspection of the entire site surface for asbestos*
  - *Additional sampling of soil at 14 additional locations to achieve the minimum sampling requirements for a 1.35 hectare site, as required by DECC (1995) Sample Design Guidelines*
  - *Sampling locations should assess fill and natural soils at each location, and the analytical results may be utilised for the classification of surplus material designated for offsite disposal*
  - *At least three sample locations should be positioned at proposed retained soil area at southern portion of the site to assess the ecological suitability of this material; and*
  - *An additional round of groundwater monitoring (GME) utilising the 3 existing wells, including the collection of survey data to determine flow direction*
- *Any material being imported to the site (i.e. for landscaping purposes) should be assessed for potential contamination in accordance with NSW EPA guidelines as being suitable for the intended use or be classified as virgin material (VENM).*

It is further noted that the site is not mapped as containing acid sulphate soils maps under the HLEP 2019. Any future development application would also be supported by a contamination assessment.

## SEPP 65 – (Design Quality of Residential Apartment Development)

*State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development* and the supporting *Apartment Design Code (ADG)* seek to improve the design quality of residential apartment development in New South Wales. Nine *Design Quality Principles* are established in the SEPP, while the ADG provides further guidance in expanding upon and meeting such principles.

The Planning Proposal is generally consistent with the ADG. The project team is confident the matters relevant in SEPP 65 will not be problematic at the development stage. Naturally, details and provisions will need to be carefully considered as the Proposal continues to develop.

The proposal will provide for a high level of residential amenity with regards to solar access, cross ventilation and building separation (Figures 24 and 25). This is achieved through the siting and built form, focusing the taller building in the northern section of the site adjacent to Old Northern Road. The proposal incorporates a slender form to ensure its shadow moves quickly across the surrounding sites and minimises the extent of shadow cast (Figure 26).

The proposed building envelopes appropriate building separation is also achieved with adjoining buildings. This design response ensures the adjoining residential and George Suttor Reserve continue to receive adequate solar access.

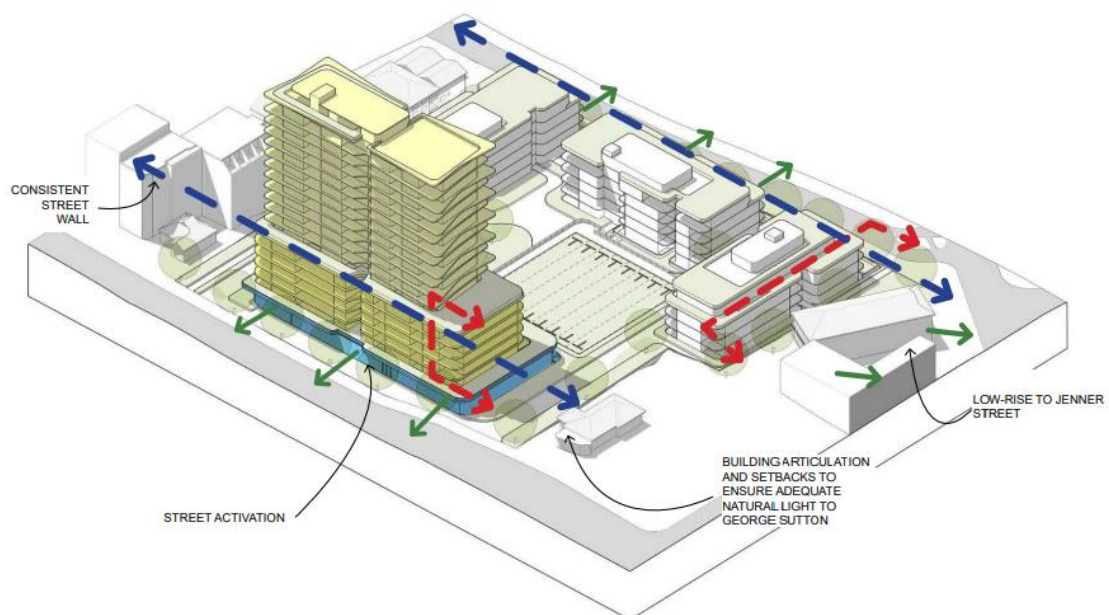


Figure 33: Proposal responds to context of site (Source: Architectural package)



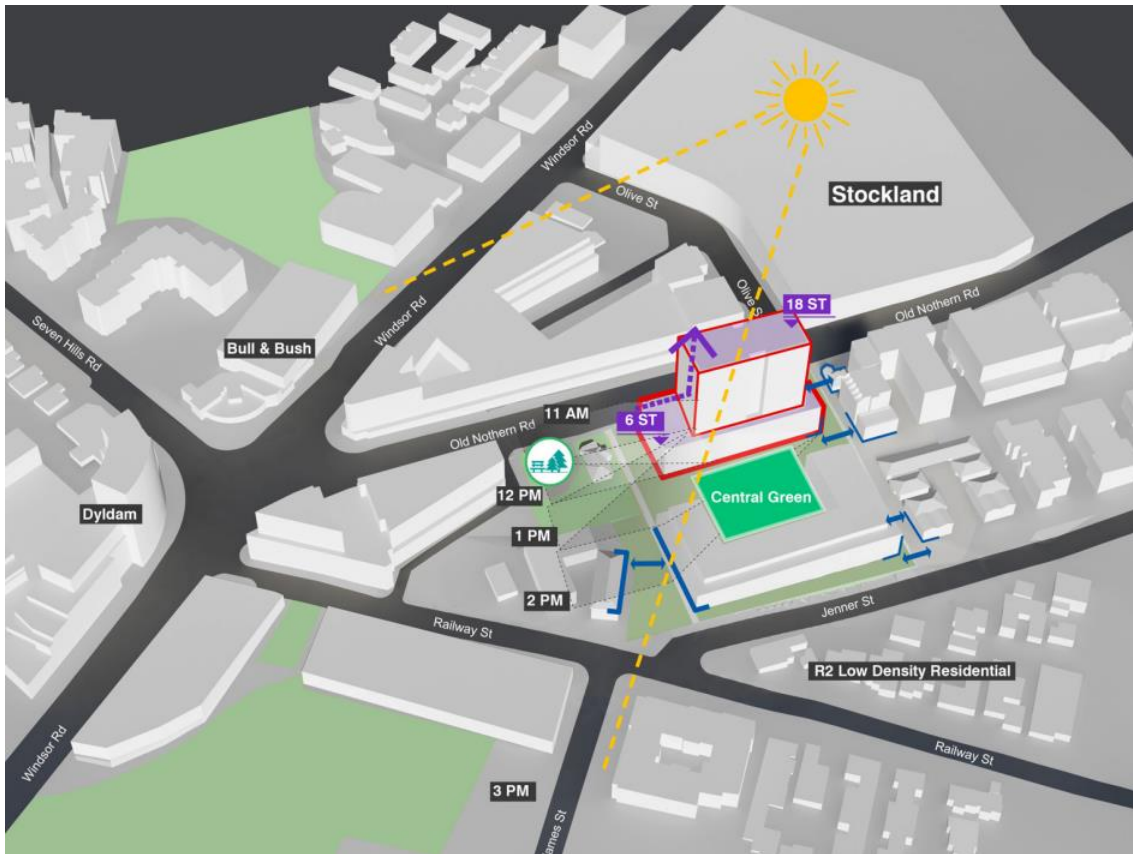


Figure 34: Proposal protects amenity of surrounding sites (Source: Urban Design Report)



Figure 35: Built form is articulated and limits visual bulk (Source: Architectural package)

## SEPP (Housing) 2021

The Housing SEPP commenced in November 2021 and includes provisions which succeed the Seniors SEPP. The future DA for the seniors housing component of the development will be required to consider and address the requirements of the Housing SEPP.

The proposal demonstrates an ability to provide high amenity seniors housing on a site within a walkable location nearby to frequent public transport services, shops and services. The detailed development standards within the Housing SEPP will be considered at the DA stage. Nonetheless, the proposal appears to be generally capable of compliance with the provisions of the Housing SEPP.

#### **SEPP (Building Sustainability Index: BASIX) 2004**

*State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004* aims to minimise the demand of residential development upon energy demand and the State's potable water supply, particularly by setting a target of 40% reduced water use and 20% less energy use compared to average usage and verification through a Certification system. Future development applications will need to demonstrate that the BASIX requirements are met.

The requirements of BASIX will be met in the development phase of the Proposal.

#### **SEPP (Transport and Infrastructure) 2021**

##### *Chapter 2 – Infrastructure*

Chapter 2 of the Transport and Infrastructure SEPP aims to facilitate the effective delivery of infrastructure across the State. This includes identifying matters to be considered in the assessment of development adjacent to types of infrastructure development and providing for consultation with relevant public authorities about certain development during the assessment process or prior to development commencing.

Section 2.119 stipulates that the consent authority must not grant consent to development on land that has a frontage to a classified road unless it is satisfied that vehicular access to the land is provided by a road other than the classified road and the safety, efficiency and ongoing operation of the classified road will not be adversely affected.

The development fronts Old Northern Road, which is a classified road. The Proposal includes a new connection to Old Northern Road for the purposes of loading access to Building A. The proposal also comprises access points from Jenner Street for Club and resident car park access.

A Traffic Impact Assessment (TIA) prepared by ptc accompanies the Planning Proposal (Appendix 10) and addresses section 2.119 in detail.

The TIA demonstrates that the proposed loading dock access from Old Northern Road is acceptable as:

- the additional traffic produced by the loading dock will be negligible in comparison to existing traffic volumes
- adjacent developments on Old Northern Road are non-residential and unlikely to be impacted by additional traffic volumes
- the proposed location is the most practical access point for service vehicles and preserves the amenity of residential areas to the east of the site



- works to add the access to the existing traffic signal intersection of Old Northern Road and Olive Street will include construction of a pedestrian crossing to improve the safety of the existing intersection
- the design of the development will incorporate appropriate measures to ameliorate potential traffic noise or vehicle emissions

Schedule 3 identifies the capacity or size of developments that should be referred to RMS (now known as Transport for NSW (TfNSW)). TfNSW will continue to be closely consulted throughout the Planning Proposal process, given the potential impacts (and opportunities) of the development on Old Northern Road, and wider commitments for public transport enhancement associated with the Planning Proposal.

Noise considerations to and from the proposed development can be addressed through the detailed design stage and would not be a determinative factor in the Planning Proposal. However, the Acoustic Assessment undertaken to date (Appendix 11) indicates the proposal is capable of complying at the detailed DA stage.

### **SEPP (Planning Systems) 2021**

Chapter 2 of the Planning Systems SEPP outlines criteria and processes associated with certain types of development (or within certain areas) deemed to be of State or Regional Significance, and the associated determination regime for such development.

Future development applications for the Site would be subject to the SEPP and are proposed to be determined under Part 4 of the EP&A Act.

Where development has a capital investment value exceeding \$30 million, Council staff would undertake the assessment although the determination function would be exercised by the Sydney Central Planning Panel.

### **SEPP (Biodiversity and Conservation) 2021**

#### *Chapter 2 – Vegetation in Non-Rural Areas*

Chapter 2 works together with the *Biodiversity Conservation Act 2016* and the *Local Land Services Amendment Act 2016* to create a framework for the regulation of clearing of native vegetation in NSW.

As ‘development consent’ is required for the future proposed works the Vegetation SEPP does not apply.

Notwithstanding, it is noted that a Biodiversity Development Assessment Report has been prepared by Travers and is included at Appendix 14. In respect of matters required to be considered under the *Environmental Planning and Assessment Act 1979* and relating to the species / provisions of the *Biodiversity Conservation Act 2016*, one (1) threatened fauna species Large Bent-winged Bat (*Miniopterus orianae oceanensis*), one (1) threatened flora species *Eucalyptus nicholii*, no endangered populations and one TEC, Sydney Turpentine Ironbark Forest, were recorded within the study area.

The state assessment of significance (Appendix 3) has concluded that the proposed development will not have a significant impact on any threatened species, populations or

TECs. Therefore, (a) a Species Impact Statement is not required for the proposal and (b) biodiversity offsetting is not required.

***Is the Planning Proposal consistent with applicable Ministerial Directions (section 9.1 directions)?***

Yes. The Planning Proposal is consistent with the Directions issued by the Minister for Planning and Public Spaces under section 9.1 of the EP&A Act (formerly section 117). The Directions that are relevant to the Planning Proposal are addressed in the table below.

Ministerial Direction	Consideration
<b>Focus area 1: Planning Systems</b>	
Direction 1.1: Implementation of Regional Plans	The Greater Sydney Region Plan has been considered as part of this Section. The proposal is consistent with the Region Plan.
Direction 1.2: Development of Aboriginal Land Council Land	The objective of Direction 1.2 is to provide for the consideration of development delivery plans prepared under <i>State Environmental Planning Policy (Aboriginal Land) 2019</i> when planning proposals are prepared by a planning proposal authority. The site is not known to be Aboriginal Land Council Land.
Direction 1.3: Approval and Referral Requirements	<p>The objective of Direction 1.3 is to ensure that LEP provisions encourage the efficient and appropriate assessment of development.</p> <p>The Planning Proposal does not include consultation, concurrence or referral above and beyond the existing provisions of the HLEP 2019. The Planning Proposal is consistent with this Direction.</p>
Direction 1.4: Site Specific Provisions	<p>The objective of Direction 1.4 is to discourage unnecessarily restrictive site specific planning controls.</p> <p>The Planning Proposal seeks to include additional permitted land uses to retain and complement the existing club. The proposed additional uses will ensure The Hills Club continues to operate.</p>
<b>Focus area 3: Biodiversity and Conservation</b>	
Direction 3.1: Conservation Zones	<p>The objective of Direction 3.1 is to protect and conserve environmentally sensitive areas.</p> <p>The proposal is consistent as the land does not comprise any environmentally sensitive areas and will not impact upon any environmentally sensitive areas.</p>
Direction 3.2: Heritage Conservation	<p>The objective of Direction 3.2 is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.</p> <p>The site does not contain any heritage items and will not impact the conservation of neighbouring heritage items to the north and south.</p>
<b>Focus area 4: Resilience and Hazards</b>	
Direction 4.3: Planning for Bushfire Protection	The site is not identified as being bushfire prone land.
Direction 4.4: Remediation of Contaminated Land	The site was previously redeveloped for the purposes of The Hills Club in 1951 which remains in use to date. A Detailed Site Investigation (DSI) has been prepared which concludes that the site can be made suitable for the proposed development. Any future development application will include a contamination assessment.

Ministerial Direction	Consideration
Direction 4.5: Acid Sulfate Soils	<p>The objective of Direction 4.5 is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils.</p> <p>The site is not mapped as containing acid sulphate soils maps under the HLEP 2019 and is therefore considered to have a very low probability of containing acid sulfate soils.</p>
<b>Focus area 5: Transport and Infrastructure</b>	
Direction 5.1: Integrating Land Use and Transport	<p>The objectives of Direction 5.1 are to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives:</p> <ul style="list-style-type: none"> <li>• improving access to housing, jobs and services by walking, cycling and public transport</li> <li>• increasing the choice of available transport and reducing dependence on cars</li> <li>• reducing travel demand including the number of trips generated by development and the distances travelled, especially by car</li> <li>• supporting the efficient and viable operation of public transport services</li> <li>• providing for the efficient movement of freights</li> </ul> <p>The Proposal will provide residential development which is close to established services, shops, open space and public transport.</p>
<b>Focus area 6: Housing</b>	
Direction 6.1: Residential Zones	<p>The objectives of Direction 6.1 are to:</p> <ul style="list-style-type: none"> <li>• encourage a variety and choice of housing types to provide for existing and future housing needs</li> <li>• make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services</li> <li>• minimise the impact of residential development on the environment and resource lands.</li> </ul> <p>The primary objective of the Planning Proposal is to provide for a variety of quality housing types.</p>
<b>Focus area 7: Industry and Employment</b>	
Direction 7.1: Business and Industrial Zones	<p>The objective of Direction 7.1 is to encourage employment growth in suitable locations and protect employment land. The objective applies to proposals affecting business or industrial zones.</p> <p>The subject site is not zoned a business or industrial zone.</p>

Table 18: Consideration of the relevant Ministerial Directions

### 6.3.3 Section C - Environmental, Social and Economic Impact

***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?***

There is no known critical habitat or threatened species, populations or ecological communities, or their habitats likely to be adversely affected as a result of the Proposal.

***Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?***

The Planning Proposal includes a detailed consideration of a range of relevant issues which demonstrates that it will have minimal environmental impact and is an appropriate response to the site and its context. These aspects of the proposal have been discussed previously in this report. These key issues relevant to the proposal include:

#### **Built Form and Amenity**

Further to the consideration of the revised built form in Section 6, the site is strategically located within the Town Centre and is identified as a Strategic Investigation Site in the Draft MP. The proposal transitions appropriately between the emerging high density of the town centre through to the low density residential properties on Jenner Street.

The proposal is generally consistent with SEPP 65 and the ADG. The proposal is designed to minimise impacts to adjoining properties, George Suttor Reserve and ensures high levels of residential amenity.

Key areas of the built form that respond to SEPP 65 and the ADG are detailed below.

#### ***Appropriate Height Relative to Open Space and Low Density Residential Development***

- the taller building is designed to address Old Northern Road
- the taller building is orientated on a north south axis to minimise overshadowing of surrounding residential development and George Suttor Reserve
- the taller building reflects the height seen at 350 Windsor Road and book ends and reinforces the structure of the town centre

#### ***Through Site Links to connect to the Baulkham Hills Town Centre***

- through-site links to increase permeability for pedestrians and cyclists, while respecting private open space for future residents

#### ***Building Separation***

- the proposed building envelopes appropriate building separation is achieved with adjoining buildings

#### ***Generous Apartment Size***

- apartment size and mix will be provided in accordance with Part B Section 5 – Residential Flat Buildings of The Hills Development Control Plan 2012

### *Overshadowing*

A key consideration for the development of the Site is the impact on the surrounding residential properties and George Suttor Reserve. The proposal provides for an appropriate level of solar access for surrounding properties. This is achieved through the siting and built form, focusing the taller building in the northern section of the site adjacent to Old Northern Road.

The proposal incorporates a slender form to ensure its shadow moves quickly across the surrounding sites and minimises the extent of shadow cast. The proposed built form ensures significant solar access is retained to George Suttor Reserve as demonstrated in the Architectural Package (Appendix 6)

The overshadowing analysis in the Architectural Package reveals that overshadowing impacts on adjoining residential properties and George Suttor Reserve are reasonable.

Solar access to internal areas of properties on Jenner Street are not overshadowed between 9am and 3pm in mid-winter. The residential development immediately south of the site at 2-4 Jenner Street is partly overshadowed throughout the day as a result of the proposal. It is noted that along this boundary the proposal is 5 storeys. The proposed overshadowing plans indicate that the shadow cast across George Suttor Reserve moves quickly.

### **Transport and Traffic**

The TIA accompanying the Planning Proposal (Appendix 10) considered the proposed on-site parking and the likely impact of traffic generation on the performance of the surrounding intersections.

The TIA finds that the site is located adjacent to the Baulkham Hills town centre where public transport and active transport amenities are present. There are no heavy rail services within proximity to the site however, there is a bus stop located adjacent to the site which is frequently serviced by buses.

The town centre being within 400m walking distance also allows for residents of the buildings to walk to the shops and restaurants nearby.

The development is proposing 592 carparking spaces for the entire development with 414 for the residents and 178 for the club attendees. The proposed overall number of car parks complies with the provisions of the HDCP 2012 which requires 584 total spaces. However, the proposed distribution of spaces between residential and club uses is non-compliant with the HDCP 2012.

The HDCP 2012 requires 385 spaces for the residential component and 212 spaces for the club component. Despite this, the proposal seeks to allocate 175 spaces to the club and 419 spaces to residential components.

Primary site access is proposed from Jenner Street to alleviate traffic volumes through Old Northern Road and failing intersections. A secondary access point will be provided on Old Northern Road which will provide dedicated access to the loading/service area only. It is noted that TfNSW is the roads authority for Old Northern Road and their concurrence will be required at DA stage for the proposed vehicular access.



The TIA demonstrates that the proposed loading dock access from Old Northern Road is acceptable as:

- the additional traffic produced by the loading dock will be negligible in comparison to existing traffic volumes
- adjacent developments on Old Northern Road are non-residential and unlikely to be impacted by additional traffic volumes
- the proposed location is the most practical access point for service vehicles and preserves the amenity of residential areas to the east of the site
- works to add the access to the existing traffic signal intersection of Old Northern Road and Olive Street will include construction of a pedestrian crossing to improve the safety of the existing intersection
- the design of the development will incorporate appropriate measures to ameliorate potential traffic noise or vehicle emissions

The likely traffic generation from the proposed development was modelled using SIDRA modelling for the new residential land use and for the additional car spaces proposed for the club. The residential traffic volumes were determined using the TfNSW Trip Generation Surveys High Density Residential Car Based Data Report 2017. The TIA found the development facilitated by the Planning Proposal will result in 93 total AM peak hour trips and 167 total peak hour trips.

The TIA finds that the surrounding intersections are currently performing at poor levels of service. The TIA found that the proposed:

*...development does not further impact the operations of intersections which are currently performing at a level of service C or better apart for the proposed intersection at Olive Street and Old Northern Road. The results for the proposed upgrade for the Olive Street and Old Northern Road intersection show that although the level of service is compromised the additional approach does not significantly impact the existing movements...*

The Applicant is committed to undergoing further consultation with TfNSW following the proposal's progression to Gateway Determination. It is also noted that the Draft Letter of Offer to enter into a VPA includes \$2 million towards traffic/pedestrian improvements on various intersections surrounding the site.

The TIA notes that the carpark design will be assessed at the DA stage.

#### ***Has the Planning Proposal Adequately Addressed Any Social and Economic Effects?***

A Social and Economic Impact Assessment (SEIA) has been prepared by Ethos Urban (Appendix 12) to assess the social and economic impacts of The Hills Club proposal. The SEIA also recommends strategic directions to optimise social and economic outcomes for the site and broader Baulkham Hills Town Centre. The proposal will result in multiple community benefits resulting from the provision of a range of uses and community facilities to support the growth of the Baulkham Hills Town Centre as discussed below.

## Social Impact

The SEIA provides an analysis of the broad range of significant social and economic benefits and impacts of the Proposal as relevant to the Planning Proposal stage, being the operational impacts. Construction impacts will be assessed at the subsequent DA stage.

The report considers the two main types of social impacts that will arise as a result of the proposed development:

- Direct impacts caused by the project and which cause changes to occur within the existing community, as measured using social indicators, such as population, health, and employment.
- Indirect impacts that are generally less tangible and more commonly relate to matters such as community values, identity and sense of place.

The SEIA has been prepared with regard to NSW DPIE Social Impact Assessment Guideline for state significant mining, petroleum production and extractive industry development, September 2017. It also draws on guidelines published by the International Association for Impact Assessment (IAIA), International principles for social impact assessment (Vanclay 2003).

The SEIA outlines the potential social benefits of the Proposal and concludes:

*...The development will bring significant social benefits to the Baulkham Hills community, including current and future residents of the site, locality and broader district. The development will renew what is an ageing Club with compromised ongoing viability, transforming it into a vibrant new community precinct, and through this catalysing the renewal of the Baulkham Hills Town Centre for the future...*

In terms of social impact, the proposed multi-functional recreation areas and through-site links is found to provide a genuine focal point for the local community. The proposal will contribute to an active Town Centre, delivering improved accessibility and activity through the precinct.



Figure 36: Key social benefits of the proposal (Source: SEIA)

The identified positive social impacts and benefits of the development include:

- Positive community benefits are associated with delivery of improved recreation facilities at the site. The proposed development will result in improved quality of bowling greens, Club spaces and ancillary facilities, which will contribute towards enhanced access to and use of social infrastructure at this site.

- Positive social benefits associated with safeguarding the long term financial viability of The Hills Club, which provides an important recreation facility and service in the centre of Baulkham Hills. Redevelopment of this site will sustain the ongoing operation of the Club.
- Increased convenience and amenity for the local community, including integrated club, retail, sport and recreation services and improved through-site links, in addition to residential accommodation on site.
- Increased local employment opportunities through the creation of enhanced and expanded club and retail facilities, including communal indoor and outdoor spaces and community meeting rooms for hire.
- Increased convenience for local workers as well as residents, as the site is located within the Town Centre and along a key transport corridor.
- Delivery of appealing housing choices for an ageing population in the area, through provision of seniors housing units, where residents will have ready proximity to a range of facilities and amenities for recreating and socialising, directly supporting their health and wellbeing.
- Health and wellbeing benefits for the local community through the co-location of uses, including a new club, recreation facilities and through-site links, encouraging active travel (walking) and lifestyles.
- Longer term benefits to community cohesion associated with the provision of well-connected and accessible active and passive spaces – including bowling greens, club facilities including community meeting rooms, and communal open space – designed to encourage social interaction.
- Improvements to local amenity and streetscape through the project design and ground plane provisions – including public domain upgrades and through-site pedestrian links from Old Northern Road to Jenner Street.



Figure 37: Indicative perspective from the Bowling Green (Source: Architectural package)

## Economic Impact

The SEIA provides an assessment of the potential economic impacts associated with the proposed redevelopment including:

- the underlying demand for the redevelopment
- impacts associated with the construction phase, such capital investment and construction employment
- impacts generated post construction such as ongoing employment, additional retail spending and an enhanced town centre environs and offering.

### Key Findings

There is a strong demand which informed the need for the proposal including:

- a need for upgraded community and club facilities
- forecast population growth driving a need for increased residential density
- an ageing demographic structure
- the opportunity to unlock value from a strategic site.

### Increase in Jobs

The SEIA finds that the proposal will result in a significant increase in the number of jobs above that attributed to the existing operation. The proposed development has the potential to support approximately:

- 663 full time construction related jobs
- 132 full time operational jobs, representing almost a **700% increase in employment compared to the existing operation**

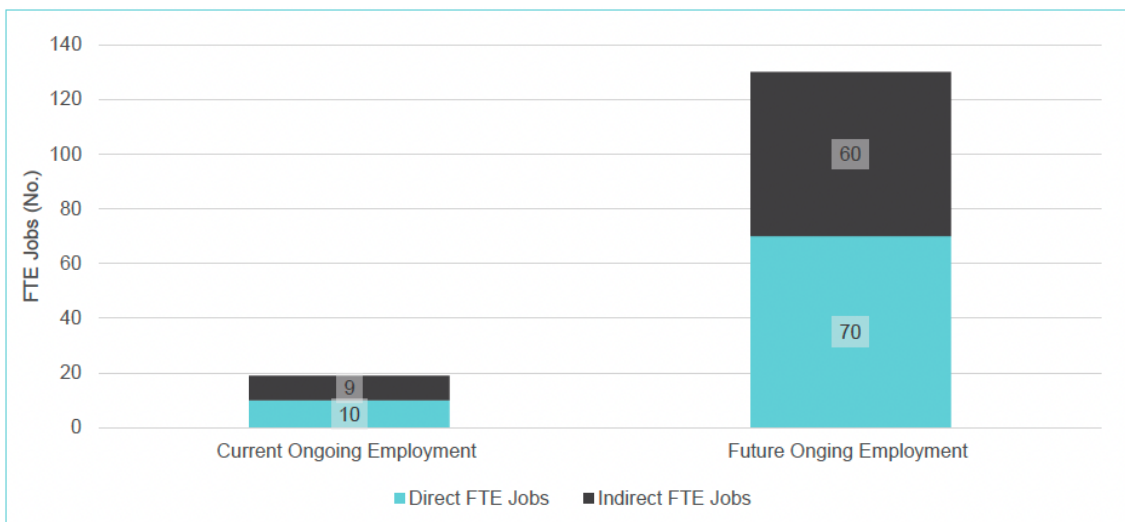


Figure 38: Current ongoing employment verses future ongoing employment (Source: SEIA)

### *Increase in Retail Expenditure*

The SEIA also finds that the future residents would generate approximately \$6.8 million in retail expenditure on an annual basis. It is estimated that around \$3.4 million or 50% of this expenditure could be directed to retailers and other facilities in the Baulkham Hills town centre.

This is particularly relevant to Stockland Baulkham Hills, according to the SEIA it appears to have been impacted from a trading perspective with tenancy vacancies on-site. Delivering a range of new uses within the Town Centre will assist to create activity and growth and will help to avoid such vacancies in the main street and shopping centres such as Stockland. The overall effect of the Planning Proposal in terms of retail expenditure is increased footfall, longer dwell times and increased expenditure within the wider Baulkham Hills town centre.

The SEIA finds that:

*From an economic perspective, a development that of this type would improve the quality of community, residential and recreational space at this site and reinforce the role of Baulkham Hills town centre as a key destination for the local population and one that will remain competitive, and continue to attract quality occupiers and tenants..*

The identified economic impacts and benefits anticipated from the Proposal include:

- The replacement of existing, generally outdated, club and recreational uses operating at the site in order to respond to changing economic conditions and contemporary tenant and community requirements.
- Any negative trading impacts on existing businesses will not detrimentally impact the viability or continued operation of any existing facility or use within the local area. Any trading impact will be short-term only, and existing and future businesses will benefit from population and employment growth as well as improved activation, generated by the proposed development.
- The proposed development is estimated to result in **direct investment of approximately \$130 million in the local area during the construction stage**, a key investment in the local community during the current COVID-19 pandemic.
- Approximately **255 direct and 408 indirect FTE job years** are planned to be generated during the construction stage. In total, it is estimated that the proposed development would support some 663 FTE construction-related positions (direct and indirect) over the lifetime of the project.
- Taking into account existing uses at the subject site, the proposed development has the potential to support **132 FTE jobs** (including direct and indirect employment) once fully occupied and operational, representing an almost **700% increase in employment compared to the existing operation**.
- The proposed development would represent a higher-order use of the strategic site within Baulkham Hills town centre, providing homes and improved community and recreational facilities to the local community.
- Increased activation of the Town Centre, including after normal business hours and on weekends, with the project to generate additional pedestrian traffic, increased dwell times and retail expenditure to the direct benefit of local businesses and the town centre overall.
- Alignment with government strategies to increase live/work/play precincts as well as improve amenity and employment in local town centres and communities.



## Social and Economic Strategy Directions

The SEIA finds the following key social and economic drivers and outcomes for the proposal:

- Reinvigorates the Town Centre through community facilities with day and night activation
- Supports transformation of the Town Centre through development of new housing, employment and recreation opportunities to sustain the growing population
- Enables long term access to recreation activities– safeguarding the long term viability of The Hills Club
- Enhances community wellbeing and resilience.



Figure 39: Key Social and Economic Benefits (Source: SEIA)

#### 6.3.4 Section D – State and Commonwealth interests

##### *Is there Adequate Public Infrastructure for the Planning Proposal?*

Yes. As detailed in sections regarding services, community facilities and traffic/transport, the Proposal can be supported by the existing infrastructure, subject to implementation of augmentation and enhancements identified in the Planning Proposal and associated reports.

##### *What are the views of State and Commonwealth Public Authorities Consulted in Accordance with the Gateway Determination?*

The Applicant has consulted with TfNSW during the preparation of this report. TfNSW has not expressed a formal view on the Proposal. Further consultation with the Greater Sydney Commission and other State and Commonwealth agencies will be undertaken following Gateway determination as part of the formal public exhibition.

#### 6.4 Part 4: Mapping

The Planning Proposal will need to be accompanied by height, FSR and an additional permitted use map, which will be prepared in accordance with the Planning Proposal guidelines and if approved will be consistent with the standard technical requirements for LEP maps.

The FSR and additional permitted use mapping amendments will be applied to the entire site as outlined in Section 6.2. The height mapping amendments include two separate heights for the site and are to be applied as shown in Figure 40.

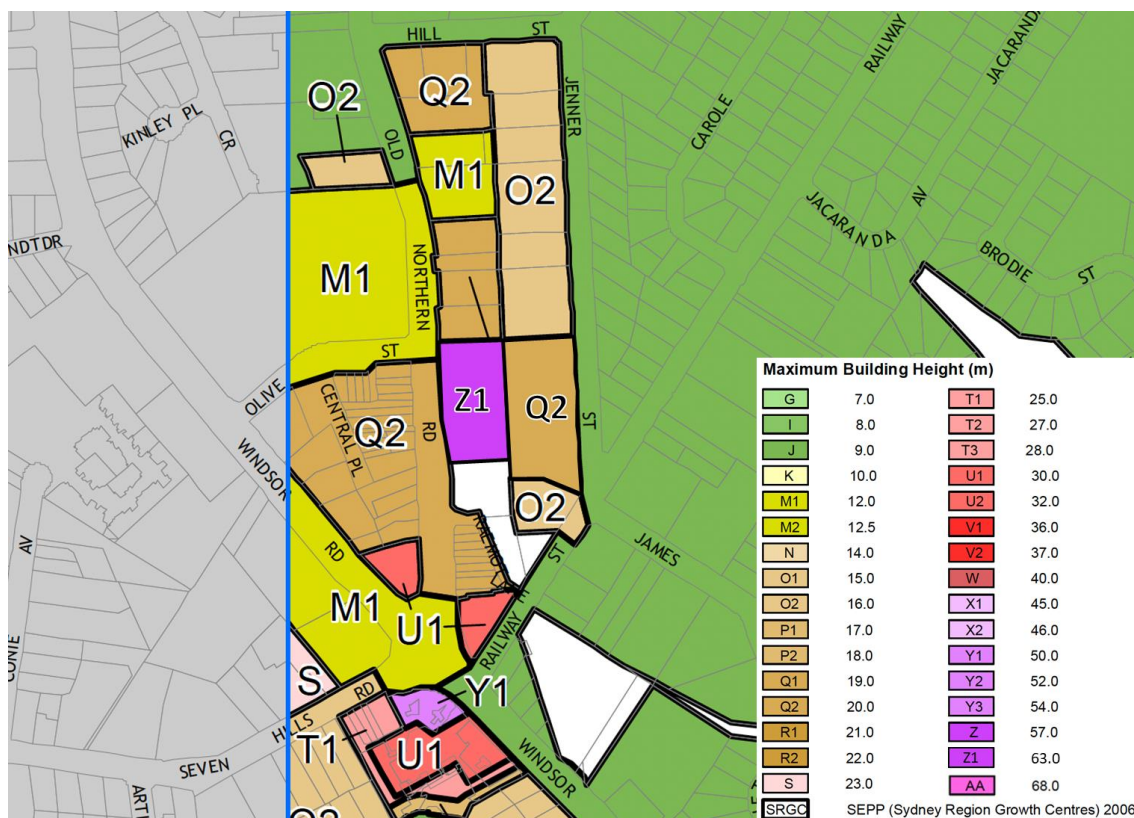


Figure 40: Proposed height mapping (Base source: HLEP 2019)

## 6.5 Part 5: Community consultation

The Hills Club and Arden proposes to work in collaboration with Council and the Baulkham Hills community. Consultation will be supported by communications and information distribution, encouraging full community participation in the process. Community and stakeholder engagement are essential parts of successful and sustainable urban development.

Future community engagement for the Site will be based on the following principles:

- **Proactive** - Communicate with communities and relevant stakeholders. Ensure they remain informed through the provision of timely, relevant and targeted information. Identify and report issues and special needs to build solutions into the program where possible
- **Inclusive** - Ensure all communities and key stakeholders have easy access to information about the program to ensure there are 'no surprises' and they do not feel that they are being 'left in the dark'
- **Accessible** - The team will be accessible for the duration of the development of the project
- **Transparent and accountable** - Record, publish and make information publicly available. Ensure that the community and stakeholders are provided with information on the decision making processes during the delivery of the project
- **Responsive** - Respond in an effective manner to individual concerns. Ensure every reasonable effort is made to resolve issues to the satisfaction of all involved in the shortest time possible
- **Reliable** - Honour all commitments and be consistent in communication and interaction with communities and stakeholders
- **Organised** - Record engagement activities to ensure that all issues are properly dealt with and documented for future reference

## 6.6 Part 6: Project Timeline

The proposed project timeframe for the completion of the Planning Proposal is dependent on the complexity of the project and the nature of any additional information that may be required by the Council and/or DPIE including the need for agency and community consultation. The Applicant proposes to work in collaboration with Council, DPIE and other relevant agencies on a proposed project timeline which will include the following key milestones:

Milestone	Status/Timing
Gateway Determination	December 2022
Timeframe for government agency consultation (pre and post exhibition as required by Gateway determination)	January 2023
Commencement and completion dates for public exhibition period	March– April 2023
Timeframe for consideration of submissions	April 2023
Timeframe for the consideration of the Proposal post exhibition	May 2024
Date of submission to the DPIE to finalise the Local Environmental Plan (LEP)	June 2022
Anticipated date the LEP amendment will be made	July 2023

Table 19: Project Timeline

## 7 Conclusion

This Planning Proposal has been prepared pursuant to Section 3.33 of the *Environmental Planning and Assessment Act 1979* and in accordance with the provisions of the Department of Planning and Environment's - *A Guide to Preparing Planning Proposals October (2012)*.

The Proposal seeks an amendment to *The Hills Local Environmental Plan 2012* for land at 6-18 Jenner St, Baulkham Hills (the Site). The primary purpose of the Planning Proposal is to retain the RE2 *Private Recreation* zone and permit additional uses on the site to permit commercial/retail, residential and registered Club uses.

The Proposal also seeks to introduce appropriate permissible land uses, a new maximum height limit of part 63 metres (approximately 18 storeys) and part 20 metres (approximately 6 storeys) (Figure 40), with a floorspace ratio of 2.24:1.

Key community benefits, in the form of the contributions outlined in the Letter of Offer are valued at approximately \$7.65 million, which would be secured through a Voluntary Planning Agreement, in close consultation with the Council and State agencies.

The proposal will also result in significant social and economic community benefits. The proposal will result in **direct investment of approximately \$130 million in the local area during the construction stage**, a key investment in the local community during the current COVID-19 pandemic.

The proposal will also create new jobs for the site and broader Hills LGA. It is estimated that the proposed development would support **663 FTE** construction-related positions (direct and indirect). In terms of operational jobs, the proposed development has the potential to support **132 FTE jobs** (including direct and indirect employment) once fully occupied and operational, almost a **700% increase in employment compared to the existing operation**.

This Proposal has taken an evidence-based approach to deliver a vision for the Site in the context of the wider Baulkham Hills Town Centre. This report clearly articulates the case for change for the site, in response to the site being identified as a Strategic Investigation Site. The proposal is generally consistent with the Draft Baulkham Hills Town Centre Masterplan.

The report is accompanied by a comprehensive range of specialist expert reports to support the proposed new planning regime for the Site. These reports guide the Proposal to ensure it maximises the opportunities for benefits delivered with the Site, responds to its existing constraints as well as ensuring that the future use as a mixed use precinct will have acceptable impacts on the environment, infrastructure and surrounding development/communities.