



THE HILLS
Sydney's Garden Shire

THE HILLS SHIRE COUNCIL
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18 September 2023

Jazmin Van Veen
Director Central District GPOP
Department of Planning and Environment
Locked Bag 5022
PARRAMATTA NSW 2150

Our Ref: 9/2019/PLP

Dear Ms Van Veen,

PLANNING PROPOSAL SECTION 3.34 NOTIFICATION

Proposed The Hills Local Environmental Plan 2019 (Amendment No (#)) – proposed amendments to Floor Space Ratio and Height of Building provisions and inclusion of an Additional Permitted Use at 34-46 Brookhollow Avenue, Norwest

Pursuant to Section 3.34 of the *Environmental Planning and Assessment Act 1979* (EP&A Act), it is advised that Council has resolved to prepare a planning proposal for the above amendment.

The planning proposal seeks to amend the Floor Space Ratio and Height of Building standards for 34-46 Brookhollow Avenue, Norwest to facilitate approximately 38,306m² of commercial gross floor area across three separate buildings ranging from 4 to 23 storeys in height and a 10 storey residential flat building comprising a maximum of 76 dwellings (9,576m² of residential gross floor area).

Please find enclosed the information required in accordance with the '*Local Environmental Plan Making Guideline*' issued under Section 3.33(3) of the EP&A Act. The planning proposal and supporting material is enclosed with this letter for your consideration. Council is seeking delegation as the Local Plan Making Authority.

As detailed within the planning proposal, there are outstanding matters to be resolved with respect to infrastructure solutions and a future draft Voluntary Planning Agreement (VPA) as indicated by the Proponent. Council officers have sought to commence further discussions regarding a draft VPA, however the Proponent has indicated that such negotiations are premature prior to the issue of a Gateway Determination.

Should a Gateway Determination be issued for this proposal, it is requested that a condition be included requiring Council's endorsement of an appropriate local infrastructure mechanism prior to public exhibition. Should a Gateway Determination be issued, it is also requested that sufficient time (minimum 12 months) be provided to enable resolution of the outstanding infrastructure matters prior to public exhibition. The expected timeline for the proposal is detailed within Part 6 of Attachment 1.

Following receipt by Council of the Department's written advice, Council will proceed with the planning proposal. Any future correspondence in relation to this matter should quote reference number 9/2019/PLP.

Should you require any further information please contact Gideon Tam, Senior Town Planner on [REDACTED]

Yours faithfully,

[REDACTED]
Nicholas Carlton
MANGER FORWARD PLANNING

Attachment 1: Planning Proposal (including attachments)

PLANNING PROPOSAL

LOCAL GOVERNMENT AREA: The Hills Shire Council

NAME OF PLANNING PROPOSAL: Draft The Hills Local Environmental Plan 2019 (Amendment No (#)) – proposed amendments to Floor Space Ratio and Height of Building standards and inclusion of an Additional Permitted Use at 34-46 Brookhollow Avenue, Norwest.

STATUS: Pre-Gateway Determination

ADDRESS OF LAND: 34-46 Brookhollow Avenue, Norwest (Lot 1 DP 270106)

SUMMARY OF HOUSING AND EMPLOYMENT YIELD:

	EXISTING (POTENTIAL UNDER CURRENT CONTROLS)	PROPOSED	TOTAL YIELD
Jobs	816	1,989	+1,473
Dwellings	0	76	+76

SUPPORTING MATERIAL:

Attachment A	Assessment against State Environment Planning Policies
Attachment B	Assessment against Section 9.1 Local Planning Directions
Attachment C	Council Report and Minute (27 July 2021)
Attachment D	Local Planning Panel Report and Minute (17 September 2020)
Attachment E	Local Planning Panel Report and Minute (17 June 2020)
Attachment F	Local Planning Panel Report and Minute (16 October 2019)
Attachment G	Local Planning Panel Report and Minute (19 June 2019)
Attachment H	Proponent's Planning Proposal and Supporting Material

BACKGROUND:

The subject planning proposal was lodged in March 2019 and has been revised on five (5) occasions, with each of the first four (4) iterations of the proposal having been considered by the Local Planning Panel. Each iteration submitted by the Proponent attempts to address the concerns raised by the Panel and Council Officers. On each occasion that the matter was considered by the Panel, the advice remained that the proposal should *not* proceed to Gateway Determination on the basis that the proposal does not demonstrate sufficient strategic and site-specific merit. The Local Planning Panel reports and minutes are provided in Attachments D to G.

Notwithstanding the advice of the Local Planning Panel, the Council officer report concluded that there were site-specific and logical grounds on which the inconsistency with the strategic framework could be justified, especially noting the substantial commercial uplift proposed and the unique characteristics and location of the site.

However, in making this recommendation, the Council officer's assessment report also clearly identified several site-specific issues with the Proposal that would need to be resolved through further work by the Proponent, if Council was supportive of the proposal.

Having regard to the above, the Proponent submitted their 5th iteration of the proposal in the form of a revised development concept which Council considered at its Meeting on 27 July 2021 and resolved as follows:

- The planning proposal for land at 34-46 Brookhollow Avenue, Norwest be forwarded to the Department of Planning, Industry and Environment for Gateway Determination, based on the revised concept submitted by the Proponent in June 2021 and as detailed in Section 4 of this report.*
- Prior to the proposal being forwarded to the Department for Gateway Determination, the Proponent be required to submit an updated Planning Proposal Report, Urban Design Report, Overshadowing Analysis, Economic Impact Assessment, Social Impact Assessment and Transport Assessment which reflect the June 2021 revised concept which is the subject of this report.*

3. *Draft The Hills Development Control Plan 2012 – Part D Section X – 34-46 Brookhollow Avenue (Attachment 4) be publicly exhibited concurrently with the planning proposal.*
4. *Council proceed with discussions with the Proponent with respect to the preparation of a Voluntary Planning Agreement, with a view to securing infrastructure contributions which are, at a minimum, commensurate with those specified in Table 3 (with respect to commercial component of the development) and Table 4 (with respect to the residential component of the development) of this report.*
5. *Prior to public exhibition of the planning proposal and draft Development Control Plan, Council consider a further report on the draft Voluntary Planning Agreement.*

A copy of the Council Report and Minute is provided as Attachment C.

While there was significant in the submission of revised material by the Proponent following this Council resolution, the Proponent submitted a revised planning proposal package in July 2023 in satisfaction of Council’s Resolution (in particular Point 2). It is considered that the planning proposal is now reflective of the Proponent’s concept plan submitted in June 2021, aligns with the outcomes supported by Council and is therefore suitable for submission to the Department for a Gateway Determination.

THE SITE:

The site is known as 34-46 Brookhollow Avenue, Norwest (Lot 1 DP 270106), located within the Norwest Strategic Centre adjacent Norwest Station. It includes a number of strata titled buildings and has a total area of 15,960m². The site is generally bound by Norwest Boulevard to the north-west, Brookhollow Avenue to the north-east and has a direct interface to low density residential areas on its southern and western boundaries as shown below.



Figure 1
Aerial view of the site and surrounding locality

The site is affected by a stratum subdivision established as part of the Sydney Metro Northwest, where the rail and associated infrastructure runs beneath the site. The site, rail stratum lots and surrounding context are shown in the Figure 2.



Figure 2
Subject site (in red) showing rail stratum lots (in yellow)

PART 1 OBJECTIVES OR INTENDED OUTCOME

The planning proposal seeks to deliver a mixed use development comprising 38,306m² of commercial gross floor area across three separate buildings ranging from 4 to 23 storeys in height and a 10 storey residential flat building comprising a maximum of 76 dwellings (9,576m² of residential gross floor area). It is anticipated that future development on the site will primarily comprise commercial office space, with complementary uses such as retail, a hotel and childcare facility facilitating around 1,989 total jobs and some ancillary residential (on Site A).



Figure 3
Proposed development outcome
(Site A comprising residential accommodation and Sites B and C comprising commercial uses)

PART 2 EXPLANATION OF THE PROVISIONS

To enable the proposed development outcome, the planning proposal seeks to amend The Hills LEP 2019 as follows:

1. *Increase the maximum building height from RL 116m to part RL 112m, RL 128m, RL 156m and RL 182m;*
2. *Increase the ('base') floor space ratio from 1:1 to 2.4:1;*
3. *Introduce a floor space ratio incentive of 3:1;*
4. *Identify the site as Area A on the Floor Space Ratio Map relating to the application of Clause 7.11;*
5. *Identify the site as Area M on the Key Sites Map relating to a new site-specific local provision;*
6. *Introduce a local provision clause as provided below:*

7.XX Development at 34-46 Brookhollow Avenue Norwest

This clause applies to land at 34-46 Brookhollow Avenue, Norwest, that is identified as 'Area M' on the key sites map.

Despite clause 4.4, the consent authority may consent to development on land to which this clause applies with a floor space ratio that does not exceed the floor space ratio identified on the Floor Space Ratio Incentive Map, if the consent authority is satisfied that:

- a) the entire area of land identified as 'Area M' on the key sites map is the subject of a development application;*
 - b) a minimum of 38,304m² of gross floor area for employment purposes is included in the development;*
 - c) a public plaza on ground level with a minimum area of 3,880m² is included in the development;*
 - d) the mix and size of dwellings and number of car parking spaces for dwellings complies with the standards in clause 7.11(3); and*
 - e) a competitive design process involving at least three registered architects has been carried out in the preparation of the development application.*
7. *Introduce an Additional Permitted Use clause as provided below:*

Use of certain land at 34-46 Brookhollow Avenue, Norwest

- (1) *This clause applies to part of the land at 34-46 Brookhollow Avenue, Norwest, being part of Lot 1 in DP 270106 shown as "Item 17" on the Additional Permitted Uses Map.*
- (2) *Development for the purposes of a residential flat building is permitted with consent, but only if:*
 - (a) the total GFA of residential components does not exceed 9,576m²;*
 - (b) the total residential yield does not exceed 76 dwellings;*
 - (c) the development complies with the requirements in clause 7.XX (refer to site specific local provision); and*
 - (d) 5% of the total number of dwellings are provided as affordable rental housing for key-workers for a period of ten years.*

PART 3 JUSTIFICATION

SECTION A - NEED FOR THE PLANNING PROPOSAL

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

No, the planning proposal is not a result of any strategy study or report. It has been initiated by the Proponent, acting on behalf of the landowner.

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

Yes, the planning proposal is considered to be the best way to achieve the intended outcomes for the site. The proposed floor space ratio and building height will achieve an appropriate built form outcome and facilitate an increase in commercial floor space and employment opportunities commensurate with the strategic framework. Given the current zoning (SP4 Enterprise) does not permit residential accommodation, the proposed Additional Permitted Use Clause (and associated local provision) would facilitate a reasonable mixed-use outcome on the site, while ensuring the predominant employment use is retained.

SECTION B - RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK

3. *Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?*

Yes, a discussion of consistency is provided below.

▪ Greater Sydney Region Plan and Central City District Plan

The Greater Sydney Region Plan and Central City District Plan seek to attract investment and business activity in key strategic centres and ensure infrastructure provision aligns with forecast growth through various objectives and priorities. Those relevant to this planning proposal are as follows:

- Objective 2 – Infrastructure supports the three cities;
- Objective 8 – Greater housing supply;
- Objective 11 – Housing is more diverse and affordable;
- Objective 14 – Integrated land use and transport creates walkable and 30-minute cities;
- Objective 22 – Investment and business activity in centres;
- Priority C1 – Planning for a city supported by infrastructure;
- Priority C5 – Provide housing supply, choice and affordability, with access to jobs, services and public transport;
- Priority C9 – Delivering integrated land use and transport planning and a 30-minute city; and
- Priority C10 – Growing investment, business, and job opportunities in strategic centres.

The proposal will facilitate a primarily commercial development with ancillary residential uses that would assist in realising the potential for Norwest Strategic Centre to become one of nine specialised commercial office precincts within Greater Sydney. Specifically, the proposal seeks to protect and retain the majority of the site (80% - Sites B and C) for employment uses to accommodate 38,306m² of commercial floor space (1,915 jobs) and contribute toward the 49,000 total jobs target identified for Norwest over the next 10-15 years. The retention and growth of existing and new commercial office precincts is essential to growing employment opportunities and in turn, Sydney's global competitiveness.

Notwithstanding the employment outcomes proposed, the proposal would permit residential uses on approximately 3,450m² of land within Norwest's designated commercial office precinct (Site A) and therefore demonstrate a technical inconsistency with these strategic policies. It is considered that this minor departure from the strategic framework is justified on the basis that the site is flanked by residential on two frontages and the location of the proposed residential uses provides a logical land use transition. As the proposal would retain an underlying zoning of SP4 Enterprise across the entire site, commercial uses would continue to be permitted across the entire site, should market demands dictate an alternate outcome to the residential component proposed. It is unlikely that these same unique circumstances could be replicated on other land within the strategic centre and as such, the proposal is unlikely to create an undesirable precedent.

The ancillary residential use will maintain full compliance with Council's housing mix and diversity requirements under Clause 7.11 of The Hills LEP 2019 and the proposed inclusion of 5% of affordable rental housing for key-workers.

The Proponent's proposal has not addressed the local infrastructure required to support the uplift proposed on this site. However, the Proponent has stated their intention to enter into negotiations with Council for the preparation of a Voluntary Planning Agreement (VPA), should the proposal progress to Gateway Determination. Council has considered that the value of a future VPA that is comparable to other executed VPAs for commercial development (3% of the total cost of work) and residential development (approximately \$30,000 per dwelling) would likely be a fair and reasonable local infrastructure contribution. However, further negotiations and consideration by Council would be required with respect to the draft VPA, once submitted by

the Proponent, and prior to any public exhibition of the planning proposal should a Gateway Determination be issued.

4. *Is the planning proposal consistent with the local council's Community Strategic Plan, or other local strategic plan?*

Yes, a discussion of consistency is provided below.

▪ **The Hills Local Strategic Planning Statement**

The Hills Local Strategic Planning Statement (LSPS) outlines the Shire's 20-year vision regarding land use, planning, population, housing, economic growth, and environmental management. The planning proposal will give effect to the following relevant planning priorities of the LSPS:

- Planning Priority 1 – Plan for sufficient jobs targeted to suit the skills of the workforce;
- Planning Priority 2 – Build strategic centres to realise their potential;
- Planning Priority 7 – Plan for new housing in the right locations; and
- Planning Priority 12 – Influence travel behaviour to promote sustainable choices.

The proposed development outcome is consistent with the LSPS as it would increase commercial floor space within the Norwest Strategic Centre and will contribute towards the anticipated additional 16,600 to 20,600 jobs identified for the Norwest Strategic Centre by 2036. The increase in commercial office space aligns with the highly skilled professional workforce within The Hills and is consistent with the identified need to match jobs growth with the skills of the Shire's workforce.

While the planning proposal would facilitate 76 dwellings on a site identified for commercial office use in the Norwest structure plan, it is considered that given the unique circumstance of the irregularly shaped portion at the end of the site being wrapped by residential uses, permitting a partly residential outcome on this small area of the site would facilitate an appropriate land use transition. The proposal would retain an underlying zoning of SP4 Enterprise across the site and ensure that commercial uses would continue to be the dominant land use. The planning proposal seeks to capitalise on the adjoining Norwest Metro Station and prioritise public and active transport to reduce car dependency and minimise traffic generation on the local and regional road network and aligns with the principles of transit oriented development.

Although the planning proposal precedes the completion of detailed precinct planning and infrastructure analysis of Norwest as identified in the LSPS, the proposed development is generally consistent with what has been envisaged for the site and the value of a future Voluntary Planning Agreement comparable to other executed VPAs in Norwest is considered appropriate to address the proposal's impact on local infrastructure.

▪ **The Hills Future Community Strategic Plan**

The Hills Future Community Strategic Plan aims to manage new and existing development with a robust framework of policies, plans and processes that is in accordance with community needs and expectations. The planning proposal seeks to better utilise a key site in the Norwest Strategic Centre and provide for additional employment opportunities and ancillary residential uses to accommodate the growing population. The proposed floor space ratio and building height provisions will contribute to the realisation of Norwest as a strategic centre and key office precinct whilst achieving an appropriate built form outcome on the site. Further, compliance with the associated site-specific Development Control Plan (DCP) will ensure development is sympathetic to adjoining low to medium density residential development.

▪ **The Hills Corridor Strategy**

Noting that the Hills Corridor Strategy identifies a *minimum* commercial floor space ratio of 2:1, the proposed development would achieve a greater employment yield than the minimum anticipated under Council's Strategy.

Having regard to the proximity of the site to the Norwest Metro Station, the proposed commercial FSR of 2.4:1 is not an unreasonable density for this site and would retain and utilise the majority of the site for employment uses while providing ancillary residential accommodation at the south-west corner of the site flanked by existing low density residential development which is identified to accommodate a 10 storey residential flat building, with a maximum of 76 dwellings. The overall FSR proposed is reflective of some of the site specific constraints present on this land given its irregular shape and size and proximity to lower density residential areas which may be sensitive to built form and amenity impacts. These factors limit the physical built form capacity of the site to accommodate density.

While the proposed maximum building height of 23 storeys exceeds what is anticipated for the site in the Strategy (8-10 storeys), careful site planning and urban design and compliance with the draft DCP demonstrates that the proposed built form outcome is a suitable outcome for this location.

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

Yes. An assessment of the planning proposal against applicable State Environmental Planning Policies is provided in Attachment A.

6. *Is the planning proposal consistent with applicable Ministerial Directions (s. 9.1 directions)?*

Yes. The consistency of the planning proposal with the Section 9.1 Ministerial Directions is detailed within Attachment B. A discussion on the consistency of the proposal with each relevant Direction is provided below. Confirmation of consistency with Directions 4.1 and 4.4 will need to be determined through the preparation of a Flood Assessment report and Contamination Report, respectively.

- Direction 1.4 Site Specific Provisions

This Direction seeks to discourage unnecessarily restrictive site-specific planning controls. The proposal local provision would operate in conjunction with the proposed Additional Permitted Use for residential flat buildings on the site. It is necessary to ensure that future development maintains and utilises the dominant employment use of the site and that development is able to access additional (incentivised) floor space to facilitate the proposed ancillary residential use. Specifically, the local provision requires future development to provide a minimum commercial floor space, minimum public plaza space and future built form outcomes of superior architectural quality and urban design.

- Direction 1.16 North West Rail Link Corridor Strategy

This Direction aims to promote transit-oriented development and manage growth around the eight new stations of the North West Rail Link (now known as Sydney Metro Northwest). It requires that proposals for development within the corridor be consistent with the State Corridor Strategy and precinct Structure Plans. The planning proposal is consistent with this Direction as it will contribute to the identified employment targets for Norwest Station Precinct, and it proposes a height, density and character outcome consistent with the State Corridor Strategy.

While the proposed residential use is not consistent with the envisaged commercial only outcome for the site, the lot configuration, appropriate land use interface with existing residential development which wrap around the boundary of part of the site and its proximity to the Metro station presents unique characteristics that are capable of facilitating some residential development, while retaining the intended predominant commercial use on the site.

- Direction 4.1 Flooding

This Direction seeks to ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the Flood Risk Management Manual. It also seeks to ensure provisions of an LEP applying to flood prone land are commensurate with flood behaviour and consider potential flood impacts both on and off the subject land. An overland flowpath traverses the eastern portion of the site and is the land is identified as a Flood Controlled Lot in The Hills DCP 2012. The Proponent will need to submit a Flood Assessment report to demonstrate consistency with the Direction as a requirement of the Gateway Determination, if issued.

- Direction 4.4 Remediation of Contaminated Land

This Direction seeks to reduce the risk of harm to human health and the environment by ensuring that contamination and remediation are considered in the assessment of planning proposals. The Direction requires preliminary investigation of the land carried out in accordance with the contaminated land planning guidelines given the proposal is seeking residential uses and there is no knowledge (or incomplete knowledge) as to whether development for a purpose referred to in Table 1 to the contaminated land planning guidelines has been carried out. The Proponent will need to submit a Contamination Assessment Report to demonstrate consistency with the Direction as a requirement of the Gateway Determination, if issued.

- Direction 5.1 Integrating Land Use and Transport

This Direction intends to ensure that future development encourages the use of sustainable integrated transportation options. The planning proposal is consistent with this Direction as it seeks to improve access to

jobs and reduce car dependence by co-locating higher density commercial employment and residential opportunities in walking distance to public transport services.

- Direction 6.1 Residential Zones

This Direction seeks to encourage diverse housing, ensure residential development is serviceable by existing infrastructure and services. The planning proposal is consistent with this Direction as it would provide a diverse housing mix in accordance with Clause 7.11 of The Hills LEP 2019 and including 5% of affordable rental housing for key-workers. The site adjoins Norwest Metro Station and is in proximity to key services and amenities. It is anticipated that a future VPA would be necessary to secure adequate contributions to local infrastructure to service the demand generated from the additional residential dwellings proposed.

- Direction 7.1 Business and Industrial Zones

This Direction aims to encourage employment growth in suitable locations, protect employment land and support the viability of identified centres. The planning proposal is consistent with this Direction as it seeks to encourage employment growth in a strategic business centre in close proximity to the Norwest Metro Station, which would support the economic viability of the Norwest Business Park into the future. While the proposal would facilitate some residential development on the site, the commercial yield anticipated for the site under the strategic planning framework can still be achieved and the predominant employment land use will be protected.

SECTION C - ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACT

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

No. Council's Vegetation Mapping identifies Gardens / Modified Vegetation Communities only on the subject site.

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

There is no vegetation of significant biodiversity value on or adjacent to the site that would be significantly affected by the proposal. Existing trees along the southern boundary of the site would be retained where practicable or replaced as part of a future development application. The Proponent's landscape plan indicates the provision of 8,700m² deep soil landscape to facilitate mature tree planting and the provision of 25% soft landscaping on the site. Should a Gateway Determination be issued, it is anticipated that consultation will be undertaken with the Environment and Heritage Group.

9. *How has the planning proposal adequately addressed any social and economic effects?*

The proposal will facilitate a positive economic impact through the provision of an additional 1,915 jobs to the local economy of Norwest, contributing to Greater Sydney's global economic competitiveness. Additionally, the site strategically co-locates employment opportunities close to local residents and Norwest Metro Station, which provides access to the Greater Sydney metro / rail network.

The proposal would facilitate residential accommodation on the site which adjoins the Norwest Metro Station and is in close proximity to key services and amenities. Future residential development would facilitate diverse housing in accordance with Council's housing diversity clause in The Hills LEP 2019 to cater for the Shire's larger family demographic. The proposal would accommodate a childcare centre, hotel and retail uses to service existing and future residents and visitors of the strategic centre.

Compliance with the associated draft DCP will ensure future development on the site achieves the desired built form and urban design outcomes, is sympathetic to the adjoining low to medium density residential and amenity impacts are minimised.

It is anticipated that a future VPA would secure the necessary contribution to local infrastructure to service the demand generated from the proposed uplift.

SECTION D - STATE AND COMMONWEALTH INTERESTS

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

The subject site is identified for commercial development uplift in response to the operation of the Sydney Metro Northwest. The site adjoins Norwest Station and it is likely that the proposed uplift sought will generate additional public transport patronage and it is considered that there is adequate capacity for the Metro to accommodate this. Consultation with Sydney Metro is proposed as part of the public authority consultation.

Based on the proposed development concept of 47,882m² GFA with 2,043 car parking spaces, the supporting Transport Impact Assessment (TIA) anticipates that development will generate an additional 145 AM and 165 PM peak hour (commercial) vehicle movements from what could be generated from the site under the current planning controls (approximately 244 AM trips and 204 PM trips). The increased parking rate sought by the Proponent (1 space per 60m² commercial GFA) is considered reasonable for this site as an interim measure until such time as the outcomes of the Council's holistic parking rate review have been finalised.

The TIA acknowledges the parking provisions under Clause 7.11 of The Hills LEP as they relate to residential development in the Northwest Metro Station Precincts, however notes that the site is not a site where Clause 7.11 applies (*Area A* or *Area B* on the Floor Space Ratio Map). Therefore, the TIA recommends 119 parking spaces based on a comparison of parking rates identified in The Hills DCP and Apartment Design Guide. However, given the proposal requires future development to comply with Clause 7.11 (including the specified car parking rates applicable to Area A), it is anticipated that the site would require the provision of 86 parking spaces.

The assessment concludes that existing traffic conditions are not representative of future conditions and that an assessment based on current conditions and intersection configurations would not provide meaningful results to inform the planning proposal.

It is noted that precinct-wide traffic modelling of Norwest Station Precinct (and Showground and Castle Hill Station Precincts) has commenced which will analyse the impacts of cumulative growth anticipated for the Norwest Precinct and identify any traffic infrastructure upgrades or improvements required to support future uplift on the site and beyond. Should a Gateway Determination be issued for the planning proposal, it is expected that Transport for NSW will be consulted during the public exhibition process.

The planning proposal precedes detailed precinct planning and infrastructure analysis of Norwest and has not addressed the local infrastructure needed to support the growing strategic centre. However, the Proponent has stated their intention to enter into negotiations with Council for the preparation of a Voluntary Planning Agreement (VPA), should the proposal progress to Gateway Determination. It is considered that the value of a future VPA that is comparable to other executed VPAs for commercial development (3% of the total cost of work) and residential development (approximately \$30,000 per dwelling) would be considered a fair and reasonable local infrastructure contribution.

11. What are the views of State and Commonwealth Public Authorities consulted in accordance with the gateway determination, and have they resulted in any variations to the planning proposal?

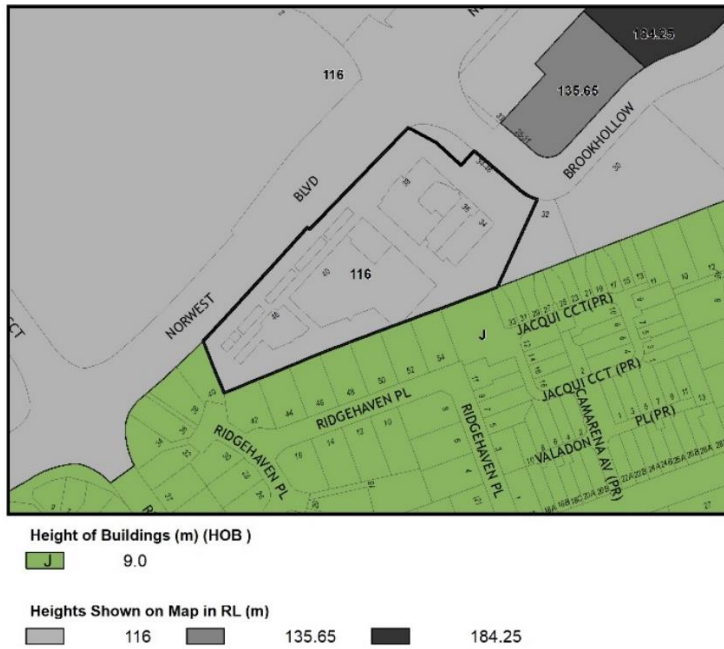
Should a Gateway Determination be issued, the public exhibition process will facilitate the opportunity to consult with relevant State agencies. It is anticipated that consultation with the following public authorities will be required:

- Transport for NSW;
- Sydney Metro;
- Environment and Heritage Group;
- Endeavour Energy;
- Schools Infrastructure NSW;
- Sydney Water.

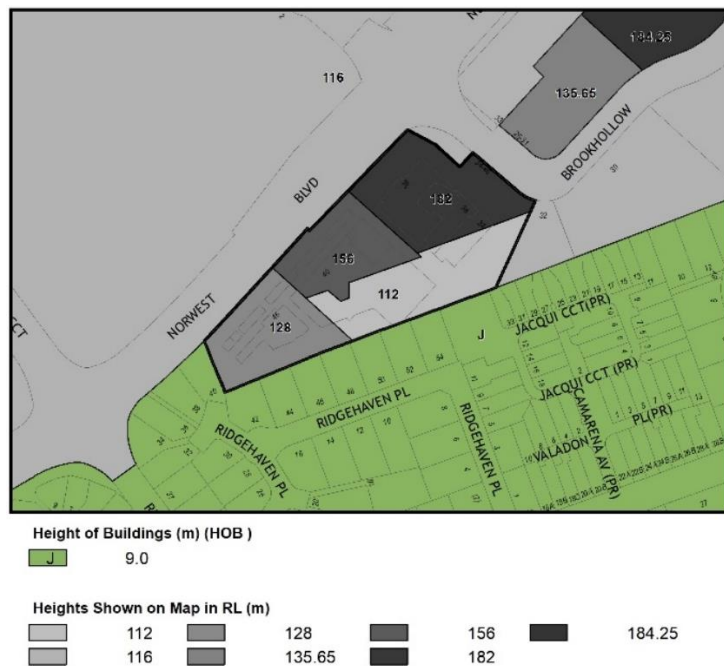
PART 4 MAPPING

The planning proposal seeks to amend the Height of Buildings, Floor Space Ratio, Key Sites and Additional Permitted Uses maps of *The Hills Local Environmental Plan 2019*.

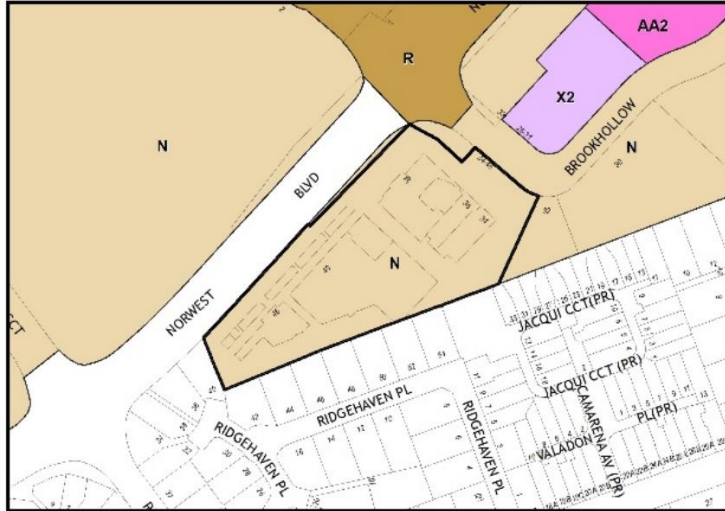
Existing Height of Buildings Map



Proposed Height of Buildings Map



Existing Floor Space Ratio Map

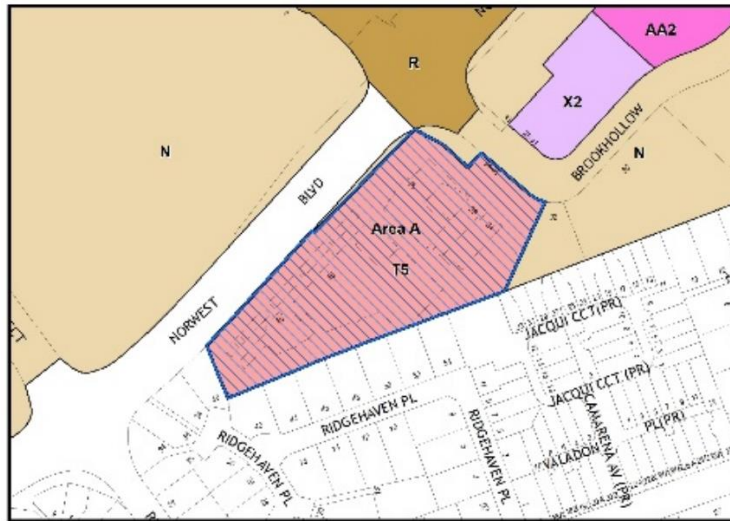


Maximum Floor Space Ratio (FSR) (n:1)

N 1.0 R 1.49 X2 4.1 AA2 6.5

Area A Area B

Proposed Floor Space Ratio Map

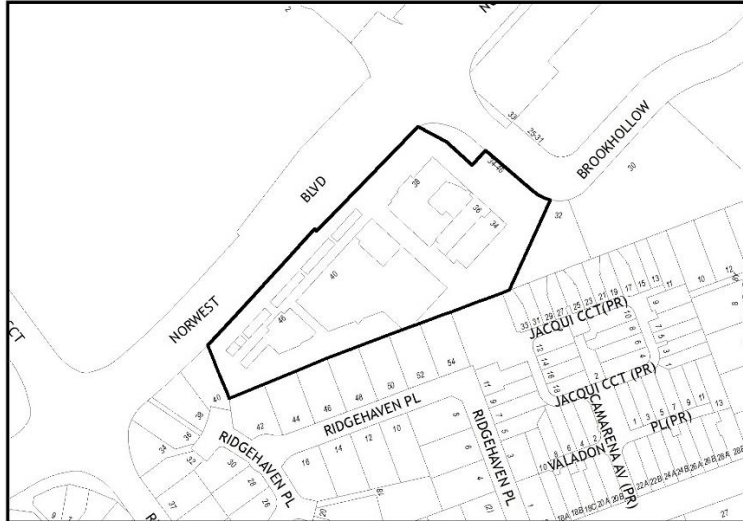


Maximum Floor Space Ratio (FSR) (n:1)

N 1.0 T5 2.4 AA2 6.5
R 1.49 X2 4.1

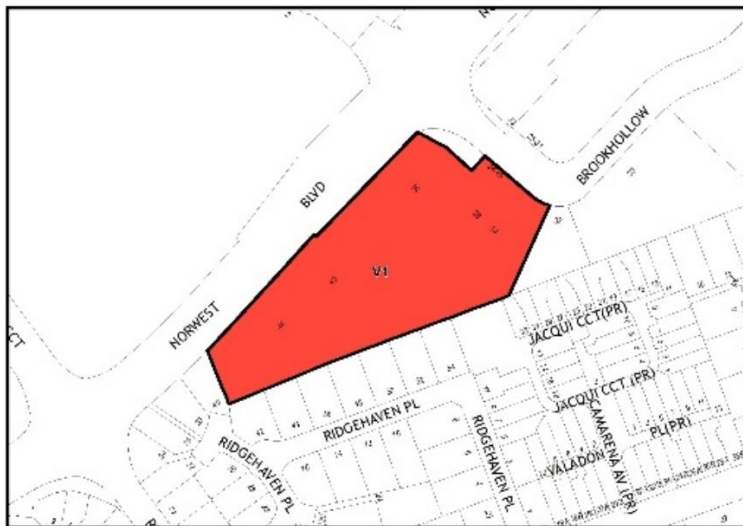
Area A Area B

Existing Floor Space Incentive Map



Maximum Floor Space Ratio Incentive (FSI) (n:1)

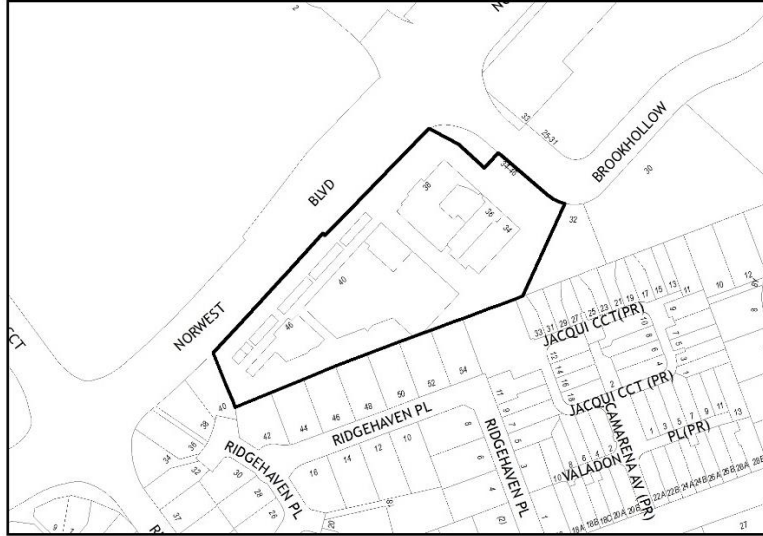
Proposed Floor Space Incentive Map



Maximum Floor Space Ratio Incentive (FSI) (n:1)

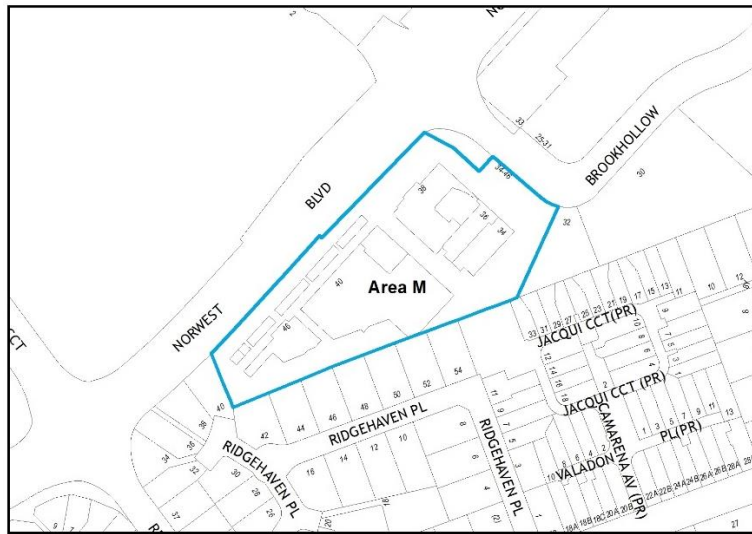
V1 3.0

Existing Key Sites Map



Key Sites Map

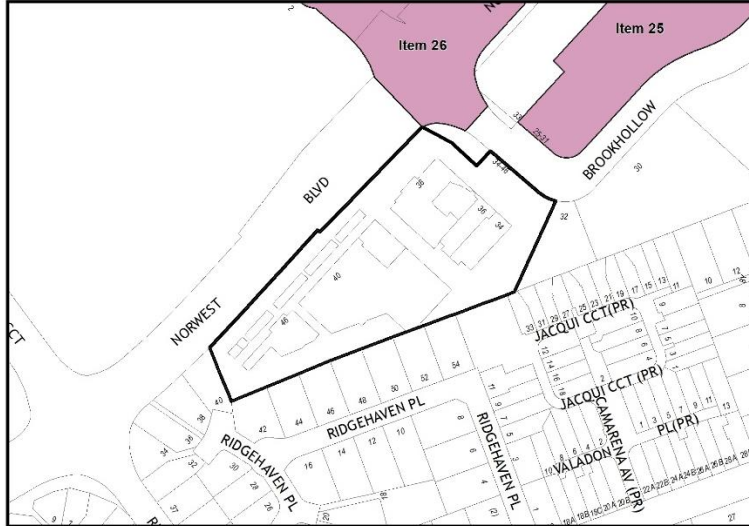
Proposed Key Sites Map



Key Sites Map

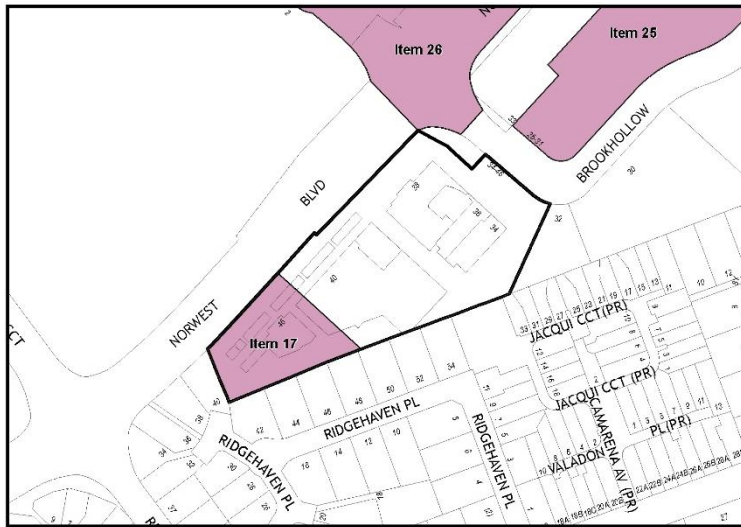


Existing Additional Permitted Uses Map



Additional Permitted Uses (APU)
Refer to Schedule 1

Proposed Additional Permitted Uses Map



Additional Permitted Uses (APU)
Refer to Schedule 1

PART 5 COMMUNITY CONSULTATION

The planning proposal will be advertised on Council's website and social media platforms. Adjoining landowners will be notified by mail of the public exhibition period and will be invited to comment on the proposal.

PART 6 PROJECT TIMELINE

STAGE	DATE
Commencement Date (Gateway Determination)	November 2023
Report to Council on draft Voluntary Planning Agreement	April 2024
Government agency consultation	June 2024
Commencement of public exhibition period	July 2024
Completion of public exhibition period	August 2024
Timeframe for consideration of submissions	September 2024
Timeframe for consideration of proposal post exhibition	September 2024
Report to Council on submissions	October 2024
Planning Proposal to PCO for opinion	November 2024
Date Council will make the plan (if delegated)	December 2024
Date Council will forward to department for notification (if not delegated)	December 2024

ATTACHMENT A: LIST OF STATE ENVIRONMENTAL PLANNING POLICIES

STATE ENVIRONMENTAL PLANNING POLICY (SEPP)	APPLICABLE TO THSC	RELEVANT? (YES/NO)	(IF RELEVANT) INCONSISTENT/CONSISTENT
Biodiversity and Conservation (2021)	YES	NO	-
Building Sustainability Index: BASIX (2004)	YES	NO	-
Exempt and Complying Development Codes (2008)	YES	NO	-
Housing (2021)	YES	NO	-
Industry and Employment (2021)	YES	NO	-
No. 65 – Design Quality and Residential Apartment Development	YES	NO	-
Planning Systems (2021)	YES	NO	-
Precincts – Central River City (2021)	YES	NO	-
Precincts – Eastern Harbour City (2021)	NO	-	-
Precincts – Regional (2021)	NO	-	-
Precincts – Western Parkland City (2021)	NO	-	-
Primary Production (2021)	YES	NO	-
Resilience and Hazards (2021)	YES	NO	-
Resources and Energy (2021)	YES	NO	-
Transport and Infrastructure (2021)	YES	NO	-

ATTACHMENT B: ASSESSMENT AGAINST SECTION 9.1 MINISTERIAL DIRECTIONS

DIRECTION		APPLICABLE	RELEVANT? (YES/NO)	(IF RELEVANT) INCONSISTENT/ CONSISTENT
1. Planning Systems				
1.1	Implementation of Regional Plans	YES	NO	-
1.2	Development of Aboriginal Land Council land	NO	-	-
1.3	Approval and Referral Requirements	YES	NO	-
1.4	Site Specific Provisions	YES	YES	CONSISTENT
1. Planning Systems – Place-based				
1.5	Parramatta Road Corridor Urban Transformation Strategy	NO	-	-
1.6	Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	YES	NO	-
1.7	Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	NO	-	-
1.8	Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	NO	-	-
1.9	Implementation of Glenfield to Macarthur Urban Renewal Corridor	NO	-	-
1.10	Implementation of the Western Sydney Aerotropolis Plan	NO	-	-
1.11	Implementation of Bayside West Precincts 2036 Plan	NO	-	-
1.12	Implementation of Planning Principles for the Cooks Cove Precinct	NO	-	-
1.13	Implementation of St Leonards and Crow Nest 2036 Plan	NO	-	-
1.14	Implementation of Greater Macarthur 2040	NO	-	-
1.15	Implementation of Pymont Peninsula Place Strategy	NO	-	-
1.16	North West Rail Link Corridor Strategy	YES	YES	CONSISTENT
1.17	Implementation of the Bays West Place Strategy	NO	-	-
2. Design and Place				
3. Biodiversity and Conservation				
3.1	Conservation Zones	YES	NO	-
3.2	Heritage Conservation	YES	YES	CONSISTENT
3.3	Sydney Drinking Water Catchments	NO	-	-
3.4	Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs 26	NO	-	-
3.5	Recreation Vehicle Areas	YES	NO	-

DIRECTION		APPLICABLE	RELEVANT? (YES/NO)	(IF RELEVANT) INCONSISTENT/ CONSISTENT
3.6	Strategic Conservation Planning	NO	-	-
4. Resilience and Hazards				
4.1	Flooding	YES	YES	CONSISTENCY TO BE CONFIRMED
4.2	Coastal Management	NO	-	-
4.3	Planning for Bushfire Protection	YES	NO	-
4.4	Remediation of Contaminated Land	YES	YES	CONSISTENCY TO BE CONFIRMED
4.5	Acid Sulfate Soils	YES	NO	-
4.6	Mine Subsidence and Unstable Land	YES	NO	-
5. Transport and Infrastructure				
5.1	Integrating Land Use and Transport	YES	YES	CONSISTENT
5.2	Reserving Land for Public Purposes	YES	NO	-
5.3	Development Near Regulated Airports and Defence Airfields	YES	NO	-
5.4	Shooting Ranges	NO	-	-
6. Housing				
6.1	Residential Zones	YES	YES	CONSISTENT
6.2	Caravan Parks and Manufactured Home Estates	YES	NO	-
7. Industry and Employment				
7.1	Business and Industrial Zones	YES	YES	CONSISTENT
7.2	Reduction in non-hosted short-term rental accommodation period	NO	-	-
7.3	Commercial and Retail Development along the Pacific Highway, North Coast	NO	-	-
8. Resources and Energy				
8.1	Mining, Petroleum Production and Extractive Industries	YES	NO	-
9. Primary Production				
9.1	Rural Zones	YES	NO	-
9.2	Rural Lands	NO	-	-
9.3	Oyster Aquaculture	YES	NO	-
9.4	Farmland of State and Regional Significance on the NSW Far North Coast	NO	-	-