

PLANNING PROPOSAL

CIRCA PRECINCT

PREPARED FOR MULPHA NORWEST PTY LTD
10/04/2015
X14311
VERSION 1
PLANNING

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1 INTRODUCTION

This Planning Proposal supports planning amendments to *The Hills Local Environmental Plan (LEP) 2012* in seeking an increase in building height, increase in floor space ratio (FSR) controls and the inclusion of additional land uses for the Site, being the Circa Precinct, Baulkham Hills for Mulpha Norwest Pty Ltd. A Circa Precinct Masterplan titled 'Circa Precinct – Preliminary Concept prepared by FYFE Pty Ltd' supports this Planning Proposal (Appendix A) and identifies the proposed development of the Circa Precinct as containing four (4) sub-precincts: Core Commercial Precinct, Eastern Commercial Precinct, Campus Precinct and Retirement Precinct including the following parcels of land bounded by Norbrik Drive and Entertainment Lane:

- Core Commercial Precinct: Lots 2-4 DP 270592, Lot 102 DP 1139109, Lot DP 1139109 and Strata Plan 82294
- Eastern Commercial Precinct: Lot 3 DP 1195652, Lots 6052-6055 DP 1140054, Lot 6017 DP 1107886, Strata Plan 83109, Lot 6014 DP 1104131
- Campus Precinct: Lot 700 DP 1198639
- Retirement Precinct: Lot 701 DP 1198639, Lots 1-2 DP 1195652

The redevelopment of the Circa Precinct represents a unique opportunity to evolve the Norwest Business Park and deliver a superior outcome for this precinct, supported by this Planning Proposal with proposed amendments to *The Hills Local Environmental Plan (LEP) 2012*. Circa Precinct represents a unique and immediate development opportunity seeking to capitalise on this largely undeveloped precinct and respond to the opportunities created by the North West Rail Link, both the Norwest Station and Bella Vista Station, to provide additional floor space for a variety of uses, additional jobs and residents. The redevelopment of Circa Precinct requires the following site-specific amendments to *The Hills LEP 2012* to support the Circa Precinct masterplan:

- Increase the Building Height under *Clause 4.3 Height of Buildings* and amend the 'Height of Buildings Map' as follows:
 - Core Commercial Precinct: split building height of RL108 and RL 116 to **RL 116 & RL 140**
 - Eastern Commercial Precinct: split building height of RL 108 and RL 116 to **RL 116**
 - Campus Precinct: split building height of RL 108 and RL 116 to **RL 140**
 - Retirement Precinct: split building height of RL 108 and RL 116 to **RL 116**
- Increase the Floor Space Ratio (FSR) under *Clause 4.4 Floor Space Ratio* amend the 'Floor Space Ratio Map' as follows:
 - Core Commercial Precinct: split FSR of 1:1 and 1.49:1 to **3:1**
 - Eastern Commercial Precinct: 1:1 to **2:1**
 - Campus Precinct: 1:1 to **3:1**
 - Retirement Precinct: 1:1 to **1.2:1**
- Include 'Seniors Housing' as an additional permitted land use on land within the Retirement Precinct.

The proponent also seeks complementary site-specific amendments to The Hills Development Control Plan 2012, based on the Circa Precinct Masterplan supporting this Planning Proposal including amendments such as landscape buffer zones, setbacks and building height setbacks to ensure privacy for the adjoining residential areas and address heritage issues. This Planning Proposal is supported by the Circa Precinct – Preliminary Concept Masterplan (Appendix A), Heritage Assessment (Appendix B – submitted separately) and a Traffic Assessment (Appendix C – submitted separately).

This Planning Proposal is submitted to Council for consideration and if supported, the Proposal will be submitted to the Department of Planning and Environment for a Gateway determination. All strategic planning policies and statutory planning instruments have been taken into consideration and addressed within this Planning Proposal including: A Plan for Growing Sydney, the North West Rail Link Corridor Strategy, relevant Section 117 Directions, relevant State Environmental Planning Policies, and The Hills LEP 2012.

2 BACKGROUND

2.1 LAND TO WHICH THIS PLANNING PROPOSAL APPLIES

This Planning Proposal applies to the following parcels of land, owned by Mulpha Norwest Pty Limited:

- Core Commercial Precinct: Lots 2-4 DP 270592, Lot 102 DP 1139109, Lot DP 1139109 and Strata Plan 82294
- Eastern Commercial Precinct: Lot 3 DP 1195652, Lots 6052-6055 DP 1140054, Lot 6017 DP 1107886, Strata Plan 83109, Lot 6014 DP 1104131
- Campus Precinct: Lot 700 DP 1198639
- Retirement Precinct: Lot 701 DP 1198639, Lots 1-2 DP 1195652

These parcels are shown in Figure 1 below. Mulpha Norwest owns the majority of the land identified in Figure 1.

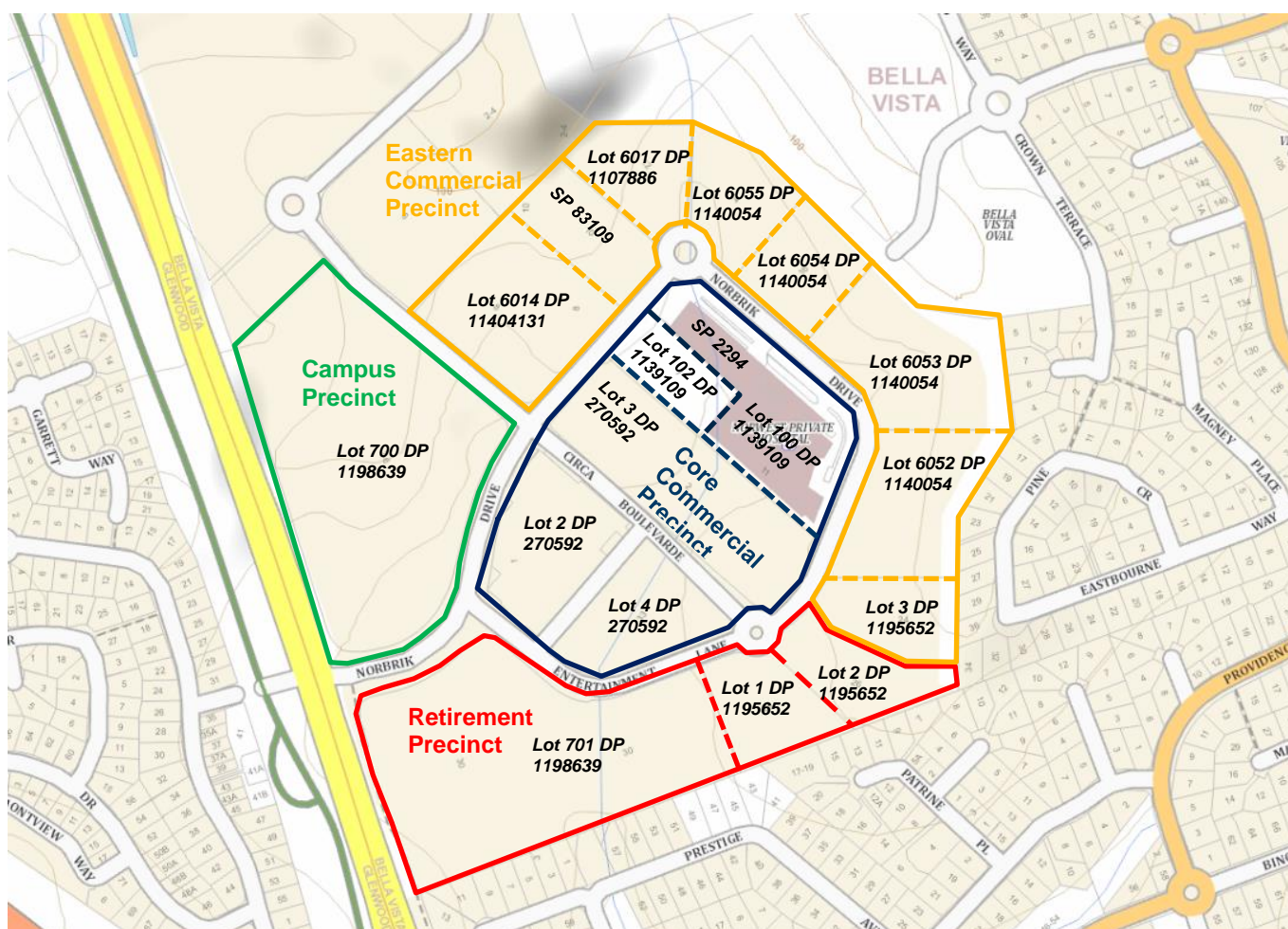


Figure 1: Site Location (Source: SIX Maps)

2.2 SITE CONTEXT AND DETAIL

2.2.1 SITE CONTEXT

The Norwest Business Park has been evolving since the Park's inception in 1987, originally characterised by low scale and low density light industry and commercial developments to an integrated medium scale office park, identified as a major employment node for Sydney's North West, supported by a surrounding residential population. The Business Park now houses over 800 businesses, 25,000 workers, 20,000 plus square metres of retail space and over 6,000 residents. The Circa Precinct is located at the south-eastern part of the Norwest Business Park as shown in Figure 2 below.



Figure 2 Site Context
(Source: SIX Viewer)

The Bella Vista Farm Park is a NSW State listed heritage item that sits above and overlooks the Circa Precinct (as shown in Figure 2). This Park includes a grouping of early farm buildings, surrounding parklands and a prominent row of Bunya Pines. The heritage listing includes the built form and the Bunya Pines and includes protection of key vistas to and from the Park, enforced by The Hills Shire Council's Development Control Plan (DCP). Integrating heritage with Circa Precinct is an objective of the Circa Masterplan and is addressed under Section 5.3 Section C – Environmental, Social & Economic impact.

The Circa Precinct is identified within the North West Rail Link - Bella Vista Station Structure Plan, as shown in Figure 3. The Bella Vista Station is identified as a Priority Precinct with the construction of the Bella Vista station being a catalyst for this Circa Precinct Masterplan. The redevelopment of Circa Precinct will provide opportunities to locate many more people and jobs closer to rail infrastructure with the added benefit of reducing congestion, increasing the number of jobs close to homes, advantageous to the incoming population and existing Norwest community (Circa Precinct masterplan, p.6)).

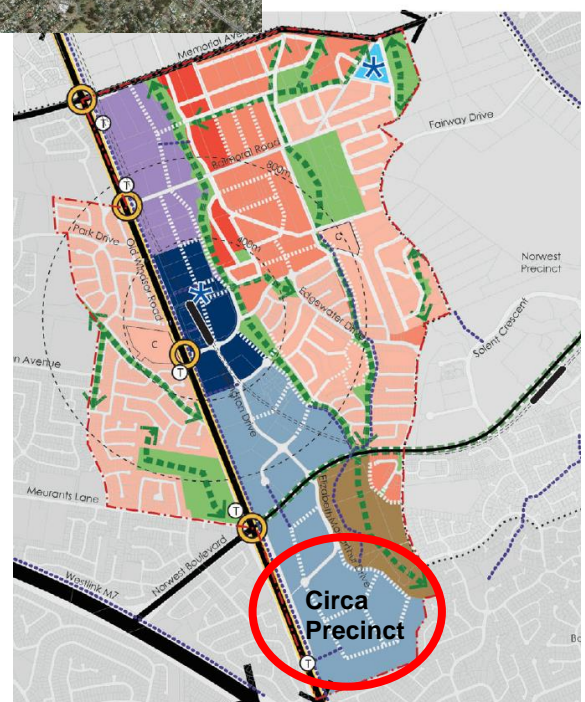


Figure 3 Bella Vista Structure Plan
(Source: Department of Planning and Environment)

2.2.2 SITE DETAIL

The Circa Precinct is largely undeveloped, as shown in Figure 4. The existing development within the Circa Precinct is mostly confined to the proposed Core Commercial Precinct, including a Woolworths Norwest Circa Shopping Centre and Norwest Private Hospital. The Circa Precinct masterplan states that currently there is 8,000m² of commercial, 5,000m² of retail and 50,000m² of hospital already built. All other areas are undeveloped except for an office development within the Eastern Commercial Precinct. The Masterplan identifies that 20.7ha of the Circa Precinct is undeveloped land parcels and 4.6ha is partially or wholly developed land parcels.



Figure 4 Development Concept for Circa Precinct (Source: Circa Precinct Masterplan – Fyfe Pty Ltd, p.7 'Figure 1.3')

The Circa Precinct has access to Old Windsor Road via Norbrik Drive which forms the western border of the Circa Precinct. As shown in Figure 2, low density residential areas adjoin the Circa Precinct to the south and east within the Norwest Business Park.

2.3 THE HILLS LOCAL ENVIRONMENTAL PLAN 2012

Table 1 identifies the relevant development standards that apply to the Circa Precinct (as identified in Section 2.1 of this report) under *The Hills Local Environmental Plan (LEP) 2012*.

Table 1: The Hills LEP 2012 existing planning controls

Type of Development Standard	Existing Development Standard applying to the Site	Parcels of land
Land Use Zone	B7 Business Park	All
Floor Space Ratio	1:1	Lot 3 DP 1195652, Lots 6052-6055 DP 1140054, Lot 6017 DP 1107886, Strata Plan 83109, Lot 6014 DP 1104131, Lot 700 DP 1198639, Lot 701 DP 1198639, Lots 1-2 DP 1195652
	Split 1:1 & 1.49:1	Lots 2-4 DP 270592, Lot 102 DP 1139109, Lot DP 1139109 and Strata Plan 82294
Building Height	split building height of RL108 and RL 116	All

3 STRATEGIC PLANNING CONTEXT

This Planning Proposal seeks to increase the FSR and building height controls, and add Seniors Housing as a Schedule 1 – additional permitted use amendment to the land included within the Retirement Precinct under *The Hills LEP 2012*. This Planning Proposal is supported by a masterplan which supports the vision and future growth of Norwest Business Park as a Strategic Centre, as identified in the NSW Government's A Plan for Growing Sydney (2015), and the development of the Bella Vista Station Precinct within the North West Rail Link Corridor Strategy.

3.1 A PLAN FOR GROWING SYDNEY

A Plan for Growing Sydney (the Strategy) is the NSW Government's latest strategy to guide Sydney's growth as an iconic global city, based on four goals including:

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

Each of the above goals are supported by a number of directions for implementation. The Planning Proposal supports providing a competitive economy with world-class services and transport. Norwest Business Park forms part of the extension of the Global Economic Corridor with the Strategy making the intensive development of the Global Economic Corridor as one of its priorities as growth in these locations will sustain and expand the economy and support more jobs closer to where people live. By 2030, there will be demand for around 190,000 new stand-alone office jobs: around 75% of these will likely seek to be located in Sydney's 10 major office markets. Many of these jobs will be located outside Sydney CBD and North Sydney, in the eight suburban office markets, including Norwest. Of these eight, Norwest, Parramatta and Macquarie Park are performing very strongly and are particularly important for Sydney's continued growth (Direction 1.6 Expand the Global Economic Corridor). This Planning Proposal supports the development of the Global Economic Corridor, intensifying the existing B7 Business Park land use, providing additional employment opportunities to assist in meeting the anticipated job growth, close to where people live.

Norwest Business Park is identified as a Strategic Centre in the Strategy, meaning that Norwest is one of Sydney's important hubs for business and employment. Direction 1.7: Growth strategy centres – providing more jobs closer to home of the Strategy aims to concentrate office development in strategic centres, benefiting business and providing the opportunity for workers to access specialist jobs. This Planning Proposal supports this Direction, providing additional jobs in a strategic centre. This Planning Proposal also supports what the Strategy calls 'agglomeration' meaning businesses benefit from proximity to other businesses and services when clustered in larger centres. This economic density is important for productivity, fostering innovation, improving efficiency and economies of scale, supporting faster growth than if economic activity is dispersed across a wider area.

The Government will work with local councils for each subregion in Sydney to implement *A Plan for Growing Sydney* by developing subregional plans building on the actions set out in the Strategy. Norwest is included within Sydney's West Central subregion, with the Strategy setting out priorities for this subregion. The Planning Proposal is supportive of the Strategy's priority to provide a competitive economy, with the aim to leverage investment and economic development opportunities for the whole subregion generated by the growth of Greater Parramatta and Global Economic Corridor extension. As Norwest is within the Global Economic Corridor extension, this Planning Proposal is supporting the growth of this Corridor which will assist the West Central subregion.

3.2 NORTH WEST RAIL LINK CORRIDOR STRATEGY – BELLA VISTA STATION STRUCTURE PLAN

The North West Rail Link Corridor Strategy is an overarching strategic policy to guide future development around the eight new stations of the North West Rail Link. It provides a vision of how the areas surrounding the train stations could be developed to integrate new homes and jobs. The corridor strategy includes a structure plan for each of the eight new station precincts, reviewing the current constraints, controls, opportunities and predicted growth and provides a vision for each precinct over the next 25 years. The corridor strategy is supported by individual strategic planning documents for each of the stations with the Bella Vista Station Structure Plan adopted in September 2013 and projecting an additional employment capacity of 47,000 jobs by 2036. However, it is anticipated that only 23% of this capacity will be realised by 2036, delivering an additional 10,500 jobs within the Study Area. This Planning Proposal will assist in meeting the projected targets.

The Circa Precinct is identified as a 'Short Term Opportunity Site' as an outcome of reviewing constraints within the Bella Vista Station precinct. A short term opportunity site is a site identified with the most potential for renewal to complement a new rail link and station, with the ability to contribute to the future growth of the Bella Vista Station precinct area. Circa Precinct is identified as an unconstrained site with good connectivity and presents an immediate opportunity to stimulate growth within the corridor.

The Structure Plan identifies future precinct characters with Circa Precinct identified as being Business Park (as identified in Figure 3). The objective of this area is to provide for the employment needs of a growing community and to encourage the emergence of a prominent employment area with direct access to the new rail link and station. The anticipated character of this area is to accommodate commercial offices on sites that are carefully designed to integrate into the surrounds. The Circa Precinct masterplan is generally in accordance with this objective and anticipated character. The Structure Plan also provides projected employment growth for the Bella Vista Station Precinct, with this additional floorspace sought in this Planning Proposal supporting the anticipated job growth.

4 PLANNING PROPOSAL

This Planning Proposal has been prepared in accordance with the NSW Department of Planning and Environment's (formerly Department of Planning & Infrastructure) 'Guide to Preparing Planning Proposals' (October 2012). The Proposal addresses the relevant matters for the rezoning.

4.1 PART 1 – OBJECTIVES OR INTENDED OUTCOMES

The objectives of this Planning Proposal are:

- To enable the redevelopment of the Circa Precinct, creating an employment precinct incorporating key attributes of mixed use environments and a new approach in creating an intergenerational workforce.
- To provide seniors housing in a limited area within the Circa Precinct.

The Proposal seeks to achieve the objectives through site-specific amendments to *The Hills LEP 2012* by amending the development standards and associated LEP maps for the following:

- increasing the maximum building height;
- increasing the maximum floor space ratio; and
- by adding an additional land use, Seniors Housing, to Lot 701 DP 1198639 and Lots 1-2 DP 1195652 (Retirement Precinct).

The intended outcomes for increasing the building height, floor space ratio and seeking Seniors Housing as an additional use to a portion of the Circa Precinct is to provide an additional 450,000m² of floorspace (currently the precinct could deliver 240,000m² of commercial and retail floor space under the existing planning controls) through a range of developments, up to 25,000 additional jobs and more than 1,000 residents (serviced apartments, aged care and retirement), capitalising on the opportunity to locate more people and jobs close to rail infrastructure. The Circa Precinct masterplan provides a vision, objectives and deliverables as to how the additional floorspace would be provided.

The objectives for the redevelopment of Circa Precinct are statements of what is to be achieved. The Circa Precinct masterplan provides a vision for the proposed redevelopment:

"Circa Precinct will be an inspiring, innovative environment where businesses, staff, customers and visitors experience a burst of life, passion and growth. Circa will plant the seed within the Business Park that will grow into a fully integrated community that optimises the advantages of the modern workforce encompassing five generations working together. Circa Precinct will be a vibrant new age community based around a mixed use urban environment which embraces, harnesses and builds on the skills, attributes, and shared backgrounds and experiences of its community. It will encourage a quality lifestyle expected by modern communities, with lifelong learning and an integrated intergenerational workforce that collectively sparks innovation and creativity (p.9)".

The objectives to support the Circa Vision include:

- *"To be at the forefront of the future work/life culture"*
- *To deliver a physical, mental and emotional environment that will encourage and stimulate "innovation and creativity"*
- *To build a community, a sense of belonging and ownership of the future (p.10)".*

The vision and objectives for the Circa Precinct will be achieved through the following key deliverables:

- "integration of the heritage area to educate and illuminate through experience people's awareness of their place in the time continuum;*

- ii) *connectivity of the people through true integration of businesses, staff, visitors and residents, a breakdown of the exclusiveness of typical business centres and a breakdown of retirees being separated from the community;*
- iii) *contemporary space creation and built form that encourages a paradigm shift in the working console;*
- iv) *a mixed use environment that generates a diversity of users, and subsequently a wide variety of thoughts and ideas;*
- v) *a stimulated population led by a full-time Community Facilitator - real and active placemaking that creates a vibrant, active, engaged and enthusiastic business and residential community; and*
- vi) *inspirational public spaces to spark interest, attract visitors, generate movement and colour and promote thought (p.2)".*

4.2 PART 2 – EXPLANATION OF PROVISIONS

This Part provides a more detailed explanation of how the objectives are to be achieved by means of amending *The Hills LEP 2012*. The proposed outcome will be achieved by amending the LEP maps for the maximum height of buildings, FSR provisions and introducing Seniors Housing as an additional permitted use that relate to the land within the Circa Precinct, as identified in Section 2.1 of this Report, and as shown in Table 2.

Table 2: Proposed amendments to *The Hills LEP 2012*

Type of Development Standard to be amended	Existing Development Standard applying to the Site	Parcels of Land	Proposed Amendment	Parcels of Land
Land Use Zone	B7 Business Park	All	Schedule 1 – Additional Permitted Use – Seniors Housing	Retirement Precinct: Lot 701 DP 1198639, Lots 1-2 DP 1195652
Floor Space Ratio	1:1	Lot 3 DP 1195652, Lots 6052-6055 DP 1140054, Lot 6017 DP 1107886, Strata Plan 83109, Lot 6014 DP 1104131, Lot 700 DP 1198639, Lot 701 DP 1198639, Lots 1-2 DP 1195652	Amending the FSR Map to 1.2:1	Retirement Precinct: Lot 701 DP 1198639, Lots 1-2 DP 1195652
			Amending the FSR Map to 2:1	Eastern Commercial Precinct: Lot 3 DP 1195652, Lots 6052-6055 DP 1140054, Lot 6017 DP 1107886, Strata Plan 83109, Lot 6014 DP 1104131
			Amending the FSR Map to 3:1	Campus Precinct: Lot 700 DP 1198639
	Split 1:1 & 1.49:1	Lots 2-4 DP 270592, Lot 102 DP 1139109, Lot DP 1139109 and Strata Plan 82294	Amending the FSR Map to 3:1	Core Commercial Precinct: Lots 2-4 DP 270592, Lot 102 DP 1139109, Lot DP 1139109 and Strata Plan 82294
Building Height	split building height of RL108 and RL 116	All	Amending the Building Height Map to RL116	Retirement Precinct: Lot 701 DP 1198639, Lots 1-2 DP 1195652 Eastern Commercial Precinct: Lot 3 DP 1195652, Lots 6052-6055 DP 1140054, Lot 6017 DP 1107886, Strata Plan 83109, Lot 6014 DP 1104131
			Amending the Building Height Map to RL140	Campus Precinct: Lot 700 DP 1198639
			Amending the Building Height Map to RL116 & RL 140	Core Commercial Precinct: Lots 2-4 DP 270592, Lot 102 DP 1139109, Lot DP 1139109 and Strata Plan 82294

4.3 PART 3 – JUSTIFICATION

The criteria to be addressed under ‘Justification’ as per the Department of Planning & Infrastructure’s guidelines (2012) ‘A guide to preparing planning proposals’ is discussed in detail in Section 5 of this Report.

4.4 PART 4 – MAPPING

‘A guide to preparing planning proposals’ states that Planning Proposals should be supported by relevant and accurate mapping where appropriate. This section includes the existing and proposed LEP maps to support the LEP amendments sought within this Planning Proposal. The following maps are provided:

- The existing and proposed Floor Space Ratio maps
- The existing and proposed Maximum Building Height maps

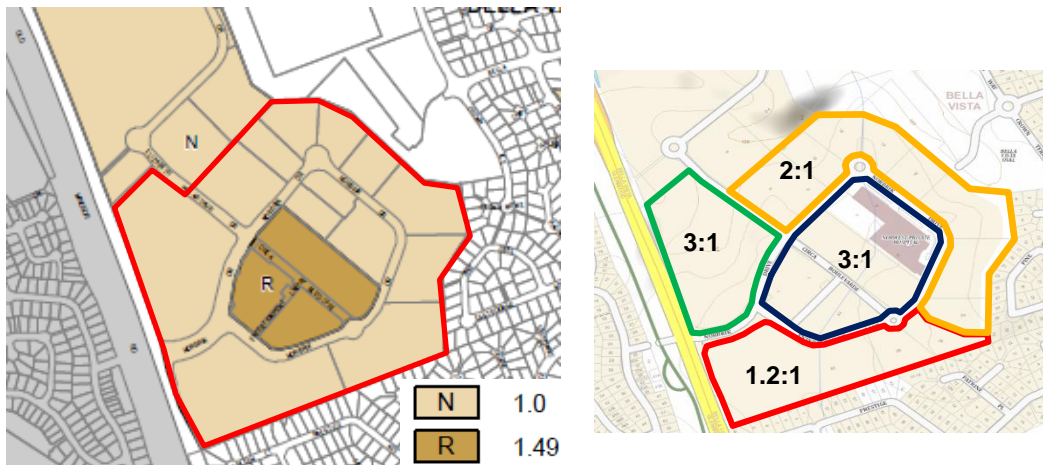


Figure 5 Existing (left) and proposed (right) FSR map

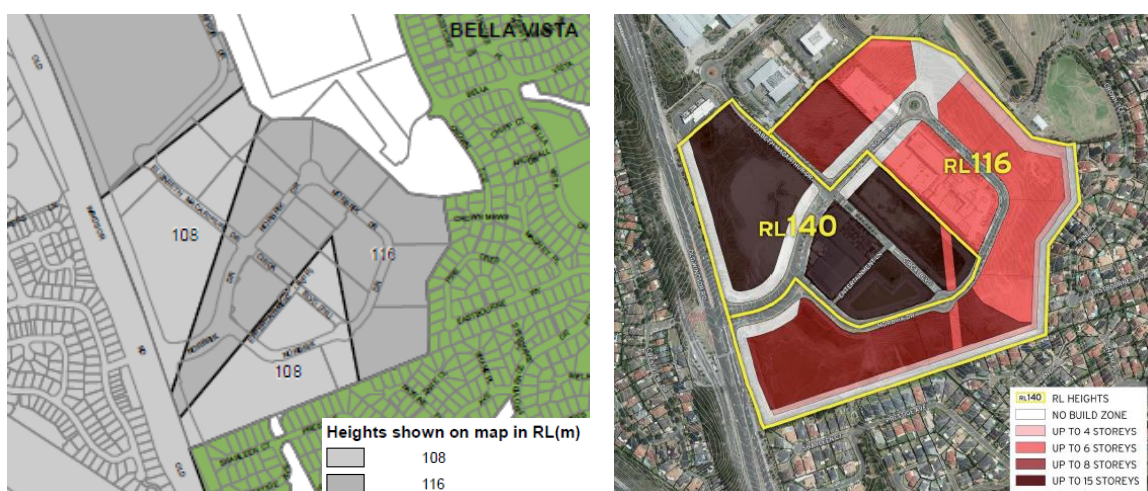


Figure 6 Existing (left) and proposed (right) Maximum building height map

Currently, there is no ‘Additional permitted Uses’ Map that includes the Circa Precinct. A map identified the Retirement Precinct as containing an additional permitted use should be created, referring to Schedule 1 of *The Hills LEP 2012*.

4.5 PART 5 – COMMUNITY CONSULTATION

The Department of Planning & Infrastructure's *'A guide to preparing planning proposals'* (2012) states that as part of the Planning Proposal an outline of the community consultation strategy is to be provided. This Planning Proposal is not considered as major therefore the standard community consultation length of 28 days should apply. However, the Gateway Determination will confirm the degree of community consultation required. Following the Gateway Determination, the community consultation will be undertaken in accordance with the Gateway conditions.

5 JUSTIFICATION

5.1 SECTION A – NEED FOR THE PLANNING PROPOSAL

Is the Planning Proposal a result of any strategic study or report?

This Planning Proposal does not implement the outcomes of a strategic study or report. This Planning Proposal supports the implementation of a masterplan prepared for the redevelopment of the Circa Precinct, attached at Appendix A 'Circa Precinct – Preliminary Concept' prepared by FYFE Pty Ltd (February 2015), of this Planning Proposal.

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

Yes – the Planning Proposal seeks to introduce Seniors Housing as an Schedule 1 – Additional Permitted Uses to the Retirement Precinct and to amend the maximum building height and FSR development standards for the entire Circa Precinct as considered the most appropriate means of achieving the intended outcome. Council's principal Standard Instrument Local Environmental Plan, *The Hills LEP 2012*, was gazetted in 2012 and this proposal seeks amendment to this principal instrument.

The Bella Vista Station Precinct is identified as a Priority Precinct as a means of implementing the strategy and investigating the potential land uses within the precinct in more detail. The Project Team are currently at the stage of preparing detailed studies and plans for the Bella Vista Precinct, with preliminary community consultation undertaken as to what the community would like to see in that area. Following these two steps and finalisation of the report, the rezoning decision is made by the Minister for Planning. There is no timeframe available for when this rezoning will occur, therefore it is not appropriate for the amendments sought in this Planning Proposal to be put on hold until such time as either Council or the Department prepares a planning amendment.

In order to initiate the redevelopment of the Circa Precinct, a site specific Planning Proposal is the most appropriate, efficient and time effective mechanism to amend the planning controls to deliver the desired outcome. The LEP amendments would be supported by a site specific DCP, informed by the Circa Precinct masterplan (Appendix A).

5.2 SECTION B – RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK

Is the Planning Proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy?

This Planning Proposal is consistent with the current objectives and actions of the following strategies:

- A Plan for Growing Sydney 2015 – Department of Planning & Environment

A Plan for Growing Sydney (the Strategy) is the NSW Government's latest strategy to guide Sydney's growth as an iconic global city. The Planning Proposal supports the Strategy, in particular, assisting in providing a competitive economy. Norwest Business Park forms part of the extension of the Global Economic Corridor with the Strategy making the intensive development of the Global Economic Corridor as one of its priorities as growth in these locations will sustain and expand the economy and support more jobs closer to where people live. As discussed in Section 3 of this Report, this Planning Proposal will assist in providing jobs in one of Sydney's 10 major office markets. Norwest was identified as performing very

strongly and of particular importance for Sydney's continued growth (Direction 1.6 Expand the Global Economic Corridor). This Planning Proposal is consistent with the Strategy's objective and actions for supporting the development of the Global Economic Corridor which will contribute to the development of the entire West Central subregion.

Norwest Business Park is identified as a Strategic Centre in the Strategy, meaning that Norwest is one of Sydney's important hubs for business and employment. Direction 1.7: Growth strategy centres – providing more jobs closer to home of the Strategy aims to concentrate office development in strategic centres, benefiting business and providing the opportunity for workers to access specialist jobs. This Planning Proposal supports, and is consistent with, this Direction, providing additional jobs in a strategic centre.

- North West Rail Corridor Strategy – Bella Vista Station Structure Plan

The Planning Proposal supports the North West Rail Link Corridor Strategy, specifically the Bella Vista Station Structure Plan, as discussed in Section 3 of this Report. The proposed amendments will increase the number of available employment opportunities, assisting in meeting the projected job targets predicted for the Bella Vista Station Precinct. The Structure Plan identifies future precinct characters with Circa Precinct identified as being Business Park. The Planning Proposal supports this character and the objective for the development of the Business Park, providing employment needs of a growing community and to encourage the emergence of a prominent employment area with direct access to the new rail link and station. The Circa Precinct is also identified as a 'Short Term Opportunity Site' identified as being unconstrained with good connectivity and having the ability to contribute to the immediate future growth of the Bella Vista Station precinct area.

Is the Planning Proposal consistent with Council's local strategy or other local strategic plan?

The Hills Shire Council has prepared a suite for strategic planning directions guiding development growth of residential development, guiding the planning, protection, management and maintenance of waterways, future planning and management of environment and leisure areas, the development of Centres, development of employment lands and integrating transport. These Directions were prepared in 2009 which would not reflect the State Government's more recent strategic planning work including A Plan for Growing Sydney, the North West Rail Link Corridor Strategy or the Bella Vista Station Structure Plan. However, the Planning Proposal is consistent with The Centres Direction.

Norwest is identified as a Strategic - Specialised Centre in The Centres Direction in accordance with a previous, Metropolitan Strategy 'City of Cities: A Plan for Sydney's Future'. The Centres direction provides a framework for the scale, location and objectives of centres with the aim of achieving centres that are vibrant, viable and diverse with minimal impacts on surrounding land uses. The Planning Proposal supports the objectives for the development of Norwest as follows:

- Supports an appropriate mix of employment and commercial uses with facilities and services to meet the day to day needs of workers in the centre
- Proposed FSR reflects commercial built form as envisaged in the Circa Precinct masterplan
- Proposed height reflects suburban locality, supported by DCP controls to ensure privacy for the existing low density residences to the south of Circa Precinct
- An increase in FSR and building height supports increased densities in the vicinity of transport hubs, including Bella Vista and Norwest Stations.

The Planning Proposal is consistent with The Centres Direction.

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

Table 3 below identifies the applicable State Environmental Planning Policies (SEPP) and the extent of the Planning Proposal's consistency with these policies.

Table 3: Applicable State Environmental Planning Policies

SEPP	Requirement	Planning Proposal
SEPP Exempt and Complying Development Codes	The aims of this Policy are to provide exempt and complying development codes that have State-wide application.	Future development within Circa Precinct will consider the provisions of this SEPP.
SEPP Infrastructure 2007	The aim of this Policy is to support greater flexibility in the location of infrastructure and service facilities along with improve regulatory certainty and efficiency.	Future development within Circa Precinct will consider the provisions of this SEPP.
SEPP Mining, Petroleum production and extractive industries 2007	The aim of this Policy is to provide the proper management and development of mineral, petroleum and extractive ecologically sustainable development.	This Proposal does not impact the potential for extractive industries and does not impede potential mining of coal resources.
SEPP No. 60 Exempt and Complying Development	The aims of this Policy are to provide exempt and complying development codes that have not been provided for those types of development through a local environmental plan. This has State-wide application.	Future development within the Circa Precinct will consider the provisions of this SEPP.
SEPP No. 55 Remediation of Land	The aim of this Policy states that land must not be developed if it is unsuitable for a proposed use because it is contaminated.	Prior to future development, appropriate investigations will be undertaken to ensure that any contamination of the property is identified and remediated.
SEPP 19 – Bushland in Urban Areas	The aim of this Policy is to protect bushland in public open space zones and reservations, and to ensure that bush preservation is given a high priority when LEPs for urban development are prepared.	The Circa Precinct is zoned B7 Business Park. This Precinct is not affected by bushland or reserved for public open space therefore this is not applicable to the planning proposal.
SEPP(Housing for Seniors or People with a Disability)2004	Encourage the development of high quality accommodation for our ageing population and for people who have disabilities - housing that is in keeping with the local neighbourhood.	Future development within the Retirement Precinct will be in accordance with the provisions of this SEPP.
SEPP No.65 – Design Quality of Residential Flat Development	The aim of this Policy is to raise the design quality of residential flat development across the state through	The design principles of this Policy will be taken into consideration prior to the submission of a development

SEPP	Requirement	Planning Proposal
	the application of a series of design principles.	application following the Gateway determination of this Planning Proposal.
SREP 20 Hawkesbury Nepean River	Water quality requirements will be addressed.	Drainage is addressed as part of the water ways in Norwest Business Park.

Is the Planning Proposal consistent with applicable Ministerial Directions (s.117 Directions)?

Table 4 identifies the applicable ministerial directions and the extent of the Planning Proposal's consistency with these directions.

Table 4: Applicable Ministerial Directions (s.117 Directions)

Direction	Objective	Response
1.1 Business and Industrial Zones	This direction applies to existing or proposed business or industrial zones (including the alteration of any existing business or industrial zone boundary).	The Planning Proposal does not seek to amend a business or industrial land use zone. This Planning Proposal seeks to intensify the capability of the B7 Business Park land use zone, by amending the FSR and building height, to deliver additional employment opportunities for a range of development permitted within the B7 land use zone. This Planning Proposal is consistent with the objectives of this Direction as the Planning Proposal encourages employment growth in suitable locations (the Circa Precinct is located within Norwest Business Park and within the Bella Vista Station structure plan), protects employment land in business and industrial zones, and supports the viability of identified strategic centres (Norwest is identified as a strategic centre under <i>A Plan for Growing Sydney</i>). This Planning Proposal retains the areas and locations of existing business zones and does not seek to amend any industrial zones. This Planning Proposal does not reduce the total potential floor space area for employment uses and related public services in business zones. This Planning Proposal seeks to add an additional use – Seniors housing - to part of the B7 area identified as Retirement Precinct within the masterplan. This will not have an adverse impact on the existing business zone or floor space area as this is only an additional use to this area. This Planning Proposal is consistent with this Direction.
3.4 Integrating Land Use and Transport	This direction aims to ensure that zones for urban purposes are consistent with the aim, objectives and principles of:	This Direction applies to a Planning Proposal that seeks to create, alter or remove a zone or a provision relating to urban land, including land

Direction	Objective	Response
	<i>Improving Transport Choice – guidelines for planning and development (DUAP 2001) and The Right Place for Business and Services – planning policy (DUAP 2001).</i>	zoned for residential, business, industrial, village or tourist purposes. As such, this Direction is relevant to this Planning Proposal as the Proposal seeks to amend provisions relating to urban land. This Planning Proposal seeks to improve access to jobs and services by utilising the available public transport options including the Bella Vista Station as part of the North West Rail Link. This Planning Proposal supports the efficient and viable operation of public transport services. This Planning Proposal is consistent with this Direction.
5.9 North West Rail Link Corridor Strategy	This direction aims to promote the principles of transit-orientated development (TOD) and manage growth around the rail station and requires consistency with the NWRL Corridor Strategy and Precinct Plan.	This Direction applies to the preparation of a Planning Proposal for land within the North West Rail Link Corridor, as identified in the NWRL Corridor Strategy and Structure Plans. Circa Precinct is included within the Bella Vista Station Structure Plan, therefore this Direction applies. This Planning Proposal is consistent with the objectives of this Direction including promoting transit-orientated development around the Bella Vista Station and ensuring that development is consistent with the precinct Structure Plans. The Circa Precinct masterplan states that the project seeks to build in alternative transport options, pedestrian, cycle and shuttle bus networks to the new Norwest and Bella Vista stations. Circa is serviced well by public transport with the T Way Bus system on Old Windsor Road, providing access to Rouse Hill and City of Sydney. In this way, the Planning Proposal is supporting TOD. The Planning Proposal is consistent with the Bella Vista Station Structure Plan. The Circa Precinct is identified as B7 Business Park with the Planning Proposal seeking to intensify the Business Park within Circa Precinct. The Planning Proposal will assist in meeting the projected employment targets for the Bella Vista Station Structure Plan. This Planning Proposal is consistent with this Direction.
6.1 Approval and Referral Requirements	This direction aims to ensure the LEP provision encourages the efficient and appropriate assessment of development, minimising the inclusion of designated development.	This Planning Proposal does not include provisions that require the concurrence, consultation or referral of DAs to a Minister or public or identify the development as designated development. This Planning Proposal is consistent with this Direction.
6.3 Site Specific Provisions	This direction aims to discourage unnecessarily restrictive site specific planning.	This Direction applies to Planning Proposals seek for a particular development to be carried out. This Planning Proposal does not seek for a particular

Direction	Objective	Response
		development to be carried out and does not encourage restrictive site specific planning. This Planning Proposal seeks to increase the FSR and building height which will not restrict development. Part of this Planning Proposal seeks a Schedule 1 amendment to permit Seniors Housing on land identified as the Retirement Precinct within the masterplan. This is not encouraging restrictive site specific planning as the underlying B7 land use zone will not be altered, with the Seniors Housing development added as an additional permitted land use. This Planning Proposal does not contain drawings that show specific details of the development proposal, only the Circa Precinct masterplan guiding the vision and development objectives and deliverables for the redevelopment of Circa Precinct. This Planning Proposal is consistent with this Direction.
7.1 Implementation of A Plan for Growing Sydney	This direction states that Planning Proposals are to be consistent with the NSW Government's A Plan for Growing Sydney.	This Planning Proposal supports the development of the Global Economic Corridor, intensifying the existing B7 Business Park land use, providing additional employment opportunities to assist in meeting the anticipated job growth, close to where people live. This Planning Proposal also supports the growth of Norwest as a strategic centre. This Planning Proposal doesn't undermine the achievement of its planning principles, directions, priorities for subregions, strategic centres and transport gateways. This Planning Proposal is consistent with this Direction.

5.3 SECTION C – ENVIRONMENTAL, SOCIAL & ECONOMIC IMPACTS

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. The subject property is suitable for development as it is not constrained by any environmental protection or biodiversity areas.

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

There are no likely environmental effects or natural hazards, such as flooding, land slip or bushfire hazard, constraining the property.

Has the Planning Proposal adequately addressed any social and economic effects?

The response to this question is to include effects on items or places of European or Aboriginal cultural heritage. As mentioned in Section 2.2 Site Context and Detail of this Report, the State Heritage listed Bella Vista Farm Park abuts the Circa Precinct. The heritage context plays a large part in the Circa Precinct Masterplan, with special attention paid to the Bella Vista Farm Park and its heritage listing. The Circa Precinct Masterplan has an objective to *“better integrate the heritage of the area, to educate and illuminate through experience people’s awareness of their place in the time continuum”* (p.14). The Masterplan provides the following comments in relation to integrating the heritage of Bella Vista Farm Park within the redevelopment of the Circa Precinct:

“Circumstances have changed in the wider locality since the designation of these view corridors and it is now timely to consider how they will be amended to enhance the heritage integrity of the Bella Vista Farm site.

This can be achieved by ensuring that any proposal for the Circa site contains the following features:

- *enhanced permeability through the built form so as to increase public accessibility;*
- *enhanced public experiences through maintaining or expanding the reasons and ease to visit the site;*
- *increased open space to maintain the heritage setting and integrity of what remains of Bella Vista Farm;*
- *views from the homestead to the cemetery;*
- *views to the site from key vantage points within the precinct; and*
- *views from the site into the surrounding urban landscape.*

The challenges to maintaining the original viewsheds are as follows:

- *The views from Old Windsor Road (marked B in The Hills DCP) are no longer available. The construction of Old Windsor Road at a lower level has effectively nullified this view entirely;*
- *The view between Bella Vista Farm Homestead and the Pearce Family Cemetery (marked C in The Hills DCP) is difficult to identify as the Cemetery is lost within the cacophony of surrounding urban development; and*
- *The existing development and associated landscaping around Bella Vista Farm Park has modified the views of the Park since the original viewsheds were defined.*

Our response to these challenges is to maintain views from the following key vantage points:

- *Norwest Boulevard;*
- *Ridgemark Place;*
- *Westwood Way;*
- *Elizabeth Macarthur Drive;*
- *Old Windsor Road along DCP Corridor A;*
- *Old Windsor Road from the pedestrian overpass;*
- *Bingara Crescent to the tops of the pines;*
- *Norbrik Drive roundabout to the homestead;*
- *Norbrik Drive / Elizabeth Macarthur Drive intersection to a section of pines;*
- *Bella Vista Homestead to the Pearce Family Cemetery; and*
- *the Park to the surrounding horizon, as interrupted by selected tower locations” (p.14).*

The Circa Precinct Masterplan incorporates two main heritage initiatives:

“The view between the Pearce Family Cemetery and the Bella Vista Farm Homestead is proposed to be enhanced by framing the view with the new buildings actually directing the viewer to the heritage item. This will be a particular advantage when viewing the cemetery from the homestead, which is currently very difficult to locate.

Furthermore, short distance views, such as from Norbrik Drive to the Homestead, can be framed and improved by the definition of a no development view corridor, which doubles as a pedestrian/cycleway, which is a major component of reconnecting to our heritage” (p.15).

A comprehensive Heritage Report will be submitted separately.

Figure 7: Proposed Site Lines (Source: Circa Precinct Masterplan – Fyfe Pty Ltd, p.15 ‘Figure 3.2’)



The Planning Proposal will not have any adverse economic effects. The Masterplan states that *“The Circa proposal [aims] to create a more intensive mixed use environment, offers the opportunity to deliver a greater range of retail, dining, entertainment and educational facilities to serve workers and residents alike and to provide child care, gymnasium, community services and an enhanced public environment. The activation.... will be major factor in the attraction of a wider range of business and employment opportunities to Circa” (p.17).* As such, the Planning Proposal is considered to have a positive effect on the local, and broader Sydney, economy.

Due to the nature of this planning proposal, seeking an increase in FSR, building height and additional permitted use, it is not envisaged that the Planning Proposal will impact on existing social infrastructure such as schools, hospitals or on existing retail centres. In addition, this planning proposal is not seeking an amendment to the land use zone. It is noted that the Gateway determination will confirm the need for any additional information and the scope of matters to be addressed. However, the Planning Proposal contains provisions to protect the privacy of the adjoining neighbours to the south of Circa Precinct that will form part of a site specific DCP.

The Circa Precinct masterplan contains provisions to minimise overshadowing and protect privacy of the adjoining neighbours to the south by managing building heights. The masterplan proposes that *“building heights comply with an angle of 33 degrees from a point 3.5m above natural ground level at that boundary (33 degrees being the angle of the sun at 12.00 noon at the winter solstice (21 June) and 3.5m being the approximate height of a typical single storey structure*

that would be reasonable to expect to be constructed in a residential back yard)” (p.16). Figure 8 Building Heights against Southern Boundary demonstrates the height provisions suggested.

Additional height controls are also included in the masterplan with “lower scaled development is also proposed adjacent to the eastern and south eastern boundary to provide a transition from the greater heights and densities proposed in the centre, north and west of the precinct to the park land and residential neighbourhoods to the east and south east” (p.16).

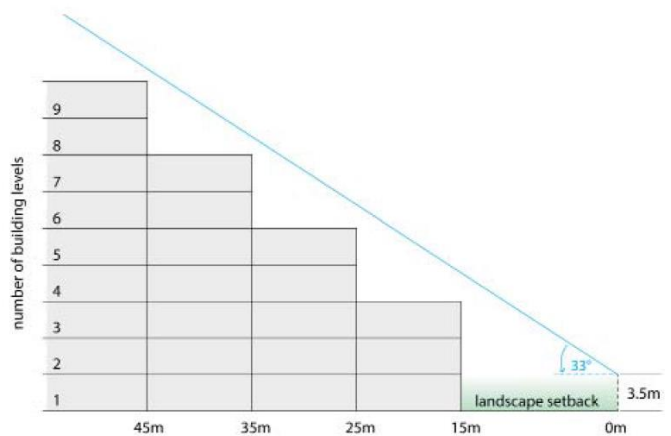


Figure 8: Building Heights against Southern Boundary
(Source: Circa Precinct Masterplan – Fyfe Pty Ltd, p.16 ‘Figure 3.3’)

5.4 SECTION D – STATE & COMMONWEALTH INTERESTS

Is there adequate public infrastructure for the Planning Proposal?

This question typically applies to planning proposals that result in residential subdivision in excess of 150 lots, substantial urban renewal, infill development or development that will result in additional demand on infrastructure (such as public transport, roads, utilities, waste management and recycling services, essential services such as health, education and emergency services) as per the Department of Planning & Infrastructure’s ‘A guide to preparing planning proposals’.

This Planning Proposal seeks an increase in building height and FSR, and a Schedule 1 additional use amendment restricting Seniors Housing to the Retirement Precinct. These amendments permit an additional floor space area, not seeking an amendment to the types of permissible land uses. As such, this question is not directly relevant to this Planning Proposal. However, there is available public infrastructure in respect of connectivity with surrounding areas and the rest of Sydney, with access to Old Windsor Road and the M7 Sydney orbital network. In relation to public transport, the Bella Vista station is under construction as part of the North West Rail Link and there are existing bus services in the area. Seniors Housing developments will be subject to the SEPP requirements in terms of meeting public infrastructure requirements which will be addressed in future development applications. A Traffic Report will be submitted separately addressing the traffic impacts on the local road network associated with the increase in floor space proposed and the traffic generation associated with the Seniors Housing (Retirement Precinct).

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

The views of the State and Commonwealth public authorities will not be known until after the initial Gateway determination. The determination will identify the relevant State agencies to be consulted as part of the rezoning process.

6 CONCLUSION

This Planning Proposal supports an increase in building height, increase in floor space ratio (FSR) controls and the inclusion of additional land uses for the Site, being the Circa Precinct, Baulkham Hills for Mulpha Norwest Pty Ltd. A Circa Precinct Masterplan supports this Planning Proposal (Appendix A) and identifies the Circa Precinct as containing four (4) precincts: Core Commercial Precinct, Eastern Commercial Precinct, Campus Precinct and Retirement Precinct including the following parcels of land:

- Core Commercial Precinct: Lots 2-4 DP 270592, Lot 102 DP 1139109, Lot DP 1139109 and Strata Plan 82294
- Eastern Commercial Precinct: Lot 3 DP 1195652, Lots 6052-6055 DP 1140054, Lot 6017 DP 1107886, Strata Plan 83109, Lot 6014 DP 1104131
- Campus Precinct: Lot 700 DP 1198639
- Retirement Precinct: Lot 701 DP 1198639, Lots 1-2 DP 1195652

The redevelopment of the Circa Precinct represents a unique opportunity to evolve and deliver a superior outcome for this precinct, supported by this Planning Proposal with proposed amendments to *The Hills Local Environmental Plan (LEP) 2012*. Circa Precinct represents a unique and immediate development opportunity seeking to capitalise on this largely undeveloped precinct and respond to the opportunities created by the North West Rail Link, both the Norwest Station and Bella Vista Station, to provide additional floor space for a variety of uses, additional jobs and residents. The redevelopment of Circa Precinct requires the following site-specific amendments to *The Hills LEP 2012* to support the Circa Precinct masterplan:

- Increase the Building Height under *Clause 4.3 Height of Buildings* and amend the 'Height of Buildings Map' as follows:
 - Core Commercial Precinct: split building height of RL108 and RL 116 to **RL 116 & RL 140**
 - Eastern Commercial Precinct: split building height of RL 108 and RL 116 to **RL 116**
 - Campus Precinct: split building height of RL 108 and RL 116 to **RL 140**
 - Retirement Precinct: split building height of RL 108 and RL 116 to **RL 116**
- Increase the Floor Space Ratio (FSR) under *Clause 4.4 Floor Space Ratio* amend the 'Floor Space Ratio Map' as follows:
 - Core Commercial Precinct: split FSR of 1:1 and 1.49:1 to **3:1**
 - Eastern Commercial Precinct: 1:1 to **2:1**
 - Campus Precinct: 1:1 to **3:1**
 - Retirement Precinct: 1:1 to **1.2:1**
- Include 'Seniors Housing' as an additional permitted land use on land within the Retirement Precinct.

The proponent also seeks complementary site-specific amendments to The Hills Development Control Plan 2012, based on the Circa Precinct Masterplan supporting this Planning Proposal including amendments such as landscape buffer zones, setbacks, building height setbacks to ensure privacy for the adjoining residential areas and heritage provisions.

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

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

APPENDICES

APPENDIX A CIRCA PRECINCT – PRELIMINARY CONCEPT MASTERPLAN

APPENDIX B HERITAGE ASSESSMENT (SUBMITTED SEPARATELY)

APPENDIX C TRAFFIC ASSESSMENT (SUBMITTED SEPARATELY)