
MINUTES of the duly convened Ordinary Meeting of The Hills Shire Council held in the Council Chambers on 24 March 2020

ITEM-1 CONFIRMATION OF MINUTES

A MOTION WAS MOVED BY COUNCILLOR COLLINS OAM AND SECONDED BY COUNCILLOR DE MASI THAT the Minutes of the Ordinary Meeting of Council held on 10 March 2020 be confirmed.

THE MOTION WAS PUT AND CARRIED.

123 RESOLUTION

The Minutes of the Ordinary Meeting of Council held on 10 March 2020 be confirmed.

APOLOGIES

A MOTION WAS MOVED BY COUNCILLOR HAY OAM AND SECONDED BY COUNCILLOR JETHI THAT the apology from Councillor Russo be accepted and leave of absence granted.

THE MOTION WAS PUT AND CARRIED.

124 RESOLUTION

The apology from Councillor Russo be accepted and leave of absence granted.

COMMUNITY FORUM

There were no addresses to Council during Community Forum.

ITEM-2 PLANNING PROPOSAL - MUSEUM DISCOVERY CENTRE - 2 GREEN ROAD, CASTLE HILL (5/2020/PLP)

A MOTION WAS MOVED BY COUNCILLOR DE MASI AND SECONDED BY COUNCILLOR COLLINS OAM THAT the Recommendation contained in the report be adopted.

THE MOTION WAS PUT AND CARRIED.

125 RESOLUTION

- 1) Council forward a planning proposal to the Department of Planning, Industry and Environment for a Gateway Determination to amend The Hills LEP 2019, as it relates to 2 Green Road, Castle Hill, as follows:
 - a) Rezone the site from part R2 Low Density Residential and part SP2 Infrastructure (Classified Road) to part R2 Low Density Residential, part SP2 Infrastructure (Classified Road) and part SP2 Infrastructure (Information and Education Facilities); and
 - b) Increase the maximum building height from 10m to part 10m and part 15m.

MINUTES of the duly convened Ordinary Meeting of The Hills Shire Council held in the Council Chambers on 24 March 2020

- 2) Should a Gateway Determination be issued, the Proponent should be required to submit the following additional information, prior to public exhibition of the proposal:
- a) Evidence of TAFE's 'in-principle' agreement (via a letter or similar) to:
 - the proposed relocation of tree planting with consideration afforded to implications for any future growth of the TAFE facility;
 - relocation of car parking spaces within the TAFE site;
 - formalisation of existing access arrangements by creation of an easement to allow vehicular access between the Museum Discovery Centre and TAFE to ensure certainty about a legal right of access; and
 - continued arrangements to accommodate "overflow" parking associated with Museum Discovery Centre weekend events.
 - b) Clarification with respect to the intended arrangements for any tree replanting proposed off-site including negotiation with Council to identify possible suitable planting locations.
 - c) Visual Impact Analysis, indicative landscape plan and photomontages showing views of the proposed development outcome viewed from the low density residential areas along Sunderland Avenue, Sunderland Avenue Reserve to the north and from within the TAFE campus. The provision of this information would enable better communication and interpretation of the potential appearance of the proposed development by residents and the TAFE community.

Being a planning matter, the Mayor called for a division to record the votes on this matter

VOTING FOR THE MOTION

Mayor Dr M R Byrne
Clr R Jethi
Clr R A Preston
Clr Dr P J Gangemi
Clr B L Collins OAM
Clr A N Haselden
Clr J Jackson
Clr M G Thomas
Clr F P De Masi
Clr A J Hay OAM
Clr S P Uno

VOTING AGAINST THE MOTION

Clr R M Tracey

MEETING ABSENT

Clr E M Russo

ITEM-2	PLANNING PROPOSAL - MUSEUM DISCOVERY CENTRE - 2 GREEN ROAD, CASTLE HILL (5/2020/PLP)
THEME:	Shaping Growth
OUTCOME:	5 Well planned and liveable neighbourhoods that meets growth targets and maintains amenity.
STRATEGY:	5.1 The Shire's natural and built environment is well managed through strategic land use and urban planning that reflects our values and aspirations.
MEETING DATE:	24 MARCH 2020 COUNCIL MEETING
GROUP:	SHIRE STRATEGY, TRANSFORMATION AND SOLUTIONS
AUTHOR:	TOWN PLANNER GIDEON TAM
RESPONSIBLE OFFICER:	MANAGER – FORWARD PLANNING NICHOLAS CARLTON

REPORT

This report relates to a planning proposal application submitted for land at 2 Green Road, Castle Hill. The application is being reported to Council for a decision on whether or not a planning proposal should be forwarded to the Department of Planning, Industry and Environment for a Gateway Determination.



Figure 1
Planning Proposal Status and Timeline

RECOMMENDATION

- 1) Council forward a planning proposal to the Department of Planning, Industry and Environment for a Gateway Determination to amend The Hills LEP 2019, as it relates to 2 Green Road, Castle Hill, as follows:
 - a) Rezone the site from part R2 Low Density Residential and part SP2 Infrastructure (Classified Road) to part R2 Low Density Residential, part SP2 Infrastructure (Classified Road) and part SP2 Infrastructure (Information and Education Facilities); and

- b) Increase the maximum building height from 10m to part 10m and part 15m.
- 2) Should a Gateway Determination be issued, the Proponent should be required to submit the following additional information, prior to public exhibition of the proposal:
- a) Evidence of TAFE's 'in-principle' agreement (via a letter or similar) to:
- the proposed relocation of tree planting with consideration afforded to implications for any future growth of the TAFE facility;
 - relocation of car parking spaces within the TAFE site;
 - formalisation of existing access arrangements by creation of an easement to allow vehicular access between the Museum Discovery Centre and TAFE to ensure certainty about a legal right of access; and
 - continued arrangements to accommodate "overflow" parking associated with Museum Discovery Centre weekend events.
- b) Clarification with respect to the intended arrangements for any tree replanting proposed off-site including negotiation with Council to identify possible suitable planting locations.
- c) Visual Impact Analysis, indicative landscape plan and photomontages showing views of the proposed development outcome viewed from the low density residential areas along Sunderland Avenue, Sunderland Avenue Reserve to the north and from within the TAFE campus. The provision of this information would enable better communication and interpretation of the potential appearance of the proposed development by residents and the TAFE community.

PROPONENT Milestone (AUST) Pty Ltd

OWNERS Minister Administering The Technical and Further Education Act 1990

POLITICAL DONATIONS Nil disclosures by the Proponent

THE SITE

The site is known as The Hills TAFE College – Castle Hill Campus, located at 2 Green Road, Castle Hill (Lot 102 DP 1130271) and has a total area of 3.795 hectares. It adjoins the Museum of Applied Arts (Museum Discovery Centre) located at 172 Showground Road, Castle Hill. The sites have a combined area of 6.7 hectares. The site adjoins the Sunderland Avenue Reserve and low density residential development to the north. It is bound by Windsor Road to the west, Showground Road to the south and Green Road to the east.

The site is located approximately 1.4 kilometres walking distance from the Showground Metro Station (via Victoria Avenue and Showground Road) and is within the area covered by the Norwest On Demand Bus Service, which provides access to the Sydney Metro on weekdays between 6am - 10am and 4pm - 9pm.



Figure 2

Aerial view of the site (area to be rezoned and 15m building height to be applied is identified in red)

DESCRIPTION OF PLANNING PROPOSAL APPLICATION

The planning proposal seeks to enable the expansion of the adjoining Museum Discovery Centre through the construction of a new building to provide storage, production and operational facilities which will accommodate the Museum of Applied Arts and Sciences' collections storage, workshops, offices, conservation, research and treatment facilities. This planning proposal will rezone approximately 6,990m² of land on the TAFE site to facilitate the new building, as outlined in red in Figure 2. Submitted concept plans in support of the planning proposal depict a new building with a height of 14.5 metres accommodating approximately 9,800m² of gross floor area, as illustrated in Figure 3.

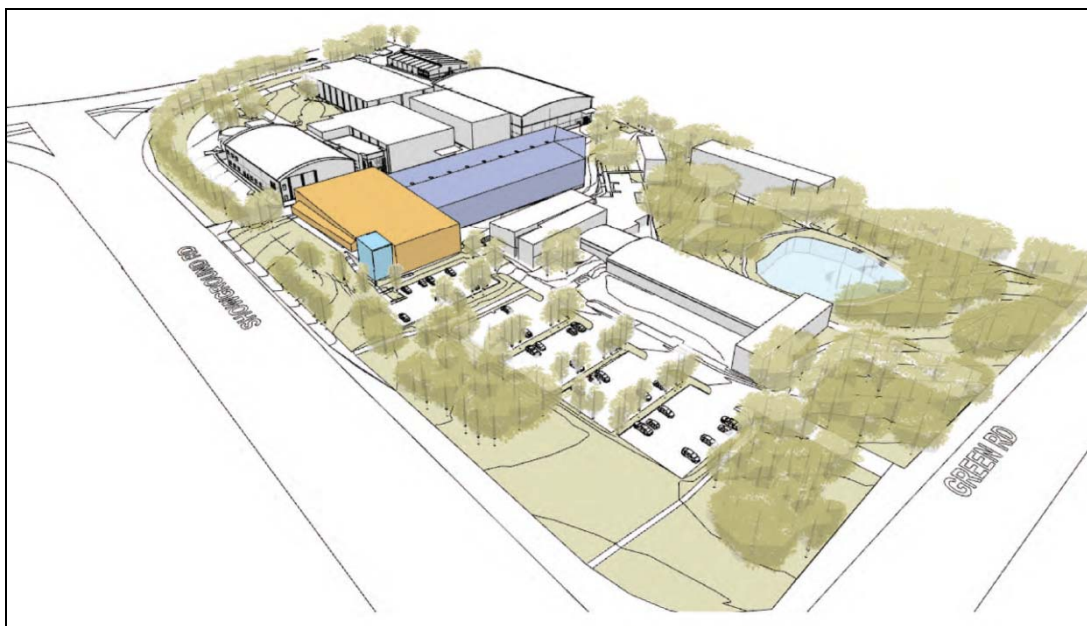


Figure 3

Indicative elevated view of proposed building from corner of Showground Road and Green Road (proposed development is coloured)

To facilitate this outcome, the application seeks to amend LEP 2019 as follows:

	Current (LEP 2019)	NWRL Corridor Strategy	Hills Corridor Strategy	Planning Proposal
Zone	R2 Low Density Residential SP2 Infrastructure (Classified Road)	N/A	N/A	R2 Low Density Residential SP2 Infrastructure (Classified Road) SP2 Infrastructure (Information and Education Facilities)
Maximum Building Height	10m	N/A	N/A	Part 10m and Part 15m
Minimum Lot Size	450m ²	N/A	N/A	No Change
Maximum Floor Space Ratio	Not applicable	N/A	N/A	No Change

Table 1

Current Controls, Strategic Framework and Proposed LEP Amendments

The Proponent has identified the following planning and public benefits associated with the proposal:

- Growth and enhancement of an internationally competitive education, research and innovation facility;
- Contribution to cultural diversity and opportunities for social connection within the community;
- Employment growth during both construction and operations phases of the proposed development; and
- Replanting of vegetation at a ratio of 2:1 on and off the site (subject to negotiations with landowners including TAFE, Landcom, Transport for NSW, Sydney Metro Authority and Council).

A detailed description and technical assessment of the planning proposal application is contained within the Council Officer's Assessment Report to the Local Planning Panel, provided as Attachment 1.

MATTERS FOR CONSIDERATION

Key Consideration	Comment
Strategic Context	The planning proposal is generally consistent with the applicable strategic planning framework as it will contribute to the Shire's cultural infrastructure and increase local employment opportunities.
Traffic and Parking	The proposal seeks to rely on existing underutilised parking spaces within the Museum site as well as parking areas within the TAFE site for 'overflow' parking during peak times. Existing access to the Museum Discovery Centre via Windsor Road is

	<p>proposed to be retained and access points at Showground Road and Green Road (via the TAFE site) are also proposed to continue. These arrangements are considered satisfactory subject to written 'in-principle' agreement from the TAFE that existing vehicular access arrangements will be formalised by the creation of an easement.</p> <p>The proposed traffic generation is considered reasonable and within the daily variation of traffic experienced on major roads within Sydney. Consultation is expected to be undertaken with the Roads and Maritime Services (Transport for NSW) with respect to potential traffic impacts on Showground Road and Windsor Road, as well as any implications associated with the planned widening of Showground Road in the vicinity of the site if the proposal receives a Gateway Determination.</p>
Impact on Vegetation	<p>If the Planning Proposal proceeds, it would facilitate a Development Application that may result in the loss of approximately 337 native trees which have been identified as 'Spotted Gum' (a characteristic species of Cumberland Plain Woodland).</p> <p>The majority of these were planted in the late-1940s as part of a research experiment into essential oils. Being a plantation, the trees exhibit signs of suppressed form and inferior structural stability and canopy when compared to genuine remnant/naturally occurring bushland. Further, the plantation does not contain any shrubs or near-continuous ground cover which would be associated with naturally occurring vegetation. Some of the trees have been identified as average condition with potential termite damage. Given the above, the trees to be removed have been assessed by the Proponent as having low to medium retention value.</p> <p>To mitigate the proposed tree removal, the Proponent is proposing to replant any removed vegetation at a ratio of 2:1 throughout the Museum and TAFE sites and elsewhere within the Shire. The proposed replanting strategy is considered reasonable subject to written 'in-principle' agreement from the TAFE and further clarification by the Proponent with respect to intended arrangements for any tree replanting proposed off-site. The Proponent will also be required to further consider the implications of the proposed replanting and its potential to inhibit future growth of the TAFE facility.</p> <p>Under the <i>Biodiversity Conservation Act 2016</i>, clearing of native vegetation with an area of 0.25ha or more on land with a minimum lot size of less than 1ha triggers the requirement for a Biodiversity Development Assessment Report. As the subject land has a minimum lot size of 450m², a Biodiversity Development Assessment report will need to be submitted as part of any future</p>

	Development Application. Should the planning proposal proceed, it is anticipated that consultation with the Environment Energy and Science Group (formerly OEH) would be required as a condition of any Gateway Determination issued.
Proposed Built Form and Potential Amenity Impacts	It is considered that the proposal will facilitate an acceptable built form and amenity outcome. The proposed building is broadly consistent with the prevailing height of existing development on the Museum site and will be separated from the nearest residential dwelling by approximately 50 metres. Shadow plans submitted with the application indicate the proposal will not impact the adjoining residential properties or the adjoining public park in terms of overshadowing.

LOCAL PLANNING PANEL

The planning proposal was presented to the Local Planning Panel (LPP) for advice on 19 February 2020. A copy of the Council Officer's report is provided as Attachment 1.

The Panel generally agreed with the Council Officer's recommendation that the planning proposal proceed to Gateway Determination. However, some concerns were raised regarding:

- The use of the TAFE land, particularly the need for continuation of access via Green Road and the identified tree replanting and possible hindrance to any future growth plans of the TAFE facility; and
- The potential visual impact from residential areas to the north and from within the TAFE campus, noting the significant tree loss.

The Panel also noted the need for improved wayfinding to and within the Museum and TAFE sites. The Proponent has been advised of the Panel's advice in this regard. The Minutes of the Local Planning Panel meeting are provided as Attachment 2 of this report.

The Panel did consider that the provision of further information regarding building materials and colours would be more appropriately provided as part of a future Development Application. This approach is concurred with as it could allow time for a more site-responsive and higher quality development outcome to be achieved on site.

The advice of the Local Planning Panel is reflected in the recommendations of this report. The Panel's advice reinforces the need for particular consideration to be given to the visual impact of the development, future landscaping opportunities and tree replanting arrangements, carparking and access to the site.

IMPACTS

Financial

This matter has no direct financial impact upon Council's adopted budget or forward estimates.

Strategic Plan - Hills Future

The proposal will assist with building a vibrant community by facilitating the expansion and improvement of an existing cultural facility. The proposal will also support the growing population providing jobs and services within the local area.

CONCLUSION

The planning proposal aligns with the relevant strategic planning framework and will enable the expansion of the existing Museum Discovery Centre, intensifying the use of existing public land to contribute cultural infrastructure and employment opportunities within Castle Hill. While preliminary assessment indicates that the proposed zoning and maximum building height will facilitate an appropriate built form outcome on the site, the report identifies a number of matters which should be resolved by the Proponent, prior to public exhibition, should a Gateway Determination be issued for the proposal. On balance, it is considered appropriate that this planning proposal be forwarded to the Department of Planning, Industry and Environments for a Gateway Determination.

ATTACHMENTS

1. Council Officer Assessment Report - Local Planning Panel – 19 February 2020 (16 pages)
2. Local Planning Panel Minutes - 20 February 2020 (2 pages)

ITEM-1	PLANNING PROPOSAL - MUSEUM DISCOVERY CENTRE, 2 GREEN ROAD, CASTLE HILL (5/2020/PLP) - LOCAL PLANNING PANEL
THEME:	Shaping Growth
OUTCOME:	5 Well planned and liveable neighbourhoods that meets growth targets and maintains amenity.
STRATEGY:	5.1 The Shire's natural and built environment is well managed through strategic land use and urban planning that reflects our values and aspirations.
MEETING DATE:	19 FEBRUARY 2020 LOCAL PLANNING PANEL
AUTHOR:	TOWN PLANNER GIDEON TAM
RESPONSIBLE OFFICER:	MANAGER – FORWARD PLANNING NICHOLAS CARLTON

Proponent	MILESTONE (AUST) PTY LTD
Owner	MINISTER ADMINISTERING THE TECHNICAL AND FURTHER EDUCATION COMMISSION ACT 1990
Planning Consultant	MILESTONE (AUST) PTY LTD
Architect	LAHZNIMMO ARCHITECTS
Arborist	MACKAY TREE MANAGEMENT
Traffic Consultant	NORTHROP
Environmental Consultant	ALLIANCE GEOTECHNICAL
Landscape Architect	ASPECT STUDIOS
Heritage Consultant	CURIO PROJECTS
Site Area	3.795 HA
List of Relevant Strategic Planning Documents	GREATER SYDNEY REGION PLAN CENTRAL CITY DISTRICT PLAN SECTION 9.1 MINISTERIAL DIRECTIONS LOCAL STRATEGIC PLANNING STATEMENT

Political Donation	NONE DISCLOSED
Recommendation	THAT THE PLANNING PROPOSAL IS SUITABLE TO BE FORWARDED TO THE DEPARTMENT OF PLANNING, INDUSTRY AND ENVIRONMENT FOR GATEWAY DETERMINATION

EXECUTIVE SUMMARY

This report provides a summary and assessment of the planning proposal applicable to land at 2 Green Road, Castle Hill (The Hills TAFE College – Castle Hill Campus) for consideration by the Local Planning Panel. The proposal seeks to rezone part of the site from R2 Low Density Residential to SP2 Infrastructure (Information and Education Facilities) and increase the maximum building height applicable to this land from 10 metres to 15 metres to facilitate the erection of a new building as an expansion of the adjoining Museum Discovery Centre.

Following consideration and assessment, it is recommended that the planning proposal is suitable to proceed to Gateway Determination. The proposal aligns with the relevant strategic planning framework and will enable the expansion of the existing Museum Discovery Centre, intensifying the use of existing public land to contribute to cultural infrastructure and employment opportunities within Castle Hill.

While a preliminary assessment indicates that the proposed zoning and maximum building height will facilitate an appropriate built form outcome on the site, the report identifies additional information which should be submitted by the Proponent, prior to public exhibition, should a Gateway Determination be issued for the proposal:

- a) Evidence of TAFE's 'in-principle' agreement (via a letter or similar) to the proposed relocation of tree planting and car parking spaces within their site, continuation of existing arrangements that allow vehicular access to the Museum Discovery Centre across the TAFE site from Green Road and continued arrangements to accommodate "overflow" parking associated with Museum Discovery Centre weekend events.
- b) Clarification with respect to the intended arrangements for any tree replanting proposed off-site.
- c) Visual Impact Analysis and photomontages showing views of the proposed development outcome from low density residential areas along Sunderland Avenue and Sunderland Avenue Reserve to the north. This should include details with respect to building materials, finishes and colours to enable better communication and interpretation of the potential appearance of the proposed development by the community.

THE HILLS LOCAL ENVIRONMENTAL PLAN 2019

The planning proposal seeks to amend The Hills LEP 2019 as follows:

	Current (LEP 2019)	Proposed (Planning Proposal)
Zone	R2 Low Density Residential SP2 Infrastructure (Classified Road)	R2 Low Density Residential SP2 Infrastructure (Classified Road) SP2 Infrastructure (Information & Education Facilities)
Max. Height	10m	Part 10m and Part 15m
Min. Lot Size	450m ²	No change
Max. FSR	Not applicable	No change

Table 1
Proposed LEP Amendments

The proposed amendments to LEP 2019 only relate to a portion of the site as identified in red in Figures 1 and 2 below. The proposal would rezone this area from R2 Low Density Residential to SP2 Infrastructure (Information and Education Facilities) with a 15 metre building height limit.

REPORT

The purpose of this report is to present the planning proposal for land at 2 Green Road, Castle Hill (Lot 102 DP 1130271) to the Local Planning Panel for advice, in accordance with Section 2.19 of the Environmental Planning and Assessment Act 1979.

1. THE SITE

The site is known as The Hills TAFE College – Castle Hill Campus, located on the corner of Green Road and Showground Road, Castle Hill. It adjoins the Museum of Applied Arts and Sciences (Museum Discovery Centre) located at 172 Showground Road, Castle Hill. The sites have a combined area of 6.7 hectares.

The planning proposal relates specifically to the portion of the site identified in red within Figures 1 and 2 below.

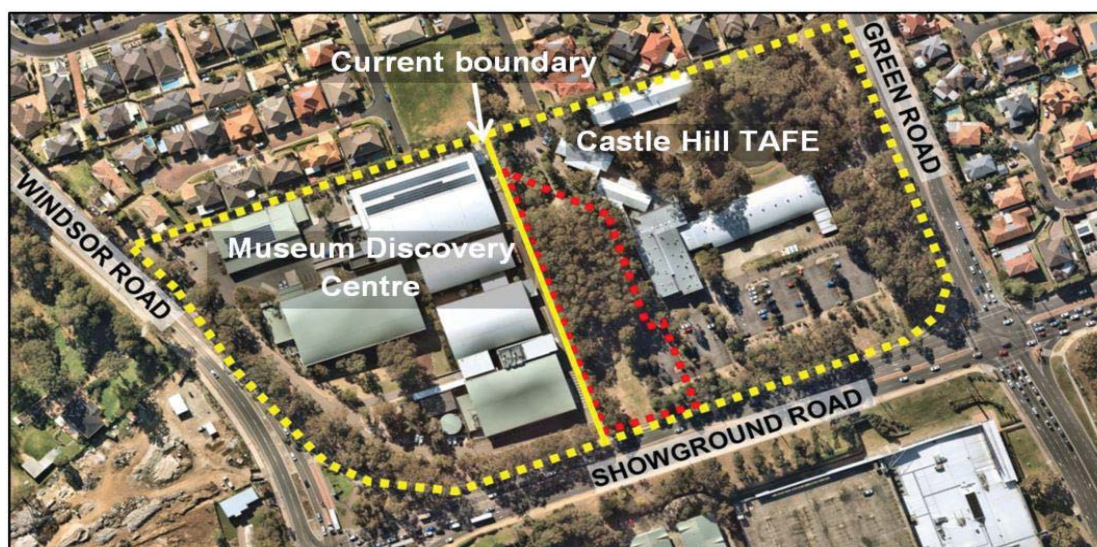
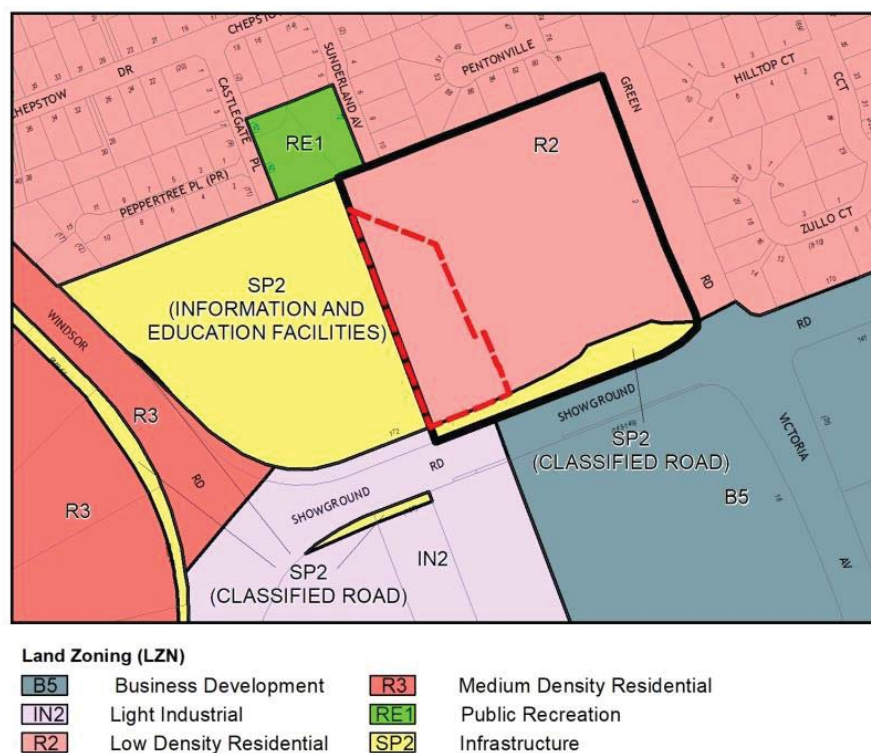


Figure 1
Aerial view of the site (area to be rezoned is identified in red)

**Figure 2**

Existing Zoning under LEP 2019 (the portion of the site to be rezoned is identified in red)

The site adjoins the Sunderland Avenue Reserve and low density residential development to the north. It is bound by Windsor Road to the west, Showground Road to the south and Green Road to the east. A portion of the site (along the Showground Road frontage) is identified for future road widening (see Figure 2).

The site is located approximately 1.5 kilometres walking distance from the Showground Metro Station (via Victoria Avenue and Carrington Road) and is within the area covered by the Norwest On Demand Bus Service, which provides access to the Sydney Metro on weekdays between 6am - 10am and 4pm - 9pm.

There is an area of vegetation on the site identified as being characteristic of Cumberland Plain Woodland, which occupies an area of approximately 0.5 hectares. The Proponent has advised that these trees were planted in the late 1940s for research purposes and are not a remnant form of Cumberland Plain Woodland.

2. DESCRIPTION OF THE PLANNING PROPOSAL

The planning proposal seeks to enable the expansion of the adjoining Museum Discovery Centre through the construction of a new building to provide storage, production and operational facilities which will accommodate the Museum of Applied Arts and Sciences' collections storage, workshops, offices, conservation, research and treatment facilities.

The expansion is proposed in response to the intended relocation of the Powerhouse Museum from Ultimo to Parramatta and to cater for the existing and future growth of the Museum of Applied Arts and Sciences collection.

Concept plans submitted in support of the planning proposal depict a new building with a height of 14.35 metres accommodating approximately 9,800m² of gross floor area (see Figure 3). The current Museum Discovery Centre has approximately 13 staff and the proposed expansion would result in 50 additional jobs. The main public vehicular access to the Museum Discovery Centre is via Windsor Road. There are also vehicle access points on Showground Road and Green Road (via the TAFE site). The proponent advises that the Museum Discovery Centre and TAFE have a longstanding arrangement that allows vehicles to access the Museum from Green Road via the TAFE site.

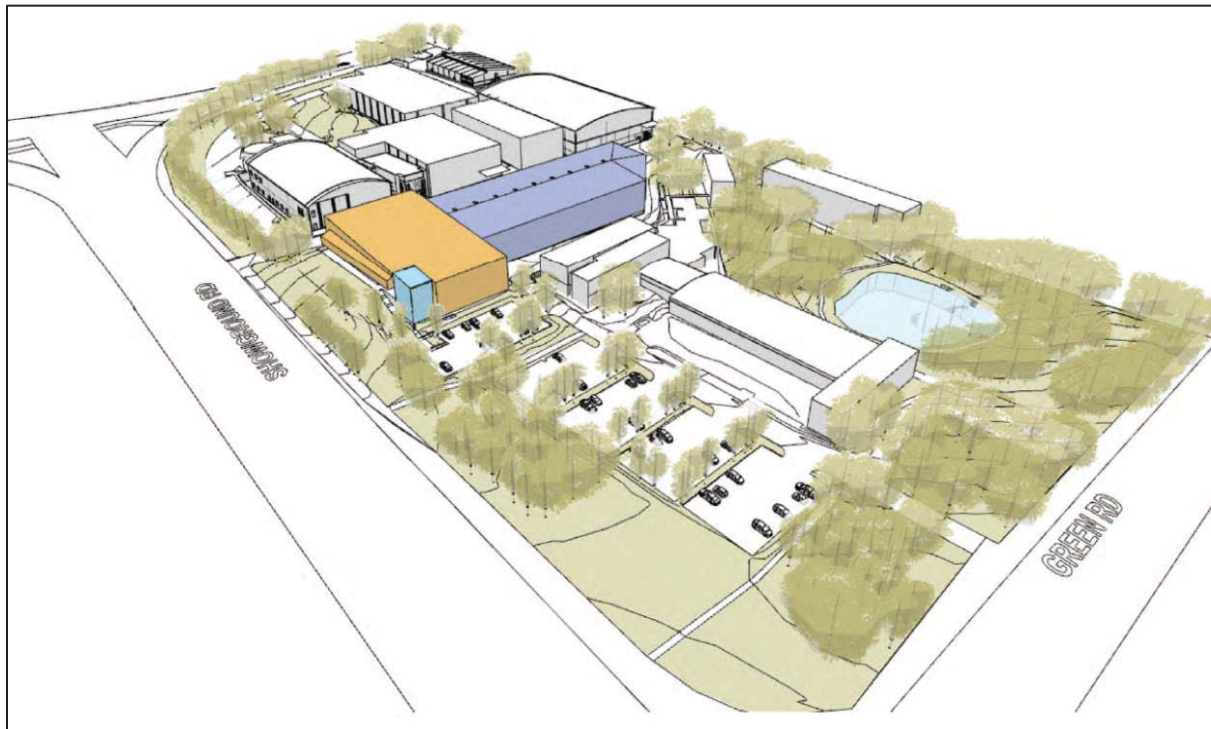


Figure 3

Indicative elevated view of proposed building from corner of Showground Road and Green Road
(proposed development is coloured)

To enable this development outcome, the proposal seeks to amend LEP 2019 to:

- Rezone the site from part R2 Low Density Residential and part SP2 Infrastructure (Classified Road) to part R2 Low Density Residential, part SP2 Infrastructure (Classified Road) and part SP2 Infrastructure (Information and Education Facilities); and
- Increase the maximum building height from 10m to part 10m and part 15m.

The proposed mapping amendments are illustrated below.

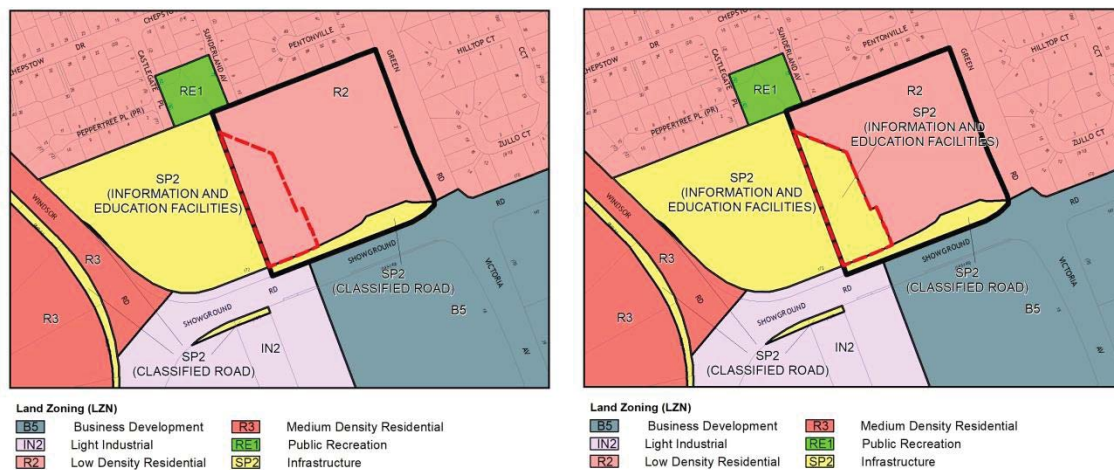


Figure 4
Existing (left) and proposed (right) land zoning



Figure 5
Existing (left) and proposed (right) maximum building height

The proposed zoning would permit, with consent, development for the purpose of 'information and education facilities', which are defined in LEP 2019 as *"a building or place used for providing information or education to visitors, and the exhibition or display of items, and includes an art gallery, museum, library, visitor information centre and the like"*, as well as development which is ordinarily incidental or ancillary to such a use.

While the land subject to this planning proposal is currently located on the TAFE site, it would ultimately be excised and amalgamated with the adjoining Museum Discovery Centre site.

3. MATTERS FOR CONSIDERATION

The planning proposal requires consideration of the following matters:

- Strategic Context;
- Traffic and Parking;
- Impact on Vegetation; and
- Proposed Built Form and Potential Amenity Impacts.

a) Strategic Context

Greater Sydney Region Plan and Central City District Plan

The Greater Sydney Region Plan: A Metropolis of Three Cities seeks to build on Sydney's reputation for liveability and cultural diversity that attracts local and international visitors, by building on its social, economic and environmental assets to improve the quality of life for all its residents. The Plan looks towards achieving efficient planning for city-shaping infrastructure and enhanced utilisation of infrastructure, and recognises that "*great places are made when artistic, cultural and creative works are visible, valued, distinctive and accessible*" (p.57).

The planning proposal will support the following objectives of the Plan:

- Objective 4 '*Infrastructure use is optimised*';
- Objective 9 '*Greater Sydney celebrates the arts and supports creative industries and innovation*'; and
- Objective 19 '*Greater Parramatta is stronger and better connected*'.

Objective 27 of the Plan seeks to protect and enhance biodiversity by supporting the restoration of bushland corridors, managing urban bushland and remnant vegetation as green infrastructure, and managing urban development and urban bushland to reduce edge-effects. The impact of the proposal on vegetation is further discussed within Section 3(c) of this report. Should the planning proposal proceed to Gateway Determination, further investigations may be required and it is anticipated that consultation with Environment, Energy and Sciences Group (formerly OEH) would be required as part of the Gateway process.

- Central City District Plan

The Central City District Plan recognises the importance of supporting cohesive and socially dynamic communities with social infrastructure, including new cultural facilities. The Plan also recognises the value of optimising the use of available public land for social infrastructure, and identifies the Museum Discovery Centre as contributing towards the range of artistic and cultural experiences available in the Central City District.

The planning proposal supports the following planning priorities:

- Priority C3: '*Providing services and social infrastructure to meet people's changing needs*';
- Priority C4 '*Fostering healthy, creative, culturally rich and socially connected communities*'; and
- Priority C9: '*Delivering integrated land use and transport planning and a 30-minute city*'.

The planning proposal has the potential to create new jobs close to home for Hills Shire residents and will assist with optimising the use of existing public land (being the TAFE site and the adjoining Museum Discovery site) through the co-location and intensification of services.

The proposal will support the growth and development of Western Sydney's arts and cultural sector, with the new floor space required to support the relocation of the Powerhouse Museum to a new site in Parramatta.

The Central City District Plan's Planning Priorities C15 '*Protecting and enhancing bushland, biodiversity and scenic and cultural landscapes*' and C16 '*Increasing urban tree canopy cover and delivering Green Grid connections*' seek to protect biodiversity, enhance urban bushland and remnant vegetation, and increase the urban tree canopy. The impact of the proposal on vegetation is further discussed within Section 3(c) of this report. Should the planning proposal proceed to Gateway Determination, further investigations may be required and it is anticipated that consultation with the Environment, Energy and Sciences Group (formerly OEH) would be required as part of the Gateway process.

- Ministerial Direction 3.1 Residential Zones

This Direction seeks to encourage a variety and choice of housing types to provide for existing and future housing needs, to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and to minimise the impact of residential development on the environment and resource lands. The Direction applies when a planning proposal will affect land within an existing or proposed residential zone (including the alteration of any existing residential zone boundary). A planning proposal must not contain provisions which will reduce the permissible residential density of the land.

The subject site is currently zoned R2 Low Density Residential under LEP 2019 and as such, the rezoning would technically be inconsistent with this direction. Notwithstanding this, the inconsistency is considered minor and acceptable in this instance given:

- a) The site is occupied by the Castle Hill campus of TAFE NSW. Despite residential uses being permitted on the land, the existing development does not contain any residential dwellings or uses. Given the existing use of the site, the proposed rezoning would not result in any actual reduction in residential density on the land.
- b) The site was previously zoned Special Uses 5(c) under Baulkham Hills LEP 2005. However, in preparing Council's Standard Instrument LEP, the Department of Planning, Industry and Environment required that smaller education facilities and schools did not warrant the application of a special use zone and instead, a zone consistent with the adjoining land should be applied (in this case, low density residential consistent with surrounding land to the north and east). If not for the requirements imposed by the Department in the preparation of Standard Instrument LEPs, this land would have otherwise remained zoned for Special Uses and/or Infrastructure.

- State Environmental Planning Policy 55 – Remediation of Land (SEPP 55)

SEPP 55 requires that the potential for land contamination is considered at the planning proposal stage. In response to this requirement, the Proponent has submitted a Stage 1 'Preliminary Site Investigation' report and a Stage 2 'Detailed Site Investigation' report (prepared by Alliance Geotechnical in September 2019) in support of the proposal.

The Stage 1 preliminary assessment identified an area of potential environmental concern within the proposed development footprint and as a result, recommended that further contamination assessment be undertaken (being a Stage 2 'Detailed Site Investigation' report). The Stage 2 'Detailed Site Investigation' report notes the presence of some contaminants within soil samples however identifies that these contaminants were located within land that would be either excavated and removed from the site or covered by concrete associated with the proposed development.

The Stage 2 report concludes that with respect to the proposed redevelopment scenario, the identified contaminants are unlikely to result in any unacceptable:

- Direct contact human health exposure;
- Inhalation/vapour intrusion human health exposure; or
- Ecological contamination risk.

The report ultimately recommends that the site is suitable for the proposed redevelopment outcome and that no further investigations are required for the development to proceed. It is noted that should the proposal proceed, this matter would be further considered as part of any future development application process. The applicant may be required to prepare further investigations and management plans and, if necessary, complete remediation work as part of future development.

- *The Hills Local Strategic Planning Statement*

Council's *Local Strategic Planning Statement: Hills Future 2036* (LSPS) outlines the Shire's 20-year vision for land use planning, population, housing, economic growth and environmental management. The subject site is identified within the Norwest Strategic Centre structure plan for infrastructure purposes (Museum and TAFE - see below).

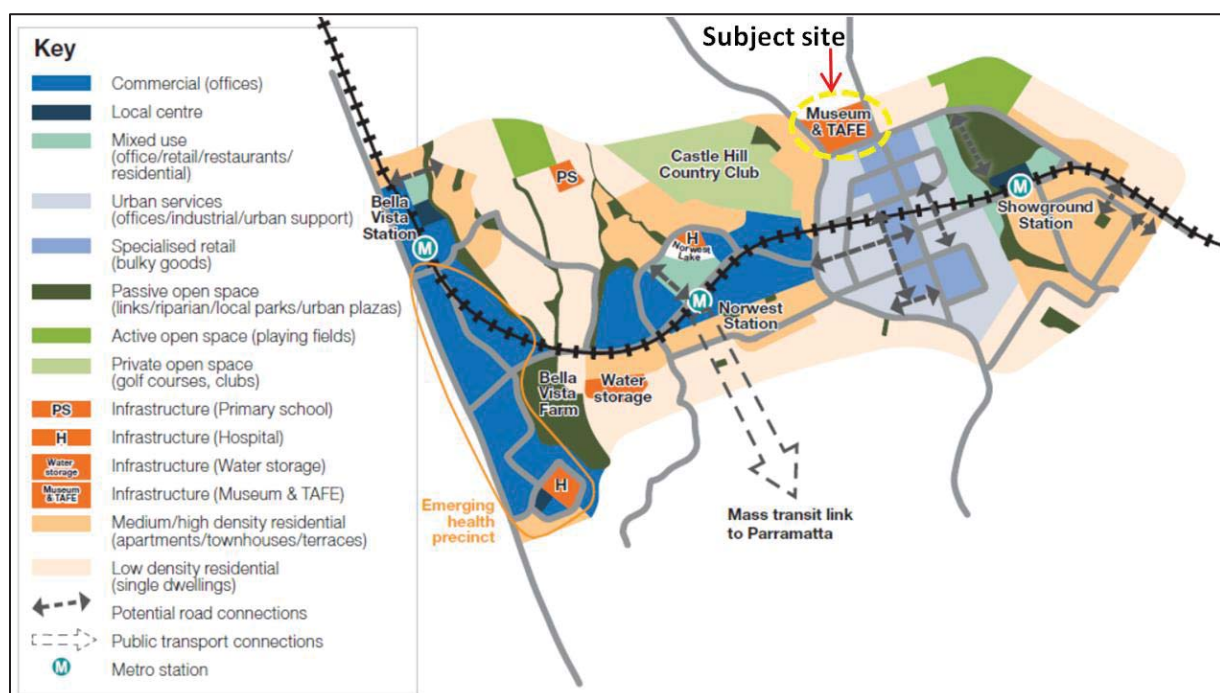


Figure 6
Norwest Strategic Centre – Structure Plan

Whilst the LSPS does not identify specific objectives in relation the Museum Discovery Centre or TAFE, it does recognise the contribution that cultural infrastructure makes to the quality of life of residents. The Productivity and Centres Strategy also identifies the need to continue to create employment opportunities, particularly knowledge-based jobs. The proposed development will provide local job opportunities with the expansion expected to result in an additional 50 jobs on site. It is anticipated that the additional 50 staff will work within the new offices, research library, exhibition preparation areas and conservation/treatment workshops within the proposed building.

b) Traffic and ParkingParking

The existing Museum Discovery Centre typically has between two (2) to 13 staff on site Monday to Friday and up to five (5) volunteers on site on weekends (this is not expected to increase). The proponent has advised that there are currently 54 existing parking spaces on the Museum Discovery Centre site as well as an arrangement with the TAFE to accommodate additional 'overflow' parking on the TAFE site when required (typically required when the Museum Discovery Centre opens on the weekends, which correlates with the period during which the TAFE is closed).

With respect to parking for the Museum Discovery Centre, the proposal seeks to rely on the existing 54 parking spaces on the site to cater for existing and future staff (up to 63 employees at peak periods). The proponent considers that this rate of provision is reasonable given:

- A Green Travel Plan will be implemented as part of a future Development Application to encourage public transport use and reduce the use of on-site car parking by staff;
- There is currently low utilisation of the existing parking on site with surveys observing significant capacity available during weekday periods;
- The site is well connected by bus and rail public transport options including several bus services, Showground Metro Station and Norwest On-Demand Bus Service;
- The site has good accessibility via the existing footpath network and cycleways that facilitate walking and cycling to the site; and
- Peak times for visitation to the Museum Discovery Centre are for weekend events, when there would be limited staff present on site and overflow parking available within the adjoining TAFE site (subject to confirmation from TAFE with respect to the continuation of the current arrangement).

With respect to parking for the TAFE site, the proposal will require relocation of 24 formal spaces from the site of the proposed new building, to an area along the Green Road frontage of the property. It is important that these parking spaces are relocated to ensure adequate parking remains for the ongoing operation of the TAFE, however, as discussed in Section 3(c) of this report, consideration should also be given the potential impacts of any new parking areas on existing vegetation on the site. It is also noted that a previous consent for the TAFE site identified a potential 'informal' parking area which is also located within the footprint of the proposed new building. While the sealing and formal use of this area has not been required since the issue of the original consent, any change to parking arrangements for the TAFE would need to be further considered as part of a future DA.

Traffic

Given the unique nature of the development (storage of the Museum's collection, workshops, office space and conservation facilities), the Applicant has submitted a Traffic and Car Parking Impact Statement which examines expected traffic generation. The report concludes that the proposal is likely to generate a maximum of 35 trips in the peak period and 105 trips per day, increasing the flow of traffic by less than 3% at the key intersections of Windsor Road and Showground Road and Showground Road, Green Road and Victoria

Avenue. The main public vehicular access to the Museum Discovery Centre is via Windsor Road. There are also vehicle access points on Showground Road and Green Road (via the TAFE site). The Traffic Impact Statement concludes that the proposal would have minimal impact on the surrounding roads and intersections.

An area of land zoned SP2 Infrastructure (Classified Road) is identified along the full frontage of the site to Showground Road (see Figure 2). Plans indicate that the new building will have a setback of approximately 10m to the portion of land identified for widening on Showground Road. It is understood that preliminary plans are currently being prepared by Transport for NSW for the upgrade of Showground Road and associated intersections which may have implications for future parking and access arrangements on the TAFE and the Museum Discovery Centre site.

The proposed traffic generation is considered reasonable and within the daily variation of traffic experienced on major roads within Sydney. Whilst no significant concern is raised with the proposal at this stage, should the proposal proceed to Gateway Determination, consultation should be undertaken with Transport for NSW with respect to potential traffic impacts on Showground Road and Windsor Road given the prominent location of the site at the intersection of these two roads. Transport for NSW should also comment on any implications associated with the planned widening of Showground Road in the vicinity of the site.

c) Impact on Vegetation

The site contains an area of vegetation identified within Council's mapping as being characteristic of Cumberland Plain Woodland (based on aerial mapping). The area has not been confirmed as Cumberland Plain Woodland however it does contain 'Spotted Gum' which is a characteristic species of Cumberland Plain Woodland. The proposed development footprint is located over an area of this vegetation and the proposal would result in the loss of approximately 337 native trees. It is also noted that the proposed relocation of some parking spaces within the TAFE site may also impact on some areas mapped as Cumberland Plain Woodland along the eastern (Green Road) boundary of the site.

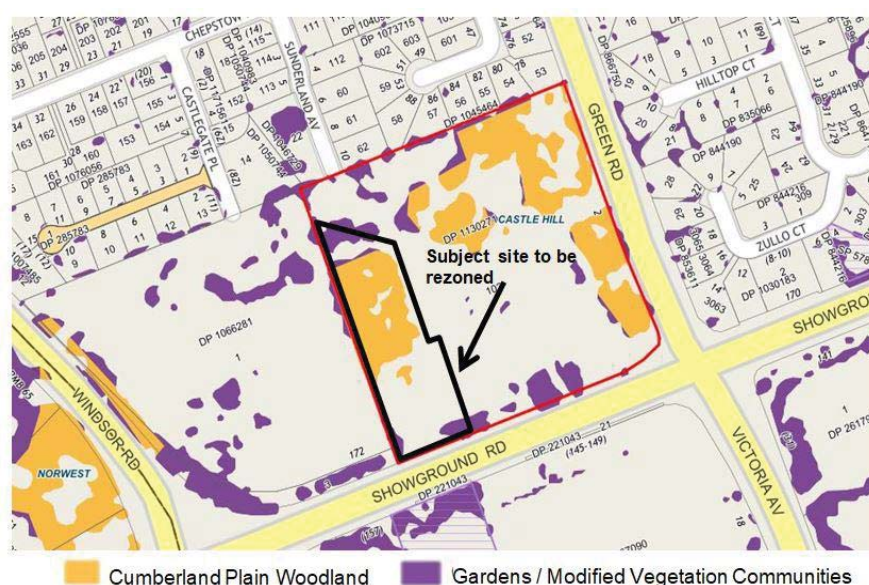




Figure 7

Trees on the subject site (located within the future building platform)

The Proponent has advised that this area of trees were planted in the late-1940s, as a research experiment relating to essential oils/eucalyptus oil and as such, the vegetation is not a remnant form of naturally occurring Cumberland Plain Woodland.

Following preliminary assessment of the subject proposal, the applicant was requested to consider the potential heritage significance of the plantation. The Proponent subsequently submitted a Heritage Impact Statement (prepared by Curio Projects in January 2020) which considers the eucalypt plantation to have low heritage significance. The assessment notes that the vegetation is not associated with any significant personnel and in some cases is in poor physical condition. The report also notes that area has very little archaeological potential due to the extensive and intrusive tree root networks as a result of the dense plantation layout. Overall, the statement concludes that the vegetation is not significant in its own right from a heritage point of view, either at a State or local level.

Whilst the plantation is not considered to have any particular heritage value, the heritage report does suggest the re-use of timber from the removed trees as part of a future interpretive display. It also recommends that an archival recording be conducted before the trees are removed to retain information about the site. The Proponent has indicated they are supportive of these suggestions and would consider incorporating them as part of any future development application for the site.

An Arboricultural Impact Assessment (Mackay Tree Management in February 2019) has been submitted in support of the planning proposal which concludes that all trees impacted by the proposal are 'planted landscape natives' that will be replaced with replenishment plantings as part of landscaping works across the broader TAFE site.

While it is acknowledged that the vegetation to be removed may not represent remnant Cumberland Plain Woodland, replanted stands of native vegetation can still contribute to the overall recovery and persistence of this community, assist with creating vegetation corridors in the landscape and provide habitat for threatened mobile fauna species. The vegetation also contributes to the urban tree canopy and to the amenity of the site and surrounding areas.

Following preliminary assessment of the proposal, additional information was requested from the Proponent to clarify the planning mechanism that will ensure future replanting would occur on the TAFE site (given the intention is to excise the portion of the land associated with the planning proposal from the TAFE site). It was also requested that consideration be given to the potential for the proposed relocation of parking to the TAFE site to impact on any other native vegetation in the eastern area of the site.

The Proponent submitted a Tree Replacement Strategy prepared by Aspect Studios in January 2020. The strategy indicates a commitment to replanting any removed trees at a ratio of 2:1 and investigating opportunities to achieve this both on and off the site. The strategy advises that replacement trees will be provided on the subject site in the first instance with new plantings proposed at the following locations (where possible):

- surrounding the relocated substation;
- along the Showground Road frontage of the new building; and
- along the Showground Road and Windsor Road frontages of, and within, the existing Museum Discovery Centre and TAFE sites.

The Proponent has also indicated the potential to investigate opportunities to provide replacement plantings on alternate locations throughout the Shire (subject to discussions with Council and other landowners). The Proponent has advised that discussions have been initiated with Transport for NSW, Sydney Metro and Landcom in this regard. Should the proposal receive a Gateway Determination to proceed, the applicant will be requested to advise how such additional planting would be enforced as part of a future development approval.

A high-level landscape plan was submitted with the strategy indicating possible future planting locations throughout the Museum and TAFE sites as shown in green shading in the figure below. The proponent has indicated that they intend to include the TAFE land as part of any future Development Application for Proposed Building J, which will provide the planning mechanism to ensure that replanting on site is undertaken in accordance with a future Landscape Plan. It is noted however that the majority of the areas shown in green shading along the Windsor Road and Showground Road frontages are currently owned (or will be acquired) by Transport for NSW for road widening and as such the potential for replanting in this area may be limited.



Figure 8
Indicative Replanting Locations (as shown in green shading)

As the proposed tree removal will exceed the threshold for the clearing of native vegetation, the removal of these trees as part of any future development application would require further assessment under the *Biodiversity Conservation Act 2016*. The Proponent would be required to submit a Biodiversity Development Assessment Report (BDAR) as part of any future development application. The removal of the vegetation may trigger the Biodiversity Offset Scheme and the BDAR would need to consider measures to offset any impacts to biodiversity. Should the planning proposal proceed, it is anticipated that consultation with the Environment Energy and Science Group (formerly OEH) would be required as a condition of any Gateway Determination issued.

While the additional information submitted by the Proponent goes some way to clarifying arrangements for vegetation removal and replanting, should the planning proposal proceed and receive a Gateway Determination, it is considered appropriate that the Gateway Determination require evidence of TAFE's 'in-principle' agreement (via a letter or similar) to the proposed relocation of tree planting and car parking spaces within their site, along with clarification with respect to the intended arrangements for any tree replanting proposed off-site.

d) Proposed Built Form and Potential Amenity Impacts

The proposed maximum height of 15 metres is in excess of the nearby residential dwellings (generally 1-2 storeys with a 10 metre height limit). However, it is considered that this will facilitate an acceptable outcome having regard to the following:

- The proposed building would be located approximately 50 metres from the nearest residential dwelling on Sunderland Avenue to the north;
- The proposed height is broadly consistent with the prevailing height of existing development on the TAFE and Museum Discovery Centre sites, as detailed within Figure 9. There are a number of existing buildings on the Museum site which are of equal or greater height that are in closer proximity to existing low density residential development to the north;

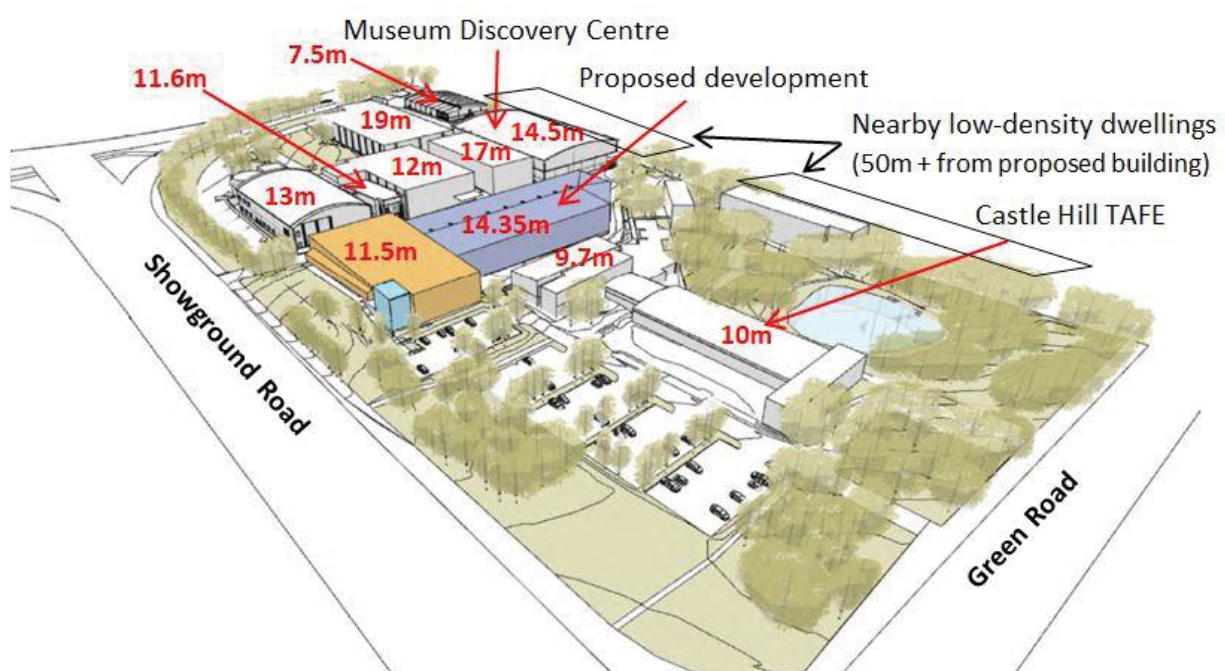


Figure 9
Existing Building Heights on the Museum and TAFE sites

- Existing landscaping proposed to be retained will continue to provide some screening between the proposed building and the residential dwellings on Sunderland Avenue and Pentonville Parade.
- Shadow plans submitted with the proposal further indicate the proposed building will not impact the adjoining residential properties or the adjoining public park in terms of overshadowing.
- The proposal includes plans indicating that new landscaping is proposed along the Showground Road frontage of the site, which will soften visual impacts of future buildings when viewed from Showground Road.

Notwithstanding the above, should the planning proposal proceed and receive a Gateway Determination, it is considered appropriate that the Gateway Determination require the additional information, prior to any public exhibition of the proposal, with respect to the following:

- Submission of a Visual Impact Analysis and photomontages showing views of the proposed development outcome from low density residential areas along Sunderland Avenue and Sunderland Avenue Reserve to the north.
- Submission of preliminary details with respect to building materials, finishes and colours to enable better communication and interpretation of the potential appearance of the proposed development.

With respect to potential amenity impacts arising from the proposed land use, it is noted that the Proponent has advised that the deliveries to the proposed building would be limited to between 8am and 5pm Monday to Friday. The Collection Areas of the building will operate between 6:30am and 6:00pm Monday to Friday with occasional “out of hours” work required for special deliveries and the transportation of very large objects. Public access (for example by small tours and researchers) will be available from 10:00am to 5:00pm Wednesday to Sunday only. It is considered that the proposal could be accommodated on the site without any unreasonable amenity impacts on adjoining residential development. Should the proposal proceed, further consideration of potential acoustic and amenity impacts would be required as part of any future development application and appropriate conditions would be imposed as part of any development consent issued, if warranted.

CONCLUSION

The planning proposal aligns with the relevant strategic planning framework and will enable the expansion of the existing Museum Discovery Centre, intensifying the use of existing public land to contribute cultural infrastructure and employment opportunities within Castle Hill. While preliminary assessment indicates that the proposed zoning and maximum building height will facilitate an appropriate built form outcome on the site, the report identifies a number of matters which should be resolved by the Proponent, prior to public exhibition, should a Gateway Determination be issued for the proposal.

RECOMMENDATION

1. The planning proposal for land at 2 Green Road, Castle Hill is suitable to be forwarded to the Department of Planning, Industry and Environment for Gateway Determination.

2. Should a Gateway Determination be issued, the proponent should be required to submit the following additional information, prior to public exhibition of the proposal:
 - a) Evidence of TAFE's 'in-principle' agreement (via a letter or similar) to the proposed relocation of tree planting and car parking spaces within their site, continuation of existing arrangements that allow vehicular access to the Museum Discovery Centre across the TAFE site from Green Road and continued arrangements to accommodate "overflow" parking associated with Museum Discovery Centre weekend events.
 - b) Clarification with respect to the intended arrangements for any tree replanting proposed off-site.
 - c) Visual Impact Analysis and photomontages showing views of the proposed development outcome from low density residential areas along Sunderland Avenue and Sunderland Avenue Reserve to the north. This should include details with respect to building materials, finishes and colours to enable better communication and interpretation of the potential appearance of the proposed development by the community.

ATTACHMENTS

1. Planning Proposal Report
2. Site Plans
3. 3D Envelope Diagrams
4. Shadow Diagram
5. Arborist Report
6. Traffic Investigation Report
7. Stage 1 Preliminary Site Investigation
8. Stage 2 Detailed Site Investigation
9. Additional Information including Tree Replacement Strategy and Heritage Statement

LOCAL PLANNING PANEL – THE HILLS SHIRE COUNCIL**MINUTES OF THE LOCAL PLANNING PANEL 19 FEBRUARY 2020
PLANNING PROPOSAL – ADVICE ONLY****PRESENT:**

Richard Pearson	Chair
Scott Barwick	Expert
Marcia Doheny	Expert
Dr Morgan Wood	Community Representative

COUNCIL STAFF:

David Reynolds	Group Manager – Shire Strategy Transformation & Solutions
Janelle Atkins	Acting Manager, Forward Planning
Bronwyn Inglis	Acting Principal Coordinator Forward Planning
Alicia Jenkins	Acting Coordinator Forward Planning
Gideon Tam	Town Planner

DECLARATIONS OF INTEREST:

None declared

**ITEM 1: LOCAL PLANNING PANEL – PLANNING PROPOSAL – MUSEUM
DISCOVERY CENTRE, 2 GREEN ROAD, CASTLE HILL (5/2020/PLP)****COUNCIL OFFICER'S RECOMMENDATION:**

The Planning Proposal proceed to Gateway Determination.

PANEL'S ADVICE

The Panel generally agrees with the report recommendation, however raised some concerns regarding the use of the TAFE land particularly the need for continuation of access via Green Road and the identified tree replanting and possible hinderance to any future growth plans of the TAFE facility. In addition, the potential visual impact from residential areas to the north and from within the TAFE campus was discussed noting the significant tree loss. Comments were also made regarding the need for improved wayfinding to and within the Museum and TAFE sites and Council officers advised that these concerns would be passed on to the Proponent.

The Panel recommend:

1. The planning proposal for land at 2 Green Road, Castle Hill is suitable to be forwarded to the Department of Planning, Industry and Environment for Gateway Determination.

2. Should a Gateway Determination be issued, the proponent should be required to submit the following additional information, prior to public exhibition of the proposal:
- a) Evidence of TAFE's 'in-principle' agreement (via a letter or similar) to:
 - the proposed relocation of tree planting with consideration afforded to implications for any future growth of the TAFE facility;
 - relocation of car parking spaces within the TAFE site;
 - formalisation of existing access arrangements by creation of an easement to allow vehicular access between the Museum Discovery Centre and TAFE to ensure certainty about a legal right of access; and
 - continued arrangements to accommodate "overflow" parking associated with Museum Discovery Centre weekend events.
 - b) Clarification with respect to the intended arrangements for any tree replanting proposed off-site including negotiation with Council to identify possible suitable planting locations.
 - c) Visual Impact Analysis, indicative landscape plan and photomontages showing views of the proposed development outcome viewed from the low density residential areas along Sunderland Avenue, Sunderland Avenue Reserve to the north and from within the TAFE campus. The provision of this information would enable better communication and interpretation of the potential appearance of the proposed development by residents and the TAFE community.

VOTING:

Unanimous