

DATE OF DETERMINATION	20 May 2020
PANEL MEMBERS	Abigail Goldberg (Chair), Clare Brown and Ken McBryde
APOLOGIES	Gabrielle Morrish
DECLARATIONS OF INTEREST	<p>Chandi Saba and Mark Colburt advised that they had been at meetings when Bull & Bush was discussed at Council.</p> <p>David Ryan advised that City Plan provided advice to a client several years ago about a planning proposal for this site, resulting in a perceived conflict of interest.</p> <p>Stewart Seale advised that he was conflicted as he was the Manager Forward Planning at the time this Proposal commenced.</p>

Public meeting held by teleconference on 18 May 2020, at 10.34am and closed at 11:25am.

PLANNING PROPOSAL

2018SWC076 – The Hills Shire – PP_2016_THILL_016_00 AT 360-378 Windsor Road, Baulkham Hills, Bull and Bush Hotel (AS DESCRIBED IN SCHEDULE 1)

PANEL CONSIDERATION AND DECISION

The panel considered: the material listed at item 4, and the material presented at meetings and matters observed at site inspections listed at item 5 in Schedule 1.

The Panel adjourned after the meeting to deliberate on the matter and formulate a resolution.

As the planning proposal authority, the Panel determined to **defer** a decision on the Planning Proposal. The decision was **unanimous**.

REASONS FOR THE DEFERRAL

The Panel notes the concerns of community speakers as well as Council's representative, and resolved to defer a decision on the Planning Proposal to enable:




- The Applicant to review their offer of community facilities and encourage them to re-engage with Council to provide facilities that meet the community's needs, and which Council has a reasonable financial opportunity to implement.
- The Applicant is requested to prepare a site specific draft DCP for consideration by the Department and the Panel to address the design concerns raised by Council and the community, and to provide greater clarity regarding the built form and public domain proposed for the site.
- The Department to provide advice on potential clauses to address:
 - The transport corridor considerations;
 - Design excellence;
 - Vegetation on site; and
 - Provision of local infrastructure.

The Panel is satisfied that the State's position on traffic considerations is known, as per Transport for NSW's Future Transport 2056 which is reflected in The Hills Local Strategic Planning Statement. The Panel also notes that Transport for NSW has recently provided advice on the Applicant's study addendum.

The Applicant and Council are encouraged to provide written updates to the Department on progress on these matters in the following timeframes:

- Initial update: six weeks from the date of this deferral
- Interim update: three months from the date of this deferral
- Final update: five months from the date of this deferral.

The Panel will then meet once the Department has provided it with a further report, and the Secretariat's has undertaken it's due process.

PANEL MEMBERS	
 Abigail Goldberg (Chair)	 Clare Brown
 Ken McBryde	

SCHEDULE 1		
1	PANEL REF – LGA – PLANNING PROPOSAL NO. - ADDRESS	2018SWC076 - Bull and Bush Hotel – PP_2016_THILL_016_00 360-378 Windsor Road, Baulkham Hills
2	LEP TO BE AMENDED	The Hills Local Environmental Plan 2019
3	PROPOSED INSTRUMENT	<p>Planning proposal to amend the Hills Local Environmental Plan 2019 to rezone the site at 360-378 Windsor Road, Baulkham Hills from R1 General Residential to B2 Local Centre and increase the achievable maximum height of buildings and floor space ratio applying to the site under The Hills Local Environmental Plan 2019. The amendment would facilitate a mixed-use retail/commercial and residential development on the site, which includes the following:</p> <ul style="list-style-type: none"> • a minimum of 6,040m² of commercial and retail floor space (including a hotel/pub); • a minimum of 2,500m² of community floor space (including library and community centre floor space); and • 20,582m² of residential floor space (approximately 200 units).
4	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> • Submissions report: 22 April 2020 • Written submissions during public exhibition: 19 • Verbal submissions at the public panel meeting: <ul style="list-style-type: none"> ○ Jim Wand ○ Dianne Toner ○ Arjun Sekhar ○ David Reynolds on behalf of The Hills Shire Council ○ On behalf of the applicant – Nathan Wall, Planner
5	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • 29 April 2020 - Briefing • 31 October 2018 - Panel Decision – Exhibition of Planning Proposal