

**PLANNING PROPOSAL AUTHORITY
RECORD OF DECISION PUBLIC MEETING, POST
EXHIBITION AND FINALISATION**
STRATEGIC PLANNING PANEL OF THE
SYDNEY CENTRAL CITY PLANNING PANEL

DATE OF DETERMINATION	Tuesday, 26 March 2024
DATE OF PANEL DECISION	Thursday, 21 March 2024
PANEL MEMBERS	Abigail Goldberg (Chair), Greg Woodhams & David Ryan
APOLOGIES	None
DECLARATIONS OF INTEREST	Robert Buckham and Cynthia Dugan declared a conflict of interest as council officers where The Hills Shire Council has made a submission not to support the planning proposal.

Public meeting held by Public Teleconference on 21 March 2024, opened at 12:00pm and closed at 12:26pm. Papers circulated electronically on 14 March 2024.

PLANNING PROPOSAL

PP-2022-1202 – The Hills Shire LGA – 10-16 Seven Hills Road, Baulkham Hills (as described in Schedule 1).

PANEL CONSIDERATION AND DECISION

The Panel considered: the material listed at item 4, and the material presented at the briefing listed at item 5 in Schedule 1.

As the Planning Proposal Authority, the Panel determined to recommend to the Minister that the proposed instrument, as described in Schedule 1, should be made.

The Panel’s decision was unanimous.

REASONS FOR THE DECISION

The Panel considered the Department of Planning, Housing and Infrastructure’s Post-Exhibition Report, 14 March 2024 and met with the Department, Think Planners (Proponent), The Hills Shire Council and members of the community in a public meeting.

The Panel concurred with the Department’s Post Exhibition Report that the planning proposal demonstrated strategic and site-specific merit, the conditions of the Gateway had been met, agency and community consultation had occurred in accordance with the Gateway Determination requirements and submissions raised had been adequately addressed by the Department and Think Planners. Consequently, the proposal warranted support.

The Panel noted that the Department’s Post-Exhibition Report had not addressed the Panel’s earlier Rezoning Review condition (6 July 2024) that a draft Site Specific Development Control Plan (DCP) be prepared and placed on public exhibition with the planning proposal. Condition 4 of the Department’s Gateway determination (dated 11 October 2023) required the Site Specific DCP or identification of a similar LEP mechanism must be in place prior to finalisation.

The Panel was provided with copy of the Site Specific DCP during the public meeting and confirmed Think Planners commitment to prepare the DCP with The Hills Shire Council. The Panel is satisfied that the




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4PSQ 12 Darcy Street, Parramatta NSW 2150 | Locked Bag 5022, Parramatta NSW 2124 | T 02 8217 2060 | strategicpanels@dpie.nsw.gov.au

Minister's delegate will ensure that the DCP or a similar LEP mechanism is in place prior to finalisation of the LEP amendment.

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel considered written submissions during public exhibition and heard from all those wishing to address the Panel. The Panel notes that issues of concern included building character, height and form, solar access and overshadowing, traffic, view loss/sharing impacts, privacy issues and construction impacts. The Panel considers that the concerns raised by the community have been adequately addressed in the Department's Post-Exhibition Report and this Record of Decision.

PANEL MEMBERS	
 Abigail Goldberg (Chair)	 Greg Woodhams
 David Ryan	

SCHEDULE 1		
1	PANEL REF – LGA – PLANNING PROPOSAL NO. – ADDRESS	PP-2022-1202 – The Hills Shire LGA – 10-16 Seven Hills Road, Baulkham Hills
2	LEP TO BE AMENDED	The Hills Local Environmental Plan (LEP) 2019
3	PROPOSED INSTRUMENT	<p>The exhibited planning proposal seeks to amend The Hills Local Environmental Plan 2019 to:</p> <ul style="list-style-type: none"> increase building height from 16m to 16m and 24m; and insert a floor space ratio (FSR) of 1.69:1.
4	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> Department of Planning, Housing and Infrastructure Post-Exhibition Report, 14 March 2024 Previous decisions made by the Strategic Planning Panel of the Sydney Central City Planning Panel and previous reports prepared by the Department; Council Minutes and Council Officer Reports. Written submissions including emails during and after public exhibition: 13 Total number of unique submissions received by way of objection: 9 Verbal submissions at the Panel's public meeting 12:00pm – 12:26pm, 21 March 2024: <ul style="list-style-type: none"> Registered speaker: Anthony Polvere On behalf of the proponent: Jonathon Wood, Think Planners
5	BRIEFING BY THE PANEL	<ul style="list-style-type: none"> Panel Briefing: 11:00am – 11:36am, 21 March 2024 <ul style="list-style-type: none"> Panel members: Abigail Goldberg (Chair), Greg Woodhams & David Ryan DPE staff: Douglas Cunningham, Ian Woods, Jorge Alvarez, Lisa Kennedy & Taylah Fenning Key issues discussed: <ul style="list-style-type: none"> issues raised during exhibition – traffic & transport infrastructure; built form – character, height, density & configuration; solar access & overshadowing location of the site in regards to the Baulkham Hills Town Centre identified in The Hills DCP and The Hills Future 2036 (The Hills Local Strategic Planning Statement) Department's recommendations to ask Minister's delegate to make the Plan Status of Panel's and Gateway determination condition to prepare a Site Specific Development Control Plan Status of proponent's public benefit offer via a voluntary planning agreement. Panel Determination: 12:28pm – 12:37pm, 21 March 2024 <ul style="list-style-type: none"> Panel members: Abigail Goldberg (Chair), Greg Woodhams & David Ryan DPE staff: Louise McMahon, Doug Cunningham, Ian Woods, Jorge Alvarez, Lisa Kennedy & Taylah Fenning

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