

## DETERMINATION AND STATEMENT OF REASONS

### SYDNEY CENTRAL CITY PLANNING PANEL

<b>DATE OF DETERMINATION</b>	28 July 2021
<b>PANEL MEMBERS</b>	Julie Savet Ward - Acting Chair, Nicole Gurran and Ken McBryde
<b>APOLOGIES</b>	Nil
<b>DECLARATIONS OF INTEREST</b>	<p>Ms Morrish advised that she was involved in the original design and master plan work on the existing town centre and as such would not participate in this matter.</p> <p>Abigail Goldberg (Chair), David Ryan, Noni Ruker, Mark Colburt and Chandi Saba participated in panel decision of this application in December 2020.</p>

Papers circulated electronically on 21 July 2021.

#### MATTER DETERMINED

PPSSCC-247 – DA/1614/2019/JP/A – The Hills Shire – Commercial Road, Rouse Hill, and Rouse Hill Drive, Rouse Hill, Section 8.2 Review of Determination of DA 1614/2019/JP for a Concept DA for the Revised Masterplan for the Northern Precinct Area of the Rouse Hill Regional Centre (as described in Schedule 1).

#### PANEL CONSIDERATION AND DECISION

The Panel considered: the matters listed at item 6, the material listed at items 7 and 8 in Schedule 1.

The Panel determined to **refuse** the development application pursuant to section 4.16 of the Environmental Planning and Assessment Act 1979.

#### REASONS FOR THE DECISION

The Panel agreed with the reasons for refusal as presented in the Council Assessment Report, in particular:

- The proposal is unsatisfactory in regard to the established strategic and local planning framework for Rouse Hill Regional Centre, particularly in relation to height, residential density and commercial/retail floor space as prescribed in the approved Masterplan and Precinct Plan. The development would have an unsatisfactory adverse impact on the provision of local and regional infrastructure demands generated by the proposed significant increase in residential population, including playing fields, community facilities and transport infrastructure (Section 4.15(b) and 4.15(b) of the Environmental Planning and Assessment Act, 1979).
- The proposal is unsatisfactory as it is contrary to the Height of Buildings development standard under The Hills Local Environmental Plan 2019 (Amendment No. 20) and has not been accompanied by a Clause 4.6 variation request in regard to height (Section 4.15(b) of the Environmental Planning and Assessment Act, 1979).
- The proposal is unsatisfactory as the necessary strategic planning associated with a development, with such significant departures from the established planning framework, is insufficiently progressed to enable a comprehensive assessment of its social, economic and environmental impacts within the locality. The proposal is pre-emptive of the outcome of a Council-led Planning Proposal for the site (Section 4.15(b) and 4.15(e) of the Environmental Planning and Assessment Act, 1979).

- The proposal is unsatisfactory as it does not consider the impact of the recently announced Rouse Hill Hospital (which will be located within the site) and how the development will relate to this future hospital in terms of built form, interface and supporting land uses (Section 4.15(b) of the Environmental Planning and Assessment Act, 1979).




The decision was **unanimous**.

## CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel considered one written submission made during the public exhibition. The Panel notes that issues of concern in the written submissions included:

- Future use of the site
- Open space provision
- Density
- Height.

The Panel considered that concerns raised by the submitter have been adequately addressed in the Assessment Report.

PANEL MEMBERS	
 Julie Savet Ward	 Nicole Gurran
 Ken McBryde	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSCC-247 – DA/1614/2019/JP/A – The Hills Shire
2	PROPOSED DEVELOPMENT	Section 8.2 Review of Determination of DA 1614/2019/JP for a Concept DA for the Revised Masterplan for the Northern Precinct Area of the Rouse Hill Regional Centre.
3	STREET ADDRESS	Commercial Road, Rouse Hill, and Rouse Hill Drive, Rouse Hill
4	APPLICANT/OWNER	GPT Funds Management 2 Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	Capital Investment Value over \$30 million
6	RELEVANT MANDATORY CONSIDERATIONS	Environmental planning instruments: <ul style="list-style-type: none"> <li>• State Environmental Planning Policy (State and Regional Development) 2011</li> <li>• State Environmental Planning Policy No. 55 — Remediation of Land</li> <li>• State Environmental Planning Policy No. 65 — Design Quality of Residential Flat Development</li> <li>• Sydney Region Environmental Plan No. 20 (Hawkesbury-Nepean River)</li> <li>• Apartment Design Guidelines</li> </ul>

		<ul style="list-style-type: none"> <li>• The Hills Local Environmental Plan 2019</li> <li>○ Draft environmental planning instruments: Nil</li> <li>○ Development control plans: <ul style="list-style-type: none"> <li>• DCP Part D Section 6 – Rouse Hill Regional Centre</li> <li>• DCP Part B Section 5 – Residential Flat Buildings</li> <li>• DCP Part B Section 6 – Business</li> <li>• DCP Part C Section 1 - Parking</li> </ul> </li> <li>○ Planning agreements: Nil</li> <li>○ Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i></li> <li>○ Coastal zone management plan: [Nil]</li> <li>○ The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality</li> <li>○ The suitability of the site for the development</li> <li>○ Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations</li> <li>○ The public interest, including the principles of ecologically sustainable development</li> </ul>
7	<b>MATERIAL CONSIDERED BY THE PANEL</b>	<ul style="list-style-type: none"> <li>• Council assessment report: July 2021</li> <li>• Written submissions during public exhibition: 1</li> </ul>
8	<b>MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL/PAPERS CIRCULATED ELECTRONICALLY</b>	<ul style="list-style-type: none"> <li>• Briefing – 20 May 2021</li> <li>• Papers circulated electronically on 21 July 2021.</li> <li>• Site inspection - site inspections have been curtailed due to COVID-19 precautions. Where relevant, Panel members undertook site inspections individually.</li> </ul>
9	<b>COUNCIL RECOMMENDATION</b>	Refusal
10	<b>DRAFT CONDITIONS</b>	N/A