

DATE OF DECISION	Thursday, 17 May 2018
PANEL MEMBERS	Paul Mitchell (Chair), Lindsay Fletcher and Abigail Goldberg
APOLOGIES	Mary-Lynne Taylor, Michael Edgar and Stewart Seale
DECLARATIONS OF INTEREST	None

REZONING REVIEW

2018SWC025 – The Hills – RR_2018_THILL_001_00 - AT 64 Mackillop Drive and 34 Salamander Grove, Baulkham Hills (AS DESCRIBED IN SCHEDULE 1)

Reason for Review:

- ☒ The council has notified the proponent that the request to prepare a planning proposal has not been supported
- ☐ The council has failed to indicate its support 90 days after the proponent submitted a request to prepare a planning proposal or took too long to submit the proposal after indicating its support

PANEL CONSIDERATION AND DECISION

The Panel considered: the material listed at item 4 and the matters raised and/or observed at meetings and site inspections listed at item 5 in Schedule 1.

Based on this review, the Panel determined that the proposed instrument:

- ☒ **should** be submitted for a Gateway determination because the proposal has demonstrated strategic and site specific merit
- ☐ **should not** be submitted for a Gateway determination because the proposal has
 - ☐ not demonstrated strategic merit
 - ☐ has demonstrated strategic merit but not site specific merit

The decision was unanimous.

REASONS FOR THE DECISION

- The proposal satisfies the strategic merit test. The applicable instruments are the Central City District Plan where Planning Priorities C3, C5, C6, C9 and C17 are all relevant, and the North-West Rail Link Corridor Strategy; the proposal is compatible with all relevant provisions of both strategic plans. In particular the proposal is compatible with the planned future of the locality as described in the Norwest Structure Plan (DPE and TfNSW, 2013, p24) which says Medium density living comprising of 3-6 storey apartments will be located within the residential areas to the south of the Business Park and the core on Barina Downs Drive and to the east, along Windsor Road.
- A material change of circumstances has occurred since the current masterplan for the site was approved on 25 September 2013. Since that date the NSW Government has both committed to and commenced construction of the North-West Rail Link and committed to upgrading the heavy rail line to transit standards (on 4 June 2015) which will significantly increase its capacity. In combination these decisions will provide substantially greater regional transport capacity and convenience than presently exists in the Norwest area.
- The site has particular strategic value because of its large area under single ownership and its proximity to the Norwest train station. As such the site has the potential to be developed quickly and thus to add to the supply of medium and higher density housing in the near term.
- The proposal is proposed to provide a broader range of housing types- medium density and low-rise walk-up apartments- than the current zoning enables. It will therefore provide a wider choice

of housing the recently approved high-rise apartment buildings which dominate in the Solent Circle area.

5. The proposal satisfies the site-specific merit test. It will enable a better urban design outcome than that possible under the current zoning along Barina Downs Drive as the proposed design includes view corridors between buildings that provide views to the ridge in the centre of the site. Also, the current proposal allocates the ridge area as open space and introduces a north-south link for pedestrian and cycle connections. Both features are proposed to be extensively landscaped.
6. The panel notes the limited capacity of the local road network but believes two factors are important in this regard. The first is that the opening of the North-West Metro will provide substantial additional transport capacity in this locality, including creating additional capacity on the local road network due to a mode shift from cars to transit. Secondly, although the current draft VPA does not include a contribution for local road works, the applicant has stated that it is open to negotiations in this regard and may also reverse its current position of excluding S94A payments as a condition of its draft VPA offer.
7. The panel requires further investigations as part of the Gateway determination. These are to include a full examination of the proposal's impacts on the local road network which takes account of the opening of the North-West Metro and other developments in the applicable transport catchment area. Similarly, there is a need to investigate requirements for other services and infrastructure created by the additional population associated with the proposal. A revised VPA must then be prepared in consultation with Council, and it must ensure that there will be no deficits of local physical and social infrastructure as a result of the proposal.

PANEL MEMBERS	
 Paul Mitchell OAM (Chair)	 Lindsay Fletcher
 Abigail Goldberg	

SCHEDULE 1		
1	PANEL REF – LGA – DEPARTMENT REF - ADDRESS	2018SWC025 – The Hills – RR_2018_THILL_001_00 - AT 64 Mackillop Drive and 34 Salamander Grove, Baulkham Hills
2	LEP TO BE AMENDED	The Hills Local Environmental Plan 2012
3	PROPOSED INSTRUMENT	The proposal seeks to amend The Hills Local Environmental Plan 2012 to rezone the land, increase building heights and amend a heritage listing at 64 Mackillop Drive and 34 Salamander Grove, Baulkham Hills (Lots 1001 and 1002 DP 1190982 and Lot 574 DP 713531) to facilitate higher-density residential development, supplying approximately 408 dwellings
4	MATERIAL CONSIDERED BY THE PANEL	- Rezoning review request documentation - Briefing report from Department of Planning and Environment
5	MEETINGS AND SITE INSPECTIONS BY THE PANEL	Site inspection: 17 May 2018 - Panel members in attendance: Paul Mitchell (Chair), Lindsay Fletcher and Abigail Goldberg - Department of Planning and Environment (DPE) staff in attendance: Adrian Hohenzollern and Blake Christodoulou Briefing meeting with Department of Planning and Environment (DPE): 17 May 2018, 10:45 am - Panel members in attendance: Paul Mitchell (Chair), Lindsay Fletcher and Abigail Goldberg - DPE staff in attendance: Adrian Hohenzollern, Christine Gough and Blake Christodoulou Briefing meeting with Proponent: 17 May 2018, 11:30 am - Panel members in attendance: Paul Mitchell (Chair), Lindsay Fletcher and Abigail Goldberg - DPE staff in attendance: Adrian Hohenzollern, Christine Gough and Blake Christodoulou - Proponent representatives in attendance: Tony Pizzolato, Peter Lee, Jeff Ellis, David Hore, Tom Foster and Anthony Shi Briefing meeting with Council: 17 May 2018, 12:05 pm - Panel members in attendance: Paul Mitchell (Chair), Lindsay Fletcher and Abigail Goldberg - DPE staff in attendance: Adrian Hohenzollern, Christine Gough and Blake Christodoulou - Council representatives in attendance: Megan Munari, Kayla Atkins and Nicholas Carlton