



**THE HILLS**  
Sydney's Garden Shire

**THE HILLS SHIRE COUNCIL**

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23 February 2018

Angela Hynes  
Senior Planning Officer  
Sydney Region West, Planning Services  
Department of Planning and Environment  
GPO Box 39 SYDNEY NSW 2001

Our Ref: 5/2018/PLP

Dear Ms Hynes

**REQUEST FOR REZONING REVIEW – 64 MACKILLOP DRIVE AND 34 SALAMANDER GROVE, BAULKHAM HILLS**

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Reference is made to the letter from the Department dated 12 January 2018 regarding the lodgement of a rezoning review request for a planning proposal at 64 Mackillop Drive and 34 Salamander Grove, Baulkham Hills. Thank you for giving Council the opportunity to provide its views on the proposal and outline the reasons why the proposal was not progressed. Noting that the site was the subject of a previous planning proposal that amended The Hills Local Environmental Plan 2012, the planning proposal seeking further uplift is not supported.

**Consistency with the Planning Proposal Lodged with Council**

The documents submitted for the rezoning review have been reviewed and it is advised that the original development concept is consistent with what was submitted to and considered by Council.

However, the following documents were not received by Council as part of the planning proposal application:

- Item 17 Density Calculation Diagram;
- Item 18 Car Parking Calculations;
- Item 19 Density Summary Updated; and
- Item 20 Target Summary.

Further, page 8 of the proponent's Strategic and Site Specific Merit Assessment submitted as part of supporting documentation for the rezoning review provides a marked up development concept that identifies an indicative location of a 1,600m<sup>2</sup> ridge top park proposed to be dedicated to Council. The proponent's original documentation, including the draft DCP amendments and Voluntary Planning Agreement offer did not clearly identify land proposed to be dedicated.

The new ridge top park identified by the proponent in their Strategic Merits Test was identified within the original documentation as 'significant native vegetation' and forms part of the heritage curtilage for St Joseph's Novitiate. Additional passive open space is not required and does not provide a community benefit.

## **Reasons for the Planning Proposal Not Proceeding**

Council did not support the planning proposal for the reasons included in the report resolution. Further information with respect to the key issues is provided below:

### *Lack of Strategic Merit*

- The proposal is broadly consistent with the principles of increasing housing supply however it exceeds growth targets, residential projections and infrastructure capacity within the locality.
- There is a need to ensure a more diverse supply of housing in the Norwest Precinct, especially given the significant opportunities for apartment development in closer proximity to the station. The previous approved planning proposal provided a greater diversity of housing choice.
- Identifying the northern portion of the site as medium density in the Norwest Structure Plan acknowledges the need to transition densities and heights to the existing low density detached dwelling interface at the edge of the precinct and beyond. The increase in height sought by the planning proposal is considered to be inconsistent with this strategic direction, especially given the approved master plan achieved a more appropriate transition of both height and density.
- The previous planning proposal for the site considered the North West Rail Link Corridor Strategy and provided a more appropriate outcome consistent with the Strategy.
- The site is not identified within the Hills Corridor Strategy Norwest Precinct. The Norwest Precinct is envisioned to be a natural expansion of the existing business park with a specialised commercial and employment core surrounded by increased housing densities. To exceed the residential yield forecast for the Norwest Precinct by rezoning the site and increasing building height would be inconsistent with the adopted vision and growth for the Norwest locality.

### *Local Infrastructure Demand*

- The additional yield proposed under the planning proposal is unplanned and unserved growth. The proponent's planning proposal report acknowledged that the local road network currently exceeds capacity, causing excessive delays and queues. However the proposal did not adequately address or provide solutions to the impacts that would be generated by the increased yield sought on the site nor the cumulative impacts of growth in the locality.
- The approved planning proposal has stormwater management issues that need to be resolved. The proponent has not demonstrated how the increased yield from this planning proposal will impact on the existing stormwater management concerns.
- While the proponent has proposed to dedicate 11,150m<sup>2</sup> of land at no cost to Council as public open space, there are significant concerns about the quality, walkability and embellishment potential of the proposed public open space given the topography and stormwater management concerns. Much of this land was already secured under the old proposal and additional passive open space is not needed.

### *Public Benefit*

- Council's assessment of the planning proposal determined that the contents of the letter of offer for a Voluntary Planning Agreement do not provide a substantial community benefit or justification for increased yield, particularly as uplift had already occurred on this site under the previously approved planning proposal. Further, the drainage reserve was already proposed to be dedicated to Council under an existing (executed) Voluntary Planning Agreement associated with the approved master plan.

Thank you for providing Council with the opportunity to comment on the planning proposal. Noting the above, it is considered that the planning proposal does not demonstrate sufficient strategic merit to proceed to Gateway Determination. If you have any questions in relation to these comments, please contact Kayla Atkins, Town Planner on 9843 0404.

Yours faithfully

A handwritten signature in cursive script, reading "Stewart Seale".

**Stewart Seale**  
**MANAGER - FORWARD PLANNING**