

DATE OF DECISION	24 February 2022
PANEL MEMBERS	Abigail Goldberg (Chair), David Ryan and Roberta Ryan
APOLOGIES	None
DECLARATIONS OF INTEREST	None

REZONING REVIEW

RR-2021-90 – The Hills Shire - 350 Old Northern Road, Castle Hill, The rezoning review request seeks to amend The Hills Local Environmental Plan 2019 to introduce 'seniors housing' as an additional permitted use, increase the maximum height of buildings and introduce a maximum floor space (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 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

Strategic merit

The Panel is satisfied by the material provided that the planning proposal demonstrates strategic merit.

Site-Specific merit

The Panel notes that the site is currently occupied by a seniors living facility which is aged and outdated in terms of current standards of seniors living. The Panel observes that the planning proposal has evolved over time, with reductions proposed to key factors including the number of seniors living units provided, height of buildings and parking provision.

The Panel considers that adequate site-specific merit has been achieved for the planning proposal to progress to public exhibition, noting that the proposed new facility will:



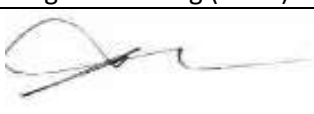
- Occupy a similar building footprint to the existing facility.
- Retain the majority of existing significant trees, as well as planting new trees.
- Enable potential landslide issues to be addressed through geotechnical measures, including managed excavation of the site.

While the Panel considers the proposal exhibits both strategic and site-specific merit, the Panel advises that the following require further attention:

- The proposed height of buildings, particularly where the site interfaces with either existing housing or public streets.
- Visual impacts resulting from the proposed building heights and massing of buildings, including impact on Old Northern Road and Palisander Place.
- The extent of proposed cut-and-fill.
- The applicant's proposal regarding the provision of social infrastructure.

Such further analysis is necessary to confirm the appropriate form and density of development on the site.

The Panel notes that there are inconsistencies in some of the material put forward, for example in relation to which significant trees are to be retained as well as the proposed height of buildings. These inconsistencies are required to be resolved prior to public exhibition.

PANEL MEMBERS	
 Abigail Goldberg (Chair)	 Roberta Ryan
 David Ryan	

SCHEDULE 1		
1	PANEL REF – LGA – DEPARTMENT REF - ADDRESS	RR-2021-90 – The Hills Shire - 350 Old Northern Road, Castle Hill
2	LEP TO BE AMENDED	The Hills Local Environmental Plan 2019
3	PROPOSED INSTRUMENT	Rezoning Review to amend The Hills LEP 2019 to: <ul style="list-style-type: none"> • Introduce 'seniors housing' as an additional permitted use for the site • Increase the maximum height of buildings from 9m to up to 22m allowing for development of up to six storeys with height concentrated in the centre of the site away from adjoining properties. • Introduce a maximum floor space ratio of 0.83:1 for the site.
4	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> • Rezoning review request supporting documentation • Briefing report from Department of Planning and Environment
5	BRIEFINGS AND SITE INSPECTIONS BY THE PANEL/PAPERS CIRCULATED ELECTRONICALLY	<p>Site inspection has been curtailed due to COVID-19. Panel members may undertake site inspections individually.</p> <ul style="list-style-type: none"> • Briefing with Department of Planning, Industry and Environment (DPIE): 17 February 2022 <ul style="list-style-type: none"> ○ Panel members in attendance: Abigail Goldberg (Chair), David Ryan and Roberta Ryan ○ DPIE staff in attendance: Jasmine Van Veen, Elizabeth Kimbell • Briefing with Council: 17 February 2022 <ul style="list-style-type: none"> ○ Panel members in attendance: Abigail Goldberg (Chair), David Ryan

and Roberta Ryan

- DPIE staff in attendance: Jasmine Van Veen, Elizabeth Kimbell
- Council representatives in attendance: Nicholas Carlton – Manager Forward Planning, Megan Munari – Principal Coordinator Forward Planning, Laura Moran – Senior Town Planner, David Reynolds – Group Manager

- **Briefing with Proponent:** 17 February 2022

- Panel members in attendance: Abigail Goldberg (Chair), David Ryan and Roberta Ryan
 - DPIE staff in attendance: Jasmine Van Veen, Elizabeth Kimbell
 - Proponent representatives in attendance: Calum Ross, Nick Cappetta, Nick Bucktin, Michael File, Anna Johnston, Samantha Czyz, Andrew Jackaman, Clarence Li and Lucas Flecha.
- Papers were circulated electronically on 4 February 2022.