



**REZONING REVIEW
RECORD OF DECISION**

STRATEGIC PLANNING PANEL of the
SYDNEY CENTRAL CITY PLANNING PANEL

DATE OF DECISION	17 March 2023
DATE OF BRIEFING	16 March 2023
PANEL MEMBERS	Abigail Goldberg (Chair), Greg Woodhams, Stephen O'Connor & Jarrod Murphy
APOLOGIES	None
DECLARATIONS OF INTEREST	Robert Buckham, Cynthis Dugan, Brent Woodhams, Megan Munari and Janelle Atkins declared/had a COI as they had held discussions with the proponent, and/or provided advice on/assessed the proposal.

REZONING REVIEW

RR-2022-32 – THE HILLS SHIRE – PP-2021-2456- at 6-18 JENNER STREET, 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 briefings 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 Panel considered that the proposal is inconsistent with the Hills Future 2036 Local Strategic Planning Statement's (LSPS) intention to 'discourage commercial and residential uplift in Baulkham Hills Town Centre until transport and traffic issues are resolved'.

The Panel notes that the LSPS is a relatively recent policy position of The Hills Shire Council, that has been endorsed by the Greater Cities Commission (March 2020). The LSPS has been consistently applied by both Council and the Panel in respect of similar schemes proposing uplift.

PANEL MEMBERS	
 Abigail Goldberg (Chair)	 Greg Woodhams
 Stephen O'Connor	 Jarrod Murphy

SCHEDULE 1		
1	PANEL REF – LGA – DEPARTMENT REF - ADDRESS	RR-2022-32 – THE HILLS SHIRE – PP-2021-2456- AT 6-18 JENNER ST, BAULKHAM HILLS
2	LEP TO BE AMENDED	The Hills Local Environmental Plan (LEP) 2019
3	PROPOSED INSTRUMENT	The proposal seeks to retain The Hills Club and RE2 Private Recreation zone and to facilitate the redevelopment of the site. Proposed changes to The Hills LEP 2019 are to map a HOB part 63m (tower) and part 20m (podium), map FSR to 2.24:1 and amend Schedule 1 Additional Permitted Uses to permit residential accommodation, registered club and commercial premises.
4	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> Rezoning review request documentation Briefing report from Department of Planning and Environment
5	BRIEFINGS BY THE PANEL	<ul style="list-style-type: none"> Briefing with Department of Planning and Environment (DPE): 10:30am- 11am, Thursday 16 March 2023 <ul style="list-style-type: none"> Panel members in attendance: Abigail Goldberg (Chair), Greg Woodhams, Stephen O'Connor & Jarrod Murphy DPE staff in attendance: Hugh Clark, Kendall Clydsdale, Angela Hynes, Tharani Yoganathan, Lisa Kennedy & Mary Francis Key issues discussed: <ul style="list-style-type: none"> Consistency with the LSPS in the context of strategic merit Built form outcomes in the context of site specific merit. Panel Discussion: 11am-11.15am, Thursday 16 March 2023 <ul style="list-style-type: none"> Panel members in attendance: Abigail Goldberg (Chair), Greg Woodhams, Stephen O'Connor & Jarrod Murphy DPE staff in attendance: Lisa Kennedy & Mary Francis Briefing with The Hills Shire Council: 11:15am-11.57am, Thursday 16 March 2023 <ul style="list-style-type: none"> Panel members in attendance: Abigail Goldberg (Chair), Greg Woodhams, Stephen O'Connor & Jarrod Murphy DPE staff in attendance: Hugh Clark, Kendall Clydsdale, Angela Hynes, Tharani Yoganathan, Lisa Kennedy & Mary Francis

		<ul style="list-style-type: none"> ○ Council representatives in attendance: David Reynolds, Nicholas Carlton, Megan Munari & Kayla Atkins ○ Key issues discussed: <ul style="list-style-type: none"> ▪ Benefits and disbenefits of the proposal and the history of negotiation with the applicant ▪ Recent examples of consistent application of the LSPS and alignment in Council's position in this regard ▪ Cumulative traffic and transport challenges in the area without current commitment to a mass public transport solution ▪ Uplift already provided for in the current zoning of the town centre precinct and elsewhere ▪ History of the consideration of a Baulkham Hills Town Centre Study 2004 and Baulkham Hills Town Centre Master Plan – Exhibited Draft 2014. The Master Plan was not progressed or adopted primarily due to traffic and transport issues being unresolved ▪ Site specific matters e.g., in relation to height and FSR, setbacks, building length and separation between buildings ▪ Proposed VPA provisions. ● Briefing with The Hills District Bowling Club LTD Pty (Proponent) & Keylan Consulting: 12:00pm-12.45pm, Thursday 16 March 2023 <ul style="list-style-type: none"> ○ Panel members in attendance: Abigail Goldberg (Chair), Greg Woodhams, Stephen O'Connor & Jarrod Murphy ○ DPE staff in attendance: Hugh Clark, Kendall Clydsdale, Angela Hynes, Tharani Yoganathan, Lisa Kennedy, Mary Francis ○ Proponent representatives in attendance: Mel Davies, Michael Woodland, Jacqui Hall, Bruce Van Niekerk, Andrew O'Connell, Dominic Fedrigo, Andrew Morse, Sean Gill, Sean Pasterfield. ○ Key issues discussed: <ul style="list-style-type: none"> ▪ Strategic merit ▪ Traffic and transport issues including diversion of traffic from the main Baulkham Hills intersection ▪ Inclusion of vehicular access points designed to reduce impact on the town centre ▪ Site specific merit and potential for the proposal to contribute to the 'place' of the Baulkham Hills town centre ▪ Important role of the club in relation to current social infrastructure and future sustainability ▪ Provision of communal open space ▪ Benefits of revitalization of the club and the town centre precinct ▪ Benefits of the VPA for the local road network ▪ Demand for seniors living ▪ Retention but modernization of RE2 zoning. ● Panel Discussion: 12:45pm-1.30pm, Thursday 16 March 2023 <ul style="list-style-type: none"> ○ Panel members in attendance: Abigail Goldberg (Chair), Greg Woodhams, Stephen O'Connor & Jarrod Murphy ○ DPE staff in attendance: Hugh Clark, Kendall Clydsdale, Angela Hynes, Tharani Yoganathan, Lisa Kennedy & Mary Francis.
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