



REZONING REVIEW RECORD OF DECISION

STRATEGIC PLANNING PANEL of the
SYDNEY CENTRAL CITY PLANNING PANEL

DATE OF DETERMINATION	16 November2024
DATE OF DECISION	14 November 2024
PANEL MEMBERS	Abigail Goldberg (Chair), Cinnamon Dunsford and David Johnson
APOLOGIES	None
DECLARATIONS OF INTEREST	None

REZONING REVIEW

RR-2024-26 – The Hills Shire LGA – PP-2024-327

Melia Court and Glen Road, Castle Hill (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 115 days after the proponent submitted a request to prepare a planning proposal.
- ☐ The council has not submitted the planning proposal for a Gateway determination within 28 days of indicating its support for the proposal.

PANEL CONSIDERATION AND DECISION

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

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

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

The decision was unanimous

REASONS FOR THE DECISION

The Panel considered the documentation, was briefed by the Department of Planning, Housing and Infrastructure, and heard from The Hills Shire Council and the proponent, Einv Group and their consultants.

Strategic Merit

The Panel agreed that the planning proposal did not have Strategic Merit as outlined broadly within the report to the Ordinary Meeting of The Hills Shire Council dated 25 June 2024. The Panel agreed:

- The planning proposal is inconsistent with the objectives and priorities of the Greater Sydney Region Plan, Central City District Plan, Section 9.1 Ministerial Directions, North West Rail Link Corridor Strategy, The Hills Corridor Strategy, Cherrybrook Station Precinct Place Strategy,

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Council's Local Strategic Planning Statement and Castle Hill Precinct Plan, as these documents relate to providing for housing supply in the right locations, protecting areas of environmental significance and balancing growth with suitable levels of infrastructure.

- The site is not identified as being suitable for development uplift within any of the relevant strategies or plans which identify locations for medium to higher density development to occur in closer proximity to Cherrybrook or Castle Hill Metro Stations (within the walkable catchment from the station). The land was considered as part of the broader investigation areas around these stations however was not deemed as an appropriate area for any uplift above what can be achieved under the current controls.
- The proposed outcome is inappropriate having regard to the environmental legislation that addresses biodiversity and takes account of topography, landslide risk, hydrological constraints and endangered ecological communities.
- In considering whether the planning proposal responds to a change in circumstances that has not been recognised by the existing planning framework, the panel determined that provision of additional housing in this location does not have strategic merit that adequately justifies the planning proposal's departure from the above strategic planning documents.

Site Specific Merit

Given the Panel unanimously determined the proposal did not exhibit strategic merit, the Panel did not proceed to determine whether the proposal had site specific merit. The Panel did however note:

- The traffic and parking impacts generated by the proposed uplift have not been suitably considered or addressed noting the constrained and narrow entry road (Glen Road) and lack of capability to upgrade the intersection with Castle Hill Road.
- The proposal does not adequately address the demand for infrastructure likely to be generated by the proposal or provide any realistic and realisable public benefits.

PANEL MEMBERS	
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 David Johnson	

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SCHEDULE 1		
1	PANEL REF – LGA – DEPARTMENT REF - ADDRESS	RR-2024-26 – The Hills Shire LGA – PP-2024-327 – at 1020 Melia Court and Glen Road, Castle Hill 2154
2	LEP TO BE AMENDED	The Hills Local Environmental Plan (LEP) 2019
3	PROPOSED INSTRUMENT	<p>The proposal seeks to:</p> <ul style="list-style-type: none"> rezone from C4 Environmental Living to partial R3 Medium Density Residential, R4 High Density Residential, C2 Environmental Conservation, and RE1 Public Recreation; and increase the maximum height of buildings from 9m to partial 10m and 22m.
4	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> Rezoning review request documentation Department of Planning, Housing and Infrastructure, Rezoning Review Briefing Report, 31 October 2024 Slide presentations from DPHI, The Hills Shire Council and the proponent (Einv Group)
5	SITE INSPECTIONS AND BRIEFINGS BY THE PANEL	<ul style="list-style-type: none"> Site inspection with Department of Planning, Housing and Infrastructure (DPHI): 10:00am – 10:46am, 14 November 2024 <ul style="list-style-type: none"> Panel members in attendance: Abigail Goldberg (Chair), Cinnamon Dunsford and David Johnson DPHI staff in attendance: Suzanne Wren, Gabrielle Coleman, Murray Jay, Jasper Allenby, Adam Williams Key issues discussed: <ul style="list-style-type: none"> Built form, visual and aspect amenity Site locality and surrounding context Biodiversity and conservation issues Environmental constraints, including topography Traffic and access logistics Briefing with Department of Planning, Housing and Infrastructure (DPHI): 12:32pm – 1:00pm, 14 November 2024 <ul style="list-style-type: none"> Panel members in attendance: Abigail Goldberg (Chair), Cinnamon Dunsford and David Johnson DPHI staff in attendance: Suzanne Wren, Gabrielle Coleman, Daniel Thompson, Louise McMahon, Murray Jay, Jasper Allenby, Kate McKinnon, Taylah Fenning & Adam Williams Key issues discussed: <ul style="list-style-type: none"> Local Planning Panel recommendation on original Planning Proposal Subject site and surrounding area, proposed controls Proposed environmental conservation zoning and biodiversity characteristics of site Landslide risk overlay Summary of Council and Proponent's views on strategic and site specific merit

	<ul style="list-style-type: none"> • Briefing with The Hills Shire Council: 1:15pm – 1:45pm, 14 November 2024 <ul style="list-style-type: none"> ○ Panel members in attendance: Abigail Goldberg (Chair), Cinnamon Dunsford and David Johnson ○ DPHI staff in attendance: Louise McMahon, Murray Jay, Jasper Allenby, Kate McKinnon, Taylah Fenning & Adam Williams ○ Council representatives in attendance: Nicholas Carlton, Megan Munari and Erika Juan ○ Key issues discussed: <ul style="list-style-type: none"> • Council’s position on strategic and site-specific merit of the proposal • Briefing with Einv Group & Consultants (Proponent): 2:02pm – 2:28pm, 14 November 2024 <ul style="list-style-type: none"> ○ Panel members in attendance: Abigail Goldberg (Chair), Cinnamon Dunsford and David Johnson ○ DPHI staff in attendance: Louise McMahon, Murray Jay, Jasper Allenby, Kate McKinnon, Taylah Fenning & Adam Williams ○ Proponent representatives in attendance: Karla Castellanos, Daniel Barber, Sven Padina, Belinda Barnett, Alex Fraser, Basil Lim, David Lemke, Clarence Li, Lilian Li, David Johnson, Frank Alvarez and Agie Wiriahadi. ○ Key issues discussed: <ul style="list-style-type: none"> • Proponent’s position on strategic and site-specific merit of the proposal • Panel Discussion: 2:36pm – 3:12pm, 14 November 2024 <ul style="list-style-type: none"> ○ Panel members in attendance: Abigail Goldberg (Chair), Cinnamon Dunsford and David Johnson ○ DPHI staff in attendance: Louise McMahon, Murray Jay, Jasper Allenby, Kate McKinnon, Taylah Fenning & Adam Williams
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