

From: [Angela Hynes](#)
To: [Matthew Todd-Jones](#)
Cc: [Andrew McAnespie](#)
Subject: RE: Advice on Rezoning Review - Showground Station Precinct, Castle Hill
Date: Wednesday, 6 February 2019 2:35:37 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)

Hi Matthew,

Yes the version considered by the Panel and referred to the Commission is the April 2018 planning proposal.

Regards,
Angela

From: Matthew Todd-Jones
Sent: Wednesday, 6 February 2019 2:14 PM
To: Angela Hynes <Angela.Hynes@planning.nsw.gov.au>
Cc: Andrew McAnespie <Andrew.McAnespie@ipcn.nsw.gov.au>
Subject: RE: Advice on Rezoning Review - Showground Station Precinct, Castle Hill

Hi Angela,

Thank you providing information on the matter of which planning proposal has been referred to the Commission for advice.

Just to clarify, please could you confirm that the version that was considered by the Planning Panel in its determination and has been referred to the Commission for advice is the April 2018 planning proposal.

Regards,
Matthew

Matthew Todd-Jones | Team Leader

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New South Wales Government
Independent Planning Commission

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From: Angela Hynes
Sent: Tuesday, 5 February 2019 1:33 PM
To: Andrew McAnespie <Andrew.McAnespie@ipcn.nsw.gov.au>; Matthew Todd-Jones <Matthew.Todd-Jones@ipcn.nsw.gov.au>
Cc: Christine Gough <Christine.Gough@planning.nsw.gov.au>; Ann-Maree Carruthers <Ann-Maree.Carruthers@planning.nsw.gov.au>
Subject: re: Advice on Rezoning Review - Showground Station Precinct, Castle Hill

Dear Andrew and Matthew,

As discussed over the phone, here is some further background/advice regarding the planning proposal and rezoning review documentation for the Showground Precinct sites. Apologies for the delay.

On 29 June 2018, Council confirmed in writing (attached) that the documents submitted to the Department as part of the rezoning review request (and subsequently sent to the IPC) are generally in accordance with the documents provided to Council, with some exceptions discussed further below:

- The proponent's rezoning review request refers to 3,000 dwellings whereas the proposal considered by council referred to 3,040 dwellings;
 - Department comment: given both versions of the planning proposal include the same LEP provisions for gross floor space/FSR and building height, the number of dwellings are indicative only and the difference between the two versions of the proposal is inconsequential.
- The Revised Planning Proposal (April 2018) refers to a proposed 1,500m² supermarket and 835m² of specialty floor space (grocery retailing, food and beverage) to be accommodated around the plaza in the "Middleton Walk". It should be noted that these uses are not permissible in the R4 High Density Residential zone unless they are in the form of neighbourhood shops;
 - Department comment: the proposed key sites clause does not specify any requirements regarding land use types on the subject site. The discussion of non-residential uses and the distribution of non-residential floor space in the proposed development concept is not a direct consideration for amending the LEP. Given the planning proposal does not approve a development concept, the distribution of non-residential uses and non-residential floor space is inconsequential for the proposed amendments to the LEP.
- The draft Voluntary Planning Agreement offer that was considered in the Council Report has changed:
 - The proponent is now offering a \$5 million cash contribution towards funding of a new school; and
 - The proponent is now offering \$5 million cash contribution towards civil improvement works for the widening of Middleton Avenue. This is instead of the proponent's previous VPA offer of a \$10 million cash contribution towards reconstruction works associated with Middleton Avenue that was considered by Council.
 - Department comment: details of the public benefit offer/voluntary planning agreement are subject to change throughout the negotiation

process between council and the proponent and is a separate matter for consideration to the proposed amendment to the Hills LEP and council is the relevant authority to negotiate and execute a VPA.

The proposed amendment to The Hills LEP 2012 to introduce a key sites clause (which is the key matter for consideration as part of the Gateway process and would be subject to legal drafting if the proposal proceeds), is consistent between the clause considered by council and the clause considered by the panel. The planning proposal considered by council and the panel is consistent in the proposed amendments to development standards in relation to floor space ratio, height of buildings, as well as gross floor area and noting a requirement for any future development application is to consider affordable housing and community infrastructure.

Given the planning proposal does not approve a development concept or delivery of specific public benefits; and only facilitates amendments to the LEP, the proposal's planning outcomes are the same.

The proposed indicative development concept, draft development control plan and voluntary planning agreement are matters for council to consider in parallel but separate to the planning proposal.

Irrespectively, Council have not indicated support of the April 2018 (3rd version) planning proposal, and therefore the rezoning review request remains valid.

Hope this provides clarification.

Happy to discuss,

Regards Angela

Angela Hynes

Senior Planning Officer

Sydney Region West, Planning Services

Department of Planning and Environment

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From: Angela Hynes

Sent: Friday, 1 February 2019 11:19 AM

To: Andrew McAnespie <Andrew.McAnespie@ipcn.nsw.gov.au>

Cc: Matthew Todd-Jones <Matthew.Todd-Jones@ipcn.nsw.gov.au>; 'Brent Devine' <brent@keylan.com.au>; Christine Gough <Christine.Gough@planning.nsw.gov.au>

Subject: RE: Advice on Rezoning Review - Showground Station Precinct, Castle Hill

Hi Andrew,

I can confirm that the planning proposal information submitted to the IPC for consideration is the same as the November 2017 package considered by Council and the Planning Panel for the rezoning review.

Please let me know if you require anything further

Regards,

Angela

From: Angela Hynes

Sent: Friday, 1 February 2019 10:47 AM

To: Andrew McAnespie <Andrew.McAnespie@ipcn.nsw.gov.au>

Cc: Matthew Todd-Jones <Matthew.Todd-Jones@ipcn.nsw.gov.au>; Brent Devine <brent@keylan.com.au>

Subject: RE: Advice on Rezoning Review - Showground Station Precinct, Castle Hill

Hi Andrew,

I am revising a response and will reply shortly.

Thanks,

Angela

From: Andrew McAnespie

Sent: Thursday, 31 January 2019 11:44 AM

To: Angela Hynes <Angela.Hynes@planning.nsw.gov.au>

Cc: Matthew Todd-Jones <Matthew.Todd-Jones@ipcn.nsw.gov.au>; Brent Devine <brent@keylan.com.au>

Subject: Advice on Rezoning Review - Showground Station Precinct, Castle Hill

Hello Angela

The Commission is in the process of finalising its advice to the Department regarding the above project.

I have been asked to clarify a certain part of the chronology of the proposal versions to make sure the report accurately reflects the documents reviewed.

It appears that the proponents originally lodged a planning proposal with Council in November 2016.

The proponent then lodged a revised version of the planning proposal in November 2017.

I understand that this is the version (version 2) upon which Council, on 24 April 2017, made its

decision not to proceed with the proposal, notwithstanding that the proponent lodged a third version of the proposal to Council in early April, just prior to Council making its decision. I understand that the third version was not considered by Council as it was lodged too close to Council's decision making process being undertaken.

I just wanted to confirm that when the Sydney Central Planning Panel undertook its rezoning review, that it was the November 2017 version (i.e. version two, the version upon which Council made its decision) that it dealt with.

Are you able to clarify this for me?

Thanks

Andrew McAnespie | Senior Planning Officer

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