

Site History

1. Amendment 20 of the Baulkham Hills LEP 2005 was made on 3 March 2011 pertaining to the rezoning of the Carlingford Precinct (including the subject site) to facilitate further growth in Carlingford. The associated Development Control Plan and Contributions Plan came into force on 15 March 2011.
2. The Joint Regional Planning Panel (JRPP) granted development approval (DA1103/2011/JP) (**Figure 1**) on 11 April 2012 for the construction of five apartment buildings (9-11 storeys) containing 450 units and 662 basement parking spaces at 18 Shirley Street, Carlingford which is part of the Planning Proposal subject site. The application was subsequently activated by demolition and other early site works. After this approval, a further six properties at 263-273 Pennant Hills Road were acquired by Karimbla Properties (No. 61) Pty Ltd.



Figure 1 - Approved Dyldam DA

3. A Planning Agreement operates in relation to (part) of the site, 18 Shirley Street Carlingford in connection with DA/1103/2011/JP. The Planning Agreement was entered into in April 2015 between The Hills Shire Council and the then owners of the site (Golden Mile 1888 Pty Ltd, Pennant Hills Estate 88 Pty Ltd and Rainbowforce Pty Ltd). The Planning Agreement was transferred from Hills Shire Council to City of Parramatta Council when the land moved into the City of Parramatta local government area.
4. In December 2020, the former owners sold 18 Shirley Street to Karimbla Properties (No. 61) Pty Ltd. Subsequently a Deed of Novation was executed in respect of the Planning Agreement between Karimbla Properties and City of Parramatta Council.
5. In December 2021 Karimbla Properties (No. 61) Pty Ltd lodged a development application (DA/53/2022) for 620 residential apartments, a childcare facility and neighbourhood shops on 263-273 Pennant Hills Road and 18 Shirley Street, Carlingford (**Figures 2 & 3**). The application was refused by the Sydney Central City Planning Panel on 7 December 2022. The reasons for refusal related to exceedance of the current height and FSR controls and not meeting appropriate design standards. The application is currently the subject of an appeal to the Land and Environment Court and a conciliation conference was held on 20

October 2023. Following the conference, the applicant was asked to revise their proposal.



Figure 2 - Image of refused DA/53/2022

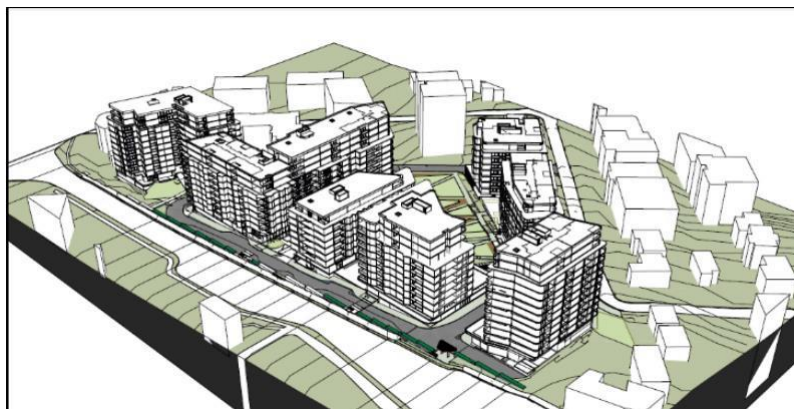


Figure 3 - Image of refused DA/53/2002

6. A Planning Proposal (RZ/4/2021) for 263-273 Pennant Hills Road and 18 Shirley Street was notified on 30 June 2023 which amended the Parramatta LEP 2023 to allow the addition of shops, food and drink premises and business premises as additional permitted uses; and restrict them along with recreation facilities (indoor) to a maximum GFA 2,000 sqm.
7. A Planning Agreement between City of Parramatta Council, Karimbla Properties (No. 61) Pty Ltd and Meriton Properties Pty Ltd was executed on 21 June 2023 in connection with R/4/2021. The Planning Agreement is for the construction of a walking/cycling pathway through Council owned Shirley Street Reserve and a raised pedestrian/cycle crossing on Shirley Street in Carlingford.
8. On 22 September 2023, the applicant, Karimbla Properties (No. 61) Pty Ltd, lodged a Planning Proposal (RZ/5/2023) (refer **Figure 4**) for land at 263-273 Pennant Hills Road and 18 Shirley Street, Carlingford. The objective of the Planning Proposal is to increase the Floor Space Ratio and Height of Building controls to allow for the development of 723 residential units. A Letter of Offer to enter into a Planning Agreement was submitted with the Planning Proposal for the provision and dedication of public open space, publicly accessible space and the proposed delivery and dedication of a community hub and library on the site. The application also included a draft SSDCP to provide detailed controls for future development on the site.

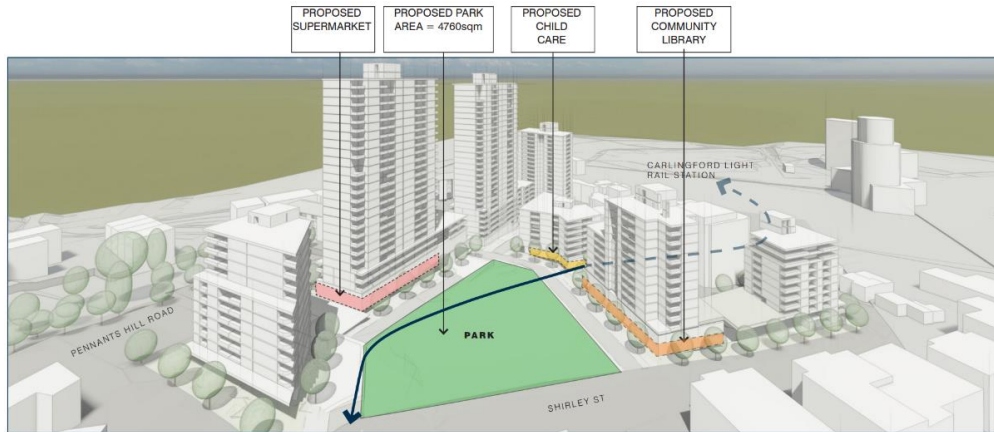


Figure 4 – Planning Proposal Reference Scheme

9. On 2 November 2023, the Local Planning Panel (LPP) provided advice to Council recommending it endorse the Planning Proposal for the purposes of requesting a Gateway Determination for the site as per Council Officers recommendation that supported the proposed amendments to Parramatta LEP 2023 including: reconfigured zoning, increasing the maximum Height of Building control, increasing the maximum Floor Space Ratio control and amending Schedule 1 Additional Permitted Uses to increase the maximum gross floor area of parts of the buildings used for business premises, food and drink premises, recreational facilities (indoor) and shops on the R4 High Density Residential zoned part of the site as noted in the recommendations.
10. This recommendation was subject to further consideration of several matters including exploring the potential adjusting of massing on the Pennant Hills frontage, further detailed shadow modelling to confirm the impact of properties on the opposite side of Pennant Hills Road, review of car parking rates. The Panel also suggested that Council initiate urban design and planning studies to guide future growth in the Carlingford Precinct.