



1 December 2025

Ms Suzannah Byers
The Department of Planning, Industry and Environment
Submitted via email: suzannah.byers@dpie.nsw.gov.au

Your Ref: SSD-98063208

**Further Input to SEARs for a Mixed Use Development
at 14-16 Brookhollow Avenue, Norwest**

Thank you for inviting Council officers to attend the Planning Focus Meeting with respect to the above proposal which occurred on 20 November 2025, where the Department and Applicant provided high level information on the proposal.

Council has facilitated and attended a number of Planning Focus Meeting and the concerns initially expressed regarding this process are yet to be allayed. Council is yet to see the rigour in the assessment process for projects declared State Significant via the HDA process. The concerns regarding the equity and relatively obscure public oversight of the process also remain.

It is also noted that despite being invited to attend this meeting by DPHI, representatives from Government agencies, once again, did not attend. It is extremely disappointing and concerning that no agency representatives were in attendance.

The ability for Council officers to properly prepare for and input into the Planning Focus Meeting has been so heavily limited and curated that it should not be misconstrued as Council being afforded opportunity to represent its community in this process. It would be misleading for either the Department or Applicant to refer to these meetings retrospectively as evidence of meaningful collaboration with Council officers and attendance of Council officers at these meetings should not be misinterpreted as any level of support for the proposal or endorsement of the outcomes which are being pursued. To be clear, I do not consider these to be collaborative and informed meetings.

It is noted that Council officers provided some preliminary comments on this SEARs request on 14 October 2025. The comments provided within this letter supplement these earlier comments having regard to the additional information which was provided and discussed during the Planning Focus Meeting.

It is reiterated that a formal SSDA pre-lodgement meeting should still be held between Council and the applicant to discuss detailed technical matters, with applicants subject to a fee to recover staff costs. This has been the adopted practise at Council for SSDs to date. Councils should be compensated for the work they are expected to do in the assessment of these proposals by others.

Turning to the meeting, the following comments are provided:

Comments

1. Consistency with SSD Declaration and SEARs Request

The State Significant Development Declaration issued on 12 June 2025 declares the following project for this land as State Significant:

“development specified in EOI application 246524 dated 14 March 2025 including development for the purposes of mixed use development comprising shop top housing including provision of affordable housing, commercial premises and a centre-based child care facility at 14-16 Brookhollow Avenue, Norwest being Lot 3/DP1010849”.

While the EOI application referred to in this declaration has not been made public or provided to Council, the description of the EOI in the HDA Meeting Minutes dated 2 June 2025 refers to:

“Summary of proposal: 125 apartments including 10% - 15% affordable housing, and commercial, food and drink, gym and childcare GFA. No of dwellings (indicative): 125 Concurrent rezoning: Yes”.

Clarification and advice is requested from the Department with respect to the scope and extent of change that Applicants are entitled to make to a project following HDA declaration. It is noted that the proposal presented are for a rezoning and development application for 144 dwellings.

The Department is encouraged to further scrutinise applications that differ from the original EOI and HDA declaration. Council has noted that many of these applications differ from the development stated in the HDA Meeting Minutes and it is questioned how these are still being considered as State Significant Development when they no longer align with the project description that was declared.

2. Consideration of Concurrent Rezoning and Justification of the Proposal

Based on the discussion within the Planning Focus Meeting, concern is raised that the SEARs and SSD process does not adequately enshrine proper consideration of strategic merit into the assessment process. Further information is requested from DPHI with respect to how strategic merit will first be assessed and determined, and how this will then feed into consideration of appropriate built form outcomes on the land.

DPHI continues to assure Council that the SSD process will include proper consideration of strategic merit. However, it is extremely concerning that other SEARs that have already been issued for projects declared SSD via the HDA pathway which also seek a rezoning, only require consideration of strategic merit **or** government priority. It is evident that DPHI intends to allow for developers to bypass consideration of strategic merit, if they can simply demonstrate the delivery of housing and therefore consistency with the Government priority. This specific wording is creating a loophole in the assessment process and undermining the stated position of the Government regarding the merit assessment that will be taking place with these applications.

The strategic merit test should not be switched off for any proposal simply because it claims to deliver housing consistent with the current government priorities. The SEARs for this project (and all projects) should specify that the project is to demonstrate consistency with the strategic merit test considerations outlined in the LEP Making Guideline **in addition to** 'current government priorities'. It should outline how each of these strategic merit considerations is to be determined, prioritised and balanced. If inconsistency with state and local strategic policies is to be accepted and approved by Government in order to facilitate housing supply, this rationale and decision-making process should at least be clearly and transparently documented.

Holistic consideration of strategic planning matters can and should have direct implications on determining the appropriateness of a development outcome, as well as site specific outcomes, including development yield and built form.

If this does not occur, consideration of strategic merit (and any associated public consultation) will lack rigour, with the “concurrent” rezoning element of the SSD process simply intended to retrospectively amend the planning controls to align with the built form outcome approved. It is absolutely imperative buildings of this scale and intensity be supported by well thought out development standards, not made up as you go.

It should be clearly noted and considered, that the provision of residential outcomes on this site is inconsistent with every strategic planning policy that relates to this land, including the Region Plan, District Plan, Ministerial Directions, the Hills Local Strategic Planning Statement (as endorsed by Government), the Department’s North West Rail Link Corridor Strategy, The Hills Corridor Strategy and the recently finalised Norwest Precinct Plans. These plans identify significant potential for new residential development in Norwest as part of a mixed use development precinct. However, a small component of this mixed use precinct is a dedicated commercial core area preserved for long term employment growth needed to support the locality and region.

The trend for HDA proposals to target the scarce areas of the precinct preserved for employment growth is unsurprising given the speculation which the HDA process entices and the windfalls available to developers. However, it is concerning that a continuation of this trend will set an irreversible precedent that will reduce the viability and attractiveness of employment investment in these areas. These short-sighted decisions by Government which are entirely contrary to all evidence-based planning and strategic policies will lead to the creation of Sydney’s next crisis – a jobs crisis. It is particularly unnecessary for Government to be making these decisions under the guise of the “housing crisis” in areas that already have an enormous supply of residential land ready for development.

3. *Social Infrastructure - Assessment of Impact of Unplanned Planned Growth*

Residential development was not anticipated on this site in the strategic planning framework and this additional unplanned growth was not accounted for in infrastructure analysis or the applicable contributions mechanisms which apply to the land.

Any application should include detailed analysis of the additional demand for infrastructure generated by the proposal. This would include, but not be limited to:

- community facility floor space
- library floor space
- passive open space / local parks
- active open space / playing fields
- education infrastructure / school places

This should be completed having regard to future development within the Norwest Precinct holistically, including the cumulative growth on the substantial areas of land within Norwest already zoned for residential development which has not yet been completed, areas identified in the existing strategic plans for future residential growth, and the significant amount of unplanned dwellings on other HDA sites within and around the locality.

Once this has been established, the Applicant must then demonstrate the following:

- solutions and additional infrastructure that can be provided to address this demand; and
- fair and reasonable contributions from the development towards funding these solutions.

Critically, in determining the extent of new development that could be accommodated within Norwest Precinct, Council and state agencies considered the capacity of the local and regional infrastructure network. This was a limiting factor to how much development could occur and even in this context, there are still significant challenges in providing suitable infrastructure solutions as necessary even to support growth under the current controls have not been funded or resolved.

In preparing the EIE, the Applicant should consult with School Infrastructure NSW to assess the adequacy of existing and planned school capacity to service the proposed development, having regard to the cumulative demand generated by existing strategic planning documents as well as existing and potential future HDA sites throughout the region.

The levels of active and passive open space as well as community facilities will need to be recast to make sure this development pays its fair share of contributions. It is necessary to ensure windfall profits are not at the expense of the essential infrastructure such an intense urban environment requires.

4. *Traffic and Transport Infrastructure*

Given the extensive precinct planning and traffic modelling which has been completed to inform the extent of development outcomes that could be accommodated within the broader Sydney Metro Northwest Corridor, it is again reiterated that Transport for NSW's failure to attend this meeting is regrettable and highlights a significant shortcoming in process for considering these proposals.

In consultation with TfNSW and Council, the Applicant should be required to prepare updated regional traffic modelling which assesses the impact of the proposal on the surrounding local and regional road network. This should be considered holistically and cumulatively, having regard to the growth permitted under the current controls for in the vicinity, strategically identified growth, as well as other existing (and potential future) HDA sites within the Bella Vista, Kellyville, Norwest and Showground Station Precincts.

The Regional Traffic Modelling indicated that planned development within the area will result in significant traffic congestion within the regional road network that will be extremely difficult for State Government and Council to adequately resolve. Since the completion of the modelling and these conclusions, the State Government has then proceeded to progress further rezonings over and above this, including the Bella Vista and Kellyville TOD rezoning, Low and Mid Rise Housing reforms and a number of HDA proposals which are in close proximity to each other within the Norwest Strategic Centre (including Bella Vista and Kellyville Precincts). At no point has the Government (or TfNSW) updated the regional traffic modelling to test the impact of these rezonings as part of cumulative growth or identify how the resultant traffic congestion could be mitigated. This is an enormous and concerning oversight by the state government planning authorities and agencies.

While Council officers would be happy to collaborate further with respect to the scope and inputs of such work, it is imperative that this process be led by DPHI and TfNSW. The underlying assumptions that fed into the existing regional traffic model already resulted in a predicted failure of the regional road network, even with significant upgrades. The HDA process and resultant SSD applications for development that was unanticipated by the regional traffic model has effectively rendered this work both outdated and understated in terms of traffic volumes. The process of modelling traffic impacts for the Sydney Metro Northwest Corridor will now likely need to recommence, with inputs that account for the development proposed as a result of changes in government policy and the HDA declared proposals.

5. *Built Form and Design*

A planning proposal and development application have been undertaken for this site which established the appropriate land use, density and built form controls for the site. The planning proposal originally sought to enable heights of 17 storeys, however through the assessment process it was determined that these could not be appropriately accommodated on the site, and the height was subsequently reduced to a maximum height of 10 storeys, being the current controls.

The plans presented in the Planning Focus Meeting indicated that the land to the south is 'high density residential', however this land is currently occupied by single dwellings which are extremely unlikely to redevelop in the short to medium term. The Norwest Precinct Plan identifies longer term potential for development up to 5 storeys in this area. Referring to this land as 'high density' residential is misleading and does not reflect either the current character or the likely interface issues between the subject site and the adjoining development.

The Applicant should be required to demonstrate compliance with all relevant urban design and amenity controls applicable to the land, within the Hills DCP and the ADG. It is unclear how an appropriate transition can be managed on the site from the proposed 23 storeys directly to single dwellings. The plans presented indicate significant solar access impacts, acoustic impacts, and unacceptable visual impacts. The Applicant should be required to cumulatively model the planned and proposed development in the locality, assuming the outcomes identified in the Norwest Precinct Plan as well as any known and likely HDA or SSD proposals to determine the impacts on adjacent properties. In particular, the solar impacts need to be modelled cumulatively to understand the impacts on surrounding sites, as well as this proposed common open space and outdoor child care space.

Where compliance cannot be achieved, the built form and density should be reduced to resolve the issues and reduce built form capacity issues associated with excessive density on the land. The reductions in built form that will be necessary should not be at the expense of the non-residential floor space within the development, being the core underlying objective for development of this land within the strategic planning framework.

6. Housing Diversity and Family Apartments

Should the Applicant and State Government expect higher density development to increase housing supply, the proposed development (and other development sites within the metro station precincts) need to ensure that high density living is high quality and that the product being delivered is designed to cater for a broader range of household types having regard to the projected demographics of an area. Noting the relatively larger family demographic within The Hills, which is projected to continue into the future, the proposed residential apartment size and mix will need to demonstrate consistency with Clause 7.11(3) of The Hills LEP 2019.

Please contact Megan Munari, Principal Coordinator Forward Planning on 02 9843 0407 if you wish to discuss any of the above matters.

Yours faithfully



Nicholas Carlton
MANAGER FORWARD PLANNING