

## PLANNING PROPOSAL

**LOCAL GOVERNMENT AREA:** The Hills Shire Council

**NAME OF PLANNING PROPOSAL:** The Hills Local Environmental Plan 2012 (Amendment No X) – Castle Hill North Precinct

**ADDRESS OF LAND:** Castle Hill North Precinct (refer to Attachment H for addresses of subject land)

### SUMMARY OF HOUSING AND EMPLOYMENT YIELD

	EXISTING	PROPOSED	TOTAL
Dwellings	292	3,283	3,575
Jobs	N/A	N/A	N/A

### SUPPORTING MATERIAL:

<b>Attachment A</b>	Assessment Against State Environmental Planning Policies
<b>Attachment B</b>	Assessment Against Section 9.1 Ministerial Directions
<b>Attachment C</b>	Key Sites Provision (Clause 4.4A)
<b>Attachment D</b>	Post Exhibition Council Report and Resolution, 27 November 2018
<b>Attachment E</b>	Council Report and Resolution, 25 July 2017
<b>Attachment F</b>	Council Report and Resolution, 24 November 2015
<b>Attachment G</b>	Gateway Determination, Extensions and Attachments
<b>Attachment H</b>	Addresses of subject land
<b>Attachment I</b>	Draft Development Contributions Plan No. 17 – Castle Hill North
<b>Attachment J</b>	Draft The Hills DCP 2012 (Part D Section 18 – Castle Hill North)
<b>Attachment K</b>	Draft The Hills DCP 2012 (Part C Section 1 – Parking)
<b>Attachment L</b>	Draft Public Domain Plan – Castle Hill North

### THE SITE:

The Castle Hill North Precinct is generally bound by Pennant Street and Castle Street to the south, Gilham Street to the north, Old Northern Road to the east and Carramarr Road to the west.



**Figure 1**  
Subject Site

## **BACKGROUND:**

At its meeting of 24 November 2015 Council resolved to forward the Castle Hill North planning proposal (16/2016/PLP) to the Department of Planning and Environment for a Gateway Determination. The planning proposal includes changes to zones, lot sizes, heights, floor space ratios and introduction of a Key Sites Provision to achieve improved built form and public domain outcomes. The proposal will facilitate up to 3,283 additional dwellings and 6,045 additional people.

Following the submission of the planning proposal to the Department of Planning and Environment for a Gateway Determination in November 2015, both Council and the Department of Planning and Environment have developed an agreed methodology and policy position with respect to future apartment development within the Sydney Metro Northwest Corridor. This policy position will provide Council with certainty that at least 20% of future apartment development will be in the form of three or more bedroom apartments and that 30% of all future apartments will be at Council's adopted size.

On 2 November 2016 a Gateway Determination was issued for the planning proposal which included a condition requiring the planning proposal to be amended to be consistent with the agreed methodology for housing diversity, prior to exhibition. In accordance with the Gateway Determination the planning proposal has been updated.

Following the issue of a the Gateway Determination a number of draft planning documents were prepared to support the draft amendments to LEP 2012. These included a draft Contributions Plan to collect the necessary funds for the provision of local infrastructure required to support the additional population, draft amendments to DCP 2012 to regulate the urban structure, built form and the design of development, and a draft public domain plan to guide the design for embellishment of the public realm.

At its meeting of 25 July 2017 Council considered a report of the draft Contributions Plan, draft development controls and draft Public Domain Plan and resolved as follows:

1. *Draft Contributions Plan No.17 - Castle Hill North (Attachment 1), Draft The Hills DCP 2012 Part D - Section 20 - Castle Hill North (Attachment 2), Draft The Hills DCP 2012 Part C - Section 1 - Parking (Attachment 3) and Draft Public Domain Plan - Castle Hill North (Attachment 4), be exhibited in conjunction with the exhibition of the planning proposal for the Castle Hill North Precinct (16/2016/PLP).*
2. *A planning proposal applying to land at 7-13 Glenhaven Road, 1 Kyle Avenue and 3 Gilmour Close, Glenhaven (Lot 8 & 9 DP25902, Lot 1 DP844862, Lot 1 DP524622, Lot 1 DP207788 and Lot 1 DP261810) be forwarded to the Department of Planning and Environment for a Gateway Determination to amend Local Environmental Plan 2012 as follows:*
  - a. *Amend the Land Zoning Map to rezone the site from RU6 Transition to RE1 Public Recreation.*
  - b. *Amend the Land Reservation Map to identify 7, 9 and 13 Glenhaven Road, 1 Kyle Avenue and 3 Gilmour Close, Glenhaven (Lot 8 & 9 DP25902, Lot 1 DP524622, Lot 1 DP207788 and Lot 1 DP261810) as SP2 Infrastructure.*
3. *Council commence consultation with land owners of 7, 9 and 13 Glenhaven Road, 1 Kyle Avenue and 3 Gilmour Close, Glenhaven (Lot 8 & 9 DP25902, Lot 1 DP524622, Lot 1 DP207788 and Lot 1 DP261810) and the NSW Rural Fire Service with respect to the proposed district open space facility in Glenhaven.*

The draft contributions plan, draft development controls and draft public domain plan were exhibited concurrently with the planning proposal.

At its meeting of 27 November 2018 Council considered a report on the exhibition of the planning proposal and supporting plans and resolved as follows:

- 1. Planning Proposal (16/2016/PLP) applying to the Castle Hill North Precinct, including post exhibition amendments, be forwarded to the Department of Planning and Environment for finalisation, noting that Council does not have delegation to make the plan due to outstanding public authority objections.*
- 2. Council request the Department of Planning and Environment to withhold gazettal of the amendment to LEP 2012 associated with Planning Proposal (16/2016/PLP) until the Draft Contributions Plan No.17 – Castle Hill North has been endorsed by the Independent Pricing and Regulatory Tribunal.*
- 3. Draft DCP 2012 (Part D Section 18 – Castle Hill North) (Attachment 1), Draft DCP 2012 (Part C Section 1 – Parking) (Attachment 2) and Draft Public Domain Plan – Castle Hill North (Attachment 3), including post exhibition amendments, be adopted and come into force following the amendment to LEP 2012 relating to Planning Proposal 16/2016/PLP being published on the NSW Legislation website.*
- 4. Draft Contributions Plan No.17 – Castle Hill North (Attachment 4), including post exhibition amendments, be re exhibited and forwarded to the Independent Pricing and Regulatory Tribunal for endorsement.*

## **PART 1 OBJECTIVES OR INTENDED OUTCOME**

The objectives of the proposed LEP are:

- To allow high and medium density development within a walkable catchment of the future Castle Hill train station;
- To encourage future medium and high density development to meet the needs of future Hills Shire residents;
- To achieve a high standard of quality for buildings;
- To create a pedestrian friendly public domain, including high quality footpath paving, street trees, street furniture and lighting; and
- To encourage built form outcomes that complement the suburban character of the area but also provide a transition to the Castle Hill major centre.

## **PART 2 EXPLANATION OF THE PROVISIONS**

The proposed outcomes will be achieved by the following amendments to The Hills Local Environmental Plan 2012 (LEP 2012):

1. Rezone land in the Precinct from R1 General Residential, R2 Low Density Residential, R3 Medium Density Residential and SP2 Infrastructure (Public Administration Building) to R1 General Residential, R3 Medium Density Residential, R4 High Density Residential and SP2 Infrastructure (Local Road Widening);
2. Apply a minimum lot size of 1,800m<sup>2</sup> across the precinct;
3. Apply a 'base' floor space ratio ranging from 1:1 to 1.1:1 and an 'incentivised' floor space ratio ranging from 1.2:1 to 4.8:1 to land zoned R1 General Residential and R4 High Density Residential;

4. Identify land to be zoned R1 General Residential and R4 High Density Residential as "Area A" within the Floor Space Ratio Map;
5. Remove the height of buildings for land proposed to be zoned R1 General Residential and R4 High Density Residential;
6. Introduce a maximum height of buildings of 10 metres for land proposed to be zoned R3 Medium Density Residential;
7. Add clause 4.4A Additional Floor Space Ratio incentive for Key Sites to provide an incentive for key mapped sites to amalgamate where it can be demonstrated that the amalgamation will deliver improved outcomes and public domain improvements (Draft Provision included as Attachment C).

Note: The original planning proposal also proposed to amend Clause 7.7 Design Excellence to apply to all development with a height of 25 metres or more, with revised considerations for design excellence and provision for a Design Excellence Panel. This amendment came into force on 17 November 2017 as part of separate planning proposal (6/2016/PLP) and is no longer required as part of this planning proposal.

## **PART 3 JUSTIFICATION**

### **SECTION A: NEED FOR THE PLANNING PROPOSAL**

#### *1. Is the planning proposal a result of any strategic study or report?*

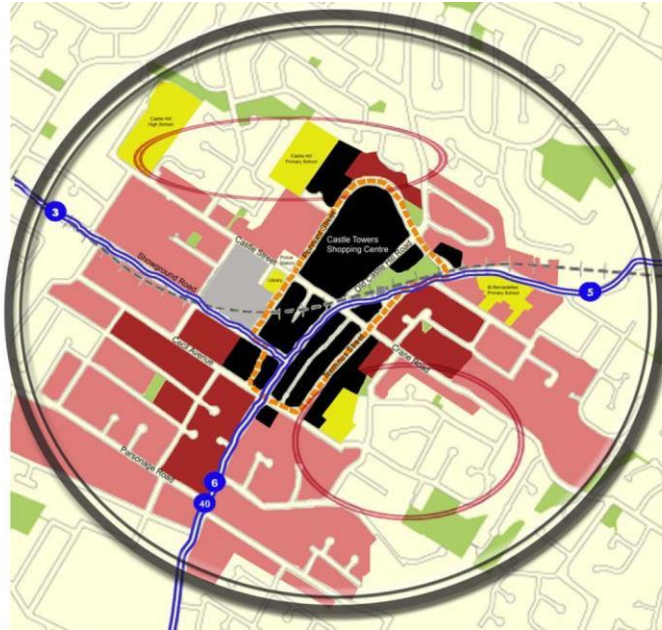
Yes, the planning proposal is a result of strategic investigations into higher density developments as a result of Castle Hill's increasing status as a Major Centre and opportunities related to the Sydney Metro West.

The strategic studies leading to this planning proposal are:

- Residential Direction
- North West Rail Link Corridor Strategy
- Hills Corridor Strategy
- Castle Hill North Precinct Plan

#### **Residential Direction**

The 2008 Residential Direction identified that the majority of sites zoned and suitable for apartments, surrounding the Castle Hill Major Centre, have already been developed or have had consent granted illustrating the high uptake of the opportunity for this form of residential development. The Direction provided an indication of the areas (Figure 2) in Castle Hill that could be considered for increased residential development opportunities.



**Figure 2**

Indication of areas that could be considered for increased residential development opportunities

### **North West Rail Link Corridor Strategy**

In March 2011 the Government announced its intention to fast track the North West Rail project. Following on from this the Department of Planning and Environment finalised a Corridor Strategy in September 2013 which identified a high-level vision and structure plans for areas around each of the stations. At the same time as the Corridor Strategy was released a Ministerial Direction was issued under Section 9.1 (previously Section 117) of the Environmental Planning and Assessment Act 1979 to promote transit-oriented development and manage growth around the train stations and ensure future development is consistent with the proposals set out in the Corridor Strategy and precinct Structure Plans, including the growth projections and proposed future character of the precincts.

The Structure Plan for Castle Hill indicated a total capacity for Castle Hill of an additional 7,900 dwellings and 18,500 jobs. However based on take up rates of 56% for housing and 52% for employment it was anticipated that by 2036 the projected residential growth would be 4,400 dwellings and the employment growth 9,500 jobs. The identified future character included apartment living surrounding the retail/commercial core with higher density apartment living (7-20 storeys) in areas with direct access to the new station and medium density apartment living (3-6 storeys) on the periphery with townhouses and duplexes beyond this to deliver a diversity of housing.

The planning proposal is partly a result of this area being identified for future higher density development. The location of the subject precinct within the wider State Government North West Rail Link Corridor Precinct is shown in Figure 3.





**Figure 3**  
Castle North Precinct and NWRL Corridor Boundary

### **Hills Corridor Strategy**

Council adopted the Hills Corridor Strategy on 24 November 2015. It is underpinned by guiding principles that reflect the strategic direction of Council as articulated in the Local Strategy including locating high density in easy walking distance of future stations, maintaining low density housing choice in more peripheral locations, providing a diversity of housing choice with a focus on family living, ensuring access to sufficient infrastructure, providing job opportunities suited to Hills residents and maintaining the significance of strategic centres.

The Hills Corridor Strategy expresses future residential outcomes in terms of maximum dwellings per hectare as a first step in defining the desired density, built form and character envisaged around each station. This approach is entirely consistent with the NSW Government's NWRL Corridor Strategy as it required careful master planning and character analysis to make sure redevelopment suits the gradual evolution of the precincts.

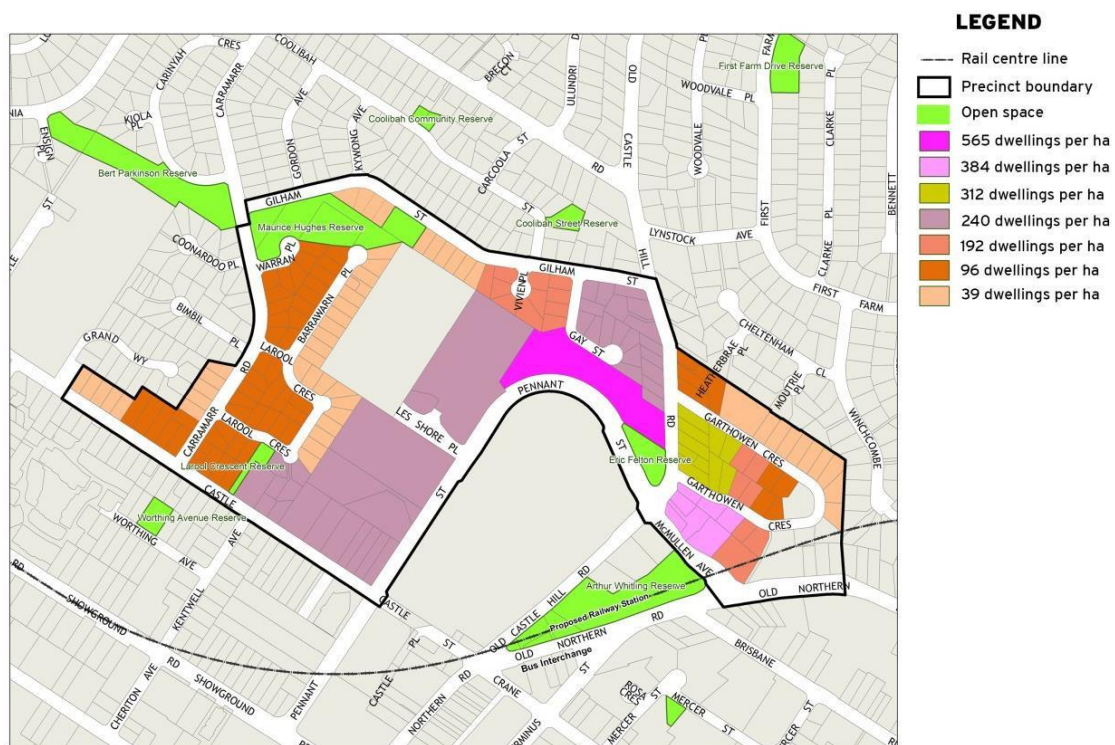
The Strategy defines a wider Castle Hill Precinct of which the Castle Hill North Precinct is a part, and the first to undergo investigations in order to facilitate the preparation of detailed plans to guide future development.

### **Precinct Plan for Castle Hill North**

The Precinct Plan recognises the capacity within the Precinct for higher density residential development opportunities and the strong demand that will exist for apartment and townhouse living in Castle Hill. The plan identifies density, character and streetscape typologies to guide future development outcomes. The location of the higher density housing options was informed by factors such as proximity to the future rail station and the town centre. Lower density outcomes have been identified where land interfaces with other lower density housing, open space and Castle Hill

Public School (refer to Figure 4). Character areas are identified to articulate where development controls are needed to achieve outcomes that complement the positive aspects of the existing character. A streetscape map has been developed to articulate how streets will look and integrated with the existing development.

The exhibition of the draft Castle Hill North Precinct Plan enabled community feedback to be received based on a broad concept of redevelopment potential in the area, and for further investigations to be undertaken, including the development of the draft Hills Corridor Strategy to address strong interest in growth opportunities across the Rail Corridor.



**Figure 4**  
Castle Hill North Density Plan

The planning proposal is a result of the Castle Hill North Precinct Plan and will bring the plan to fruition.

*2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?*

Yes, the planning proposal is the best means of achieving the intended outcomes.

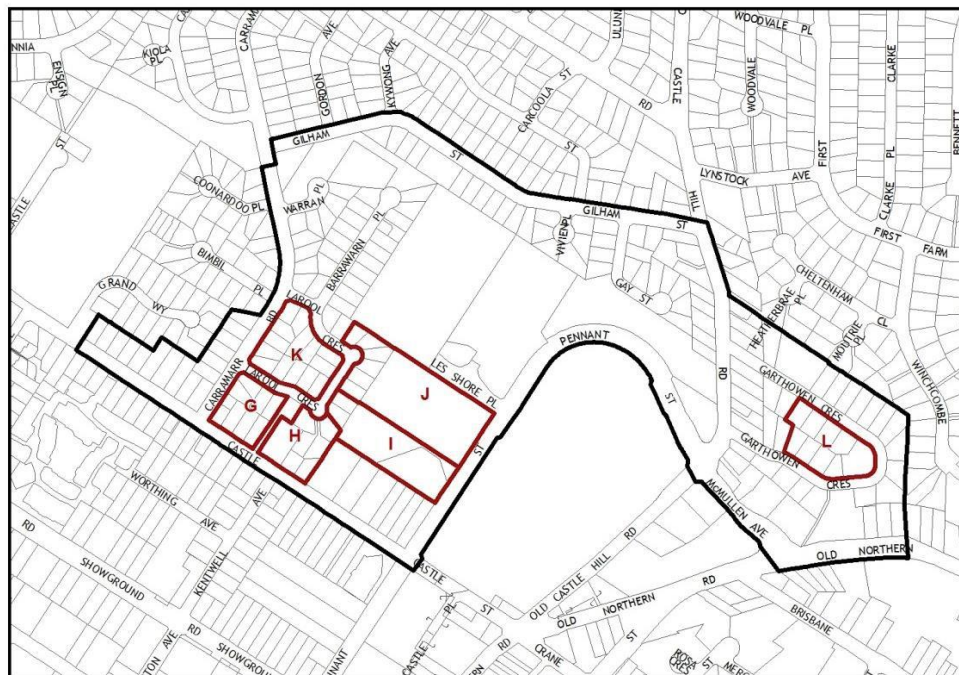
The proposed zone, building height, floor space ratio and local provisions are considered to be the most effective way to facilitate the additional residential yield envisaged for Castle Hill North, in a way that meets the expectations of current and future residents within the Hills Shire. The proposal provides housing choice for different demographics, comfortable apartment sizes for families, master planned developments around open space, quality design in building form, and controls development yield through the floor space ratio, to provide flexibility in the built form.

Further, a local provision is proposed to encourage site amalgamation on key sites that have capacity to deliver improved built form outcomes and public domain improvements (refer to Attachment C). Key sites have been selected on the basis that they present one or more of the following characteristics:



- They are strategically located to provide specific built form or public domain improvements;
- They are larger sites that could reasonably be expected to amalgamate; and
- They have potential for increased yield to be accommodated in a way that does not undermine the desired character.

The potential improved outcomes for these sites include publicly accessible common open space, publicly accessible through site links, active frontages, centrally located height or a sensitive response to heritage items.



### Key Sites Map



**Figure 5**  
Proposed Key Sites Map

## SECTION B: RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK

3. *Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?*

Yes – The planning proposal is consistent with the applicable strategies, as detailed below:

### **Greater Sydney Region Plan – A Metropolis of Three Cities**

The Greater Sydney Region Plan was released by the Greater Sydney Commission in March 2018 and sets out the vision for Sydney to 2056. It reconceptualises Sydney as a metropolis of three cities being the Western Parkland City, Central River City and Eastern Harbour City. The overarching principles of the plan are infrastructure and collaboration, liveability, productivity and sustainability. The planning proposal will assist with achieving



a number of liveability objectives of the Region Plan as detailed below.

Liveability Objective 7 encourages healthy, safe and inclusive places through the provision of walkable neighbourhoods that have good access to public transport. The Castle Hill North planning proposal is consistent with this objective as it will increase residential densities within a walkable catchment of Castle Hill centre and the future Castle Hill station.

Liveability Objective 10 encourages a range of housing types in the right locations to support the growing population. It identifies a need for 725,000 additional homes within Sydney to 2036. The plan identifies urban renewal as a key opportunity to provide additional housing in older established areas, particularly where there is significant investment in mass transit. The planning proposal is consistent with this objective as it will provide 3,283 additional dwellings in Castle Hill North, in a range of typologies, in a highly accessible location supported by critical rail infrastructure.

Liveability Objective 11 encourages more diverse and affordable housing that responds to community needs. The planning proposal is consistent with this objective as it includes incentivised floor space ratios for developments that provide a diversity of apartment types and sizes and therefore price points.

### **Central City District Plan**

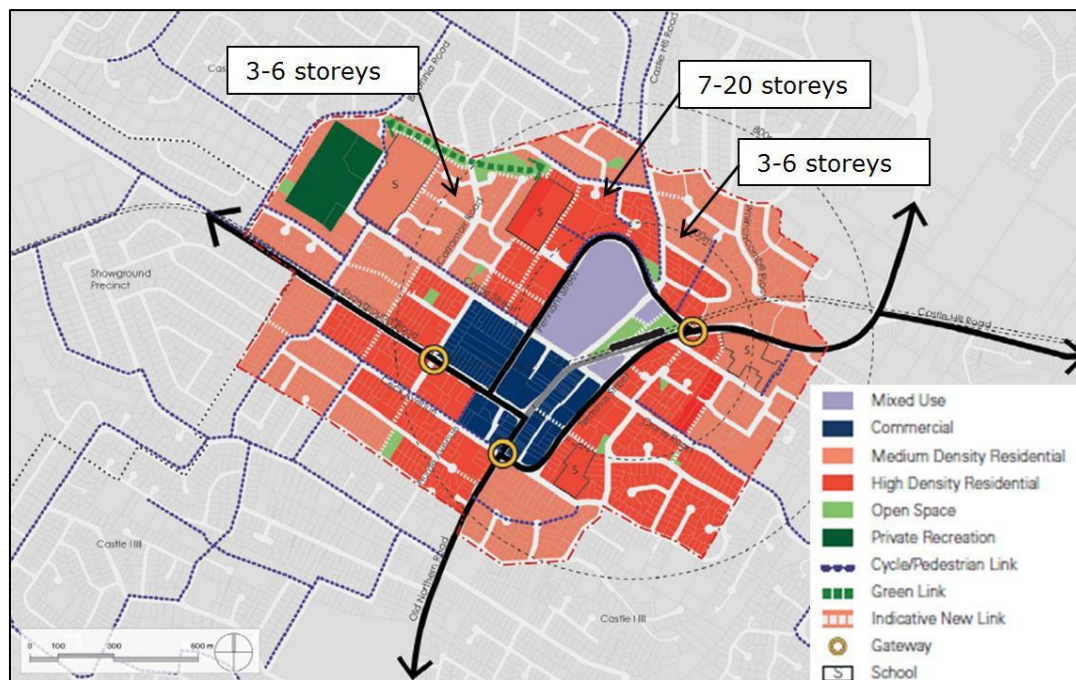
The Central City District Plan includes a number of priorities and objectives within categories of liveability, productivity, sustainability and infrastructure and collaboration. The Castle Hill North Precinct will assist Council to meet a number of objectives of the District Plan.

The planning proposal assists in accommodating a share of Sydney's population growth by providing capacity for new dwellings within an existing Strategic Centre. It is considered to be consistent with the objectives of the plan as it will contribute to housing supply and diversity, using land effectively, reducing traffic congestion, providing better access to public transport and strengthening the Castle Hill centre.

Liveability priorities and objectives within the plan relate to housing, services and infrastructure that meet people's needs; and providing a range of housing types in the right locations and improving affordability. The key priority that will be met through the planning proposal is Liveability Priority C5 which seeks to provide housing supply, choice and affordability and ensure access to jobs, services and public transport. This priority sets out the delivery of the Central City's five-year housing targets. To meet this, Council needs to provide sufficient capacity and monitor residential development to meet the five-year housing target of 8,550 additional dwellings within The Hills Shire. The planning proposal is consistent with this priority as it will facilitate 3,283 additional dwellings, in a range of typologies, within close proximity to the Castle Hill Railway Station. The proposal provides an opportunity for urban renewal within close proximity to the Castle Hill Railway Station and seeks to meet housing demand and diversity in an area with high accessibility to the Castle Hill Town Centre.

### **North West Rail Link Corridor Strategy**

The North West Rail Link (NWRL) Corridor Strategy was published in September 2013. The strategy provides a vision for how the areas surrounding the proposed railway stations could be developed to integrate with the North West Rail Link (now the Sydney Metro Northwest). The Corridor Strategy includes a structure plan for each Station Precinct. An extract of the Castle Hill Precinct Structure Plan is included below.



**Figure 6**  
Castle Hill Structure Plan

The key focus for the Castle Hill Station Precinct is to strengthen the role as a strategic centre, by promoting growth within and around the centre. The strategy proposes land surrounding the commercial/retail core, be rezoned for high density residential between 7 to 20 storeys. On the periphery of the core, within a 10 minute walking distance of the station areas have been identified for medium density living comprising 3-6 storey apartments. Beyond these areas townhouses, duplexes and single detached dwellings have been envisaged.

The intent of the NWRL Corridor Strategy was to provide a framework, based on 'higher-level' study into precinct development capability, for each proposed station. It's key objectives were to consult, to examine high-level growth scenarios, establish frameworks for managing future land use change and project residential and employment growth, to co-ordinate long term infrastructure planning.

The planning proposal is consistent with the NWRL Corridor Strategy as it provides a high density resident population within close proximity to the future Castle Hill Station. The planning proposal translates the overall objectives of the North West Rail Link Corridor Strategy into planning controls that achieve realistic densities.

Consistency with the strategy is set out in Section 6, which addresses the applicable Section 9.1 Ministerial Direction.

*4. Is the planning proposal consistent with the local council's Community Strategic Plan, or other local strategic plan?*

The Planning Proposal is consistent with the following documents:

- The Hills Shire Plan;
- Local Strategy;
  - Residential Direction;
  - Centres Direction
  - Employment Lands Direction;
  - Integrated Transport Direction; and

- Hills Corridor Strategy and Castle Hill North Precinct Plan.

### **The Hills Shire Plan**

Council's Community Strategic Plan, The Hills Shire Plan identifies the community's vision for the Shire and outlines how Council will align its delivery of services and facilities to support this vision. Council's vision is for '*proactive leadership creating vibrant communities, balancing urban growth, protecting our environment and building a modern local economy*'. The planning proposal is consistent with the Community Strategic Plan and relevant directions.

### **Local Strategy**

In June 2008 Council adopted its Local Strategy to provide the basis for the future direction of land use planning in the Shire and within this context implement the key themes and outcomes of the community strategic plan. The Residential, Centres, Employment Lands and Integrated Transport Directions are the components of the Local Strategy which have relevance to the planning proposal.

#### ***- Residential Direction***

Council has maintained a planned and deliberate approach to managing urban growth within the Shire, which makes use of existing infrastructure and extends the lifestyle opportunities of its residents. This approach focuses high density development in precincts that show capacity to accommodate further growth, with the result being increased population around town centres and major transport nodes. The planning proposal is consistent with this philosophy.

The Residential Direction demonstrates that there is sufficient capacity to accommodate the housing targets set by the State Government in the Shire's established and release areas. However, as the Shire adjusts to potential new patterns of development and centres generated by the Sydney Metro Northwest there will be further pressure to provide increased accommodation and employment to areas within close proximity to train stations. This is particularly the case with the proposed Castle Hill Station that is centrally located within the established retail and commercial core of Castle Hill. Council has considered housing and employment based on the new opportunities that can be provided.

The direction identified that the majority of sites zoned and suitable for apartments, surrounding the Castle Hill major centre, had already been developed. The Direction provided an indication of areas that could be considered for increased residential development opportunities. This work recognised that the future rail link would improve public transport accessibility and increase housing demand within and close to the centre.

#### ***- Centres Direction***

The Centres Direction establishes The Hills Shire Centres Hierarchy which provides a framework for the scale, location and objectives of centres. This framework is important for the achievement of orderly and sustainable development of Centres that are appropriate in scale and design for their location.

The centre is supported by the existing and future public transport, retail and commercial development, local services and infrastructure. Future development within the precinct, together with supporting infrastructure, plays a critical role in supporting the Castle Hill Railway Station by providing a resident population with close proximity to these services.

The proposed R1 General Residential, R3 Medium Density Residential and R4 High Density Residential will appropriately reflect this role as the objectives of the zones are to provide for a variety of housing types and densities, enable land uses that provide facilities and services to meet the daily needs of residents, and to encourage residential development that are in locations that are close to population centres and public transport routes.

- *Integrated Transport Direction*

Council's Integrated Transport Direction provides an overall strategic context for the planning and management of transport within the Shire. The Direction provides a package of solutions to provide greater connectivity between key destinations and to ensure that residents and workers can get where they need to go with a range of integrated travel options.

Future development on the site will play a key role in supporting the operation of the Sydney Metro Northwest as it will provide a resident population within close proximity to high frequency public transport services. This transport link will ensure that the precinct is well connected to the CBD and other strategic centres.

**The Hills Corridor Strategy and Castle Hill North Precinct Plan**

The Hills Corridor Strategy articulates Council's vision and desired outcomes for land within the rail corridor. It identifies that Castle Hill has the potential to become an urban setting that includes residential, retail, cultural and commercial uses.

The Castle Hill Station Precinct is identified as a strategic centre which signifies its role as an important retail and business centre for the region. Future development is to reinforce the centre as a high quality Major Centre with a variety of building heights, including some distinctive or 'iconic heights'. The desired outcome for the Castle Hill North Precinct ranges from 565 dwelling per ha (Pennant Street Target Site) to 39 dwellings per ha (townhouse developments with sensitive interfaces) (refer to Figure 4).

This approach is entirely consistent with the NSW Government's Corridor Strategy as it required careful master planning and character analysis to make sure redevelopment suits the gradual evolution of the precincts. The Strategy defines a wider Castle Hill Precinct of which the Castle Hill North Precinct is a part, and the first to undergo investigations in order to facilitate the preparation of detailed plans to guide future development.

The Hills Corridor Strategy and Castle Hill North Precinct Plan both provide a consistent strategic framework to support growth and activity around the rail corridor. The Castle Hill North Precinct Plan follows from the 'holistic' approach of The Hills Corridor Strategy and further details the planning work that will facilitate future housing that responds to the values of the Hills Shire and is supported by adequate infrastructure. In order to achieve this, future planning controls under the LEP 2012 have been drafted to allow for partial uplift in densities on land in Castle Hill North, with maximum uplift allowed only for development which facilitates the delivery of apartments which satisfy the needs and expectations of the Hills Shire residents and family demographic.

*5. Is the planning proposal consistent with applicable State Environmental Planning Policies?*

Yes, the planning proposal is consistent with the relevant State Environmental Planning Policies, as detailed below. Evaluation of the planning proposal against all State



Environmental Planning Policies is provided in Attachment A.

### **State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development**

The planning proposal is considered to be consistent with SEPP No. 65 given it will encourage and promote a high quality development within the precinct and a variety of housing types with positive design and amenity outcomes. The proposal provides a floor space incentive if a developer complies with Council's apartment size/mix and car parking controls given these controls are considered by Council to better suit the family demographic expected for the Shire into the future. This approach has been endorsed by the Department of Planning and Environment via Condition 1 of the Gateway Determination.

#### *6. Is the planning proposal consistent with applicable Ministerial Directions (s.9.1 directions)?*

Section 9.1 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) enables the Minister for Planning and Environment to issue directions that councils must address when preparing planning proposals for a new LEP. The relevant Section 9.1 Directions are:

### **2.3 Heritage Conservation**

The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.

14 Garthowen Crescent contains an existing heritage dwelling which is now used for the business purposes of a child care centre, which is listed as a heritage item within Schedule 5 of LEP 2012 (Item I51).



**Figure 7**  
Garthowen House location

Garthowen holds historic significance for the local area, demonstrating the role of Castle Hill as a country retreat. Future development within the vicinity of 'Garthowen House' must have a sensitive design approach that preserves and complements the heritage

value of the item with the scale and bulk of any new developments surrounding 'Garthowen House' respecting the existing curtilage. The planning proposal is consistent with Ministerial Direction 2.3 Heritage Conservation as controls have been established within the DCP to ensure that the significance of the heritage item is appropriately maintained.

### **3.1 Residential Zones**

This direction applies when a relevant planning authority prepares a planning proposal that will affect land within an existing or proposed residential zone (including the alteration of any existing residential zone boundary) or any other zone in which significant residential development is permitted or proposed to be permitted.

This Ministerial Direction is applicable in this instance as it proposes an intensification of residential densities within an existing residential zone. The objectives of the Direction are:

- to encourage a variety and choice of housing types to provide for existing and future housing needs,
- to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and
- to minimise the impact of residential development on the environment and resource lands.

The planning proposal is considered to be consistent with this Direction as it will broaden the choice of building types and locations available in the housing market such as terrace style townhouses, low rise residential apartments (3-6 storeys), medium rise apartments (7-12 storeys) and high density apartments (12 – 20 storeys). The provision of more apartments in a traditionally suburban area capitalises the use of new and existing transport infrastructure and services.

### **3.4 Integrating Land Use and Transport**

This Direction aims to ensure that development improves access to housing, jobs and services, increase choice of available transport, reduce travel demand, and provide for the efficient movement of freight. A planning proposal must locate zones for urban purposes and include provisions that are consistent with the aims, objectives and principles of Improving Transport Choice – Guidelines for planning and development (DUAP 2001) and The Right Place for Business and Services – Planning Policy (DUAP 2001).

The proposal is considered to be consistent with this Direction as it will facilitate development which meets the following key objectives:

- a) Improve access to housing, jobs and services by walking, cycling and public transport;
- b) Increase the choice of available transport and reducing dependence on cars;
- c) Reduce travel demand including the number of trips generated by development and the distances travelled, especially by car;
- d) Support the efficient and viable operation of public transport services including the North West Rail Link; and
- e) Increased residential densities with better access to services.

### **4.3 Flood Prone Land**

The objectives of this direction are:

- a) to ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005, and
- b) to ensure that the provisions of an LEP on flood prone land is commensurate with flood hazard and includes consideration of the potential flood impacts both on and off the subject land.

An assessment of the proposal against the Direction is provided below:

*(4) A planning proposal must include provisions that give effect to and are consistent with the NSW Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005 (including the Guideline on Development Controls on Low Flood Risk Areas).*

The proposal does not change the existing flood related development controls. Any future development on the site will be subject to the relevant development controls in The Hills Local Environmental Plan 2012 and The Hills DCP 2012. The Hills DCP in particular gives effect to the NSW Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005.

*(5) A planning proposal must not rezone land within the flood planning areas from Special Use, Special Purpose, Recreation, Rural or Environmental Protection Zones to a Residential, Business, Industrial, Special Use or Special Purpose Zone.*

The planning proposal does not rezone the land from Special Use, Special Purpose Zone, Recreation, Rural or Environmental Protection. The rezoning component of the planning proposal primarily involves rezoning from one residential zone to another.

*(6) A planning proposal must not contain provisions that apply to the flood planning areas which:*

*(a) permit development in floodway areas,*

A floodway area is defined as "those areas of the floodplain where a significant discharge of water occurs during floods. They are often aligned with naturally defined channels. Floodways are areas that, even if only partially blocked, would cause a significant redistribution of flood flow, or a significant increase in flood levels" in the Floodplain Development Manual 2005.

A portion of the Precinct is part of an overland flowpath. Overland flowpaths are initiated when catchment runoff exceeds the capacity of the existing stormwater drainage system. These flowpaths are a considerable constraint to future development between Les Shore Place and Larool Crescent, and from Carramarr Road to Castle Street. Accordingly, upgrades and enlargements to the stormwater drainage system are required to ease the impacts of overland flowpaths on affected land.

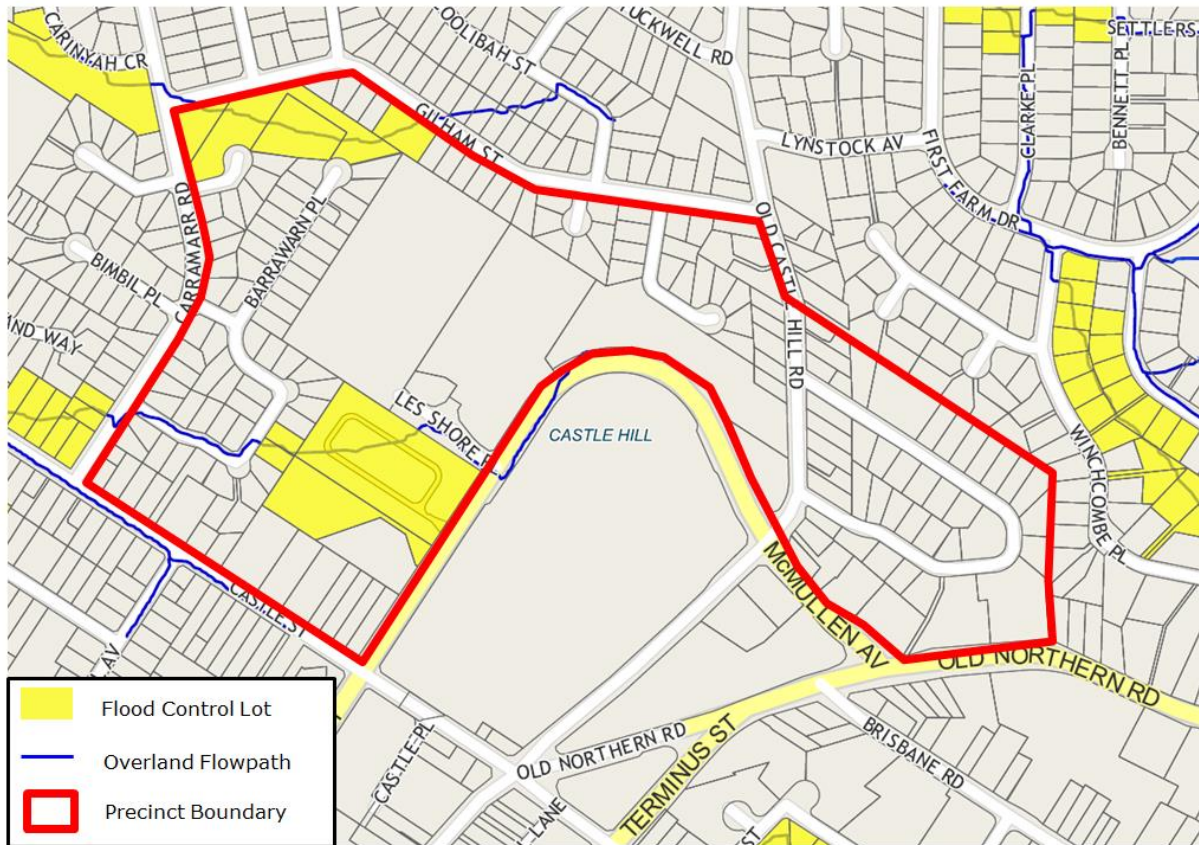
Similarly, sensitive management of the remnant flows through innovative design will reduce identified hazards.

*(b) permit development that will result in significant flood impacts to other properties,*

The intent of the planning proposal is to provide a mix of medium and high density within the walkable catchment of Castle Hill Train Station. The existing overland flow paths are the result of existing development. The planning proposal provides the opportunity for stormwater management facilities to be upgraded and reduce the overall risk of flooding in the precinct.

*(c) permit a significant increase in the development of that land,*

The planning proposal will provide additional opportunities for increased residential development and increased housing choice by providing apartments and townhouses in addition to the traditional single dwelling house. The Castle Hill North Precinct is constrained by overland flow paths and land identified as 'flood control lots' (see following figure).



**Figure 8**  
Flood Control Lots

Appropriate flood management will be required to mitigate the increased risk of flooding as a result of new residential developments.

*(d) are likely to result in a substantially increased requirement for government spending on flood mitigation measures, infrastructure or services, or*

The proposal will not result in a substantially increased requirement for government spending on flood mitigation measures, infrastructure or services. The proposed upgrades to the local pipe network and upgrade works to stormwater drainage are intended to facilitate the redevelopment of high density housing within the precinct and will be privately developed and managed and partly funded through Section 7.11 Contributions. The government is not required to deliver any stormwater infrastructure or works as a result of this planning proposal.

*(e) permit development to be carried out without development consent except for the purposes of agriculture (not including dams, drainage canals, levees, buildings or structures in floodways or high hazard areas), roads or exempt development.*



The planning proposal will not permit development to be carried out without development consent.

*(7) A planning proposal must not impose flood related development controls above the residential flood planning level for residential development on land, unless a relevant planning authority provides adequate justification for those controls to the satisfaction of the Director-General (or an officer of the Department nominated by the Director-General).*

The planning proposal does not change the flood related development controls applicable to the land.

*(8) For the purposes of a planning proposal, a relevant planning authority must not determine a flood planning level that is inconsistent with the Floodplain Development Manual 2005 (including the Guideline on Development Controls on Low Flood Risk Areas) unless a relevant planning authority provides adequate justification for the proposed departure from that Manual to the satisfaction of the Director-General (or an officer of the Department nominated by the Director-General).*

The planning proposal does not impose a flood planning level on the subject site.

The planning proposal is consistent with this direction as detailed above. The provisions that are being amended will still require any future application within the Precinct to address Council's development controls related to flood controlled land and the *Floodplain Development Manual 2005*.

## **5.9 North West Rail Link Corridor Strategy**

The objectives of this Direction are to promote transit-oriented development and manage growth around the eight train stations of the Sydney Metro Northwest (North West Rail Link) and to ensure development within the rail corridor is consistent with the proposals set out in the NWRL Corridor Strategy and precinct Structure Plans.

The planning proposal is consistent with the objectives of this Direction by promoting and encouraging transit orientated development around Castle Hill Station. The Hills Corridor Strategy and the Castle Hill North Precinct Plan have been prepared which investigated site constraints, dwelling densities and the walkable catchment of the train station. The development intended via this planning proposal reflects the character identified in the Castle Hill Structure Plan.

The Direction requires that a planning proposal must be consistent with the growth projections and proposed built form and future character for each of the Station Precincts. Consistency with these elements is discussed below:

- *Future Precinct Character and Built Form*

Table 1 demonstrates that within the Castle Hill North Precinct, approximately the same amount of land is identified for each of the character areas stipulated in the Castle Hill Structure Plan.

<b>Future Precinct Character Areas</b>	<b>Amount of land in each Future Precinct Character Area in the Castle Hill Structure Plan</b>	<b>Land in Castle Hill North identified in Structure Plan as each Future Precinct Character Area</b>	<b>Land in Castle Hill North Precinct Plan and Planning Proposal</b>
High Density Apartment Living (7-20 storeys)	30 hectares	11 hectares (of 30)	13 hectares
Medium Density Apartment Living (3-6 storeys)	43 hectares	5 hectares (of 43)	4.6 hectares
Townhouses	16 hectares	1.7 hectares (of 16)	3.8 hectares

**Table 2**

Comparison of planning proposal with NWRL Corridor Strategy

Note: Area calculations are approximate and do not account for land identified as "areas expected to remain unchanged" in the Castle Hill Structure Plan.

The planning proposal is generally consistent with the Future Precinct Character diagrams in the Castle Hill Structure Plan. There are some exceptions where Council has identified, through the Hills Corridor Strategy and Castle Hill North Precinct Plan, the need to provide planning controls to ensure more appropriate outcomes for constrained land. This includes land near Garthowen House that needs controls to ensure an appropriate response to the heritage item and land with shallow lot depths that cannot create the "apartment buildings, carefully master planned around communal open spaces and incorporating landscaped setbacks to existing streetscapes". Land with interfaces to existing low density residential development and Castle Hill Public School requires additional controls to manage the impacts on these sensitive uses.

The floor space ratios and incentives identified in this planning proposal facilitate the built form outcomes identified in the Castle Hill Structure Plan in terms of medium and high density apartment living. The floor space ratio is considered a better mechanism than building height for providing certainty in terms of density. There is no height of building control on these sites to provide flexibility for developers when responding to site orientation and constraints.

Given the more detailed analysis undertaken in the preparation of this planning proposal, some sites within the Castle Hill North Precinct do not align directly with the future precinct character area identified in the Castle Hill Structure Plan. However, as the planning proposal is generally consistent with the future character identified in the Castle Hill Structure Plan, this inconsistency is considered justified and minor.

- *Growth Projections*

The Castle Hill Structure Plan projects growth of 100 additional townhouses, 1,000 apartments in 3-6 storey buildings and 3,500 apartments in 7-20 storey apartments.

The population projections for the Castle Hill North Precinct are based upon a 20 year time frame. Once developed, it is projected that there will be approximately 3,283 additional dwellings which equates to an additional population of around 6,045 people.

The area of Castle Hill North Precinct represents only approximately 25% of the developable Castle Hill Structure Plan area, yet has capacity under the Precinct Plan to yield 74.6% of the projected residential growth (3,283 additional dwellings out of 4,400 dwellings).

The planning proposal exceeds the growth projections in the Castle Hill Structure Plan, however this inconsistency is considered justified and minor.

The Secretary's concurrence with respect to the justified and minor inconsistencies with Direction 5.9 North West Rail Link Corridor Strategy has been granted.

### **6.1 Approval and Referral Requirements**

The purpose of this Direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development by minimising the inclusion of provisions that require the concurrence, consultation or referral of development applications to a Minister or public authority. The proposal is considered to be consistent with this Direction as it does not include any concurrence, consultation or referral provisions and does not identify any development as designated development.

### **6.3 Site Specific Provisions**

This Direction applies "*when a relevant planning authority prepares a planning proposal that will allow a particular development to be carried out*" and requires that a planning proposal must either:

- a) allow that land use to be carried out in the zone the land is situated on, or
- b) rezone the site to an existing zone already applying in the environmental planning instrument that allows that land use without imposing any development standards or requirements in addition to those already contained in that zone, or
- c) allow that land use on the relevant land without imposing any development standards or requirements in addition to those already contained in the principal environmental planning instrument being amended.

The objective of this Direction is to discourage unnecessarily restrictive site specific planning controls. To bring the Castle Hill North Precinct Plan to fruition, the planning proposal is required to amend Local Environmental Plan 2012. The purpose of the proposed amendment is to facilitate high and medium density development within the walkable catchment of the future Castle Hill train station. The proposed changes include rezoning of land and the application of minimum lot size, removal of maximum height of buildings and inclusion of maximum floor space ratios. In terms of zoning and allowable land uses, the planning proposal is consistent with the use of residential zones within Council's Standard Instrument LEP.

A new clause is proposed to encourage site amalgamation on key sites that have capacity to deliver improved built form outcomes and public domain improvements. Proposed clause 4.4A, as set out in Attachment C, contains the objectives and an incentive for amalgamation of six (6) identified key sites. The potential improved outcomes for these sites include publicly accessible common open space, publicly accessible through site links, active frontages, centrally located height and a sensitive response to the heritage item Garthowen House.

There is nothing in the planning proposal that obligates developers to provide the above outcomes. Therefore, the proposed provision is not considered to be unnecessarily restrictive. The planning proposal is consistent with Direction 6.3 Site Specific Provisions.

## **SECTION C: ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACT**

7. *Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?*

No, the majority of the Precinct is already developed and occupied by residential

dwelling, open space and a public school. The Precinct is generally void of any significant vegetation or trees.

There is some Sydney Turpentine Ironbark Forest (an endangered ecological community) which is mostly within the existing Maurice Hughes Reserve. While there is likely to be additional foot traffic and embellishment works to Maurice Hughes Reserve, the area will not be adversely affected by the proposal. Therefore the planning proposal is unlikely to create any adverse impacts on critical habitat or threatened species, populations or economical communities and their habitats.

*8. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?*

There is likely to be an increase in stormwater runoff with the additional development potential in the precinct. This is proposed to be managed through a suite of upgrades to existing stormwater management facilities, as well as through on site re-use of stormwater and onsite detention.

The precinct development will also attract an increase in vehicle traffic. This is proposed to be managed through upgrades to key intersections to facilitate safe and efficient movement of traffic to and from the precinct.

The Sydney Metro Northwest will relieve some capacity on road networks. The transition of the centre into a high density transit centre will improve the availability of jobs close to home. However, with any successful transit centre, it is imperative that the street network is designed with people in mind and not just traffic. It is anticipated that as the Castle Hill centre transitions into a high density transit centre there will be a significant modal shift from private cars to alternative forms of transport such as public transport. This will result in increased public transport patronage and a reduction in the rate of car ownership.

Notwithstanding the projected change in travel behaviour it is imperative that appropriate traffic management measures and intersection treatments are implemented to achieve satisfactory traffic management outcomes as a result of future development.

*9. How has the planning proposal adequately addressed any social and economic effects?*

### **Local Open Space**

An additional population of around 6,045 people will generate demand for approximately 10ha of passive open space, based on the traditional method of determining open space provision. However, achieving a higher amount of passive open space within this location will present challenges due to its highly urbanised context and the cost of land. Accordingly, the approach which is proposed is to improve the function and capacity of the existing passive open space areas. The reserves which are proposed to be embellished include Maurice Hughes Reserve, Larool Crescent Reserve, and Eric Felton Reserve.

### **Playing Fields (Active Open Space)**

An additional population of around 6,045 people will generate demand for 1.64 playing fields and 1 cricket oval. As the existing playing fields are already at capacity there is limited potential to accommodate the additional demand within these facilities. Additional playing fields will be required to ensure that the future population is provided with appropriate active open space facilities, and not simply provided with a sub-standard



level of service due to the difficulties associated with delivering open space facilities.

It is proposed that Council pursue an expansion of facilities at the existing Holland Reserve, off Holland Road in Glenhaven. Overall, the expansion would include the construction of 3 additional playing fields, just over half of which (55%) would address growth within Castle Hill North. The remaining 45% could address some of the demand generated by future growth in the remaining part of Castle Hill Precinct.

The cost of delivering the facility equates to approximately \$23 million of which \$12.6 million would be levied through the Castle Hill North Contributions Plan. Holland Reserve is already zoned RE1 Public Recreation and under Council ownership, so no planning proposals would be required to rezone the land, and no additional land acquisition would be required. Holland Reserve is shown in the following figure.



**Figure 9**  
Holland Reserve

The proposed expansion will necessitate upgrades to Holland Road and Glenhaven Road to facilitate safe access and egress, removal (offsetting) of approximately 3 hectares of bushland and relocation of two telecommunication towers to an alternative location within the reserve.

Works to Holland Road and Glenhaven Road will include minor expansion of the carriageway, establishment of kerb and gutter and amendments to the road centreline at the Glenhaven Road/Holland Road intersection to ensure that cars turning right from Glenhaven Road onto Holland Road will not block through traffic along Glenhaven Road (refer figure below). The overall cost of the road upgrades will be approximately \$3.9 million. As the road upgrades are required to support the playing field expansion, the cost of the road upgrades has been included within the overall cost estimate for the playing field expansion.



**Figure 10**  
Proposed Road Upgrades – Holland Road and Glenhaven Road

It is noted that Holland Reserve is located around 4.5km from the Castle Hill Precinct and as such is outside of the typical rule of thumb catchment for playing fields, which is approximately 2km from the source of the demand (source: Recreation and Open Space Planning Guidelines for Local Government). Council has undertaken significant work investigating potential playing field sites to meet growth within the Sydney Metro Northwest Corridor. Unfortunately locating suitable land for Cherrybrook, Castle Hill Precincts has been particularly challenging given the existing urban character and low availability of land within these areas. Given the high cost of land and desire to achieve the most efficient use of land in proximity of the stations, the majority of sites investigated have been found to be cost prohibitive.

Whilst the identified site at Holland Reserve would not strictly comply with the recommended distance as per the Recreation and Open Space Planning Guidelines for Local Government, the location is still considered to be within the service catchment of the Castle Hill Precinct and as such is within a reasonable distance to demonstrate sufficient nexus. Being an existing public reserve, within a semi-rural area, the location will also minimise potential interface issues and amenity impacts.

## **Traffic and Transport Facilities**

Appropriate traffic management measures and intersection treatments are needed at certain locations in order to achieve satisfactory traffic management outcomes as a result of future development.

### **Roundabouts**

Roundabouts in four (4) locations are to be provided under the Contributions Plan. The works are considered necessary to meet future demand, whilst ensuring an acceptable level of access, safety and convenience for all street and road users within the Castle Hill North Precinct. New roundabouts are proposed at the following locations:

- Carramarr Road/Castle Street;
- Gilham Street/Carramarr Road;
- Gilham Street/Old Castle Hill Road; and
- Garthowen Crescent/Old Castle Hill Road.

### **Intersection Realignment**

In addition to the proposed roundabouts, an intersection upgrade/realignment will be required at the junction of Old Northern Road/McMullen Avenue to improve its operational efficiency. This intersection is one of the principal points at which vehicles generated from within the Castle Hill North Precinct will access the arterial road network. Future development within the Castle Hill North Precinct will be levied for 24% of the cost of this upgrade based on apportionment of local versus regional traffic.

### **Road Widening (Castle Street and Old Castle Hill Road)**

Road profiles have been prepared for all roads within the Castle Hill North Precinct. The existing reservations for Castle Street and Old Castle Hill Road, being around 19m along Castle Street and around 19.5m – 21m for Old Castle Hill Road, are insufficient and would result in inadequate traffic lane widths, parking lane widths and smaller verge widths. These new profiles will ensure that sufficient road reserve is provided to facilitate safe and efficient traffic flow, on-street parking (where required) and improved pedestrian verge widths which are reflective of their intended use. In order to accommodate the road profiles along Old Castle Hill Road and Castle Street, road widening will be required. The cost of acquiring this land will be levied through the draft Contributions Plan.

## **Pedestrian and Public Domain Facilities**

In order for the centre to function effectively as a transit oriented centre it will be imperative that future development and public domain works create an environment which is conducive to walking and cycling. The approach being pursued for this precinct is consistent with Transit Oriented Development principles in that it seeks to accommodate both population and employment growth in more contained areas close to the future stations that will facilitate walkability and active public spaces.

### **Public Domain**

In order to improve connectivity and to promote walking and cycling within the precinct, a number of public domain upgrades are proposed throughout the Precinct. The public domain upgrades will include high quality paving, shared paths, street trees, bins and seating. Details regarding the desired character and funding for the public domain improvements are included within the attached Public Domain Plan and Contributions Plan.

### Pedestrian Bridges

In order to improve pedestrian movement from the proposed high density residential development to the Castle Hill commercial area and Castle Hill Railway Station two pedestrian bridges are proposed at the following locations:

- Pedestrian Bridge 1 (Northern Bridge)  
The northern pedestrian bridge will cross Pennant Street, from Eric Felton Reserve to the Castle Towers site, on the eastern side of the junction of Pennant Street, Old Castle Hill Road and McMullen Avenue.
- Pedestrian Bridge 2 (Southern Bridge)  
The southern pedestrian bridge will cross Pennant Street, from the northern side of Castle Street to the Castle Towers site, near the current Castle Hill Police Station.

### **Economic Impact**

While the planning proposal will not generate any large retail shops, the provision of R1 General Residential Zone will provide additional local employment opportunities for residents close to home and a major transport node. Redevelopment of the Precinct will strengthen the centre with the provision of more local shops and improved pedestrian links to existing services and retail.

### **SECTION D: STATE AND COMMONWEALTH INTERESTS**

#### *10. Is there adequate public infrastructure for the planning proposal?*

Utility providers including Sydney Water, Endeavour Energy and Telstra were consulted during the exhibition period and raised no objections to the proposal.

#### *11. What are the views of State and Commonwealth Public Authorities consulted in accordance with the gateway determination, and have they resulted in any variations to the planning proposal?*

The Gateway Determination required consultation with the following public authorities in accordance with section 56(2)(d) of the Act:

- Ambulance Service of NSW;
- Endeavour Energy;
- Transport for NSW;
- Fire and Rescue NSW;
- Transport for NSW – Roads and Maritime Services;
- State Emergency Service;
- Sydney Water; and
- Telstra.

Consultation was also undertaken with the following public authorities, not mentioned within the Gateway Determination:

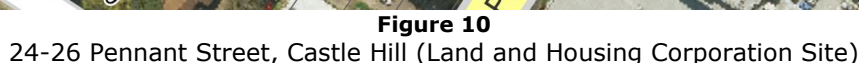
- Office of Environment and Heritage;
- Office of Water;
- NSW Department of Education and Communities; and
- NSW Health Western Sydney Local Health District.



- Office of Environment and Heritage;
- Western Sydney Local Health District;
- Endeavour Energy;
- NSW Environment Protection Authority;
- Land and Housing Corporation;
- Sydney Water Corporation;
- NSW Department of Education – School Infrastructure NSW; and
- Transport for NSW and the Roads and Maritime Services (Combined).

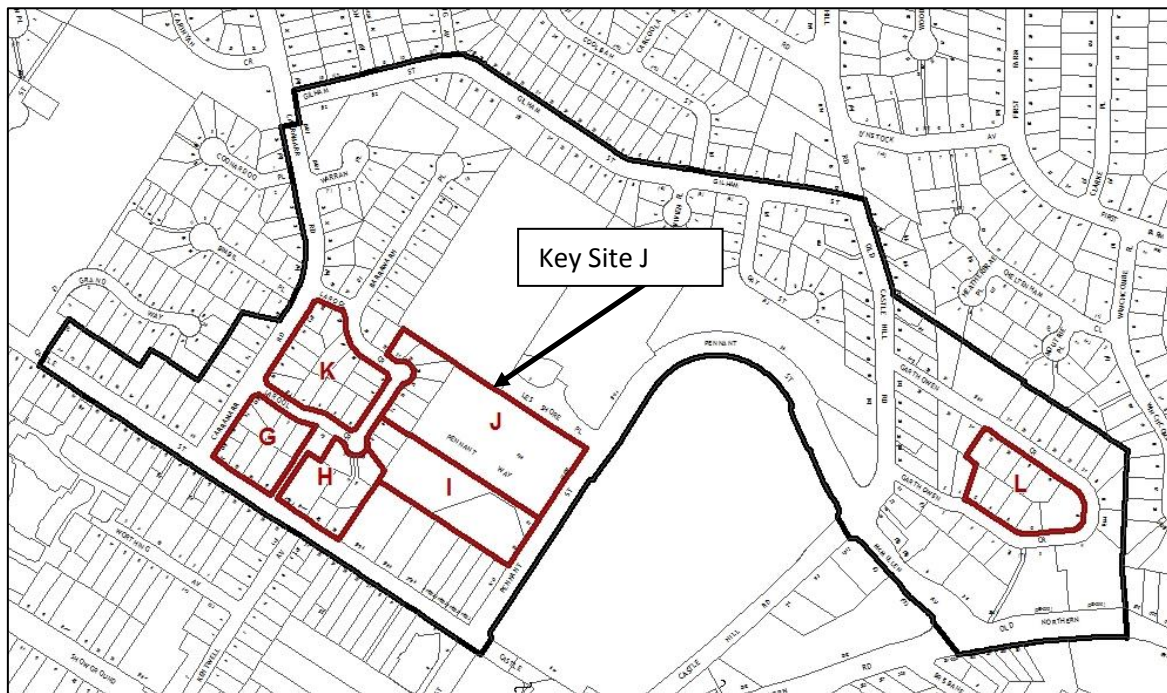
The Land and Housing Corporation and Transport for NSW/RMS (combined) objected to the Proposal. Details regarding the public authority objections are included below. The remaining public authorities raised no objection to the proposal.

The Land and Housing Corporation raised a 'landowner' objection to the Planning Proposal as far as it relates to 24-26 Pennant Street, Castle Hill. The subject site is identified below.



The Planning Proposal seeks to rezone the site from R3 Medium Density Residential to R4 High Density Residential and apply a Base FSR of 1:1 and an Incentive FSR of 2.2:1 (subject to compliance with Housing Diversity). A further 20% floor space bonus applies to the site via a Key Site provision ('Key Site J'), which would be available subject to the amalgamation of the site with the adjoining medium density development along Larool Crescent, the provision of a through site pedestrian link with a minimum width of 10 metres to connect Larool Crescent to Les Shore Place and the provision of active

frontages to Pennant Street at the ground level. The area that is subject to the key site provision is included below.



**Figure 11**  
Key Site Map

#### Key Site Provision

LAHC have noted that within the exhibited Planning Proposal the criteria for Key Sites I and J were inadvertently swapped. Furthermore, the submission states that the intent of the provision is to amalgamate the 6 individual lots fronting Larool Crescent and provide a through site pedestrian link and active street frontage to Pennant Street. LAHC have raised concern that the manner in which the key site provision is structured will force the amalgamation of the subject site with the 6 individual lots fronting Larool Crescent which would be difficult to achieve due to the financial outlay required to purchase each property which is compounded by the expectations created by recent property sales in the area.

The submission also notes that the amalgamation of the 24-26 Pennant Street is not required to achieve the renewal of Larool Crescent, as these lots could be developed under the proposed controls. Further, even if amalgamated, the lots would still likely be effectively separated from 24-26 Pennant Street given the difference in zoning and likely future scale of development. The principal benefit to amalgamation would be to deliver a through site link through to Larool Crescent. However the delivery of the link would require just one of the lots adjoining 24-26 Pennant Street. In this regard the submission recommends the following:

- Update the criteria to swap the criteria for Key Sites I and J;
- Amend the Key Site Map to remove the Larool Crescent lots from Area J;
- Maintain the 20% bonus for providing a publicly accessible through site pedestrian link from Les Shore Place to Larool Crescent;
- Increase the proposed incentive FSR on 24-26 Pennant Street by 0.1:1 (from 2.2:1 to 2.3:1) - This is equivalent to the resultant FSR increase if a single lot were added to the site area of 24-26 Pennant Street and the 2.2:1 incentive FSR applied. Justification provided by LAHC is that this increase in FSR would offset the cost of acquiring an additional lot and would partially avoid a loss in social housing as a result of the acquisition.



**Comment:**

The incorporation of the lots along Larool Crescent within the larger Key Site was undertaken to improve the viability of the terrace product being delivered at this location. The viability of terraces would be improved if the sites were incorporated into a larger residential development comprising a mix of high and medium density housing. There are clear strategic benefits in having an amalgamated development site at this location, all of which would be lost if the area of the Key Site is reduced to exclude the lots fronting Larool Crescent. If LAHC do not wish to incorporate the land along Larool Crescent into their development then they will simply not be eligible for the 20% floor space bonus.

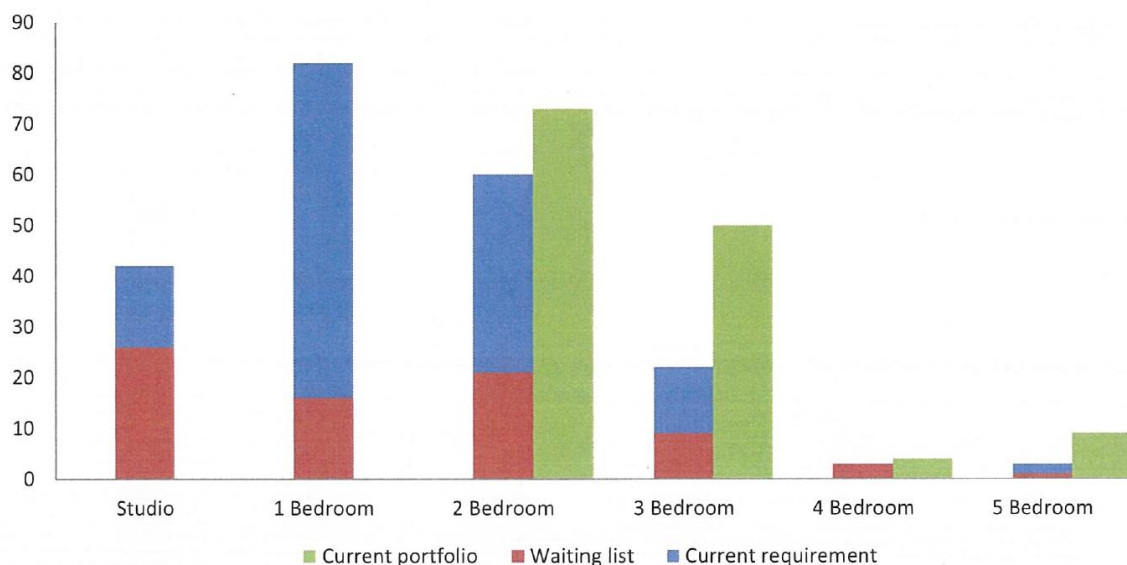
Furthermore the request by LAHC to increase the FSR from 2.2:1 to 2.3:1 is not considered to be necessary. The FSRs have been established having regard to the overall serviceable yield within the Precinct. The incentive FSR of 2.2:1 would be achievable if future development complied with Housing Diversity. A further 20% floor space bonus would be possible if the key site is amalgamated. Accordingly, increasing the Incentive FSR to compensate LAHC for the acquisition of additional sites, when a further 20% floor space bonus already applies, is not considered to be necessary.

The submission is correct in that the exhibited Planning Proposal inadvertently swapped the criteria for Key Sites I and J. Accordingly, the Planning Proposal has been amended to swap the Key Site criteria for sites I and J. With respect to the Key Site Map and Incentive FSR it is considered appropriate that these remain as exhibited. It is considered that the exhibited standards will facilitate a viable high density development outcome on the site. If LAHC do not intend to amalgamate with the lots along Larool then they can simply develop at the incentive FSR, and will not be eligible for the 20% floor space bonus. Nothing in the proposal obligates LAHC to amalgamate with the adjoining sites.

**Dwelling Mix and Diversity Provision**

LAHC also raised objection to the application of the housing diversity provision to public housing dwellings.

The submission noted that there is currently no studio or 1 bedroom public housing dwellings in The Hills Shire LGA whereas there is demand for at least 120 dwellings of this size. Conversely, the existing LAHC portfolio in the Shire contains twice the number of 3 bedroom dwellings than are currently required. The following graph compares the total social housing demand in The Hills Shire LGA for each dwelling type, in comparison with the current dwellings in the LAHC portfolio. The blue and red columns represent the total demand for each dwelling type (current and future tenants), while the green column represents the current LAHC housing portfolio in The Hills LGA.



**Figure 12**

Total Demand vs. Existing Supply of Land and Housing Corporation Dwellings in The Hills Shire

With respect to future redevelopment of the subject site, LAHC advised that it would be delivered through the Communities Plus program which delivers mixed communities, with a blend 20-30% of the future dwellings on their site being social housing, with the remaining dwellings being private and affordable dwellings.

Whilst the LAHC advised that they are supportive of housing diversity they suggested that the application of the apartment mix and size requirement through the incentive provision would not enable the incentive FSR to be achieved whilst also meeting the required social housing provision. To address this the submission proposed that the social housing component of any development be excluded from Council's housing diversity clause, noting that private and affordable housing within the development (70-80% of dwellings) would still need to comply with the housing diversity requirements.

To address this, the LAHC requested an amendment to Clause 7.12 Development on Certain Land within the Sydney Metro Northwest Urban Renewal Corridor to Specify that the mix, size and car parking provision does not apply to dwellings that are provided for social housing which is owned or leased by the Land and Housing Corporation, and managed by a social housing provider as listed in the *State Environmental Planning Policy (Affordable Rental Housing) 2009*.

LAHC proposed that the above approach would ensure that the private and affordable housing dwellings within the development will continue to be subject to the housing diversity provision, and would also ensure that other 'affordable housing developments' within the railway corridor, that are not owned by LAHC, would still be entirely bound by the housing diversity and car parking requirement within the incentive provision.

**Comment:**

Based on the exhibited standards, the following yields would be achievable on the site:

- Base FSR (FSR 1:1) – 15,330m<sup>2</sup> Gross Floor Area – 170 dwellings (approx.);
- Incentive FSR (FSR 2.2:1) – 33,726m<sup>2</sup> Gross Floor Area – 337 dwellings (approx.);
- 20% GFA Bonus (FSR 2.64:1) – 40,471m<sup>2</sup> Gross Floor Area – 404 dwellings (approx.).

It is noted that development incentives exist within the *State Environmental Planning*

*Policy (Affordable Rental Housing) 2009* for the provision of affordable housing. Broadly, the incentive provides additional floor space potential over and above the existing maximum FSR applicable to the site for the provision of affordable housing. If the existing maximum FSR is greater than 2.5:1 (as is the case with the subject site through the Key Site provision), the additional GFA potential would be scaled depending on the percentage of Gross Floor Area (GFA) allocated to affordable housing, capped at 20% of GFA.

A summary of the possible additional GFA resulting from the affordable housing incentive is included in the following table.

<b>Affordable Housing (% of GFA)</b>	<b>Affordable Housing Bonus GFA (% Bonus)</b>	<b>Equivalent Fully Incentivised FSR</b>	<b>Total GFA</b>	<b>Dwellings (assuming an average size of 100m<sup>2</sup> GFA)</b>	<b>No 1 bedrooms (Assuming 25% 1 bedroom)</b>
0%	0%	2.64	40,471m <sup>2</sup>	404	101
10%	4%	2.74	42,004m <sup>2</sup> (+1,533m <sup>2</sup> )	420 (+15 units)	105
20%	8%	2.85	43,691m <sup>2</sup> (+3,219m <sup>2</sup> )	437 (+32 units)	109
30%	12%	2.95	45,224m <sup>2</sup> (+4,752m <sup>2</sup> )	452 (+48 units)	113
40%	16%	3.06	46,910m <sup>2</sup> (+6,439m <sup>2</sup> )	469 (+64 units)	117
Greater than 50% affordable housing	20% (Capped)	3.16	48,443m <sup>2</sup> (7,972m <sup>2</sup> )	484 (+80 units)	121

**Table 2**  
Potential Affordable Housing Bonus – SEPP (Affordable Rental Housing)

It is noted that any additional floor space incentive given for the delivery of affordable housing through the Affordable Housing SEPP will need to be assessed on its merits through the development assessment process which will have regard to the built form outcome and impacts on the amenity of adjoining sites. The above table does not predetermine the outcome of such an assessment.

When accounting for the housing diversity incentive, 20% bonus (via the pedestrian link and active street frontages), and the affordable housing bonus through the Affordable Housing SEPP, the resulting yield and mix would provide a significant proportion of the existing demand for 1 bedroom dwellings by the LAHC. In this regard the request that the Housing Diversity provision be amended to not apply to social housing is not considered to be necessary. There is no need to erode the integrity of the housing diversity provision in this instance as it will still facilitate a yield and mix which is appropriate for the site.

The main issue with this approach is that a vast majority of the 1 bedroom apartments within the development would be fully taken up by social housing, and that future development on the site could result in a yield in excess of what has been planned for through the contributions plan. As a result there is unlikely to be many private 1 bedroom units within the development. However, this should not be a significant issue as there will be a sufficient diversity of public and private dwellings within the overall development, and an appropriate mix of apartment types and sizes to ensure that the development provides an appropriate social outcome.

For the reasons outlined above no change is proposed to the housing diversity provision to exempt social housing from complying with the development standards contained within the provision.

## **b) Transport for NSW and the Roads and Maritime Services (Combined)**

The combined submission from Transport for NSW and Roads and Maritime Services raised a number of key concerns with respect to traffic and transport infrastructure. These are further detailed in the sections below.

### Traffic Analysis

The submission requested that Council undertake traffic modelling and prepare a Transport Management and Accessibility Plan (TMAP) to assess traffic impacts of the proposal on the regional transport network and any improvements needed. It further requested the TMAP consider cumulative impacts of other known developments including Castle Towers Stage 3, Castle Hill Station Kiss and Ride trips, Pennant Street Target Site and Castle Hill South. The submission advises that Council may use the mesoscopic model developed by Transport for NSW for the Sydney Metro Northwest Corridor in preparing the traffic analysis. The submission also suggests that funding should be considered depending on the nexus with development in the Precinct and discussions for funding opportunities should be undertaken with developers.

### **Comment:**

Whilst the need to consider precinct-wide traffic impacts is acknowledged, the State Government's 2013 North West Rail Link Corridor Strategy identified substantial growth within all rail precincts along the Sydney Metro Northwest Corridor. The traffic analysis requested by Transport for NSW and RMS should have already been completed as a State Government responsibility and it is unreasonable that the requirement (and costs) of further detailed modelling be passed on to Council or developers.

Transport for NSW have provided Council with a copy of the mesoscopic model, however this model only provides the base case scenario, not the underlying assumptions, development uptake scenarios or other data that would allow Council to use the model effectively. Transport for NSW and RMS are the key agencies responsible for the arterial road and transport network and it is their responsibility to plan for upgrades to these networks to support growth. Council has a responsibility to plan for the delivery of local infrastructure to accommodate growth and has included necessary items for the Precinct within the draft Contributions Plan.

Other station precincts in the Sydney Metro Northwest Corridor have been rezoned without the cumulative, precinct level traffic and transport studies that have been requested by the RMS for this proposal. By contrast, the Showground Precinct has only been supported by a very high level Transport Plan prepared by Transport for NSW, which does not include any traffic analysis or long term road network responses to the cumulative increases in development uplift. It does not include timing, funding mechanisms or trigger points for the infrastructure items identified. The expectation from Transport for NSW and RMS that Council should be responsible for detailed traffic and infrastructure planning work when this has not be required for other precincts is unreasonable.

As part of the master planning for the Castle Hill North Precinct analysis has been undertaken by Council to consider traffic impacts associated with the expected future growth in this precinct. This analysis found that redevelopment of the area for higher density development would not have a significant impact subject to certain amendments to lane widths on Castle Street, Old Castle Hill Road and Pennant Street.

The performance of the existing road network within and surrounding the precinct is largely dependent on the operating performance of a few key intersections, which are critical capacity control points in the network. Traffic management measures including both road widening and intersection improvements are proposed to achieve satisfactory traffic outcomes as a result of future development. Roundabouts at four (4) key

intersections are proposed to meet future vehicular demand whilst ensuring an acceptable level of access, safety and convenience for all street and road users within the Castle Hill North Precinct. These intersections include:

- Carramarr Road/Castle Street;
- Gilham Street/Carramarr Road;
- Gilham Street/Old Castle Hill Road; and
- Old Castle Hill Road/ Garthowen Crescent.

Additionally, it is proposed that the junction of Old Northern Road/McMullen Avenue be upgraded/ re-aligned to provide a four-way intersection with Brisbane Road. This will provide a much safer intersection for traffic accessing and departing both McMullen Avenue and Brisbane Road. Furthermore, road widening is proposed for Castle Street, Old Castle Hill Road and Garthowen Crescent to ensure that sufficient road reserve is provided to facilitate safe and efficient traffic flow, on-street parking (where required) and improved pedestrian verge widths. Given these upgrades, it is considered that Council has satisfactorily fulfilled its responsibility in planning for local traffic infrastructure in association with the development of the Castle Hill North Precinct.

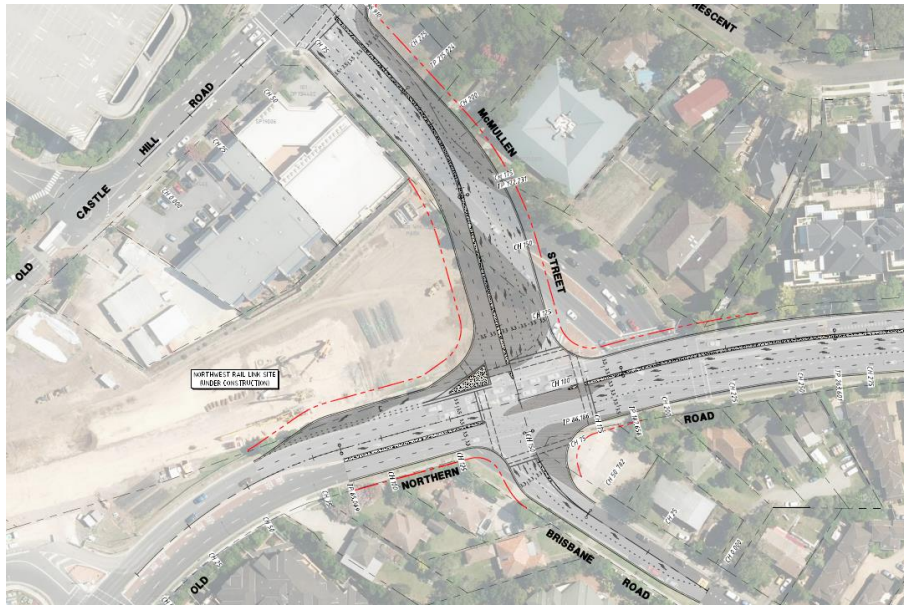
#### Realignment of Old Northern Road and McMullen Avenue

The submission noted that the realignment Old Northern Road/McMullen Avenue/Brisbane Road as a four way signalised intersection will likely impact on weekday and weekend peak hour performance of the State road network surrounding Castle Hill CBD. Appropriate modelling has been requested to demonstrate that acceptable performance can be achieved or the item be deleted from the draft contributions plan.

#### **Comment:**

It is considered that the realignment of this intersection will improve the overall safety and performance of the road network within Castle Hill centre. An indicative Plan showing the possible realignment of the intersection is included in the following figure. The intersection is one of the principal points at which vehicles generated from within the Castle Hill North Precinct will access the arterial road network. The additional traffic volume resulting from the future development within Castle Hill North, Castle Hill South and broader increases in regional traffic volume are considered sufficient enough to warrant an upgrade to this intersection. The provision of a four way signalised intersection will provide a much safer intersection for traffic accessing and departing both McMullen Avenue and Brisbane Road.





**Figure 13**

Possible Concept – Realignment of Old Northern Road, Brisbane Road and McMullen Avenue

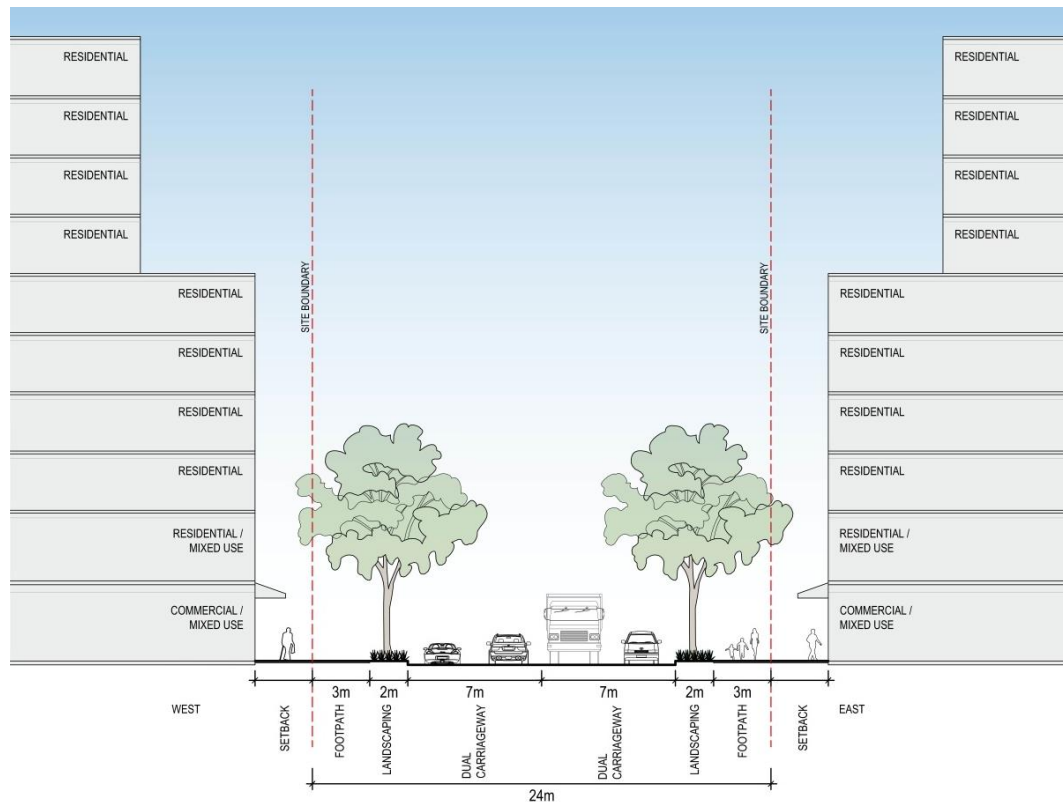
The submission by Transport for NSW and RMS does not include evidence to demonstrate that the proposed intersection treatment would result in an unacceptable impact on the regional road network. As noted above, it is considered an unreasonable request that Council be required undertake further analysis when impacts on the regional road network and solutions should have already been identified by the State government in response to the anticipated growth identified in the North West Rail Link Corridor Strategy. Accordingly, deletion of this item from the Contributions Plan is not considered to be warranted until sufficient evidence has been made available by the State Government to justify its removal.

#### Local Bus Services

The submission notes that given most of the precinct is further than 400m from the station (and some further than 800m) there may be a need for regular 'local' bus services within the precinct. The submission requests Council's assistance to ensure buses can run through the precinct by designing Castle Street and Carramar Road with 3.5m travel lanes and sufficient width in the kerbside lane to allow cars to park without obstructing bus movements. The submission further requests that the road reservation for Castle Street and Old Castle Hill Road be reallocated to achieve one travel lane of 3.5m and an increased parking lane of 2.5m to 3m to support efficient traffic and bus movements.

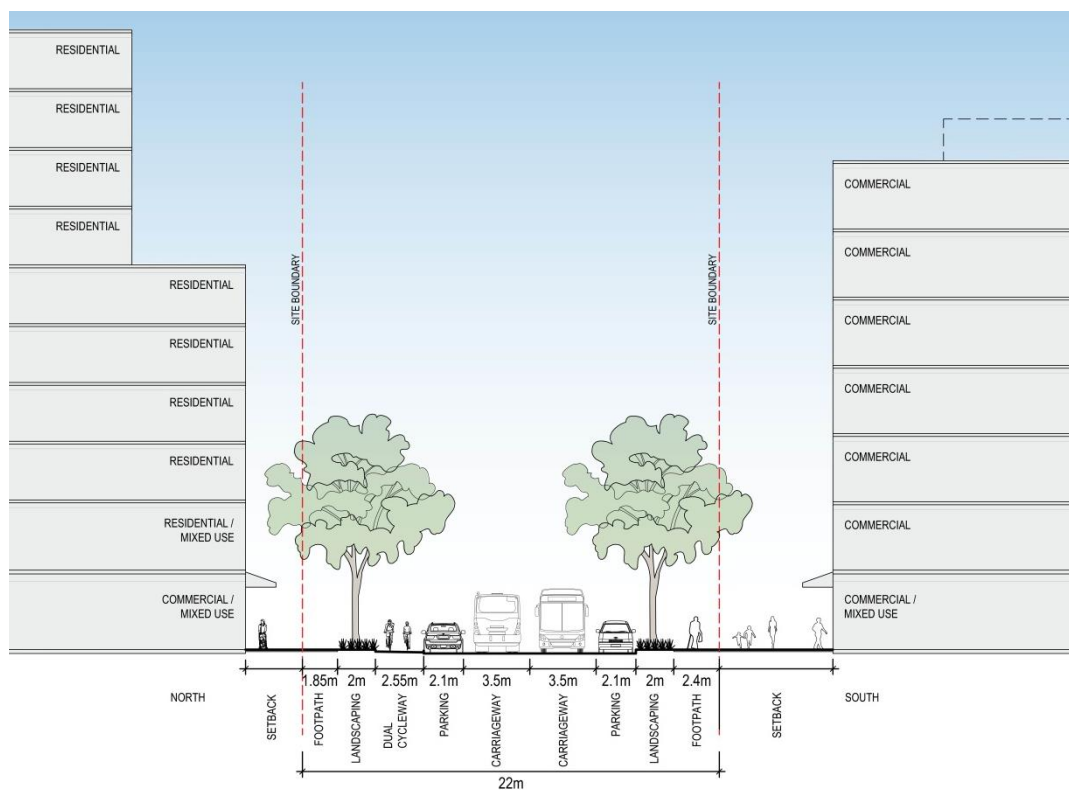
#### **Comment:**

It is considered appropriate to facilitate safe and efficient local bus services through the precinct. Given the planned widening of Castle Street and Old Castle Hill Road, it is considered reasonable to redistribute the profile to provide 3.5m travel lanes along these roads, consistent with the desirable lane widths within the NSW Transit Bus Infrastructure Guide. For Old Castle Hill Road, it is proposed to remove the proposed 1.2m median, given that the exhibited median width is not of sufficient size to support significant landscaping, and reallocate the space to provide 3.5m travel lanes in each direction. For Castle Street, it is proposed to slightly reduce the proposed width of the northern verge by 0.5m and reallocate the space to provide two 3.5m travel lanes. The remaining verge would be 3.85m wide which still provides sufficient width for a footpath and landscaping. Whilst the verge width has been reduced, buildings will be setback 3m from the property boundary and a 2.55m bike lane will be provided along the northern side of the roadway which provides sufficient separation between pedestrians and vehicular traffic. The revised street profiles are provided below.



**Figure 14**

Proposed Road Section with Increased Lane Widths – Old Castle Hill Road



**Figure 15**

Proposed Road Section with Increased Lane Widths – Castle Street

It is not proposed to widen the road reservation of Carramar Road as part of the Castle Hill North Planning Proposal. Therefore, it is not possible to provide the requested

additional lane width. Should Transport for NSW and RMS wish to provide additional lane width to facilitate bus accessibility along this road, they could investigate acquiring this land through a separate process.

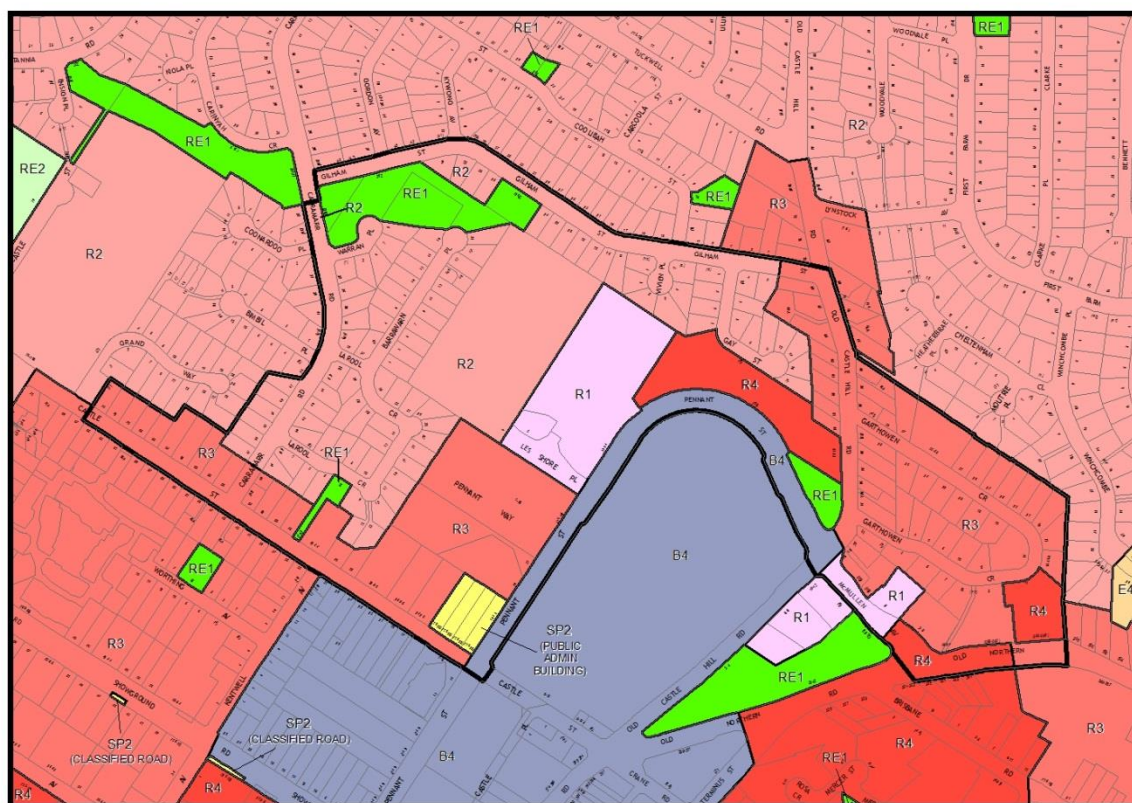
The proposed request to increase the parking lane width on Castle Street is also not considered necessary. The southbound approach to the station along this road includes a 2.1m parking lane and an adjoining 2.55m dual cycleway. A bus stop could be designed that slightly extends into the cycleway permitting buses to pull completely out of the travel lane, supporting the efficient flow of traffic in the adjoining lane.

## PART 4 MAPPING

The planning proposal seeks to amend Land Use Zone Map, Building Height Map and Floor Space Ratio Map of *The Hills Local Environmental Plan 2012*. The planning proposal subsequently introduces a Floor Space Ratio Incentives Map and Proposed Key Sites Map.

## Existing Land Zoning Map

The Precinct is currently zoned RE1 Public Recreation, R1 General Residential, R2 Low Density Residential, R3 Medium Density Residential, R4 High Density Residential and SP2 Infrastructure.



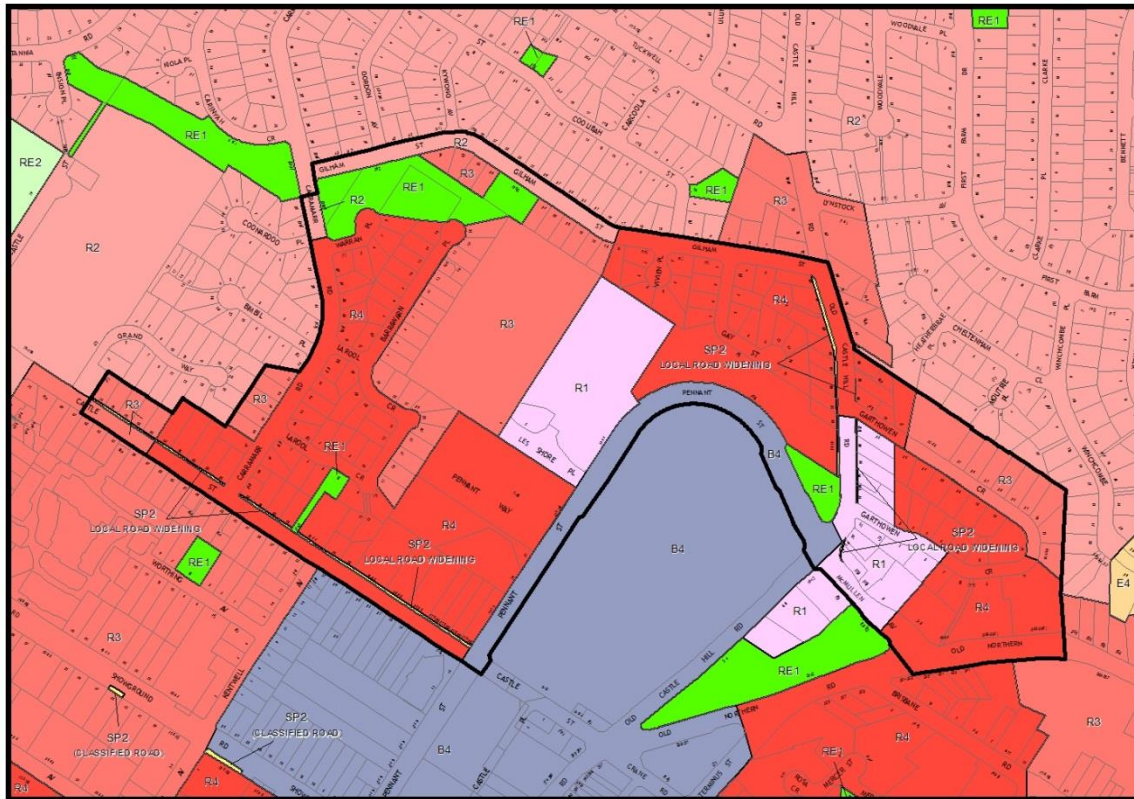
### Land Zoning (LZN)

B4	Mixed Use	R2	Low Density Residential	RE1	Public Recreation
E4	Environmental Living	R3	Medium Density Residential	RE2	Private Recreation
R1	General Residential	R4	High Density Residential	SP2	Infrastructure



## Proposed Land Zoning Map

The planning proposal seeks to rezone the Precinct R1 General Residential, R3 Medium Density Residential, R4 High Density Residential and SP2 Infrastructure. No change is proposed to the RE1 Public Recreation Zone.



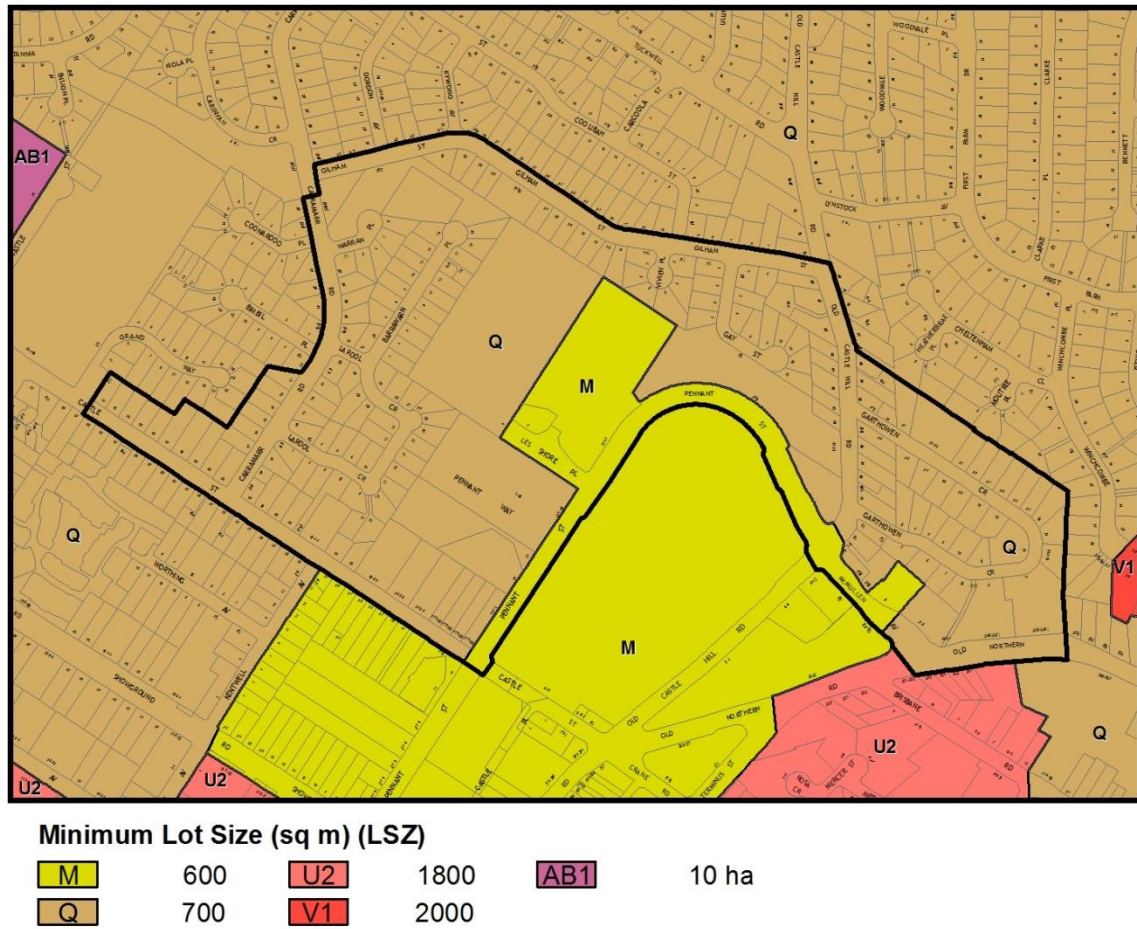
### Land Zoning (LZN)

<b>B4</b>	Mixed Use	<b>R2</b>	Low Density Residential	<b>RE1</b>	Public Recreation
<b>E4</b>	Environmental Living	<b>R3</b>	Medium Density Residential	<b>RE2</b>	Private Recreation
<b>R1</b>	General Residential	<b>R4</b>	High Density Residential	<b>SP2</b>	Infrastructure



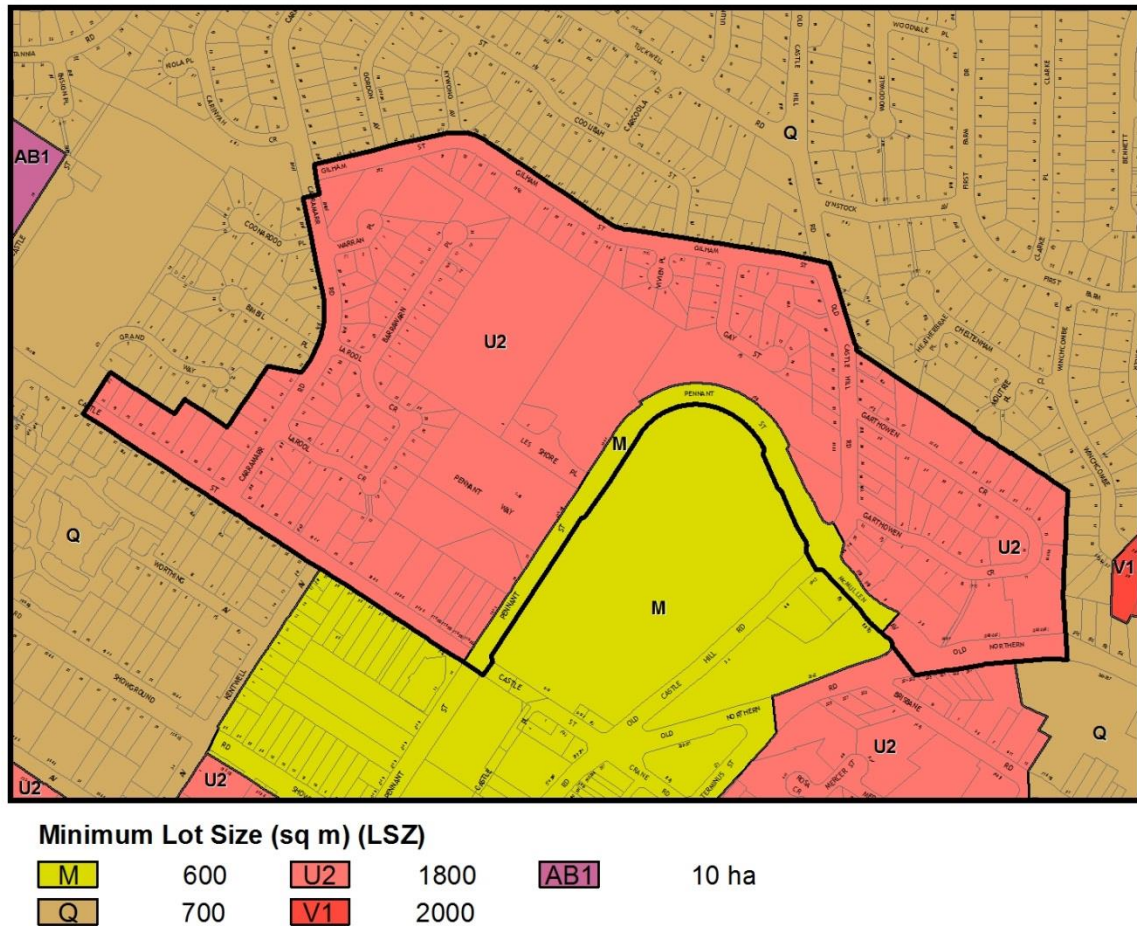
## Existing Minimum Lot Size Map

The Precinct currently has a minimum lot size of 600m<sup>2</sup> and 700m<sup>2</sup>.



The proposal seeks to amend the minimum lot size to be 1800m<sup>2</sup> in the Precinct.

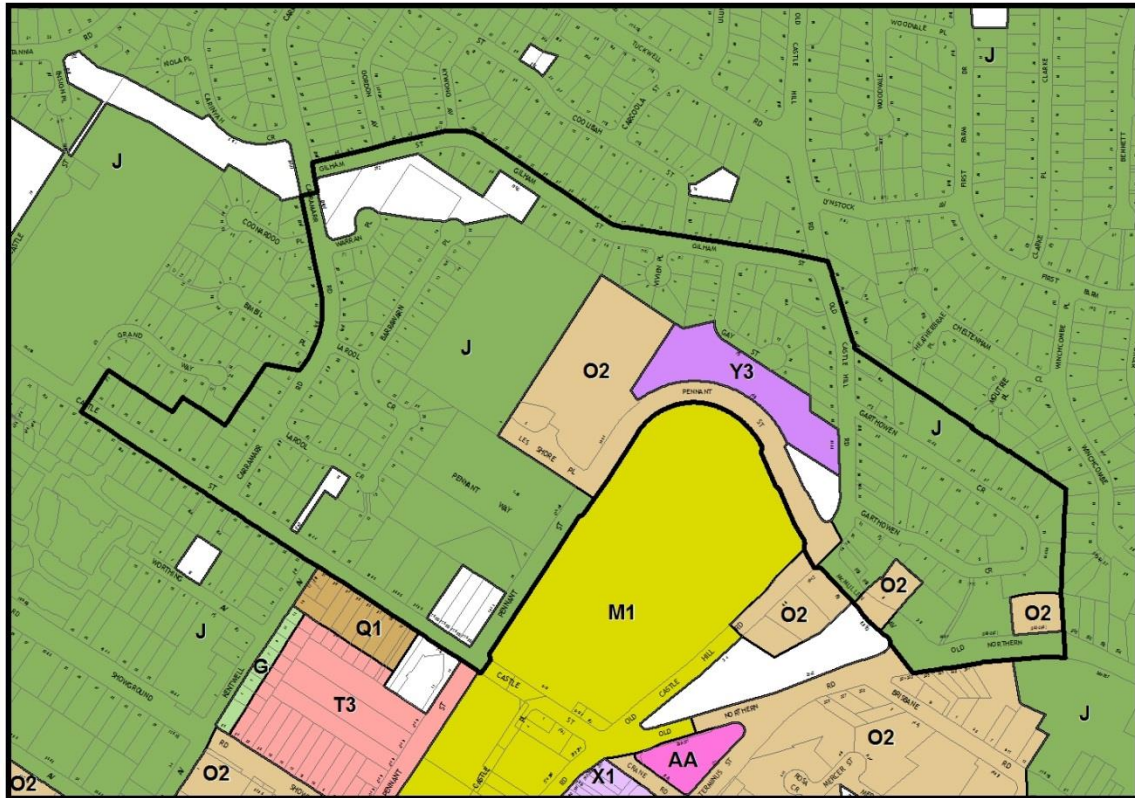
The proposal seeks to amend the minimum lot size to be 1800m<sup>2</sup> in the Precinct.





## Existing Height of Building Map

The Precinct is subject to maximum building height of predominately 9 metres, with 16 metres on land that currently allows for residential flat buildings. The Pennant Street Target site is identified as 54 metres. It was subject to a separate planning proposal process.

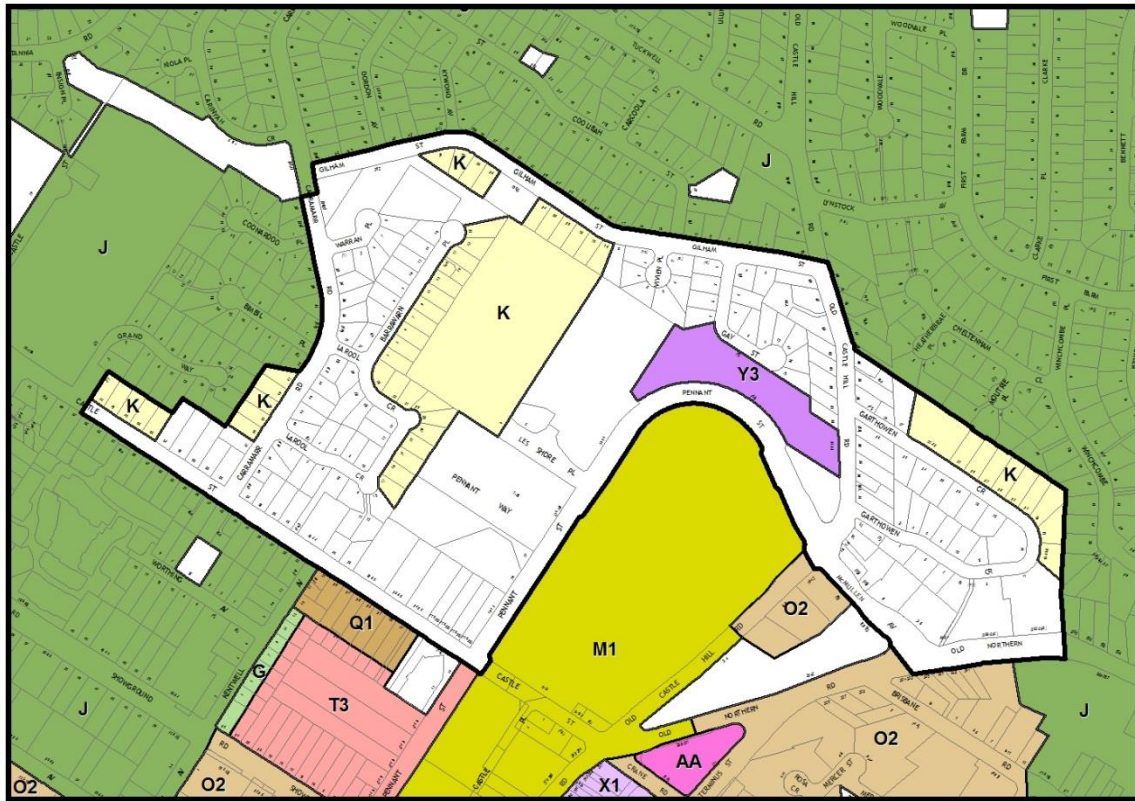


### Height of buildings (m) (HOB )

G	7.0	M2	12.5	T3	28.0	AA	68.0
J	9.0	O2	16.0	X1	45.0		
M1	12.0	Q1	19.0	Y3	54.0		

## Proposed Height of Building Map

The proposal seeks to amend the height of buildings map by removing the maximum building height control for the majority of sites and relying on the floor space ratio controls and development controls to manage built form outcomes. A height of 10 metres is proposed for sites zoned R3 Medium Density Residential and for the Castle Hill Public School.



Height of buildings (m) (HOB )

<b>G</b>	7.0	<b>K</b>	10.0	<b>Q1</b>	19.0	<b>Y3</b>	54.0
<b>I</b>	8.0	<b>M1</b>	12.0	<b>T3</b>	28.0	<b>AA</b>	68.0
<b>J</b>	9.0	<b>O2</b>	16.0	<b>X1</b>	45.0		

Apart from the Pennant Street Target Site which was subject to a separate planning proposal process, the precinct has two sites subject to a maximum floor space ratio of 1:1.



N	1.0	V1	3.0	Z2	5.5
U2	2.7	W	3.8	AA	6.4



The proposal seeks to amend the Floor Space Ratio Map by applying a range of floor space ratios to the precinct. An extract of the proposed Floor Space Ratio Map is included below.



N	1.0	U2	2.7	W	3.8	AA	6.4
O	1.1	V1	3.0	Z2	5.5		Area A

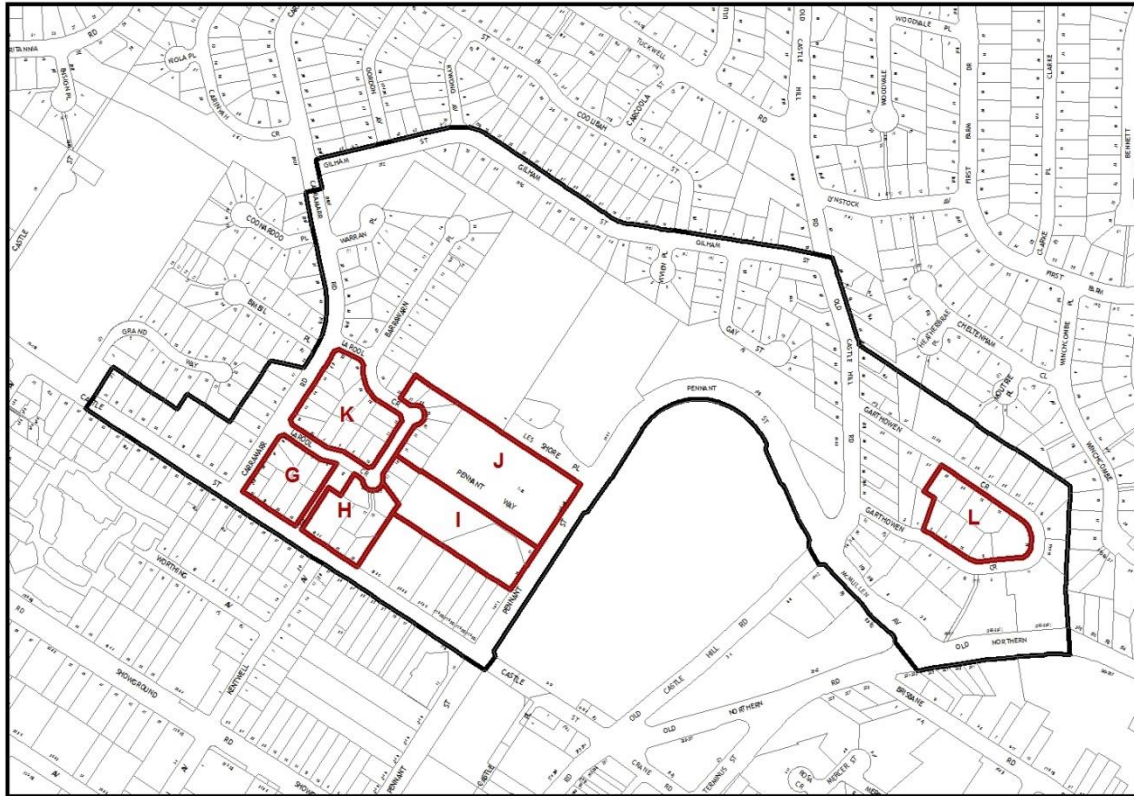
The proposal seeks to introduce the Floor Space Ratio Incentive Map by applying a range of floor space ratios to the precinct that can be used when particular requirements stipulated in the written instrument are met, such as apartment size, mix and car parking. An extract of the proposed Floor Space Ratio Incentive Map is included below.



P	1.2	S3	1.92	T2	2.04	U2	2.88	X2	4.8
S1	1.54	T1	2.0	T3	2.2	X1	4.3		

## Key Sites Map

The proposal seeks to include particular sites on the Key Sites Map to identify properties where particular outcomes and key public domain improvements are incentivised via a new clause in the written instrument (refer to Attachment C). An extract of the proposed Key Sites Map is included below. Land identified on the following map would be eligible for a 20% bonus floor space (over and above the incentive FSR) if development complies with the criteria included within the key site provision.



## Key Sites Map

 Area G	 Area I	 Area K
 Area H	 Area J	 Area L

## PART 5 COMMUNITY CONSULTATION

Of the 73 public submissions received during the exhibition period, 46 commented specifically on the Castle Hill North Precinct and 28 submissions commented on the proposed playing fields at Glenhaven. The comments raised during the exhibition period are quite broad and relate to a number of different aspects of the draft plans. For simplicity the matters have been categorised as follows:

**A. Castle Hill North (General)**

Key issues include: Traffic Congestion and Parking; Road Widening along Garthowen Crescent; Objection to Density and Height of Buildings; Inconsistency between Hills Corridor Strategy Densities and Castle Hill North Controls; Impact on Heritage (Garthowen House); Capacity of Existing Schools; Lack of Open Space (Parks and Playing Fields); Privacy; and Overshadowing.

**B. Castle Hill North (Requests to be included in the precinct)**

A number of submissions made requests for sites to be included in the precinct. These include land in the vicinity of Grand Way and land around Worthing / Kentwell Avenue.

**C. Castle Hill North (Requests for amended planning controls)**

A number of submissions made requests for amendments to the proposed standards and planning controls for sites within the precinct. These include the land bound by Gay Street, Gilham Street and Old Castle Hill Road; Barrawarn Place; 15-31 Garthowen Crescent; land bound by Larool Crescent and Carramar Road; 55 Old Castle Hill Road; and 24 to 30 Old Castle Hill Road and 2, 24 and 28 Garthowen Crescent.

**D. Playing Fields**

Key issues raised in relation to the exhibited playing fields include Consideration of Alternative Sites; Lack of Consultation; Proximity to Castle Hill; Traffic Congestion and Parking (Including Safety); Concern Regarding Acquisition Value (Availability of Funds); Relationship with the North Glenhaven Precinct; Impact on Rural Lifestyle and Amenity (Lights and Noise); Impact on Property Values; Impact on Glenhaven Rural Fire Service; Antisocial Behaviour; and Topography.

Further details on each of the key issues raised and planning comments for each are provided as part of the Council Report in Attachment D.

A summary of post exhibition amendments to the planning proposal is also provided as part of the Council Report in Attachment D.

## PART 6 PROJECT TIMELINE

STAGE	DATE
Commencement Date (Gateway Determination)	November 2016
Commencement of government agency consultation and public exhibition	August 2017
Completion of public exhibition period	September 2017
Timeframe for consideration of submissions	November 2018



Timeframe for consideration of proposal post exhibition	November 2018
Report to Council on submissions	November 2018
Date Council will forward to department for finalisation	December 2018