

Castle Hill North Precinct (FP38)

Proposal Title : **Castle Hill North Precinct (FP38)**

Proposal Summary : **A planning proposal to rezone land in the Precinct from R1 General Residential and R2 Low Density Residential to R1 General Residential, R3 Medium Density Residential and R4 High Density Residential applying minimum lot size of 1800m2 across the precinct; varying maximum floor space ratio standards and maximum height of buildings; and amending clauses 4.4 and 7.7 in respect to floor space ratios and Design Excellence.**

PP Number : **PP_2016_THILL_002_00**

Dop File No : **16/03242**

Proposal Details

Date Planning : **25-Oct-2016**

LGA covered : **The Hills Shire**

Proposal Received :

Region : **Metro(Parra)**

RPA : **The Hills Shire Council**

State Electorate : **CASTLE HILL**

Section of the Act : **55 - Planning Proposal**

LEP Type : **Spot Rezoning**

Location Details

Street :

Suburb :

City :

Postcode :

Land Parcel : **Various lands located within the Castle Hill North Precinct generally bounded by Gilham, Castle and Pennant Streets.**

DoP Planning Officer Contact Details

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RPA Contact Details

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DoP Project Manager Contact Details

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Land Release Data

Growth Centre : **N/A**

Release Area Name : **N/A**

Regional / Sub : **Metro North West subregion**

Consistent with Strategy : **Yes**

Regional Strategy :

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MDP Number :		Date of Release :	
Area of Release (Ha)	30.50	Type of Release (eg Residential / Employment land) :	Residential
No. of Lots :	0	No. of Dwellings (where relevant) :	2,818
Gross Floor Area :	0	No of Jobs Created :	0

The NSW Government Lobbyists Code of Conduct has been complied with : **Yes**

If No, comment :

Have there been meetings or communications with registered lobbyists? : **No**

If Yes, comment :

Supporting notes

Internal Supporting Notes :

External Supporting Notes : **On the 25 October 2016 the Hills Shire Council agreed to a methodology to facilitate delivery of mixed apartment sizes whilst ensuring that Government expectations for overall yield within the North-west corridor are achieved. The Gateway determination has been conditioned to apply the methodology.**

Adequacy Assessment

Statement of the objectives - s55(2)(a)

Is a statement of the objectives provided? **Yes**

Comment : **The main objective of the planning proposal is to allow medium and high density residential development within walking distance of Castle Hill railway station.**

Additional objectives are to achieve a high standard of building quality, to create a pedestrian-friendly public domain, 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'. Some of these objectives will be met through the associated development control plan rather than through the planning proposal.

Explanation of provisions provided - s55(2)(b)

Is an explanation of provisions provided? **Yes**

Comment : **The planning proposal seeks to amend The Hills Local Environmental Plan 2012 by:**

- rezoning the subject land from part R1 General Residential, part R2 Low Density Residential, part R3 Medium Density Residential and part SP2 Infrastructure (Public Admin Building) to part R1 General Residential, part R3 Medium Density Residential and part R4 High Density Residential;**
- applying a minimum lot size of 1800m2 to the subject land;**
- applying maximum floor space ratios ranging from 0.6:1 to 2.4:1 to the subject land;**
- applying a maximum height of 10m for land zoned R3 Medium Density Residential in the precinct;**
- removing the height of building standard for land zoned R1 General Residential and R4 High Density Residential in the precinct;**

- applying The Hills Shire Council's intended local incentives provisions by adding the subject land to clause 4.4 Floor Space Ratio (applying a range of 1.2:1 to 4.8:1 for development that meets Council's desired criteria for unit size, character and parking rates) and adding a further floor space ratio incentive for site amalgamation; and
- amending clause 7.7 Design Excellence to apply to all residential development of at least 25m (throughout the local government area), to introduce more specific requirements for design excellence and to reduce non-Council involvement in design excellence panels.

Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? **No**

b) S.117 directions identified by RPA :

* May need the Director General's agreement

2.3 Heritage Conservation

3.1 Residential Zones

3.4 Integrating Land Use and Transport

4.3 Flood Prone Land

6.1 Approval and Referral Requirements

6.3 Site Specific Provisions

Is the Director General's agreement required? **Yes**

c) Consistent with Standard Instrument (LEPs) Order 2006 : **Yes**

d) Which SEPPs have the RPA identified?

SEPP No 32—Urban Consolidation (Redevelopment of Urban Land)

SEPP No 65—Design Quality of Residential Flat Development

e) List any other matters that need to be considered :

Have inconsistencies with items a), b) and d) being adequately justified? **Yes**

If No, explain :

The proposal is consistent with S117 Directions except for the following:

6.3 Site Specific Provisions

Among other things, this Direction requires that a planning proposal not to impose any development standards or requirements in addition to those already contained in the principal environmental planning instrument.

The planning proposal seeks to allow medium and high density residential development within the precinct. It also seeks to introduce to include an incentive clause relating to apartment size and mix beyond those specified in SEPP 65. this is addressed in greater detail below.

SEPP No 65—Design Quality of Residential Flat Development

The planning proposal includes a local floor space ratio incentives provision that will allow significantly greater floor space ratios for development that meets Council's preferred standards on apartment size and parking rates than for development that is consistent with the minimum apartment sizes and parking rates in the Apartment Design Guide given weight by clause 30 of SEPP 65. Council's preferred standards require significantly larger apartments and significantly more parking than the Apartment Design Guide, and the planning proposal argues that these are necessary in order to cater for demographic of the LGA

Given that a key provision of the planning proposal has been drafted for the sole purpose of circumventing the provisions of a document given weight by SEPP 65, the planning proposal is, in its current form, inconsistent with SEPP 65.

The inconsistency with S117 Direction 6.3 and SEPP 65 are however minor and justified given the extensive investigation and development of a methodology between the Department and Council, which provides for both SEPP 65 and Council's incentives

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clause.

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment : Council has provided mapping that adequately identifies the site in its local context and in context with the North West Rail Link Corridor Strategy Castle Hill Structure Plan, and has provided indicative maps showing existing and proposed zoning, minimum lot size, height of buildings, floor space ratio and key sites.

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : The planning proposal does not nominate a particular timeframe for community consultation. Given the broad scope of the proposal and the number of properties affected, it is considered that an exhibition period of 28 days would be appropriate.

It is noted that the draft Castle Hill North Precinct Plan was exhibited from 20 January 2016 to 27 February 2016 and received four submissions from public authorities, nine petitions and 129 individual submissions from members of the public. The community is therefore already aware of Council's plans for the precinct, which will make for a more robust community consultation process.

Additional Director General's requirements

Are there any additional Director General's requirements? **No**

If Yes, reasons :

Overall adequacy of the proposal

Does the proposal meet the adequacy criteria? **Yes**

If No, comment :

Proposal Assessment

Principal LEP:

Due Date :

Comments in relation to Principal LEP : The Hills Local Environmental Plan 2012 is a Principal LEP.

Assessment Criteria

Need for planning proposal : The planning proposal has come about in response to a number of strategic documents, namely the North West Rail Link Corridor Strategy, The Hills Corridor Strategy, the Residential Direction in The Hills Adopted Draft Local Strategy, and most specifically the Castle Hill North Precinct Plan.

Consistency with
strategic planning
framework :

A PLAN FOR GROWING SYDNEY

Broadly, A Plan for Growing Sydney promotes growth in existing centres, acceleration of housing supply, and revitalisation of existing suburbs. It refers specifically to the North West Rail Link Corridor in Action 2.2.2 (Undertake urban renewal in transport corridors which are being transformed by investment, and around strategic centres), and says that the corridor will be a focus for increased housing, economic activity and social infrastructure, especially around centres with good public transport access and amenity. The planning proposal is consistent with these aims.

NORTH WEST RAIL LINK CORRIDOR STRATEGY

See assessment against Section 117 Direction 5.9 North West Rail Link Corridor Strategy in the Adequacy section of this report.

ADOPTED DRAFT LOCAL STRATEGY

The draft Local Strategy was adopted by The Hills Shire Council in 2008, several years prior to the announcement of the North West Rail Link. As such, the hierarchy of centres established in the Strategy's Centres Direction and Residential Direction recognised Castle Hill as a major centre but argued that it had already achieved the appropriate residential density. This was valid in the context of the transport limitations of the time, but the North West Rail Link will increase the potential scale and importance of Castle Hill, and there is therefore capacity for significant residential uplift such as that sought by this planning proposal. The Integrated Transport Direction of the draft Local Strategy promotes the integration of land use and transport in The Hills, and the planning proposal is consistent with this goal. Overall, while the planning proposal is not consistent with all specifics of the draft Local Strategy, it is consistent with the Strategy's intent.

THE HILLS CORRIDOR STRATEGY AND CASTLE HILL NORTH PRECINCT PLAN

The Hills Corridor Strategy is a document created by The Hills Shire Council to articulate its own vision for the land covered by the North West Rail Link Corridor Strategy.

The Castle Hill North Precinct Plan is an expression of finer-level strategic work based on The Hills Corridor Strategy, and aims to distribute future residential development in a rational manner that recognises the existing character of the precinct and Council's plans for the surrounding land.

The planning proposal, having been informed primarily by the Strategy and Precinct Plan, is consistent with both documents.

Environmental social
economic impacts :

ENVIRONMENTAL

The planning proposal aims to increase residential density on land that is already developed. Sydney Turpentine Ironbark Forest has been identified at Maurice Hughes Reserve, but the Reserve will remain unchanged by the proposal - it is likely to see an increase in visitor numbers due to the increased population of the precinct, but it is considered that this will have a minimal impact, if any, on the ecological community.

SOCIAL

The planning proposal seeks to increase the number of dwellings in the precinct from 166 to 2,984, an increase of 2,818. This will result in a population increase of approximately 6,200 people.

The three residential zones used (R1, R3 and R4) will ensure a mix of housing types that will allow for greater demographic diversity than is currently present in the precinct, which is likely to have a positive social impact.

A population increase of this size will create a heightened need for social infrastructure and recreational facilities. Although the precinct is within walking distance of the Castle

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Hill major centre, community facilities and public open space will be required within the precinct itself. Council has committed to introducing a new Contributions Plan to fund infrastructure within the precinct, and intends to upgrade existing parks and reserves in the precinct. Council is exploring options for playing fields and sporting facilities to serve the needs of the local community.

It is considered that that the overall social impact of the planning proposal will be positive, and that any negative impacts can be satisfactorily planned for and offset.

ECONOMIC

The construction of 2,818 new dwellings will create economic benefits, as will the housing of a larger population in close proximity to a major centre. In addition, the R1 General Residential zone allows for some employment uses to support the local population. No negative economic impacts are foreseen as a result of the planning proposal.

Assessment Process

Proposal type : **Precinct** Community Consultation Period : **28 Days**

Timeframe to make LEP : **12 months** Delegation : **DDG**

Public Authority Consultation - 56(2)(d) :
Ambulance Service of NSW
Integral Energy
Transport for NSW
Fire and Rescue NSW
Transport for NSW - Roads and Maritime Services
State Emergency Service
Sydney Water
Telstra

Is Public Hearing by the PAC required? **No**

(2)(a) Should the matter proceed ? **Yes**

If no, provide reasons :

Resubmission - s56(2)(b) : **No**

If Yes, reasons :

Identify any additional studies, if required. :

If Other, provide reasons :

Identify any internal consultations, if required :

No internal consultation required

Is the provision and funding of state infrastructure relevant to this plan? **No**

If Yes, reasons :

Documents

Document File Name	DocumentType Name	Is Public
Council letter.pdf	Proposal Covering Letter	Yes

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Attachment A - Assessment Against State Environmental Planning Policies.pdf	Proposal	Yes
Attachment B - Assessment Against Section 117 Ministerial Directions.pdf	Proposal	Yes
Attachment C - Council Report and Resolution, 24 November 2015.pdf	Proposal	Yes
Attachment E - Local Provisions for Floor Space Ratio and Design Excellence.pdf	Proposal	Yes
Low Res - Attachment D - Castle Hill North Precinct Plan November 2015.pdf	Proposal	Yes
Cover Letter and Planning Proposal Castle Hill North .pdf	Proposal	Yes

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

S.117 directions:

- 2.3 Heritage Conservation
- 3.1 Residential Zones
- 3.4 Integrating Land Use and Transport
- 4.3 Flood Prone Land
- 6.1 Approval and Referral Requirements
- 6.3 Site Specific Provisions

Additional Information :

1. Prior to exhibition, the planning proposal is to be amended to be consistent with the attached methodology for Local Residential Development Clause at Tab A. Please note that the planning proposal should be amended to state that clause attached to the methodology is indicative only and may be subject change as a result of legal drafting.

2. Community consultation is required under sections 56(2)(c) and 57 of the Act as follows:

- (a) the planning proposal must be made publicly available for a minimum of 28 days; and

- (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of A Guide to Preparing LEPs (Department of Planning and Infrastructure 2016).

3. Authorisation is to be given to Council to exercise the functions of the Greater Sydney Commission under section 59 of the Act that are delegated to it by instrument of delegation dated 14 October 2012.

4. Council must consult with the following agencies:

- 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.

Each public Authority is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.

5. A public hearing is not required to be held into the matter by any person or body under Section 56(2)(e) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

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6. The timeframe for completing the LEP is to be 12 months from the week following the date of the Gateway determination

Supporting Reasons : The proposal is supported as it will provide housing in proximity to existing and future public transport.

The proposal is timely given that construction of the Sydney Metro Northwest is underway and precinct planning around the future railway stations has identified potential for an increased density of residential development within this precinct.

Signature:



Printed Name:

LUAN LAEREN

Date:

28/10/16