

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 G for addresses of subject land)

SUMMARY OF HOUSING AND EMPLOYMENT YIELD

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

SUPPORTING MATERIAL:

- Attachment A** Assessment Against State Environmental Planning Policies
- Attachment B** Assessment Against Section 117 Ministerial Directions
- Attachment C** Key Sites Provision (Clause 4.4B) and Design Excellence Provision (Clause 7.7)
- Attachment D** Council Report and Resolution, 25 July 2017
- Attachment E** Council Report and Resolution, 24 November 2015
- Attachment F** Gateway Determination and Attachments
- Attachment G** Addresses of subject land
- Attachment H** Draft Development Contributions Plan No.17 – Castle Hill North
- Attachment I** Draft The Hills DCP 2012 (Part D Section 20 – Castle Hill North)
- Attachment J** Draft The Hills DCP 2012 (Part C Section 1 – Parking)
- Attachment K** 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.

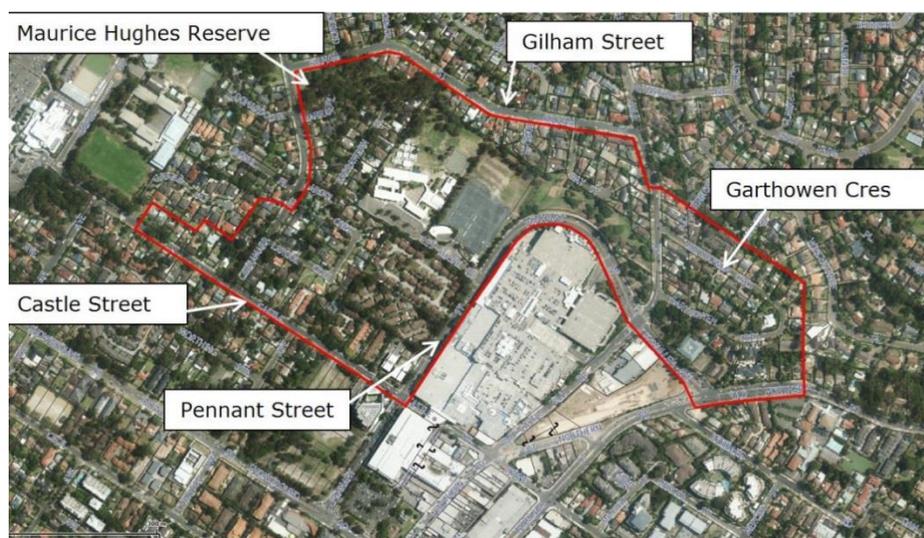


Figure 1
Subject Site

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, and floor space ratios. 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.

Since the issue of a the Gateway Determination a number of draft planning documents have been prepared to support the draft amendments to LEP 2012. These include 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 are being exhibited concurrently with the planning proposal.

PART 1 OBJECTIVES OR INTENDED OUTCOME

The objectives of the proposed LEP are:

- To allow high and medium density development within the 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 and R2 Low Density Residential to R1 General Residential, R3 Medium Density Residential and R4 High Density Residential;
2. Apply a minimum lot size of 1,800m² 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;
4. Identify the proposed R4 High Density Residential portion of the land as "Area A" within the Floor Space Ratio Map;
5. Remove 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 to clause 4.4B Floor Space Ratio to provide a floor space 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);
8. Amend draft 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 (Draft Provision included as Attachment C).

Note: other planning proposals under assessment are also seeking the inclusion of the Design Excellence provision into LEP 2012. In the event that these proposals are notified prior to the Castle Hill North proposal then this provision will not be necessary as part of the subject 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.

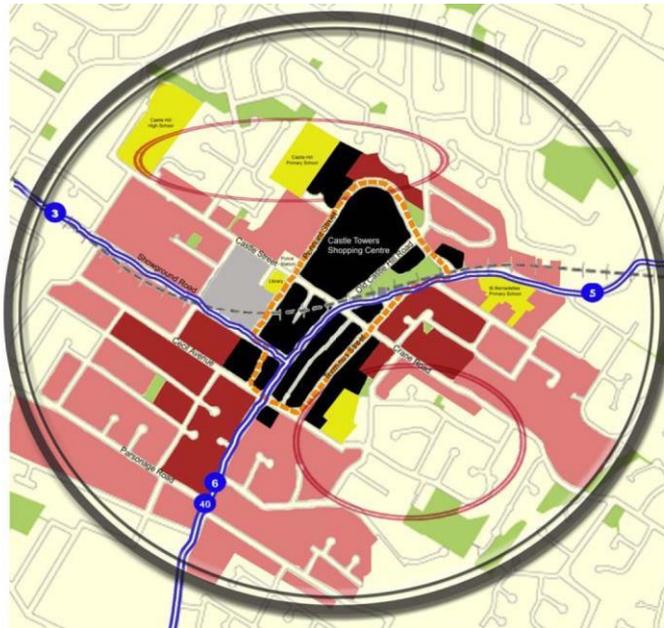


Figure 2

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 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 in shown in Figure 3.

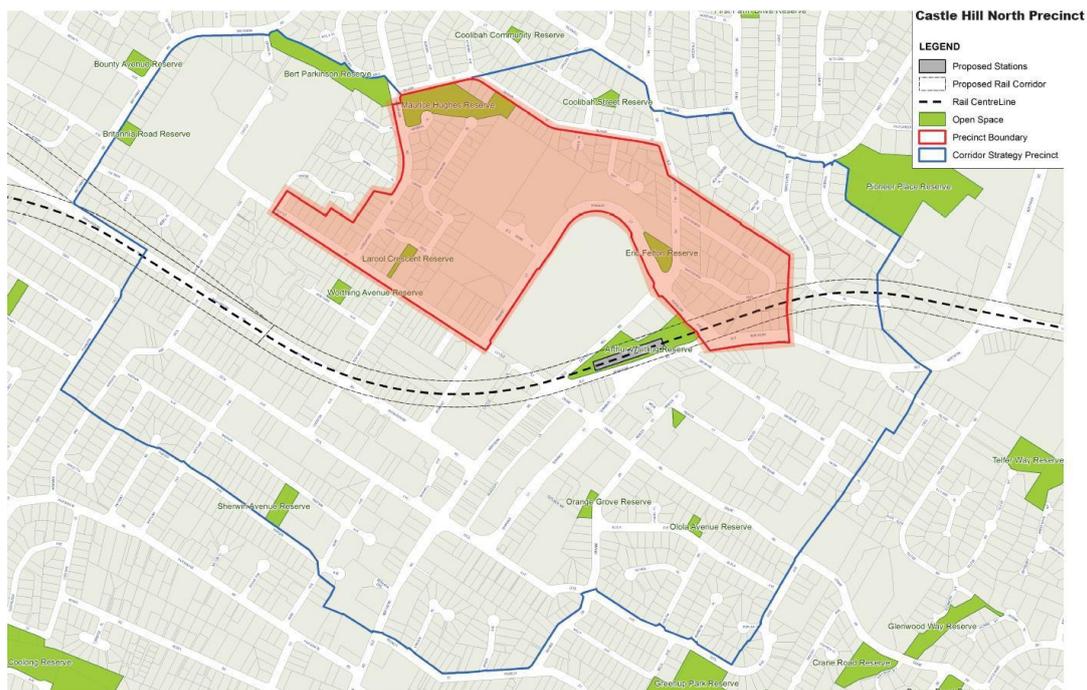


Figure 3
Castle North Precinct and NWRL Corridor Boundary

- **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.

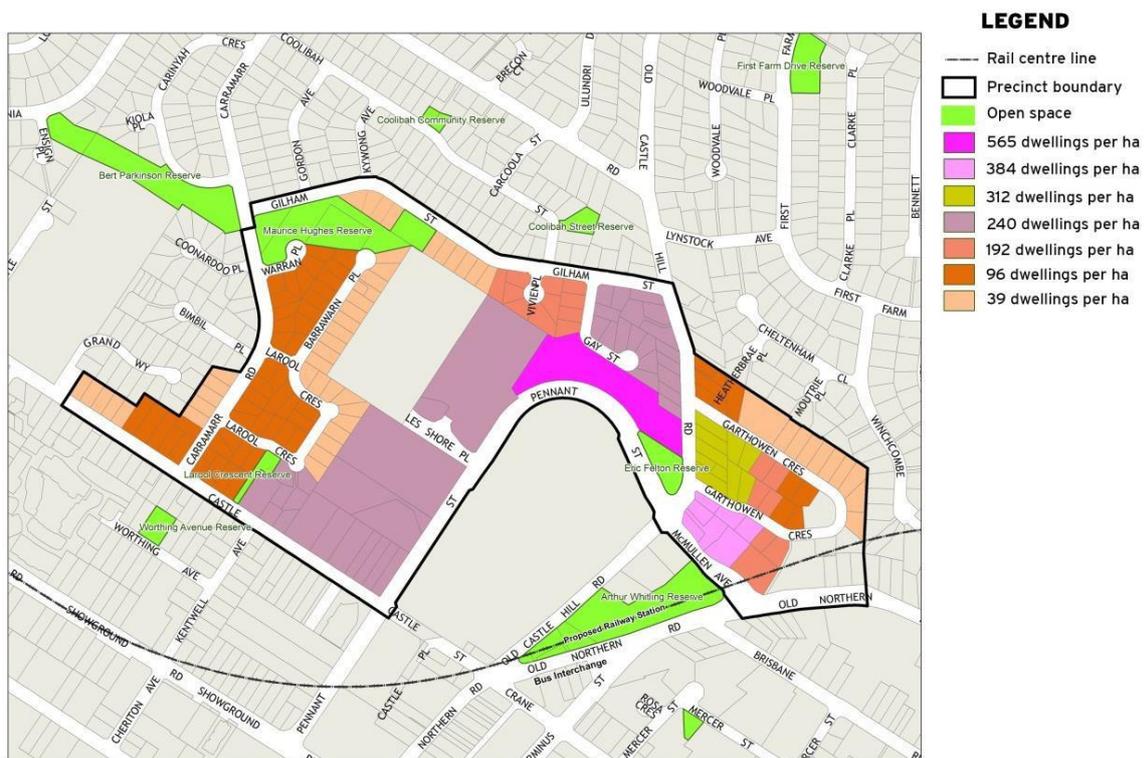


Figure 4
Castle Hill North Density Plan

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?*

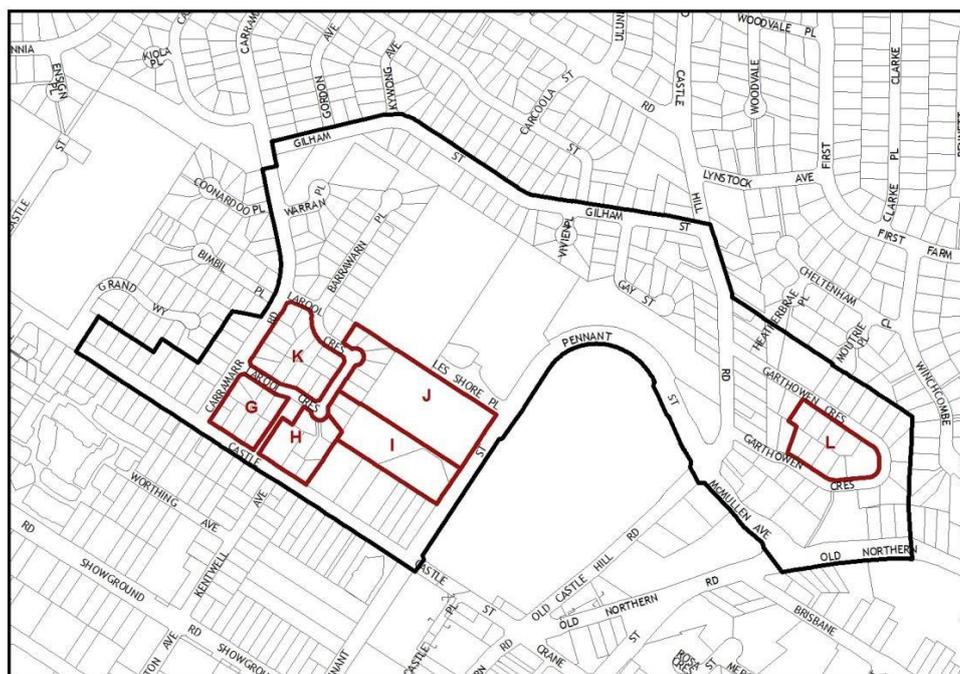
Yes, the planning proposal is the best means of achieving the intended outcomes.

The proposed zone, 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

In addition, to achieve the desired high quality design the design excellence requirements are proposed to be amended (refer to Attachment C). The clause will apply to developments with a height of 25 metres (8 storeys) or more within the Shire.

The clause requires development applications to be reviewed by a Design Excellence Panel to assess the quality of development. Following the lodgement of an application for development to which the 'Design Excellence' provision applies, Council will request the Panel to assess the proposed development against the 'Design Excellence' provision of LEP 2012 and provide expert recommendations in relation to urban design, architecture design and landscape architecture. The Panel will provide the consent authority with recommendations on the proposed development and may include a number of recommended amendments to the design of the development.

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:

• A Plan for Growing Sydney

On 14 December 2014, the NSW Minister for Planning released A Plan for Growing Sydney. The Plan is intended to guide land use planning decisions for the next 20 years and presents a strategy for accommodating Sydney's forecast population growth over this time. To achieve the Government's vision for Sydney as a "strong global city and a great place to live", the Plan sets out four (4) main goals, for Sydney to be:

- A competitive economy with world-class services and transport,
- A city of housing choice with homes that meet our needs and lifestyles,
- A great place to live with strong, healthy and well-connected communities, and
- A sustainable and resilient city that protects the natural environment and has a balanced approach to the use of land and resources.

A Plan for Growing Sydney seeks to align economic and housing growth and emphasises the importance of the North West Rail Link Corridor as well as the creation of liveable centres that are well-integrated with adjacent neighbourhoods and best practice principles of transit-orientated design. The Plan notes that up to 80% of all new housing is proposed to be within walking distance of centres of all sizes that have good public transport.

The Precinct Plan will deliver a range of housing typologies including terrace style townhouses and residential flat buildings.

Direction 1.7 identifies the need to grow strategic centres to provide more jobs close to home. Castle Hill is identified as a 'strategic centre'. The planning proposal provides a high density residential base for the centre to leverage retail and office growth and provide a 24 hour active area. Given its location north of the retail and commercial core, the planning proposal does not inhibit future employment growth in the centre.

Direction 2.1 seeks to accelerate housing supply across Sydney. The planning proposal will provide opportunities within Castle Hill for increased residential development and increased housing choice by providing apartments and townhouses in addition to the traditional single dwelling house.

Direction 2.2 seeks to accelerate urban renewal across Sydney by providing homes closer to jobs. The planning proposal will facilitate urban renewal within the northern part of the Castle Hill strategic centre. The increase in dwellings with walking access to a future train station will make it easier for people to get to jobs and services.

Direction 3.1 seeks to revitalise existing suburbs. The planning proposal will facilitate urban renewal and revitalisation of property that is close to its life expectancy.

- **Draft West Central District Plan**

The Draft West Central District Plan includes a number of priorities and actions within the categories of a Productive City, a Liveable City and a Sustainable City. The Castle Hill North Precinct will assist Council to meet the objectives of the draft Plan.

Livability Priority 1 sets out the delivery of the West Central's five-year housing targets. To meet this Priority, Council needs to provide sufficient capacity and monitor residential development to meet the five-year housing target of 8,500 additional dwellings within The Hills Shire. The planning proposal is consistent with this priority as it will provide 3,283 additional dwellings within close proximity to the Castle Hill Railway Station. The Castle Hill North Precinct provides an opportunity for urban renewal within close proximity to the Castle Hill Railway Station. The planning proposal seeks to meet housing demand and diversity in an area with high accessibility to the Castle Hill Town Centre and Railway Station.

Livability Priority 2 aims to provide for a diversity of housing choice that responds to community needs and accommodates a variety of financial capacities. By recognising housing demand varies by location, by community and household, the draft District Plan not only seeks to deliver additional housing, but also the delivery of housing choice, creating a great place to live and planning for infrastructure and services. More specifically, the housing continuum refers to all types of housing including detached dwellings, apartments, terraces and villas. The planning proposal is consistent with this approach as proposed changes will introduce a terrace housing style within Castle Hill as well as medium rise apartments and high rise apartments within close walking distance of social infrastructure and the Castle Hill Railway Station.

Livability Priority 5 encourages the development of safe and healthy places through planning mechanisms such as floor space incentives for development that provides community benefits. The Castle Hill North Planning Proposal has included base and floor space incentives to facilitate the delivery of housing diversity that cater to the family demographic within the shire, improved pedestrian connectivity and the provision of social infrastructure such as pocket parks.

Livability Priority 6 encourages walkable neighbourhoods, requiring Councils to consider how this may be delivered. The existing street network within the Castle Hill features a complex network of small streets and cul-de-sacs, inhibiting pedestrian permeability. The Castle Hill North Planning Proposal aims to reduce private car dependency within the area by enhancing walking and cycling outcomes in close proximity to the Railway Station. This will be facilitated through floor space ratio incentives and voluntary planning agreements for developments that have site and locational opportunities to provide additional community benefit.

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 draft District 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.

- **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.

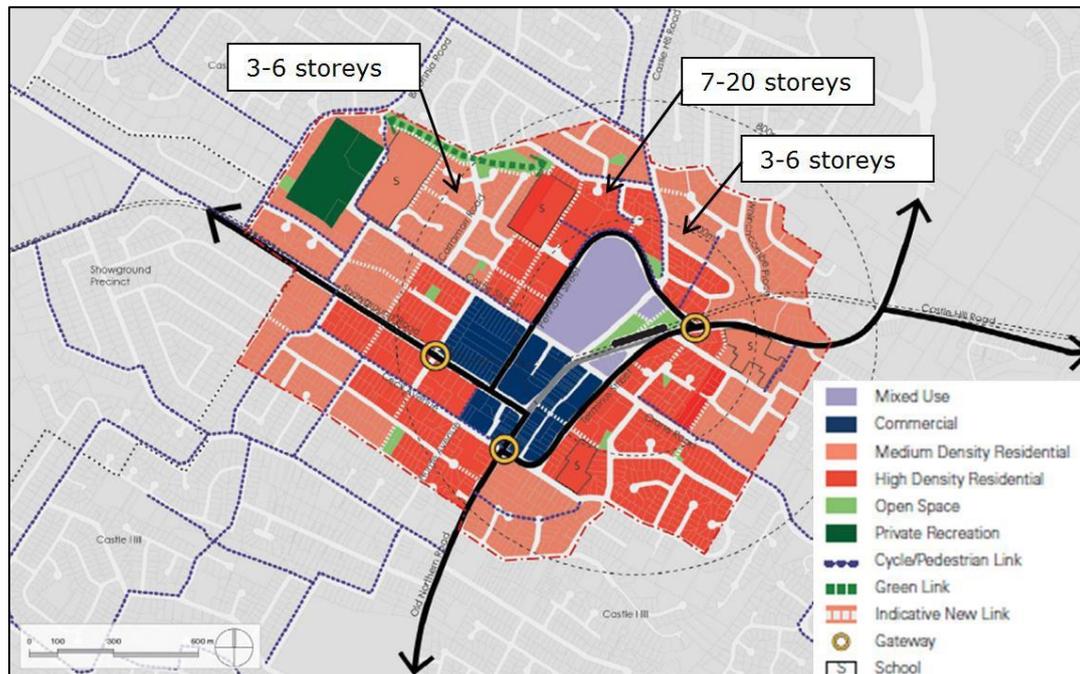


Figure 6
Castle Hill Structure Plan

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 117 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.

• The Hills Shire Plan

Council's Community Strategic Plan, The Hills Shire Plan 2026 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 Hills 2026 Community Outcomes, and relevant Key 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 of the site as the objectives of the zone 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.117 directions)?*

Section 117(2) 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 117 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 are 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 storey), medium rise apartments (7-12) 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.

- **Direction 4.3 Flood Prone Land**

The objectives of this direction are to:

- 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 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 providing 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).

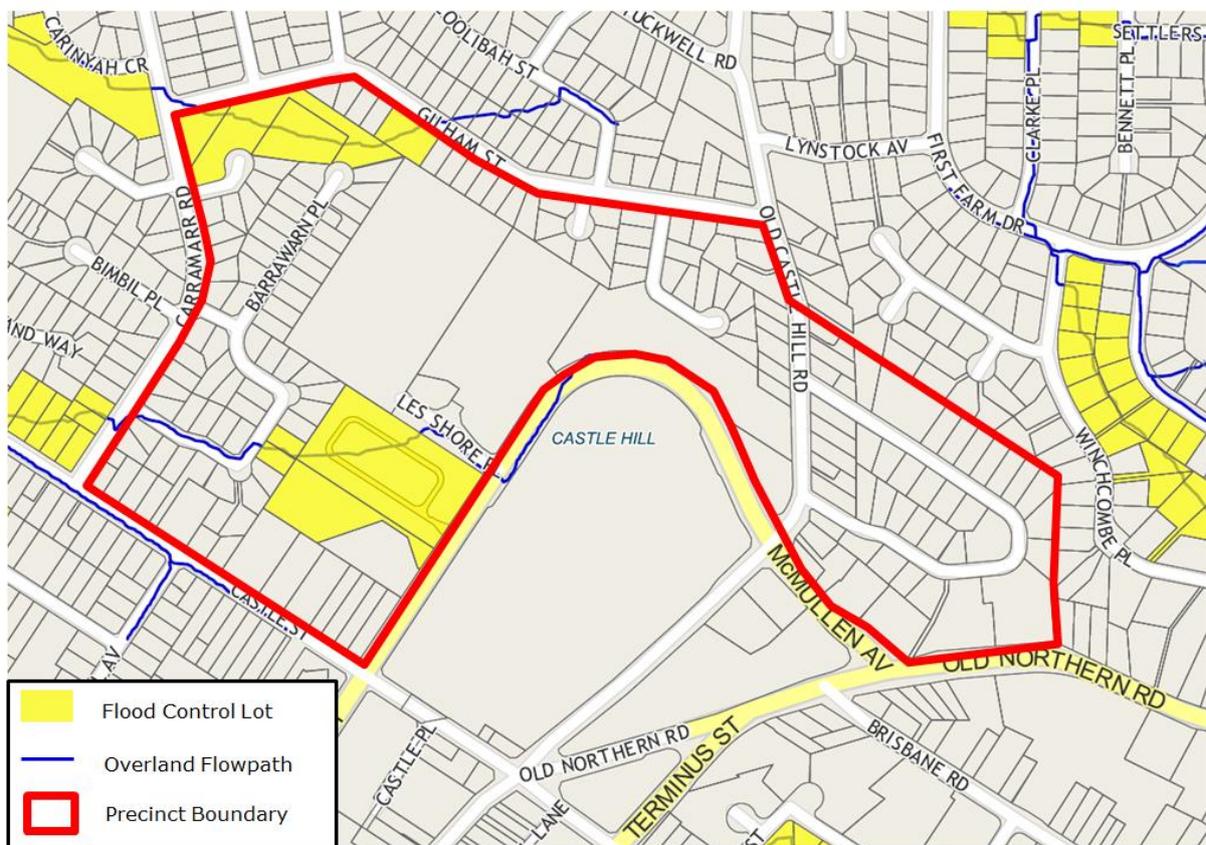


Figure 8
Flood Control Lots

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 94 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*.

It is intended to refer the application to the Office of Environment and Heritage, Sydney Water and the Office of Water for consultation.

- **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.

Future Precinct Character Areas	Amount of land in each Future Precinct Character Area in the Castle Hill Structure Plan	Land in Castle Hill North identified in Structure Plan as each Future Precinct Character Area	Land in Castle Hill North Precinct Plan and Planning Proposal
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 1

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, maximum height of buildings and 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 4.4B, as set out in Attachment E, 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.

This clause provides an incentive for developers and is not unnecessarily restrictive for developers and therefore is not setting site specific provisions. The planning proposal is consistent with Direction 6.3 Site Specific Provisions.

- **7.1 Implementation of A Plan for Growing Sydney**

The planning proposal is consistent with A Plan for Growing Sydney. An overarching theme within the Plan is to ensure that more homes are located within suitable locations. In light of the delivery of the Sydney Metro Northwest, the planning proposal is consistent as it presents an opportunity to incorporate the principles of transit oriented development by locating higher density residential development within close proximity to high frequency public transport services. This will both

improve public transport patronage and will reduce car dependency.

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 dwellings, open space and a public school. The Precinct is generally void of any significant vegetation or trees. Maurice Hughes Reserve is identified as Sydney Turpentine Ironbark Forest.

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 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)**

The future population will generate demand for around 1.5-2 playing fields and one (1) cricket oval. As the existing playing fields within the vicinity of the precinct are already at capacity, there is limited potential to accommodate any additional demand within these existing facilities. Therefore, 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 acquiring open space.

The planning work which is currently being undertaken for Castle Hill North presents a significant opportunity to implement a coordinated strategic approach to the provision of open space to meet the requirements of future residents. This approach would secure the provision of a district facility, of a sufficient size, to accommodate the demand which is projected to occur within the entirety of the Castle Hill Precinct (both north and south sub-precincts) and the Cherrybrook Precinct.

The combined population growth envisaged within the Castle Hill North, Castle Hill South and Cherrybrook Precincts are included within the following table. It is noted that the population growth for Castle Hill North is based on the incentivised provision of residential floor space, consistent with the agreed methodology for housing diversity.

	Additional Dwellings	Additional Population
Castle Hill (North)	3,283	6,045
Castle Hill (South)	3,319*	3,576
Cherrybrook	1,695**	3,389
	8,279	13,009

**Remaining growth potential within the Castle Hill Precinct when excluding 3,283 dwellings within the Castle Hill North Precinct and 1,298 dwellings which have recently been approved on the Crane Road site and Pennant Street Target Site.*

*** Growth anticipated under The Hills Corridor Strategy*

Table 1

Growth Projection within the Castle Hill and Cherrybrook Precincts

It is noted that, depending on the likely population growth achieved within the broader Castle Hill Precinct, it is possible that the proposed facility may only be sufficient to meet the demand generated from the Castle Hill Precinct.

In recognition of the likely cumulative demand generated across these Precincts, a potential site has been identified for a district open space facility at 7-13 Glenhaven Road, 1 Kyle Avenue and 3 Gilmour Close, Glenhaven. The site has an area of 100,983m² (10.09ha) (however, it is noted that 11 Glenhaven Road (853m²) is already owned by Council and contains the Glenhaven Rural Fire Service). The area of the remaining privately owned land is 100,130m² (10.013ha).

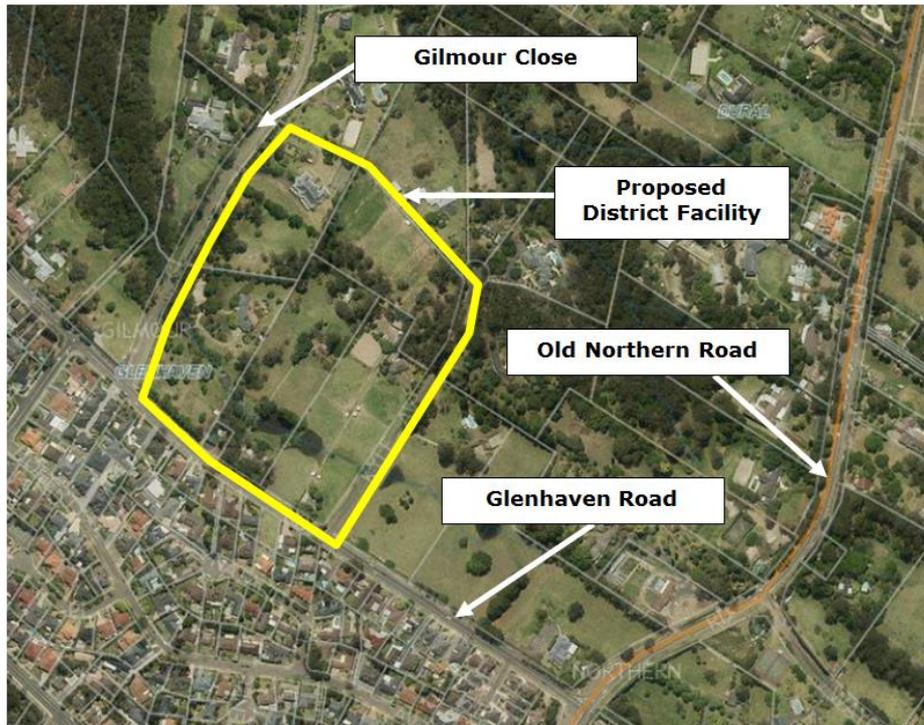


Figure 9
Possible Future District Facility (Gilmour Close Reserve)

This site, whilst currently zoned RU6 Transition, formed part of the North Glenhaven Precinct which was identified as part of the Landowner Nominated Sites process in 2012. Whilst no formal planning proposal has been lodged for this precinct, the concept that formed part of the 2012 nomination identified the site as having potential for a mix of low and medium density development. Furthermore it is noted that this area is included within the Dural investigation area.

This area is considered to be appropriate to accommodate a district facility as it is within relatively close proximity to both Castle Hill and Cherrybrook, and would have more capacity to provide the extent of facilities required to meet the demand generated by the new population. The combined area of the site could accommodate four (4) playing fields, two (2) cricket ovals, four (4) tennis courts, amenities facilities and associated car parking. This facility would be able to support the needs of approximately 16,000 people (8,000 dwellings) at maximum capacity.

In determining the cost apportionment for this facility, it is considered reasonable that the cost of the facility be split based on the anticipated demand generated by each precinct. The cost apportionment will be based on the full capacity of the facility being 16,000 people (8,000 dwellings). The recommended cost apportionment is included in the following table.

	Additional Dwellings	Additional Population	Apportionment
Castle Hill (North)	3,283	6,045	38%
Castle Hill (South)	3,319	6,638	41%
Unallocated *	1,658*	3,317*	21%
		16,000	100%

**Could be allocated to meet a portion of the additional yield within the Cherrybrook Precinct or additional yield within the Castle Hill Precinct.*

Table 2
Cost Apportionment

It is noted that this possible facility has been identified for part funding through the contribution plan for Castle Hill North Precinct. No final decision has been made on this facility. The site is subject to a separate planning proposal to rezone it to RE1 Public Recreation and identify it for acquisition. This proposal has been submitted to the Department of Planning and Environment for a Gateway Determination. Pending the issue of a Gateway Determination by the Department of Planning and Environment, it will be exhibited for public comment. If a separate location is pursued for an active open space facility then the contributions plan would need to be re-exhibited.

- **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 Works**

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?

Whilst it is considered that there is suitable public infrastructure in the immediate vicinity of the site to support increased residential densities, consultation will be required with utility providers during the public exhibition period.

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 requires 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 with the following public authorities, not mentioned within the Gateway Determination, will also be undertaken during the exhibition period:

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

It is noted that consultation with various public authorities occurred during precinct planning process. Council received responses from the NSW Department of Education and Communities, Endeavour Energy, Transport for NSW and NSW Health Western Sydney Local Health District - Centre for Population Health. Particular comments made by public authorities are addressed below.

- **NSW Department of Education and Communities**

The NSW Department of Education and Communities advised that both Castle Hill Public School and Castle Hill High School are at capacity. The anticipated additional dwellings and population increase will require additional classrooms.

It is suggested that Council consider development controls to prevent overshadowing, traffic, parking, noise and privacy impacts on the Primary School. Design and placement of buildings should aim to minimise risks to student safety through measures such as screening and apartment orientation. Development on land adjacent to the school should be limited to three (3) to four (4) storeys, consistent with the bulk and scale of school buildings.

It is also requested that in making major planning changes Council account for education infrastructure and allow for the lead time required to plan and build new education facilities. The challenge is to cater for expected increases in student population in a balanced and affordable way. The Department is supportive of a shift in planning policies to encourage:

- optimising the size, amenity and function of existing schools;
- out of hours shared use of facilities such as ovals and halls;
- removal of planning policy barriers to school development;
- the costs of additional teaching spaces to be funded from developer contributions;
- land dedications and rezoning in areas where a new school is required; and
- streamlined planning approvals for new education infrastructure.

The finalised Precinct Plan and the proposed maximum building height proposes a 10 metre height limit on land immediately adjoining the school to the north, west and south-west which will translate to a maximum of three (3) storeys. Adjoining land to the east and south-east, currently occupied by town houses and an overflow parking area will have potential for development between four (4) to 12 storeys. The development of these sites and any impacts on the school will be managed through floor space ratio limits that will require a sensitive distribution of heights across the site, together with specific interface, setback and building design controls in the DCP.

In consulting with the Department at the earliest stage in the precinct planning process Council has demonstrated a desire to communicate proposed changes that will affect education infrastructure. The Precinct Plan and associated draft plans are a response to the State Government plans for the Sydney Metro Northwest which flagged increases in population around the new train stations. It is the responsibility of the State Government to provide funding for required upgrades to schools and land acquisition for new schools.

Section 94 developer contributions are used to provide appropriate shared infrastructure and public domain works such as traffic control measures, open space embellishment, storm water management facilities, footpaths and landscaping.

It is not appropriate for these funds to also fund the upgrade of education infrastructure which should be provided by the State Government.

- **Endeavour Energy**

Endeavour Energy raised no objections to the Precinct Plan. It has planned for the redevelopment of Castle Hill and can accommodate an additional transformer in its nearby Cheriton Avenue substation. However, more detailed assessment of the capacity of the electrical network at the time of future development will be required since capacity is not unlimited. As a minimum, the anticipated total future development will most likely require a number of asset relocations and new distribution substations to cater for the new electrical load.

Further consultation with Endeavour Energy will be undertaken if the planning proposal and draft plans proceed to exhibition. Individual developers will be required to submit applications for load to Endeavour Energy in association with each development application.

- **NSW Health Western Sydney Local Health District**

The Centre for Population Health supported the Castle Hill North Precinct Plan, in particular Council's commitment to high quality urban design, inclusion of mixed use development to encourage walking and reduce vehicle dependence.

- **Transport for New South Wales**

Transport for NSW are the lead authority in preparing the *North West Urban Renewal Strategic Transport Study and Plan* and it was suggested that Council and TfNSW collaborate to have a common understanding of transport requirements for the Precinct prior to public exhibition of a formal planning proposal. They requested that Council develop a station access plan that integrates the Castle Hill North Precinct Plan with the future Castle Hill Station.

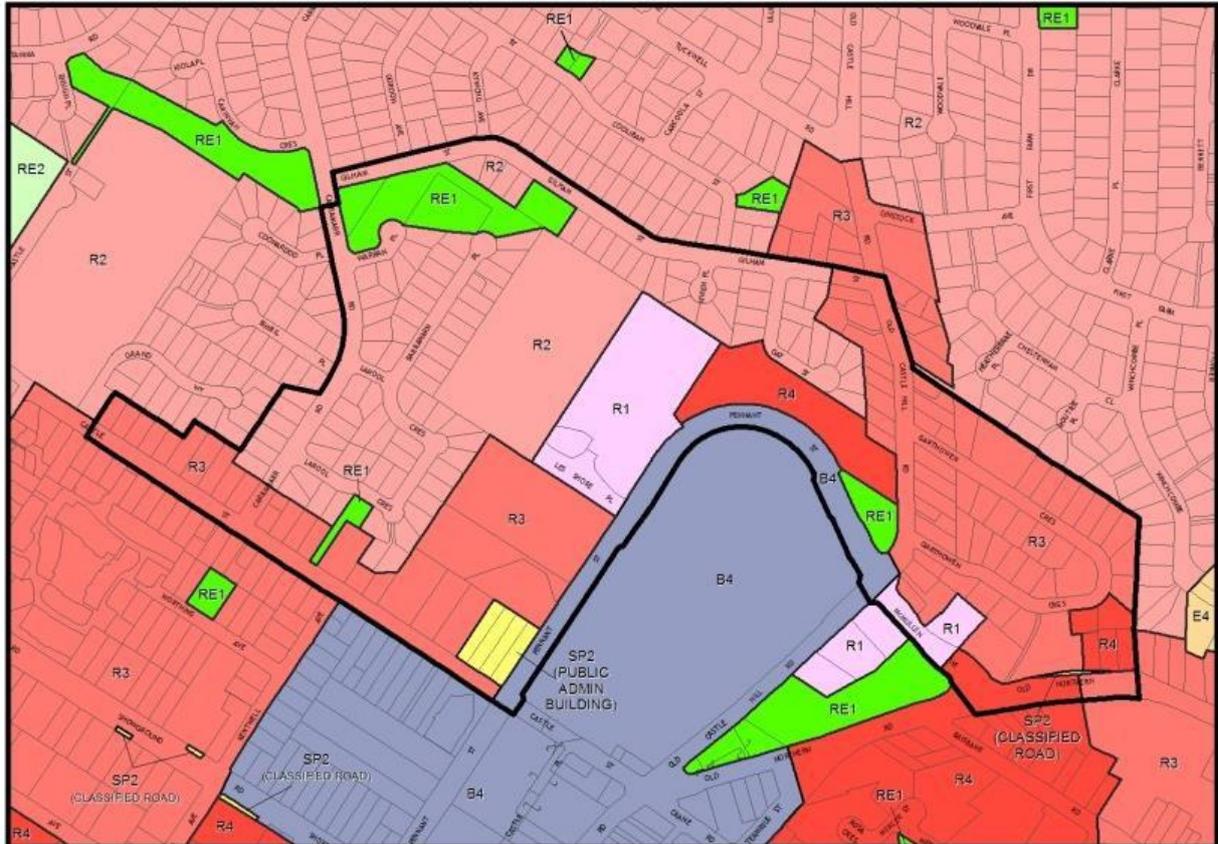
Transport for NSW is the authority preparing the detailed station design and overarching *North West Urban Renewal Strategic Transport Study and Plan*. Once these documents are finalised Council can incorporate their requirements into the planning documents for Castle Hill North.

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 and R4 High Density Residential.

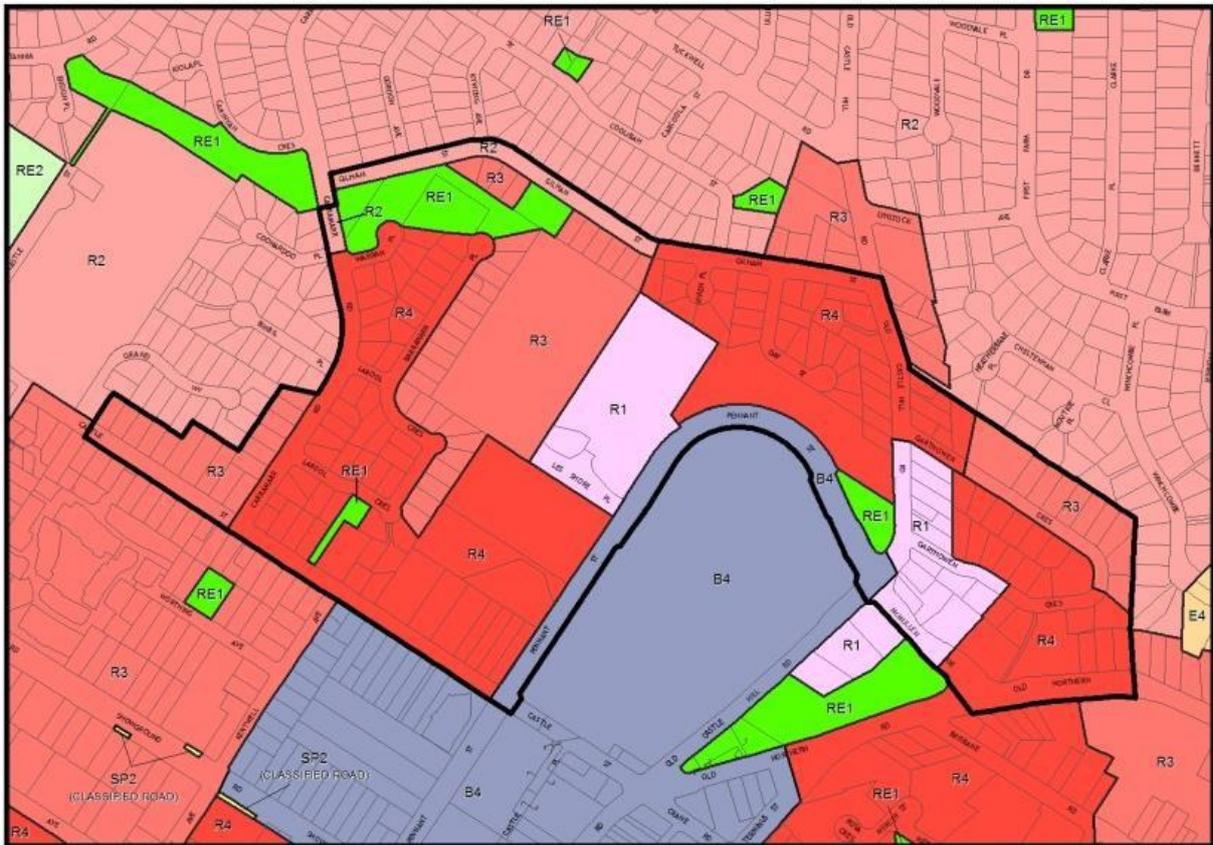


Land Zoning (LZN)

	Mixed Use		Low Density Residential		Public Recreation
	Environmental Living		Medium Density Residential		Private Recreation
	General Residential		High Density Residential		Infrastructure

Proposed Land Zoning Map

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

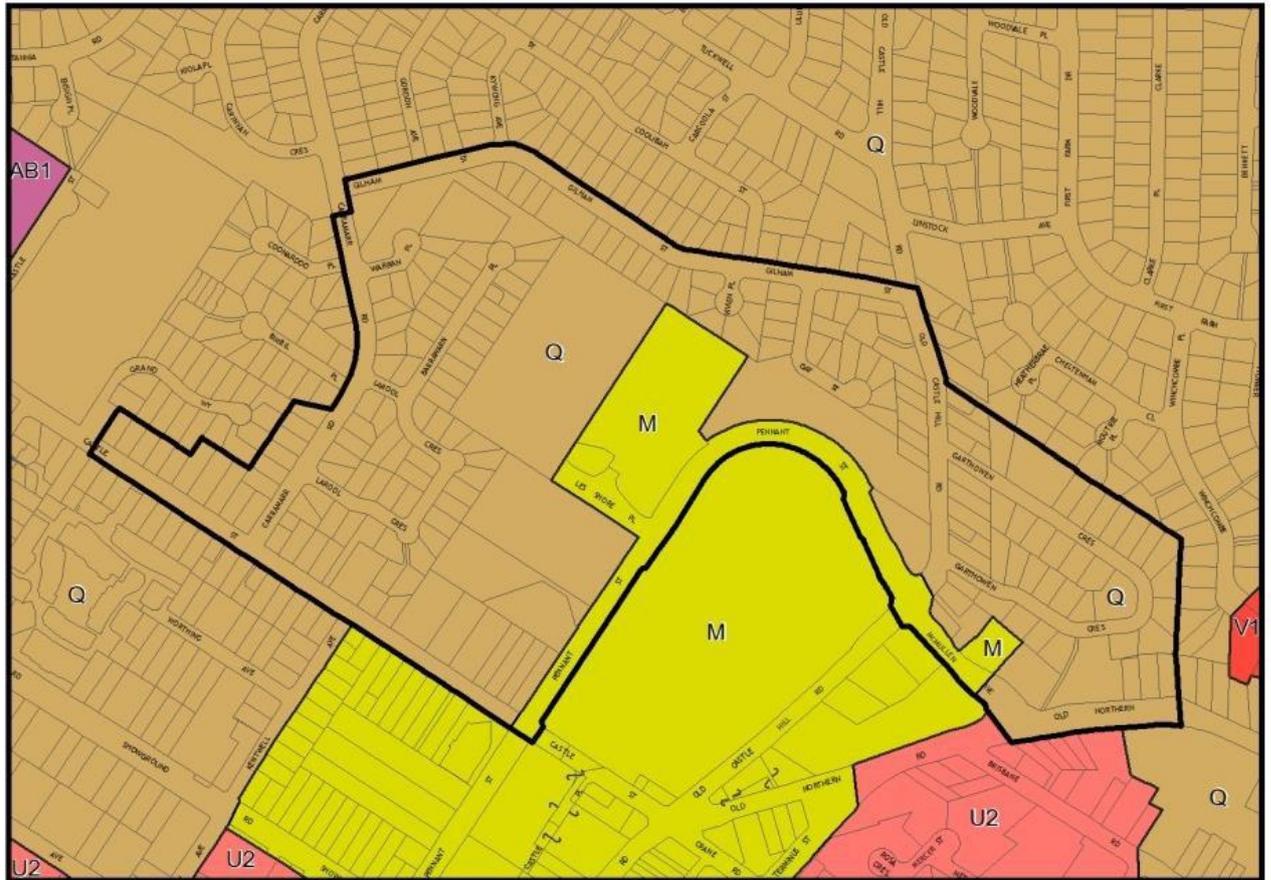


Land Zoning (LZN)

 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

Existing Minimum Lot Size Map

The Precinct currently has a minimum lot size of 600m² and 700m².

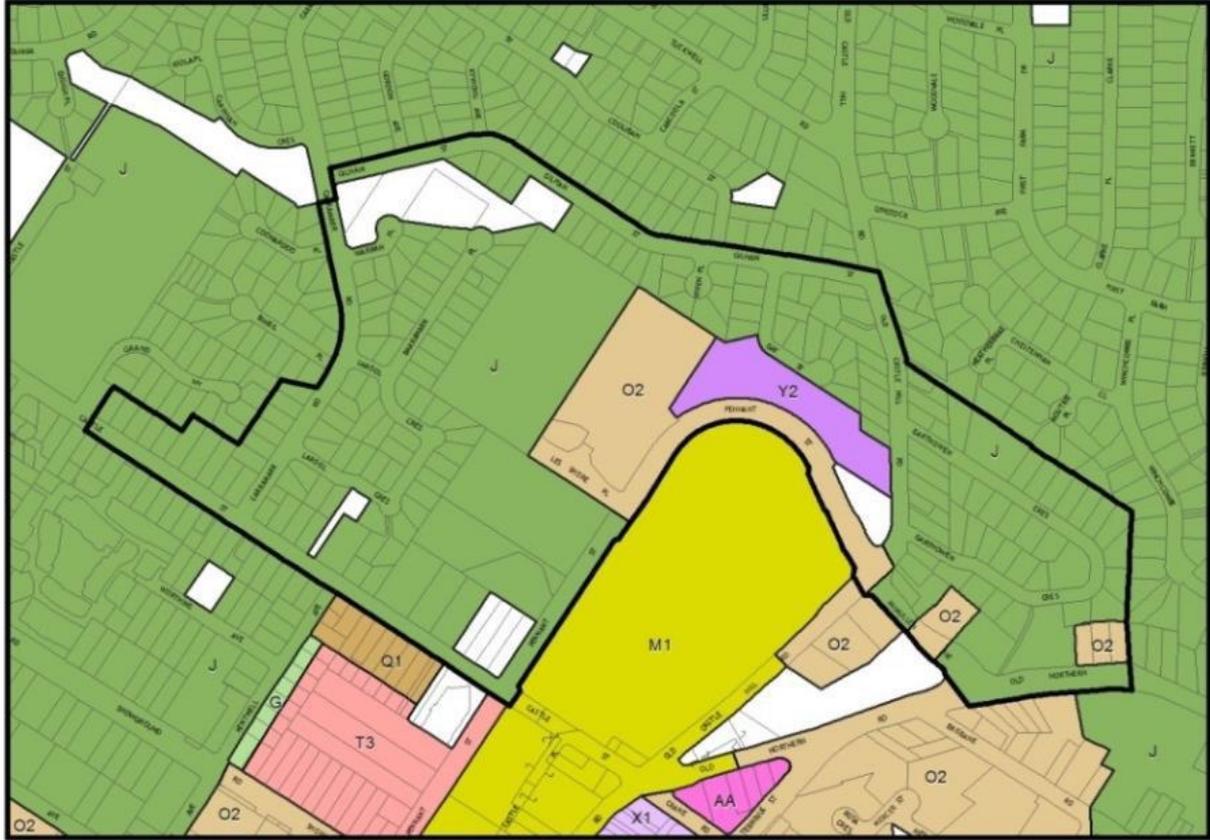


Minimum Lot Size (sq m) (LSZ)

M	600	U2	1800	AB1	10 ha
Q	700	V1	2000		

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.

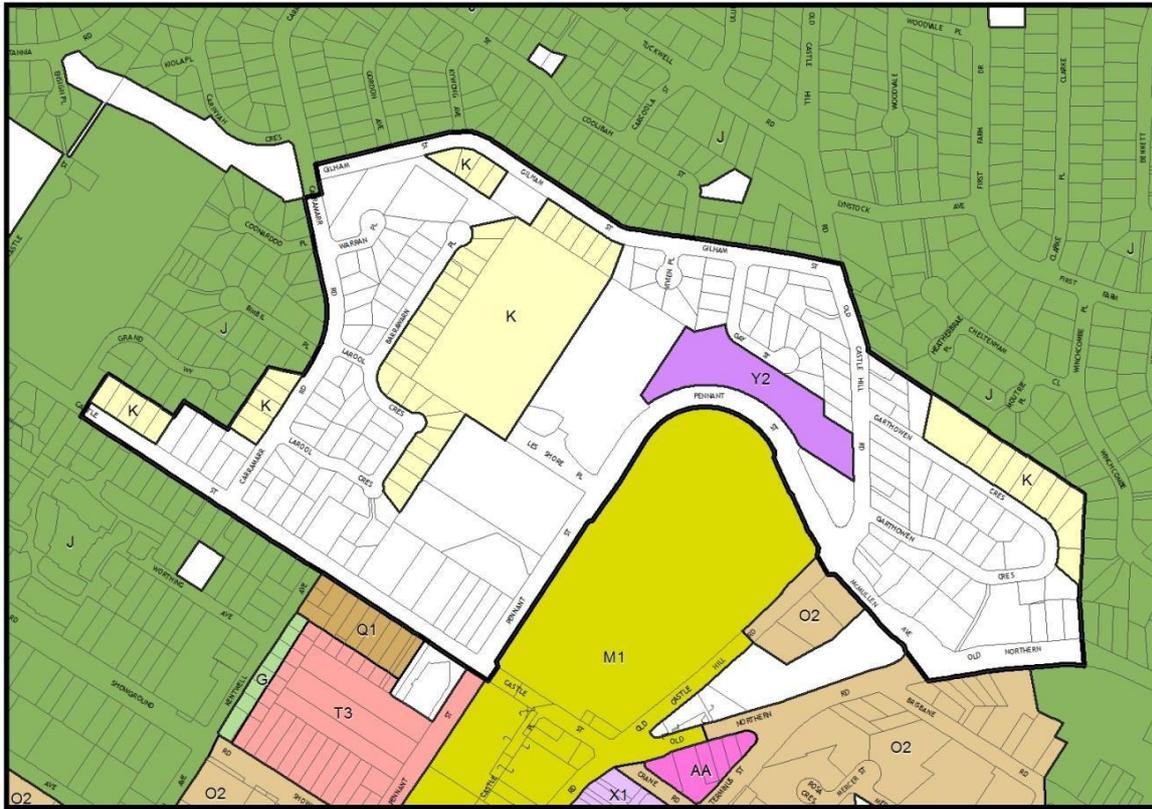


Height of buildings (m) (HOB)

G	7.0	O2	16.0	X1	45.0
J	9.0	Q1	19.0	Y2	54.0
M1	12.0	T3	28.0	AA	68.0

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.

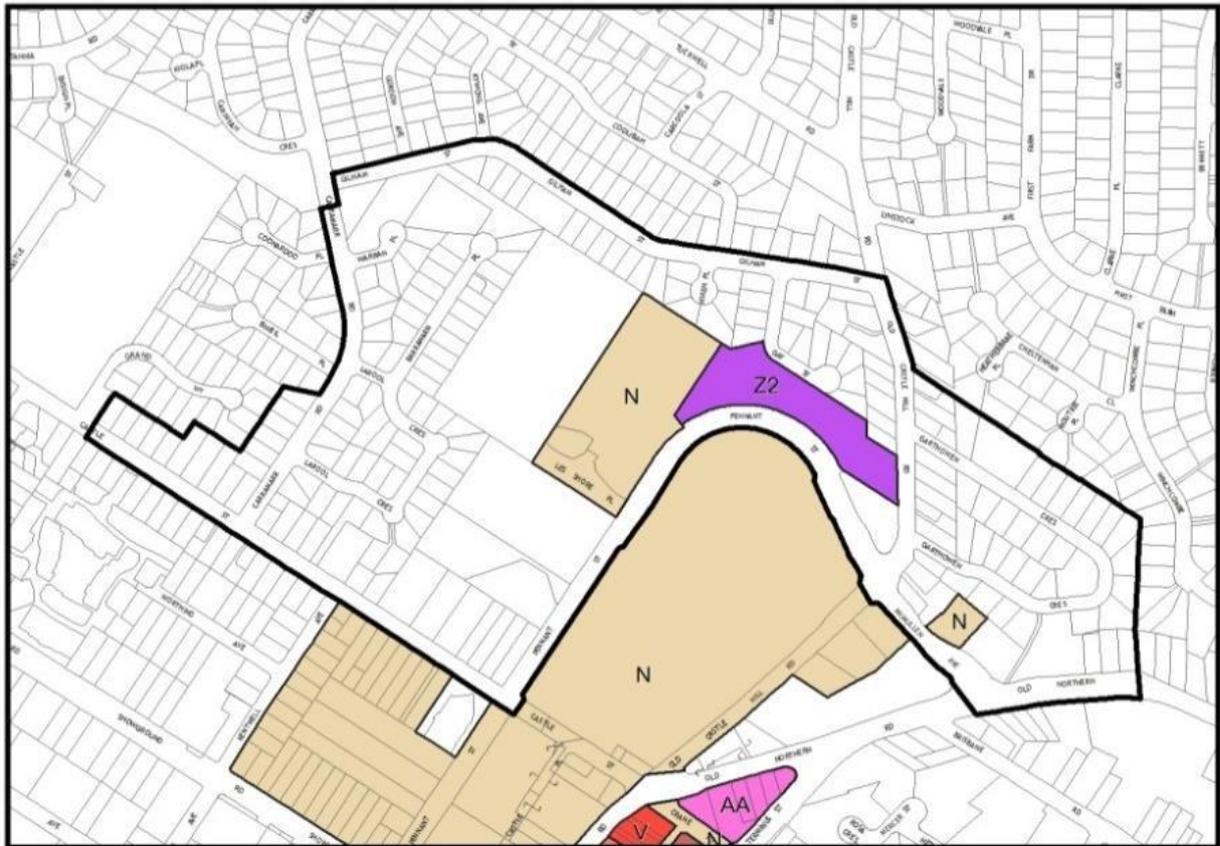


Height of buildings (m) (HOB)

G	7.0	M1	12.0	T3	28.0	AA	68.0
J	9.0	O2	16.0	X1	45.0		
K	10.0	Q1	19.0	Y2	54.0		

Existing Floor Space Ratio Map

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.

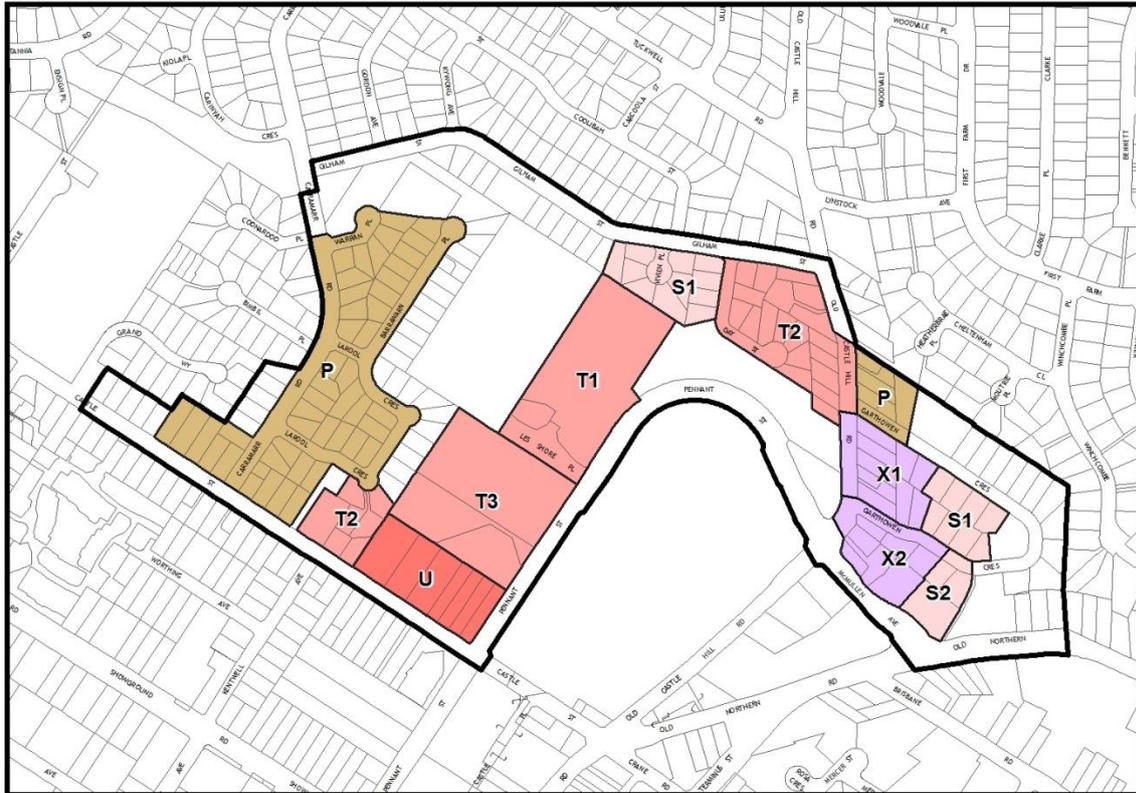


Maximum Floor Space Ratio (FSR) (n:1)

 N	1.0	 V	3.0	 Z2	5.5
 U	2.7	 W	3.8	 AA	6.4

Proposed Floor Space Ratio Incentive Map

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.

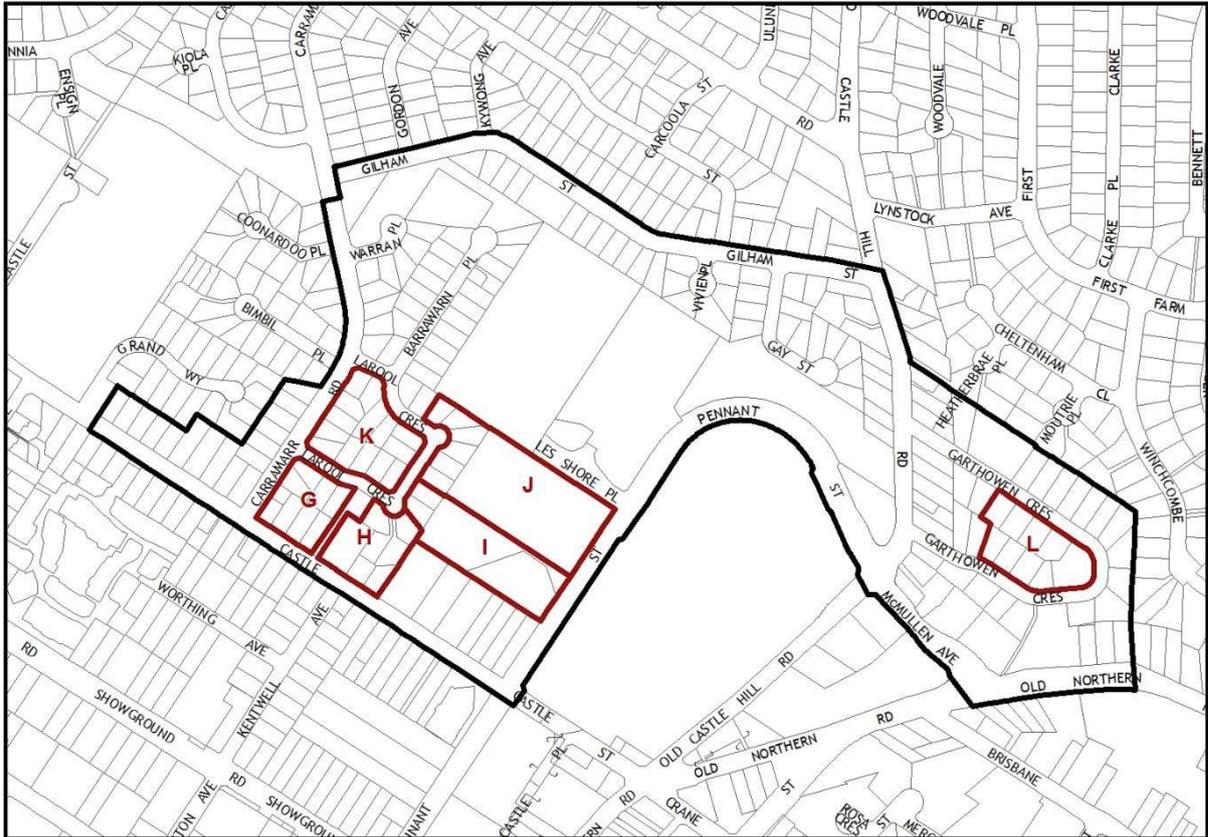


Maximum Floor Space Ratio Incentive (FSI) (n:1)

P	1.2	T1	2.0	U	2.88
S1	1.54	T2	2.04	X1	4.3
S2	1.92	T3	2.2	X2	4.8

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

The planning proposal will be advertised in local newspapers and on display at Council's administration building located at 3 Columbia Court, Baulkham Hills and at Castle Hill Library, corner of Castle & Pennant Streets, Castle Hill. In addition, letters will be issued to adjoining and nearby property owners and stakeholders.

The planning proposal will also be made available on Council's website. Notification letters will be sent to owners of property within the precinct as well as adjoining and nearby property owners advising them of the exhibition of the planning proposal.

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	October 2017
Timeframe for consideration of proposal post exhibition	November 2017
Report to Council on submissions	December 2017
Date Council will make the plan (if delegated)	January 2017
Date Council will forward to department for notification (if delegated)	February 2017

ATTACHMENT A: STATE ENVIRONMENTAL PLANNING POLICIES

STATE ENVIRONMENTAL PLANNING POLICY (SEPP)		APPLICABLE	RELEVANT ? (YES/NO)	(IF RELEVANT) INCONSISTENT / CONSISTENT
No. 1	Development Standards	NO	-	-
No. 14	Coastal Wetlands	NO	-	-
No. 19	Bushland in Urban Areas	YES	NO	-
No. 21	Caravan Parks	YES	NO	-
No. 26	Littoral Rainforests	NO	-	-
No. 30	Intensive Agriculture	YES	NO	-
No. 33	Hazardous and Offensive	YES	NO	-
No. 36	Manufactured Home Estates	NO	-	-
No. 44	Koala Habitat Protection	NO	-	-
No. 47	Moore Park Showground	NO	-	-
No. 50	Canal Estate Development	YES	NO	-
No. 52	Farm Dams and Other Works in Land and Water Management Plan Areas	NO	-	-
No. 55	Remediation of Land	YES	NO	-
No. 62	Sustainable Aquaculture	YES	NO	-
No. 64	Advertising and Signage	YES	NO	-
No. 65	Design Quality of Residential Flat Development	YES	YES	CONSISTENT See Section B Question 5
No. 70	Affordable Housing	YES	NO	-
No. 71	Coastal Protection	NO	-	-
Affordable Rental Housing (2009)		YES	No	-
Building Sustainability Index: BASIX 2004		NO	-	-
Exempt and Complying Development Codes (2008)		YES	NO	-
Housing for Seniors or People with a Disability (2004)		YES	NO	-
Infrastructure (2007)		YES	NO	-
Kosciuszko National Park – Alpine Resorts (2007)		NO	-	-
Kurnell Peninsula (1989)		NO	-	-
Mining, Petroleum Production and Extractive Industries (2007)		YES	NO	-
Miscellaneous Consent Provisions (2007)		YES	NO	-
Penrith Lakes Scheme (1989)		NO	-	-
Rural Lands (2008)		NO	-	-
State and Regional Development (2011)		YES	NO	-
State Significant Precincts (2005)		YES	NO	-
Sydney Drinking Water Catchment		NO	-	-

STATE ENVIRONMENTAL PLANNING POLICY (SEPP)	APPLICABLE	RELEVANT ? (YES/NO)	(IF RELEVANT) INCONSISTENT / CONSISTENT
(2011)			
Sydney Region Growth Centres (2006)	NO	-	-
Three Ports (2013)	NO	-	-
Urban Renewal (2010)	NO	-	-
Western Sydney Employment Area (2009)	NO	-	-
Western Sydney Parklands (2009)	NO	-	-
Deemed SEPPs			
SREP No. 8 (Central Coast Plateau Areas)	NO	-	-
SREP No. 9 – Extractive Industry (No. 2 – 1995)	YES	NO	-
SREP No. 16 – Walsh Bay	NO	-	-
SREP No. 20 – Hawkesbury – Nepean River (No 2 – 1997)	NO	-	-
SREP No. 24 – Homebush Bay Area	NO	-	-
SREP No. 25 – Orchard Hills	NO	-	-
SREP No. 26 – City West	NO	-	-
SREP No. 30 – St Marys	NO	-	-
SREP No. 33 – Cooks Cove	NO	-	-
SREP (Sydney Harbour Catchment) 2005	NO	-	-

ATTACHMENT B: ASSESSMENT AGAINST SECTION 117 MINISTERIAL DIRECTIONS

DIRECTION		APPLICABLE	RELEVANT? (YES/NO)	(IF RELEVANT) INCONSISTENT/ CONSISTENT
1. Employment and Resources				
1.1	Business and Industrial Zones	NO	-	-
1.2	Rural Zones	NO	-	-
1.3	Mining, Petroleum Production and Extractive Industries	NO	-	-
1.4	Oyster Aquaculture	NO	-	-
1.5	Rural Lands	NO	-	-
2. Environment and Heritage				
2.1	Environment Protection Zone	NO	-	-
2.2	Coastal Protection	NO	-	-
2.3	Heritage Conservation	YES	YES	CONSISTENT See Section B Question 6
2.4	Recreation Vehicle Area	NO	-	-
2.5	Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs	NO	-	-
3. Housing, Infrastructure and Urban Development				
3.1	Residential Zones	YES	YES	CONSISTENT See Section B Question 6
3.2	Caravan Parks and Manufactured Home Estates	YES	NO	-
3.3	Home Occupations	YES	NO	-
3.4	Integrating Land Use and Transport	YES	YES	CONSISTENT See Section B Question 6
3.5	Development Near Licensed Aerodomes	NO	-	-
3.6	Shooting Ranges	NO	-	-
4. Hazard and Risk				
4.1	Acid Sulfate Soils	YES	NO	-
4.2	Mine Subsidence and Unstable Land	NO	-	-
4.3	Flood Prone Land	YES	YES	CONSISTENT See Section B Question 6
4.4	Planning for Bushfire Protection	NO	NO	-
5. Regional Planning				
5.1	Implementation of Regional	NO	-	-

DIRECTION		APPLICABLE	RELEVANT? (YES/NO)	(IF RELEVANT) INCONSISTENT/ CONSISTENT
	Strategies			
5.2	Sydney Drinking Water Catchment	NO	-	-
5.3	Farmland of State and Regional Significance on the NSW Far North Coast	NO	-	-
5.4	Commercial and Retail Development along the Pacific Highway, North Coast	NO	-	-
5.8	Second Sydney Airport: Badgerys Creek	NO	-	-
5.9	North West Rail Link Corridor Strategy	YES	YES	INCONSISTENT See Section B Question 6
5.10	Implementation of Regional Plans	NO	-	-
6. Local Plan Making				
6.1	Approval and Referral Requirements	YES	YES	CONSISTENT See Section B Question 6
6.2	Reserving Land for Public Purposes	YES	NO	-
6.3	Site Specific Provisions	YES	YES	CONSISTENT See Section B Question 6
7. Metropolitan Planning				
7.1	Implementation of A Plan for Growing Sydney	YES	YES	CONSISTENT See Section B Question 6
7.2	Implementation of Greater Macarthur Land Release Investigation	NO	-	-
7.3	Parramatta Road Corridor Urban Transformation Strategy	NO	-	-
7.4	Implementation of Greater Macarthur Land Release Investigation	NO	-	-
7.5	Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	NO	-	-