



THE HILLS
Sydney's Garden Shire

THE HILLS SHIRE COUNCIL
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12 December 2018

Ms Ann-Maree Carruthers
Director, Sydney Region West
Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

Our Ref: 16/2016/PLP
Your Ref: PP_2016_THILL_002_00

Dear Ms Carruthers,

**CASTLE HILL NORTH PLANNING PROPOSAL, DRAFT DEVELOPMENT CONTROLS,
CONTRIBUTIONS PLAN AND PUBLIC DOMAIN PLAN (16/2016/PLP)**

At its meeting of 27 November 2018 Council considered a report on the outcomes of the public exhibition of the planning proposal, draft development controls, draft Contributions Plan and draft Public Domain Plan for the Castle Hill North Precinct and resolved as follows:

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

The Council Report and Minute of 27 November 2018 is provided as Attachment D to the Planning Proposal (uploaded via Portal).

Transport for NSW and Roads and Maritime Services (RMS) have requested that the Planning Proposal not proceed until traffic modelling has been prepared by Council for the entire Castle Hill Precinct and evidence is provided that the realignment of the McMullen Avenue and Old Northern Road intersection will not adversely impact performance of the regional road network.

As detailed within the Planning Proposal and Council Report, the need to consider precinct-wide traffic impacts is acknowledged. However, the State Government's 2013 North West Rail Link Corridor Strategy identified substantial growth within all rail precincts along the rail corridor. The traffic analysis requested by Transport for NSW and RMS should have already been completed as a State Government responsibility. The expectation from Transport for NSW and RMS that Council should be responsible for detailed traffic and infrastructure planning work when this has not be required for other precincts within the Sydney Metro Northwest Corridor is unreasonable. Further, it is considered that the realignment of McMullen Avenue will improve its operational efficiency and the overall performance of the road network within Castle Hill Centre. No evidence has been provided by Transport for NSW and RMS to demonstrate that the proposed intersection treatment would result in an unacceptable impact on the regional road network. Accordingly, deletion of this item from the draft Contributions Plan is not considered to be warranted until sufficient evidence has been made available to justify its removal.

NSW Land and Housing Corporation (LAHC), owner of 24-26 Pennant Street, have objected to the extent of the Key Site applying to their site (which requires amalgamation of their site with 6 lots fronting Larool Crescent in order to achieve the 20% FSR bonus), have requested an increase in the Incentive FSR and that the housing diversity requirements not apply to the public housing component of their future development. The requested changes within the submission are not considered to be necessary. There are strategic benefits of amalgamating this site with properties fronting Larool Crescent which include improving the viability of terraces at this location. Further increasing the FSR and eroding the housing diversity provision is not considered to be warranted as LAHC are already eligible for bonus floor space under *State Environmental Planning Policy (Affordable Rental Housing) 2009* which could facilitate a feasible outcome and generally meet LAHC's unit mix requirements.

It is considered that there are insufficient grounds presented by either public authority to warrant the Planning Proposal being amended or not proceeding. However, as the issues raised by these public authorities are outstanding objections, Council can no longer exercise its delegation and the Planning Proposal is referred to the Department of Planning and Environment for finalisation.

The draft Contributions Plan will now be re-exhibited and submitted to IPART for review. A further report on the draft Contributions Plan will be prepared for Council's consideration following re-exhibition. It is requested that the draft LEP not be notified on the NSW legislation website until the draft Contributions Plan has been adopted by Council.

Any future correspondence in relation to this matter should quote the relevant reference number – 16/2016/PLP. Should you require further information please contact Alicia Iori – Senior Town Planner on 9843 0396.

Yours faithfully



Megan Munari
ACTING MANAGER FORWARD PLANNING

Attachment: Final Planning Proposal and attachments (uploaded via Portal).