A MOTION WAS MOVED BY COUNCILLOR UNO AND SECONDED BY COUNCILLOR HASELDEN THAT

1. Council approve the removal of the four single lane thresholds in Parsonage Road subject to the endorsement of the proposal by the Local Traffic Committee.

2. $120,000 be allocated in the 2019/20 Works Program for the removal of the thresholds and the restoration of the road pavement.

3. The re-opening of Warwick Parade to through traffic be reviewed in 12 months.

THE MOTION WAS PUT AND CARRIED.

704 RESOLUTION

1. Council approve the removal of the four single lane thresholds in Parsonage Road subject to the endorsement of the proposal by the Local Traffic Committee.

2. $120,000 be allocated in the 2019/20 Works Program for the removal of the thresholds and the restoration of the road pavement.

3. The re-opening of Warwick Parade to through traffic be reviewed in 12 months.

(Councillors Hay OAM and Tracey requested their names be recorded as opposing the resolution of Council)

ITEM-2 POST EXHIBITION - PLANNING PROPOSAL - CASTLE HILL NORTH PRECINCT (16/2016/PLP)

A MOTION WAS MOVED BY COUNCILLOR UNO AND SECONDED BY COUNCILLOR DR GANGEMI THAT the Recommendation contained in the report be adopted.

THE MOTION WAS PUT AND CARRIED.

705 RESOLUTION

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.

Being a planning matter, the Mayor called for a division to record the votes on this matter

VOTING FOR THE MOTION
Mayor Dr M R Byrne
Clr B L Collins OAM
Clr R Jethi
Clr J Jackson
Clr E M Russo
Clr F P De Masi
Clr A N Haselden
Clr Dr P J Gangemi
Clr A J Hay OAM
Clr S P Uno

VOTING AGAINST THE MOTION
Clr R M Tracey
Clr M G Thomas

MEETING ABSENT
Clr R A Preston

ITEM-3 POST EXHIBITION - PLANNING PROPOSAL AND DRAFT VOLUNTARY PLANNING AGREEMENT - VIVIEN PLACE, CASTLE HILL (2/2017/PLP)

A MOTION WAS MOVED BY COUNCILLOR HASELDEN AND SECONDED BY COUNCILLOR JETHI THAT the Recommendation contained in the report be adopted.

THE MOTION WAS PUT AND LOST.

Being a planning matter, the Mayor called for a division to record the votes on this matter

VOTING FOR THE MOTION
Clr A N Haselden
Clr A J Hay OAM

VOTING AGAINST THE MOTION
Mayor Dr M R Byrne
Clr B L Collins OAM
Clr R Jethi
Clr J Jackson
Clr M G Thomas
Clr E M Russo
Clr F P De Masi
Clr Dr P J Gangemi
Clr S P Uno
Clr R M Tracey

ITEM-2	**POST EXHIBITION - PLANNING PROPOSAL - CASTLE HILL NORTH PRECINCT (16/2016/PLP)**
THEME:	Shaping Growth.
OUTCOME:	5 Well planned and liveable neighbourhoods that meets growth targets and maintains amenity.
STRATEGY:	5.1 The Shire's natural and built environment is well managed through strategic land use and urban planning that reflects our values and aspirations.
MEETING DATE:	**27 NOVEMBER 2018** COUNCIL MEETING
GROUP:	**SHIRE STRATEGY, TRANSFORMATION AND SOLUTIONS**
AUTHOR:	**SENIOR TOWN PLANNER** ALICIA IORI
RESPONSIBLE OFFICER:	**MANAGER – FORWARD PLANNING** STEWART SEALE

EXECUTIVE SUMMARY

This report recommends that Planning Proposal (16/2016/PLP) which seeks to amend LEP 2012 in relation to the Castle Hill North Precinct be forwarded to the Department of Planning and Environment for finalisation. It is further recommended that draft Contributions Plan No.17 – Castle Hill North be re-exhibited and forwarded to the Independent Pricing and Regulatory Tribunal (IPART) for endorsement, and that draft DCP 2012 (Part D Section 18 – Castle Hill North), draft DCP 2012 (Part C Section 1 – Parking) and draft Public Domain Plan – Castle Hill North be adopted and come into force following notification of the LEP amendment on the NSW Legislation website.

Delegation for making the LEP was issued to Council under the Gateway Determination. However, as there are unresolved public authority objections it is considered appropriate that the proposal be forwarded to the Department of Planning and Environment for finalisation, with a request that the rezoning not occur until the Contributions Plan has been endorsed by IPART.

The planning proposal and supporting plans were exhibited from Thursday 17 August 2017 to Friday 15 September 2017. Council received 80 submissions on the draft plans, including 7 submissions from public authorities and 73 public submissions. Of the 73 public submissions, 46 commented specifically on the Castle Hill North Precinct and 28 submissions commented on the proposed playing fields in Glenhaven.

Public Authority Submissions

NSW Land and Housing Corporation (LAHC), owner of 24-26 Pennant Street, 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), requested an increase in the Incentive FSR and requested 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 including 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.

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.

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

Castle Hill North Submissions

Public submissions relating to the Castle Hill North Precinct generally raise concern with the future character and built form, traffic and amenity impacts, requests to be included in the precinct and requests for increased height and density for specific sites.

The resulting density and built form that will be facilitated by the proposal is considered appropriate for a high density transit node and will assist Castle Hill to transition to its intended role as a major strategic centre. The proposed densities have been carefully considered through the precinct planning process which identified appropriate locations for specific land uses and built forms. Concerns relating to amenity generally relate to privacy and overshadowing which are adequately addressed through the draft development controls. Concerns relating to traffic have been adequately addressed through planned local infrastructure improvements (road widening and intersection upgrades) which will facilitate safe and efficient traffic flow and on-street parking where necessary.

Requests that additional properties be included in the precinct are not considered warranted at this time as the boundaries have been carefully considered through detailed precinct planning and respond appropriately to identified opportunities and constraints. Master planning for other areas within the Castle Hill Precinct will occur in the near future.

Glenhaven Playing Field Submissions

Public submissions in relation to the proposed district playing field facility at Glenhaven related to location, traffic, parking, impact on rural lifestyle and amenity, impact on property values and ecological impacts. In recognition of the extent of concerns raised, further investigation has since been undertaken to establish an alternative approach to address the increased demand for playing fields generated by future growth within the Castle Hill Precinct. At its meeting of 11 September 2018 Council resolved to not proceed with the

rezoning of the proposed district open space facility on land bound by Gilmour Close, Glenhaven Road and Kyle Avenue, Glenhaven (3/2018/PLP).

Based on a further review of potential sites as detailed in the report, it is recommended that the draft Contributions Plan be amended to delete the previously identified site and include an expansion of facilities at Holland Reserve in Glenhaven. Overall, the expansion would include the construction of 3 additional playing fields, just over half of which (55%) would address growth within Castle Hill North. Holland Reserve was initially considered but not pursued to due to a number of constraints including the presence of vegetation, topography, telecommunication towers and the need for upgrades to Holland Road. Whilst Holland Reserve is constrained, this site presents a good opportunity as the land is already owned by Council and zoned for public open space. Further, only the capital cost of delivering the new playing fields will need to be included in the contributions plan. Additional playing fields for station precincts yet to be master planned including the remainder of Castle Hill and Cherrybrook are likely to be required.

Post Exhibition Amendments
It is proposed to make a number of minor amendments to the planning proposal to address submissions and ensure consistency between all of the plans. Amendments primarily relate to the Key Site Provision and rezoning of land along Castle Street, Carramarr Road and Old Castle Hill Road to reflect exhibited outcomes within the draft DCP and Contributions Plan. Further, post-exhibition amendments to the draft development controls primarily seek to address issues raised in submissions, improve the structure and usability of the controls, ensure consistency between the plans and reflect the recently adopted controls for the Showground Precinct, where appropriate. These amendments will ensure that future development exhibits a high quality built form outcome that responds to the location and the intended character for the Precinct.

Amendments to the Contributions Plan include removal of the open space facility at Gilmour Close, inclusion of capital costs for Holland Reserve, revised capital costs for Castle Street and Old Castle Hill Road (resulting from the preparation of more detailed cost estimates) and removal of public domain upgrades, which are now proposed to be delivered by developers as a condition consent. As noted above, these amendments are considered to be of a nature that will warrant re-exhibition of the plan.

REPORT

The purpose of this report is to consider the outcomes of the public exhibition of the Castle Hill North Planning Proposal (16/2016/PLP), draft Contribution Plan, draft Development Control Plan Sections (Castle Hill North and Parking) and the draft Public Domain Plan.

1. SUMMARY OF DRAFT PLANS

The Planning Proposal for Castle Hill North seeks to implement changes to land zoning and development standards and to introduce a new local provision to facilitate increased residential densities within the Castle Hill North Precinct. The proposal will facilitate up to 3,283 additional dwellings and 6,045 additional people. The boundaries of the Castle Hill North Precinct are shown in the following figure.

Figure 1
Castle Hill North Precinct

Draft development controls, a draft Public Domain Plan and draft Contributions Plan were prepared to support future redevelopment of this Precinct.

The draft development controls are proposed to regulate future built form and ensure high quality development outcomes that reflect the intended character for the Precinct as a highly liveable transit centre. The controls also seek to achieve a well-connected pedestrian network, active street frontages, high quality architectural style and character, attractive streetscapes, public realm, common open space and car parking. A copy of the DCP structure plan is provided in the following figure.

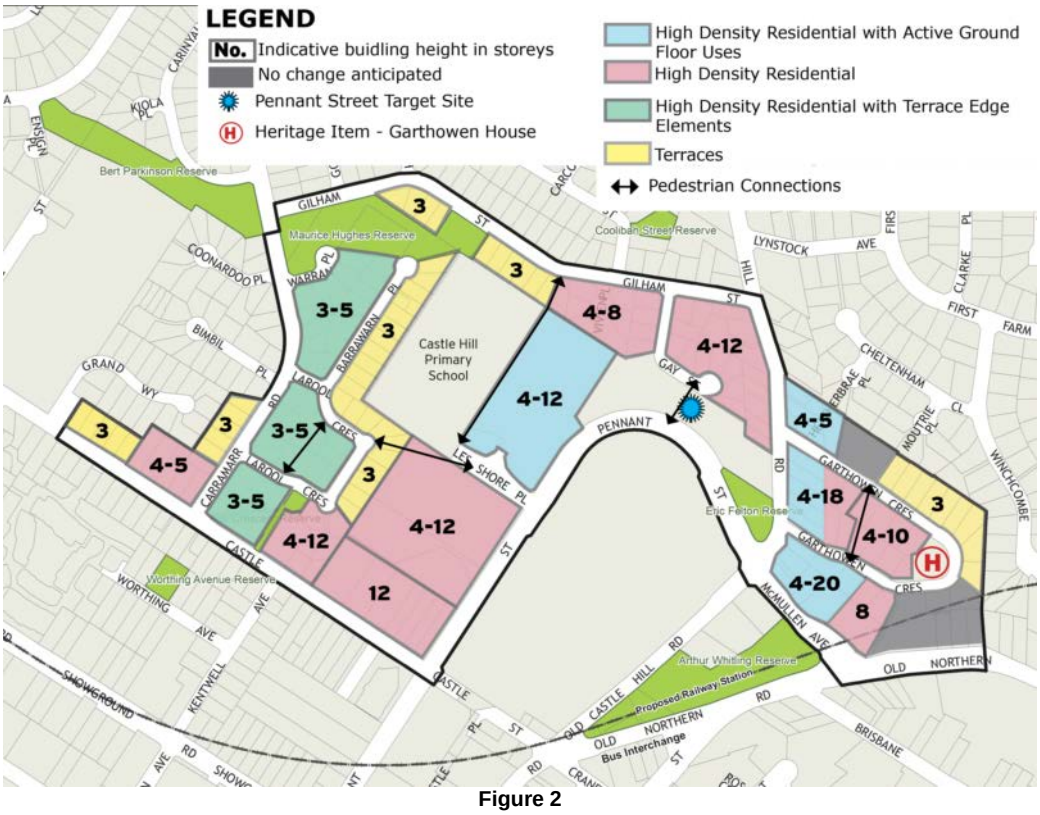


Figure 2
Castle Hill North Structure Plan (as Exhibited)

The draft Public Domain Plan seeks to enhance the image and amenity of the Precinct. It guides the location and design of public domain features including street trees, footpath paving, furniture and landscaping to give the precinct a unique urban identity, whilst complementing the character of the surrounding area. It will provide the overall direction for creating public spaces that are attractive, safe and vibrant within the town centre.

The draft contributions plan will enable Council to levy new residential development to collect the necessary funds for the provision of local infrastructure required to support the additional population. It aims to ensure that future residents are able to access facilities and services that are consistent with the lifestyle enjoyed by existing Hills residents. The Plan identifies upgrades and new facilities including roundabouts, road widening, intersection re-alignment, new playing fields, upgrade of local open spaces and new stormwater management facilities.

A site was identified at 7-13 Glenhaven Road, 1 Kyle Avenue and 3 Gilmour Close, Glenhaven to accommodate playing fields to address growth within Castle Hill North. However, as a result of issues raised during the exhibition for Castle Hill North, at its meeting of 11 September 2018 Council resolved as follows:

1. *Council not proceed with Planning Proposal (3/2018/PLP) which seeks to rezone 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) from RU6 Transition to RE1 Public Recreation and identify the land on the Land Reservation Acquisition Map of 2012.*
2. *Council request the Minister for Planning to determine that Planning Proposal (3/2018/PLP) not proceed.*

As detailed within this report, further investigation has been undertaken of an alternative approach to address the increased demand for playing fields.

2. GATEWAY DETERMINATION

On 2 November 2016, Council received Gateway Determination from the Department of Planning and Environment which authorised Council to exercise delegation to make the plan. Condition 1 of the Gateway Determination required Council to amend the planning proposal to be consistent with the agreed Housing Diversity Methodology. Condition 3 of the Gateway Determination required consultation with the following public authorities:

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

All of the conditions of the Gateway Determination have been satisfied.

3. EXHIBITION DETAILS

The draft plans were exhibited from Thursday 17 August 2017 to Friday 15 September 2017.

Notification Letters were sent to 11 public authorities, and all landowners within and in the vicinity of the Castle Hill North Precinct (3,733 landowners) and the land owners within the vicinity of the proposed playing fields in Glenhaven (537 landowners). Two (2) informal drop-in sessions were held where staff were available to answer individual questions on the draft plans. These were held at Castle Hill Library on:

- Thursday 31 August 2017 between 11am - 7pm; and
- Saturday 2 September 2017 between 11am - 3pm.

Council received 80 submissions on the draft plans, comprising 7 submissions from public authorities and 73 public submissions. Of the 73 public submissions, 46 commented specifically on the Castle Hill North Precinct and 28 submissions commented on the proposed playing fields in Glenhaven.

4. PUBLIC AUTHORITY CONSULTATION

Submissions were received from the following public authorities:

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

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

a) Land and Housing Corporation

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

Figure 3
24-26 Pennant Street, Castle Hill (Land and Housing Corporation Site)

Exhibited Standards

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

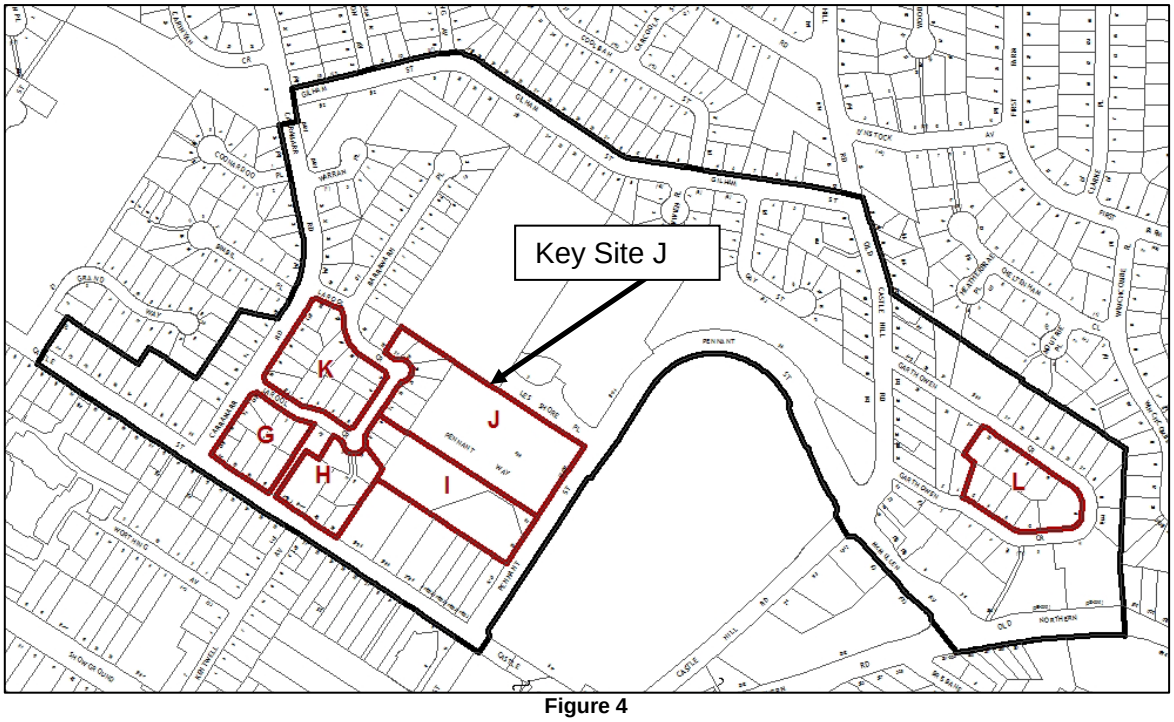


Figure 4
Key Site Map

Key Site Provision

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

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

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

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

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

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

<u>Dwelling Mix and Diversity Provision</u>
LAHC raised objection to the application of the housing diversity provision to public housing dwellings.

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

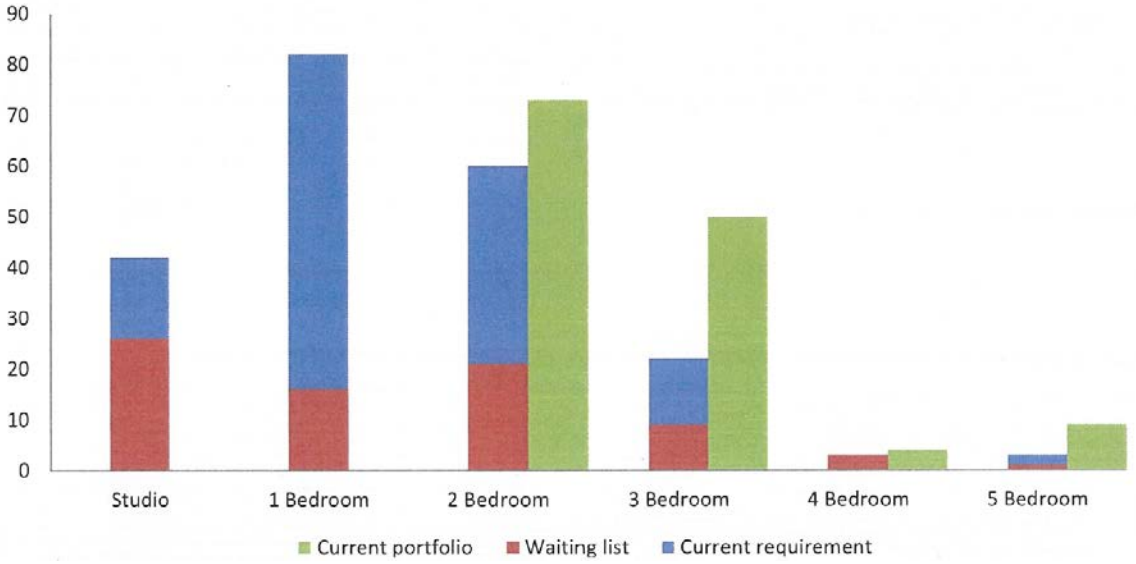


Figure 5
Total Demand vs. Existing Supply of Land and Housing Corporation Dwellings in The Hills Shire

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

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

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

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

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

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

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

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

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

Table 1
Potential Affordable Housing Bonus – SEPP (Affordable Rental Housing)

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

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

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

For the reasons outlined above it is recommended that Council not amend the housing diversity provision to exempt social housing from complying with the development standards contained within the provision.

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

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

Traffic Analysis

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

Comment:

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

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

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

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

The performance of the existing road network within and surrounding the precinct is largely dependent on the operating performance of a few key intersections, which are critical capacity control points in the network. Traffic management measures including both road widening and intersection improvements are proposed to achieve satisfactory traffic outcomes as a result of future development. Roundabouts at four (4) key intersections are proposed to meet future vehicular demand whilst ensuring an acceptable level of access, safety and convenience for all street and road users within the Castle Hill North Precinct. These intersections include:

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

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

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

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

Figure 6
Possible Concept – Realignment of Old Northern Road, Brisbane Road and McMullen Avenue

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

Local Bus Services

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

Comment:

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

sufficient separation between pedestrians and vehicular traffic. The revised street profiles are provided below.

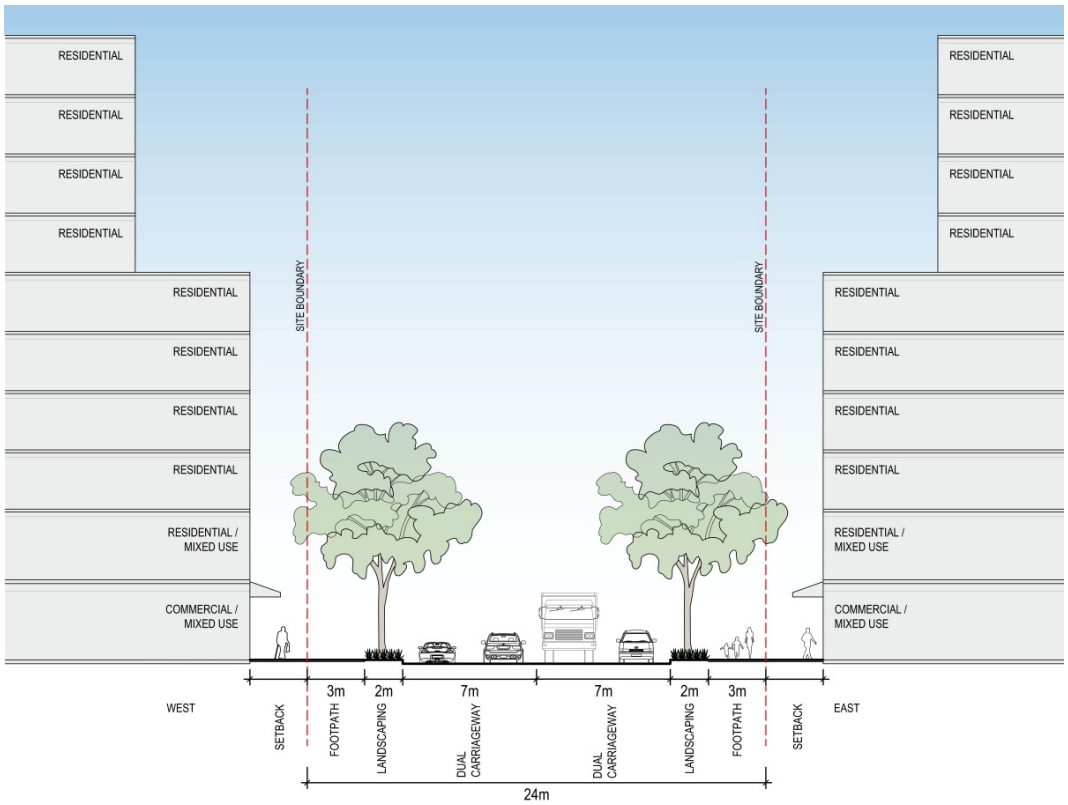


Figure 7
Proposed Road Section with Increased Lane Widths – Old Castle Hill Road

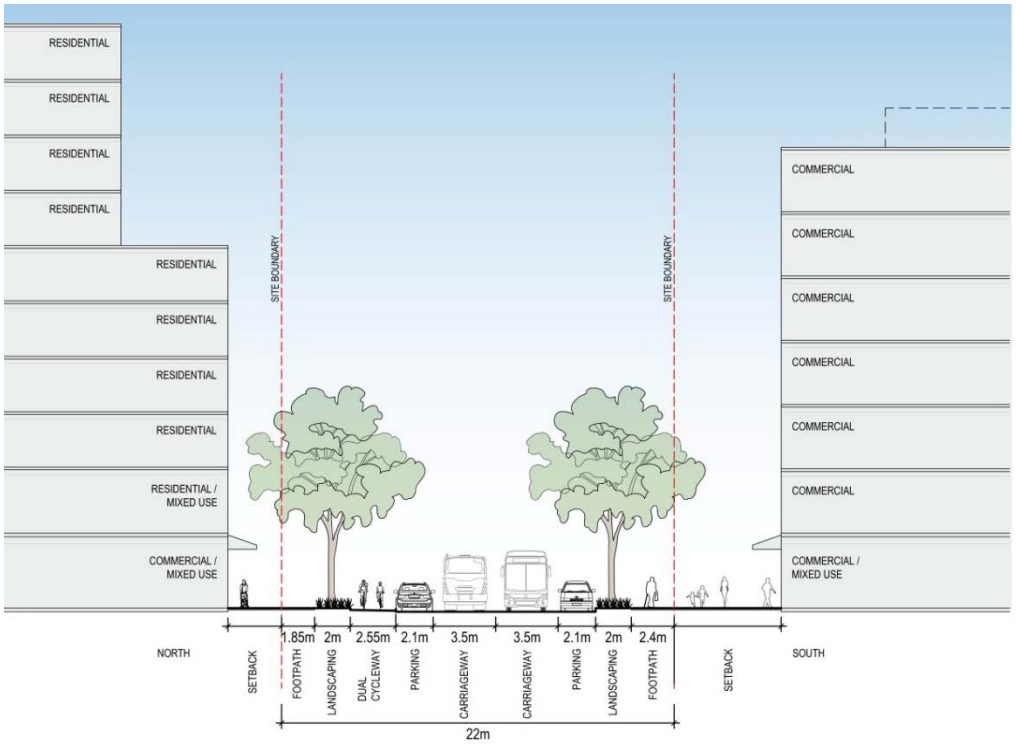


Figure 8
Proposed Road Section with Increased Lane Widths – Castle Street

It is not proposed to widen the road reservation of Carramar Road as part of the Castle Hill North Planning Proposal. Therefore, it is not possible to provide the requested additional lane width. Should Transport for NSW and RMS wish to provide additional lane width to facilitate bus accessibility along this road, they could investigate acquiring this land through a separate process.

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

5. PUBLIC SUBMISSIONS

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

A. Castle Hill North (General)

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

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

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

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

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

D. Playing Fields

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

A detailed overview of the comments raised in submissions is provided below.

A. Castle Hill North (General)

i. Traffic Congestion and Parking

Submissions raised concern regarding various matters relating to traffic generation and congestion including:

- General objection to increased traffic congestion and requests for a comprehensive traffic study;
- Congestion and safety along Garthowen Crescent and Old Castle Hill Road; and
- Proposed parking provision and on-street parking.

Comment:
With any successful transit centre, it is imperative that the street network is designed with people in mind and not just traffic. It is anticipated that as the Castle Hill Centre transitions into a high density transit centre there will be a significant modal shift from private cars to alternative forms of transport such as public transport. This will result in increased public transport patronage and a reduction in the rate of car ownership. Notwithstanding the projected change in travel behaviour, it is imperative that appropriate traffic management measures and intersection treatments are implemented to achieve satisfactory traffic management outcomes.

Traffic management measures including both road widening and intersection treatments are proposed for the precinct. These are outlined in detail in Section 4(b) of this report. Submissions requesting a comprehensive traffic study have also been addressed in the response to Transport for NSW and RMS (Section 4b).

Concerns regarding congestion and safety along Garthowen Crescent and Old Castle Hill Road are acknowledged. To address this, road widening has been proposed along both of these roads to ensure that sufficient road reserve is provided to facilitate safe and efficient traffic flow, on-street parking (where required) and improved pedestrian verge widths which are reflective of their intended use.

Reduced parking rates have been proposed to reflect the precinct's close proximity to high frequency public transport services including the future Castle Hill Station and existing bus interchange. The revised rates are based on analysis of car ownership and car parking rates applied within other transit centres across Sydney. The revised rates also correlate with the housing diversity methodology agreed with the Department of Planning and Environment.

As part of the approval of the Sydney Metro Northwest, Transport for NSW is required to prepare a Parking Management Strategy that considers management of commuter parking facilities and on-street parking around each of the new railway stations. This strategy will guide any future implementation of parking restrictions on the road network surrounding each station. Transport for NSW is required to consult with Councils, RMS and Bus Operators during the preparation of the strategy. Following finalisation of the strategy, Council will be responsible for implementing parking restrictions surrounding the new stations. Further details will be available following finalisation and public release of the strategy in the near future.

ii. Land Dedication along Garthowen Crescent

Concern has been raised that the proposed land dedication plan for Garthowen Crescent applies to land that is not proposed to be rezoned.

Comment:
Currently the road reservation for Garthowen Crescent is around 15-16 metres, with a 7.5m carriageway width, which is quite narrow. As higher density development occurs, the carriageway and road reservation will need to be widened in certain locations to facilitate improved vehicular movement and safety. The proposed street section within the exhibited DCP proposed a 17 metre road reservation with a 10.2 metre carriageway width. An extract of the proposed street section is included below. It is recognised that as part of the detail design of the future road upgrade, parking may not be able to be provided for certain sections of the roadway or in some instances may only be provided on one side, due to poor sight distances.

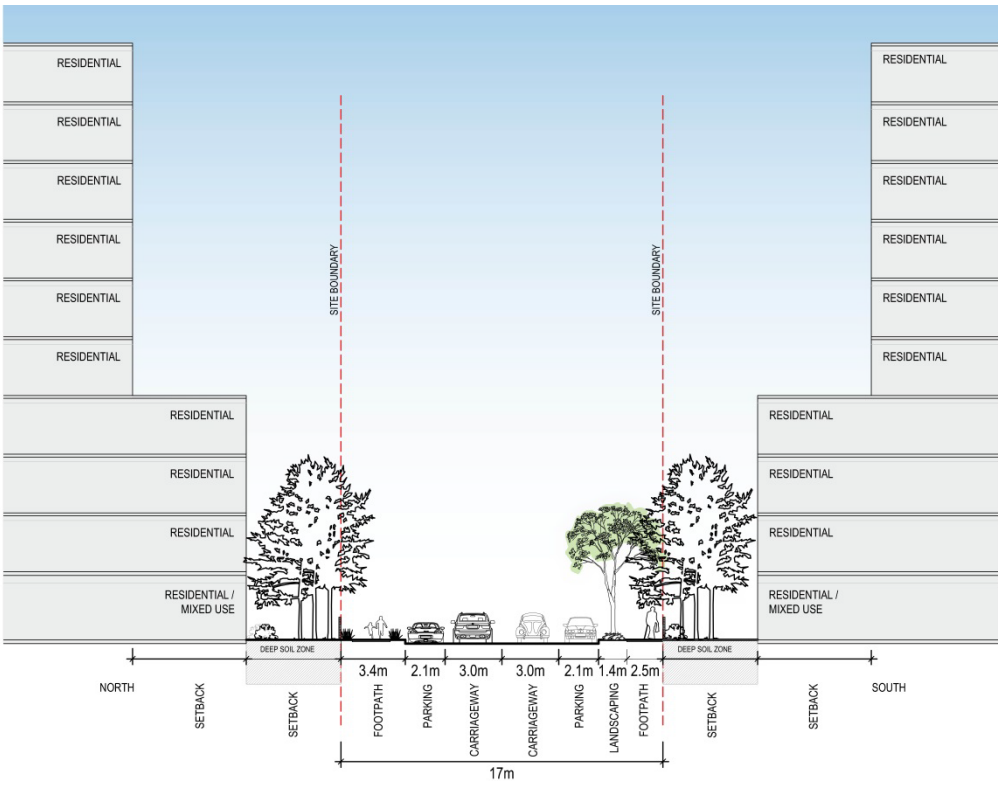


Figure 9
Proposed Road Section – Garthowen Crescent

In order to facilitate a 17 metre road reservation, a concept was prepared which identifies locations where the carriageway could be widened whereby private land would need to be dedicated to facilitate the widened road reservation. It was intended that this land would be dedicated as redevelopment occurs. However, the exhibited land dedication plan included land that is not proposed to be rezoned (circled in yellow).

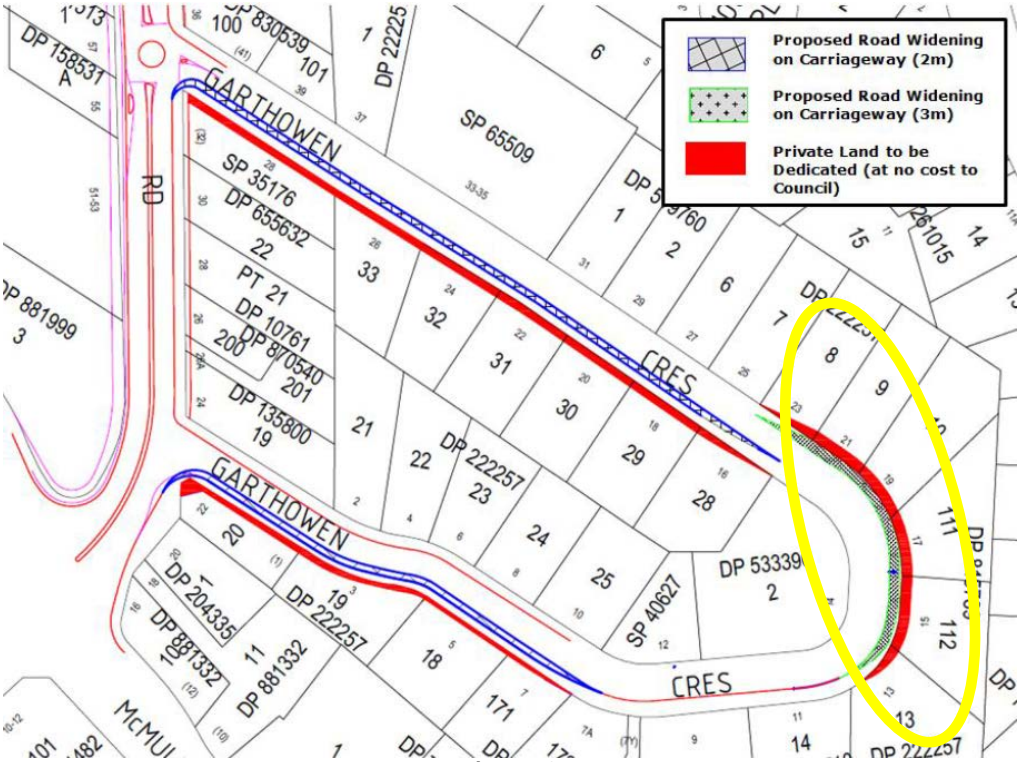


Figure 10
Proposed Land Dedication Plan– Garthowen Crescent

In recognition that these properties are not proposed to be rezoned as part of the Castle Hill North Planning Proposal, it is considered reasonable that the land dedication plan be amended to remove the properties (being 11-13, 15-15A, 17, 19, 21 and 23 Garthowen Crescent). The road reservation in this location is currently approximately 16m which is sufficient to accommodate the identified travel lanes and footpath widths in the DCP. The bend in this part of the road is not likely to be suitable for parking and therefore the additional widening would not be necessary at this location.

iii. Objection to Density and Height of Buildings

Objection has been raised with respect to the general density and height of buildings being sought through the proposal. Specific concerns were raised with respect to building heights proposed within Garthowen Crescent due to traffic and heritage impacts and objection to building heights adjoining Castle Hill Public School due to privacy and overlooking concerns.

Comment:
The Proposal for the Castle Hill North Precinct will facilitate development of approximately 3,283 additional dwellings which is consistent with the overall growth identified in the North West Rail Link Corridor Strategy released by the State Government in 2013. The role of Castle Hill as a major strategic centre has long been recognised in State and local strategies. Centres such as Castle Hill have a critical role in providing housing, jobs, services, civic and cultural uses of metropolitan significance. The delivery of the Sydney Metro Northwest further reinforces the role of Castle Hill as a transit-oriented destination that should provide range of residential, commercial, open space and public facilities within walking distance of a transit node making it convenient and attractive to walk, cycle or use public transport. The renewal and redevelopment of Castle Hill North for higher density development is a key element to enabling Castle Hill to transition to its intended character and scale.

In responding to the identified growth around the Sydney Metro Northwest, Council's general approach has been to place the highest densities immediately surrounding centres (close to stations/transport) and transitioning to medium and lower density outcomes in more peripheral locations. It is however recognised that some taller elements may be acceptable in outer locations to facilitate diversity in the skyline and improved public benefit outcomes, subject to amenity impacts being addressed. Notwithstanding, it is accepted practice to concentrate the majority of growth, and therefore height of buildings, in central locations which offer walkability, convenient access to services, and to increase efficiencies. The planning for Castle Hill North reflects this approach with the highest densities generally identified for sites within a 400m catchment of the centre and transitioning to medium density forms including residential flat buildings and terraces towards the edges of the precinct.

The proposed built form for land in Garthowen Crescent allows for some increased densities in a highly accessible location including taller buildings in key locations adjacent to the station. Lower scale buildings and terraces are generally identified for land further from the station and adjoining lower scale existing development and sensitive interfaces such as Garthowen House. The DCP provides specific guidance to manage potential interface impacts including requiring buildings adjoining the heritage site to have a maximum height of four storeys or be no more than 13.5m in height.

With respect to development surrounding the school, it is encouraged through the applicable development controls that the highest built forms will be located on areas of sites that will have the least impact on the school. Additionally, a control has been included within the draft DCP that requires all buildings to be designed to maximise the privacy of surrounding properties, particularly sensitive interfaces such as the school. Other requirements in the draft DCP including setbacks, overshadowing and landscaping controls which will further reduce potential amenity impacts on surrounding properties.

iv. Inconsistency between Hills Corridor Strategy Densities and Castle Hill North Controls

Concern was raised regarding the inconsistency between the densities identified in The Hills Corridor Strategy and the standards and controls in the Castle Hill North Planning Proposal and draft DCP. Concern was raised that the densities, floor space ratios (base and incentive), building heights and site coverage do not correlate.

Comment:
The Hills Corridor Strategy undertook a holistic review of development opportunities, constraints and desired outcomes across the rail corridor and identified guiding densities to demonstrate how the yields identified within the North West Rail Link Corridor Strategy could be achieved. Work undertaken for the Corridor Strategy was further refined through detailed master planning for the Castle Hill North Precinct which gave additional consideration to the opportunities and constraints afforded by specific sites. This further work informed the preparation of planning controls within the Castle Hill North planning proposal and supporting plans. It is therefore acknowledged that in some cases the planning controls identified for Castle Hill North Precinct may result in slightly different densities to those identified in The Hills Corridor Strategy.

It is recognised that the Base FSRs are generally low. The determination of the Base FSRs reflects agreed methodology with the Department of Planning and Environment for the Sydney Metro Northwest Corridor and was established over a long period of negotiation and discussion involving the Minister for Planning and the Chief Planner of NSW. It is

anticipated that most developers will take-up the Incentive FSR and provide housing diversity. However, if a developer does not wish to provide housing diversity they can develop at the base FSR.

Considerable effort has been made to ensure the controls proposed for the Castle Hill North Precinct are clear and easy to apply. Height of Building requirements have not been included in the LEP to provide developers with flexibility with respect to the distribution of floor space. In order to provide some guidance to developers and the community on the intended built form outcome, indicative building height ranges have been included in the draft DCP.

Within the precinct, floor space ratios are intended to be the primary mechanism for controlling the yield on individual sites. Site coverage controls have been included in the DCP to ensure there is adequate space for landscaping, provide space between buildings and reflect the desired landscaped character of the precinct. There may be instances where strict compliance with all of the controls applying to a development site may not be achievable or may provide a reduced quality built form/amenity outcome. Opportunity exists within the applicable planning framework to consider such instances by seeking a variation to particular controls at the development application stage.

v. Impact on Heritage (Garthowen House)

Comments have requested that special attention be given to any development application that has the potential to adversely impact on Garthowen House.

Comment:
Controls are included within the draft development control plan to ensure that development within the vicinity of Garthowen House does not impact on the heritage significance of the heritage item. These controls include retention of heritage curtilage, restricting the height of development adjoining the heritage site to 4 storeys, regulating the location of common open space, retention of view lines and solar access requirements.

vi. Capacity of Existing Schools

Concern has been raised with respect to the capacity of existing schools and their ability to cope with the scale of growth within the Precinct.

Comment:
As schools are regional infrastructure the Department of Education and Communities has been consulted on the Proposal. In recognition of the high rate of growth within the Sydney Metro Northwest Precincts and the additional growth occurring within the Shire's release areas, the NSW Government will need to establish a clear plan as to how the future population will be serviced with education facilities.

vii. Lack of Open Space (Parks and Playing Fields)

Concerns have been raised with respect to the lack of open space within, and within the vicinity of, the Precinct. Comments noted that the existing parks are small and not sufficient to cater for the additional population. Significant concern was raised that there are no parks nearby suitable for organised sport so residents will have to travel if they wish to participate.

Comment:
The planning for this precinct seeks to ensure that future residents are able to access open space and recreation facilities consistent with the lifestyle enjoyed by existing Hills Shire residents.

Achieving a higher amount of passive open space within this Precinct presents challenges due to its highly urbanised context and the cost of land. Accordingly the approach which has been pursued 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. The small pocket parks located within the precinct currently have minimal levels of embellishment and as a result are under-utilised. The focus for these areas is increasing the range of activities through the use of improvements such as play equipment, picnic facilities and additional landscaping and seating. The aim is to transform these spaces.

Matters relating to the provision of playing fields to meet the demand of the future population within the Castle Hill North Precinct are discussed in Section 5(d) of this report.

viii. Privacy

A number of submissions raised concern with respect to the impact of future development on privacy. These were raised by residents within Grand Way and residents within one of the existing strata developments Garthowen Crescent.

Comment:
As can be seen on the Castle Hill Structure Plan (Figure 2 of this report), the proposed height of future buildings is proposed to be distributed in a manner which generally facilitates a downward transition of height from the station to the outer edges of the precinct. This approach ensures that the built form of future development does not create an unreasonable interface with sensitive lower density development adjoining the precinct.

In order to ensure that the privacy of residents is maintained, development controls have been prepared to ensure that private open space and habitable rooms of proposed and existing residential dwellings are reasonably protected. These controls are included within the draft Development Control Plan. Proposed privacy controls relate to:

- Podium and tower form controls;
- Building orientation;
- Building layout,
- Location, size and placement of windows and balconies;
- Screening devices; and
- Landscaping.

The design of future development on site will also need to be consistent with Council's *State Environmental Planning Policy No.65 – Design Quality of Residential Flat Development* and the associated Apartment Design Guide which contains design requirements with respect to visual and acoustic privacy.

ix. Overshadowing

A number of submissions raised concern that future development will overshadow properties within and surrounding the precinct.

Comment:
The exhibited controls for the Castle Hill North Precinct reflected the controls which currently apply within the Residential Flat Building Section of DCP 2012. It is proposed that overshadowing controls be amended to reflect the overshadowing and solar access controls recently adopted for the Showground Precinct as follows:

- *Development is to ensure that at least 50% of the landscaped open space of adjoining properties receives a minimum of 4 hours of sunlight between the hours of 9am and 3pm on 21 June.*
  - *Note: Where these areas already receive less than the minimum 4 hours, the proposed development shall not further reduce the level of solar access.*
- *Development shall achieve direct sunlight to the principal usable part of the communal open space within the development site for a minimum of 2 hours between 9am and 3pm on 21 June.*
- *The development shall not create additional overshadowing of land identified for public open space between the hours of 11am-2pm on 21 June. This includes public open spaces outside and adjacent to the precinct.*
- *Solar access to future dwellings within the development shall comply with, and where possible exceed, the minimum solar access requirements within the Apartment Design Guide.*

The application of the above controls will ensure that solar access to adjoining sites is not unreasonably affected.

B. <u>Castle Hill North (Requests to be included in the precinct)</u>

A number of submissions requested additional sites be included within the precinct. Requests for inclusion generally stem from a desire for redevelopment opportunities or concerns relating to perceived amenity impacts or reduction in property values if left out of the precinct. The subject properties which have requested to be included are identified in the figures below.

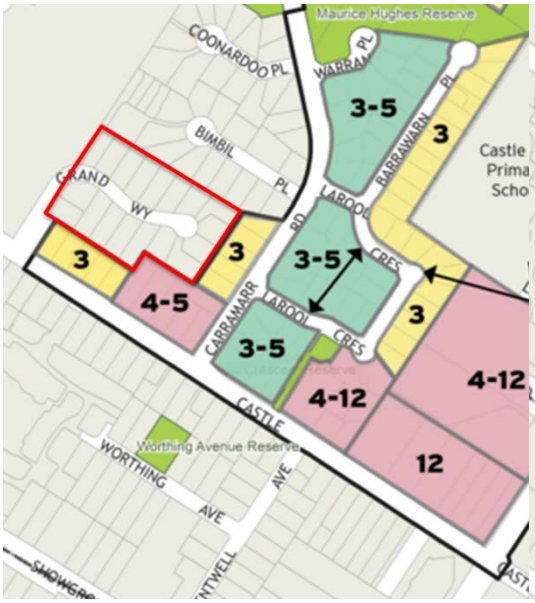


Figure 11
Properties around Grand Way

Figure 12
Worthing and Kentwell Avenue

Comment:
Land within the exhibited boundary of the Castle Hill North Precinct has been subject to a lengthy and extensive master planning exercise over a number of years. The need for further master planning of this area was identified in Council's 2008 Residential Direction, with detailed master planning formally commencing in 2011.

The area contained within the exhibited boundary will maintain appropriate and realistic opportunities for transit oriented development whilst also recognising and responding to the character of the wider local area. Exclusion of land outside the precinct at this stage does not preclude future consideration of these areas for higher density development should demand increase in the future.

As the Castle Hill North Precinct has already been subject to an extensive master planning process, the inclusion of additional sites within the precinct following the public exhibition period is not considered to be appropriate as it would necessitate the issue of a revised Gateway Determination from the Department of Planning and Environment and re-exhibition of the planning proposal.

Should owners wish to have land adjoining the precinct considered for inclusion, it is open for them to prepare and submit a planning proposal. Notwithstanding, further master planning of land within the remainder of the Castle Hill Precinct, for which the boundaries are yet to be defined, will be undertaken following the finalisation of the Castle Hill North Precinct.

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

A number of sites within the precinct have requested amended planning controls, primarily greater height and density. A summary of each request and planning comments are provided below. It is considered that the submissions do not warrant any change to the proposed controls at this time. Should landowners wish to have alternative outcomes considered, they are entitled to lodge a planning proposal along with supporting evidence to demonstrate that alternative outcomes are appropriate for the location and can be serviced with supporting infrastructure.

i. Land Bound by Gay Street, Gilham Street and Old Castle Hill Road

The submission in relation to these properties (outlined in red in the figure below) requests the land to be considered for additional density. The request is made primarily on the basis of the proximity to the Castle Hill Station and the higher densities applicable to surrounding sites including Pennant Street Target Site and properties within Vivien Place subject to a separate planning proposal (2/2017/PLP). The land is proposed to be rezoned R4 High Density Residential under the current planning proposal and the DCP envisages the site will accommodate high density residential development with heights up to 12 storeys. The submission requests that Council provide an incentive uplift if all properties are amalgamated through a development application and the site is developed logically in a non-piecemeal basis.

Figure 13
Land bound by Gay Street, Gilham Street and Old Castle Hill Road

Comment:
The request for additional density at this location is not considered necessary. There is sufficient opportunity for redevelopment afforded by the proposed standards including an Incentive FSR of 2.04:1 where development complies with the housing diversity requirements. Whilst the proposed density and heights are lower than the adjoining target site, this is to assist in providing a transition from sites closest to the centre to lower density development outside of the precinct. Further, uplift being proposed for land within Vivien Place (subject to a separate planning proposal) is intended to facilitate the delivery of a future road link connecting Les Shore Place and Gilham Street which is a considerable public benefit. Accordingly, no change to the planning proposal as exhibited is considered warranted for these sites.

ii. Land within Barrawarn Place

These submissions relate to a strip of properties within Barrawarn Place (outlined red in the figure below) which are proposed to be rezoned R3 Medium Density Residential and for which the DCP envisages three storey terrace outcomes. The submissions request the planning controls for the subject sites be amended to facilitate 3-5 storey development consistent with the western side of Barrawarn Place and Larool Crescent. Alternatively, it is requested that both sides of Barrawarn Place be identified for three storey terrace development. The requests are made on the basis that Proposal is inconsistent with the principle of containing the highest densities closes to the centre and that surrounding future development will overshadow the subject land creating adverse amenity impacts and reduced property values.

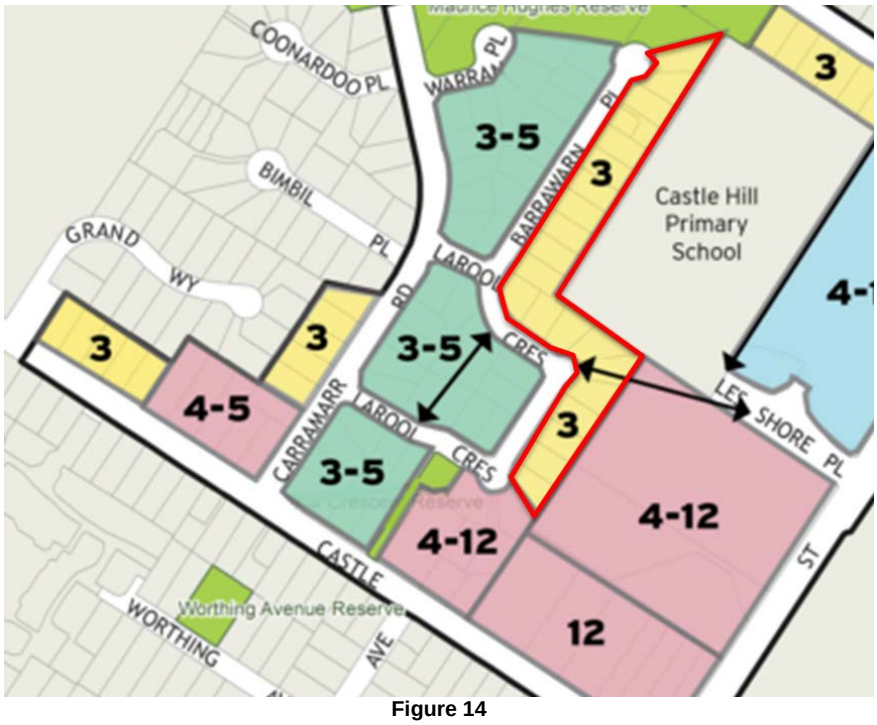


Figure 14
Land within Barrawarn Place

Comment:
Locations for higher density housing within the Castle Hill North Precinct have been identified by factors including proximity to the future railway station and Castle Hill centre and amalgamation opportunities. Medium density outcomes have been identified for sites in the periphery of the Precinct, and where there are constraints such as shallow lot depth and interfaces with low density housing and sensitive land uses, such as Castle Hill Primary School. Given the narrow depth of the subject properties, there would be insufficient room to accommodate satisfactory setbacks to provide an appropriate degree of separation of future development to the primary school. The site constraints inhibit the ability of residential flat building development on the site to meet key design requirements specified within Council's DCP.

A landowner-initiated planning proposal was previously submitted for a number of properties within the subject area requesting higher density development (Planning Proposal 7/2016/PLP). The proposal did not proceed due to the lack of suitability of the sites for residential flat buildings, reduced diversity of housing typologies for the precinct and inadequate consideration of infrastructure. The submissions do not provide additional evidence, in addition to what was submitted as part of the previous planning proposal, to demonstrate that a high density concept would be an appropriate outcome in this location.

Key concerns of the submission authors relate to overshadowing, resulting loss of amenity and impact on property values. The draft DCP includes controls that require a minimum amount of solar access to adjoining properties. The controls will ensure that future development reduces potential amenity impacts on surrounding properties. Further, properties close to the future stations of the Sydney Metro Northwest have already experienced uplift in value due to the new infrastructure and transport option. The envisaged high quality redevelopment will make Castle Hill a more desirable place to live and it is expected that the current high values of property within this area will continue, subject to market forces. Accordingly, no change is considered necessary for the subject sites.

iii. 15-31 Garthowen Crescent

A submission has been received in relation to nine adjoining properties at 15 – 31 Garthowen Crescent, Castle Hill (outlined in red below). The properties have a combined site area of 6,900m^2 and are located approximately 400m walking distance from the future Castle Hill Railway Station (refer figure below).

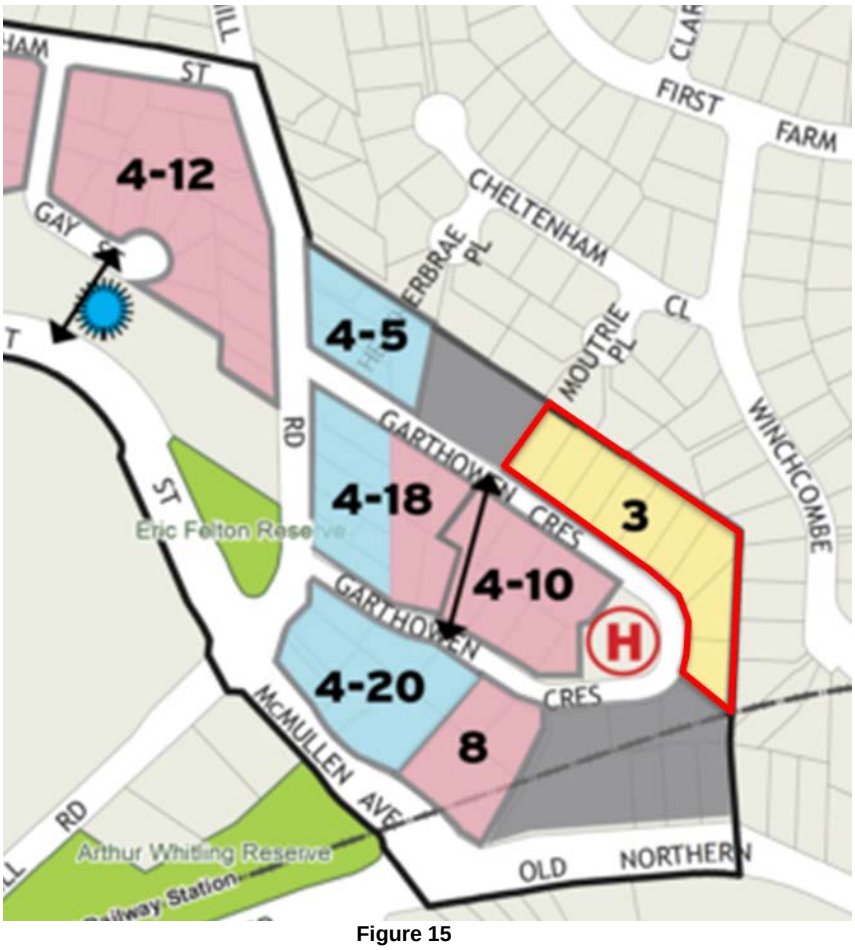
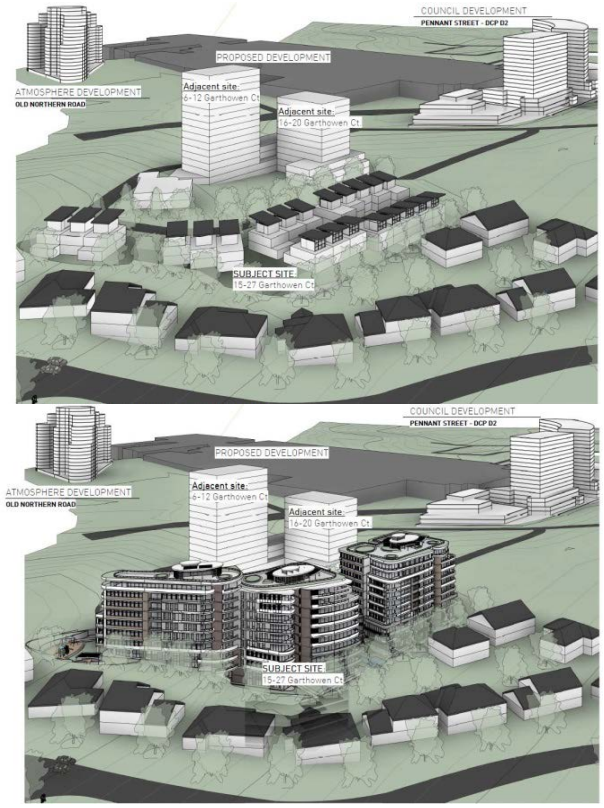


Figure 15
Land at 15-31 Garthowen Crescent

The submission requests that the subject properties be zoned R4 High Density Residential to facilitate two 8 - 10 storey residential flat buildings with rooftop communal open space. They suggest that the subject site has a shorter walking distance to Castle Hill Railway Station than other sites in the precinct that are identified for 12 storeys, with the proposal being inconsistent with the aim of providing higher density residential development within close proximity to high frequency public transport services.

The submission author suggests that their design concept would provide a suitable transition from the recent planning proposal for land at 6 – 12 and 16 – 20 Garthowen Crescent, which Council resolved to forward to the Department of Planning and Environment for a Gateway Determination in August 2017. Located opposite the subject sites, planning proposal 24/2016/PLP seeks to permit 18 storey (maximum) residential flat buildings, but is still identified as 4 – 10 storey high density residential development in the exhibited planning controls.

Concern was expressed that a townhouse scheme on the subject site is inappropriate, with a need for a better transition to higher scale developments in the vicinity. Concept plans were provided to illustrate both a residential flat building and a townhouse outcome to support their proposal (as shown below). The submission requests that the planning proposal be amended to reflect their development concept.



Figures 16
Submission author's concept plans showing alternate townhouse (left) and residential flat building development (right) outcomes on the subject site

Concern was also raised that the Castle Hill North Planning Proposal is inconsistent with the North West Rail Link (NWRL) Structure Plan, as the State Government's Structure Plan identifies land at the rear of the subject sites as being suitable for 3-6 storey residential flat buildings. The submission suggests that an 8-10 storey development on the subject site would achieve an appropriate transition to neighbouring sites to the rear.

Comment:
The subject sites are currently zoned R3 Medium Density Residential under LEP 2012. It is proposed to retain this zoning in the Castle Hill North Planning Proposal, and the Draft DCP anticipates 3 storey terraces in this location. Land to the north of Garthowen Crescent is zoned R2 Low Density Residential and is not included in the subject planning proposal.

Through the preparation of the planning proposal and draft development controls, Council has sought to balance the need for housing diversity as well as achieving densities that will facilitate transit oriented development. Lower densities and other site-specific planning controls have been identified in areas where land interfaces with low density housing or sensitive sites such as Garthowen House (a local heritage item). In this case, it is important to achieve a suitable transition of heights to the properties in Winchcombe Place and Moutrie Place that will remain zoned R2 Low Density Residential.

Planning proposal 24/2016/PLP for land at 6-12 and 16-20 Garthowen Crescent has not yet been exhibited for public comment and it is not considered reasonable to use this proposal as a basis to justify further increases in density on surrounding sites. Regardless of the outcomes of that planning proposal, it is important to achieve a suitable transition of heights to adjoining low density properties.

The State Government's Structure Plan for the broader Castle Hill Precinct includes land that falls outside of the Castle Hill North Precinct, and identifies medium density residential opportunities on land to the north of the subject site. However, land in the Castle Hill North Precinct has been subject to careful master planning and character analysis to ensure that redevelopment occurs in a gradual and sustainable manner. As a consequence, some sites within the Castle Hill North Precinct do not align directly with the future precinct character identified in the State Government Structure Plan.

Planning controls for Garthowen Crescent must respect the sensitive interfaces with the heritage-listed Garthowen House and adjoining low density residential dwellings. A 3 storey terrace development on 15 – 31 Garthowen Crescent will provide a suitable transition of built form and heights to the adjoining low density dwellings to the north and is appropriate for the future intended character and streetscape of the area. Accordingly, no change is recommended to the exhibited planning controls.

iv. <u>Land Bound by Larool Crescent and Carramar Road</u>

A submission has been received in relation to 14 lots bound by Larool Crescent and Carramar Road, Castle Hill (outlined in red in the figure below). This site is zoned R2 Low Density Residential under LEP 2012 and is proposed to be rezoned R4 High Density Residential under the subject Proposal. The Draft DCP anticipates that this site could accommodate 3 – 5 storey high density residential with terrace edge elements.

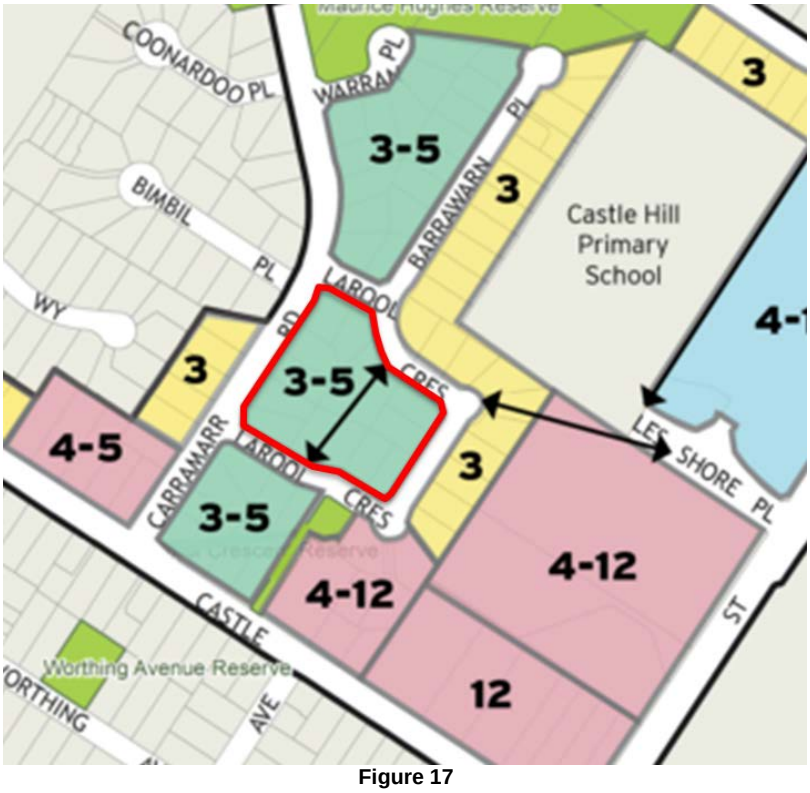


Figure 17
Land bound by Larool Crescent and Carramar Road

The Castle Hill North Planning Proposal applies the following FSR potential to the site:

- Base FSR (FSR 1:1) – 10,051m^2 Gross Floor Area – 100 dwellings;
- Incentive FSR (FSR 1.2:1) – 12,061m^2 Gross Floor Area – 120 dwellings;
- 20% GFA Bonus for inclusion of a through site pedestrian link and concentration of development within the centre of the site (FSR 1.44:1) – 14,473m^2 Gross Floor Area – 144 dwellings.

The submission requests amendments to the planning proposal and draft development control plan as outlined below:

Planning Proposal

The author raises concern that the proposed height and FSR controls for the subject sites do not support high density residential development and will not facilitate redevelopment. The submission requests an increase in the FSR for the subject sites and raises concerns about the feasibility and marketability of larger apartments and the lack of incentives for developers to take up the 20% FSR bonus. The submission requests the following:

- Amend the Incentive FSR and FSR bonus to increase a maximum achievable FSR from 1.44:1 to of 2.1:1 for the site;
- The deletion of the Key Sites provision for the subject sites (Area K) to remove the requirement to concentrate height to the central part of the site due to poor urban design outcomes; and
- An amendment to the requirement to provide a 10m wide through-site link due to impacts on solar access and communal open space for residents.

Comment:

A planning proposal (12/2018/PLP) was lodged for this site on 23 February 2018 seeking amendments to planning controls to facilitate higher density development (in excess of the standards exhibited as part of the Castle Hill North Planning Proposal). However, in response to concerns raised by Council, the proponent has subsequently amended the proposal to generally align with the proposed standards within the Castle Hill North Planning Proposal (with a slight alteration to the required unit mix requirements). This planning proposal is being assessed separately.

It is considered that the exhibited FSR will facilitate an appropriate density and built form outcome for the site. For this reason it is recommended that the Incentive FSR and 20% bonus remain as exhibited. Any further amendment to the development standards applying to the site can be considered as part of the assessment of the above planning proposal.

Notwithstanding it is recommended that the some refinements be made to the Key Site criteria applying to the site which sets the requirements for future development to achieve the 20% floor space bonus. The proposed amendments will ensure amalgamation of the site, the delivery of an appropriate built form address to road frontages and provide flexibility with respect to the pedestrian through site link.

Exhibited and Recommended Key Site Criteria (Area K)	
Exhibited	**Recommended (Post Exhibition)**
▪ The proposed development includes a publicly accessible through site pedestrian link with a minimum width of 10 metres to connect Barrawarn Place north of the site to Larool Crescent Reserve south of the site. ▪ The proposed development concentrates height to the central part of the site.	▪ The entire key site is amalgamated to form one development site. ▪ The proposed development incorporates a three storey terrace address along the Larool Crescent and Carramarr Road frontages. ▪ The proposed development includes a publicly accessible through site pedestrian link to connect Barrawarn Place north of the site to Larool Crescent Reserve south of the site.

Table 2
Exhibited and Proposed Criteria for Key Site K

Draft Development Control Plan
The submission raised a number of comments with respect to the draft DCP. These comments related to consistency with the North West Rail Link Corridor Strategy, indicative street network and hierarchy, funding of cycle ways, road profiles, sunlight to public open spaces, floor to ceiling heights, requirement for elevated ground floors, tower controls, roof top communal open space, minimum terrace width, open space for terraces and bicycle parking. Due to the specific and detailed nature of the issues raised, responses to the comments on the draft DCP raised within the submission are included in Attachment 6 of this report.

v. 55 Old Castle Hill Road (adjoining the Pennant Street Target Site)

One submission has requested that the proposed planning controls for 55 Old Castle Hill Road (outlined red below) be amended to reflect the controls applicable to the Pennant Street Target Site (outlined yellow below). Specifically, it requests the planning controls be amended as follows:

- Application of a floor space ratio of 5.5:1 (rather than a Base FSR of 1:1 (and Incentive FSR of 2.04:1 as is currently proposed);
- Application of a height of buildings of 54m (rather than no height as currently proposed); and
- Application of a minimum lot size of 700m^2 (rather than 1,800m^2 as currently proposed).

The submission further requests the site be subject to the site specific DCP controls for the Pennant Street Target Site. The submission comments these changes are appropriate given the subject property 'completes' the larger development site and would provide a more logical outcome.

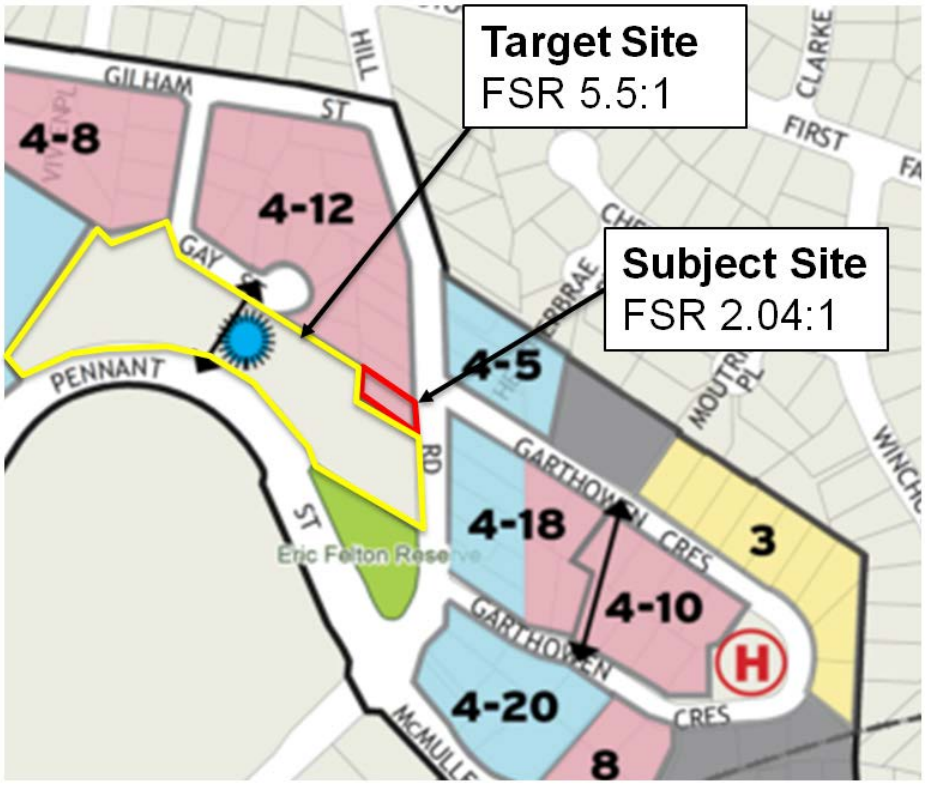


Figure 18
Target site (yellow outline) and 55 Old Castle Hill Road (red outline)

Comment:
Application of the standards applicable to the Target Site will facilitate additional yield above what has been envisaged for the site within the Castle Hill North Planning Proposal. Whilst the potential yield created by the subject site (approximately 30 dwellings) may not, in isolation, create the need for new local infrastructure facilities, it is crucial to consider the cumulative impact of incremental uplift and growth on local infrastructure provision. As the proposed density exceeds that envisioned under the Castle Hill Contribution Plan the additional demand on public infrastructure has not been accounted for. Accordingly, it is recommended that no change be made to the development standards applying to 55 Old Castle Hill Road.

Should the owner of the Target Site wish to include 55 Old Castle Hill Road into their development site then the FSR proposed within the Castle Hill North Planning Proposal should be the maximum FSR achievable for this lot. Alternatively the owner may lodge a planning proposal.

vi. <u>24 to 30 Old Castle Hill Road and 2, 24 and 28 Garthowen Crescent</u>

One submission has raised concern with respect to the proposed DCP controls applicable to a number of properties generally bound by Garthowen Crescent and Old Castle Hill Road (outlined in red in the figure below). Specifically, the submission raises concern with the viability of retail and commercial uses within the R1 General Residential zone at this location, given the proximity of the site to the centre core. Additionally, concern is raised that the site coverage, building height, landscaped area and setbacks will not allow a building envelope capable of achieving the floor space ratio identified within the planning proposal for the subject land. The submission requests Council to review the DCP controls, limit non-

residential uses to the ground floor and rezone the R1 General Residential zone to the R4 High Density Residential zone.

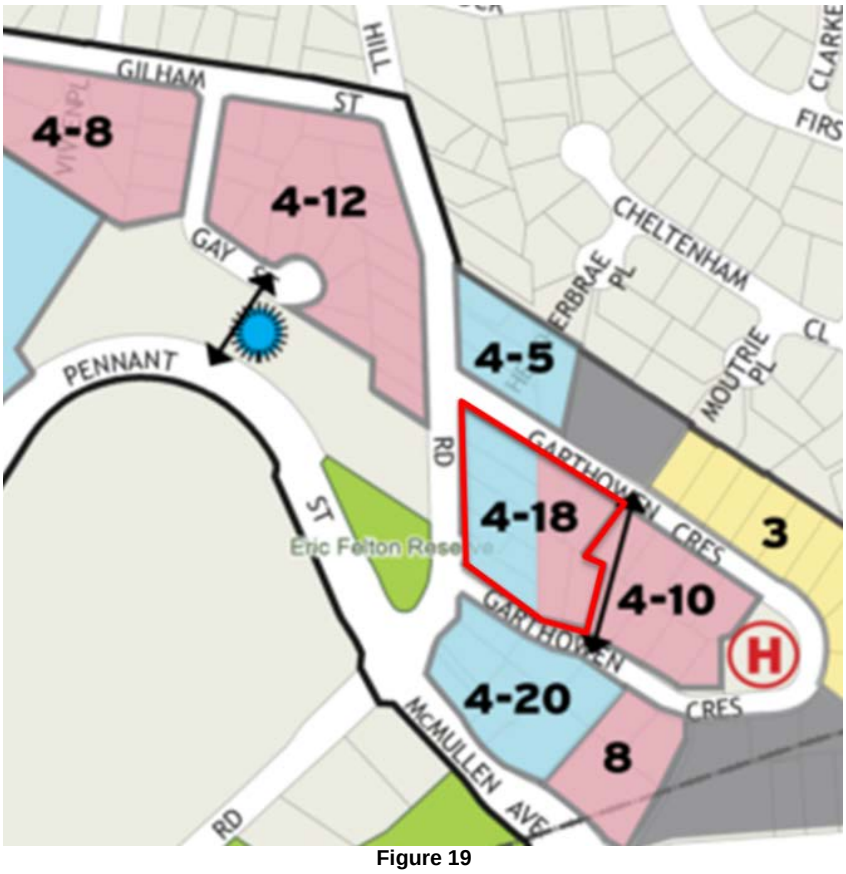


Figure 19
24 to 30 Old Castle Hill Road and 2, 24 and 28 Garthowen Crescent

Comment:
It is not considered necessary to rezone the subject land from R1 General Residential to R4 High Density Residential. The R1 General Residential zone reflects the desire for uses that encourage activation, provide employment and meet the day to day needs of future residents. Whilst the DCP stipulates appropriate uses for the ground and first floors, there is flexibility in the assessment of future development applications to consider suitability/viability of such uses. It is considered appropriate to retain the desired land use character for the entire strip along Old Castle Hill Road rather than amend controls for the subject site in isolation.

Further, refinement of the development controls was undertaken following public exhibition of the draft Development Control Plan. This included simplification of the site coverage, floor plate, setback controls and reduced landscaped common open space requirement to provide additional flexibility and reduce potential conflicts between controls. A summary of post exhibition amendments to the development controls is included as Attachment 5 to this report.

D. Playing Fields

To address the increased demand for active open space for Castle Hill North Precinct a site was identified at 7-13 Glenhaven Road, 1 Kyle Avenue and 3 Gilmour Close, Glenhaven to accommodate a district level facility accommodating four (4) playing fields, two (2) cricket ovals, four (4) tennis courts, amenities facilities and associated car parking. It was

anticipated that future growth within the Castle Hill North Precinct would be levied for a portion of the overall cost of the facility.

Council received 28 submissions commenting on the proposed Gilmour Close playing fields. Key issues raised within the submissions received included the following:

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

At its meeting of 11 September 2018 Council considered a report on Planning Proposal (3/2018/PLP), which sought to rezone land at 7-13 Glenhaven Road, 1 Kyle Avenue and 3 Gilmour Close, Glenhaven to facilitate a district open space facility comprising four playing fields, and resolved as follows:

1. *Council not proceed with Planning Proposal (3/2018/PLP) which seeks to rezone 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) from RU6 Transition to RE1 Public Recreation and identify the land on the Land Reservation Acquisition Map of 2012.*
2. *Council request the Minister for Planning to determine that Planning Proposal (3/2018/PLP) not proceed.*

In recognition of the concerns raised during the exhibition period further detailed investigation has been undertaken to identify potential sites for new playing fields to meet the future demand generated by increased densities within the railway corridor. As part of this, investigation of 21 alternative sites was undertaken including urban land within the 2km catchment (including the Castle Hill Precinct), acquisition of rural land within Glenhaven and Dural, and expansion of existing playing field facilities.

In order to meet the future growth within the broader Castle Hill and Cherrybrook Railway Station Precinct (Hills Shire only), approximately 6 playing fields would be required. Of these 6 fields, over 1.6 fields would be required to meet the demand generated by the future growth within the Castle Hill North Precinct.

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

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

be required to rezone the land, and no additional land acquisition would be required. An image of the proposed concept is provided in the figure below.

Figure 20
Proposed Concept – Holland Reserve

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

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

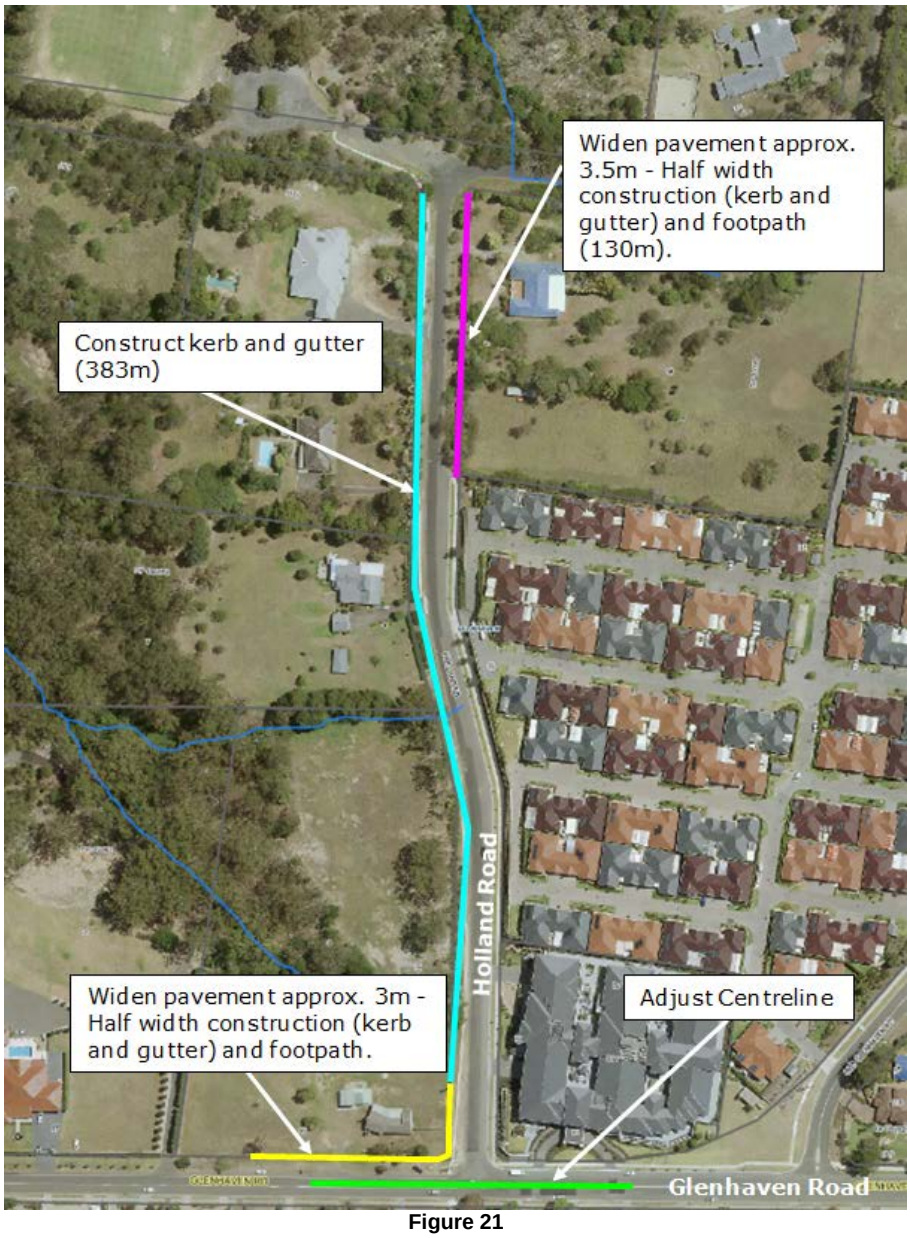


Figure 21
Proposed Road Upgrades – Holland Road and Glenhaven Road

Preliminary analysis was undertaken into Holland Reserve as part of the initial investigation into playing fields to service Castle Hill and Cherrybrook. However, the site was not initially preferred to due to the presence of substantial vegetation which is identified as Shale Sandstone Transition Forest (a Critically Endangered Ecological Community) on Council's high level vegetation mapping. Further work has now been undertaken including preliminary detailed assessment of the biodiversity values of the site. The preliminary ecological work supports the feasibility of the proposed concept subject to offsetting vegetation removal through the purchase of biodiversity credits. Targeted surveys of all species are yet to be fully completed however the ecological assessment has provided an estimate of $2.1 million for the purchase of credits. This cost has been included within the Contributions Plan.

It is noted that Holland Reserve is located around 4.5km from the Castle Hill Precinct and as such is outside of the typical rule of thumb catchment for playing fields, which is approximately 2km from the source of the demand (source: Recreation and Open Space Planning Guidelines for Local Government). Council has undertaken significant work

investigating potential playing field sites to meet growth within the Sydney Metro Northwest Corridor. Unfortunately locating suitable land for Cherrybrook, Castle Hill Precincts has been particularly challenging given the existing urban character and low availability of land within these areas. Given the high cost of land and desire to achieve the most efficient use of land in proximity of the stations, the majority of sites investigated have been found to be cost prohibitive.

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

The remaining capacity within the expanded Holland Reserve would only partly service the overall growth expected within the entirety of the Castle Hill and Cherrybrook Precincts, which will collectively require six (6) new playing fields. Identification of around three (3) further fields will likely be required to ensure that the future population of Castle Hill Precinct and Cherrybrook Precinct have a commensurate level of service with the existing population and that further pressure is not placed on Council's existing playing field facilities which are already at capacity. This will occur as part of the master planning for the remainder of the Castle Hill Precinct and Cherrybrook Precinct.

6. POST EXHIBITION AMENDMENTS

A summary of key post-exhibition amendments to each plan is provided in the sections below and a detailed summary table of all changes is provided as Attachment 5.

a) Planning Proposal

Key Site Provision

As discussed in Section 4(a), it is proposed to swap the criteria for Key Sites I and J to correct an administrative error. It is further recommended to remove the required width of the pedestrian through site links for Key Sites J and K, as guidance on the design and width of through-site links is considered to be more appropriately addressed within the DCP.

As detailed within Section 5(c) of this report, it is recommended that the criteria for Key Site K, which includes the requirements for future development within Key Site K to achieve a 20% floor space bonus, be amended to the following:

- The entire key site is amalgamated to form one development site;
- The proposed development incorporates a three storey terrace address along the Larool Crescent and Carramarr Road frontages; and
- The proposed development includes a publicly accessible through site pedestrian link to connect Barrawarn Place north of the site to Larool Crescent Reserve south of the site.

For consistency with the above and to provide additional clarity, it is proposed to amend the criteria for Key Site L which currently requires a development to "concentrate height to the western portion of the site" to the following:

- The proposed development provides a downward transition of height to surrounding sensitive interfaces in particular the heritage item Garthowen House.

Road Widening
The exhibited draft DCP and Contributions Plan identified land acquisition for road widening along Castle Street and Old Castle Hill Road. This road widening is required to ensure that sufficient road reserve is provided to facilitate safe and efficient traffic flow, on-street parking (on Castle Street) and increased verge widths to improve pedestrian accessibility and amenity. An amendment to the planning proposal is required to reflect the acquisition of this land by rezoning the subject land to SP2 Infrastructure (Local Road Widening). Exhibited and post exhibition land zoning maps are shown in Attachment 7.

As a Gateway Determination had already been issued for the planning proposal when the DCP was reported to Council, it was not considered efficient to make this amendment prior to exhibition as this would have necessitated a revised Gateway Determination. As the amendment is considered minor and reflects the exhibited DCP and Contributions Plan, re-exhibition is not considered to be necessary.

56-64 Castle Street and 57 Carramarr Road
The above properties were inadvertently zoned R3 Medium Density Residential as part of the preparation of the planning proposal. Accordingly, it is proposed to rezone the land R4 High Density Residential which is consistent with the intended development outcome established within the Castle Hill North Precinct Plan and exhibited within the draft Floor Space Ratio Map of LEP 2012 and the draft DCP Structure Plan Map. Exhibited and post exhibition land zoning maps are shown in Attachment 7. As the amendment is considered minor and reflects outcomes within the other exhibited plans, re-exhibition is not considered to be necessary.

Design Excellence
The exhibited planning proposal included an amendment to 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. Amendments to the Design Excellence provision came into force on 17 November 2017 by way of separate planning proposal (6/2016/PLP). Accordingly, the proposed changes are no longer required as part of the Castle Hill North planning proposal.

b) Contributions Plan

Open Space
As noted previously, it is proposed to remove the exhibited playing field facility from the draft Contributions Plan and include a 3 field expansion at Holland Reserve. An additional 3 fields will supply approximately 6,000 additional dwellings (based on a rule of thumb of 2,000 dwellings per field). The Contributions Plan for Castle Hill North will fund a portion of the facility commensurate with the anticipated population growth (refer table below).

Supply (Apportionment)					
Site	**No. Fields**	**Supply**	**Precinct**	**Yield Serviced**	**Apportionment**
Holland Reserve	3 Fields	6,000	Castle Hill North	3,283	55%
			Castle Hill South	2,717	45%

Table 3
Apportionment of proposed Holland Reserve expansion

As noted previously, the cost of providing the facility including the playing fields, fencing, lighting, parking, amenities, site costs, biodiversity credits, relocation of telecommunication towers and road upgrades equates to approximately $22.9 million. Accordingly, the costs apportioned to Castle Hill North (55%) will be approximately $12.6 million. The remaining capacity of the expanded facility could address demand generated by growth in the remaining part of Castle Hill Precinct, subject to future master planning.

Whilst the capital cost is high due to the site constraints the overall cost is substantially lower than the alternative sites investigated, most of which involved acquisition of private land. If Council pursues an option which involves land acquisition it will substantially increase the contribution rates payable by future development within the Castle Hill North Precinct.

Based on the investigation of 21 alternative sites, the options which involved the acquisition of urban land within the 2km catchment resulted in a cost of around $30-40m per playing field. Furthermore options involving the acquisition of rural land in Glenhaven and Dural resulted in a cost of around $14-18m per playing field. Both approaches are substantially higher than the Holland Reserve expansion approach which results in an average cost of around $7.6m per playing field. Accordingly, the recommended approach is considered to be the most cost effective to meet the demand generated by the future population within the Precinct.

The 'Open Space' section, works schedule, rates schedule and Map 2 – Location of Playing Fields will be updated to reflect the revised approach and costs (refer Attachment 4).

Transport and Pedestrian Facilities

- Road Widening

The exhibited capital cost estimates for widening of Castle Street and Old Castle Hill Road were based on IPART benchmarks. Since the public exhibition, more detailed cost estimates have been obtained which provide greater certainty of the expected capital cost of widening these two roads. A comparison of the exhibited and revised cost estimates are provided in the table below.

	Exhibited (Indexed to Mar 2018)	**Post Exhibition**	**Difference (CP 17)**
Old Castle Hill Road Upgrade (Capital)	$5.54m*	$19.44m**	+$13.9m
Castle Street Upgrade (Capital)	$8.36m*	$16.05m**	+$7.69m
TOTAL	$13.9m*	$35.49m**	+$21.59m

Table 4
Comparison of exhibited and detailed cost estimates

* Based on IPART Benchmark costs ($6,422/m) plus $3.5m for public domain upgrades
** Includes $14.7m for Service Relocation ($9.3 Old Castle Hill Road and $5.4 Castle Street)

The revised costs are a substantial increase to the exhibited costs primarily due to the addition of service relocation costs. However, based on Council's recent experience with projects involving service relocation within in existing urban locations, the revised costs are considered to more accurately reflect the likely costs.

- Road Upgrades

For clarity, it is proposed that a note be included in the Contributions Plan to specify that local infrastructure not being levied under the Contributions Plan shall be provided by developers at no cost to Council. A corresponding note has been included in the draft DCP, specifically in relation to Garthowen Crescent.

- Public Domain

It is further proposed to remove the cost of public domain improvements from the draft Contributions Plan. It is considered reasonable that public domain (paving, street trees and furniture) be provided by developers as development occurs and be required as a condition of consent. This approach is consistent with the approach within the Showground Station Precinct. It is noted that public domain costs have been factored into the detailed upgrade costs for Castle Street and Old Castle Hill Road and therefore will continue to be levied under the plan. This approach is considered to be reasonable as the public domain upgrades form part of the overall upgrades of these roadways.

A comparison of the total costs between the exhibited and post exhibition plans is provided in the table below.

Summary	**Exhibited (Indexed to 2018)**	**Post Exhibition**
Open Space – Land	$17.38m	$ -
Open Space – Capital	$6.99m	$15.14m
Transport Facilities – Land	$11.6m	$11.6m
Transport Facilities – Capital	$29.34m	$44.48m
Water Management – Capital	$6.59m	$6.59m
Administration costs	$0.64m	$0.99m
Total	**$72.54m**	**$78.8m (+$6.26m)**

Table 5
Comparison between Exhibited and Post Exhibition Costs

In recognition of the post exhibition changes including the identification of an alternative approach for playing fields, it is recommended that draft Contributions Plan No.17 – Castle Hill North be re-exhibited and forwarded to the Independent Pricing and Regulatory Tribunal (IPART) for endorsement. Following re-exhibition of the Contributions Plan (including the above changes) and the outcome of IPART's review, a further report will be prepared for Council's consideration.

c) Development Control Plan

Changes to the exhibited draft DCP have been made predominantly to ensure consistency between the plans, reduce repetition, improve clarity and useability and reflect the recently adopted section of DCP 2012 relating to the Showground Precinct, where appropriate. These amendments will ensure that future development exhibits a high quality built form outcome that responds to the location and the intended character for the Precinct. A summary of the recommended post exhibition changes are included in Attachment 5 of this report.

d) Public Domain Plan

Minor changes have been made to the Public Domain Plan to ensure the plan is clear, accurate and reflects changes made in the DCP and Contributions Plan.

IMPACTS

Financial

The draft Contributions Plan will levy for $78.8million (works, capital and administration costs) required to support the envisaged development within the Castle Hill North Precinct. This infrastructure will be funded using contributions collected from development within the Precinct. The draft Contributions Plan establishes contribution rates as follows:

Facility Category	Rate Per Person	CONTRIBUTION RATE PER LOT/UNIT				
		Dwelling Houses	Multi Unit Housing*			
			4 bedroom	3 bedroom	2 bedroom	1 bedroom
Open Space - Capital	$2,767.67	$8,856.54	$8,579.78	$6,919.17	$4,981.81	$4,705.04
Transport Facilities - Land	$2,313.78	$7,404.11	$7,172.73	$5,784.46	$4,164.81	$3,933.43
Transport Facilities - Capital	$8,050.73	$25,762.33	$24,957.25	$20,126.82	$14,491.31	$13,686.24
Water Management - Capital	$1,186.96	$3,798.29	$3,679.59	$2,967.41	$2,136.54	$2,017.84
Administration	$168.55	$539.37	$522.51	$421.38	$303.39	$286.54
Total	$14,487.70	$46,360.63	$44,911.86	$36,219.24	$26,077.85	$24,629.08

* Multi Unit Housing includes Attached Dwellings, Multi Dwelling Housing, Residential Flat Buildings, Shop Top Housing and Seniors Housing

Table 6
Rates Schedule

Strategic Plan - Hills Future

The planning proposal will facilitate a desirable living environment that meets growth targets. It is also consistent with the key strategy of managing new and existing development with a robust framework of policies, plans and processes that is in accordance with community needs and expectations.

RECOMMENDATION

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.

ATTACHMENTS

1. Draft The Hills DCP 2012 (Part D Section 18 – Castle Hill North) (55 pages)
2. Draft The Hills DCP 2012 (Part C Section 1 – Parking) (30 pages)
3. Draft Public Domain Plan – Castle Hill North Precinct (43 pages)
4. Draft Contributions Plan No.17 – Castle Hill North (42 pages)
5. Summary of Post Exhibition Amendments to Exhibited Plans (10 pages)
6. Comments on Draft Development Controls - Submission Relating to Land Bound by Larool Crescent and Carramar Road (3 pages)
7. Exhibited and Post Exhibition Land Zoning Maps (1 page)

ATTACHMENT 5

SUMMARY OF POST-EXHIBITION AMENDMENTS TO EXHIBITED PLANS

a) Planning Proposal

The following post exhibition amendments are recommended to planning proposal 16/2016/PLP.

Item	Proposed Amendment	Comment
Key Site Provision	Swap criteria for Key Sites I and J.	The criteria for Key Site I was inadvertently applied to Key Site J, and the criteria for Key Site J inadvertently applied to Key Site I. In order to ensure that the correct criteria apply to each Key Site, the provision should be updated.
	Amend requirements for future development within Key Site K to achieve a 20% floor space bonus, as follows: • The entire key site is amalgamated to form one development site. • The proposed development incorporates a three storey terrace address along the Larool Crescent and Carramarr Road frontages. • The proposed development includes a publicly accessible through site pedestrian link to connect Barrawarn Place north of the site to Larool Crescent Reserve south of the site.	Removes ambiguity of exhibited wording and ensures amalgamation of the site, the delivery of an appropriate built form address to road frontages and flexibility with respect to the pedestrian through site link.
	Remove the required width of the pedestrian through site links for Key Sites J and K.	Guidance on the design and width of through-site links is considered to be more appropriately addressed within the DCP.
	Amend the criteria for Key Site L which currently requires a development to "concentrate height to the western portion of the site" to the following: • The proposed development provides a downward transition of height to surrounding sensitive interfaces in particular the heritage item Garthowen House.	Provides consistency with revised criteria for Key Site K and removes ambiguity.

Item	Proposed Amendment	Comment
Zoning Map	Amend the zoning of land identified for acquisition along Castle Street and Old Castle Hill Road to SP2 Infrastructure (Local Road Widening).	The land was identified for acquisition as part of the preparation of the DCP and Contributions Plan. The proposed change will amend the planning proposal to reflect the exhibited DCP and CP.
	Amend the zoning of 56-64 Castle Street and 57 Carramarr Road from R3 Medium Density Residential to R4 High Density Residential.	The subject properties were inadvertently zoned R3 Medium Density Residential as part of the preparation of the planning proposal. The proposed change reflects the intended development outcome as exhibited within the draft Floor Space Ratio Map of LEP 2012 and the draft DCP Structure Plan Map.
Design Excellence Provision	Remove proposed Clause 7.7 Design Excellence.	The exhibited planning proposal included an amendment to 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. Amendments to the Design Excellence provision came into force on 17 November 2017 by way of separate planning proposal (6/2016/PLP). Accordingly, the proposed changes are no longer required as part of the Castle Hill North planning proposal.
Clause reference for Incentive FSR	Amend Clause 4.4B to 4.4A	Reflects current numbering format of LEP 2012.

b) <u>Development Control Plan</u>

The following post exhibition amendments are proposed to draft Development Control Plan 2012 (Part D Section 18 – Castle Hill North).

Item	Proposed Amendment	Comment
Desired Future Character and Structure Plan	Refine and simplify Streetscape Area controls including consolidating controls for 'landscape setback' and 'open street' areas.	Removes repetition, improves useability and more clearly expresses outcomes for each distinct character area, noting similarities between 'landscape setback' and 'open street' typologies.

Item	Proposed Amendment	Comment
	Amend streetscape area map to update format, identify parks, identify sites unlikely to redevelop under the proposed controls, and administrative corrections	Improves clarity and reflects Showground DCP format.
	Amend streetscape typology for properties along Castle Street, Carramarr Road and Old Castle Hill Road.	Changes to Castle Street and Carramarr Road ensure consistency with the DCP Setbacks Map and desired development outcomes for the site (being either terraces or high density development). Changes to Old Castle Hill Road will ensure a consistency of streetscape along the length of Old Castle Hill Road for the Castle Hill North Precinct.
	Amend structure plan in relation to properties at 56-64 Castle Street and 57 Carramarr Road to amend the building height range from 4-5 storeys to 3-5 storeys.	Reflects the exhibited DCP streetscape area map to reflect the terrace edge required for Carramarr Road. The amendment also ensures consistency of setback along Castle Street and consistent outcomes with surrounding sites that have a proposed Incentive FSR of 1.2:1.
	Include a note within Terrace Edge Streetscape to clarify that Residential flat buildings with a 'terrace edge' are to address this section in terms of streetscape appearance. All units within the development are also to address the development controls for high density development.	Provides certainty of applicable provisions.
Street Sections – Castle Street and Old Castle Hill Road	Redistribute road reservation to provide 3.5m lane widths.	Provides additional space to facilitate safe and efficient local bus movements through the precinct. To address submission request from Transport for NSW.
Garthowen Crescent Land Dedication	Update the Garthowen Crescent Land Dedication Plan to remove the land identified to be dedicated along the eastern point of Garthowen Crescent. Further, include a note to highlight that the upgrades to widen Garthowen Crescent shall be undertaken by developers as redevelopment occurs.	Recognises that these properties are not proposed to be up-zoned as part of the Castle Hill North Planning Proposal. Provide certainty with respect to the timing and responsibility for both land dedication and upgrade works to Garthowen Crescent.

Item	Proposed Amendment	Comment
Public Domain	Insert requirement for outdoor play spaces in the public domain of centres, where appropriate.	Consistent with recently adopted Showground DCP. Provides enhanced amenity for centres.
	Inserted guidelines for pedestrian through site links.	Consistent with recently adopted Showground DCP. Provides guidance on design of through site links.
Heritage (Garthowen House)	Delete additional overshadowing control for the private open space of Garthowen House.	General overshadowing controls considered sufficient to ensure appropriate solar access maintained.
Safety and Security	Include clause which requires developments to address Crime Prevention through Design and Council's Safer by Design Guidelines.	Provides higher level of property safety and minimises opportunities for anti-social behaviour.
Site Requirements – High Density Residential	Include note to reference minimum lot size for residential flat buildings in the R1 General Residential zone.	Clarifies that minimum lot size applies in both R4 High Density Residential and R1 General Residential zones in the precinct.
	Include a note on the isolation of lots and orderly development.	To provide guidance on procedures to be undertaken with respect when a development site results in isolated lots. Consistent with recently adopted Showground DCP.
	Include a note stating that site cover includes driveways, footpaths and other impervious surfaces.	To provide additional guidance on the application of the site coverage control. Consistent with recently adopted Showground DCP.
	Amend the site coverage control to require that future development shall not exceed 50% of the site area (excluding land to be dedicated or acquired for a public purpose).	There are other controls within the DCP which will ensure that site coverage reduces as buildings get taller, namely setbacks (front, side and rear), maximum podium heights, upper level setbacks, and the maximum tower floor plate area. Change is consistent with recently adopted Showground DCP.
Front Setback Table – Residential	Delete standard front setback (street level) from the setback table. This creates confusion as front setbacks are identified on the front setback map.	Front setbacks will be identified on the front setback map for each section. This will reduce confusion and ensure consistency in the development controls.

Item	Proposed Amendment	Comment
	Apply a standard upper level setback requirement of 6m above a 6 storey podium (streets with reservation greater than 20m width) and 6m above a 4 storey podium (streets with a reservation less than 20m). Delete setback requirement for storeys above the 8th storey.	The application of the maximum site coverage, minimum landscaped open space areas, minimum podium setbacks, minimum upper level setbacks (above podium elements), and maximum tower floor plate requirements (above 8 storeys), will provide sufficient regulation of the bulk of future development. Furthermore the solar access and overshadowing controls will ensure that the amenity of the street, open space and communal areas is appropriately maintained.
Tower Controls	Amend the maximum tower floor plate area from '750m^2 per storey' to '750m^2 gross floor area above the 8th storey'.	The intent of the maximum floor plate control is to reduce building bulk, create slender tower forms and facilitate increased solar access into the public domain and adjoining communal open spaces. In order to provide some additional flexibility in the application of the control it is considered reasonable that it be amended to 750m^2 of Gross Floor Area rather than 750m^2 for the entire tower floor plate. This would provide additional flexibility as stairways, lift shafts, balconies and the like would be excluded from the calculation. This would also enable the delivery of around 6-8 units per storey depending on configuration and apartment sizes provided.
Open Space	Change the communal open space requirement from 20m^2 per dwelling to 10m^2 per dwelling.	Consistent with recently adopted Showground DCP. Exhibited requirement reflects existing Residential Flat Building DCP for 4-5 storey residential flat buildings. Proposed amendment reflects difficulty in providing 20m^2 per dwelling of common open space is higher density locations.
	Include swimming pools within controls to clarify that swimming pools are included in calculation of common open space.	Responds to queries regarding these facilities for recent development application in the Showground Precinct.
Built Form Design	Delete control setting a maximum depth of 18m from glass line to glass line.	Requirements are adequately addressed by the Apartment Design Guide

Item	Proposed Amendment	Comment
	Include objective and control to ensure the design of buildings maximises the privacy of adjoining properties, particularly the school.	Enhance the amenity of surrounding properties.
Building Depth – Residential Flat Buildings and Shop Top Housing	Delete the building depth control which requires a maximum building depth of 18m.	This requirement, including the acceptability of variations, is addressed within the Apartment Design Guide. Accordingly, it is not required in the DCP.
Active Street Frontages	Insert controls to encourage and regulate active street frontages.	Encourage and regulate active street frontages in appropriate locations.
Floor to Floor and Floor to Ceiling Heights	Delete section.	Requirements are adequately addressed by the Apartment Design Guide.
Solar Access and Overshadowing	Insert a new objective to read 'To provide adequate solar access to common open spaces and the open space of adjoining properties, so as to ensure a high level of amenity is achieved for both future and adjoining residents'.	The objectives in the exhibited version of the DCP related to public land. An additional objective is required to identify that the intent of the controls is also to improve the amenity of private land as well as the public realm.
	Insert a new control to require that 'Developments shall achieve direct sunlight to the principal usable part of the communal open space for a minimum of 2 hours between 9 am and 3 pm on 21 June'.	To provide clarity on the solar access requirement for communal open space within a development.
	Amend the existing control to require 'Development is to ensure that at least 50% of the open space of adjoining properties receives a minimum of 4 hours of sunlight between the hours of 9am and 3pm on 21 June'.	Identifying a minimum proportion of the open space of adjoining properties that is to receive the minimum solar access requirement will assist in the interpretation and application of the control.
Noise	Include additional noise controls including specific criteria for certain building areas.	Consistent with recently adopted Showground DCP. Ensures amenity of future residents and workers by appropriately responding to noise impacts.

Item	Proposed Amendment	Comment
Apartment Mix	Insert an apartment mix control for all development requiring the following: 1. No more than 25% of the total number of dwellings (to the nearest whole number of dwellings) contained in the development are to be studio or 1 bedroom dwellings, or both, and 2. At least 20% of the total number of dwellings (to the nearest whole number of dwellings) contained in the development are to be 3 or more bedroom dwellings.	Apartment mix has been inserted to reflect the housing diversity provision. This mater is not regulated by SEPP 65 and as such should be included in the DCP. This mix would apply to development that takes up the FSR Incentive and development which only seeks the base FSR on the FSR Map.
Parking Rates	Include revised parking rate for commercial premises as part of mixed use developments (max 1 space per 200m^2 GFA).	Provides consistency between DCP sections as residential parking rates are specified in both the Parking and Castle Hill North Sections of DCP 2012. Exhibited Sections only included commercial car parking rates in the Parking Section of DCP 2012.
Terrace Housing	Include a note to refer to Clause 4.1B of LEP 2012.	Identifies other requirements to be met for this development type. Improves usability.

Item	Proposed Amendment	Comment
Terrace Housing – Rear Laneways	Insert the following rear laneway controls: • A concrete bin pad 1.7m wide and 0.8m deep shall be provided behind the kerb and adjacent to the driveways for bin presentation. • A swept path analysis for the standard 12.5m long HRV (AS2890.2-2002) shall be submitted demonstrating all bends of laneways are suitable for the turning of garbage vehicles. This includes ingress and egress points to intersecting roads or laneways. All manoeuvring must be contained within trafficable carriageways. • No building element (such as eaves, balconies, gutters and the like) shall encroach into the rear lane reservation area (carriageway or verge).	To ensure that waste collection trucks can efficiently and safely collect waste bins and to ensure that bins are appropriate located within rear laneways.
	Amend the rear laneway section plan as follows: • Increase the carriageway width from 5.5m to 6m. • Increase the verge width from 0.75m to 2m on each side.	To ensure that waste collection trucks can adequately service rear laneways.
	Amend the rear laneway plan view figure within the DCP to identify revised carriageway widths, verge widths, concrete bin pads and setbacks.	To provide guidance to developers on the intended layout of rear laneways.
Terrace Housing – Setbacks	Update Setback Table • Reduce the rear setback requirement for first and second storeys from 8m to 7m. • Reduce the rear setback requirement for the third storey from 10 metres to 9 metres.	In recognition of the increase in road reservation distance, it is proposed to reduce the rear setback requirements to ensure that future development is not unreasonably burdened by the wider rear laneway widths.

Item	Proposed Amendment	Comment
	Amend the side setback control (terrace housing) to require: • 3m setback from the side property boundary (end terrace) that adjoins a public street; and • 1m setback from the side boundary (end terrace) that adjoins a rear laneway.	To ensure the delivery of consistent streetscapes and to ensure orderly developer where the side setback of a terrace lot adjoins a rear laneway.
Terrace Housing – Private Open Space	Update the minimum provision of private open space from $36m^2$ to $16m^2$.	Consistent with recently adopted Showground DCP. Proposed control is considered sufficient level of open space provision for this type of housing and the urban location of the precinct.
Link DCP Sections to Sections of the ADG.	References have been included within the DCP to correlate the controls with the relevant sections of the ADG.	Improve the usability of the DCP and link to the Apartment Design Guide.
Restructure DCP	Improve the usability of the DCP by removing the need for cross referencing.	Improve the usability of the DCP.
Labels and numbering	Administrative amendments to correct the title and numbering of sections and update page numbering.	Improve the usability of the DCP. Reflect recently adopted Showground Station Precinct DCP.
Delivery of Infrastructure.	Include a statement that infrastructure not identified for funding within the Contribution Plan shall be provided by the developer at no cost to Council. Include a statement that land to be dedicated is dedicated 'at no cost to Council'.	To avoid confusions and ambiguity with respect to the delivery and funding of infrastructure not listed within the contributions plan.

The following post exhibition amendments are proposed to draft Development Control Plan 2012 (Part C Section 1 – Parking).

Item	Proposed Amendment	Comment
Administrative changes	Renumber notes to Table 1 and update maps with latest cadastre.	Ensures plan is clear and up to date.

c) <u>Contributions Plan</u>

The following post exhibition amendments are recommended to the draft Contributions Plan.

Item	Proposed Amendment	Comment
Delivery of Infrastructure	Include a statement that infrastructure not identified for	To avoid confusion and ambiguity with respect to the delivery and

Item	Proposed Amendment	Comment
	funding within the Contribution Plan shall be provided by the developer at no cost to Council.	funding of infrastructure not listed within the contributions plan.
Works schedule and rates schedule	Update figures	To reflect updated Plan costs including new playing field approach and revised figure of 7.5% for design costs.
Road widening – Castle Street and Old Castle Hill Road	Amend costs based on updated cost estimates.	Original estimates based on IPART benchmarks. Revised costs provide a more accurate estimate based on recent projects undertaken by Council.
	Amend street sections for Castle Street and Old Castle Hill Road.	Reflects changes to these sections within the DCP.
Playing Fields	Amend location and costings for playing fields from previously identified site at Gilmour Close to new site at Holland Reserve.	Outcome of submissions received and further review of potential sites.
Public Domain	Remove costs of public domain improvements.	It is considered reasonable that public domain (paving and street trees) be provided by developers as development occurs, consistent with the approach within the Showground Station Precinct. Public domain costs have been factored into the detailed upgrade costs for Castle Street and Old Castle Hill Road and therefore will continue to be levied under the plan.
Administrative Amendments	Administrative corrections including revised numbering.	Reflect changes to the Environmental Planning and Assessment Act and correct calculation of figures.

d) <u>Public Domain Plan</u>

The following post exhibition amendments are recommended to the draft Public Domain Plan.

Item	Proposed Amendment	Comment
Street Sections	Update various street sections to reflect revised profiles under the draft DCP.	Ensures consistency between the applicable planning documents.
Pennant Street Landscape Treatment	Remove Pennant Street Landscape Treatment.	It is proposed to retain existing established trees in this location.
Images	Replace bus stop image.	Improves clarity of image.
Administrative Amendments	Grammatical and formatting amendments.	Improves clarity and usability.

ATTACHMENT 6

SUBMISSION COMMENTS ON DRAFT DEVELOPMENT CONTROLS

LAND BOUND BY LAROOL CRESCENT AND CARRAMAR ROAD

Issue	Response
Concern was raised that the draft Castle Hill North Structure Plan is inconsistent with Section 117 Direction 5.9 'North West Rail Link Corridor Strategy' and the NWRL Corridor Strategy, which nominates the site for medium density housing (3-6 storey apartments).	Consistency of the planning proposal with Ministerial Direction 5.9 – North West Rail Link Corridor Strategy is addressed within the planning proposal which formed part of the exhibition material. The planning proposal as a whole is generally consistent with the Direction in terms of overall precinct structure and growth projections. The specific outcomes for each individual site has been refined based on detailed precinct planning which investigated site constraints, dwelling densities and the walkable catchment of the railway station. Any inconsistencies with the Direction were concluded to be minor and justified and the Secretary's concurrence with respect to the inconsistencies has been granted.
An amendment to the key in the Indicative Street Network and Hierarchy figure to refer to the '*pedestrian connection (indicative location)'* to provide flexibility.	The suggested amendment to specify that the through-site pedestrian link is 'indicative' is not considered necessary. The map is titled 'indicative' street network and hierarchy. Detailed consideration to the specific location of pedestrian links will be given as part of the development application process.
More detail to be provided regarding the design, siting and funding of the suggested cycleway network.	The design of public domain including pedestrian paths and cycle ways shall be undertaken in accordance with the Castle Hill North Public Domain Plan which was exhibited with the planning proposal. An amendment has been made to the Contributions Plan post exhibition to remove public domain upgrades as it is considered reasonable that this be funded by developers.
An amendment to 'Profile – Local Road 1 (Larool Crescent, Barrawarn Place and Gay Street): This section (similar to other street sections in the DCP) does not specify dimensions for the deep soil setback zone or setbacks above the 3 storey terrace edge. Street setbacks for the site should be consistent with that proposed as part of the site specific planning proposal.	The purpose of the street sections is to identify dimensions for the components of the road reservations. The built form identified on the sections is indicative and may not be the final built form outcome for each property along each of the streets. Accordingly, it is considered more appropriate that setbacks be outlined for each specific land use type within the setbacks section of the DCP. The setbacks proposed as part of the site specific planning proposal should be assessed as part of that proposal and amendments made in the future if considered necessary.

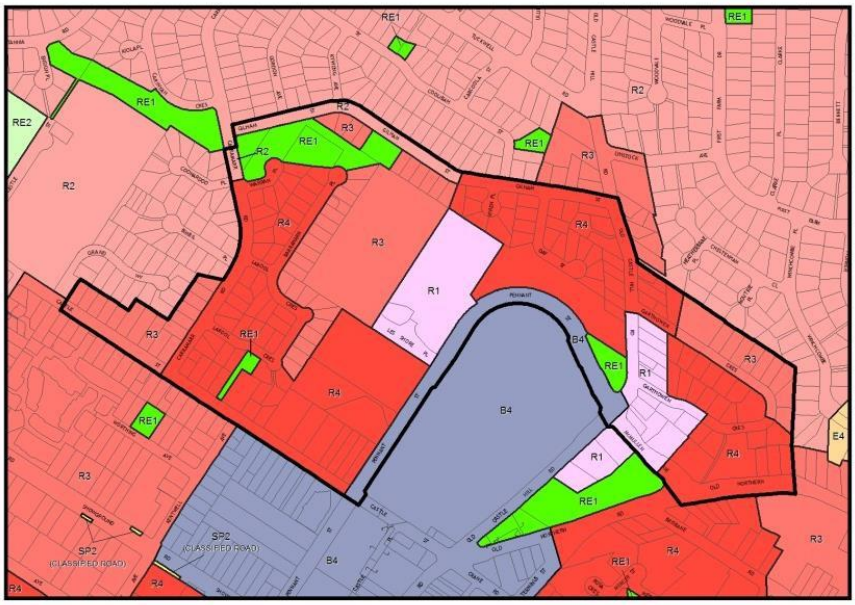
Issue	Response
Section 4.3 Sunlight to Public Spaces: The requirement for adjoining properties to receive 4hrs of sunlight to the open spaces of adjoining properties is considered onerous. The Draft DCP should be consistent with the Apartment Design Guide.	The solar access requirement for the open space of adjoining properties is intended to provide an excellent standard of amenity. It is recognised that the control may not be achievable on all sites. Accordingly, some additional flexibility has been provided by requiring only 50% of the open space of adjoining properties to receive the required solar access. This is consistent with the approach taken in the recently adopted Showground Station Precinct DCP.
An amendment to the requirement for balconies on upper levels to provide a minimum 50% opaque / solid balustrading to provide for residential. The author suggests that such privacy protection measures are not warranted for upper levels.	The requirement to provide a minimum 50% opaque / solid balustrading for balconies at upper levels is considered onerous and has been deleted from the DCP consistent with the approach taken in the Showground Station Precinct DCP.
The control relating to two-storey terraces should be deleted as it is inconsistent with the structure plan.	The controls requiring higher density development to adopt a two storey terrace house appearance and elevation of ground floor apartments are intended to encourage vertical and horizontal articulation into built forms and provide fine grain built form and architectural diversity. It does not limit these developments to two storeys.
Floor to ceiling heights should be consistent with the Apartment Design Guide.	It is agreed that floor to ceiling heights are adequately addressed by the Apartment Design Guide and this control has been removed from the draft DCP.
The requirement to elevate ground floor apartments may not be possible on sloping sites and the control should recognise this.	The requirement for ground floor apartments to have a separate elevation from the street level will ensure that the privacy of residents within ground floor apartments is appropriately maintained. The merit of any variation to a control, due to site specific constraints, would be considered as part of the development assessment process.
The DCP should state which developments are subject to tower controls.	The draft DCP has been amended to specify that tower controls apply above the 8th storey of buildings.

Issue	Response
The DCP should encourage rooftop communal open space, noting provision of ground level open space with high amenity on the subject site is difficult.	It is considered important that developments aim to provide a reasonable portion of communal open space at ground level, however controls are included in the draft DCP in relation to rooftop open space in recognition of the important role this type of open space will have in the precinct. It is not considered necessary for the DCP to encourage rooftop open space as the overall quantum and layout of future open spaces will be subject to development assessment.
The DCP should allow for integration of bicycle parking and apartment storage to maximise efficiency of basements.	The proposed provision is based on Council's current requirements for high density developments which are considered to provide an appropriate level of amenity for residents.
Minimum terrace width should be reduced from 6m to 4m.	Requirements for terraces are generally consistent with the recently adopted Showground DCP and seek to provide a high level of amenity for future residents within the precinct. This includes a reduction in open space requirements from $36m^2$ to $16m^2$ per terrace. Any variation to these controls should be considered on merit as part of future development applications. It is noted that the site would be subject to terrace controls in terms of streetscape appearance. However as the likely development outcome would be a residential flat building (with a 'terrace edge' appearance) the majority of applicable controls would be those applicable to apartment buildings.
Open space for terraces should be reduced from $36m^2$.	

ATTACHMENT 7

EXHIBITED AND POST EXHIBITION LAND ZONING MAPS

Exhibited Land Zoning Map



Post Exhibition Land Zoning Map