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**MINUTES of the duly convened Ordinary Meeting of The Hills Shire Council held in the Council Chambers on 25 July 2017**

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10.34pm Councillor Tracey left the meeting and returned at 10.36pm during Item 5.

**ITEM-5 DEVELOPMENT CONTROL PLAN, CONTRIBUTIONS PLAN & PUBLIC DOMAIN PLAN FOR CASTLE HILL NORTH (FP38 & 16/2016/PLP)**

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

THE MOTION WAS PUT AND CARRIED UNANIMOUSLY.

**372 RESOLUTION**

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

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

**VOTING FOR THE MOTION**

Clr Y D Keane  
Clr R A Preston  
Clr R K Harty OAM  
Clr Dr J N Lowe  
Clr R M Tracey  
Clr Dr M R Byrne  
Clr Dr P J Gangemi  
Clr A N Haselden

**VOTING AGAINST THE MOTION**

None

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**MINUTES of the duly convened Ordinary Meeting of The Hills Shire Council held in the Council Chambers on 25 July 2017**

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**ABSENT**

Clr A J Hay OAM  
Clr M G Thomas

**ITEM-8**

**VOLUNTARY PLANNING AGREEMENT - SISTERS OF SAINT JOSEPH SITE MACKILLOP DRIVE, BAULKHAM HILLS (FP187)**

A MOTION WAS MOVED BY COUNCILLOR HARTY OAM AND SECONDED BY COUNCILLOR DR LOWE THAT the Recommendation contained in the report be adopted.

THE MOTION WAS PUT AND CARRIED UNANIMOUSLY.

**373 RESOLUTION**

Council provide consent under Clauses 5.1 and 35.1(a) of the Voluntary Planning Agreement for the sale of Lot 1001 DP1190982 at Mackillop Drive, Baulkham Hills and for the transfer of any right or liability under the VPA to Aqualand Dee Why Development Pty Ltd, subject to:

a) The inclusion of conditions within any contract of sale which:

1. Ensure, legally, that any purchaser of the land is bound by the terms of the VPA;
2. Include, as a minimum, clauses obligating the purchaser to adhere to the terms of the VPA, including the carrying out of Works, dedication of land and payment of monetary contributions to Council in accordance with the VPA; and
3. Require that upon the transfer of land being affected, the owner must register the VPA on title; and

b) The preparation and execution of a Deed of Novation by the parties (Trustees of the Sisters of Saint Joseph and Aqualand), which transfers the rights, liabilities and obligations under the VPA to the purchaser, as if they themselves were party to the VPA.

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

**VOTING FOR THE MOTION**

Clr Y D Keane  
Clr R A Preston  
Clr R K Harty OAM  
Clr Dr J N Lowe  
Clr R M Tracey  
Clr Dr M R Byrne  
Clr Dr P J Gangemi  
Clr A N Haselden

**VOTING AGAINST THE MOTION**

None

**ABSENT**

Clr A J Hay OAM  
Clr M G Thomas

<b>ITEM-5</b>	<b>DEVELOPMENT CONTROL PLAN, CONTRIBUTIONS PLAN &amp; PUBLIC DOMAIN PLAN FOR CASTLE HILL NORTH (FP38 &amp; 16/2016/PLP)</b>
<b>THEME:</b>	Balanced Urban Growth.
<b>OUTCOME:</b>	7 Responsible planning facilitates a desirable living environment and meets growth targets.
<b>STRATEGY:</b>	7.2 Manage new and existing development with a robust framework of policies, plans and processes that is in accordance with community needs and expectations.
<b>MEETING DATE:</b>	<b>25 JULY 2017</b> COUNCIL MEETING
<b>GROUP:</b>	<b>STRATEGIC PLANNING</b>
<b>AUTHOR:</b>	<b>ACTING PRINCIPAL COORDINATOR FORWARD PLANNING</b> BRENT WOODHAMS
<b>RESPONSIBLE OFFICER:</b>	<b>ACTING MANAGER FORWARD PLANNING</b> JANELLE ATKINS

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#### **EXECUTIVE SUMMARY**

This report recommends that the following draft planning documents be publicly exhibited concurrently with the planning proposal for the Castle Hill North Precinct (16/2016/PLP), in order to ensure the delivery of appropriate development outcomes within the Precinct:

- Draft Contributions Plan No. 17 – Castle Hill North Precinct;
- Draft DCP 2012 (Part D Section 20 – Castle Hill North);
- Draft amendments to DCP 2012 (Part C Section 1 – Parking); and
- Draft Castle Hill North Public Domain Plan.

A planning proposal has been prepared to amend LEP 2012 to facilitate high density development around the future Castle Hill Railway Station. A Gateway Determination for the planning proposal was issued on 2 November 2016 to enable the proposal to be exhibited for public comment. The associated draft Contributions Plan, DCP amendments and Public Domain Plan have been prepared to support the development of this Precinct in accordance with Council's strategic vision.

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 existing infrastructure is not over-taxed and 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-alignments, playing fields, embellishment of open spaces, new stormwater management facilities, public domain works and pedestrian facilities.

The draft development controls are proposed to regulate future built form and ensure high quality development outcomes that reflect 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.

The draft Public Domain Plan seeks to enhance the image and amenity of the Precinct through the provision of 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 domain spaces that are attractive, safe and vibrant within the town centre.

In association with the Castle Hill North Planning Proposal, it is recommended that a new planning proposal be forwarded to the Department of Planning and Environment for a Gateway Determination to rezone land at 7-13 Glenhaven Road, 1 Kyle Avenue and 3 Gilmour Close, Glenhaven from RU6 Transition to RE1 Public Recreation and identify the land on the Land Reservation Acquisition Map. The amendment will facilitate the delivery of a district open space facility on the site which can service future growth within the Castle Hill Precinct.

## HISTORY

**24/11/2015**

Council resolved to adopt the Castle Hill North Precinct Plan, with post-exhibition amendments, and forward a planning proposal to the Department of Planning and Environment for Gateway Determination.

**02/11/2016**

Conditional Gateway Determination issued by the Department of Planning and Environment.

**07/03/2017**

Council Briefed on a draft contributions plan, draft amendments to DCP 2012 and a draft public domain plan.

## BACKGROUND

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 boundaries of the Castle Hill North Precinct are shown in the following figure.



**Figure 1**  
Castle Hill North Precinct

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

On 2 November 2016 a Gateway Determination was issued for the planning proposal (16/2016/PLP), which included a condition requiring the planning proposal to be amended to be consistent with the agreed methodology for housing diversity, prior to exhibition. In accordance with the Gateway Determination the planning proposal has been updated and can now be placed on public exhibition.

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

## **REPORT**

This purpose of this report is to consider draft planning documents to support the planning proposal for Castle Hill North Precinct to facilitate high density development around the future Castle Hill Railway Station. The report is structured into four (4) separate sections being:

1. Draft Contributions Plan No.17 – Castle Hill North;
2. Draft Development Control Plan Amendments;
3. Draft Public Domain Plan; and
4. New Planning Proposal (Gilmour Close Reserve).

### **1. DRAFT CONTRIBUTIONS PLAN NO.17–CASTLE HILL NORTH**

The precinct is currently subject to the provision of The Hills Section 94A Contributions Plan which levies development based on a percentage of the cost of works. This plan is suitable for established areas where incremental growth is anticipated, and is not sufficient to provide for the infrastructure needs generated by the large-scale urban redevelopment anticipated within the Castle Hill North Precinct.

Accordingly, a new Contributions Plan is required to identify the local infrastructure required to support the demand generated by additional population within the Castle Hill North Precinct. The infrastructure included within the Contributions Plan is considered to be necessary to support a quality of life of future residents. The draft Contributions Plan will provide an appropriate mechanism to ensure that funding of this infrastructure is equitably distributed throughout the Precinct based on the anticipated growth in population. Where the demand for particular infrastructure is not solely attributable to future growth within the precinct, the cost has been apportioned to the Precinct, with the remaining costs to be funded via alternative sources (potentially future contributions plans for nearby rail Precincts or alternatively, Voluntary Planning Agreement contributions).

As part of the master planning of the Castle Hill North Precinct a review was undertaken of the existing infrastructure which identified that upgrades and new facilities are required to support future growth. In particular roundabouts, road widening, intersection re-alignments, new playing fields, embellishment of passive open spaces, new stormwater management facilities, public domain works and pedestrian facilities

have been included in the draft Contributions Plan. An overview of the infrastructure items to be levied through the plan and the contribution rates for future development are detailed within the following section.

The draft Contributions Plan has been prepared having regard to the relevant provisions of the *Environmental Planning and Assessment Act 1979* and the accompanying Regulation. The Regulation requires that the plan be prepared having regard to the Development Contributions Practice Notes issued by the Department of Planning and Environment.

### **Dwelling and Population Yield**

The population projections for the Castle Hill North Precinct are based upon a 20 year timeframe. Once developed, it is projected that there will be approximately 3,575 dwellings, comprising 3,425 apartments and 150 townhouse/terraces. This equates to an additional 3,283 dwellings and an additional population of around 6,045 people.

### **Open Space and Recreation Facilities**

The planning for this precinct seeks to ensure that residents of new developments are able to access open space and recreation facilities consistent with the lifestyle enjoyed by existing Hills Shire residents. It is noted that existing playing fields within the Shire are currently at capacity. To cater for the additional population, new open spaces and improvements to existing open spaces will be required.

#### Local Open Space

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

#### Playing Fields (Active Open Space)

The future population will generate demand for around 1.5-2 playing fields and one (1) cricket oval. As the existing playing fields within the vicinity of the precinct are already at capacity, there is limited potential to accommodate any additional demand within these existing facilities. Therefore, additional playing fields will be required to ensure that the future population is provided with appropriate active open space facilities, and not simply provided with a sub-standard level of service due to the difficulties associated with acquiring open space.

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

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



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

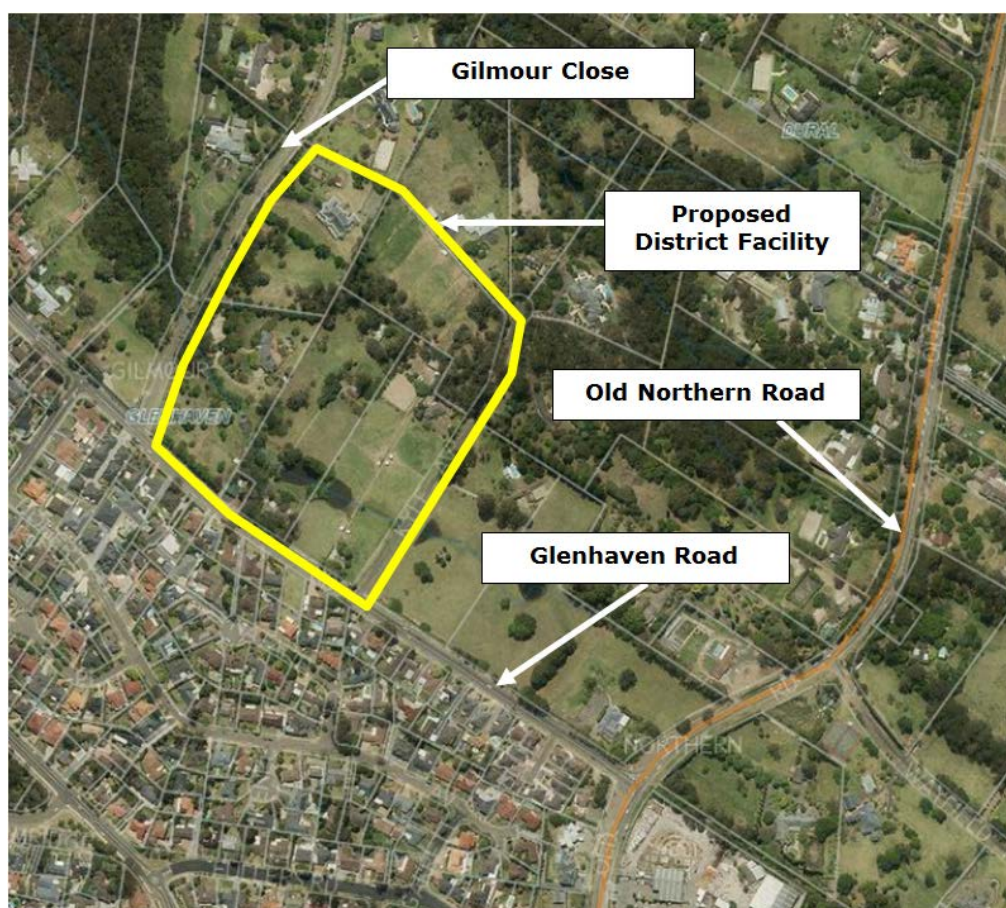
\*Remaining growth potential within the Castle Hill Precinct when excluding 3,283 dwellings within the Castle Hill North Precinct and 1,298 dwellings which have recently been approved on the Crane Road site and Pennant Street Target Site.

\*\* Growth anticipated under The Hills Corridor Strategy

**Table 1**

Growth Projection within the Castle Hill and Cherrybrook Precincts

In recognition of the likely cumulative demand generated across these Precincts, a potential site has been identified for a district open space facility at 7-13 Glenhaven Road, 1 Kyle Avenue and 3 Gilmour Close, Glenhaven. The site has an area of 100,983m<sup>2</sup> (10.09ha) (however, it is noted that 11 Glenhaven Road (853m<sup>2</sup>) is already owned by Council and contains the Glenhaven Rural Fire Service). The area of the remaining privately owned land is 100,130m<sup>2</sup> (10.013ha).



**Figure 2**

Possible Future District Facility (Gilmour Close Reserve)

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

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

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

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

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

**Table 2**  
Cost Apportionment

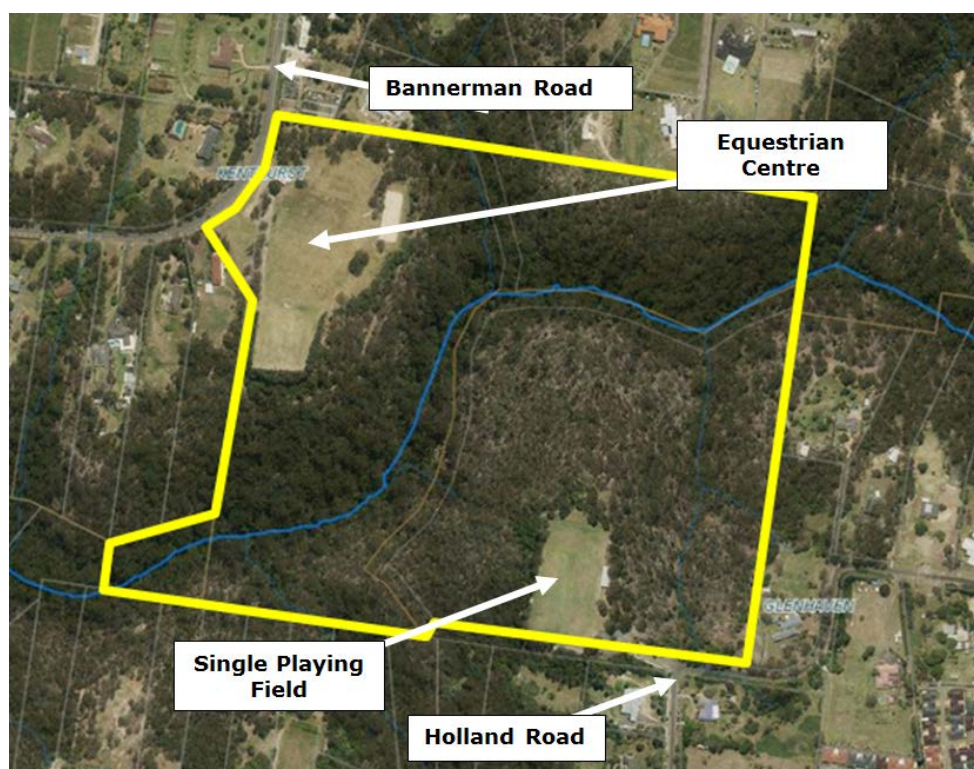
The total land and capital cost of delivering this facility would be approximately \$57.3 million (including land and capital). Future development within the Castle Hill North Precinct would be levied for 38% of the land and capital cost of providing this facility (approx. \$21.7 million). Future growth within the Castle Hill South and Cherrybrook Precincts could also contribute funding towards this facility.

It is noted that five of the six identified lots are under private ownership and consultation with the relevant landowners would need to occur as the planning proposal progresses.

#### Possible Alternative Site (Holland Reserve)

A possible alternative site would be an extension of Holland Reserve which is zoned RE1 Public Recreation and is already under Council ownership. The Holland Road site has a single sports field with the synthetic cricket pitch located in the centre. The Bannerman Road side has an equestrian centre. The site is shown in the following figure.



**Figure 3**

Possible Alternative Facility (Holland Reserve Extension)

On the Holland Road side, an additional single playing field could be provided to the east of the existing playing field. This would require the removal of a substantial amount of vegetation. It is noted that the site contains Shale Sandstone Transition Forest which is a Critically Endangered Ecological Community. Accordingly, it will be difficult to get more than a single additional playing field at this location.

The Bannerman Road side of the reserve is currently occupied by the Equestrian Centre/Dural Pony Club. Whilst approximately 2-3 playing fields could potentially be accommodated on this side of the Reserve, without substantial removal of vegetation, it would involve the relocation of the Equestrian Centre to an alternative location.

It is noted that as part of the planning for the Showground Priority Precinct, the site of the current Castle Hill Pony Club is being investigated for 2-3 new playing fields. This would require the relocation of the Castle Hill Pony Club to an alternative site which could include amalgamation with an existing Pony Club. One possible location which is currently being investigated is the Bannerman Road side of Holland Reserve. Accordingly, if playing fields are proposed at this location, an alternative site will potentially be required for both Pony Clubs.

Furthermore, this site is approximately 6.4km from the Castle Hill North Precinct and approximately 6.7km from the Cherrybrook Precinct. Accordingly, this is beyond what is considered to be an acceptable catchment.

Whilst the Gilmour Close site is approximately 4km from the Precinct, it is generally considered to be within the Precinct Catchment and presents fewer constraints and greater opportunity for increase the capacity of Council's active open space network. Accordingly, a clearer nexus argument can be established for levying development for this facility.

**Traffic and Transport Facilities**

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

**Roundabouts**

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

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

**Intersection Realignment**

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

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

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

**Pedestrian and Public Domain Facilities**

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

**Public Domain Works**

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

Pedestrian Bridges

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

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

**Stormwater Management Facilities**

Upgrades to the local pipe network are required to mitigate the impact of flooding as a result of new development in the vicinity of Garthowen Crescent, Les Shore Place, Larool Crescent, Carramarr Road and Castle Street. Stormwater drainage upgrade works have been identified based on preliminary estimates of pipe system upgrades required to ease the impacts of overland flowpaths on affected land within the Precinct. The delivery of these upgrades will reduce the identified hazards to future development.

**Schedule of Works**

The following table identifies the total cost of work for each contribution category within the Contributions Plan.

Summary	Total
Open Space - Land	\$17,379,063
Open Space - Capital	\$6,783,091
Transport Facilities - Land	\$11,596,475
Transport Facilities - Capital	\$28,511,048
Water Management - Capital	\$6,504,633
Administration	\$624,430
<b>Total</b>	<b>\$71,398,739</b>

**Table 3**  
Works Schedule by Contribution Category

It is noted that the above table includes the *apportioned* value of works and land which will be levied through the draft Contributions Plan.

**Contribution Rates**

Based on the cost estimates identified within the Contributions Plan and the population projection, it is estimated that the contribution rate per person will be \$11,658.71. The rates schedule for the Precinct is included in the following table.

Facility Category	CONTRIBUTION RATE PER LOT/UNIT				
	Dwelling/ Lot	Medium and High Density Residential*			
		4 bedroom	3 bedroom	2 bedroom	1 bedroom
Open Space - Land	\$9,615.63	\$9,315.14	\$7,512.21	\$5,408.79	\$5,108.30
Open Space - Capital	\$3,341.59	\$3,237.16	\$2,610.62	\$1,879.64	\$1,775.22
Transport Facilities - Land	\$6,912.60	\$6,696.58	\$5,400.47	\$3,888.34	\$3,672.32
Transport Facilities - Capital	\$13,996.37	\$13,558.99	\$10,934.67	\$7,872.96	\$7,435.57
Water Management - Capital	\$3,153.76	\$3,055.21	\$2,463.88	\$1,773.99	\$1,675.44
Administration	\$287.90	\$278.91	\$224.93	\$161.95	\$152.95
<b>Total</b>	<b>\$37,307.86</b>	<b>\$36,141.99</b>	<b>\$29,146.77</b>	<b>\$20,985.67</b>	<b>\$19,819.80</b>
* Including but not limited to Attached Dwellings, Semi-Detached Dwellings, Multi Dwelling Housing, Residential Flat Buildings, Shop Top Housing and Seniors Housing					

**Table 4**  
Rates Schedule – Castle Hill North Precinct

### Section 94 Development Contribution Cap

In 2010 the NSW Government announced a revised approach to setting local development contributions and local council rates as part of a comprehensive strategy to improve housing supply across NSW, which included:

- A cap of \$30,000 per dwelling or residential lot in greenfield;
- A cap of \$20,000 per dwelling or per residential lot in all other areas; and
- An essential works list that will apply when councils are seeking Local Infrastructure Growth Scheme Funding ('contribution gap funding') or a special rate variation.

Currently the land within the Balmoral Road Release Area and North West Growth Centre Precincts (North Kellyville and Box Hill and Box Hill Industrial Precincts) are subject to a contribution cap of \$30,000 per dwelling. Currently, the Castle Hill North Precinct would be subject to a cap of \$20,000 per dwelling.

**On 1 June 2017 the NSW Government announced a new package of measures designed to improve housing affordability across NSW.** These policies take into account the difficulty that first home buyers face in entering the market, the state's growing population and the need to ensure that development occurs close to essential infrastructure such as roads, railway lines and schools.

Part of the new package of reforms will apply to developer contributions and the Local Infrastructure Growth Scheme. In particular, the NSW Government will be gradually increasing the cap on developer contributions annually (by \$5,000) until the abolishment of the cap entirely on 30 June 2020 (at which time developers will be required to pay the full contribution rate under a Contributions Plan).

The Local Infrastructure Growth Scheme (LIGS) has in the past been used to fund the gap between the maximum contribution that councils can charge developers and what it actually costs councils to deliver the infrastructure. While the NSW Government will continue to provide LIGS subsidies to certain areas for the next three years (before the scheme is abolished on 30 June 2020), LIGS funding will not be available to any new areas, such as Castle Hill North Precinct.

By removing the cap on contributions, the NSW Government will assist councils in these other areas to fund local infrastructure directly through their developer contributions. In these areas, if contribution rates exceed the current cap levels (\$20,000 for infill and \$30,000 for greenfield), contributions plans will be subject to review by IPART in

accordance with the Essential Works List prior to allowing development to be charged the full apportioned contribution rate. As the contribution rates under the draft Plan exceed the current cap, there will likely be a short three (3) year period where Council is subject to the cap, but unable to claim LIGS funding. When accounting for the progressive increase in the contribution cap up until 1 July 2020, indexation of contribution rates and the forecast yearly population/mix, it is anticipated that this may result in a small income shortfall of approximately \$118,479.

## 2. DEVELOPMENT CONTROL PLAN AMENDMENTS

Draft amendments to DCP 2012 have been prepared to regulate the future built form of development and ensure the delivery of a highly liveable urban area which reflects the intended character for the precinct. These amendments include a new site specific section being The Hills DCP 2012 (Part D Section 20 – Castle Hill North) and an amendment to The Hills DCP 2012 (Part C Section 1 – Parking).

The controls seek to achieve a well-connected pedestrian network, active street frontages, high quality architectural style and character, attractive streetscapes, integration of the public and private realm, common open space and appropriate provision of car parking. The proposed structure plan for the Castle Hill North Precinct is included in the following figure.

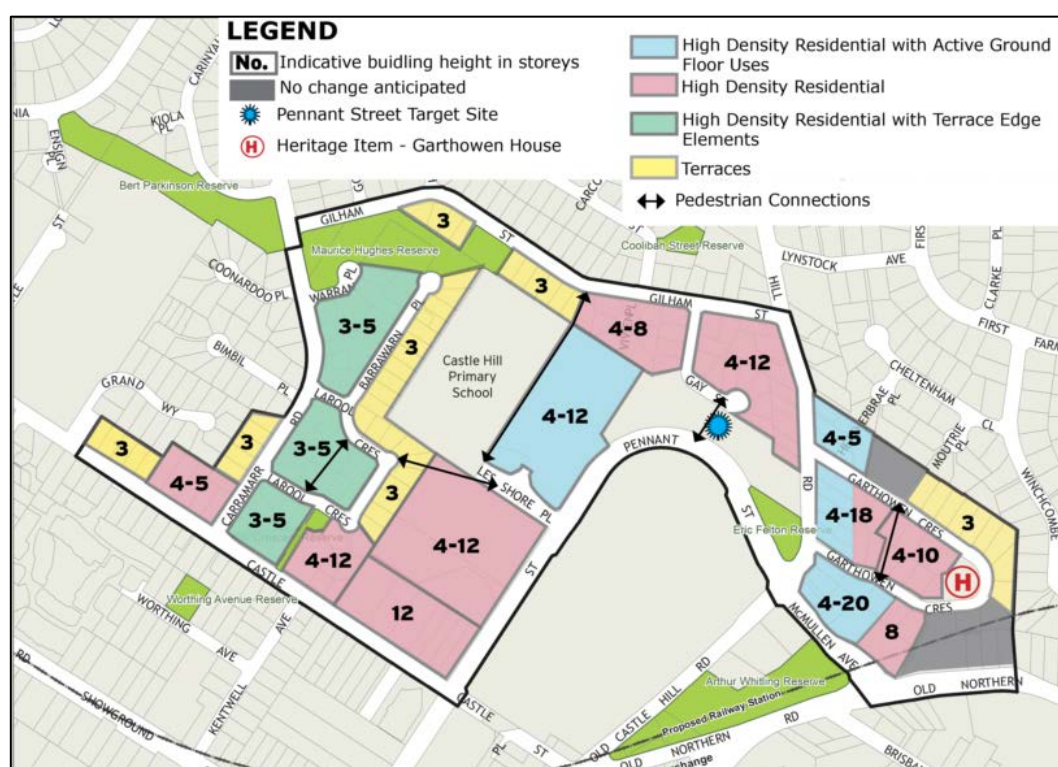


Figure 4  
Castle Hill North DCP Structure Plan

The key matters covered within the DCP include the following:

- Key Principles (housing diversity, transit oriented development, infrastructure and open space and place making);
- Precinct Structure;
- Desired Future Character (intended character, land use, built form and streetscape);



- General Controls (vehicular and pedestrian movement, environment, stormwater, ecological sustainable development, heritage and public domain);
- Apartment Controls (Site requirements, height and form, setbacks, streetscape and public domain interface, podium and tower design, roof design and roof features, open Space and landscaping, and parking); and
- Terrace Controls (site requirements, building height, setbacks building design and streetscape, open space and landscaping, rear laneways, and parking).

The amendments to the parking section of DCP 2012 will ensure that the parking requirements correlate with the agreed housing diversity methodology. In locations where a mixed use outcome is desired (being retail/commercial at the ground level and first floor, with residential apartments on the upper levels), measures are proposed to encourage the provision of employment uses by relaxing the parking requirement in these locations. The parking rates which are identified for the precinct are included within the following table.

Development	Rate
Residential Flat Buildings	1 space per dwelling
Residential Flat Building – Visitor	1 space per 5 dwellings
Commercial premises-where part of a mixed use development	Max 1 space per 200m <sup>2</sup>

**Table 5**  
Suggested Car Parking Provision

### 3. DRAFT PUBLIC DOMAIN PLAN

A key feature of transit oriented development is a high quality public domain. To this end, a Public Domain Plan has been prepared to provide consistent guidance for the delivery of public domain works throughout the Precinct. A consistent approach will enhance the image and amenity of the Precinct through the provision of street trees, footpath paving, furniture and landscaping to give the Precinct an urban identity as part of the centre, while complementing the character of the surrounding area.

The public domain can be defined as all public areas owned or managed by Council including roads, streets and lanes, street verges and footpath areas, car parks, parks, open space or any other council lands that are readily accessible to the public. A photomontage of an urban active edge streetscape is included in the following figure.



**Figure 5**  
Photomontage – Urban Active Edge Streetscape

The purpose of the draft Public Domain Plan, which is included as an attachment to this report, is to serve as a manual to guide the future planning and design of the public domain within the Castle Hill North Precinct. The draft plan provides an overall direction for creating public domain spaces that are attractive, safe and vibrant within the town centre. The draft public domain plan aims to:

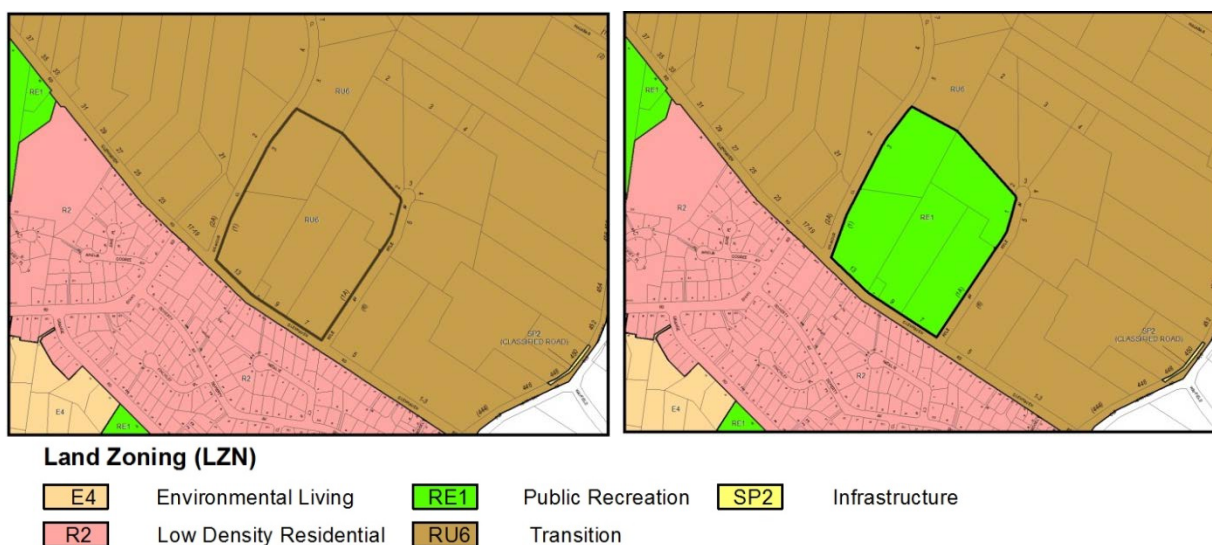
- Facilitate the creation of high quality public spaces that encourage social interaction and create a sense of place for residents and visitors to Castle Hill North;
- Promote the visual and physical integration of the public and private domains;
- Provide appropriate, equitable, safe and convenient access and egress points for pedestrians;
- Provide for improved pedestrian circulation patterns throughout the Precinct;
- Ensuring connectivity between all major developments; and
- Provide for improved pedestrian circulation patterns throughout the Centre.

As mentioned previously, a draft Contributions Plan has been prepared to levy development for the provision of local infrastructure including public domain improvements. As development occurs, it will be levied for the delivery of this infrastructure. The delivery of the infrastructure can occur either by developers through a works in kind agreement or by Council as part of its works program.

#### 4. NEW PLANNING PROPOSAL

In recognition of the identification of land at Glenhaven for a possible district open space facility, it is recommended that a planning proposal be forwarded to the Department of Planning and Environment for a Gateway Determination. The planning proposal would apply to land at 7-13 Glenhaven Road, 1 Kyle Avenue and 3 Gilmour Close, Glenhaven (Lot 8 & 9 DP25902, Lot 1 DP844862, Lot 1 DP524622, Lot 1 DP207788 and Lot 1 DP261810) and would seek to amend Local Environmental Plan 2012 as follows:

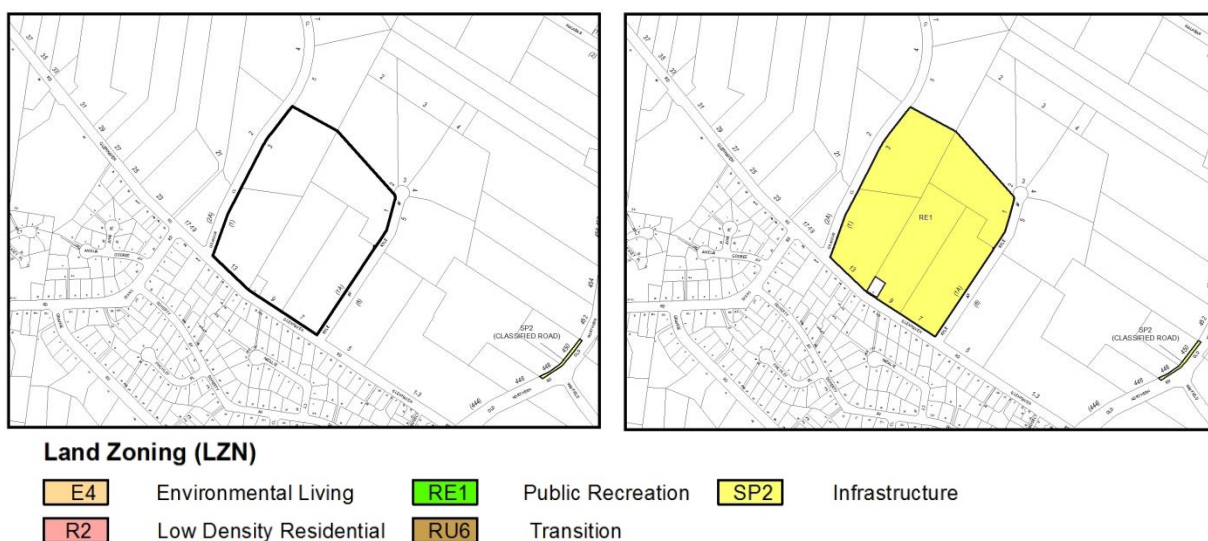
- Amend the Land Zoning Map to rezone the site from RU6 Transition to RE1 Public Recreation.
- Amend the Land Reservation Map to identify 7, 9 and 13 Glenhaven Road, 1 Kyle Avenue and 3 Gilmour Close, Glenhaven (Lot 8 & 9 DP25902, Lot 1 DP524622, Lot 1 DP207788 and Lot 1 DP261810) as SP2 Infrastructure and Council as the acquisition authority.



**Figure 6**

Existing (left) and Proposed (right) Land Zoning Map (Gilmour Close Reserve)



**Figure 7**

Existing (left) and Proposed (right) Land Reservation Acquisition Map (Gilmour Close Reserve)

## CONCLUSION

The proposed draft Contributions Plan, draft amendments to DCP 2012 and draft Public Domain Plan will support development of the Castle Hill North Precinct and to create a high quality urban environment with a high level amenity and accessibility to services and facilities. Local infrastructure will be delivered through the new draft Contributions Plan which identifies the necessary requirements with respect to roads, open space and community facilities needed to support the future additional population. Draft DCP 2012 amendments will ensure high quality built form and a liveable urban setting that reflects the 'garden shire' character. The draft Public Domain Plan will facilitate attractive public spaces and improve pedestrian access and circulation throughout the precinct.

It is recommended that draft Development Contributions Plan No.17 – Castle Hill North, draft DCP 2012 (Part D Section 20 – Castle Hill North), draft DCP 2012 (Part C Section 1 – Parking), and the draft Castle Hill North Public Domain Plan be exhibited concurrently with the planning proposal for the Castle Hill North Precinct (16/2016/PLP).

## IMPACTS

### Financial

The draft Contributions Plan identifies approximately \$71.4 million of land and capital works required to support the envisaged development within the Castle Hill North Precinct. This infrastructure would be funded, in part, using contributions collected from development within the Precinct. The draft Contributions Plan establishes contribution rates as follows:

Facility Category	CONTRIBUTION RATE PER LOT/UNIT				
	Dwelling/ Lot	Medium and High Density Residential*			
		4 bedroom	3 bedroom	2 bedroom	1 bedroom
Open Space - Land	\$9,615.63	\$9,315.14	\$7,512.21	\$5,408.79	\$5,108.30
Open Space - Capital	\$3,341.59	\$3,237.16	\$2,610.62	\$1,879.64	\$1,775.22
Transport Facilities - Land	\$6,912.60	\$6,696.58	\$5,400.47	\$3,888.34	\$3,672.32
Transport Facilities - Capital	\$13,996.37	\$13,558.99	\$10,934.67	\$7,872.96	\$7,435.57
Water Management - Capital	\$3,153.76	\$3,055.21	\$2,463.88	\$1,773.99	\$1,675.44
Administration	\$287.90	\$278.91	\$224.93	\$161.95	\$152.95
<b>Total</b>	<b>\$37,307.86</b>	<b>\$36,141.99</b>	<b>\$29,146.77</b>	<b>\$20,985.67</b>	<b>\$19,819.80</b>
* Including but not limited to Attached Dwellings, Semi-Detached Dwellings, Multi Dwelling Housing, Residential Flat Buildings, Shop Top Housing and Seniors Housing					

As the contribution rates under the draft Plan exceed the current cap, there will likely be a short three (3) year period where Council is subject to the cap, but unable to claim LIGS funding. When accounting for the progressive increase in the contribution cap up until 1 July 2020, indexation of contribution rates and the forecast yearly population/mix, it is anticipated that this may result in a small income shortfall of approximately \$118,479.

#### **The Hills Future - Community Strategic Plan**

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

**ATTACHMENTS**

1. Draft Contributions Plan No.17 – Castle Hill North (43 pages)
2. Draft The Hills DCP 2012 (Part D Section 20 – Castle Hill North) (62 pages)
3. Draft The Hills DCP 2012 (Part C Section 1 – Parking) (34 pages)
4. Draft Public Domain Plan – Castle Hill North Precinct (44 pages)