

THE HILLS SHIRE COUNCIL

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11 May 2016

Ms Catherine Van Laeren
Department of Planning & Environment
GPO Box 39
SYDNEY NSW 2001

Our Ref: 12/2016/PLP

Dear Ms Van Laeren,

PLANNING PROPOSAL – CECIL AVENUE AND ROGER AVENUE, CASTLE HILL
Proposed The Hills Local Environmental Plan 2012 (Amendment No (#)) – 93-107
Cecil Avenue and 9-10 Roger Avenue, Castle Hill, to rezone the site to B4 Mixed Use,
increase the floor space ratio to 3.5:1 and remove the maximum height of buildings
control, to facilitate 460 residential apartments and 8000m² of commercial floor
space.

Pursuant to Section 56 of the *Environmental Planning and Assessment Act 1979* (EP&A Act), it is advised that Council has resolved to prepare a planning proposal for the above amendment. Please find enclosed the information required in accordance with the guidelines 'A *guide to preparing planning proposals*' issued under Section 55(3) of the EP&A Act. The planning proposal and supporting materials is enclosed with this letter for your consideration. It would be appreciated if all queries by the panel could be directed to Council's Megan Munari, Principal Forward Planner on 9843 0407.

Generally, the proposal is considered to satisfactorily address the requirements under Section 73A (1)(b) and (c) of the EP&A Act as it will not have any significant adverse impact on the environment or adjoining land.

The objective of the planning proposal is to facilitate a mixed use development on the site, comprising 460 residential units, 8000m² of commercial floor space and a through site link and public open space. The development will expand the Castle Hill centre and provide increased housing in proximity to a railway station.

Pursuant to Clause 5(d) of Local Planning Directions 2.3 Heritage Conservation and 5.9 North West Rail Link Corridor Strategy, this Section 56 notification also seeks the concurrence of the Director General with respect to an inconsistency with these Directions, as detailed in the attached Planning Proposal.

Following receipt by Council of the Department's written advice, Council will proceed with the planning proposal. Any future correspondence in relation to this matter should quote reference number 12/2016/PLP. Should you require further information please contact Megan Munari, Principal Forward Planner on 9843 0407.

Yours faithfully



Stewart Seale
MANAGER FORWARD PLANNING

PLANNING PROPOSAL

LOCAL GOVERNMENT AREA: The Hills Shire Council

NAME OF PLANNING PROPOSAL: Proposed The Hills Local Environmental Plan 2012 (Amendment No (#)) – 93-107 Cecil Avenue and 9-10 Roger Avenue, Castle Hill, to rezone the site to B4 Mixed Use, increase the floor space ratio to 3.5:1 and remove the maximum height of buildings control, to facilitate 460 residential apartments and 8000m² of commercial floor space.

ADDRESS OF LAND: The subject site is known as 93-107 Cecil Avenue and 9-10 Roger Avenue, Castle Hill. A list of the individual lots is provided below.

Address		Lot and DP
97 Cecil Avenue	CASTLE HILL NSW 2154	Lot 6 DP 705913
93 Cecil Avenue	CASTLE HILL NSW 2154	Lot 27 DP 15399
95A Cecil Avenue	CASTLE HILL NSW 2154	Lot 1 DP 531559
97A Cecil Avenue	CASTLE HILL NSW 2154	Lot 4 DP 531559
97B Cecil Avenue	CASTLE HILL NSW 2154	Lot 5 DP 705913
99 Cecil Avenue	CASTLE HILL NSW 2154	Lot 1 DP 581293
99A Cecil Avenue	CASTLE HILL NSW 2154	Lot 3 DP 581293
101 Cecil Avenue	CASTLE HILL NSW 2154	Lot 2 DP 581293
101A Cecil Avenue	CASTLE HILL NSW 2154	Lot 4 DP 581293
103 Cecil Avenue	CASTLE HILL NSW 2154	Lot 1 DP 547897
103A Cecil Avenue	CASTLE HILL NSW 2154	Lot 2 DP 547897
105 Cecil Avenue	CASTLE HILL NSW 2154	Lot 1 DP 591676
105A Cecil Avenue	CASTLE HILL NSW 2154	Lot 2 DP 591676
107 Cecil Avenue	CASTLE HILL NSW 2154	Lot 20 DP 15399
9 Roger Avenue	CASTLE HILL NSW 2154	Lot 6 DP 29141
10 Roger Avenue	CASTLE HILL NSW 2154	Lot 5 DP 29141
95B Cecil Avenue	CASTLE HILL NSW 2154	Lot 21 DP 778595
95 Cecil Avenue	CASTLE HILL NSW 2154	Lot 22 DP 778595

SUMMARY OF HOUSING AND EMPLOYMENT YIELD:

	EXISTING	PROPOSED	TOTAL YIELD
Dwellings	18	460	442
Jobs	15	211	196

SUPPORTING MATERIAL:

Attachment A	Assessment against State Environment Planning Policies
Attachment B	Assessment against Section 117 Local Planning Directions.
Attachment C	Council Report and Minute 12 April 2016 Council Meeting
Attachment D	Applicants Planning Proposal dated December 2015
Attachment E	Supplementary Information Lodged by Applicant dated April 2016

THE SITE:

The site, known as 93-107 Cecil Avenue and 9-10 Roger Avenue, Castle Hill, is irregular in shape and consists of 18 residential lots with a total land area of approximately 17,610m².

It is located on the southern side of the Castle Hill centre and is approximately 620 metres walking distance from the future Castle Hill Train Station. The site falls from the north-west to the south-east by approximately 14 metres.

Primary frontage is to Cecil Avenue (approximately 762 metres), with a secondary frontage (two lots) to Roger Avenue (approximately 36 metres), a cul-de-sac connecting to Francis

Street. Part of the north-western boundary adjoins St Paul's Cemetery, a local heritage item listed in Local Environmental Plan 2012 (LEP 2012).



Figure 1
Aerial view of the site and surrounding locality

The site is currently zoned part R1 General Residential and part R3 Medium Density Residential under LEP 2012.

PART 1 OBJECTIVES OR INTENDED OUTCOME

The objective of the planning proposal is to facilitate a mixed use development on the site, comprising 460 residential units, 8000m² of commercial floor space and a through site link and public open space. The development will expand the Castle Hill centre and provide increased housing in proximity to a railway station.

PART 2 EXPLANATION OF THE PROVISIONS

The proposed outcomes will be achieved by:

- Rezoning the site to B4 Mixed Use;
- Removing the maximum height of buildings;
- Applying a 'base' floor space ratio of 1:1; and
- Applying an 'incentivised' floor space ratio of 3.5:1.

PART 3 JUSTIFICATION

SECTION A - NEED FOR THE PLANNING PROPOSAL

1. Is the planning proposal a result of any strategic study or report?

No, the planning proposal is not a result of any strategic study or report.

The planning proposal is a result of an application made to Council. The planning proposal is supported by justification against the relevant strategic documents, as detailed in this planning proposal.

2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Yes, the planning proposal is considered to be the best way to achieve the intended outcomes for the site.

Currently, the zone and development standards that apply to the site do not facilitate the desired outcome. The planning proposal is the best way to ensure all the desired uses are permissible and that the development standards facilitate the desired built form outcome.

SECTION B - RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK

3. Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

Yes, a discussion of consistency is provided below.

- **A Plan for Growing Sydney**

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

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

Direction 1.6 of A Plan for Growing Sydney identifies Castle Hill as part of the Global Economic Corridor. It states that in "suburban office markets where a commercial core exists or is planned, and where residential pressure is being experienced, critical retail, business and office space needs to be protected". The planning proposal lodged by the applicant would generate employment for 211 people based on the 8,025m² of commercial floor space.

Direction 1.7 of A Plan for Growing Sydney identifies Castle Hill as a Strategic Centre for future employment growth close to homes. Businesses benefit from being located in strategic centres, where "economic density enables improved productivity, fosters innovation, improves efficiency and economies of scale and supports faster growth than if economic activity is dispersed across a wide area". Castle Hill already has sufficient activity to be considered a strategic centre and it is important to continue to grow Castle Hill at this level. The vision for Castle Hill is a vibrant and active centre and in order for this vision to be achieved, increased business activity and jobs growth is needed.

The consolidation of a large development site provides the opportunity to achieve a range of activities beyond residential which will respond to demand for smaller commercial office suites and facilitate more vibrant and walkable centre.

Directions 2.1, 2.2 and 2.3 of A Plan for Growing Sydney relate to housing supply, urban renewal, providing jobs closer to home and improving housing choice to suit different needs and lifestyles. The planning proposal seeks to facilitate the delivery of housing close to an existing centre and the future Castle Hill Train Station, which is generally consistent with these Directions.

The planning proposal is considered consistent with A Plan for Growing Sydney.

- **North West Rail Link Corridor Strategy**

The Department of Planning and Infrastructure has produced a Corridor Strategy (September 2013) to guide future development around the eight (8) new stations of the North West Rail Link. The introduction of the North West Rail Link (NWRL) and a station at Norwest has the potential to further reinforce Castle Hill as the premier centre for the Shire.

The NSW Government North West Rail Link Corridor Strategy provides a vision for how the areas surrounding the eight (8) future train stations of the Sydney Metro Northwest could be developed to integrate new homes and jobs. The Castle Hill Structure Plan projects that within the Castle Hill Station Precinct, an additional 4,400 dwellings and 9,500 jobs will be provided by 2036.

Under the Castle Hill Station Precinct Structure Plan the site is identified as “Medium Density Apartment Living” which could comprise three (3) to six (6) storey residential flat buildings carefully master planned around communal open spaces and incorporating landscaped setbacks to existing streetscapes. The Castle Hill Structure Plan identifies approximately 40 hectares of land that may be capable of accommodating “3 to 6 storey apartment buildings carefully master planned around communal open spaces”. The subject site represents 4.25% of the area capable of accommodating three (3) to six (6) storey apartments.

4. *Is the planning proposal consistent with the local council's Community Strategic Plan, or other local strategic plan?*

Yes, a discussion of consistency is provided below.

- **The Hills Future Community Strategic Plan**

The Hills Future Community Strategic Direction articulates The Hills Shire community's and Council's shared vision, values, aspirations and priorities with reference to other local government plans, information and resourcing capabilities. It is a direction that creates a picture of where the Hills would like to be in the future. The direction is based on community aspirations gathered throughout months of community engagement and consultation with members of the community.

The planning proposal is considered to be consistent with the following Hills Future Community Outcomes:

- Vibrant Communities – Public spaces area attractive, safe and well maintained providing a variety of recreational and leisure activities to support active lifestyle;
- Vibrant Communities – A connected and supported community with access to a range of services and facilities that contribute to health and wellbeing;
- Balanced Urban Growth – Safe, convenient and accessible transport options that enable movement through and within our Shire; and
- Balanced Urban Growth – Responsible planning facilitates a desirable living environment and meets growth targets.

- **Draft Local Strategy**

In 2008 Council adopted its Local Strategy to provide the basis for the future direction of land use planning in the Shire and within this context implement the key themes and outcomes of

the 'Hills 2026 Looking Toward the Future'. The Residential, Integrated Transport, Centres and Employment Lands Directions are the relevant components of the Local Strategy to be considered in assessing this application.

Council's Local Strategy was adopted in 2008, it is the principal document for communicating the future planning of the Shire and includes the objectives of longer term planning projects of the State Government as well as responding to, and planning for, local needs such as employment, housing and transport.

The Local Strategy continues to provide a clear statement of the overall strategic land use management and planning objectives of the Hills Shire. However, it is noted that the dwelling and job growth targets detailed within the Local Strategy represents Council's projected growth targets as at June 2008, prior to the Government commitment to the delivery of the Sydney Metro Northwest.

Residential Direction

The Residential Direction acknowledges the Sydney Metro North West and the way it will change development in Castle Hill. It identifies an increased focus on Castle Hill providing a full range of retail, commercial, community and recreational functions, as well as the increased demand for housing in proximity to a train station. The subject site is located on the southern periphery of the Castle Hill Centre and is well placed to deliver both commercial and residential outcomes, in line with the Residential Direction.

The planning proposal is consistent with Direction R1 'Accommodate Population Growth' as it seeks to provide additional residential dwellings in close proximity to the Castle Hill Centre's existing and future services and infrastructure.

Centres Direction

The hierarchy of centres, as detailed in the Centres Direction identifies Castle Hill as the premier centre of the Shire. The key objectives to deliver the desired outcomes in Castle Hill include:

- Encourage a mix of business, retail, residential and community uses within the core of the centre.
- Height and floor space ratio to reflect the role of centres as primary retail and commercial locations within the Shire by a taller, commercial built form.
- Land uses to include a broad range of retail, commercial, entertainment and community facilities.

The applicant's planning proposal includes 8,025m² of commercial floor space, which is partially consistent with the desired outcomes for Castle Hill. In the context of the site, being on the periphery of the core of Castle Hill and outside of the ring road where the majority of high density commercial development is identified to occur, the delivery of a mixed use outcome, with some commercial uses as well as residential is considered appropriate and consistent with the Centres Direction.

Employment Lands Direction

The Employment Lands Direction identifies Castle Hill as a Major Centre with commercial growth potential within the Shire. The Direction identifies the need for sufficient commercial office space to be provided to match the skills of the residents within the Shire. The type and extent of non-residential floor space proposed in the applicant's proposal will contribute to employment growth and the provision of commercial office space within the Castle Hill centre. However, it is acknowledged that the site is on the periphery of the core, which is not the most appropriate place for high density commercial development. The opportunity to provide a mixed development with some commercial floor space is supported and the planning proposal is considered generally consistent with the Employment Lands Direction.

• **The Hills Corridor Strategy**

The Hills Corridor Strategy was adopted by Council on 24 November 2015 to build upon the platform established by the NSW Government North West Rail Link Corridor Strategy and articulate redevelopment opportunities arising from the Sydney Metro Northwest around each of the seven (7) stations that are within, or close to, the Shire. It is underpinned by guiding principles such as a hierarchy of zones that see the greatest densities closer to transport or centres, while maintaining lower density housing options in more peripheral locations, providing a diversity of housing choice with a focus on family living and providing job opportunities suited to Hills residents. These principles reflect the long held strategic direction of Council that is embedded in Council's Local Strategy and LEP 2012.

The Strategy identifies Castle Hill as a Major Centre and seeks to reinforce it as a vibrant and active centre comprising of offices, retail, community facilities, recreation, cultural, education and increased housing densities within walking distance of the station. The Hills Corridor Strategy identifies opportunity for 4,807 additional dwellings and 10,304 additional jobs (beyond existing) within the Castle Hill Precinct by 2036. The delivery of the employment floor space identified in the Strategy is critical to the success of Castle Hill as a major centre, to facilitate jobs delivery to support projected residential growth.

The subject site and the southern part of Castle Hill has not undergone precinct planning at this time. Part of the subject site (approximately 10,000m²) falls within the identified Castle Hill Precinct and is flagged as being suitable for employment generating uses with a floor space ratio of 1.5:1 (refer to Figure 6). If this Employment Floor Space Ratio was applied to this part of the site it could deliver approximately 15,000m² of employment generating floor space, providing approximately 395 jobs.

The planning proposal includes 8,025m² of commercial floor space, which would provide 211 jobs and falls short of the envisaged commercial floor space outcome. However, it is considered that this level of commercial development is the appropriate intensity of commercial development at this location, given there is somewhat of a disconnect from the core of the centre by the actual and perceived barrier created by the ring road.

It is considered that the proposal is consistent with the guiding principles of The Hills Corridor Strategy.

5. Is the planning proposal consistent with applicable State Environmental Planning Policies?

The planning proposal is consistent with all applicable State Environmental Planning Policies. An assessment of the proposal against applicable State Environmental Planning Policies is provided in Attachment A.

6. Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?

Yes. The consistency of the planning proposal with the s.117 Ministerial Directions is detailed within Attachment B. A discussion on the consistency of the proposal with the key relevant Directions is provided below.

Direction 2.3 - Heritage Conservation

The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.

A planning proposal must contain provisions that facilitate the conservation of:

- (a) items, places, buildings, works, relics, moveable objects or precincts of environmental heritage significance to an area, in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of the item, area, object or place, identified in a study of the environmental heritage of the area,
- (b) Aboriginal objects or Aboriginal places that are protected under the National Parks and Wildlife Act 1974, and

- (c) Aboriginal areas, Aboriginal objects, Aboriginal places or landscapes identified by an Aboriginal heritage survey prepared by or on behalf of an Aboriginal Land Council, Aboriginal body or public authority and provided to the relevant planning authority, which identifies the area, object, place or landscape as being of heritage significance to Aboriginal culture and people.

The site is located adjacent to a heritage listed cemetery. The cemetery is significant as it contains the graves of several key early land owners in the Hills Shire. Beyond the cemetery, towards Old Northern Road is a heritage listed memorial hall building that was developed as a memorial to war veterans.

The planning proposal has not demonstrated consistency with this Direction, however given the nature of the heritage items it is unlikely that the proposal would have a negative impact on their significance. However, it is recommended that a heritage impact statement be required to demonstrate that the heritage significance of these items is protected in accordance with Direction 5.3. Council seeks the concurrence of the Secretary with respect to the inconsistency with this Direction.

Direction 3.1 - Residential Zones

This Direction applies when a planning proposal will affect land within any zone in which significant residential development is proposed to be permitted. This Ministerial Direction is applicable in this instance as it proposes an intensification of residential densities within an existing residential zone (and the facilitation of residential development on land not previously identified for residential development). The objectives of the Direction are:

- *to encourage a variety and choice of housing types to provide for existing and future housing needs,*
- *to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and*
- *to minimise the impact of residential development on the environment and resource lands.*

The planning proposal is considered to be consistent with this Direction as it will broaden the choice of building types and locations available in the housing market, make more efficient use of existing infrastructure and services, and reduce the consumption of land for housing and associated urban development on the urban fringe.

The proposed local provision is entirely consistent with this Direction as it responds to the expected future demographics of The Hills Shire and aims to ensure housing product is provided which is appropriate for this demographic to meet the specific future housing needs of the area.

Direction 3.4 - Integrating Land Use and Transport

This Direction aims to ensure that development improves access to housing, jobs and services, increase choice of available transport, reduce travel demand, and provide for the efficient movement of freight. A planning proposal must locate zones for urban purposes and include provisions that are consistent with the aims, objectives and principles of *Improving Transport Choice – Guidelines for planning and development* (DUAP 2001) and *The Right Place for Business and Services – Planning Policy* (DUAP 2001).

The proposal is considered to be consistent with this Direction as it will facilitate development which meets the following key objectives:

- a) Improve access to housing, jobs and services by walking, cycling and public transport; and
- b) Increase the choice of available transport and reducing dependence on cars; and
- c) Reduce travel demand including the number of trips generated by development and the distances travelled, especially by car; and

- d) Support the efficient and viable operation of public transport services including the North West Transitway and the North West Rail Link.

Direction 5.9 – North West Rail Link Corridor Strategy

The objectives of this Direction are to promote transit-oriented development and manage growth around the eight train stations of the Sydney Metro Northwest and to ensure development within the rail corridor is consistent with the proposals set out in the Corridor Strategy and precinct Structure Plans.

The North West Rail Link Corridor Strategy identifies that an additional 4,400 dwellings can be accommodated within the Castle Hill Station Precinct, 1,000 of which would be in three (3) to six (6) storey apartment buildings. Given that approximately 40 hectares of land is identified as having potential for medium density (three (3) to six (6) storey) residential development in this location, compliance with both the built form outcomes and the growth projections within the Corridor Strategy would not be possible.

The development concept for the site provided by the applicant includes maximum height of 17 storeys (beyond the three (3) to six (6) storeys identified in the Strategy), with a yield of 460 units (beyond the 176 – 352 dwellings identified in the Strategy).

The North West Rail Link Corridor Strategy identifies an assumed floor space ratio for future buildings for residential apartments of three (3) to six (6) storeys of 1:1 - 2:1. Based on these floor space ratio assumptions and the net developable area of the land, the Castle Hill Station Precinct could be expected to accommodate between 4,032 and 8,065 dwellings within three (3) to six (6) storey built form (with between 176 and 352 of these located on the site based on a net developable area of approximately 1.7 hectares). This number of dwellings differs dramatically from the projected yield for three (3) to six (6) storey built form of 1,000 dwellings.

If the North West Rail Link assumptions of 1:1 to 2:1 are applied to the site, with 1:1 floor space ratio applied to the existing R3 Medium Density zoned land and the 2:1 applied to the existing R1 General Residential zoned land, the site could achieve a yield of 282 units (with 70 units in up to 3 storey buildings and 212 units in up to 6 storey buildings). This number of units and density would provide an outcome consistent with the North West Rail Link Corridor Strategy. If the maximum floor space ratio of 2:1 were applied across the entire site, the development could achieve approximately 378 units.

Given the strategic location of the site and the public benefit associated with the through site link, the increased density beyond what was envisioned in the Castle Hill Structure Plan is considered appropriate. It provides a transition to the commercial core outcomes envisioned on the opposite side of Terminus Street and contributes to the skyline and identity of Castle Hill. Council seeks the concurrence of the Secretary with respect to the inconsistency with this Direction.

SECTION C - ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACT

7. *Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?*

No, the land that is subject to the planning proposal is already developed and occupied by a single dwellings, businesses and associated parking. The subject area is does contain some vegetation in gardens, but it is not considered significant. Therefore the planning proposal is unlikely to create any adverse impacts on critical habitat or threatened species, populations or economical communities and their habitats.

8. *Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?*

Impacts on Adjacent Properties

The subject site is located on the periphery of the Castle Hill Centre and directly adjacent to single residential dwellings. The planning proposal indicates residential flat buildings between three (3) and six (6) storeys facing the eastern, southern and western boundaries. These building elements have the potential to create an unsympathetic interface and impact on the amenity of surrounding low density residential dwellings in terms of overshadowing and building dominance. More appropriate development along these boundaries would be a maximum three (3) storeys as a transition from single storey dwelling to the higher built form fronting Cecil Avenue.

- Overshadowing

The development concept provided by the applicant includes indicative shadow diagrams that show substantial overshadowing on neighbouring low density residential dwellings (refer to Figure 8).

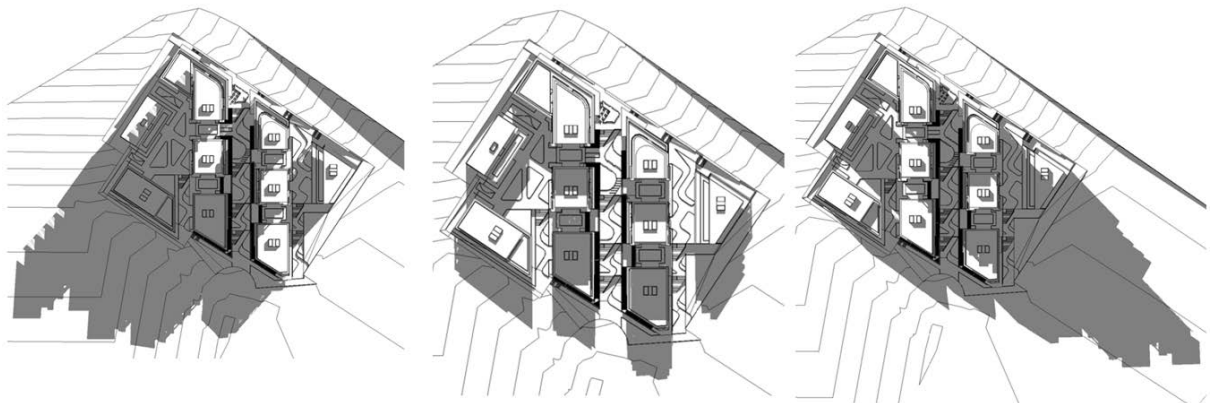


Figure 2

Indicative shadow diagrams at 9am (left), 12noon (middle) and 3pm (right)

The overshadowing of neighbouring properties to this extent is not considered an acceptable outcome. As part of the Gateway process and prior to public exhibition, additional design details will be required to demonstrate that the overshadowing impacts on neighbouring properties are acceptable.

- Building Dominance

The planning proposal will facilitate high density commercial and residential development that will present large building forms on sensitive boundaries and frontages. In particular, the view of the proposal from the east, south and west will be dominated by the built form proposed on the site (refer to Figures 7, 8 and 9). A more sensitive and gradual approach to building form is needed to create a transition to low density residential dwellings.



Figure 3

Development concept showing height in storeys



Figure 4

Development concept south elevation fronting Roger Avenue and low density dwellings

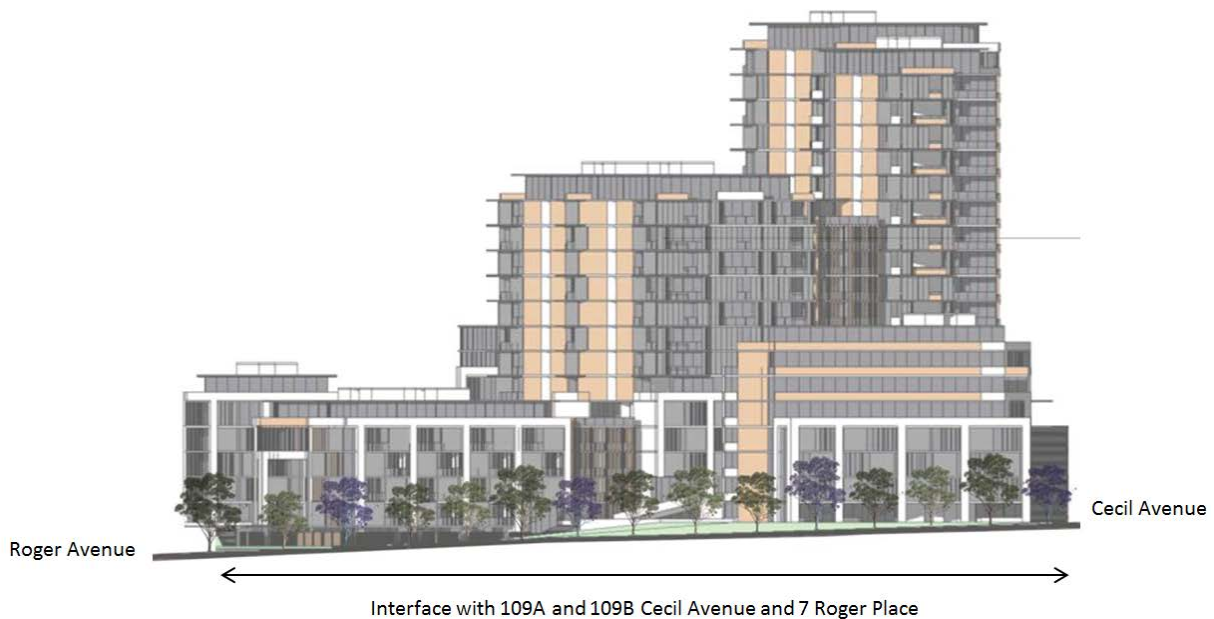


Figure 5
Development concept east elevation fronting low density dwellings

It is recommended that further design work be undertaken to ensure an appropriate transition to the neighbouring low density residential dwellings. This will potentially inform more detailed maximum building height or Development Control Plan amendments specific to the site. Further, in light of the recommended maximum yield and the development concept shown in Figures 9, 10 and 11, a revised concept needs to be provided prior to exhibition.

It should be noted that the maximum floor space ratio will regulate the bulk and scale of the buildings and result in the maximum heights depicted above being altered across the entire site.

Traffic

The proposal has the potential to increase traffic on local roads and increase on street car parking in the vicinity. The site has frontage to Roger Avenue, which is a small, local road currently servicing single dwellings. The site also has frontage to Cecil Avenue, near the intersection of Terminus Street and Cecil Avenue (which is restricted to left in and left out movements).

A traffic impact statement has been provided in support of the planning proposal that concludes the proposed development will comply with Council's car parking requirements and that a detailed traffic assessment will be carried out in conjunction with the development application. It also indicates that no vehicle access will be provided via Roger Avenue.

The section of Cecil Avenue west of Terminus Street to Orange Grove is considered a minor collector road. It sustains higher than average through traffic loadings, as vehicles use this as a means of bypassing delays occurring on Crane Road.

The environmental capacity of Cecil Avenue has been identified as 284 vehicles per hour. Cecil Avenue currently has an existing peak hour traffic volume of approximately 320 vehicles per hour, exceeding the identified environmental capacity.

The development concept, as submitted, will generate 290 trips in peak hour. The cumulative impact of the proposed development in Cecil Avenue will result in traffic increase of up to 190% on Cecil Avenue. Whilst the peak hour environmental capacity of 284 vehicle movements in Cecil Avenue is currently exceeded, the additional 290 peak hour trips from the proposed development will increase this by a substantial margin. It should be noted that the

recommended reduced yield will also reduce the trips generated by the development and in turn the impact on the road network.

Local Area Traffic Management measures such as roundabouts and parking lane treatments have been installed in Cecil Avenue. These proposals have in combination reduced the speed and to some extent the volume of traffic currently using Cecil Avenue as a bypass route, however the traffic volume along Cecil Avenue is always likely to exceed the environmental capacity.

The most direct route to access the proposed driveway in Cecil Avenue is to turn right from Old Northern Road at the intersection of Francis Street. Assuming a 50% directional split between vehicles approaching from the south and north results in an additional 145 vehicles attempting to turn right from Old Northern Road during the afternoon peak hour. Old Northern Road is a classified road. Having regard to the adverse accident history, in particular rear end collisions, at this intersection, Roads and Maritime Services will possibly require the provision of a dedicated right turn bay.

It is recommended that a traffic study be undertaken that addresses the peak hour directional splits, potential impacts on the nearby intersections (including Old Northern Road / Francis Street) and measures to address the elevated environmental capacity issues in Cecil Avenue. Further, mechanisms to limit vehicle access to the development from Roger Avenue will need to be investigated.

9. How has the planning proposal adequately addressed any social and economic effects?

The Planning Proposal seeks to create a framework for a future development on the site which will deliver significant social and economic benefits. These include:

- The creation of jobs during both the construction phase and ongoing operation of future development on the site, as the Planning Proposal seeks to create a framework which will incorporate complementary employment generating uses within a future development to complement residential development, such as office premises, business premises and café/restaurants;
- Public domain improvements, notably a through-site connection from Roger Avenue to Cecil Avenue, public domain space addressing Cecil Avenue, and overall upgrades to the frontage of Cecil Avenue through landscaped setbacks;
- The provision of needed housing stock in the locality, providing alternatives and supply for the locality which will contribute to increasing supply in close proximity to the station, in accordance with the unit mix requirements outlined in The Hills DCP; and
- Future development in accordance with the proposed concept will rejuvenate this part of Castle Hill by re-connecting the locality to the town centre with new housing, increased activity, a new urban place and opening an access to adjoining residential areas.

SECTION D - STATE AND COMMONWEALTH INTERESTS

10. Is there adequate public infrastructure for the planning proposal?

Yes, future development on the site would need to be supported by the necessary services including electricity, telecommunication, gas, water, sewer and stormwater drainage. The required services are available to the site.

The proposal will generate the need for additional infrastructure not currently planned for in Council's contributions plans. The additional infrastructure required includes playing fields, road works, community facilities and stormwater works to service the additional population generated by the development.

- *Section 94 Contributions*

The Contributions Plan that applies to the land is CP5 – Castle Hill. This Plan was prepared to provide infrastructure for low density residential development in Castle Hill, which is essentially complete. The Plan is near the end of its life and the infrastructure delivered under this plan does not anticipate the kind of development indicated in this proposal.

- *Local Open Space and Community Facilities*

While 460 additional units resulting from this planning proposal may not, in isolation, create the need for new local infrastructure facilities, it is critical to consider the cumulative impact of incremental uplift and growth on local infrastructure provision. This is especially relevant in the context of the Castle Hill Station Precinct, where Councils is likely to receive more planning proposals seeking to achieve uplift in advance of the completion of detailed precinct planning and infrastructure assessments for the rail precincts.

Based on participation rates within The Hills Shire (from the 1995, 2005 and 2012 Recreation Plan household survey results), 2,000 additional dwellings within an area would typically generate the need for approximately:

- 1 (one) new sports fields;
- 1 (one) local park;
- 1 (one) netball court;
- 1 (one) tennis court; and
- 40% of a local community centre.

Accordingly, the planning proposal to facilitate 460 residential units would generate the need for:

- 23% of a new sports fields
- 23% of a new local park
- 23% of a new netball court
- 23% of a new tennis court
- 9% of a new community facility

- *Castle Hill North Approach*

A new Contributions Plan is being prepared for the Castle Hill North Precinct, which will identify the infrastructure required to support the demand generated by the additional population within that Precinct. The infrastructure included within the Contributions Plan is considered to be necessary to support a quality of life similar to that enjoyed by existing residents. Of particular relevance to this planning proposal is the approach being taken with playing fields for Castle Hill North.

Castle Hill North will generate demand for around 2 playing fields and one (1) cricket oval. As the existing playing fields are already at capacity there is no potential to accommodate the additional demand within these facilities. 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 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 (north and south) 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 and

the growth within Castle Hill South and Cherrybrook Precincts is based on the growth envisaged within Council's draft Corridor Strategy.

A population of 13,165 people would generate demand for a minimum of four (4) playing fields, two (2) cricket ovals and four (4) tennis courts.

It is noted that the subject site is not included in the additional population identified above, as this is based on the Hills Corridor Strategy where no residential uplift was envisioned for the site. This means that if this proposal was to contribute directly to this facility this proposal would be taking up the capacity of that facility to provide for growth identified on other land in Castle Hill (south).

It is recommended to undertake further negotiation with the applicant to address the increased demand for local infrastructure generated by the proposed increase in residential density.

- *Public Domain Improvements*

The development concept, provided in support of the planning proposal indicates a publicly accessible through site pedestrian link, which will improve access from the south through the site to Castle Hill Centre. The through site link will provide some public benefit by increasing the permeability of Castle Hill centre and connecting residential areas to the south with the core.

It is intended to further negotiate with the applicant to formalise public access via the through site link as part of the development.

- *Voluntary Planning Agreement*

While the planning proposal may generate public benefit associated with the proposed through site link, it fails to address, or provide adequate solutions to deal with, the increased demand for local infrastructure such as open space and community facilities as a result of the proposed increase in residential density.

It is intended to negotiate with the applicant for the provision of the through site pedestrian link. Council has held a preliminary discussion with respect to securing infrastructure, where the applicant has indicated a willingness to negotiate a Voluntary Planning Agreement.

Should Council resolve to proceed with the planning proposal, it is considered that a Voluntary Planning Agreement must not only secure, to Council's satisfaction, the delivery of through site pedestrian link but also resolve how the applicant will address the increased demand for local infrastructure (in particular local open space and community facilities) generated by the proposed increase in residential density.

Further, should Council resolve to proceed with the planning proposal, it is recommended that Council should enter into negotiations with the applicant with respect to the proposed Voluntary Planning Agreement and that the matter be reported back to Council prior to the public exhibition of the planning proposal. Should the planning proposal proceed to public exhibition, it should be exhibited concurrently with any associated draft Voluntary Planning Agreement.

Further consultation with service authorities will take place with the public exhibition of the planning proposal.

11. What are the views of State and Commonwealth Public Authorities consulted in accordance with the gateway determination, and have they resulted in any variations to the planning proposal? (Note: The views of State and Commonwealth Public Authorities will not be known until after the initial gateway determination. This section of the planning proposal is completed following consultation with those public authorities identified in the gateway determination.)

The following agencies are expected to be consulted with:

- Roads and Maritime Services
- Office of Environment and Heritage

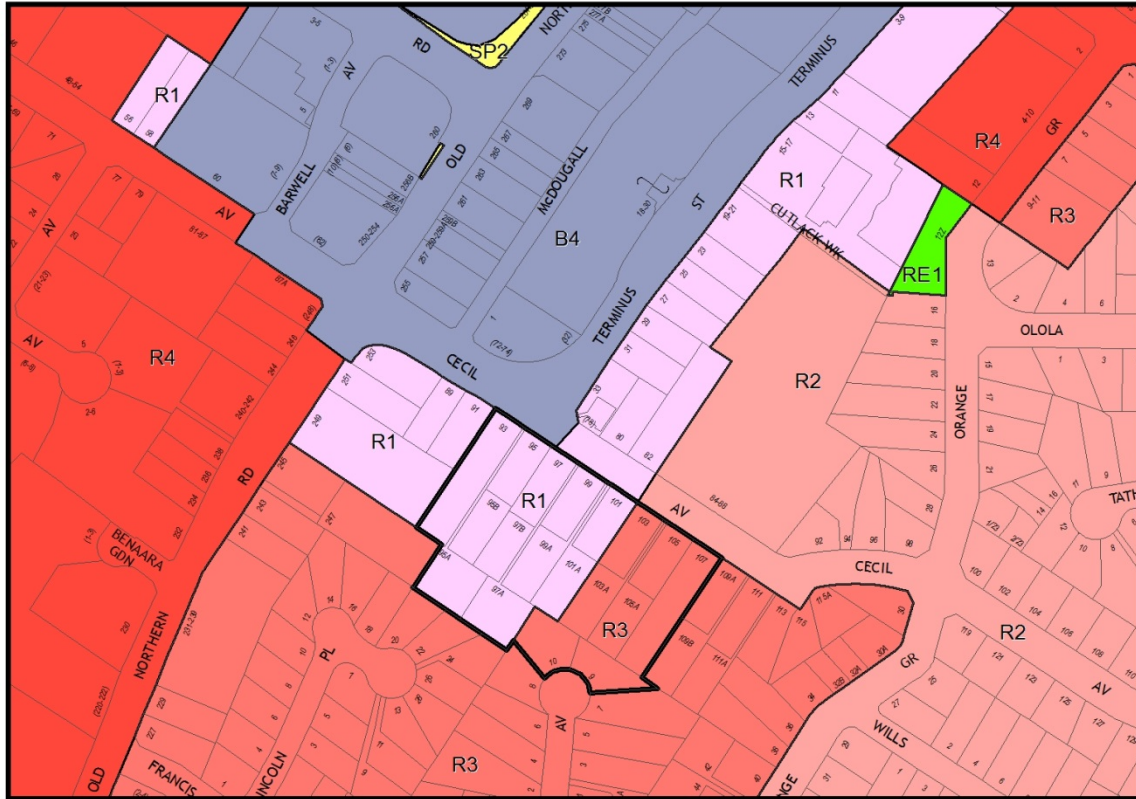
A list of all relevant agencies would be determined as part of the Gateway Determination.

Following the Gateway determination, all relevant agencies will be consulted.

PART 4 MAPPING

The planning proposal seeks to amend the Height of Buildings Map, Floor Space Ratio Map and Additional Permitted Uses Map of *The Hills Local Environmental Plan 2012*.

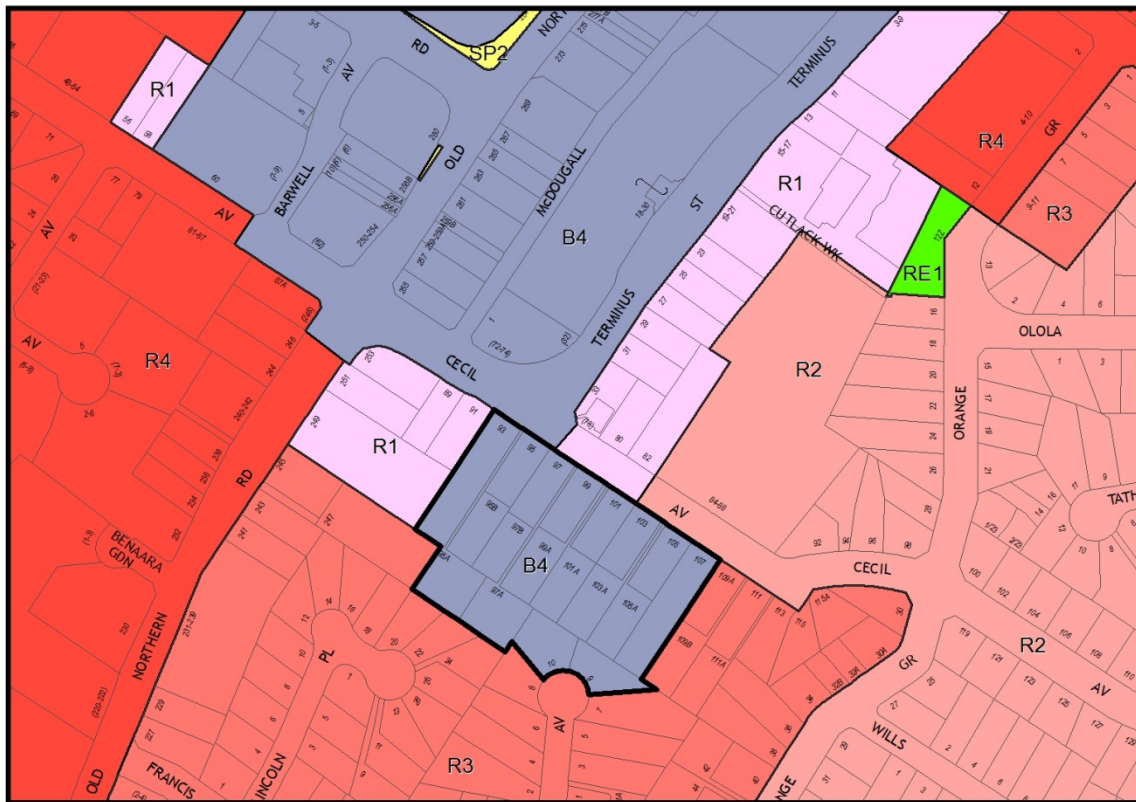
Existing Zone Map:



Land Zoning (LZN)

B4	Mixed Use	R3	Medium Density Residential	SP2	Infrastructure
R1	General Residential	R4	High Density Residential		
R2	Low Density Residential	RE1	Public Recreation		

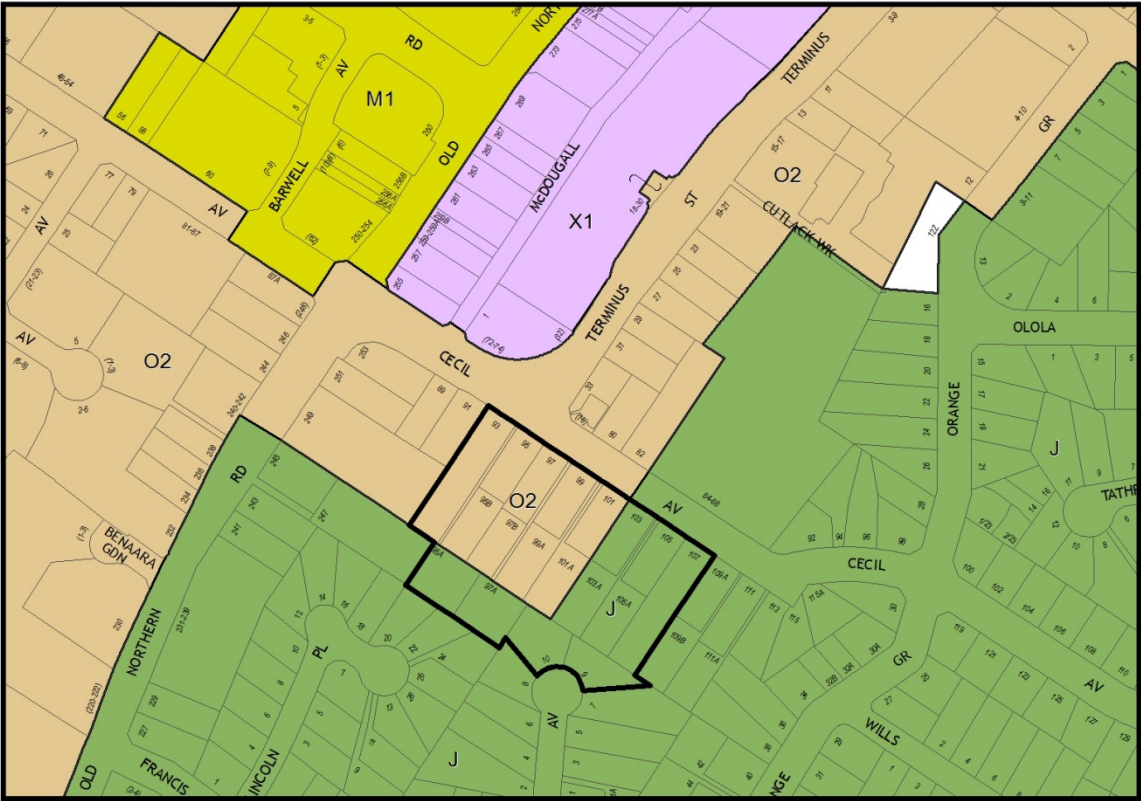
Proposed Zone Map:



Land Zoning (LZN)

B4	Mixed Use	R3	Medium Density Residential	SP2	Infrastructure
R1	General Residential	R4	High Density Residential		
R2	Low Density Residential	RE1	Public Recreation		

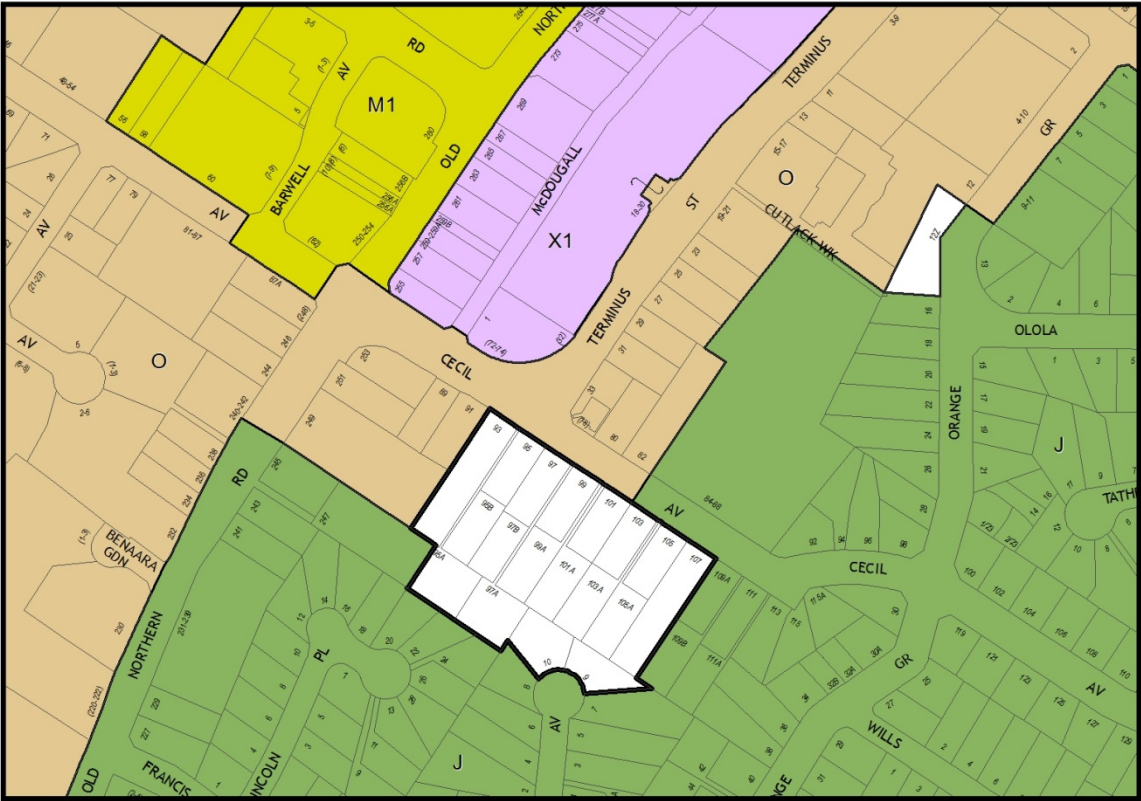
Existing Height of Buildings Map:



Height of Buildings (m) (HOB)

J	9.0	O2	16.0
M1	12.0	X1	45.0

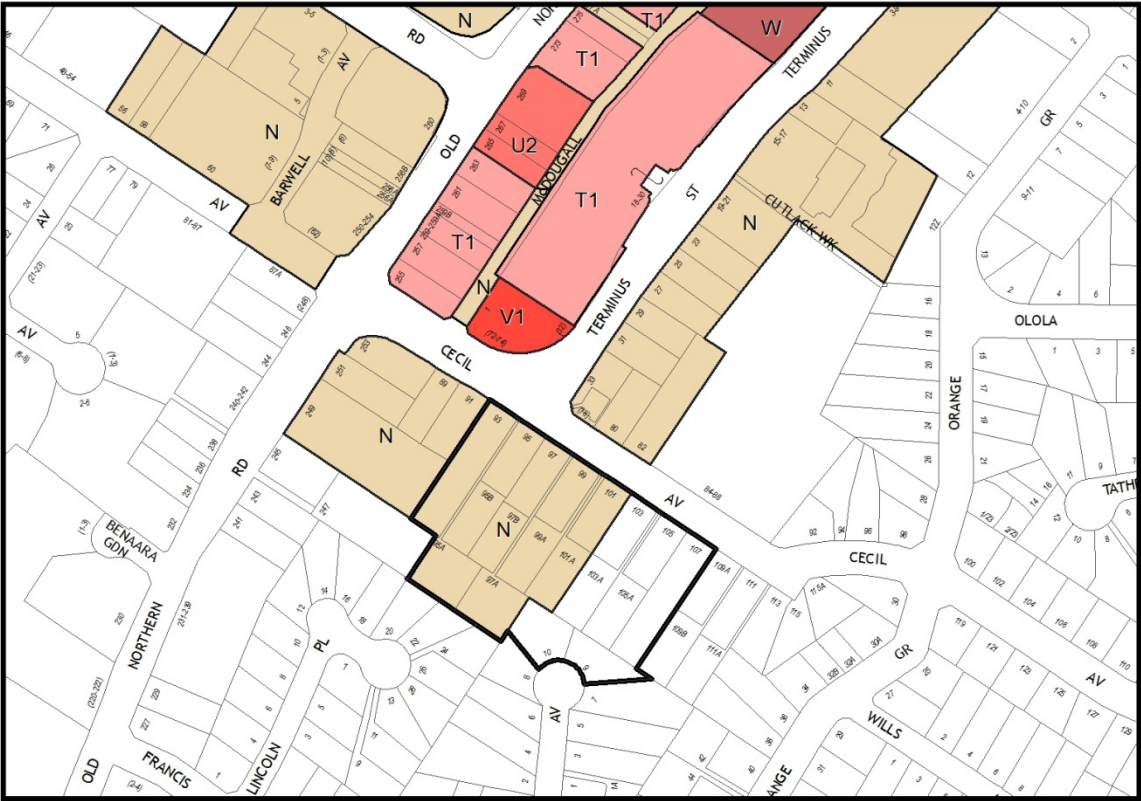
Proposed Height of Buildings Map



Height of Buildings (m) (HOB)

J	9.0	M1	12.0	O	16.0	X1	45.0
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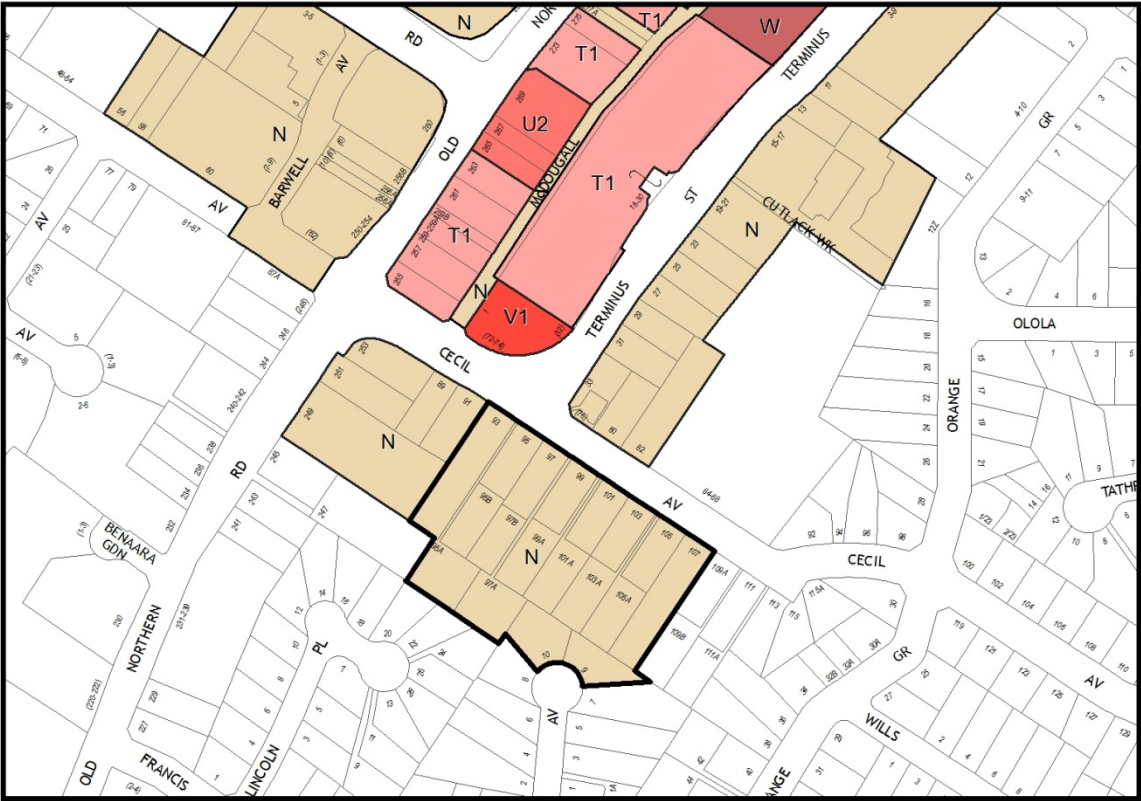
Existing Floor Space Ratio Map:



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

N	1.0	T1	2.3	U2	2.7	V1	3.0	W	3.8
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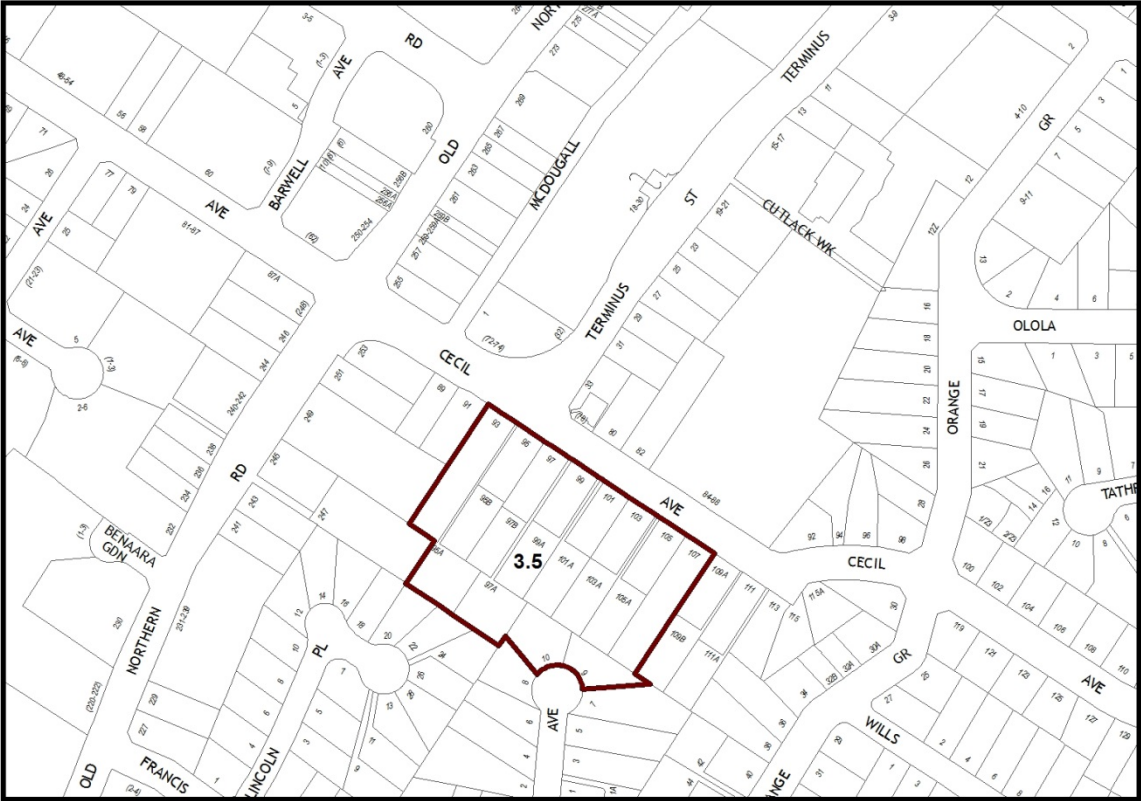
Proposed Base Floor Space Map



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

N	1.0	T1	2.3	U2	2.7	V1	3.0	W	3.8
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Proposed Incentivised Floor Space Ratio Map



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

 FSR Incentive Clause

PART 5 COMMUNITY CONSULTATION

The planning proposal will be advertised in local newspapers and on display at Council's administration building and Castle Hill Library. The planning proposal will also be made available on Council's website. In addition, letters will be issued to adjoining and nearby property owners and stakeholders.

PART 6 PROJECT TIMELINE

STAGE	DATE
Commencement Date (Gateway Determination)	July 2016
Government agency consultation	August 2016
Commencement of public exhibition period (28 days)	August 2016
Completion of public exhibition period	September 2016
Timeframe for consideration of submissions	October 2016
Timeframe for consideration of proposal post exhibition	October 2016
Report to Council on submissions	November 2016
Planning Proposal to PCO for opinion	December 2016
Date Council will make the plan (if delegated)	February 2017
Date Council will forward to department for notification (if delegated)	February 2017

ATTACHMENT A: LIST OF STATE ENVIRONMENTAL PLANNING POLICIES

STATE ENVIRONMENTAL PLANNING POLICY (SEPP)		APPLICABLE	RELEVANT? (YES/NO)	(IF RELEVANT) INCONSISTENT/ CONSISTENT
No. 1	Development Standards	YES	NO	-
No. 14	Coastal Wetlands	NO	-	-
No. 15	Rural Landsharing Communities	NO	-	-
No. 19	Bushland in Urban Areas	YES	NO	-
No. 21	Caravan Parks	YES	NO	-
No. 26	Littoral Rainforests	NO	-	-
No. 29	Western Sydney Recreation Area	NO	-	-
No. 30	Intensive Agriculture	YES	NO	-
No. 32	Urban Consolidation (Redevelopment of Urban Land)	YES	NO	-
No. 33	Hazardous and Offensive Development	YES	NO	-
No. 36	Manufactured Home Estates	NO	-	-
No. 39	Spit Island Bird Habitat	NO	-	-
No. 44	Koala Habitat Protection	NO	-	-
No. 47	Moore Park Showground	NO	-	-
No. 50	Canal Estate Development	NO	-	-
No. 52	Farm Dams and Other Works in Land and Water Management Plan Areas	NO	-	-
No. 55	Remediation of Land	YES	NO	-
No. 59	Central Western Sydney Regional Open Space and Residential	NO	-	-
No. 62	Sustainable Aquaculture	YES	NO	-
No. 64	Advertising and Signage	YES	NO	-
No. 65	Design Quality of Residential Flat Development	YES	YES	CONSISTENT
No. 70	Affordable Housing (Revised Schemes)	YES	NO	-
No. 71	Coastal Protection	NO	-	-
Affordable Rental Housing (2009)		YES	NO	-
Building Sustainability Index: BASIX 2004		YES	NO	-
Exempt and Complying Development Codes (2008)		YES	NO	-
Housing for Seniors or People with a Disability (2004)		YES	NO	-
Infrastructure (2007)		YES	NO	-
Kosciuszko National Park – Alpine Resorts (2007)		NO	-	-
Kurnell Peninsula (1989)		NO	-	-
Major Development (2005)		NO	-	-
Mining, Petroleum Production and Extractive Industries (2007)		NO	-	-
Miscellaneous Consent Provisions (2007)		YES	NO	-
Penrith Lakes Scheme (1989)		NO	-	-
Port Botany and Port Kembla (2013)		NO	-	-

STATE ENVIRONMENTAL PLANNING POLICY (SEPP)	APPLICABLE	RELEVANT? (YES/NO)	(IF RELEVANT) INCONSISTENT / CONSISTENT
Rural Lands (2008)	NO	-	-
SEPP 53 Transitional Provisions (2011)	NO	-	-
State and Regional Development (2011)	NO	-	-
Sydney Drinking Water Catchment (2011)	NO	-	-
Sydney Region Growth Centres (2006)	NO	-	-
Three Ports (2013)	NO	-	-
Urban Renewal (2010)	NO	-	-
Western Sydney Employment Area (2009)	NO	-	-
Deemed SEPPs			
SREP No. 8 (Central Coast Plateau Areas)	NO	-	-
SREP No. 9 – Extractive Industry (No. 2 – 1995)	YES	NO	-
SREP No. 16 – Walsh Bay	NO	-	-
SREP No. 18 – Public Transport Corridors	NO	-	-
SREP No. 19 – Rouse Hill Development Area	NO	-	-
SREP No. 20 – Hawkesbury – Nepean River (No 2 – 1997)	YES	NO	-
SREP No. 24 – Homebush Bay Area	NO	-	-
SREP No. 25 – Orchard Hills	NO	-	-
SREP No. 26 – City West	NO	-	-
SREP No. 30 – St Marys	NO	-	-
SREP No. 33 – Cooks Cove	NO	-	-
SREP (Sydney Harbour Catchment) 2005	NO	-	-

ATTACHMENT B: ASSESSMENT AGAINST SECTION 117 MINISTERIAL DIRECTIONS

DIRECTION		APPLICABLE	RELEVANT? (YES / NO)	(IF RELEVANT) INCONSISTENT / CONSISTENT
1. Employment and Resources				
1.1	Business and Industrial Zones	YES	YES	CONSISTENT
1.2	Rural Zones	NO	-	-
1.3	Mining, Petroleum Production and Extractive Industries	NO	-	-
1.4	Oyster Aquaculture	NO	-	-
1.5	Rural Lands	NO	-	-
2. Environment and Heritage				
2.1	Environment Protection Zone	YES	NO	-
2.2	Coastal Protection	NO	-	-
2.3	Heritage Conservation	YES	YES	INCONSISTENT
2.4	Recreation Vehicle Area	YES	NO	-
2.5	Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs	NO	-	-
3. Housing, Infrastructure and Urban Development				
3.1	Residential Zones	YES	YES	CONSISTENT
3.2	Caravan Parks and Manufactured Home Estates	YES	NO	-
3.3	Home Occupations	YES	NO	-
3.4	Integrating Land Use and Transport	YES	YES	CONSISTENT
3.5	Development Near Licensed Aerodomes	NO	-	-
3.6	Shooting Ranges	NO	-	-
4. Hazard and Risk				
4.1	Acid Sulfate Soils	NO	-	-
4.2	Mine Subsidence and Unstable Land	NO	-	-
4.3	Flood Prone Land	NO	-	-
4.4	Planning for Bushfire Protection	NO	-	-
5. Regional Planning				
5.1	Implementation of Regional Strategies	NO	-	-
5.2	Sydney Drinking Water Catchment	NO	-	-
5.3	Farmland of State and Regional Significance on the NSW Far North Coast	NO	-	-
5.4	Commercial and Retail Development along the Pacific Highway, North Coast	NO	-	-
5.8	Second Sydney Airport: Badgerys	NO	-	-

DIRECTION		APPLICABLE	RELEVANT? (YES / NO)	(IF RELEVANT) INCONSISTENT / CONSISTENT
	Creek			
5.9	North West Rail Link Corridor Strategy	YES	YES	INCONSISTENT
6. Local Plan Making				
6.1	Approval and Referral Requirements	YES	YES	CONSISTENT
6.2	Reserving Land for Public Purposes	YES	NO	-
6.3	Site Specific Provisions	YES	YES	CONSISTENT
7. Metropolitan Planning				
7.1	Implementation of the Metropolitan Plan for Sydney 2036	N/A	N/A	N/A
7.2	Implementation of Greater Macarthur Land Release Investigation	NO	-	-