

93–107 Cecil Avenue and 9–10 Roger Avenue, Castle Hill

Heritage Impact Statement

Report prepared for Merc Capital

May 2017



Report Register



The following report register documents the development and issue of the report entitled 93–107 Cecil Avenue and 9–10 Roger Avenue, Castle Hill—Heritage Impact Statement, undertaken by GML Heritage Pty Ltd in accordance with its quality management system.

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Project Manager:	Stela Rahman	Project Director & Reviewer:	Sharon Veale
Issue No.	1	Issue No.	1
Signature		Signature	
Position:	Consultant	Position:	Partner
Date:	31 May 2017	Date:	31 May 2017

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Appendix A

The Hills Shire Council, Response to Planning Proposal (Reference 12/2016/PLP), letter dated 7 November 2016

Appendix B

Planning Proposal, 93–107 Cecil Avenue and 9–10 Roger Avenue, Castle Hill, prepared by JBA, dated December 2015

Appendix C

Building Envelope Drawing Set, 97-105 Cecil Avenue, Castle Hill, prepared by PTW Architects, dated 5 March 2017

Appendix D

Indicative Reference Drawings, 97-105 Cecil Avenue, Castle Hill, prepared by PTW Architects, dated 22 May 2017

Appendix E

DCP Figures, 93-107 Cecil Avenue and 9-10 Roger Avenue, Castle Hill, prepared by PTW Architects, dated 26 May 2017

Appendix F

The Hills Shire Council, Heritage Inventory Sheet I61, St Paul's Cemetery

Appendix G

The Hills Shire Council, Heritage Inventory Sheet I62, Christadelphian Church

1.0 Introduction

1.1 Background

In December 2015 JBA, on behalf of the site owners Merc Capital Pty Ltd (Merc Capital), prepared a Planning Proposal for the subject site at 93–107 Cecil Avenue and 9–10 Roger Avenue, Castle Hill, to amend the *Hills Local Environmental Plan 2012* (Hills LEP 2012). The Planning Proposal seeks to support a land use zoning change from part R1 General Residential and part R3 Medium Density Residential to B4 Mixed Use, in order to accommodate future residential flat buildings and commercial premises. The Planning Proposal seeks to increase the maximum building height and maximum permissible floor space ratio (FSR).¹

In November 2016, the NSW Department of Planning and Environment issued a Gateway determination that the planning proposal proceed, subject to certain conditions. In a letter dated 7 November 2016, reference 12/2016/PLP (Appendix A), the Hills Shire Council requested a Heritage Impact Statement (HIS) be prepared to consider the impacts of the proposal on the adjacent Schedule 5 heritage listed St Paul's Cemetery and the Christadelphian Church, located at 247 and 245 Old Northern Road, Castle Hill, respectively.

This HIS identifies and evaluates the heritage significance of the cemetery and adjacent church and assesses the potential heritage impact of the proposed development on these locally listed heritage items.

1.2 Site Identification

The subject site is located at 93–107 Cecil Avenue and 9–10 Roger Avenue (Figure 1.2). It is approximately 30km northwest of Sydney CBD and located within the Hills Shire Local Government Area (LGA). The subject site is predominantly residential and consists of one to two storey dwellings fronting both Cecil Avenue to the north and Roger Avenue to the south. The primary street frontage is Cecil Avenue.

The subject site is located on land within the Castle Hill Major Centre, identified as such by the North West Rail Link Corridor Strategy (NWRL Strategy) prepared by the NSW Department of Planning and Environment, and its associated Castle Hill Station Structure Plan which forms part of the NWRL Strategy. The NWRL Strategy sets out the strategic land use framework for existing and new centres to benefit from new NWRL stations, setting out a plan for Castle Hill to serve as 'the Major Centre for Sydney's North West', through the delivery of a range of residential, commercial, retail and community uses.²

1.3 Heritage Listings

The subject site is not identified as a heritage item; however, it is immediately adjacent to St Paul's Cemetery and the Christadelphian Church (Figure 1.2). Both are identified as local heritage items in Schedule 5 of the Hills Local Environmental Plan 2012 (LEP 2012) (item I61 and I62, respectively).

The cemetery is administered by St Paul's Anglican Church, located at 221–225 Old Northern Road, approximately 2.5km northeast of the subject site.

1.4 Limitations

The subject site was not accessed as it forms an agglomeration of residential houses and is private property. The adjacent heritage items and the boundaries of the subject site were inspected, with particular focus on the streetscape views, the western boundary of the site and its interface with St Paul's Cemetery.

The interior of the Christadelphian Church was not accessed or assessed as part of this report. The memorial and historic fabric of St Paul's Cemetery was not comprehensively recorded or assessed for the purpose of this report.

This HIS does not consider Aboriginal heritage values or historical archaeology. No consultation with communities or stakeholders that may have significant or special social attachments to the listed items was undertaken as part of this study.

1.5 Methodology and Terminology

The terminology used in this report is consistent with the *NSW Heritage Manual*, prepared for the NSW Heritage Office; the definitions contained in the *NSW Heritage Model Provisions* (August 2000); and *The Australia ICOMOS Burra Charter, 2013* (the Burra Charter).³

The preparation of this HIS has involved the following steps:

- review of historical information, physical assessment and heritage context;
- provision of heritage advice to the project team during the design development phase to avoid or mitigate any potential impacts on the heritage values of the cemetery and adjacent church; and
- assessment of potential built heritage impacts arising from the proposed design, and recommendation of methods to minimise potential impacts.

This report assesses the heritage impact of the proposed development on the heritage significance of the adjacent cemetery and church. It also considers the proposal against the relevant heritage planning objectives and controls contained in the Hills LEP 2012 and *Hills Development Control Plan 2012* (Hills DCP 2012).

In preparing this HIS, the following documents and resources related to the site were sourced and reviewed, with relevant information incorporated within this report:

- Planning Proposal, Proposed Amendment to the Hills Local Environmental Plan 2012, 93–107 Cecil Avenue and 9–10 Roger Avenue, Castle Hill, prepared by JBA, dated December 2015;
- Building Envelope Drawing Set, 97-105 Cecil Avenue, Castle Hill, prepared by PTW Architects, dated 5 March 2017;
- Indicative Reference Drawings, 97-105 Cecil Avenue, Castle Hill, prepared by PTW Architects, dated 22 May 2017;
- DCP Figures, 93-107 Cecil Avenue and 9-10 Roger Avenue, Castle Hill, prepared by PTW Architects, dated 26 May 2017; and
- The Hills Shire Council Heritage Inventory Sheets for St Paul's Cemetery (I61) and the Christadelphian Church (I62).

1.6 Author Identification

This report has been prepared by Stela Rahman, GML Consultant. Sharon Veale, GML Partner and Project Director, reviewed the report and provided input.

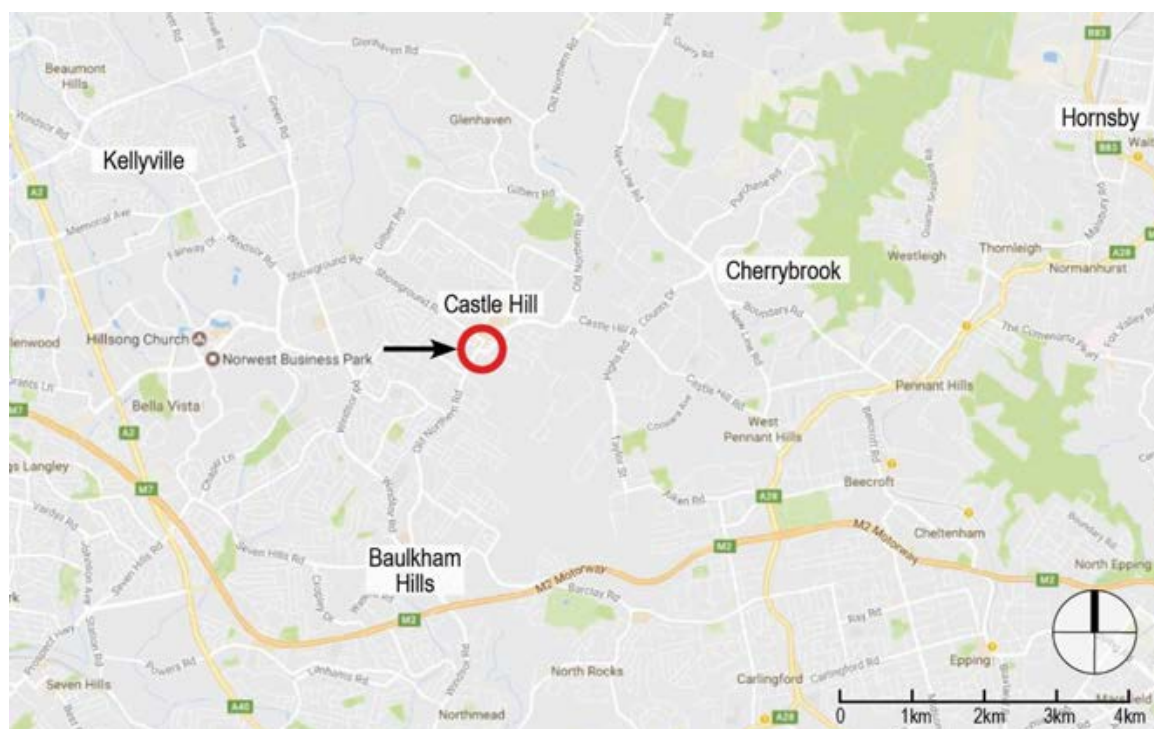


Figure 1.1 Location of proposed mixed use development. (Source: Google Maps with GML overlay, 2017)



Figure 1.2 Site plan showing the boundaries of the subject site and adjacent heritage items to the immediate west. (Source: Google Earth with GML overlay, 2017)

1.7 Endnotes

- ¹ JBA, Planning Proposal, Proposed Amendment to the Hills Local Environmental Plan 2012, 93–107 Cecil Avenue and 9–10 Roger Avenue, Castle Hill, submitted to The Hills Shire Council on behalf of Merck Property Pty Ltd, December 2015, p 3.
- ² JBA, Planning Proposal, Proposed Amendment to the Hills Local Environmental Plan 2012, 93–107 Cecil Avenue and 9–10 Roger Avenue, Castle Hill, submitted to The Hills Shire Council on behalf of Merck Property Pty Ltd, December 2015, p 3.
- ³ Australia ICOMOS Inc, *The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance 2013*, Australia ICOMOS Inc, Burwood, VIC.

2.0 Historical Development

2.1 Castle Hill

Castle Hill is within the Country of the Bediagal people of the Darug nation. The Bediagal occupied the area northwest of Parramatta towards and along the Hawkesbury River, as explained to Governor Arthur Phillip by his intermediaries and interpreters Colbee and Boladeree in the first years of the European settlement, and later described by David Collins and French explorer Francois Peron. The Bediagal people were forest dwellers, but were one of the groups most seriously impacted by the outbreak of smallpox in Sydney in 1789. As reports from 1790 place the group around the head of Botany Bay, it may be that the impact of the smallpox on the Bediagal was so disruptive that the area was largely abandoned as a permanent area of Aboriginal settlement soon after the arrival of Europeans.¹

In 1791 the Castle Hill area was first seen by Europeans, as Governor Phillip and Watkin Tench, in a large party of 21 including the guides Colbee and Boladeree, explored the country northwest of Parramatta to determine if the Nepean and Hawkesbury River was the same river. The party traversed through the Castle Hill area in April, but it was not until 1801, when Governor King established a Government Farm there, that any major European development started. The Castle Hill farm was an area that covered over 34,500 acres taking in what is now Dural, Glenorie and Glenhaven. Situated around the junction of a series of creeks in undulating land, the farm was worked by a large workforce of convicts, who clear felled the blue gum forest back to stumps, before then burning the stumps from the ground.² Its establishment was in response to the need to secure a reliable food supply for the growing colony separate to the private farms around the Hawkesbury and Toongabbie areas. By the end of 1802, over 200 acres were under cultivation.

By 1803 a large brick barracks had been erected at the farm to house the convict workforce. With increasing numbers of Irish convicts assigned there, the farm was the centre of a convict uprising in March 1804. Despite this, the farm continued in operation until 1810 when Governor Macquarie closed the establishment, converting one of the barns into an asylum, with 30 patients admitted in 1811. In 1818 the first land grants were made around the Castle Hill area, with 71 grants occupied by 1823. Although 200 acres had been set aside near the asylum as a township reserve in 1822, the genesis of a small village was instead forming along what would become the route of the Northern Road, which was officially surveyed in 1825.

2.2 St Paul's Church, Castle Hill

As early as 1827 the Church of England was conducting services for the small community at Castle Hill, with a school established and the former town reserve transferred to the Church and Schools Corporation by 1828.³ Although a chaplain served the area from this time, it was not until 1837 that the first church building was in use, when a part of the former convict barracks was converted to serve as a chapel known as St Simon's. At the same time, 40 acres of the former 200-acre town reserve was set aside as a glebe for the church, although this was later sold in 1850 and most of the buildings demolished. Some of the stone was reportedly used to build the rectory which still stands on the corner of Parsonage and Castle Hill Road. St Simon's continued to serve as the local Church of England; however, in 1856 a meeting of locals was held to discuss the building of a new church to replace the aging building.

Dr Richard Greenup, who owned the Darcey Hey estate on Castle Hill Road, donated a corner of his land, fronting the road for the erection of a new church. Greenup had arrived in Sydney as a ship's surgeon in 1850 with his wife and children, and had soon established a private surgery. In 1852 he was appointed Medical Superintendent of the Lunatic and Invalid Asylum at Parramatta. In that role his duties included being medical officer for the Protestant Orphan School, visiting surgeon to the gaol and Destitute Roman Catholic Institute, and official visitor to the Tarban Creek Asylum. He was involved in the establishment of Sydney University, becoming the examiner for medicine in 1856 as well as chemistry and experimental physics from 1858.⁴ In addition to the church site, Greenup also donated portions for a new cemetery, a Denominational school which was adjacent to the cemetery (closed 1879), and a house for the school master. A new church was started in 1860 and parishioners were invited to attend the consecration of the completed building in April 1861.⁵ In July 1866, Greenup was murdered by James Cameron, one of the inmates at Parramatta. Although he had donated the land to form the Castle Hill Cemetery, he was instead buried at St John's Cemetery, Parramatta.

2.3 St Paul's Cemetery, 1863–1962

Greenup's donation of half an acre for the cemetery was completed in 1863, with the site approximately 800m along Castle Hill Road from St Paul's Church. Rules for the burial ground were soon drafted and submitted to the parish. The Bishop of Sydney was appointed as the sole trustee of the cemetery, with Greenup, George Tuckerell and James Crane appointed as his agents to manage it. Greenup was also elected as treasurer for the cemetery. The cemetery was to be marked out with paths according to a plan presented, with a seven foot (2m) wide path along the top and down the centre, and four foot (1.2m) paths between every double row of graves. Graves were to be no less than six feet deep, with a cost of 10 shillings applied to each grave, or an additional one shilling sixpence for each extra foot of depth, and a further eight shillings paid for the clergy or vestry to attend a service. A fee to erect a headstone or footstone was set at five shillings each, with a further 10 shillings for railings around the graves.⁶

The cemetery was set back from the road, on the downward side of the slope. The first burial in the cemetery was recorded as Alfred Charles Tuckwell of Castle Hill who died on 9 January and was buried on the eleventh of the same month. Alfred was only eight years old. The earliest surviving headstone appears to be for John Thomas Black, who died in May 1864. John was the fifth burial recorded, and again was young at only seven years and five months.

As the only cemetery for the Castle Hill and surrounding Hills District until the opening of the Castle Hill General Cemetery in 1914, St Paul's took in burials from many of the rural communities in Sydney's northwest. While most were from Castle Hill itself, in the first 10 years of service, St Paul's also accepted former residents of Baulkham Hills, Pennant Hills, Seven Hills, Dural, Parramatta, Prospect, Liverpool, along the Windsor Road, and even as far as Newtown. For those from Newtown, Liverpool, Prospect and Parramatta, it is likely they had been former residents of Castle Hill, returned to be buried near their family. At least one of these, only recorded as Caroline, was identified in the burial register as being Aboriginal, a domestic servant from Baulkham Hills who died in September 1876 aged 19 years.⁷

Castle Hill developed slowly as a community of small acre farms and orchards, with the first major land subdivisions not occurring in the area until the late 1880s. In 1889 the Castle Hill Township subdivision set around the junctions of Castle Hill Road and Castle Street, advertised a selection of 74 quarter acre house blocks and a mix of one, two and four acre blocks and was followed in 1890 and 1893 by two more sales of residential and orchard allotments including the Harford Estate of George Thorne

(buried in the cemetery in July 1891), and in 1894 the Darcey Hey Estate subdivision. These sales started the encroachment on the cemetery; however, as much of the development remained for orchards and farm blocks, the area remained sparsely populated well into the twentieth century.

St Paul's remained the focus for burials in the area into the first decades of the twentieth century, with many of the district's well-known families having plots. Some funerals of long term residents attracted large crowds, such as that of John Kentwell, who died aged 93 in 1896. Reported as the first fruitgrower in the Castle Hill district, Kentwell had been born at Toongabbie in 1803 and had moved into the Castle Hill area around the early 1820s. Leaving a reported total of 322 direct descendants comprising of 22 children, 98 grandchildren, 180 great grandchildren and 22 great-great grandchildren, Kentwell's funeral consisted of 53 vehicles, 24 mourners on horseback and 100 walking in the cortege.⁸

In 1900 a working bee from the St Paul's congregation was engaged in cleaning up the cemetery, after no work having been undertaken for over 10 years. The cemetery had by then become overgrown with weeds and long grass. The workers weeded, slashed the grass and cleaned the graves as part of the exercise.⁹

In 1922 work began on a new memorial hall for St Paul's that was to be constructed on the plot between the cemetery and Castle Hill Road (Old Northern Road), which had previously been the site for the old Denominational School which closed in 1879. The foundation stone was laid on 9 December by the Archbishop of Sydney John Wright. The hall was to serve as a memorial to those from the district who had served during World War I. Although it was intended as a memorial hall when it was opened in 1923, due to it being built on church land, it was christened St Paul's Parish Hall.¹⁰

While burials were ongoing at St Paul's, by the 1920s it was being referred to as 'the old cemetery', as the newer Castle Hill General Cemetery, which opened in 1914, had been joined by the larger Northern Suburbs Cemetery (now Macquarie Park, North Ryde) in 1922. The opening of these large general cemeteries, coupled with the increasing number of cremations at Rookwood and later the Northern Suburbs crematorium from the 1930s, saw burials at St Paul's reduced. Still large funerals of local identities continued. In January 1940, Edward Crane, the oldest resident in Castle Hill at 94 years of age, was buried at St Paul's.¹¹ A 1943 aerial photograph of Castle Hill shows that the cemetery was still situated within a predominantly rural setting at the time of Crane's burial: a few houses are fronting Castle Hill Road (Old Northern Road), and the parish hall sits at the front of the cemetery, which is bounded by trees on both sides and open paddocks to the rear (see Figure 2.2).

The cemetery appears to have closed to burials at the end of 1962, with the last burial recorded as Ann Michelle Brien, who died only one day old at Crown Street Women's Hospital and was buried with her grandparents in the family plot. In 1984 the St Paul's Parish Hall was sold to the Christadelphian Church who continue to use the building for services and meetings.

The cemetery continues to be managed by St Paul's Church, which also relocated from its original church building to a new church on Old Northern Road in 1991.

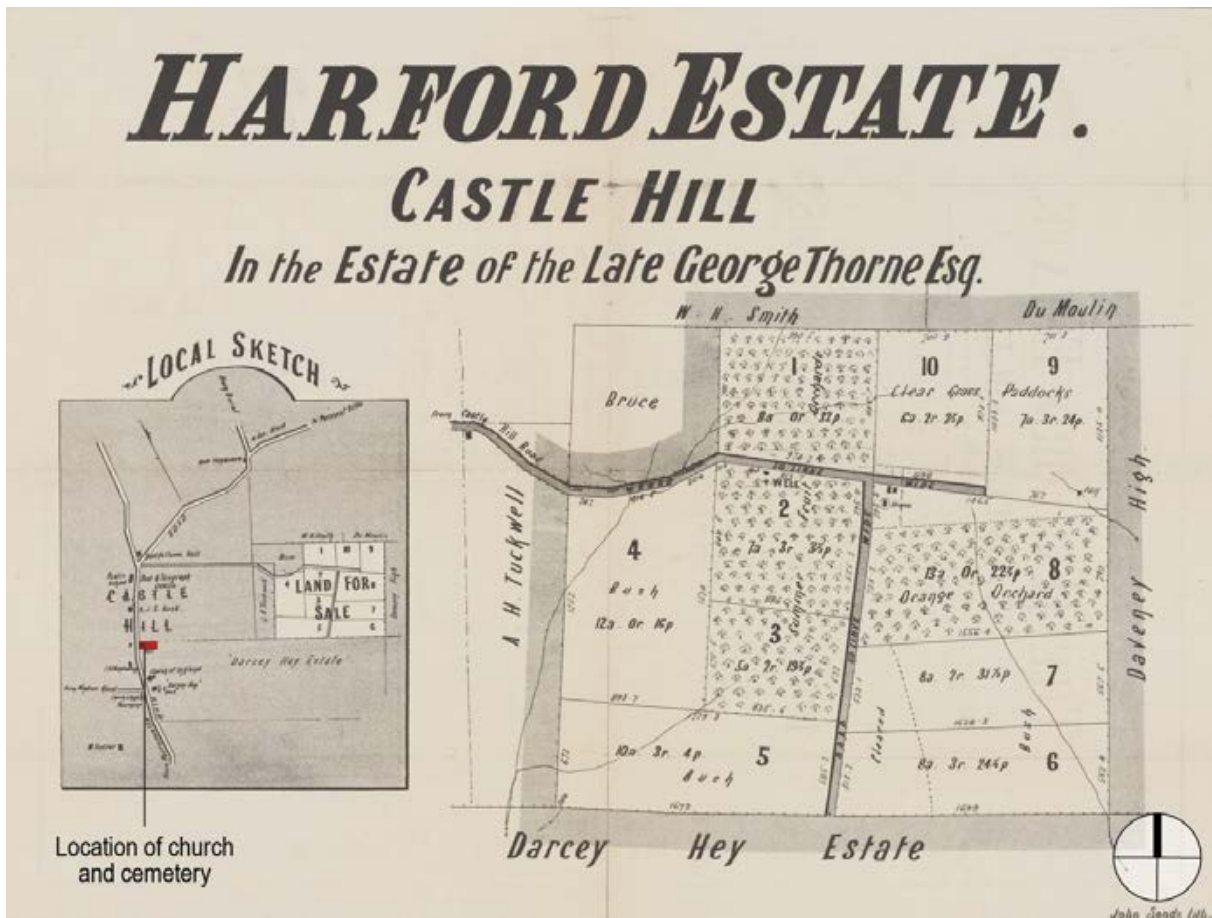


Figure 2.1 Subdivision of the Harford Estate of George Thorne in 1893. In the small location plan on the left, the cemetery can be seen highlighted on the northern boundary of the Darcey Hey Estate. (Source: National Library of Australia)



Figure 2.2 1943 aerial photograph showing the cemetery in the centre of the image, surrounded by farm and orchard lots. The St Paul's Parish Hall is clearly shown in front of the cemetery facing the road. (Source: SIX Maps <<https://maps.six.nsw.gov.au>>)



Figure 2.3 c2016 aerial of Castle Hill showing the St Paul's Cemetery in the centre of the image, with the former St Paul's Parish Hall in front facing Old Northern Road. (Source: SIX Maps <<https://maps.six.nsw.gov.au>>)

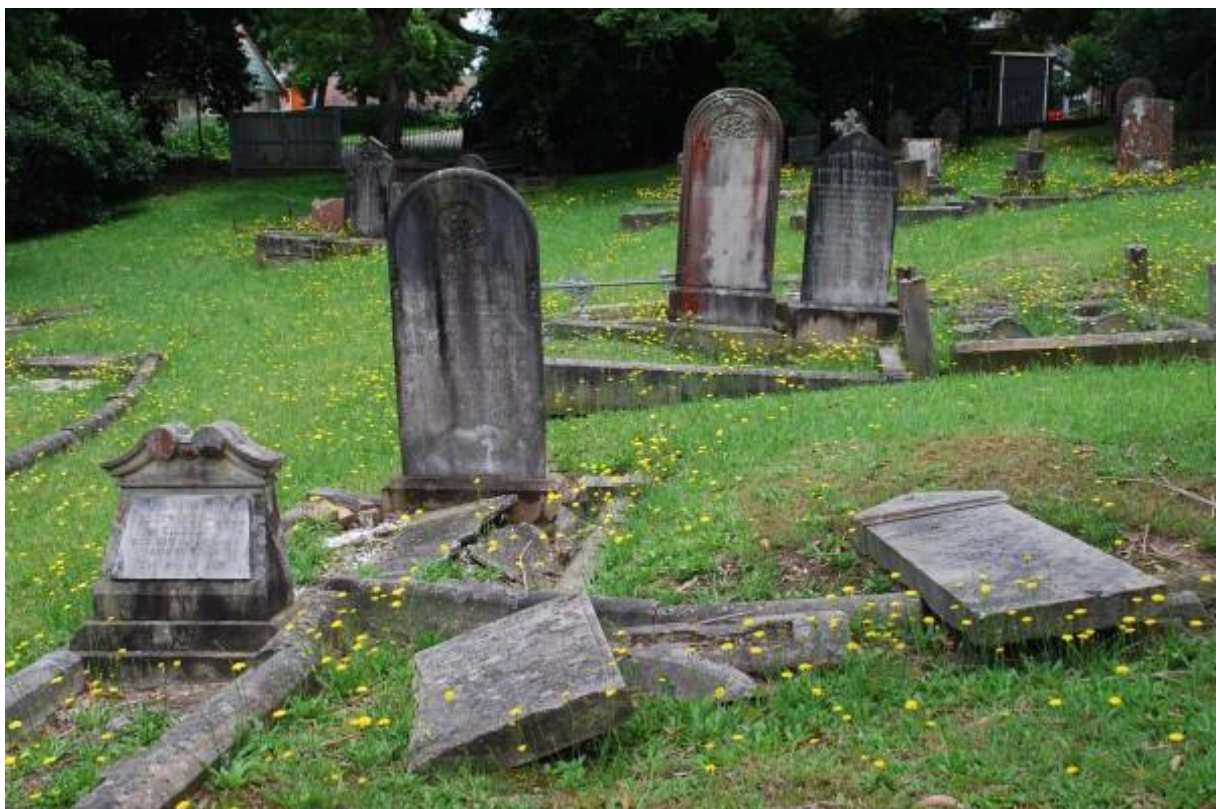


Figure 2.4 View across St Paul's, 2015, showing the array of headstones and surrounds, including some that are damaged or have been vandalised. (Source: Mark Dunn)

2.4 Endnotes

- ¹ Attenbrow, V 2010, *Sydney's Aboriginal Past: Investigating the archaeological and historical records*, second edition, UNSW Press, Sydney, p 27.
- ² Karskens, G 2009, *The Colony*, Allen & Unwin, Sydney, p 89.
- ³ Carr, H, Wilson, P, Pullen, N and McCluskey, L 1999, *Settlement of Baulkham Hills and Castle Hill Township 1791–1997*, Hills District Historical Society, p 12.
- ⁴ Phillips, N 1972, 'Greenup, Richard (1803–1866)', Australia Dictionary of Biography, National Centre of Biography, Australian National University, viewed 27 February 2017 <<http://adb.anu.edu.au/biography/greenup-richard-3659/text5709>>.
- ⁵ *Sydney Morning Herald*, 10 April 1861, p 1.
- ⁶ St Paul's Church Castle Hill Records 1841–1962, SLNSW FM4/1779. Average weekly wages were around 15 shillings to 20 shillings/£1 per week.
- ⁷ St Paul's Church Castle Hill Records 1841–1962, Burial Records, SLNSW FM4/1779.
- ⁸ *Cumberland Argus and Fruitgrowers Advocate*, 16 October 1897, p 3.
- ⁹ *Cumberland Argus and Fruitgrowers Advocate*, 20 October 1900, p 10.
- ¹⁰ Carr, H, Wilson, P, Pullen, N and McCluskey, L 1999, *Settlement of Baulkham Hills and Castle Hill Township 1791–1997*, Hills District Historical Society, p 83.
- ¹¹ *Cumberland Argus and Fruitgrowers Advocate*, 31 January 1940, p 1.

3.0 Physical Analysis

3.1 Site and Physical Context

The subject site is located to the south of Castle Hill town centre and is bound by Cecil Avenue to the north, Old Northern Road to the west and the residential cul-de-sac of Roger Avenue to the south. The site consists of several residential dwellings with the main street frontage to Cecil Avenue. The secondary street frontage is to Roger Avenue to the south.

The southwestern corner of the site adjoins St Paul's Cemetery and the Christadelphian Church fronting Old Northern Road. The combined site area is approximately 17,610m².

A site inspection of St Paul's Cemetery and the Christadelphian Church was conducted by GML Consultant, Stela Rahman, on 6 February 2017. The site was inspected with the aims of understanding the following:

- the overall physical nature and general condition of the site and the context in which it is located; and
- the interface of the cemetery and church with the proposed development, including potential impacts to streetscape views and the immediate setting of the heritage items.

3.1.1 St Paul's Cemetery

The cemetery is located at the end of a long driveway that is accessed from the eastern side of Old Northern Road. It is set back from Old Northern Road by approximately 40m on a downward slope. As a result, no views of the cemetery are afforded from this streetscape. Similarly, there are no views afforded from Cecil Avenue to the north due to the large setback from the roadway and existing buildings fronting Cecil Avenue.

St Paul's Cemetery was established c1860 and comprises a rectangular parcel of land measuring approximately 70m by 30m. The cemetery slopes downwards on a north–south axis and west–east axis. The fall of the land contributes to a naturally discreet setting. Mature trees and shrubbery currently screen surrounding boundaries within the cemetery. The visual outlook is predominantly composed of vegetation screening views. Due to the differing vegetation forms, glimpses of residential development located in the neighbouring lots are provided in some directions.

The site contains many examples of ornate funerary sculpture with varying degrees of intactness. The headstones date from 1860 to 1890 and are associated with early settlers who helped to shape the Castle Hill district. Some of the uniquely carved headstones include representations of doves bearing olive branches, scrolls containing biographical details of the deceased, floral motifs and other distinctive details. There are also a number of headstones with distinctive castellated tops, and Hannah Bellamy's headstone (died 1860, aged 89) has a medallion of mother and child in carved relief. All of the headstones comprise of sandstone or brown granite, with the exception of the Templeton grave.¹ Headstone inscriptions range from 1864 to 1994; however, many of the monuments and headstones have collapsed and deteriorated over time. Some of the inscriptions are difficult to read due to significant weathering.

There is a carpark adjoining the site to the north. It is used by church officials and visitors to the Christadelphian Church and the Castle Hill Presbyterian Church, which is located in the adjacent lot.

The carpark is screened by a grassy slope. Mature eucalyptus trees flank the northern boundary of the cemetery. Together these features form a physical buffer and visual screening of the carpark from the cemetery (Figures 3.9 and 3.10).

3.1.2 Christadelphian Church

The Christadelphian Church was constructed c1922 and is located to the west of St Paul's Cemetery, addressing Old Northern Road (Lot 12 DP 1053191). The church is a simple rectangular red-brick building with gable roof, central front porch and timber framed double casement rectangular windows. The church was constructed on land which had previously been the site for the old Denominational School (closed in 1879).

The church appears to have been modified with a rear extension to the southern façade of the building. This extension is not visible in the 1943 aerial photograph (Figure 2.2). Beyond the extension is a small playground, separated from the adjoining cemetery by a black palisade fence (Figure 3.14). The cemetery is screened from view by mature trees which flank the boundary between these two heritage items.

A Development Application (DA 389/2009/HA) for alterations and additions to the church was approved by Council on 28 November 2008. The development included an extension to the northern wing of the church allowing for the construction of amenities and a meeting room.

Although when it was opened in 1923 the Christadelphian Church was intended as a memorial hall dedicated to the men of the parish who gave their lives during the Great War, due to it being built on church land, it was christened St Paul's Parish Hall.²

3.2 Photographs of St Paul's Cemetery and the Christadelphian Church



Figure 3.1 **St Paul's Cemetery** looking east towards the adjacent site proposed for redevelopment. (Source: GML, 2017)



Figure 3.2 **Northwestern corner of St Paul's Cemetery** showing sandstone headstones and adjoining carpark to the north. (Source: GML, 2017)



Figure 3.3 **Ornamental sandstone headstone** at St Paul's Cemetery. (Source: GML, 2017)



Figure 3.4 **St Paul's Cemetery** looking west towards Old Northern Road. The Christadelphian Church beyond is screened by mature trees on the western boundary of the cemetery. (Source: GML, 2017)



Figure 3.5 **Ornamental sandstone headstone** at St Paul's Cemetery. (Source: GML, 2017)



Figure 3.6 **Cast iron fencing around a gravesite** at St Paul's Cemetery. Sandstone headstone is eroded and tilting. (Source: GML, 2017)



Figure 3.7 Southern boundary of the cemetery showing existing screening vegetation and glimpses of the residential dwellings to the south. (Source: GML, 2017)



Figure 3.8 **Entrance to St Paul's Cemetery from the driveway off Old Northern Road.** Palisade fence and mature trees flank the western boundary of the site. (Source: GML, 2017)



Figure 3.9 Northern boundary of the cemetery showing the grassy slope that provides a physical buffer to the adjoining carpark. (Source: GML, 2017)



Figure 3.10 The terraced slope and trees on the northern boundary of the cemetery which provides limited views between the cemetery and visitors carpark. (Source: GML, 2017)



Figure 3.11 Western façade of the Christadelphian Church fronting Old Northern Road. Northern extension can be seen to the far left. (Source: GML, 2017)



Figure 3.12 Southern façade of the Christadelphian Church at 245 Old Northern Road, Castle Hill. (Source: GML, 2017)



Figure 3.13 Driveway leading from Old Northern Road to the Christadelphian Church (left) and St Paul's Cemetery at the end of the driveway. There are limited views due to the topography and vegetation. (Source: GML, 2017)



Figure 3.14 Playground to the rear of the Christadelphian Church. This area forms a landscape buffer between the church and St Paul's Cemetery. (Source: GML, 2017)



Figure 3.15 View of the Christadelphian Church from the western side of Old Northern Road. St Paul's Cemetery is located at the end of the driveway to the right of the church. No views are afforded from this streetscape due to the topography, large setback and vegetation obscuring the cemetery from view. (Source: GML, 2017)



Figure 3.16 Access driveway from Cecil Avenue leading to the church and cemetery carpark. (Source: GML, 2017)

3.3 Endnotes

- ¹ The Hills Shire Council, Heritage Inventory Sheet, Sheet I61, Christadelphian Church, 247 Old Northern Road, Castle Hill.
- ² Carr, H, Wilson, P, Pullen, N and McCluskey, L 1999, Settlement of Baulkham Hills and Castle Hill Township 1791–1997, Hills District Historical Society, p 83.

4.0 Heritage Context

4.1 Introduction

The site of the proposed redevelopment is not a statutory listed heritage item nor heritage conservation area, nor does it contain any heritage listed items. The site is, however, located immediately adjacent to St Paul's Cemetery, an item of local heritage significance in Schedule 5 of the Hills LEP 2012 (I61). The Christadelphian Church on Old Northern Road is also an item of local heritage significance included in Schedule 5 of the LEP (I62).

The following section provides an overview of the heritage significance of the abovementioned items and identifies other heritage items in the vicinity of the proposed development.

4.1 Local Heritage Listings

The Hills Council Heritage Inventory sheet contains the following statement of significance for St Paul's Cemetery at 247 Old Northern Road, Castle Hill:

The cemetery is rich in headstone sculpture and in particular in the work of two local sculptors and their simple distinctive work. It is the first burial ground in the Castle Hill Area and contains the remains of its early settlers and their descendants. It is still in use and cared for by the Anglican community.

The Hills Council Heritage Inventory sheet for the Christadelphian Church at 245 Old Northern Road, Castle Hill, contains the following brief statement of significance:

The Christadelphian Church is of social significance as a memorial to those members of the Castle Hill Community who served in the First World War.

4.2 Revised Summary Statement of Significance

Traditionally the Country of the Badiagal people, St Paul's Cemetery is the earliest surviving burial ground in Castle Hill dating from 1863. It is of local historical significance as it contains the remains of several prominent men and women who contributed to the growth and development of the Castle Hill district such as John Kentwell. The cemetery has local aesthetic value, visual sensory appeal including its landscape layout, form and pattern, and its collection of carved late nineteenth-century headstones. Of particular note is the work of two local sculptors, and their simple distinctive work evidenced on headstones as seraphs, doves and the hand of God.

The cemetery is closed to burials but is still administered by St Paul's Anglican Church and cared for by the local Anglican community.

4.3 Heritage Items in the Vicinity

The proposed redevelopment site is in the vicinity of several local heritage items. The relationship between the site and the heritage items is shown in Figure 4.1.

Table 4.1 Heritage Items in Vicinity of the Site.

Heritage Item	Address	Listing
St Paul's Cemetery	247 Old Northern Road, Castle Hill	Local, Item No. 161
Christadelphian Church	245 Old Northern Road, Castle Hill	Local, Item No. 162
Castle Hill House	6–10 Francis Street, Castle Hill	Local, Item No. 150
The Old Parsonage	210 Old Northern Road, Castle Hill	Local, Item No. 158
Former St Paul's Anglican Church	221–225 Old Northern Road, Castle Hill	Local, Item No. 159
Wansbrough House	230 Old Northern Road, Castle Hill	Local, Item No. 160
Castle Hill Public School	264 and 266 Old Northern Road, Castle Hill	Local, Item No. 163
Former police station	264 and 266 Old Northern Road, Castle Hill	Local, Item No. 164

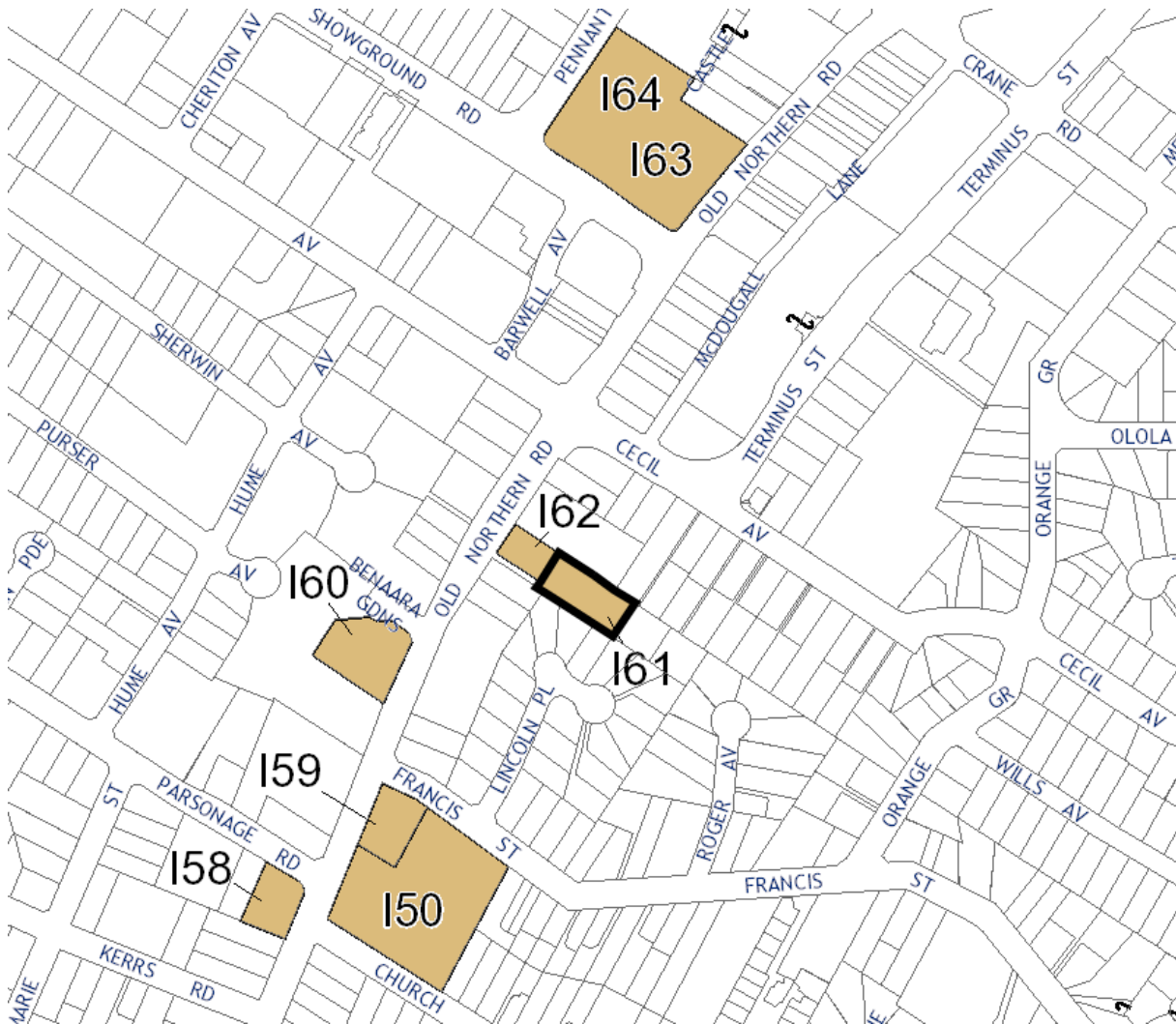


Figure 4.1 Extract from the Hills LEP 2012 showing the subject site (I61) and listed heritage items in the vicinity. (Source: The Hills LEP 2012 Heritage Map)

5.0 Development Proposal

5.1 Introduction

The development proposal has been prepared in response to the State Government's strategic vision to strengthen Castle Hill as a major centre for Sydney's northwest region. The subject site is located on land within the Castle Hill Major Centre, as identified in the North West Rail Link Corridor Strategy (NWRL Strategy) prepared by the NSW Department of Planning and Environment in September 2013.¹

The drawings that have been referenced include the initial concept plans submitted in the Planning Proposal prepared by JBA, dated April 2016 and the revised design scheme, prepared by PTW and presented to Council in March 2017. (Appendix B and C, respectively).

5.2 Description of the Proposed Works

The proposal involves the construction of a mixed use development comprising residential flat buildings, office spaces and commercial premises such as cafes and restaurants.

The proposed works include:

- construction of residential buildings with a unit size and mix ranging from studios to three bedroom apartments—the building heights vary from four to thirteen storeys in height, with taller buildings concentrated towards the northern portion of the site;
- provision of commercial premises such as cafes and restaurants along the main street frontage of Cecil Avenue;
- provision of a north–south pedestrian corridor traversing the site and an east–west pedestrian corridor at ground level;
- landscaped community open spaces throughout the development and immediately adjoining St Paul's Cemetery to the west;
- residential vehicular carpark entrance from Roger Avenue in the southeastern corner of the site and Cecil Avenue in the northeastern corner of the site; and
- basement level parking.



Figure 5.1 Rendering of the site through link of the proposed development, as viewed from Cecil Avenue. (Source: PTW Architects, May 2017)



Figure 5.2 Site plan of the proposed development. (Source: PTW Architects, May 2017)



Figure 5.3 Building siting and setback plan of the proposed development. (Source: PTW Architects, May 2017)

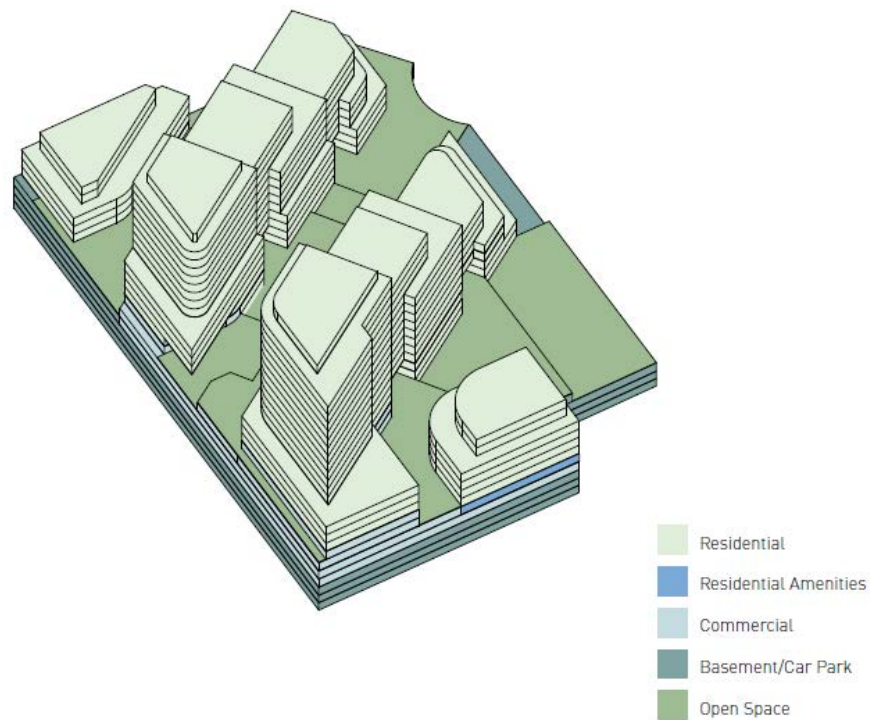


Figure 5.4 Massing model of the proposed development showing the land use arrangement. (Source: PTW Architects, May 2017)

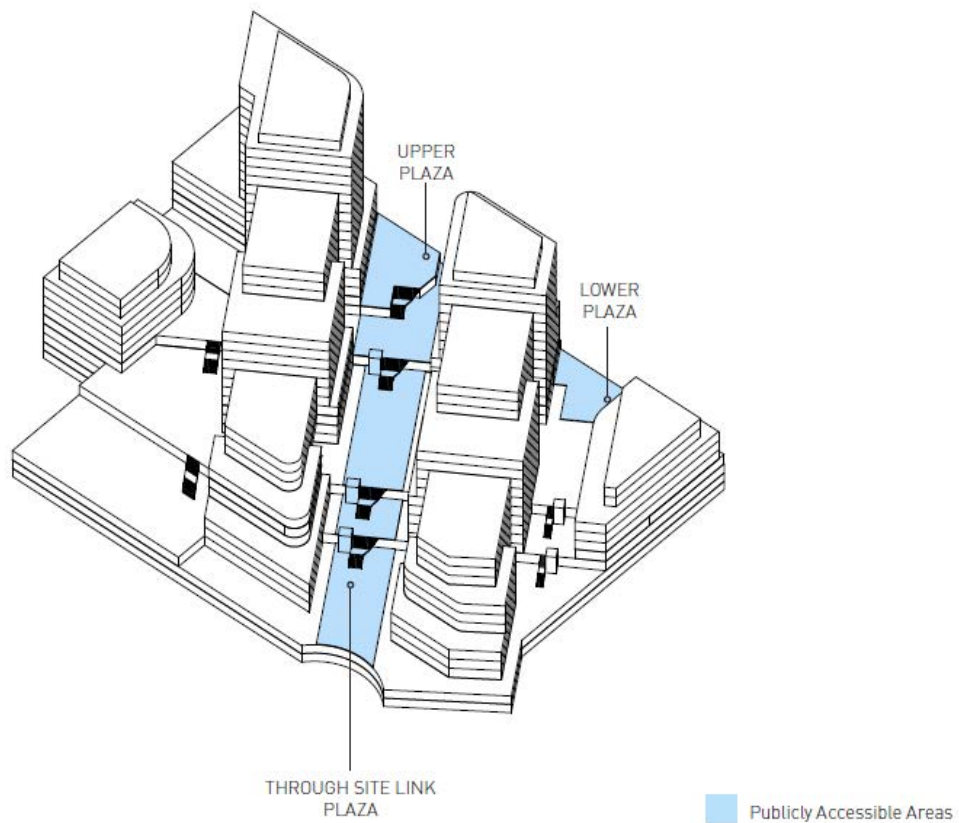


Figure 5.5 Massing model of the proposed development showing publicly accessible areas. (Source: PTW Architects, May 2017)

5.3 Endnotes

- ¹ North West Rail Link Corridor Strategy (NWRL Strategy), prepared by the NSW Department of Planning and Environment, September 2013, viewed 27 February 2017 <<http://www.planning.nsw.gov.au/~media/Files/DPE/Reports/north-west-rail-link-corridor-strategy-2013-09.ashx>>.

6.0 Assessment of Heritage Impact

6.1 Introduction

The proposed mixed use development is located on land which does not contain any heritage listed items. However, the subject site is located immediately adjacent to St Paul's Cemetery and the Christadelphian Church, both of which are identified as local heritage items on the Hills LEP 2012 (I61 and I62, respectively).

6.2 Heritage Division

The Heritage Division of the NSW Office of Environment and Heritage has published a series of criteria for the assessment of heritage impact. The relevant questions in the *NSW Heritage Manual* 'Statements of Heritage Impact' have been considered in the preparation of this HIS.

6.2.1 New Development Adjacent to a Heritage Item (including additional buildings and dual occupancies)

- *How is the impact of the new development on the heritage significance of the item or area to be minimised?*
- *Why is the new development required to be adjacent to a heritage item?*
- *How does the curtilage allowed around the heritage item contribute to the retention of its heritage significance?*
- *How does the new development affect views to, and from, the heritage item? What has been done to minimise negative effects?*
- *Is the development sited on any known, or potentially significant archaeological deposits? If so, have alternative sites been considered? Why were they rejected?*
- *Is the new development sympathetic to the heritage item? In what way (e.g. form, siting, proportions, design)?*
- *Will the additions visually dominate the heritage item? How has this been minimised?*
- *Will the public, and users of the item, still be able to view and appreciate its significance?*

Discussion

The proposed development will have no direct impact on St Paul's Cemetery, the Christadelphian Church, or the heritage listed curtilages associated with these items.

Alternative sites for the proposal were considered. The site selection was based primarily on proximity to commercial and retail services, road and rail connections.

Bulk Scale and Setting

The existing heritage items are of low scale. The new development is comprised of buildings that range between four and eighteen storeys in height. The proposed scale of the new built form is significantly higher than the existing scale of the cemetery and church. Siting larger development in close proximity to the heritage items will potentially give rise to impacts on the setting and the appreciation of the items' heritage significance. To mitigate the potential impacts, the height, bulk and scale of the new development has been positioned away from the heritage items. An increased landscape setback has been created between the new development and the heritage listed cemetery. The proposed height of the built form along the western boundary where it interfaces with the heritage item has been reduced.

The current design scheme proposes a landscaped buffer zone to soften the interface between the heritage item and the new development. The building closest to the cemetery is located northeast of the heritage item and is approximately six storeys in height. The building is set back from the heritage item, with an articulated façade and double height floors at ground level which will reduce the apparent bulk of the building. This 'edge building' will help to visually mitigate some of the impacts associated with the scale of the taller built form concentrated toward the centre of the site, by stepping the built form in the middle distance.

The proposed development provides an appropriate setback and transition in scale. Taller elements are concentrated in the northern portion of the site and gradually step down in scale towards the south and western portion of the site which interfaces with the cemetery. The main bulk of the scheme has been concentrated in the centre of the site.

The articulated façades, including double height floors at ground level and the use of various tones and cladding, will reduce the apparent bulk of the development when viewed from the cemetery. While the development will change the character of the area surrounding the heritage item and result in an impact on the wider setting, the level of impact is considered to be acceptable.

Views and Vistas

The scale and form of the development will give rise to changes to views, vistas and skylines from the heritage items.

No significant views of the heritage item are afforded from the surrounding main roads, such as Old Northern Road to the west and Cecil Avenue to the north. This is due to the considerable setback of the cemetery from both main roads, as well as the downward sloping topography of the site. The uppermost levels of the tallest buildings would be partly visible in eastern views from Old Northern Road, however while these buildings will alter the current skyline views, they are considered to be at a reasonable distance from the heritage items so as to not give rise to an adverse impact on the visual setting of the cemetery or church.

6.2.2 New Landscape Works and Features (including carparks and fences)

- *How has the impact of the new work on the heritage significance of the existing landscape been minimised?*
- *Has evidence (archival and physical) of previous landscape work been investigated? Are previous works being reinstated?*
- *Has the advice of a consultant skilled in the conservation of heritage landscapes been sought? If so, have their recommendations been implemented?*
- *Are any known or potential archaeological deposits affected by the landscape works? If so, what alternatives have been considered?*
- *How does the work impact on views to, and from, adjacent heritage items?*

Discussion

While there will be no direct impact to the heritage items, the proposed development will have some impact on the immediate setting of the cemetery. Such impacts will be effectively managed and mitigated through a large landscaped buffer zone to be used as community open space immediately adjoining the heritage item. This will ensure there is no encroachment on the heritage listed curtilage of the item and

retain the predominantly green setting of St Paul's Cemetery. This revised design is a significant improvement as it will provide 'breathing space' to the heritage item and retain appreciation of its setting.

The proposed development will have some impact on the immediate setting of St Paul's Cemetery, yet these impacts have been mitigated through the careful design approach and management of the proposed works.

6.3 Heritage Objectives of the Hills LEP 2012

The heritage conservation objectives in clause 5.10 of the Hills LEP 2012 are as follows:

- (a) *to conserve the environmental heritage of The Hills;*
- (b) *to conserve the heritage significance of heritage items and heritage conservation areas including associated fabric, settings and views;*
- (c) *to conserve archaeological sites; and*
- (d) *to conserve Aboriginal objects and Aboriginal places of heritage significance.*

The proposal satisfies most of the heritage conservation objectives outlined in the Hills LEP 2012. The proposal will have no direct impact on the cemetery, the church or their associated curtilages. There will be an impact on skyline views from the cemetery and church; however, the new built form of greater scale has been located at an appropriate distance from the heritage items and is considered acceptable.

The provision of a landscaped buffer along the western edge of the development and a setback of approximately 40m from Old Northern Road will ensure the retention of heritage values of St Paul's Cemetery and the Christadelphian Church, and impacts are acceptable from a heritage perspective.

6.4 Heritage Guidelines of the Hills Development Control Plan (DCP) 2012

The proposed development adjoining St Paul's Cemetery is broadly consistent with the heritage objectives and controls set out in Part C, Section 4 of the Hills DCP 2012.

Table 6.1 Heritage Objectives and Compliance with the Hills DCP 2012.

Development Objectives and Controls	Compliance of the Proposal
<p>3.1 Site Planning</p> <p>Objective</p> <p>Any new development should be positioned to ensure that the visual prominence, context, and therefore the significance of the existing heritage building and its setting is maintained.</p> <p>Development Controls</p> <p>(a) Additions or new structures should:</p> <ul style="list-style-type: none"> • be located along the least significant elevation or in the least significant part of the setting; • not obscure the street elevation of the existing building; and • be setback further from the street than the existing building. 	<p>Complies. There will be no direct impact to the heritage items and the provision of adequate setbacks and landscaped buffers will reduce the visual dominance of the new development.</p> <p>Complies. The proposal will not obscure the street elevation of the church or cemetery as the development is substantially set back from the main roads and heritage items. Due to the downward sloping topography of the land, there are no views of the cemetery afforded from these main roads.</p>

Development Objectives and Controls	Compliance of the Proposal
<p>(b) In siting a new addition or building, site features that are considered significant should be retained including the important views/vistas, gardens, fences, outbuildings, mature vegetation or archaeological sites.</p>	<p>Complies. Significant views will be retained due to the large setbacks and topography of the land. The transition in scale and concentration of taller elements in the northern and central portion of the site will mitigate visual impacts to the heritage items.</p>
<p>3.5 Development in the vicinity of a heritage item</p> <p>Objective</p> <p>To ensure that the development of land in the vicinity of a heritage site is undertaken in a manner that complements the heritage significance of the site.</p> <p>Development Controls</p> <p>(a) Development on land within the vicinity of a heritage site is not to detract from the identified significance of the place, its setting, nor obstruct important views to and from the site.</p> <p>(b) New structures proposed on land adjoining a heritage building should be of similar scale and proportions to the heritage building.</p> <p>(c) Where development is proposed within the vicinity of a heritage site, the following matters must be taken into consideration:</p> <ul style="list-style-type: none"> the character, siting, bulk, height and external appearance of the development; the visual relationship between the proposed development and the heritage site; the potential for overshadowing of the heritage site; the colours and textures of materials proposed to be used in the development; the landscaping and fencing of the proposed development; the location of car parking spaces and access ways into the development; the impact of any proposed advertising signs or structures; the maintenance of the existing streetscape, where the particular streetscape has particular significance to the heritage site; the impact the proposed use would have on the amenity of the heritage site; and the effect the construction phase will have on the well being of a heritage building. 	<p>Partly complies. The proposed scheme will have some impact on the immediate setting of the cemetery, yet such impacts will be mitigated through appropriate setbacks from the heritage listed curtilage of the place, the transition in scale and various tones and claddings which will reduce the visual dominance of the buildings. The revised scheme is a significant improvement from the earlier concept plan which included a five-storey building adjoining the heritage item. The current scheme proposes to remove the five-storey building and to provide a landscaped buffer zone in its place to soften the interface between the heritage item and the new development.</p> <p>Partly complies. No streetscape views of the heritage items will be compromised. The downward sloping topography will essentially screen some of the lower bulk of the building when viewed from the heritage item.</p> <p>Partly complies. While there is a scale disparity, the revised scheme is a significant improvement from the earlier concept plan in heritage terms.</p> <p>Partly complies. The siting of the new development adjacent to the heritage item will result in some scale disparity, yet this can be effectively managed and mitigated through the abovementioned techniques.</p> <p>The provision of a landscaped buffer zone will assist in providing visual screening of the new development and maintaining the predominantly green outlook of St Paul's Cemetery.</p> <p>There will be no significant overshadowing of the heritage items, as evidenced in the shadow diagrams provided to Council (Appendix D).</p> <p>The use of various tones and cladding will reduce the visual dominance of the proposed development. The proposal uses a warm palette of materials, including concrete in combination with brick and timbers. The strongly articulated façades, including double height floors at ground level, will reduce the apparent bulk of the development when viewed from the cemetery.</p> <p>The large landscaped areas and building treatments will mitigate visual impacts and soften the interface between the heritage item and the new development.</p> <p>The main street frontage for the new development will be along Cecil Avenue. Due to the large setback of the cemetery from Cecil Avenue, there are no views afforded from this location. St Paul's Cemetery is set back from Old</p>

Development Objectives and Controls	Compliance of the Proposal
	Northern Road by approximately 40m and is located at the end of a long downhill driveway. As a result, no views of the cemetery are afforded from this streetscape. No significant streetscape views will be affected by the proposal.
<p>3.7 Gardens, Landscaping and Fencing</p> <p>Objective</p> <p>To ensure the retention of gardens and other landscape elements that make an important contribution to the significance of a heritage site, the streetscape and the Shire generally.</p> <p>Development Controls</p> <p>a) Original garden elements including mature trees, gardens, shrubs, outbuildings, fences, stonework, pathways and other like features are to be identified and retained in any re-development.</p> <p>(b) The re-landscaping of a heritage site or the introduction of new garden features is to be based upon a thorough understanding of, and be sympathetic to the original garden setting and the significance of existing individual elements.</p> <p>(c) Where possible, existing fences that have been identified as significant or that contribute to the overall setting or character of a heritage site are to be retained or repaired, rather than replaced.</p> <p>(d) New fences should either match as closely as possible the original fencing, or if the original fence type is not known, it should specifically relate to the architectural character and period of the existing heritage building with respect to design, materials, colour and height. Old photographs or careful inspection of remaining fabric can often reveal the original fence type.</p> <p>(e) High, solid concrete or masonry fences constructed as sound barriers or for privacy should be avoided. Alternative measures to reduce traffic noise and protect privacy should be investigated, such as double-glazing, internal room layout and landscaping.</p>	<p>Complies. No plantings or landscape features associated with the cemetery will be removed as part of the proposed development.</p> <p>Complies. All significant elements and landscape features of the cemetery and church will be retained.</p> <p>Complies. There will be no re-landscaping of the heritage site. New plantings and vegetation outside the curtilage of the heritage item will be sympathetic to the landscaped setting of the cemetery.</p> <p>The requirement of a fence is subject to further detail study that will come at a later stage of the project. In the case that a new fence needs to be placed between the cemetery and the site, heritage consultants should be engaged to advise on the appropriate design and materiality of such a fence.</p> <p>Complies. No solid concrete or masonry fences will be constructed as part of the proposed works.</p>
<p>3.10 Signage</p> <p>Objectives</p> <p>i) To ensure that any signage is erected so as not to impinge upon the historic, cultural, social or aesthetic value of a heritage item.</p> <p>ii) To provide an opportunity for authorised occupants of heritage items to identify themselves and their activities that are commercial in their nature.</p>	<p>Complies. No signage will be installed that detracts from the heritage significance of the place. In the current design, the boundary with the cemetery is communal open space lined by trees and vegetation, with no signage foreseen for this area. Retail premises are fronting onto Cecil Avenue to the north and there will be no commercial premises fronting the western courtyard adjacent to the cemetery. This area will be designated for residential amenities only.</p>

Development Objectives and Controls	Compliance of the Proposal
<p>Development Controls</p> <p>The location of signs shall not detract from the significance of the heritage item.</p> <p>(a) No signage or advertising is to be attached to the heritage item.</p> <p>(b) Signage is to be limited to one sign of a maximum of 0.5 square metres per street frontage of the property.</p> <p>(c) The content or wording of the sign is to be limited to the name and authorised occupation of the occupant of the premises.</p> <p>(d) The colours and lettering of any sign or advertising material are to complement the architectural style and colours of the heritage item.</p> <p>(e) No signs or advertising material is to be erected or displayed in windows or door openings of the heritage item.</p> <p>(f) General advertising, bunting, or streamers, and the like are not to be used on the land on which a heritage item is located.</p> <p>(g) Illuminated signs are not to be used on the land upon which a heritage item is located.</p>	
<p>3.11 Protection of heritage items during construction</p> <p>Objective</p> <p>To ensure an archaeological site or heritage building is adequately protected from vandalism and deterioration.</p> <p>Development Controls</p> <p>(a) Heritage buildings or archaeological sites which are to be vacant during construction work are to be protected via the following measures:</p> <p>Built Structures—By fencing comprising a minimum 1.8 metre high chain wire mesh fence with barbed wire capping and for all windows and other accessible entry's [sic] to be secured and/or boarded using heavy duty waterproof plywood or similar.</p> <p>Archaeological Sites—By fencing comprising a minimum 1.8 metre high chain wire mesh fence with barbed wire capping. Any unstable sites should be stabilised, and any wells, pits or similar should be covered to prevent entry.</p>	<p>To avoid adverse impacts to St Paul's Cemetery, it is important for all contractors working on the site to be aware of the heritage values of the adjacent cemetery and church. This should include an induction to contractors explaining the heritage values of the cemetery and protection measures to safeguard the heritage item during the construction phase.</p> <p>Care should be taken to ensure that significant elements such as headstones and monuments are not damaged by machine vibrations during site preparation or construction. Heavy machinery should be restricted to areas beyond the cemetery curtilage and vibration monitoring should be undertaken by an appropriately qualified contractor to ensure that significant elements of the cemetery are not damaged.</p>

7.0 Conclusion and Recommendations

7.1 Summary of Heritage Impacts

The proposed development located at 93–107 Cecil Avenue and 9–10 Roger Avenue, Castle Hill, which includes the construction of a mixed use development south of Castle Hill town centre, has been assessed with regard to potential impacts on listed heritage items in the vicinity.

While there will be no physical encroachment within the heritage curtilage of the cemetery and church, the proposal will have some impact on the immediate setting of the cemetery. There is potential for the proposal to give rise to a disparity in scale between the existing low scale of the heritage items and the new development, particularly in eastern views from within the burial ground.

The revised scheme has adopted several responses to mitigate such impacts. This includes the provision of an extended landscaped area immediately adjoining the cemetery within the proposed development site. In addition, the proposed building closest to the cemetery is six storeys in height. The building is set back from the heritage item, with a strongly articulated façade and double height floors at ground level which will reduce the apparent bulk of the building. This ‘edge building’ will also reduce the perceived scale of some of the taller buildings in the central portion of the site.

The uppermost levels of the tallest buildings would be partially visible in skyline eastern views from Old Northern Road; however, this would not have an adverse impact on the visual setting of the cemetery or church. Potential visual impacts will be mitigated through the provision of appropriate setbacks, the ‘stepping down’ of the development to the south, the careful placement of lower scale residential buildings on the periphery of the burial ground, and a modulated façade treatment.

Overall this assessment has found that the proposed development will give rise to impacts that are considered to be acceptable on the significance of St Paul’s Cemetery and the Christadelphian Church. The items will be retained and there are no direct impacts to the heritage significance of either item. Heritage impacts associated with the proposed development relate to the items’ setting and the character of eastern views where, should the proposal proceed, new built form will be visible from within the cemetery and church.

7.2 Recommendations

- Retain the landscaped community space adjoining the heritage item.
- Prepare a landscape plan for the Communal Open Space, with particular focus on softening the interface with St Paul’s Cemetery.
- To avoid adverse impacts to St Paul’s Cemetery, it is important for all contractors working on the site to be aware of the heritage values of the adjacent cemetery and church. This should include an induction to contractors explaining the heritage values of the cemetery and protection measures to safeguard the heritage item during the construction phase.
- Care should be taken to ensure that significant elements such as headstones and monuments are not damaged by machine vibrations during site preparation or construction. Heavy machinery should be restricted to areas beyond the cemetery curtilage and vibration monitoring should be undertaken by an appropriately qualified contractor to ensure that significant elements of the cemetery are not damaged.

- Aboriginal and non-Aboriginal archaeological assessment of the proposed development area has not been undertaken and there may be potential for objects and relics to be discovered or disturbed during ground works in the event that the proposal is approved.
- Opportunities for the interpretation of the history and heritage of the area should be considered as part of the proposed development through the preparation of a heritage interpretation strategy.

8.0 Appendices

Appendix A

The Hills Shire Council, Response to Planning Proposal (Reference 12/2016/PLP), letter dated 7 November 2016

Appendix B

Planning Proposal, 93–107 Cecil Avenue and 9–10 Roger Avenue, Castle Hill, prepared by JBA, dated December 2015

Appendix C

Building Envelope Drawing Set, 97-105 Cecil Avenue, Castle Hill, prepared by PTW Architects, dated 5 March 2017

Appendix D

Indicative Reference Drawings, 97-105 Cecil Avenue, Castle Hill, prepared by PTW Architects, dated 22 May 2017

Appendix E

DCP Figures, 93-107 Cecil Avenue and 9-10 Roger Avenue, Castle Hill, prepared by PTW Architects, dated 26 May 2017

Appendix F

The Hills Shire Council, Heritage Inventory Sheet I61, St Paul's Cemetery

Appendix G

The Hills Shire Council, Heritage Inventory Sheet I62, Christadelphian Church

Appendix A

The Hills Shire Council, Response to Planning Proposal (Reference 12/2016/PLP), letter dated 7 November 2016

THE HILLS SHIRE COUNCIL

3 Columbia Court, Baulkham Hills NSW 2153
PO Box 7064, Baulkham Hills BC NSW 2153

Telephone +61 2 9843 0555

Facsimile +61 2 9843 0409

DX 9966 Norwest

Email council@thehills.nsw.gov.au

www.thehills.nsw.gov.au

ABN No. 25 034 494 656

7 November 2016

Mr Tony Merhi
1 Old Glenhaven Road
Glenhaven NSW 2156

Via email: tony.merhi@merccapital.com.au

Our Ref: 12/2016/PLP

Dear Mr Merhi

PLANNING PROPOSAL – CECIL & ROGER AVENUE, CASTLE HILL (12/2016/PLP)

The Department of Planning and Environment has issued a Gateway Determination for the above proposal. A copy of the determination is attached for your reference.

I wish to draw your attention to Condition 1 of the determination:

1. *Prior to community consultation, the planning proposal is to be amended as follows:*

- (a) *shadow diagrams are to be provided which demonstrate that private open space within all impacted neighbouring properties will continue to receive at least four hours of sunlight between 9am and 3pm on 21 June, where this is currently the case;*
- (b) *a traffic study be provided which addresses the peak hour directional splits, potential impacts on the nearby intersections, measures to address capacity issues in Cecil Avenue and Roger Avenue; and*
- (c) *consistency with the attached methodology for Local Residential Development Clause at Tab A. Please note that the planning proposal should be amended to state that clause attached to the methodology is indicative only and may be subject change as a result of legal drafting.*

A copy of the amended planning proposal is to be forwarded to the Department for information prior to the commencement of community consultation.

Please provide amended shadow diagrams and a traffic report that satisfies the condition above. Council officers will revise the planning proposal document to be consistent with the agreed methodology regarding Local Residential Development.

The Council report outlines several matters that need to be addressed, in addition to the conditions in the Gateway Determination. The following information is also required:

1. Further contextual analysis and urban design work, including a model, to demonstrate that the proposed floor space ratio and development concept is appropriate on the site and to assist with the communication and interpretation of the proposed development by the community. The Council report indicates that 3 storeys would be a more appropriate interface with adjacent low density residential development. Consideration should be given to Development Control Plan amendments to support the planning proposal; and
2. A heritage impact statement that demonstrates the impacts on the adjacent cemetery and nearby memorial hall are acceptable.

The Council resolution relating to the proposal requires the consideration of a Voluntary Planning Agreement related to infrastructure provision prior to public exhibition. An extract of the resolution is provided for your reference:

2. *Council proceed with discussions with the applicant to prepare a draft Voluntary Planning Agreement which secures the delivery of the proposed pedestrian linkages and public domain improvements and resolves how the applicant will address the increased demand for local infrastructure generated by the proposed increase in residential density; and*
3. *Following the preparation of the draft Voluntary Planning Agreement, and prior to any public exhibition of the planning proposal, a report on the draft Voluntary Planning Agreement be submitted to Council for consideration.*

The outstanding matters of securing the pedestrian linkages, public domain improvements and increased demand for infrastructure provision need to be resolved prior to the proposal proceeding to public exhibition.

Please advise how you wish to proceed in relation to these matters by Monday 21st November, 2016.

Any future correspondence in relation to this matter should quote reference number 12/2016/PLP. Should you require further information please contact me on 9843 0407.

Yours faithfully



Megan Munari
PRINCIPAL COORDINATOR FORWARD PLANNING

CC:

Mr Chris Ferreira and Mr Tom Goode
C/- JBA Urban Planning Consultants Pty Ltd
PO Box 375
North Sydney NSW 2059

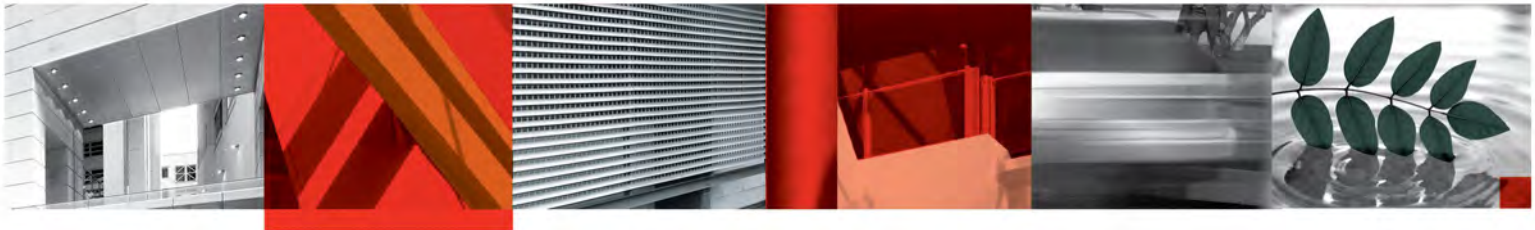
Via Email: CFerreira@jbaurban.com.au and TGoode@jbaurban.com.au

Appendix B

Planning Proposal, 93-107 Cecil Avenue and 9-10 Roger Avenue, Castle Hill, prepared by JBA, dated December 2015

Planning Proposal

Amendment to The Hills Local Environmental Plan 2012



93-107 Cecil Avenue and 9-10 Roger Avenue, Castle Hill

Proposal to amend zoning, building height and floor space ratio

Submitted to The Hills Shire Council

On Behalf of Merck Property Pty Ltd

December 2015 ■ 15831

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JBA operates under a Quality Management System that has been certified as complying with ISO 9001:2008. This report has been prepared and reviewed in accordance with that system. If the report is not signed below, it is a preliminary draft.

This report has been prepared by:



Chris Ferreira

15/12/2015

This report has been reviewed by:



Tom Goode

15/12/2015

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Executive Summary

This report has been prepared by JBA on behalf of Merck Property Pty Ltd, representing the owners of the subject site at 93-107 Cecil Avenue and 9-10 Roger Avenue, Castle Hill, in support of a Planning Proposal to amend *The Hills Local Environmental Plan 2012*. Specifically, this Planning Proposal seeks to:

- Support a zone change from part R1 General Residential and Part R3 Medium Density Residential to B4 Mixed Use, in order to accommodate future residential flat buildings, office premises, business premises and café/restaurants on the site;
- Increase the maximum permissible building height from part 16 metres and part 9 metres to 47 metres;
- Increase the maximum permissible floor space ratio (FSR) limit from part 1:1 and part undesignated to an overall maximum of 3:1, which accounts for both residential and commercial floor space.

The proposed controls will enable the future redevelopment of the site to ensure that it makes a positive contribution to the housing and employment needs of the Castle Hill town centre and responds to the evolving strategic context of this location. This Planning Proposal has been prepared in accordance with the NSW Department of Planning and Environment's *A guide to preparing planning proposals*. It is important to note that the guide outlines the following (on page 5) with regards to the level of information which support a Planning Proposal.

A planning proposal must demonstrate the strategic merit of the proposed amendment to the LEP proceeding.

A Planning Proposal must provide enough information to determine whether there is merit in the proposed amendment proceeding to the next stage of the plan-making process. The level of detail required in a planning proposal should be proportionate to the complexity of the proposed amendment.

Therefore, this Planning Proposal has been prepared with a focus primarily on the strategic merit and intent of the proposed concept, and an assessment of the proposed built form and land uses. We expect that following the Gateway Determination that additional studies will be required.

Strategic Justification

The subject site is located on land within the Castle Hill Major Centre, identified as such by the North West Rail Link Corridor Strategy (NWRL Strategy) prepared by the NSW Department of Planning and Environment, and its associated Castle Hill Station Structure Plan which forms part of the NWRL Strategy. The NWRL Strategy sets out the strategic land use framework for existing and new centres to benefit from new NWRL stations, setting out a plan for Castle Hill to serve as "the Major Centre for Sydney's North West", through the delivery of a range of residential, commercial, retail and community uses.

The Castle Hill Station Structure Plan supplements the Corridor Strategy, providing additional detail for the strategic planning direction in this designated 'Medium Density Apartment Living' precinct. Notably, the Structure Plan states that:

The existing planning controls require some amendments to reinforce the delivery of such a significant investment in infrastructure such as the NWRL. Current controls do not promote the growth of Castle Hill as a Major Centre, with little additional capacity for jobs outside of retailing and a moderate increase in housing.

The commencement of Sydney Metro Northwest operations in early-2019 will see a significant improvement in the level of public transport service and connectivity to the subject site. Travel times to Macquarie University, Chatswood and Wynyard will be reduced by 72%, 64% and 32% respectively. The NSW Government has released the North West Rail Link Corridor Strategy which seeks to ensure growth in housing and employment commensurate with the improved transport infrastructure.

Under the Department's NWRL Strategy and Structure Plan, as well as Council's Draft The Hills Corridor Strategy, the subject site is earmarked for more intense development, given its proximity (approximately 530m) to the under construction Castle Hill Station. Land within the Castle Hill Major Centre, in general, is earmarked for significantly greater heights, floor space ratios and overall density.

Accordingly, this Planning Proposal has been prepared to respond to the envisaged built form for the site and locality under the NWRL Strategy and structure plan, and seeks to ensure that the planning controls for the site reflect the changing strategic context of the Castle Hill Major Centre.

The Planning Proposal is consistent with the relevant Section 117 Ministerial Directions, A Plan for Growing Sydney and the North West Rail Link Corridor Strategy, and as such should be supported.

Key Assessment Issues

Built Form and Land Use

This Planning Proposal provides a development concept plan which has been developed for the subject site by PTW Architects, which outlines the overall, indicative intention for the site with regards to building siting, massing, height and distribution and mix of uses, which addresses the various constraints on presented by the land and also considering the future intended land uses on the site. The analysis undertaken in this Planning Proposal and in developing the concept plan has been undertaken in order to understand the potential capacity of the site.

Having regard to the suite of Structure Plans and Strategies which set the overarching objectives for the Castle Hill Strategic Centre, including a range of indicative heights, densities and built form frameworks, in accordance with the broader patterns for Transit Oriented Development along Sydney's railway corridors, there is a strong logic for increased height and density around the Castle Hill Town Centre.

Accordingly, the rationale behind the proposed concept is the following:

- The proposal seeks to concentrate taller elements to the north of the site, nearer to the core of the station precinct, and closer to where taller 12+ storey development will occur in the future.
- The proposal constitutes a 'stepping down' of the development to the rear, (to the south) given the slope of the land to the south and east, and given existing and earmarked development heights and density moving further away from the core of the station precinct to the south and east.
- The two taller elements seek to create an entry focus and encourage linear movement north and south along the proposed through-site link.
- The main bulk of the scheme has been positioned in the centre of the site to reduce the impact on the immediate lower scale built form and the future 3-6 storey built form of the precinct envisaged under the NWRL Strategy;

- The proposal presents a logical progression of 'stepping down' of development from the high density and commercial precincts earmarked under the NWRL Strategy to the immediate north of the site. The high density residential precincts under the NWRL Strategy can achieve up to 20 storeys, where the concept of this Planning Proposal seeks a maximum 12 storeys for only two portions of the site, with buildings stepping down to 3-6 storeys along the outer sections of the site.
- The proposal seeks 4,030m² of non-residential, employment generating floor space as part of the proposed concept.

The proposal also provides a complementary employment generating focus along Cecil Avenue and along the proposed through-site link in order to activate the area and provide a more appropriate transition to the wider residential catchment to the south. This forms an intention beyond the envisaged character of the medium density residential precinct under the NWRL Strategy, however this is considered a logical progression considering the site's location and size.

Unit Size and Mix

The proposed concept is predicated on preliminary unit layouts which are subject to further design development. The apartment areas and the unit mix comply with the DCP requirements. The podium expression will allow for larger units to lower levels and larger 2 bed and 3 bed units will be located to the corners. A breakdown of the proposed concept against The Hills Shire Council DCP's key unit size and mix controls is provided below.

Table 1 – Assessment of the proposed concept against The Hills DCP unit mix and unit size controls

DCP Control	Requirement	Comment																											
Apartment mix	(a) No more than 25% of the dwelling yield is to comprise either studio or one bedroom apartments.	Compliant.																											
	(b) No less than 10% of the dwelling yield is to comprise apartments with three or more bedrooms.	Compliant.																											
Residential flat development (30 or more units)	(d) The minimum internal floor area for each unit, excluding common passageways, car parking spaces and balconies shall not be less than the following:	Compliant.																											
	<table><tr><th>Apartment size category</th><th>Apartment size</th></tr><tr><td colspan="2">Type 1</td></tr><tr><td>1 bedroom</td><td>50m²</td></tr><tr><td>2 bedroom</td><td>70m²</td></tr><tr><td>3 or more bedrooms</td><td>95m²</td></tr><tr><td colspan="2">Type 2</td></tr><tr><td>1 bedroom</td><td>65m²</td></tr><tr><td>2 bedroom</td><td>90m²</td></tr><tr><td>3 or more bedrooms</td><td>120m²</td></tr><tr><td colspan="2">Type 3</td></tr><tr><td>1 bedroom</td><td>75m²</td></tr><tr><td>2 bedroom</td><td>110m²</td></tr><tr><td>3 or more bedrooms</td><td>135m²</td></tr></table>		Apartment size category	Apartment size	Type 1		1 bedroom	50m ²	2 bedroom	70m ²	3 or more bedrooms	95m ²	Type 2		1 bedroom	65m ²	2 bedroom	90m ²	3 or more bedrooms	120m ²	Type 3		1 bedroom	75m ²	2 bedroom	110m ²	3 or more bedrooms	135m ²	
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	Type 3																												
	1 bedroom		75m ²																										
	2 bedroom		110m ²																										
	3 or more bedrooms		135m ²																										
(e) Type 1 apartments shall not exceed 30% of the total number of 1, 2 and 3 bedroom apartments.																													
(f) Type 2 apartments shall not exceed 30% of the total number of 1, 2 and 3 bedroom apartments.																													
(g) All remaining apartments are to comply with the Type 3 apartment sizes.																													

Traffic Generation and Car Parking

The assessment has demonstrated that the proposed concept is more than capable of providing for the amount of on-site parking likely to be required commensurate with a scale of development envisaged under the concept, whilst identifying that consideration can be given at DA stage to reducing the required number of spaces given the site's proximity to Castle Hill Station.

The proposal seeks a level of density commensurate with transit-oriented development principles given the site's proximity to public transport infrastructure. However, the proposed concept has contemplated allowance for parking in accordance with commercial and residential requirements under the DCP, a breakdown of which is provided below.

Table 2 – Assessment of the proposed concept against The Hills DCP parking controls

DCP Control	Requirement	Comment
Residential – Residential flat buildings and multi dwelling housing	1 space per 1 bedroom unit. (105 units proposed, 105 spaces required)	Compliant.
	2 spaces per 2 bedroom unit. (278 units, 556 spaces required)	Compliant.
	2 spaces per 3 bedroom unit. (41 units, 82 spaces required)	Compliant.
	2 visitor spaces per 5 units. (Total 424 units, 169.6 visitor spaces required)	Compliant.
Commercial – Commercial premises (including business premises, office premises)*	1 space per 25m ² GFA. (Total 160 spaces required)	Compliant.
Total required	Total required – 1072.6 spaces	1,087 provided

Solar Access

The Planning Proposal is also underpinned by an assessment of the proposed concept against solar performance within the subject, as well as providing an overshadowing analysis for neighbouring development. The proposed concept has been developed and orientated to ensure that solar access is maximised to the site and adjacent properties. The proposed concept has been tested to achieve 3 hours of solar access between the hours of 9am to 3pm on the 21st of June. The reduced height towards the east and west allows the sun to further reach to the back of the built form to achieve compliance.

The north south orientation of the build form optimises solar access to the east and west facing building facades, and the proposed north-south orientation and stepped massing ensures that solar access can be maintained to neighbouring properties. Appropriate building separation has been achieved between envelopes within the subject site, as well as existing properties to the east, west and south, and a substantial buffer exists to the site to the north on the northern side of Cecil Avenue, which has been earmarked for high density residential development of 7-20 storeys under the Castle Hill Structure Plan of the NWRL Strategy.

Social and Economic Impacts

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.

Heritage

The subject site is not identified as a heritage item and is not located in a heritage conservation area.

The Planning Proposal is consistent with the built form expectations under the NWRL Strategy for the land on the subject site adjacent to the existing heritage items to the west. The Planning Proposal will not affect the conservation of these heritage items, as the potential impact of any future development on the subject site on the adjacent heritage items will be considered at Development Application stage.

Planning Process and Next Stages

It is requested that Council consider the proposed amendments to *The Hills Local Environmental Plan 2012* contained in this Planning Proposal and, if Council forms the view that there is strategic merit in proceeding with the recommended amendments, refer the proposal to the NSW Department of Planning & Environment's Gateway Determination Panel.

Following the issuing of a Gateway Determination, additional design and technical assessment would be prepared in collaboration with The Hills Council in order to support the final version of the Planning Proposal for public exhibition in order to obtain community and stakeholder input.

1.0 Introduction

This report has been prepared by JBA on behalf of Merck Property Pty Ltd, representing the owners of the subject site at 93-107 Cecil Avenue and 9-10 Roger Avenue, Castle Hill, in support of a Planning Proposal to amend *The Hills Local Environmental Plan 2012*. The proposal supports a zoning change to B4 Mixed Use, an uplift in the maximum permissible Floor Space Ratio (FSR) control to 3:1, and an uplift in the maximum permissible height control to 47 metres, to allow future high density residential, office premises, business premises and café/restaurants on the site.

This Planning Proposal has been prepared for the purposes of section 55 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and the guideline prepared by the Department of Planning dated October 2012 entitled “A guide to preparing Planning Proposals”. In particular, this Planning Proposal addresses the following specific matters in the guideline:

- Objectives and intended outcomes;
- Explanation of provisions;
- Justification;
- Need for the Planning Proposal;
- Relationship to strategic planning framework;
- Environmental, social and economic impact;
- State and Commonwealth interests; and
- Community consultation.

We request that Council forward the Planning Proposal to the Minister for Planning and Environment for a ‘gateway determination’ in accordance with section 56 of the EP&A Act.

1.1 The Planning Process

This Planning Report forms part of a Planning Proposal submitted to The Hills Shire Council. The intent of this report is to provide Council, as the Relevant Planning Authority (RPA) with sufficient information to form a view regarding the strategic merit of the Planning Proposal and to refer the matter to the NSW Department of Planning and Environment’s LEP Gateway Review Panel.

It is important to note that at this stage, both Council and the LEP Gateway Review Panel are required to determine only whether the Planning Proposal has strategic merit and is worthy of further detailed assessment. This will allow the preparation of detailed studies to fully inform the proposed amendments to *The Hills Local Environmental Plan 2012* prior to the Planning Proposal being publicly exhibited for community and stakeholder input.

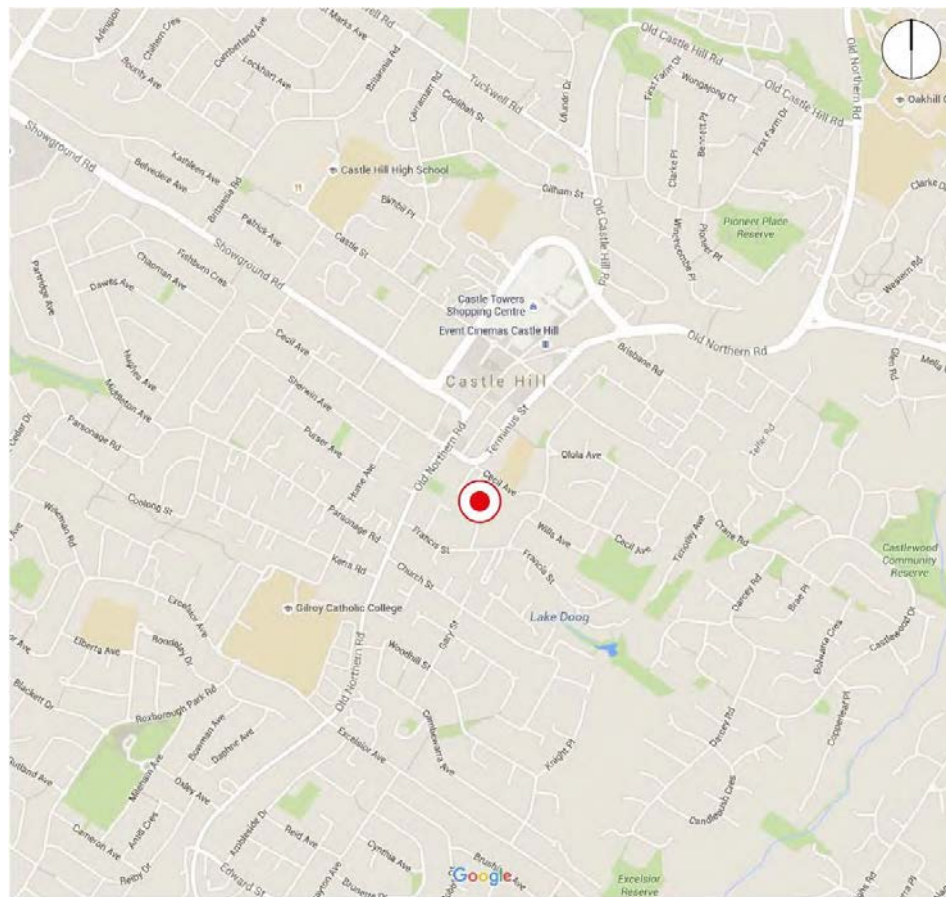
The detailed site investigations will inform the finalisation of the Planning Proposal to allow it to be placed on public exhibition for community consultation, following which it will be fully assessed by The Hills Shire Council with further input from DP&E and other government agencies including Transport for NSW (TfNSW) and the NSW Roads and Maritime Services (RMS).

2.0 Site Description

2.1 Location and Context

The site is located at Castle Hill, within The Hills Shire Local Government Area, approximately 30 km north-west of the Sydney CBD. The Hills Shire is located in the north western region of Sydney, and has a land area of approximately 400km², stretching from North Parramatta to the Hawkesbury River.

The site's locational context is shown at **Figure 1**.



● The Site

Figure 1 – Locational context

2.2 Site Description

The subject site forms an agglomeration of dwelling houses located with its primary frontage to Cecil Avenue, a short distance east of the intersection of Terminus Street in Castle Hill. The subject site's secondary frontage is to Roger Avenue to the south, which is a cul-de-sac running north-south and connecting to Francis Street.

The properties which make up the subject site are identified below. The combined site area is approximately 17,610m².

Table 3 – Properties which make up the subject site

Address	Cadastral details
93 Cecil Ave	Lot 27 DP 15399
95 Cecil Ave	Lot 22 DP 778595
95A Cecil Ave	Lot 1 DP 531559
95B Cecil Ave	Lot 21 DP 778595
97 Cecil Ave	Lot 6 DP 705913
97A Cecil Ave	Lot 4 DP 531559
97B Cecil Ave	Lot 5 DP 705913
99 Cecil Ave	Lot 1 DP 581293
99A Cecil Ave	Lot 3 DP 581293
101 Cecil Ave	Lot 2 DP 581293
101A Cecil Ave	Lot 4 DP 581293
103 Cecil Ave	Lot 1 DP 547897
103A Cecil Ave	Lot 2 DP 547897
105 Cecil Ave	Lot 1 DP 591676
105A Cecil Ave	Lot 2 DP 591676
107 Cecil Ave	Lot 20 DP 15399
9 Roger Ave	Lot 6 DP 29141
10 Roger Ave	Lot 5 DP 29141

The site is located just south of the Castle Hill town centre. The subject site is illustrated in **Figure 2**.

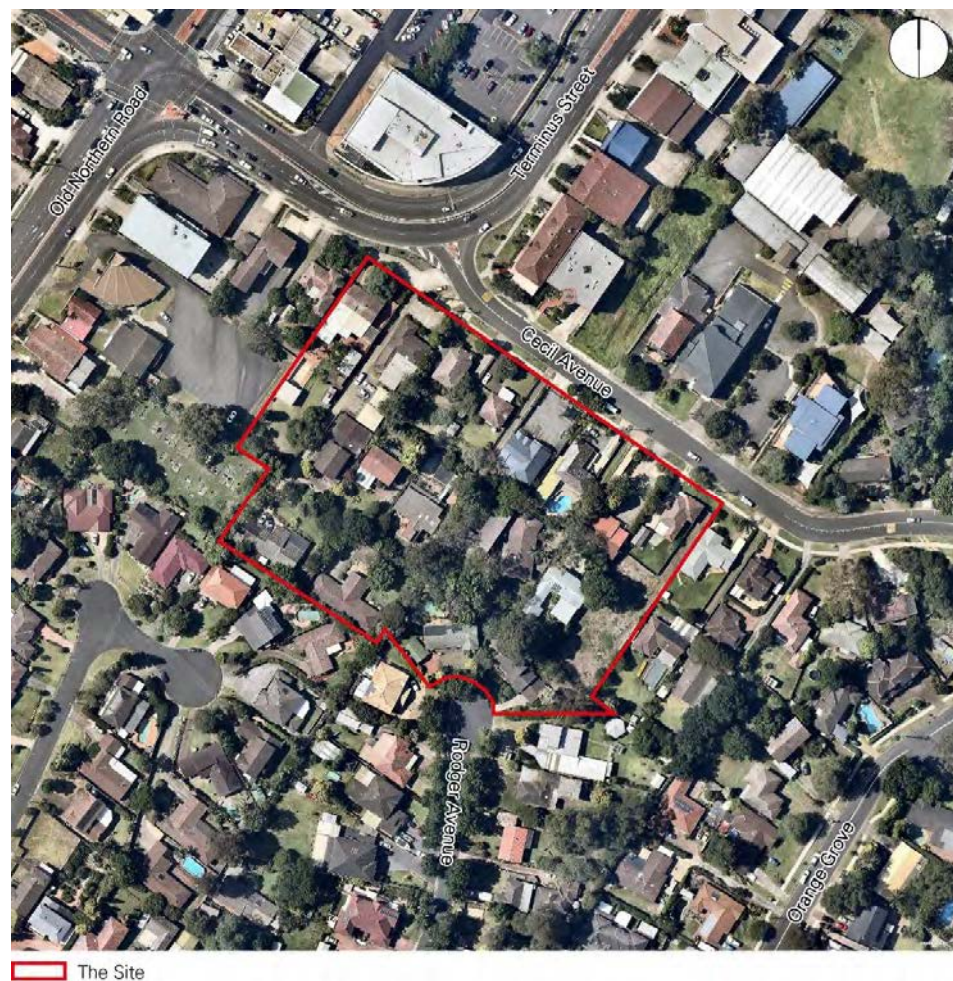


Figure 2 – Aerial photograph indicating the combined subject site
Source: Nearmap

2.2.1 Existing Development

The subject site is made up primarily of existing residential dwelling houses, largely one to two storeys fronting both Cecil Avenue and Roger Avenue. Images of the subject site are included in **Figures 3 to 8** below.



Figure 3 – View of the north-western corner of the site, looking south from the corner of Cecil Avenue and Terminus Street



Figure 4 – View of the northern boundary of the subject site, looking south from Cecil Ave



Figure 5 – View of the northern boundary of the site, looking south from Cecil Avenue



Figure 6 – View of northern boundary of the site, looking south from Cecil Ave



Figure 7 – View of north-eastern corner of the site, looking south from Cecil Ave



Figure 8 – View of the southern boundary of the site fronting Roger Ave, looking north from Roger Ave

2.2.2 Access

Vehicular Access

Vehicular access for the majority of the site is from Cecil Avenue through various driveways directly from it. Some sites fronting Roger Avenue gain access via an access handle in the form of a battle-axe allotment. The two properties fronting Roger Avenue gain vehicular access from Roger Avenue which is a cul-de sac.

Public Transport

The subject site is currently only serviced by buses. A bus interchange is located on Old Castle Hill Road, between its intersections with Eric Felton Street and Castle Street. Buses from Castle Towers provide connections to both the Parramatta and Sydney CBDs.

The opening of the North West Rail Link in early-2019 will provide a significant improvement to public transport capacity, frequency and speed at Castle Hill. Castle Hill Station will be located directly adjacent to the Castle Towers shopping centre, beneath Arthur Whitting Park (**Figure 9**), located approximately 530 metres from the subject site and approximately 10 minutes walk. Trains running every four minutes during peak periods will provide significant travel time savings to major employment, education and service centres, and also increase access to the subject site for future residents as well as workers and patrons.

At Castle Hill the reduced travel times will significantly benefit commuters, with key improvements provided in reductions in travel time to the following key destinations:

- Macquarie University – reduced from 47 to 13 minutes (72% reduction)
- Chatswood – reduced from 66 minutes to 24 minutes (64% reduction)
- Wynyard – reduced from 69 minutes to 44 minutes (36% reduction)

** All figures for existing commute times are based on 'best case' timetabled services during morning peak*

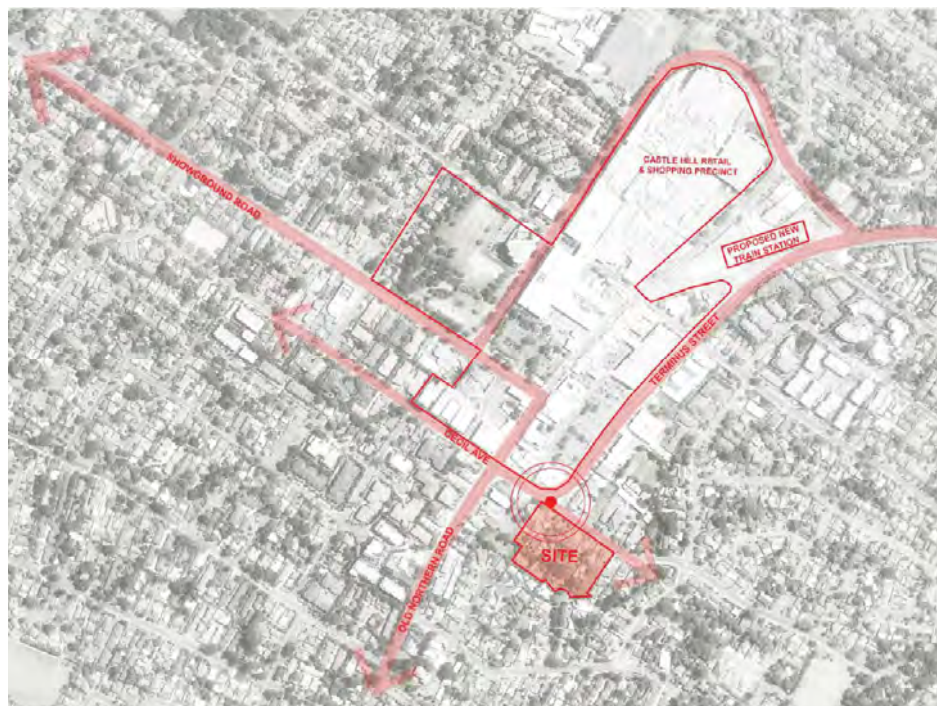


Figure 9 – Locational context of the site in Castle Hill
Source: PTW



Figure 10 – Approved rail tunnel alignment and underground works
Source: Transport for NSW

2.3 Existing Planning Controls under The Hills Local Environmental Plan 2012

A summary of the key existing planning controls is included in the table below. It is noted that recent strategic planning undertaken by both the NSW Department of Planning and Environment as well as The Hills Shire Council has indicated that the site is capable of accommodating development which exceeds the development standards under The Hills Local Environmental Plan 2012. An analysis of this strategic work is discussed later in this report.

Table 4 – Summary of existing planning controls applying to the site

Planning Issue	Existing Control	Comment
Zoning	Part R1 General Residential and part R3 Medium Density Residential.	<p>R1 zoning: Permits a variety of residential development, as well as other uses including office and business premises, restaurants and cafes and community facilities, which meet the day to day needs of residents.</p> <p>R3 zoning: Permits a variety of housing types associated with a medium density residential environment, as well other limited uses low-impact uses such as child care centres, community facilities, places of public worship. Does not permit any form of commercial premises or residential flat buildings.</p>
Maximum Building Height	Part 16m ('O2') and part 9m ('J').	<p>The split height limit is reflective of and aligned with the zone split across the site, with the taller limit applicable to the R1 zoned portion of the site to the west.</p> <p>It is noted that existing development on the R1 zoned portion is set much lower than the permitted height limit, however the land located on the R3 zoned portion of the site also is also set below the maximum height limit but to a lesser extent.</p>
Maximum Floor Space Ratio	Part 1:1 ('N'), and part unspecified.	The split FSR is reflective of and aligned with the zone split across the site, with the FSR limit of 1:1 applying to the R1 zoned portion of the site, and the R3 zoned portion not being designated a maximum permissible FSR.
Heritage	<p>The subject site is not land identified as containing any heritage items (General or Archaeological) or in a Conservation Area under The Hills LEP 2012.</p> <p>However, the site is located immediately adjacent to the following heritage items to the west identified under The Hills LEP 2012:</p> <ul style="list-style-type: none"> ■ I61 – St Paul's Cemetery, 247 Old Northern Road, Lot 11 DP 1053193 (Local Significance) ■ I62 – Christadelphian Church, 245 Old Northern Road, Lot 12 DP 1053191 (Local Significance) 	The subject site is not affected by heritage, however any proposal in the future must consider the significance of the heritage items identified as being adjacent to the site.
Minimum Lot Size	Part minimum 600m ² ('M'), part minimum 700m ² ('Q')	The split minimum lot size control is reflective of and aligned with the zone split across the site, with the minimum 600m ² control applying to the R1 zoned part of the site, and the 700m ² control applying to the R3 zoned portion of the site.



3.0 Objectives and Intended Outcome

3.1 Objectives

The primary objective of the Planning Proposal is to facilitate a mixed use development on the subject site comprising residential flat buildings with complementary employment generating uses such as offices, business premises and café/restaurants. These uses reflect the strategic intent for the site and land in the locality, particularly given the site's proximity to the under construction Castle Hill Station and structure planning work prepared by the NSW Department of Planning and Environment and The Hills Shire Council. Beyond this, the Planning Proposal seeks to enact a strategic framework which enables this form of development to occur in line with the growth of the broader Castle Hill town centre and the Hills region.

Castle Hill Strategic Centre

The following are objectives of the Planning Proposal which seeks to reflect the strategic location of the subject site in the Castle Hill Strategic Centre:

- Ensure that development standards within a nominated Major Centre under A Plan for Growing Sydney, such as Castle Hill, with significant transport infrastructure facilitate a level of development and architectural excellence that is commensurate with this status.
- Facilitate the redevelopment of the site, with a focus on residential development with complementary employment uses, to meet growing demand for residential development and other services generated by population growth within the Castle Hill Major Centre and the broader north-west region.
- Provide a planning framework that facilitates the integration of a mix of land uses onto the site, reflective of the site's location in proximity to a major transport infrastructure and consistent the type of development which is suitable in an identified Strategic Centre.
- Develop a strategic planning framework that facilitates the orderly and economic development of the site in line with the growth of the Castle Hill town centre and the unique opportunities provided by growth, infrastructure investment and the site's strategic location.

Built Form and Land Use

The following are objectives of the Planning Proposal with regard to the intended built form and land uses on the subject site:

- Implement planning controls that facilitate the intended outcome for the site commensurate with the expected heights and footprints under the North West Rail Link Corridor Strategy and associated Castle Hill Structure Plan.
- Ensure that the planning framework facilitates good urban design outcomes, by ensuring that future detailed planning controls have regard to a broad range of outcomes and promote architectural excellence in significant new development.
- Facilitate further strategic design to develop detailed planning controls that respond to the site's unique attributes and strategic position, as well as to the broader urban and regional context.
- Facilitate greater connectivity and permeability within the local walking catchment, by capitalising the potential for new linkages to and from the existing bus terminus.
- Providing for a housing mix and overall variety of housing in accordance with the expectations of The Hills Shire Council.

Transit Oriented Development (TOD)

The following are objectives of the Planning Proposal which relate to the overall intent to provide a TOD development on the site:

- Promote the focus of increased density with a mix of land uses at ground level, close to new transport infrastructure to ensure that planning controls reflect a development potential commensurate with the strategic location.
- Create opportunities for jobs and housing to be located in close proximity to transport in order to reduce car dependency and congestion.
- Promote non-car methods of travel by facilitating the renewal and redevelopment of a key gateway site for the new Metro Castle Hill station.
- Providing a concept capable of accommodating the required number of car parking spaces by The Hills Shire Council and anticipated in The Hills DCP to cater for the proposed land uses.

Social and Economic

The following are objectives of the Planning Proposal which relate to achieving social and economic benefits:

- Create opportunities for the site's renewal and expansion with regards to the provision of jobs and services, to service growth in both the Castle Hill centre and the broader catchment, and to provide for the needs of day to day residents.
- Support competition in the retail and business sector in order to promote efficiency and positive economic outcomes for residents of The Hills.



3.2 Intended Outcome

The primary outcome of the Planning Proposal is high density residential development of the 17,610m² site with commentary employment generating uses such as offices, business premises and café/restaurants. The Planning Proposal recognises that the site presents an opportunity to link the strategic centre with the wider residential catchment to the south, whilst constituting a 'stepping down' of development to the southern catchments from the station precinct. A breakdown of the key built form statistics of the proposed concept is provided in the table below.

Table 5 – Proposed concept key built form statistics

Key Indicator	Proposed Concept
FSR	Combined FSR of 3:1
GFA	Residential – 45,555m ² Commercial – 4,030m ²
Units	424 units
Car parking	1086 car spaces
Communal open space	Approx. 8007m ² (45.5% of the site area)

This Planning Proposal recognises that both the Castle Hill Strategic Centre and the lower density residential catchments to the south both have a unique role and development character within the broader Hill Shire, and this proposal seeks to address the interface of the two in a respectful way which is consistent with the vision for the centre more broadly. The figures below demonstrate the proposed concept.

The proposal efficiently uses the large area of land of the subject site and creates an effective link through the site, promoting greater connectivity between the lands to the south and to the centre. Large landholding within The Hills designated 'Major Centre' and being within the primary Castle Hill Station Precinct, it is essential that the planning controls are commensurate with the nature and status of the centre and the considerable transport infrastructure investment being made by the NSW Government in the Metro Sydney Northwest rail link.

This Planning Proposal primarily seeks to implement development standards and a land use zoning to facilitate a scheme commensurate with the concept included within the Planning Proposal. This outcome will facilitate a number of significant benefits in terms of the creation of new housing stock, street activation, urban design, employment and vehicular and pedestrian connectivity in relation to the redevelopment and expansion of the residential development on the site with employment generating uses.

The Planning Proposal should facilitate this type of development by ensuring that planning controls reflect what is an appropriate built form and development outcome on the site.



Figure 11 – Aerial view of the proposed concept
Source: PTW Architects



Figure 12 – Indicative floor plan – Ground level 00
Source: PTW Architects



Figure 13 – Indicative floor plan – Level 01
Source: PTW Architects



Figure 14 – Indicative floor plan – Level 02
Source: PTW Architects



Figure 15 – Indicative floor plan – Level 03
Source: PTW Architects



Figure 16 – Indicative floor plan – Level 11
Source: PTW Architects

4.0 Planning Proposal

4.1 Explanation of Provisions

The proposed planning provisions take account of the need to control development activity within Castle Hill town centre, facilitate the planned growth of the land earmarked for high density residential development and provide a planning framework to enable the integration of a broader range of land uses on the site.

It is proposed to enact 'base' development standards that reflect a scale of development on the site (height and floor space ratio) which facilitates the planned residential and employment targets earmarked for the Castle Hill Strategic Centre under the various strategies prepared by Council and the Department.

This Planning Proposal also seeks to facilitate provisions that would facilitate the development of a range of uses typically permitted in a B4 Mixed Use zone in addition to residential uses, including office premises, business premises and café/restaurants. The B4 zone is best suited given the range of uses expected are accommodated in this zone, reflecting the scale of the site and the logical extension of future B4 zoned land in the town centre. Given the site's proximity to Castle Hill Station and lower density residential areas to the south, concentrating taller elements of the proposal within the central portion of the subject site and nearest to the station to the north will ensure the stepping down of the development to lower density areas, particularly given the slope and earmarked heights and density moving further away from the station.

Reflecting the above, the proposal seeks to establish a planning framework that will facilitate high density residential development with some complementary employment generating land uses, such as office premises, business premises and café/restaurants.

4.2 Proposed Amendments to LEP Provisions

This Planning Proposal seeks to amend the following provisions of The Hills Local Environmental Plan 2012:

- Land zoning;
- Maximum building height (clause 4.3); and
- Maximum floor space ratio (clause 4.4).

The figures below illustrate the extent to which the proposed amendments to the planning controls would apply.

4.2.1 Land Zoning

This Planning Proposal seeks to amend the Land Zoning Map under The Hills LEP 2012 to establish a B4 Mixed Use zone, as identified below.

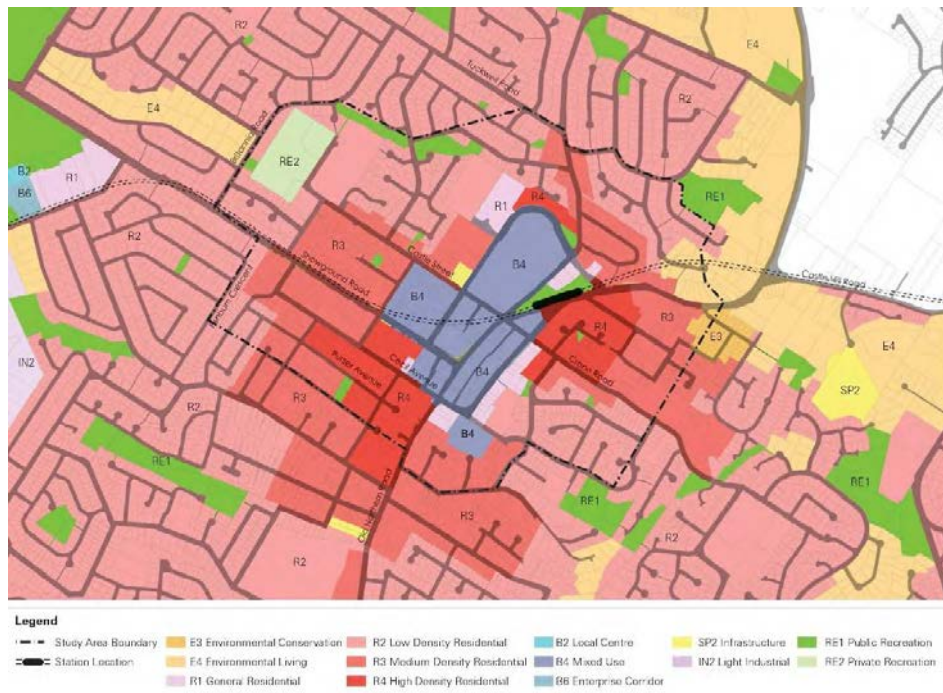


Figure 17 – Proposed Land Zoning Map

Source: PTW

4.2.2 Building Height

This Planning Proposal seeks to amend the Height of Buildings Map under The Hills LEP 2012 to establish a maximum building height of 47 metres as identified below.

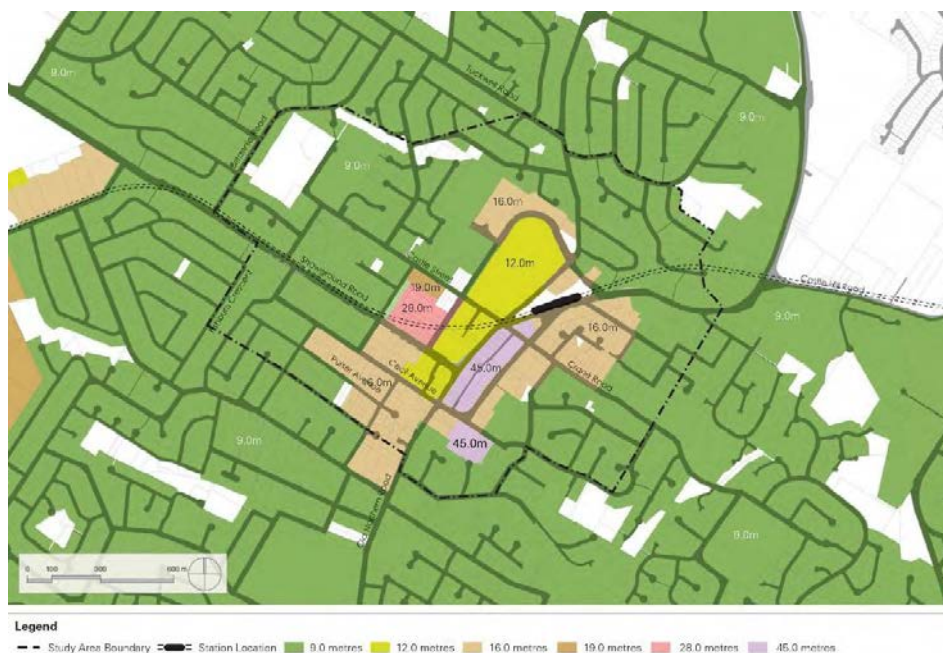


Figure 18 – Proposed Building Height Map

Source: PTW

4.2.3 Floor Space Ratio

This Planning Proposal seeks to amend the Floor Space Ratio Map under The Hills LEP 2012 to 3:1 as identified below.



Figure 19 – Proposed Floor Space Ratio Map
Source: PTW



5.0 Key Planning Issues

5.1 Strategic Context

5.1.1 A Plan for Growing Sydney

Released in December 2014, A Plan for Growing Sydney is the NSW Government's strategic metropolitan plan to guide growth across Sydney over the coming decades. The Plan identifies a substantial growth challenge, and sets out a series of infrastructure programs and planning directions to facilitate this growth. A key element of the strategy is in maximising the opportunities presented by new and established transport infrastructure to ensure that new development can occur in a manner that improves the amenity and wellbeing of residents of and visitors to Sydney, with reduced congestion, good access to local services and supporting connectivity between employment centres.

The Metro Rail Northwest is one of the major infrastructure projects that underpins the future growth of Sydney as envisaged in the Plan. Castle Hill is identified as a Major Centre that should support growth and take advantage of the substantial improvements in connectivity as a result of the new heavy rail service, with the plan identifying all centres along the new line as a key growth corridor.

This Planning Proposal supports and is consistent with the directions in A Plan for Growing Sydney in that it:

- Provides for development standards that reflect the high level of infrastructure investment being made in the Sydney Metro Northwest and new Castle Hill station;
- Facilitates the expansion of high density residential development with some employment generating land uses to support the significant population growth envisaged for Sydney's north-west under the Plan;
- Represents consistency with and implementation of the Castle Hill Structure Plan in the North West Rail Link Strategy by seeking to provide additional capacity around the future Castle Hill train station for high density residential uses and complementary uses such as offices, business premises and café/restaurants;
- Represents consistency with the Plan's priority for Castle Hill to improve walking connections to the future Castle Hill train station, as contemplated through the through-site connection from Roger Avenue to Cecil Avenue; and
- Ensures that future significant development on the site achieves a high standard of urban design and architectural excellence that will contribute to the amenity of future residents of and visitors to Castle Hill.

The Minister for Planning & Environment issued a Local Planning Direction under section 117 of the EP&A Act on 14 January 2015 which requires that all Planning Proposals are consistent with A Plan for Growing Sydney. It is considered that this Planning Proposal satisfies this requirement.

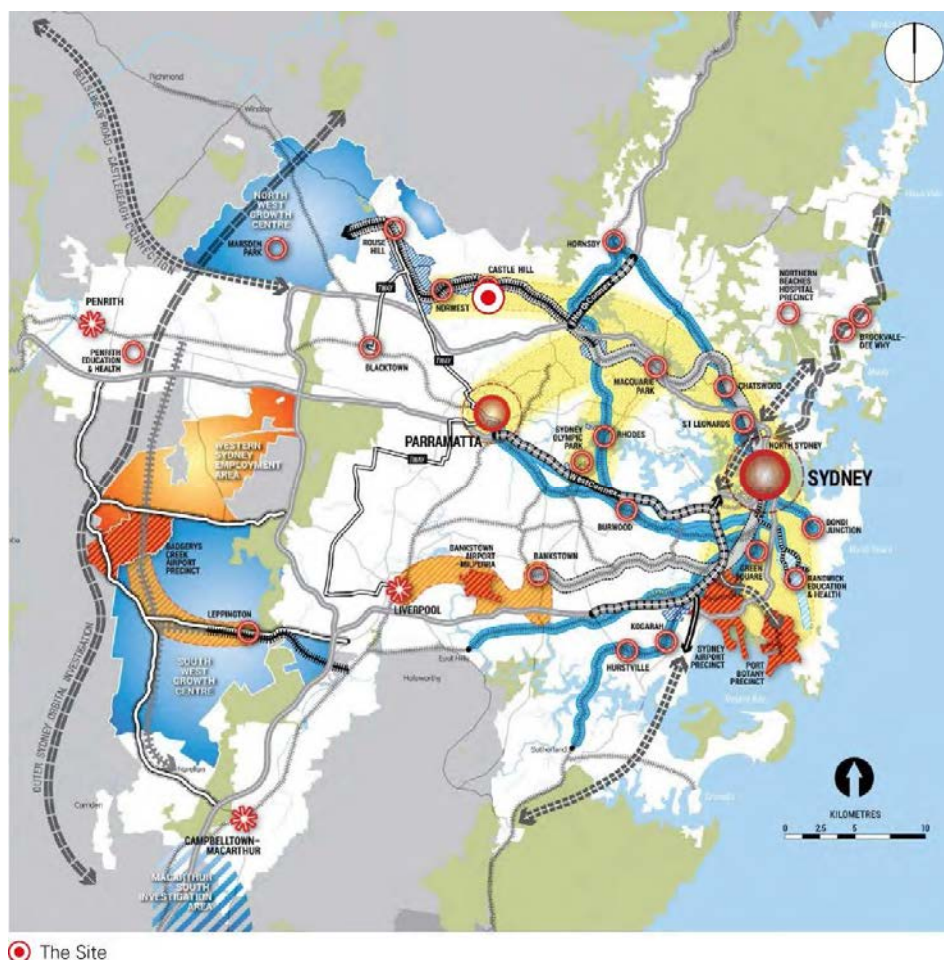


Figure 20 – Extract from *A Plan for Growing Sydney*
Source: NSW Department of Planning and Environment

5.1.2 North West Rail Link Corridor Strategy and Castle Hill Structure Plan (NSW Department of Planning & Environment 2013)

The North West Rail Link Corridor Strategy (“NWRL Strategy”) was prepared by the NSW Department of Planning & Environment, and sets out the strategic land use framework for existing and new centres to benefit from new NWRL stations. The strategy states that:

“The NWRL Corridor Strategy and the Structure Plans for each station are to be considered at the strategic planning level. The Structure Plans are to inform and be implemented through appropriate zonings and amendments to built form controls, to guide the assessment of major projects and development applications with the NWRL corridor.”

The NWRL Corridor Strategy sets out a plan for Castle Hill to serve as “the Major Centre for Sydney’s North West”, through the delivery of a range of residential, commercial, retail and community uses. The subject site is identified for ‘Medium Density Residential’ as illustrated in the figure below. The strategy outlines that the NWRL will also provide opportunities to increase residential densities within walking distance of the station, introducing a variety of housing types to ensure there is affordable and appropriate housing for all members of the community.

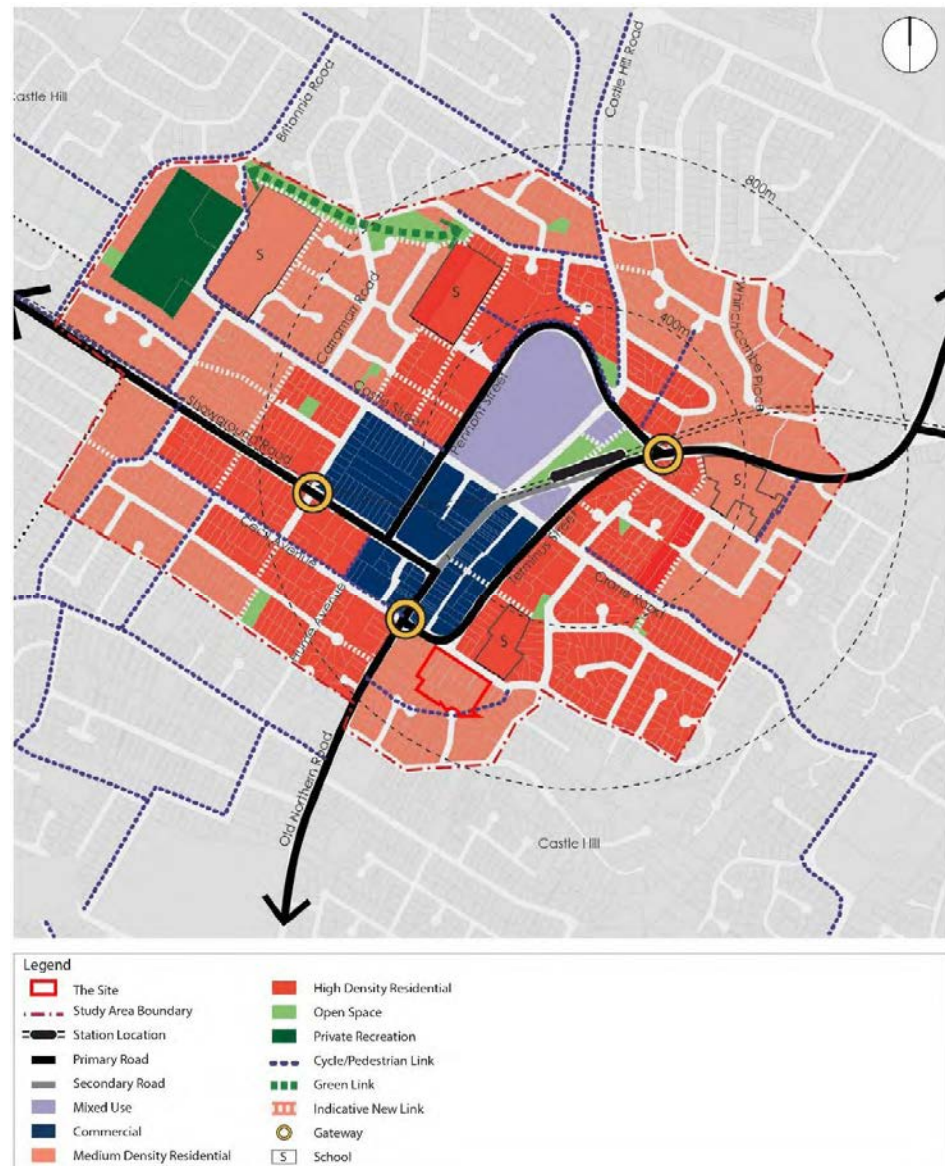


Figure 21 – Structure Plan for the Castle Hill Study Area

Source: NWRL Corridor Strategy, NSW Department of Planning & Environment (2013)

The Strategy identifies that suitable locations for medium density residential of between 3 to 6 storeys, have been identified surrounding the commercial/retail core, which will benefit from direct access to the bus and rail transport interchange and the mix of uses and facilities in the core. This logically applies to the subject site given its proximity to the station (approximately 480 metres south of Castle Hill train station).

The 'potential growth and yields methodology' section of the Strategy notes that for 3-6 storey apartments, a floor space ratio of 1:1-2:1 is envisaged. However, 7+ storey apartments are assumed to have a floor space ratio of between 3:1 and 4:1. For Mixed use, it is assumed to have a floor space ratio of between 2:1 and 4:1 (based on a split of 80-95% residential and 5-20% retail). This Planning Proposal nominates a 'base' FSR of 3:1 for the site.

These figures are appropriate and consistent with the Strategy in light of the site's close proximity to 'High Density Apartment Living', 'Mixed use' and 'Commercial' precincts under the associated Structure Plan for Castle Hill (expanded upon below). Similar approaches are taken in centres such as St Leonards, North Sydney and Chatswood.

The Castle Hill Station Structure Plan supplements the Corridor Strategy, providing additional detail for the strategic planning direction in this designated 'Medium Density Apartment Living' precinct. Notably, the Structure Plan states that:

The existing planning controls require some amendments to reinforce the delivery of such a significant investment in infrastructure such as the NWRL. Current controls do not promote the growth of Castle Hill as a Major Centre, with little additional capacity for jobs outside of retailing and a moderate increase in housing.

The Structure Plan identifies the potential to accommodate development up to 3-6 storeys in areas close to the centre, such as the subject site, which is located in the 'Medium Density Apartment Living' precinct. The Planning Proposal is largely consistent with this expectation, with the proposed envelopes for the outer sections of the subject site being consistent with this expectation for height. However it is noted that the proposal seeks two taller building components in the centre of the site away from the neighbouring properties to reduce impacts, and to the north, being the closest portion of the site to the Station.

The objective of the precinct is to provide for the housing needs of a growing community and to provide a variety of housing types within close proximity of the station and associated uses. The Strategy notes the following with regards to the character of the precinct:

It is anticipated that this precinct could accommodate multi-dwelling housing only where the site is an appropriate size to deliver a high level of amenity for the existing and future residents. This could comprise of 3-6 storey apartment buildings, carefully master planned around communal open spaces and incorporating landscaped setbacks to existing streetscapes.

The subject site represents a large, combined land holding, capable of achieving a high level of amenity for future residents whilst preserving the amenity of neighbouring residences. The site can accommodate heights greater than envisaged under the Draft Strategy, however the Planning Proposal seeks the implementation of a concept which signifies a 'stepping down' of development from the taller precincts closer to the Station. The site is identified as an opportunity site under the Structure Plan.

The proposal also represents a carefully master planned concept around communal open spaces, incorporates landscaped setbacks, and envisages a site thoroughfare and through connection, with active uses fronting the ground floor primarily along Cecil Avenue.

Opportunity sites are identified in the Structure Plan as sites with the most potential for renewal to complement a new rail link and station, subject to further investigations. The subject site is identified as a long-term opportunity site, with this Planning Proposal the first investigative step in unlocking the site's potential to facilitate the aims of the Strategy.

This Planning Proposal sets out a planning framework to realise both the short and long-term opportunities presented by the unique opportunity presented by this large, consolidated and strategically-located site in proximity to the future Castle Hill Metro Rail station.

The NWRL Corridor Strategy and Structure Plans are given statutory effect by a Local Planning Direction that was issued by the Minister for Planning on 30 September 2013 in accordance with section 117 of the EP&A Act. The direction requires that a Planning Proposal must:

- give effect to the objectives of the direction;
- be consistent with the proposals of the NWRL Corridor Strategy, including the growth projections and proposed future character for each of the NWRL precincts; and
- promote the principles of transit-oriented development (TOD) of the NWRL Corridor Strategy.

This Planning Proposal is considered to be consistent with the direction in that it:

- promotes transit oriented development by supporting the redevelopment of a key site in close proximity to a future Metro station for higher densities and a broader range of land uses in comparison to the existing site and as envisaged by current controls;
- sets a framework for future planning of the site to ensure that development occurs in a coordinated manner which has regard to the relevant strategic and local planning issues, and achieves a positive outcome for the broader Castle Hill town centre;
- proposes a built form that is commensurate with the nominal densities and housing/employment growth forecasts contained in the Strategy and Castle Hill Structure Plan; and
- is consistent with the principles, land use and growth directions set out in the Corridor Strategy and the Castle Hill Structure Plan.

5.1.3 Draft Hills Corridor Strategy

The Draft Corridor Strategy was publicly exhibited by Council between September and October 2015 and endorsed on 24 November 2015, and seeks to establish a centres-based strategic framework that sits between the NSW Government's North West Rail Link Corridor Strategy and the implementation of future LEP and DCP controls to guide development within The Hills.

With regards to the subject site, the Council Strategy is not consistent with the Department's NWRL Strategy. The subject site is partly identified as partly 'Commercial' which, under the Council Strategy, is earmarked for 'businesses and offices', with an 'Employment FSR' of 1.5:1. Under the Council Strategy there are no anticipated residential uses of the site.

However, the site is located immediately adjacent to land earmarked as 'High Density Apartment' and 'Mixed use' under the Council Strategy. These precincts are each earmarked for a residential density of 96 dwellings per hectare, with the mixed use precinct additionally designated an employment FSR of 2:1.

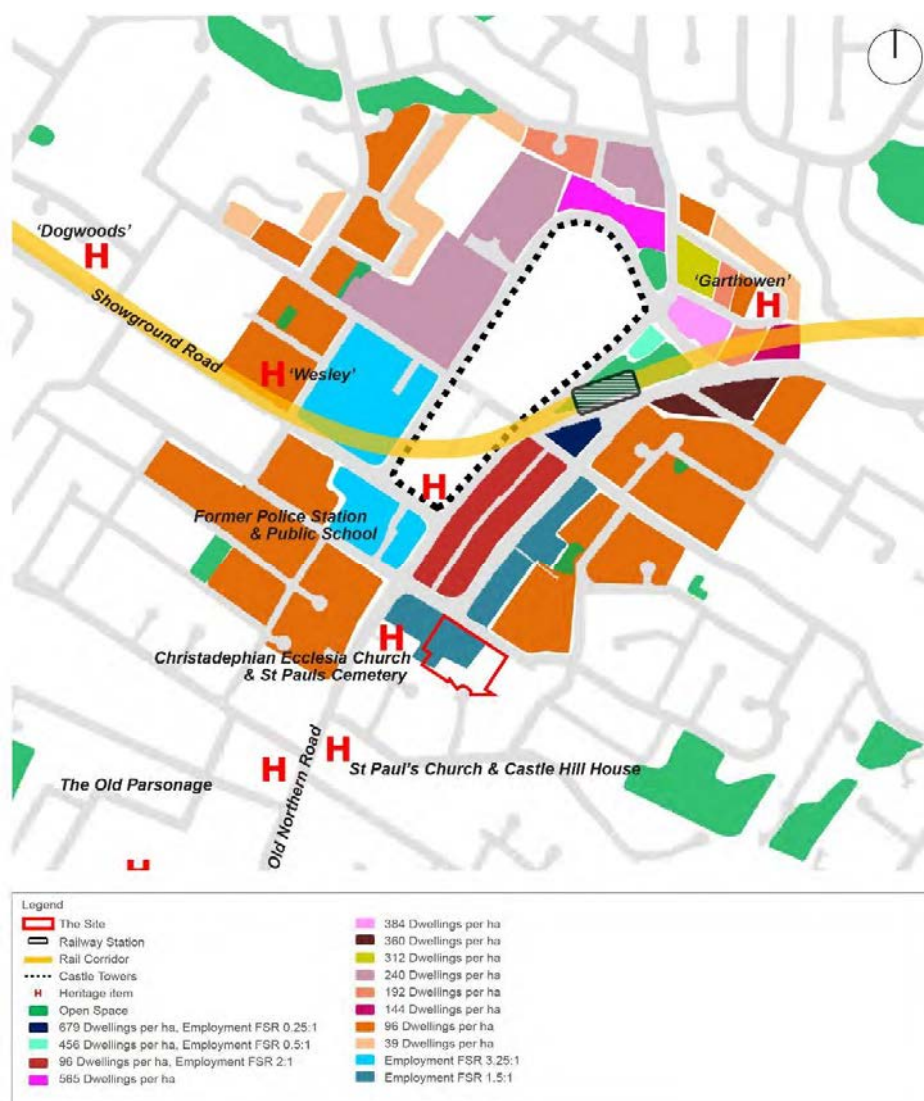


Figure 22 – Castle Hill 'Desired Outcomes' plan

Source: Draft The Hills Corridor Strategy, The Hills Shire Council

Importantly, Council's Draft Corridor Strategy sets the desired future outcome for Castle Hill:

It is envisaged that Castle Hill Station area will become a vibrant and active centre comprising of offices, retail, community facilities, recreation, cultural, education and increased housing densities within walking distance of the station. Future development is to reinforce the centre as a high quality Major Centre with a variety of building heights, including some distinctive or 'iconic' heights.

*Within the ring road there will be a strong focus on commercial and retail uses with limited residential such as quality hotels or serviced apartments. Higher density commercial buildings are envisaged within the core of the centre to the south-west of the station. **Opportunity will be provided for mixed use development incorporating some high density residential components to the south of the station within the commercial core between Old Northern Road and Terminus Street. Activation of buildings at street level is to be encouraged with urban plazas and recreational zones provided for civic gathering and open space enjoyment. Incentives for increased height will be included within the planning controls to encourage buildings of outstanding design and materials and land uses that contribute to employment or the night time economy such as commercial, community and cultural uses.***

This Planning Proposal is entirely consistent with this vision. However, the existing part R1 General Residential and part R3 Medium Density Residential zoning and their associated development standards do not facilitate the delivery of new development which is consistent with this vision. The maximum building height limit of 47 metres proposed in this Planning Proposal would allow for the development of 'iconic' buildings on the site along with a range of lower scale development stepping down towards lower density housing in the vicinity of the site and existing heritage items to the west of the site.

Council's Draft Corridor Strategy also outlines the following with regards to constraints associated with the Castle Hill Precinct:

Accessibility

- *Pedestrian and cycling accessibility is restricted by barriers associated with the major roads and also there is a lack of street network permeability due to the number of cul-de sac which back onto the major arterial road network and the large landholdings of the schools and Castle Towers.*
 - The proposed concept will contribute to the precinct overcoming pedestrian accessibility constraints, as it seeks to implement a through-site connection from Roger Avenue to Cecil Avenue, running north-south through the site. The proposed concept will effectively create a new link from the Station to the Roger Avenue cul-de-sac, unlocking more direct access to the precinct from land holdings to the south-east.
- *This road pattern together with existing allotment and ownership patterns present challenges for redevelopment and limit the options for accessibility and the creation of new networks. In order to facilitate higher density development there will be a need to create, new, more appropriate and enhanced linkages and form, better connected blocks.*
 - The proposed concept represents the agglomeration of 18 properties, with a proposed through-site connection, which presents an opportunity site capable of facilitating higher density development and enhanced linkages and form, and an overall better connected and more permeable block.

- *A series of new pedestrian links are proposed to increase connectivity and permeability within the area, green links will provide significant pedestrian and cycle links between Castle Hill Town Centre and Castle Hill High School, Castle Hill RSL and residential areas to the north-east.*
 - The proposed concept's north-south pedestrian link will not only increase connectivity and permeability within the area, but will provide a more direct connection to Castle Hill Station for properties to the south-east, creating an ideal environment for ground floor activation along Cecil Avenue for offices, business and/or café/restaurants.

Topography

- *The higher parts of land provide an opportunity for distinctive development to capitalise on the views and mark the status of the Precinct as a transit, commercial, and cultural hub in this part of Castle Hill particularly near the future Castle Hill Railway Station. There is also opportunity for development to capture views towards the Blue Mountains.*
 - The proposed concept is located on land which slopes down to the east and to the south. This provides the opportunity for distinctive development on the along Cecil Avenue, stepping down to lower density development to the rear, whilst still capitalising on views and contributing to the precinct's status as a transit, commercial, and cultural hub. The proposed concept will allow for future development on the site to capitalise on views towards to Blue Mountains and the Hills region in an appropriate location proximate to a high frequency rail node.

Public domain

- *The transition of Castle Hill to a higher density urban environment and the greater accessibility allowed by the rail link provides the opportunity for Main Street to continue to evolve as significant recreational and entertainment hub for the Shire.*
 - The proposed concept provides for an appropriate transition to a higher density urban environment with taller elements concentrated nearest to the station, stepping down towards the southern areas of the precinct. The proposed through-site link, plaza and public domain elements will provide the opportunity for the site to form as an extension to the main street component of the precinct and allow the precinct to evolve as a significant recreational and entertainment hub.

Housing stock

- *The redevelopment of existing older housing stock for increased densities in and around the Castle Hill Precinct provides opportunities to meet the projected demands for additional housing.*
 - The proposed concept will provide a significant opportunity for the redevelopment of existing older housing stock for increased densities in the Castle Hill Precinct and meeting the projected demands for additional housing.

It is noted that the implementation of the Draft Strategy has not yet been determined, although it is noted that any Planning Proposals must continue to give effect to the objectives of the North West Rail Link Corridor Strategy and Structure Plans in accordance with the Minister for Planning's Section 117 Direction.

In the absence of any plans or controls for the shopping centre, this Planning Proposal complements the strategic direction outlined in the Hills Corridor strategy, effectively allowing a holistic picture of the entire centre to be considered.

5.1.4 Draft Castle Hill North Precinct Plan

The Draft Castle Hill North Precinct Plan was publicly exhibited between January and February 2015, and sets out a structure plan to guide future residential growth on the northern part of the Castle Hill town centre. The document does not currently have any statutory or policy weighting.

The Draft Precinct Plan recommends that amendments be made to The Hills LEP 2012, DCP 2012 and the Castle Hill development contributions plan to facilitate the development that is envisaged within Castle Hill. The timing of these changes has not been announced.

The subject site is excluded from the Castle Hill North Precinct Plan. Nonetheless, the scale of development proposed on the outer edges of the town centre provides some context to the formulation of new development controls for the site. The Draft Precinct Plan also recognises the importance of significant landholdings in proximity to the rail corridor.

The Draft Precinct Plan proposes building heights ranging between 12 storeys (approx. 40 metres) and 20 storeys (approx. 65 metres) on land in close proximity to the Castle Hill Station site and bus terminus. Given the similar distance and relationship with the town centre and future train station of the subject site, the proposed maximum building height of 47 metres included in this Planning Proposal is considered to be appropriate and does not conflict with the provisions of this Plan.

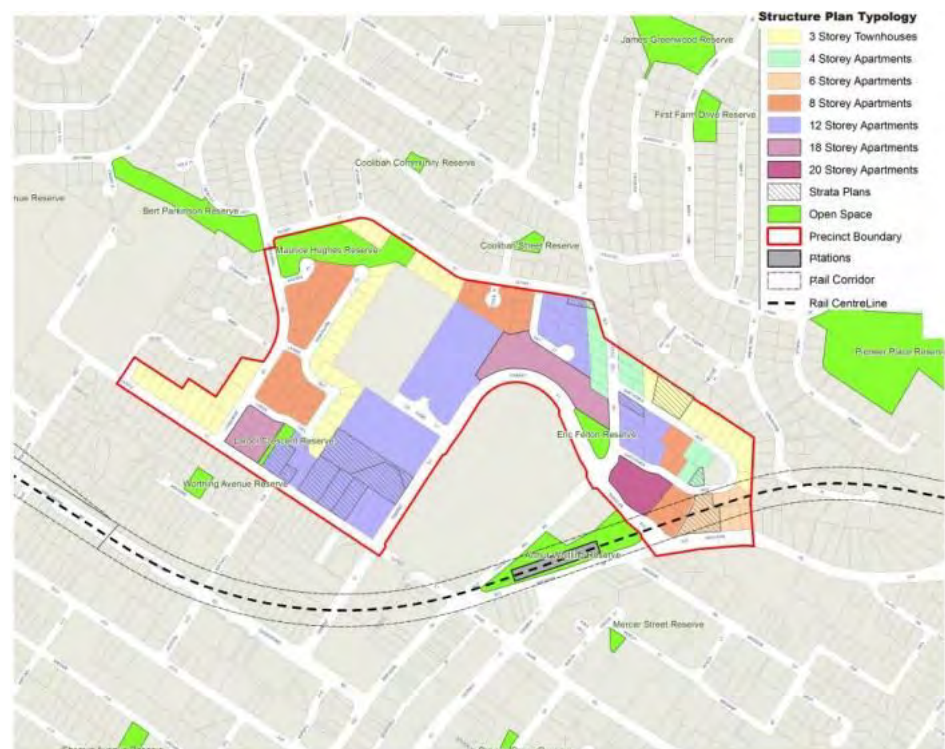


Figure 23 – Draft Castle Hill North Precinct Plan –Typology Plan
Source: The Hills Shire Council

5.1.5 The Hills Shire Council Adopted Draft Local Strategy 2008

Whilst not holding any statutory weight, Council's Draft Local Strategy, prepared in 2008, the Draft Local Strategy is the principal document for communicating the future planning of the Shire. It provides detail on the longer term planning for the Shire, which ultimately involves all sections of Council in order to guide future decision making. It is not intended to be a binding document but will have the endorsement of Council in order to provide certainty and a statement of direction for the community.

The subject site is identified as being within the Castle Hill Major Centre. The key local strategy directions are provided in the table below, with an assessment of the Planning Proposal against each key direction.

Table 6 – Local Strategy Key Directions (2008)

Key Direction	Comment
W3 Effectively manage the stormwater system	The Planning Proposal will not impede on the effective management of the stormwater system. Stormwater engineering will form a detailed consideration at future development stage.
EL3 Provide high quality spaces for community recreation and enjoyment.	The Planning Proposal seeks to create a planning framework for the site, with the proposed concept seeking to facilitate high quality communal open space between buildings, and the creation of a through-site link grounded by activated uses. The site will therefore provide high quality spaces for community recreation and enjoyment, whilst creating critical linkages to Castle Hill station from areas to the south-east.
EL1 Protect the Shire's environment and leisure spaces.	The Planning Proposal will ensure the continued protection of the Shire's environment and leisure spaces.
EL2 Provide high quality spaces for community recreation and enjoyment.	Consistent.
EL3 Improve the accessibility and connectivity of environment and leisure spaces.	The Planning Proposal concept seeks to improve the accessibility and connectivity of the town centre through the incorporation of a permeable public domain element through the site, which seeks to connect Roger Avenue with Cecil Avenue via a through-site link.
EL4 Provide for public domain spaces that encourage community interaction.	A central component of the proposed concept is to provide for a through-site link which connects Roger Avenue and Cecil Avenue, providing employment generating uses such as businesses, offices and cafes, encouraging community interaction.
EL6 Protect Aboriginal cultural heritage.	The Planning Proposal is not considered to impact on any matter of Aboriginal cultural heritage.
RL1 Plan for natural hazards.	Natural hazards will be considered as part of a future detailed design.
EL4 Provide for public domain spaces that encourage community interaction	Consistent. The public through-site link will activate the non-residential areas which will be activated by residential areas within the development.
W1 Manage and plan for floodplain risk and floodplain use.	The subject site is not in a Flood Planning Area.
W2 Effective stormwater system planning.	Consistent.
R1 Accommodate population growth.	The Planning Proposal seeks to provide for additional housing which will accommodate population growth in the Castle Hill centre. The seeks a, mix of dwelling types for the LGA, considering the predominantly single, detached dwelling form of most of the LGA.
R2 Respond to changing housing needs.	The Planning Proposal will create a future framework to contribute to addressing changing housing needs both in the Castle Hill town centre and in the Hills Shire. It is expected that the demographic profile of the LGA will change as a result of the rail infrastructure, with the prevalence of single or lower income households anticipated to increase.
R4 Facilitate quality housing outcomes.	The Planning Proposal seeks to create a planning framework for the site which will control land uses and future built form on the site in accordance with the proposed concept. The concept has been developed to ensure that the subject site can accommodate and

Key Direction	Comment
	facilitate quality housing outcomes into the future. The yields envisaged will allow for a quality design outcome, as prepared by PTW Architects who are quality international design firm.
RL1 Coordinated and effective growth.	The Planning Proposal seeks to create a framework to achieve coordinated and effective growth on the subject site, in accordance with State and Local Strategic Plans.
C3 Encourage appropriate transport infrastructure including public transport to serve, support and connect centres.	The Planning Proposal seeks to take advantage of the significant transport infrastructure investment in Castle Hill.
T1 Support the use of public transport.	The Planning Proposal will encourage an appropriate density for the subject site in a Transit-Oriented Development context. The proposal's intention to promote connectivity and permeability in the network and create a planning framework to encourage a walkable and activated development will support the use of public transport on the site.
T2 Encourage the delivery of planned infrastructure to meet the needs of community.	The Planning Proposal will encourage increased density in the Castle Hill Centre, which will ensure the continued viability of transport infrastructure in the centre.
RL5 Ensure adequate infrastructure.	The subject site and surrounds include infrastructure to accommodate the proposed concept in the future, including schools, open space and public transport infrastructure in close proximity.
EL3 Improve the accessibility and connectivity of environment and leisure spaces.	The proposed concept will improve the accessibility and connectivity of the locality, creating better and more walkable access to transport, leisure spaces and services within and through the site.
R3 Provide for a sustainable living environment.	The proposed concept will promote a sustainable living environment by encouraging reduced car dependency, being close to transport infrastructure, and by promoting walkability and including employment uses on the site and by providing a variety of housing options.
RL8 Ensure that development has minimal impact on scenic and cultural landscape of the Shire.	The Planning Proposal concept has been developed to ensure a considered built form response is achieved on the site in the future, and is responsive to anticipated building forms and footprints within the Castle Hill Precinct. Accordingly, the proposal is consistent with the anticipated scenic landscape of the Castle Hill centre and the Hills Shire.
RL9 Preserve rural heritage and culture.	N/A.
W4 Manage the Shire's natural waterways.	Stormwater will be addressed at detailed planning stage.
RL7 Ensure the ecological integrity of land is maintained.	The subject site is located in an already urbanised area.
RL8 Ensure that development has a minimal impact on the scenic and cultural landscape of the Shire.	The proposed built form has been scaled to respond to the site's edges.
RL9 Preserve rural heritage and culture.	N/A.
EL5 Conserve the Shire's unique diversity of plants and animals.	N/A.
RL6 Ensure water quality is maintained.	To be addressed at detailed planning stage.
W4 Manage the Shire's natural waterways.	To be addressed at detailed planning stage.
E1 Facilitate sustainable economic development that promotes growth in local business and employment opportunities.	The Planning Proposal will allow for a coordinated concept on the site, balancing residential development with complementary employment generating uses such as office premises, business premises and café/restaurants, promoting sustainable economic development and promoting growth in local business and employment opportunities.
C1 Reinforce, promote and protect hierarchy of centres within the Shire.	Development of this scale is envisaged for Castle Hill, which is a major centre.
C2 Ensure the concentration of large scale retail and commercial	This Planning Proposal proposes a mix of uses including non-residential uses to support job generation.

Key Direction	Comment
activities in the Major Centres and Town Centres.	
C5 Support and encourage the timely development of planned centres.	Consistent. The Planning Proposal will contribute to Castle Hill achieving its major centre status in line with the level of transport infrastructure investment.
E2 Plan for local job opportunities.	The Planning Proposal will create opportunities for local jobs, totalling 4,030m ² of commercial, employment generating floor space.
T1 Support the use of public transport.	The proposal will support significant housing production on a site which is located within 530 metres of Castle Hill station.
T2 Encourage the delivery of planned infrastructure to meet the needs of the community.	The proposal will result in increased patronage of the Metro Rail.
E3 Encourage redevelopment and utilisation of existing employment lands.	The proposed concept proposes to increase the employment generation of the land.
RL4 Provide economic development opportunities.	The proposal will result in increased economic development opportunities through the provision of jobs and services.

5.2 Built Form and Land Use

Having regard to the suite of Structure Plans and Strategies which set the overarching objectives for the Castle Hill Strategic Centre, including a range of indicative heights, densities and built form frameworks, and in accordance with the broader patterns for Transit Oriented Development along Sydney's railway corridors, there is a strong logic for increased height and density around the Castle Hill Town Centre.

The proximity of the subject site within 530m of the Metro Rail Station makes the site an ideal location for increased dwelling density. In the context of the heights proposed on land surrounding Castle Hill station and under the Castle Hill North Structure Plan, it is felt that the site has significant capacity to accommodate an increased height and mix of building typologies, particularly given its proximity to the railway station. Recognising the expanse of low-density, detached dwellings which characterises the agglomerated site, there is an opportunity to introduce vertical expressions of density including iconic buildings elements which reinforce the location proximate to Castle Hill station and bus terminal.

Relative to the proposed increase in building heights within other sections of the Castle Hill precinct, including up to 20 storeys for locations in Council's Draft Castle Hill North Structure Plan areas and significantly higher within the core areas surrounding the station, it is felt that similar heights are appropriate given the site's proximity to the railway station. Reinforcing the principle for the location of height in the Castle Hill North Precinct Plan, and that the tallest buildings should be located on the highest land and around public transport, it is felt that there is additional opportunity to accommodate building heights which reflect a similar scale and height for land immediately surrounding the station.

This proposal is presented in the context of future built form under the Department's NWRL Strategy and Castle Hill Structure Plan below.



Figure 24 – Indicative future section through Castle Hill (NTS)

Source: PTW Architects

Accordingly, a concept plan has been developed for the subject site by PTW Architects, which outlines the overall, indicative intention for the site with regards to building siting, massing, height and distribution and mix of uses, having regard to the various constraints on presented by the land and also considering the future intended land uses on the site. The analysis undertaken in this Planning Proposal and in developing the concept plan has been undertaken in order to understand the potential capacity of the site. This concept plan can be viewed in **Appendix A**, with relevant extracts included in the figures below.

As illustrated in the figures below, which show a series of photo montages of the proposed concept against the existing backdrop, it is clear that within the context of the surrounding built form, a 47m overall maximum building height on the subject site is appropriate. The proposed concept seeks extensive landscaping and open spaces for both the public and for future residents in the form of ground floor areas. It is noted that this is a typically a key concern for council in the assessment of development in the Hills Shire as the provision of this infrastructure forms part of the Shire's key values. In addition, there is open space within walking distance of the site as well as access to schools and other facilities.

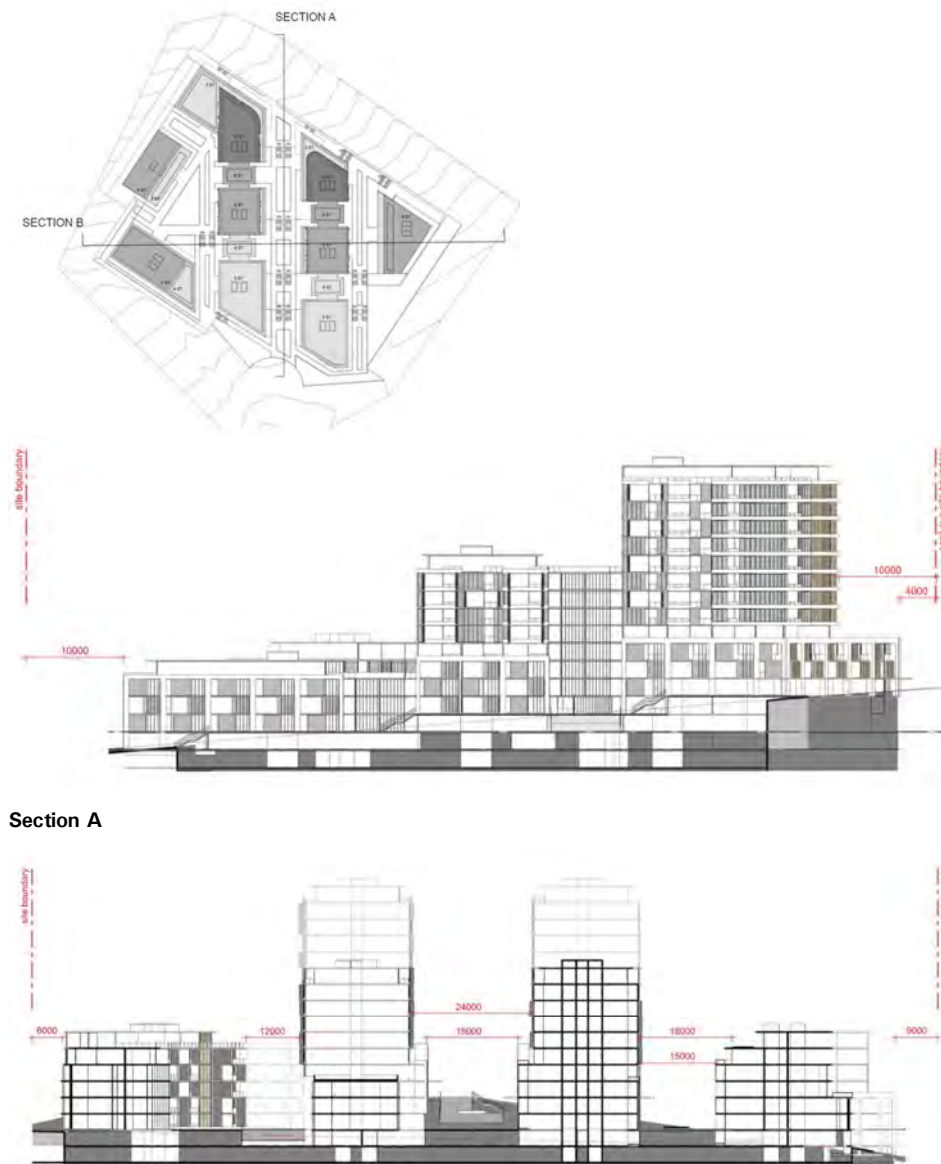


Figure 25 – Ground level view of the concept, looking south from Cecil Avenue

Source: PTW Architects

The figure below presents the indicative heights of the various components of the proposed concept. As can be seen, the proposal focuses the taller elements centrally and closest to the Station (along the northern portion of the site).

The section drawings below show the demonstrate how the outer edges of the site – to the south, east and west – are proposed with 3-6 storey elements ‘stepping down’ both from the north (towards to station), and to the east and west of the site which under the Strategy is earmarked for 3-6 storey development.



Section A

Section B

Figure 26 – Section diagrams
Source: PTW Architects

The proposed maximum height reinforces a hierarchy of building forms within the structure of the Centre and which relate to the new residential development currently under construction in Crane Street, with the tallest element of the site being located at the northern section of the site, and adjacent to the high density residential and commercial precincts under the NWRL Strategy immediately opposite the subject site. This maximum height establishes a skyline which reinforces the tallest elements at the heart of the Castle Hill Town Centre.

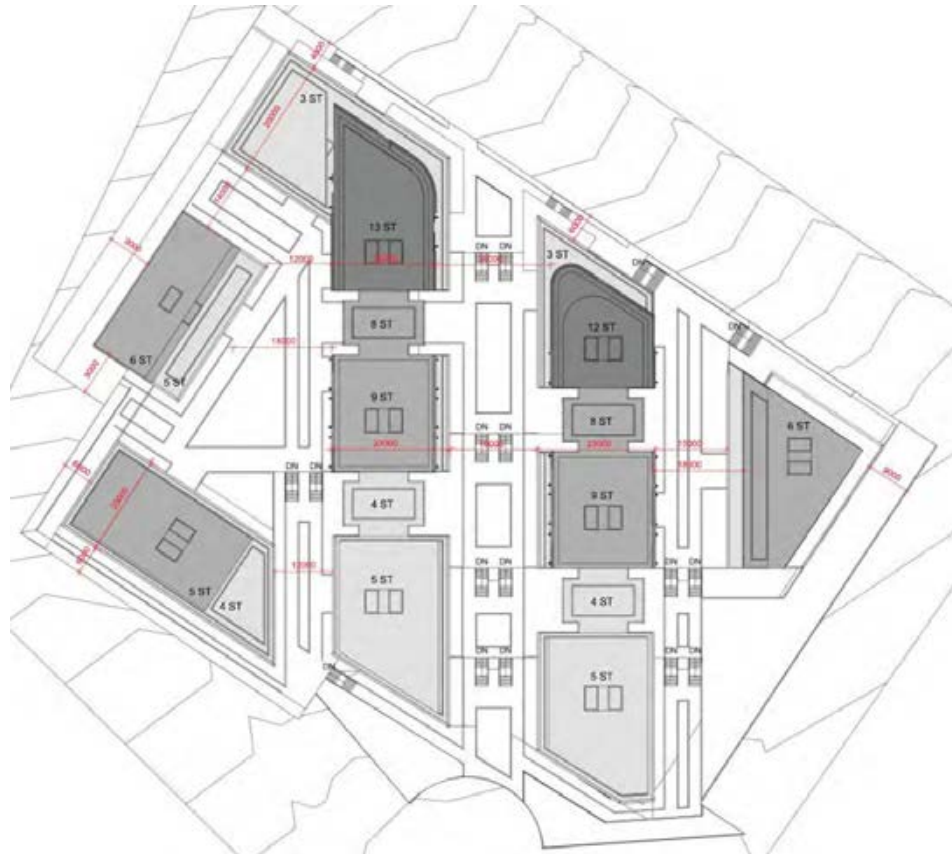


Figure 27 – Roof diagram
Source: PTW Architects

The rationale behind the proposed concept is the following:

- The proposal seeks to concentrate taller elements to north of the site, nearer to the core of the station precinct, and closer to where taller 12+ storey development will occur in the future.
- The proposal constitutes a 'stepping down' of the development to the rear, (to the south) given the slope of the land to the south and east, and given existing and earmarked development heights and density moving further away from the core of the station precinct to the south and east.
- The two taller elements seek to create an entry to the linear linkages to encourage movement north and south along the proposed through-site link.
- The main bulk of the scheme has been positioned in the centre of the site to reduce the impact on the immediate lower scale built form and the future 3-6 storey built form of the precinct envisaged under the NWRL Strategy;
- The proposal presents a logical progression of 'stepping down' of development from the high density and commercial precincts earmarked under the NWRL Strategy to the immediate north of the site. The high density residential precincts under the NWRL Strategy can achieve up to 20 storeys, where the concept of this Planning Proposal seeks a maximum 12 storeys, with buildings stepping down to 3-6 storeys along the outer sections of the site;
- The proposal also provides a complementary employment generating focus along Cecil Avenue and along the proposed through-site link in order to activate the area and provide a more appropriate transition to the wider residential catchment to the south. This is considered a logical progression considering the site's location and size.



5.3 Unit Size and Mix

The proposed concept is predicated on preliminary unit layouts which are subject to further design development. The apartment areas and the unit mix comply with the DCP requirements. The podium expression will allow for larger units to lower levels and larger 2 bed and 3 bed units will be located to the corners. A breakdown of the proposed concept against The Hills Shire Council DCP's key unit size and mix controls is provided below.

Table 7 – Assessment of the proposed concept against The Hills DCP unit mix and unit size controls

DCP Control	Requirement	Comment																											
Apartment mix	(a) No more than 25% of the dwelling yield is to comprise either studio or one bedroom apartments.	Compliant.																											
	(b) No less than 10% of the dwelling yield is to comprise apartments with three or more bedrooms.	Compliant.																											
Residential flat development (30 or more units)	(d) The minimum internal floor area for each unit, excluding common passageways, car parking spaces and balconies shall not be less than the following:	Compliant.																											
	<table><tr><th>Apartment size category</th><th>Apartment size</th></tr><tr><td colspan="2">Type 1</td></tr><tr><td>1 bedroom</td><td>50m²</td></tr><tr><td>2 bedroom</td><td>70m²</td></tr><tr><td>3 or more bedrooms</td><td>95m²</td></tr><tr><td colspan="2">Type 2</td></tr><tr><td>1 bedroom</td><td>65m²</td></tr><tr><td>2 bedroom</td><td>90m²</td></tr><tr><td>3 or more bedrooms</td><td>120m²</td></tr><tr><td colspan="2">Type 3</td></tr><tr><td>1 bedroom</td><td>75m²</td></tr><tr><td>2 bedroom</td><td>110m²</td></tr><tr><td>3 or more bedrooms</td><td>135m²</td></tr></table>		Apartment size category	Apartment size	Type 1		1 bedroom	50m ²	2 bedroom	70m ²	3 or more bedrooms	95m ²	Type 2		1 bedroom	65m ²	2 bedroom	90m ²	3 or more bedrooms	120m ²	Type 3		1 bedroom	75m ²	2 bedroom	110m ²	3 or more bedrooms	135m ²	
	Apartment size category		Apartment size																										
	Type 1																												
	1 bedroom		50m ²																										
	2 bedroom		70m ²																										
	3 or more bedrooms		95m ²																										
	Type 2																												
	1 bedroom		65m ²																										
	2 bedroom		90m ²																										
	3 or more bedrooms		120m ²																										
	Type 3																												
	1 bedroom		75m ²																										
	2 bedroom		110m ²																										
3 or more bedrooms	135m ²																												
(e) Type 1 apartments shall not exceed 30% of the total number of 1, 2 and 3 bedroom apartments.																													
(f) Type 2 apartments shall not exceed 30% of the total number of 1, 2 and 3 bedroom apartments.																													
(g) All remaining apartments are to comply with the Type 3 apartment sizes.																													

5.4 Solar Access

The proposed concept has been developed and orientated to ensure that solar access is maximised to the site and adjacent properties. The proposed concept has been tested to achieve 3 hours of solar access between the hours of 9am to 3pm on the 21st of June. The reduced height towards the east and west allows sun access to the back of the built form to achieve compliance.

The north/south orientation of the built form optimises solar access to the east and west facing building facades, and the proposed north-south orientation and stepped massing ensures that solar access can be maintained to neighbouring properties. Appropriate building separation has been achieved between envelopes within the subject site, as well as existing properties to the east, west and south, and a substantial buffer exists to the site to the north on the northern side of Cecil Avenue, despite being earmarked for high density residential development of 7-20 storeys under the Castle Hill Structure Plan of the NWRL Strategy. Shadow and solar diagrams demonstrating the concept's solar access compliance can be viewed in **Appendix A**.

5.5 Traffic Generation and Parking

An assessment of the likely traffic implications of the proposed concept has been prepared and is included in **Appendix C**. The report provides a high-level assessment of the Planning Proposal and proposed concept having regard to the requirements of the Hills Shire DCP 2012, a review of the road network surrounding the site, indicative access to the subject site and likely trip generation of the proposed concept.

Table 8 – Assessment of the proposed concept against The Hills DCP parking controls

DCP Control	Requirement	Comment
Residential – Residential flat buildings and multi dwelling housing	1 space per 1 bedroom unit. (105 units proposed, 105 spaces required)	Compliant.
	2 spaces per 2 bedroom unit. (278 units, 556 spaces required)	Compliant.
	2 spaces per 3 bedroom unit. (41 units, 82 spaces required)	Compliant.
	2 visitor spaces per 5 units. (Total 424 units, 169.6 visitor spaces required)	Compliant.
Commercial – Commercial premises (including business premises, office premises)*	1 space per 25m ² GFA. (Total 160 spaces required)	Compliant.
Total required	Total required – 1072.6 spaces	1,087 provided

The assessment has demonstrated that the proposed concept is more than capable of providing for the amount of on-site parking likely to be required commensurate with a scale of development envisaged under the concept, whilst identifying that consideration can be given at DA stage to reducing the required number of spaces given the site's proximity to Castle Hill Station.

5.6 Social and Economic Impacts

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.

5.7 Heritage

The subject site is not identified as a heritage item and is not located in a heritage conservation area. The Planning Proposal is consistent with the built form expectations under the NWRL Strategy for the land on the subject site adjacent to the existing heritage items to the west. The Planning Proposal will not affect the conservation of these heritage items, as the potential impact of any future development on the subject site on the adjacent heritage items will be considered at Development Application stage.



6.0 Justification

6.1 Need for the Planning Proposal

6.1.1 Is the Planning Proposal a result of any strategic study or report?

Yes, refer to Section 5.1. The proposal seeks to implement the outcomes of the Department's NWRL Strategy and Council's Draft Corridor Strategy and associated Castle Hill Structure Plans for both.

6.1.2 Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Yes, this Planning Proposal seeks to amend The Hills LEP 2012 in order to ensure that the planning framework for the desired outcome is consistent with and reflects the higher order strategic planning framework for land around new train stations being delivered as part of the Sydney Metro Northwest. The Draft Hills Corridor Strategy and NWRL Strategy and associated Structure Plans for Castle Hill under each Strategy do not constitute a proposal to amend the built form controls for the site, and as such a separate planning amendment is necessary.

Given the principal mechanism for implementing the NWRL Strategy is through the Planning Proposal process and given effect by the relevant Section 117 Direction (Direction 5.9), it is considered that the Planning Proposal is the best means of achieving the objectives and intended outcomes.

6.2 Relationship to Strategic Planning Framework

6.2.1 Is the planning proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft Strategies)?

Yes, refer to Section 5.1.

6.2.2 Is the Planning Proposal consistent with a council's local strategy or other strategic plan?

Refer to Section 5.2.

6.2.1 Is the Planning Proposal consistent with applicable State Environmental Planning Policies?

The proposal does not raise any matters that would be inconsistent with, or prejudice the application of, the relevant State Environmental Planning Policies.

6.2.2 Is the Planning Proposal consistent with applicable Ministerial Directions (s.117 Directions)?

The table below provides an assessment of the Planning Proposal against the relevant Local Planning Directions issues by the Minister for Planning and Environment in accordance with Section 117 of the EP&A Act.

Table 9 – Assessment against relevant Section 117 Local Planning Directions

Direction	Comments	Complies?
1.1 Business and Industrial Zones	<p>The Planning Proposal does not relate to land zoned for either business or industrial purposes. However, the proposal seeks to implement employment generating uses, such as business, offices and café/restaurant uses. Accordingly, consideration of this Ministerial Direction is provided.</p> <p>This Planning Proposal will encourage employment growth on the site by providing for mixed use development in a strategic centre context. Given no employment is currently generated on the site at present, it is considered that the Planning Proposal will encourage employment growth in a suitable location in the Castle Hill Station precinct.</p> <p>The Planning Proposal does not seek to reduce the amount of employment land currently zoned in the LGA for business and industrial uses.</p> <p>The Planning Proposal will support the viability of the identified Castle Hill Strategic Centre as it seeks to facilitate mixed use development in proximity to the Station, as envisaged by the various strategic documents which apply to the subject site. The proposal seeks to facilitate density and job creation which will increase the viability of the significant infrastructure investment in Castle Hill through increased future patronage.</p>	✓
2.3 Heritage Conservation	<p>The Planning Proposal is consistent with the built form expectations under the NWRL Strategy for the land on the subject site adjacent to the existing heritage items to the west.</p> <p>The Planning Proposal will not affect the conservation of these heritage items, as the potential impact of any future development on the subject site on the adjacent heritage items will be considered at Development Application stage.</p>	✓
3.1 Residential Zones	<p>The Planning Proposal will encourage a variety of choice in housing types for The Hills LGA and within the subject site, through a mix of unit types, in accordance with the requirements of The Hills Shire Council. The Planning Proposal will ensure the provision of housing on the site to provide for existing and future housing needs.</p> <p>The Planning Proposal and its associated concept seek to make efficient use of existing social infrastructure and services in proximity, such as parks and schools, as well as public transport infrastructure. The proposal will ensure that new housing has appropriate access to infrastructure and services.</p> <p>The Planning Proposal has considered a number of potential high level impacts to minimise the impact of future residential development on the subject site on the environment. These are considered in Section 5 of this report.</p> <p>The Planning Proposal will:</p> <ul style="list-style-type: none"> ■ Broaden the choice of building types and locations available in the housing market; ■ make more efficient use of existing infrastructure and services available to the subject site; 	✓

Direction	Comments	Complies?
	<ul style="list-style-type: none"> ▪ reduce the consumption of land for housing and associated urban development on the urban fringe; and ▪ Create the necessary parameters for future development on the site to be of a good design. 	
3.4 Integrated Land Use and Transport	<p>The Planning Proposal provides a planning framework for growth in employment, housing and tourism activity on a site directly adjacent to a new Metro Rail station.</p> <p>The Metro Sydney and Northwest will provide a frequent (every 4 minutes in peak), high capacity public transport connection to major employment, civic and education precincts such as Norwest, Macquarie University, Macquarie Park and Chatswood, with future connections directly to North Sydney, the Sydney CBD and the south-west.</p> <p>The proposed planning framework facilitates a level of development that is commensurate with the significant transport infrastructure investment, whilst establishing a framework for the attainment of positive planning, urban design and architectural outcomes.</p>	✓
4.3 Flood Prone Land	The proposal is not identified as a Flood Planning Area under The Hills LEP 2012. Whilst the Planning Proposal provides a high-level review of the subject site and a future outcome for the site, it is considered that more detailed consideration of flooding can be undertaken during detailed the detailed design process.	
5.9 North West Rail Link Corridor Strategy	<p>Refer to Section 5.1.2. The Planning Proposal will give effect to, and is consistent with, the NSW Government's North West Rail Link Corridor Strategy.</p> <p>This Planning Proposal is considered to be consistent with the direction in that it:</p> <ul style="list-style-type: none"> ▪ promotes transit oriented development by supporting the redevelopment of a key site in close proximity to a future Metro station for higher densities and a broader range of land uses in comparison to the existing site and as envisaged by current controls; ▪ sets a framework for future planning of the site to ensure that development occurs in a coordinated manner which has regard to the relevant strategic and local planning issues, and achieves a positive outcome for the broader Castle Hill town centre; ▪ proposes a built form that is commensurate with the nominal densities and housing/employment growth forecasts contained in the Strategy and Castle Hill Structure Plan; and ▪ is consistent with the principles, land use and growth directions set out in the Corridor Strategy and the Castle Hill Structure Plan 	✓
7.1 Implementation of A Plan for Growing Sydney	Refer to Section 5.1.1 . The Planning Proposal supports the actions and directions of A Plan for Growing Sydney by supporting new retail, employment, residential and tourist/visitor accommodation development in an identified growth corridor. The Planning Proposal supports transit oriented development and establishes a framework to suitably guide the future development of the site by including new provisions to require detailed planning and design guidelines, as well as an architectural competition for taller buildings, to support further growth.	✓

6.3 Environmental, Social and Economic Impact

6.3.1 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?

The subject site is located in an urbanised context and has been developed for detached dwelling houses. As such, it is not expected that the planning proposal would give rise to any adverse impacts on critical habitat or threatened species, populations or ecological communities, or their habitats.

6.3.2 Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?

Refer to Section 5.3 for discussion of key environmental effects that are relevant to a Planning Proposal. Detailed studies of environmental effects relevant to the development phase would be assessed as part of future Development Applications in accordance with the statutory framework.

6.3.3 How has the Planning Proposal adequately addressed any social and economic effects?

Refer to Section 5.3.

6.4 State and Commonwealth Interests

6.4.1 Is there adequate public infrastructure for the Planning Proposal?

Transport Infrastructure

In light of the expected improvements in public transport capacity, it is considered that there is more than ample capacity to accommodate growth on the subject site.

Utility Service Infrastructure

It is understood that there is sufficient capacity in existing and planned utility services to support additional development on the subject site and the general locality within the Castle Hill precinct, where significant growth is expected into the future. This will be confirmed at detailed design stage.

Social Infrastructure

It is noted that the subject site has good access to social infrastructure such as proximate schools and open space. It is expected that any further development of the site will require the contribution of a monetary payment of in-kind contribution toward social infrastructure in accordance with Council's development contributions policy. This will ensure that contributions are collected and distributed in a coordinated and strategic manner to ensure that the levying for and provision of social infrastructure reflects the much broader growth occurring within the Castle Hill centre and the broader local government area.

6.4.2 What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?

Whilst the current planning proposal has not been specifically discussed with agencies such as Transport for NSW and Roads and Maritime Services, it is expected that their views will be ascertained during the public exhibition of this Planning Proposal following a Gateway Determination.

6.5 Future Supporting Studies

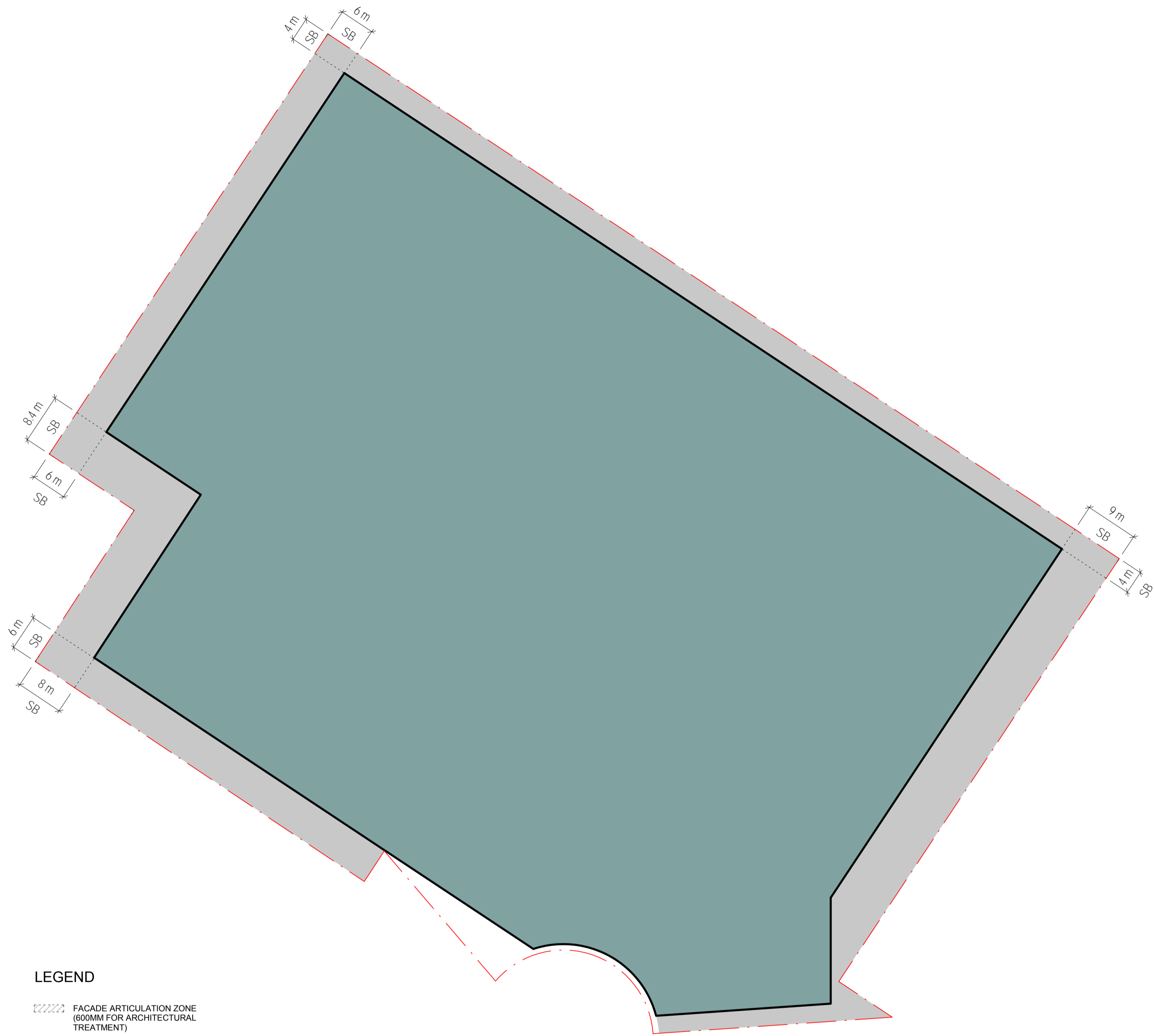
This Planning Proposal establishes a framework to require the preparation of a Development Control Plan or Development Application to inform any future development on the subject site in accordance with the proposed concept. As this is considered a longer-term development aspiration for the site, additional documentation to inform the DCP/ DA (e.g. detailed urban design studies, traffic modelling, heritage assessment) would be undertaken as part of that process, commensurate with the additional level of detail required to support detailed development controls for the site.

7.0 Conclusion

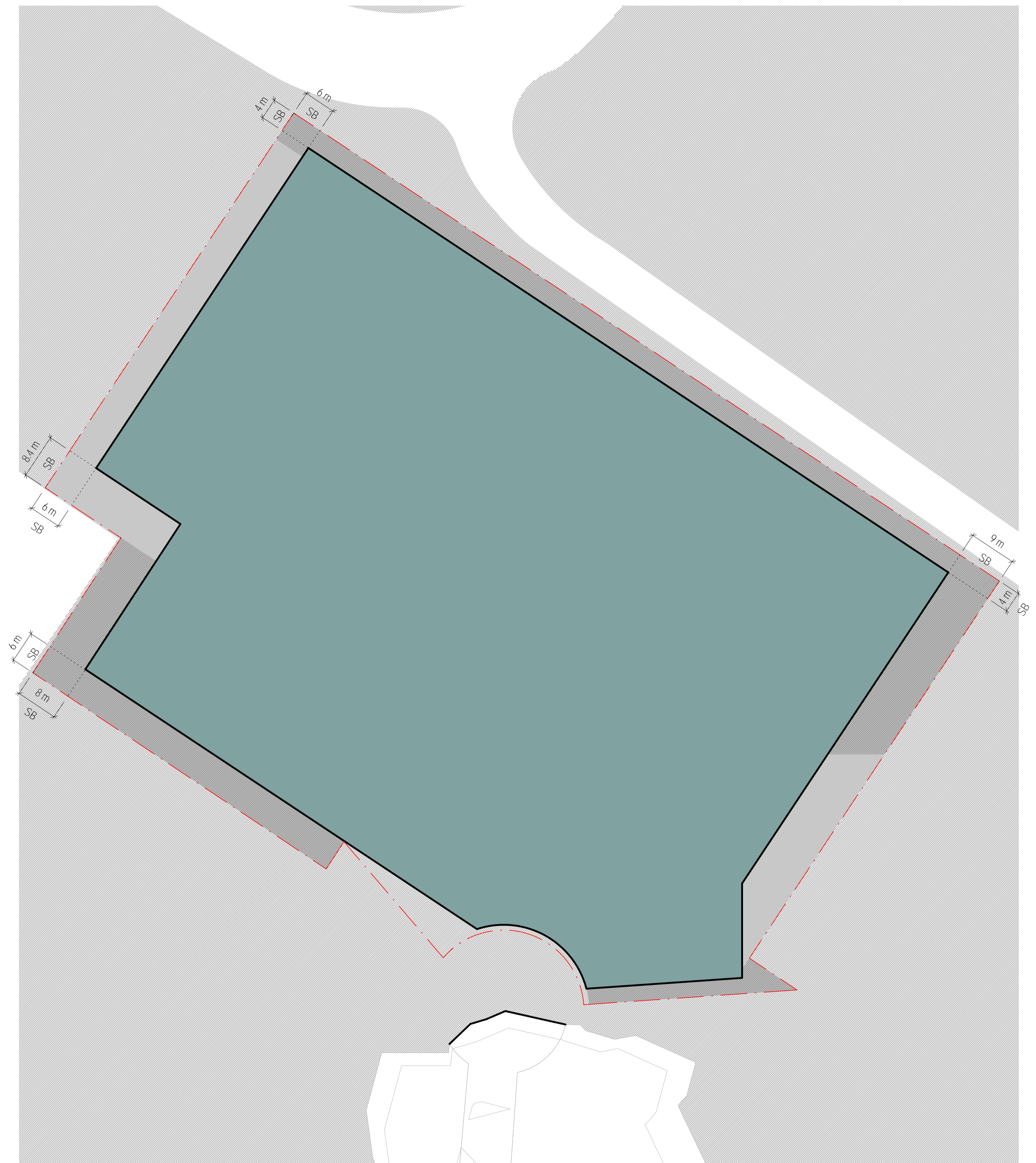
This Planning Proposal to amend *The Hills Local Environmental Plan 2012* has been prepared in accordance with the relevant provisions of the *Environmental Planning & Assessment Act 1979*, the regulations, applicable Local Planning Directions and the guidelines for the preparation of LEP amendments. The Planning Proposal facilitates the growth of Castle Hill town centre in accordance with the relevant planning strategies for growth in the region, and will result in an appropriate and positive framework for the future planning, assessment and development of the site. In light of the above, we strongly recommend that Council resolves to support this Planning Proposal to the NSW Department of Planning & Environment's Gateway Review Panel and the issuing of a Gateway Determination that facilitates the proposed amendments to the LEP.

Appendix C

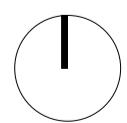
Building Envelope Drawing Set, 97-105 Cecil Avenue, Castle Hill, prepared by PTW Architects, dated
5 March 2017

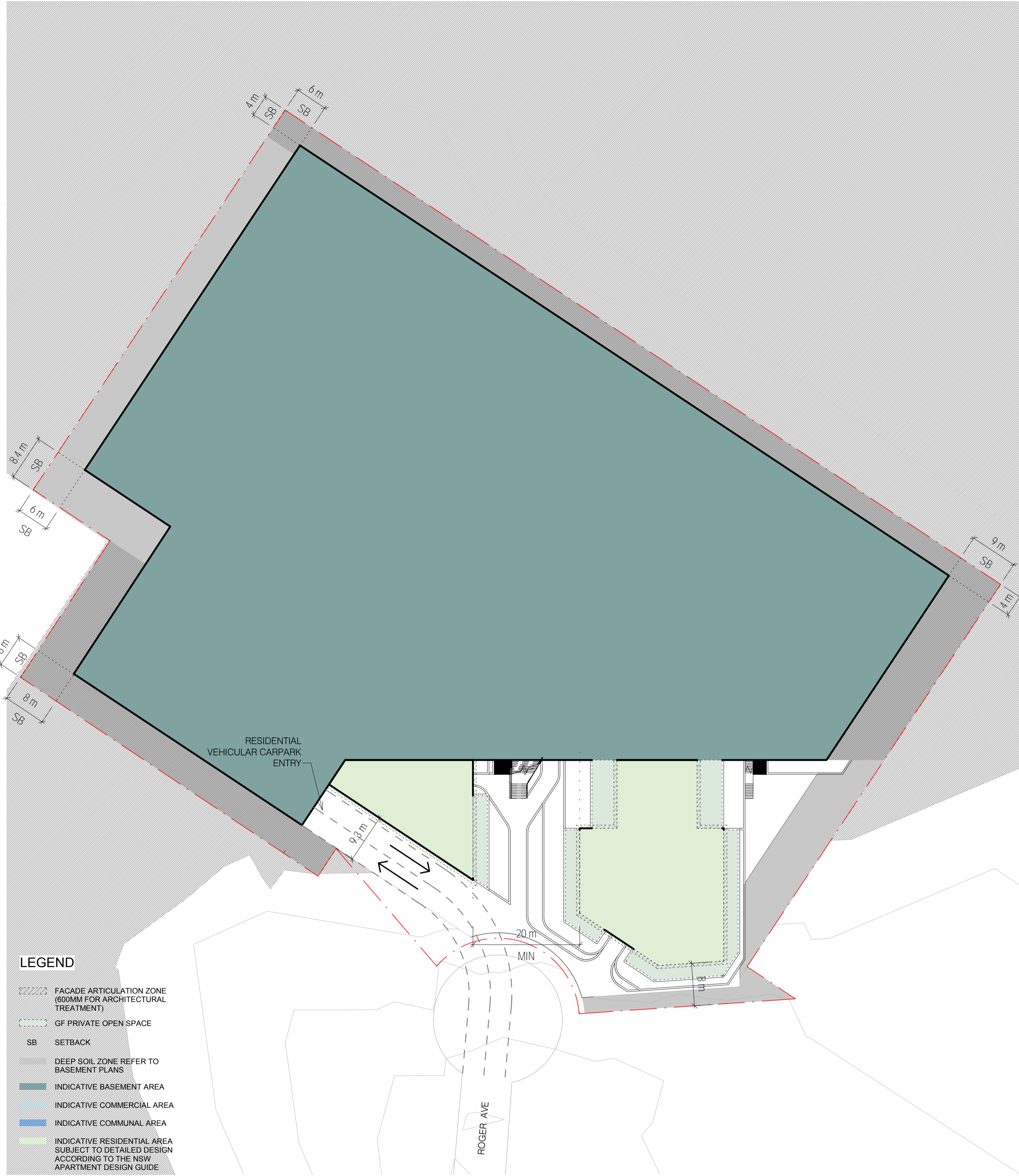


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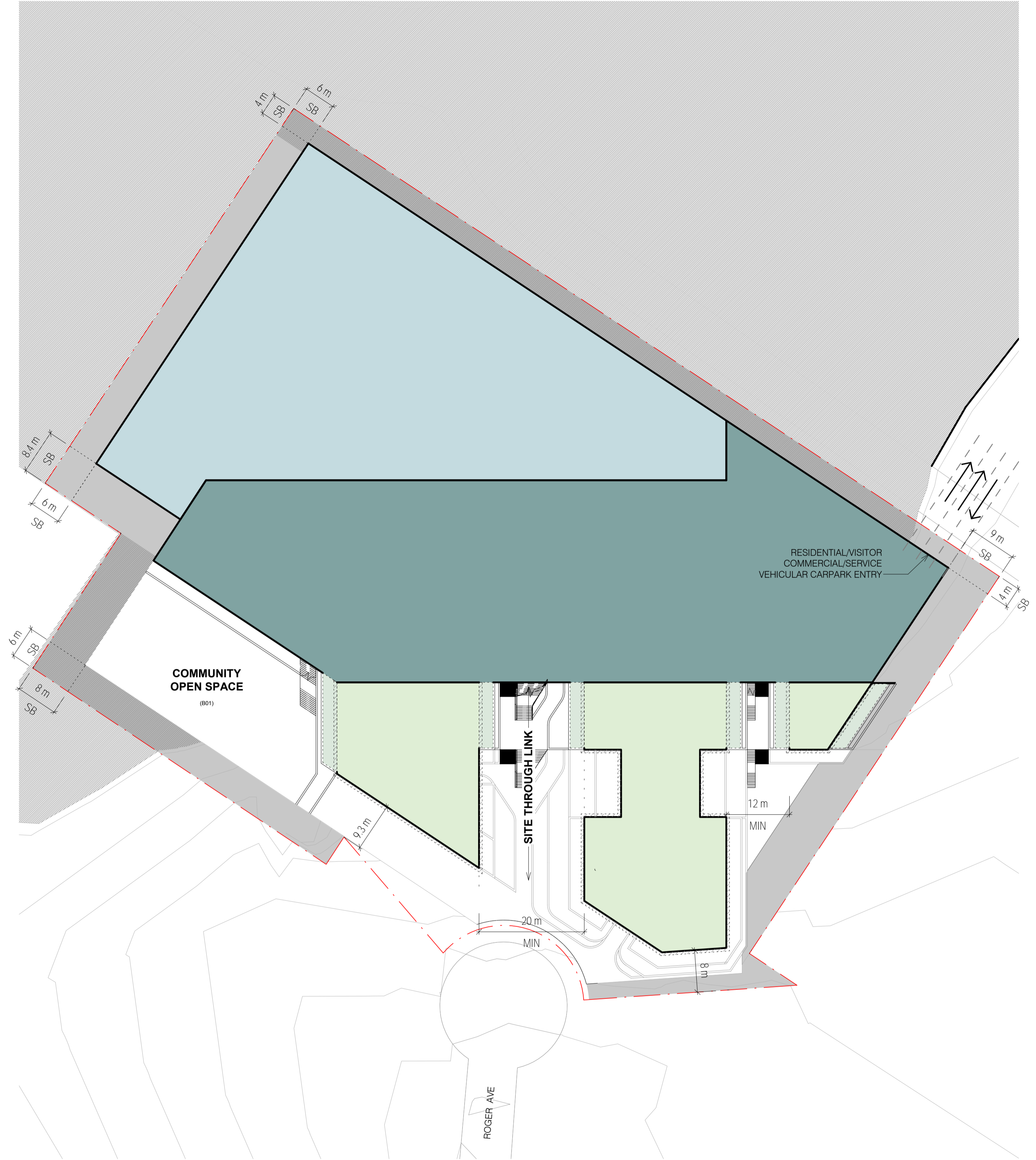


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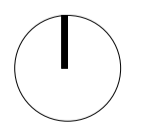


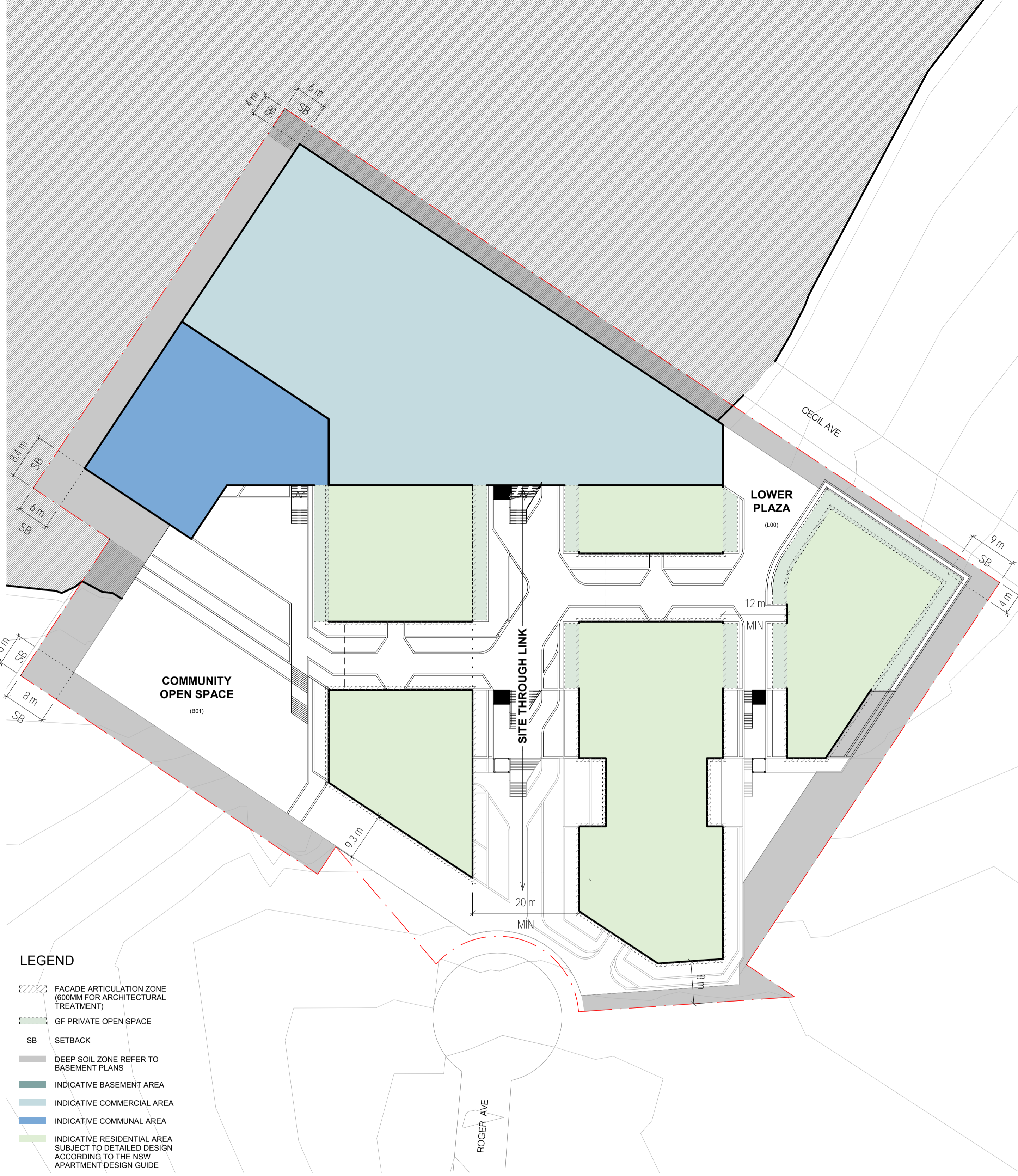


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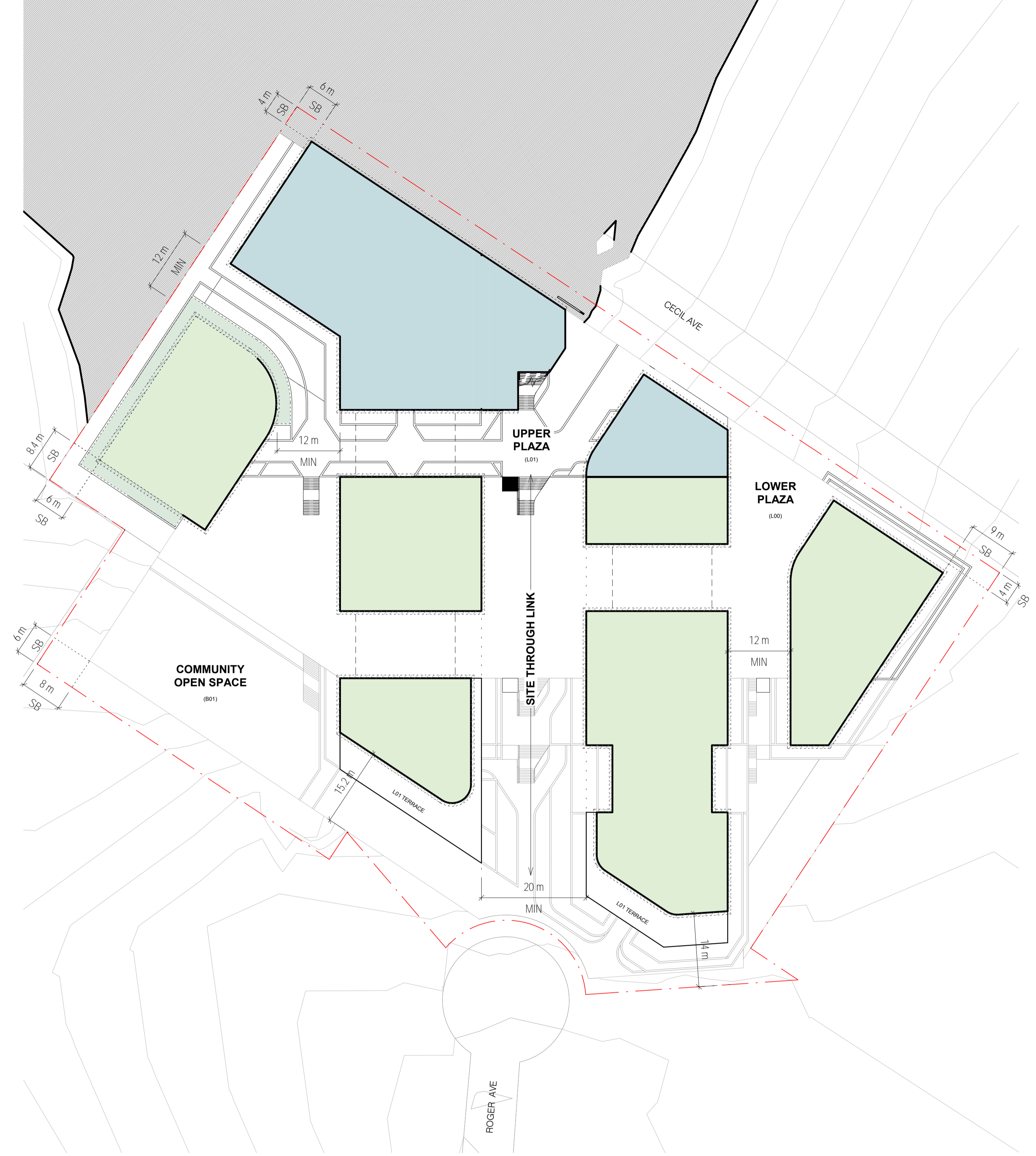


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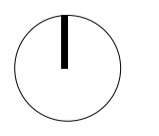


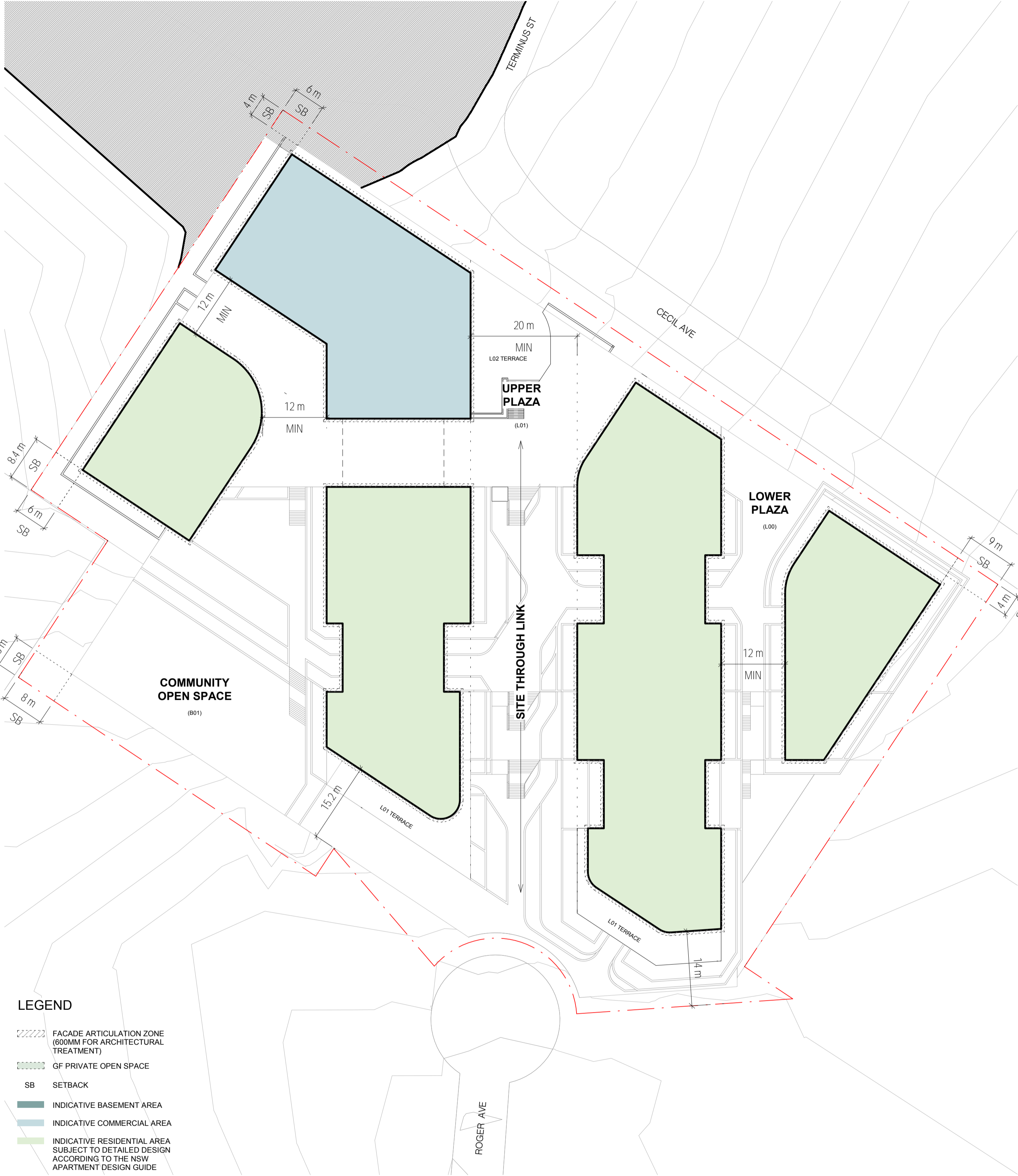


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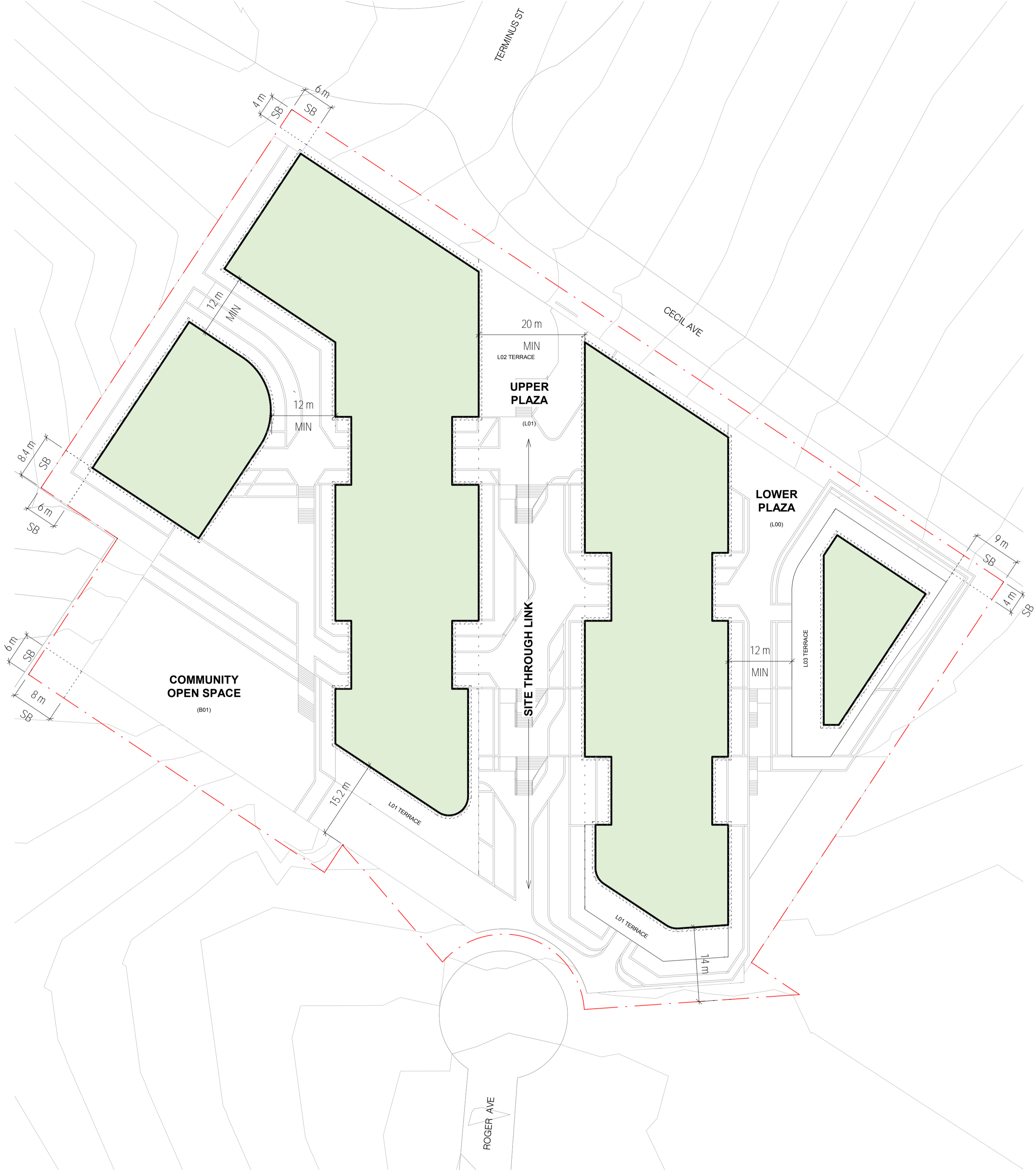


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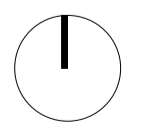


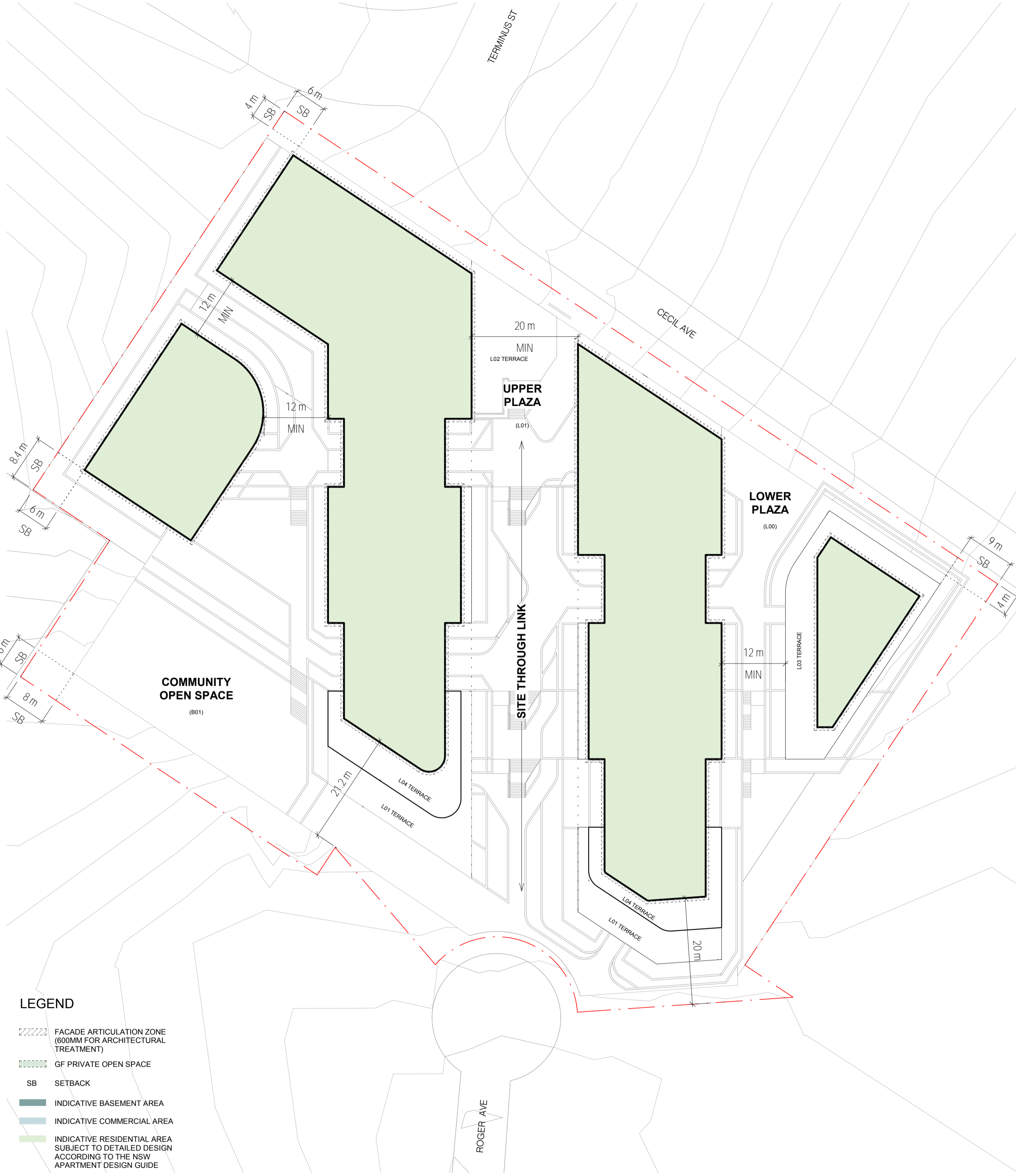


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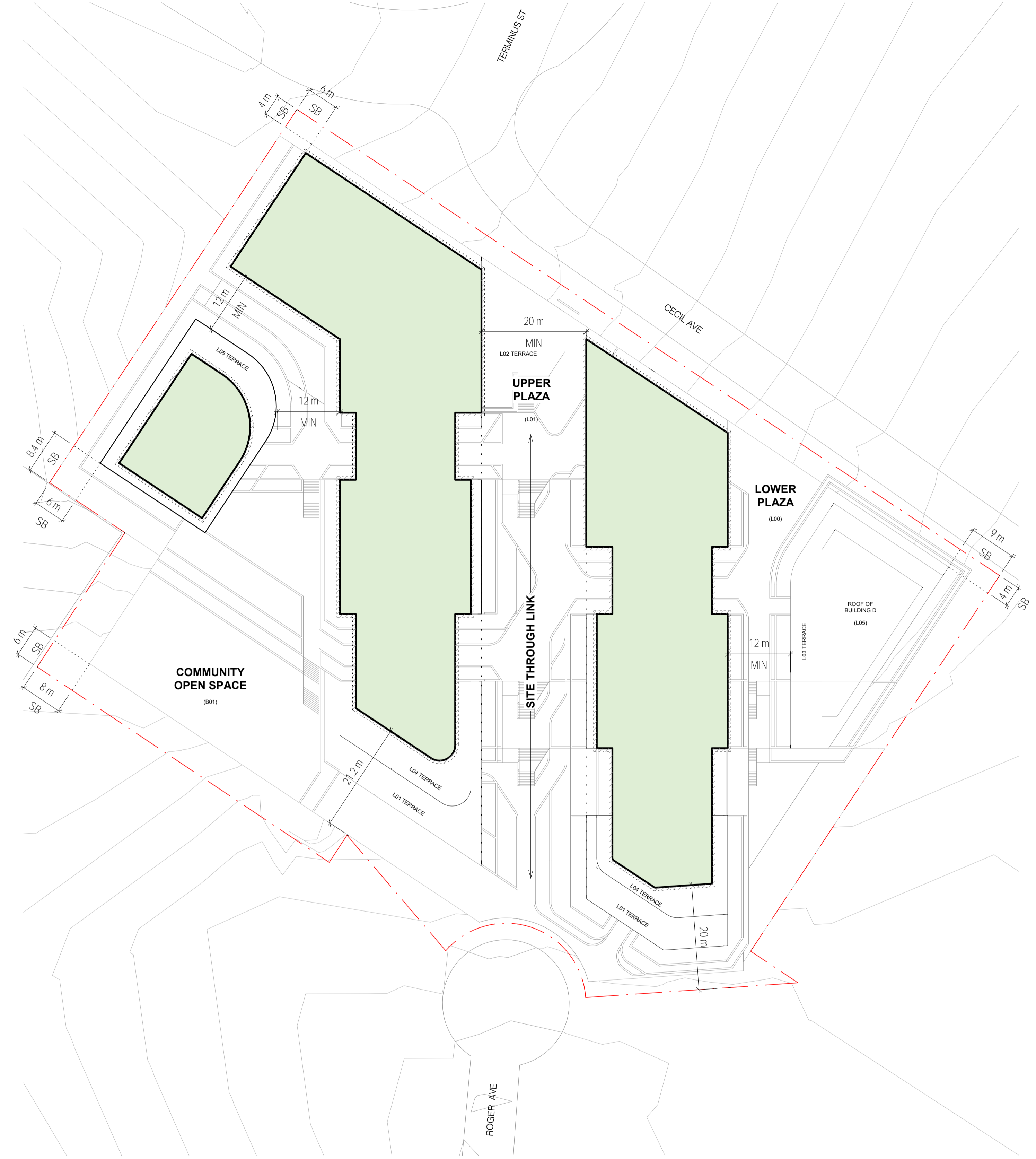
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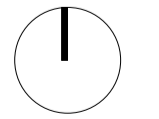
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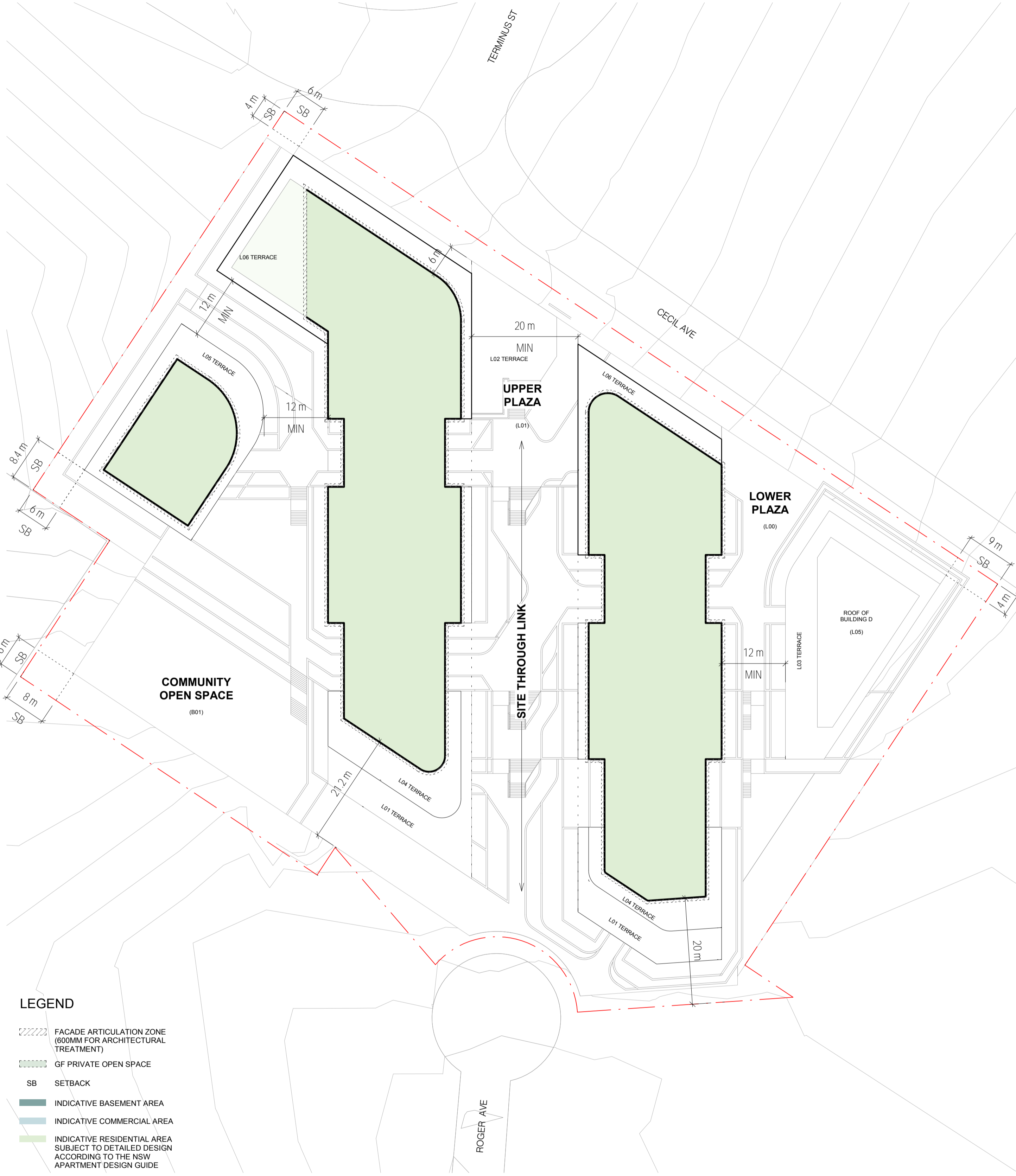
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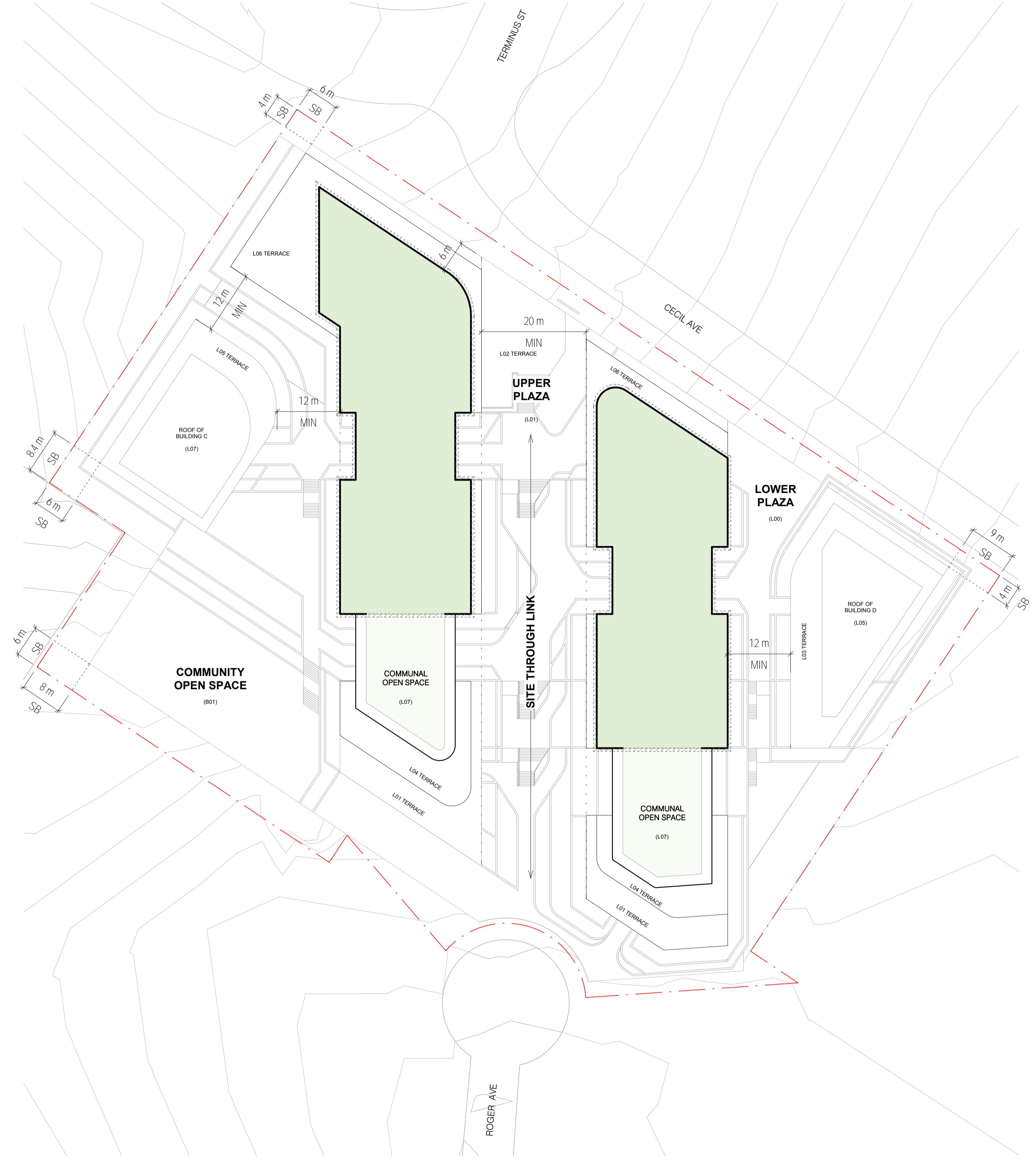
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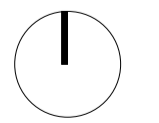


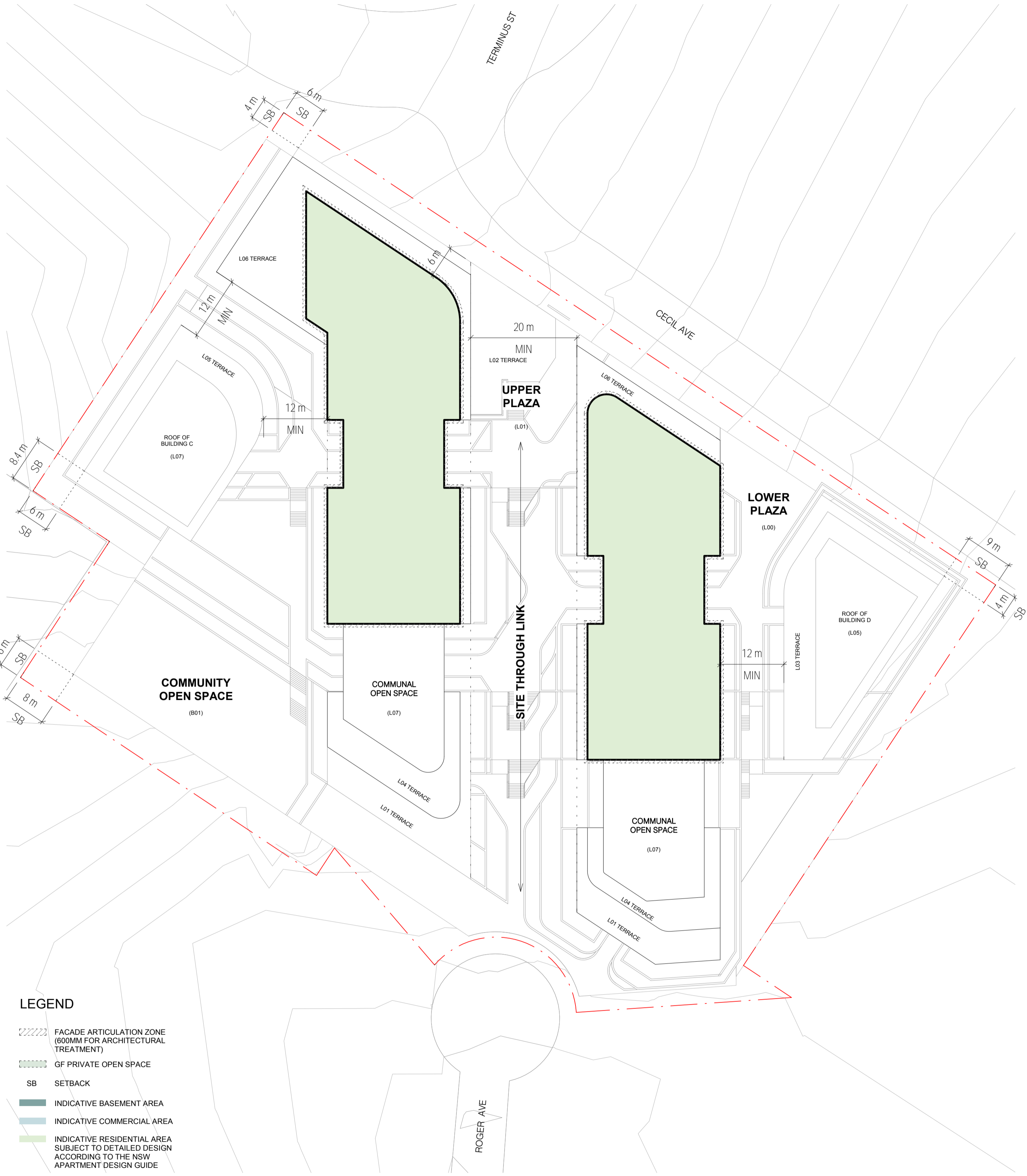
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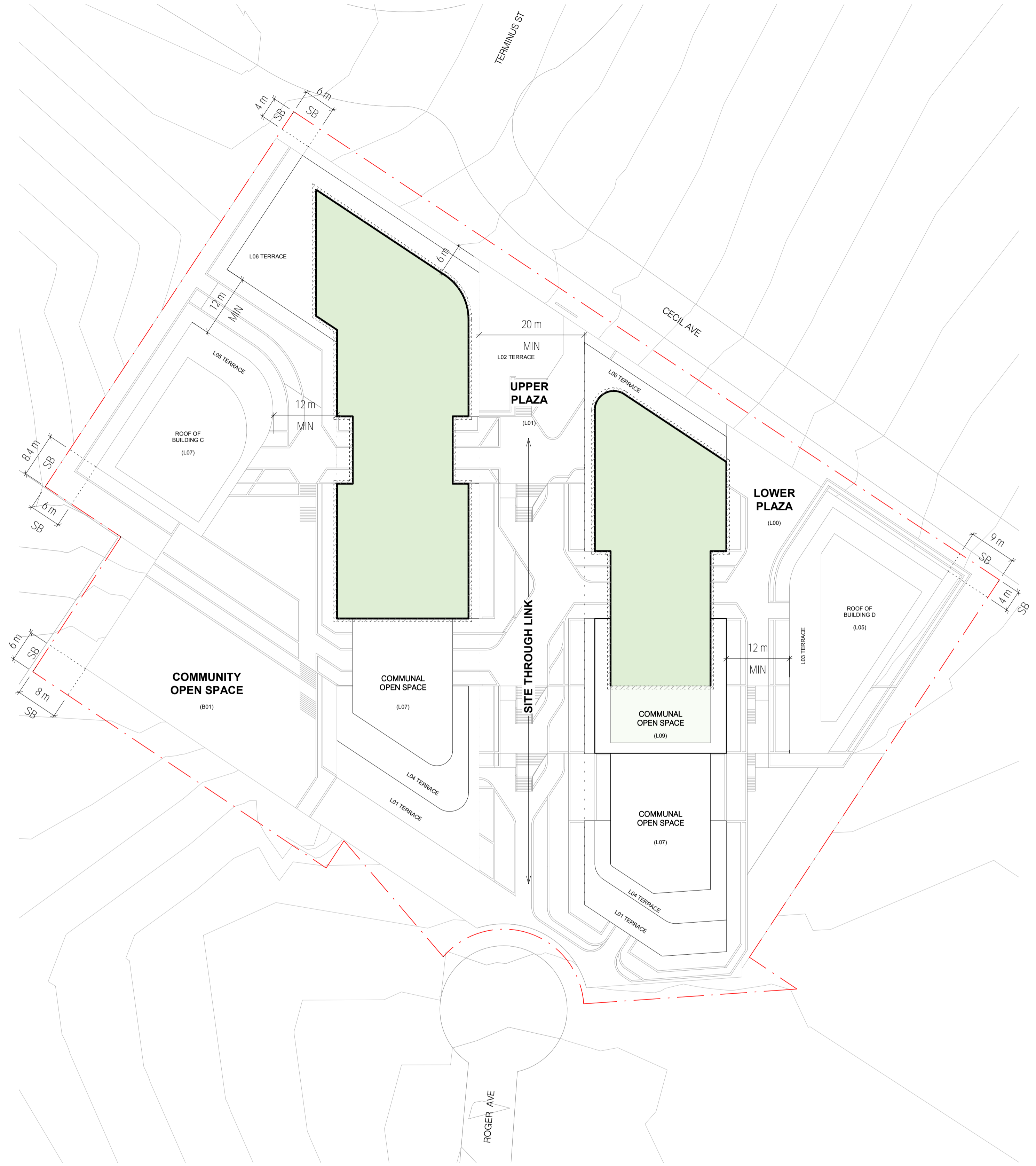
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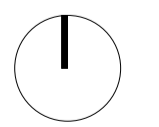


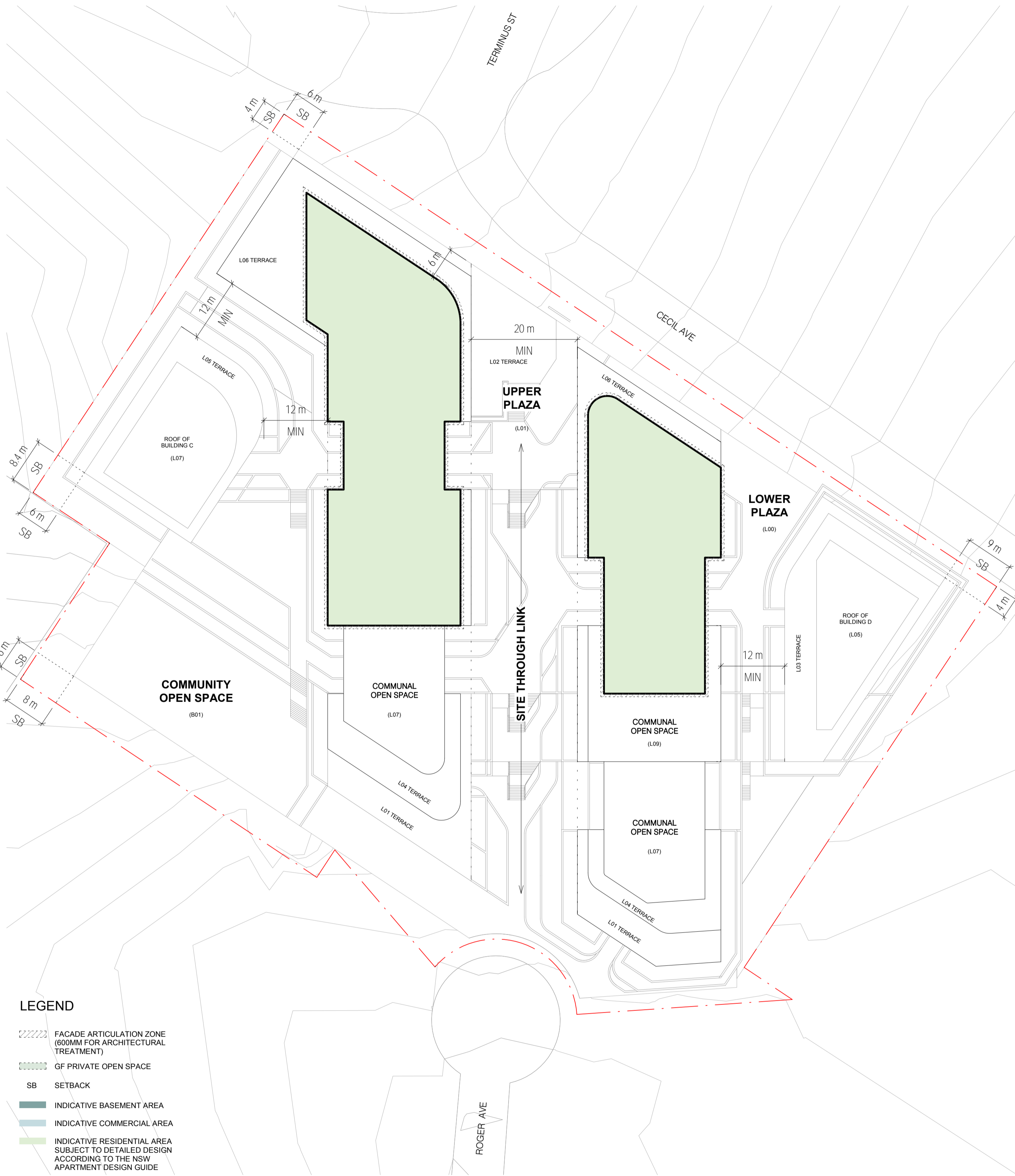
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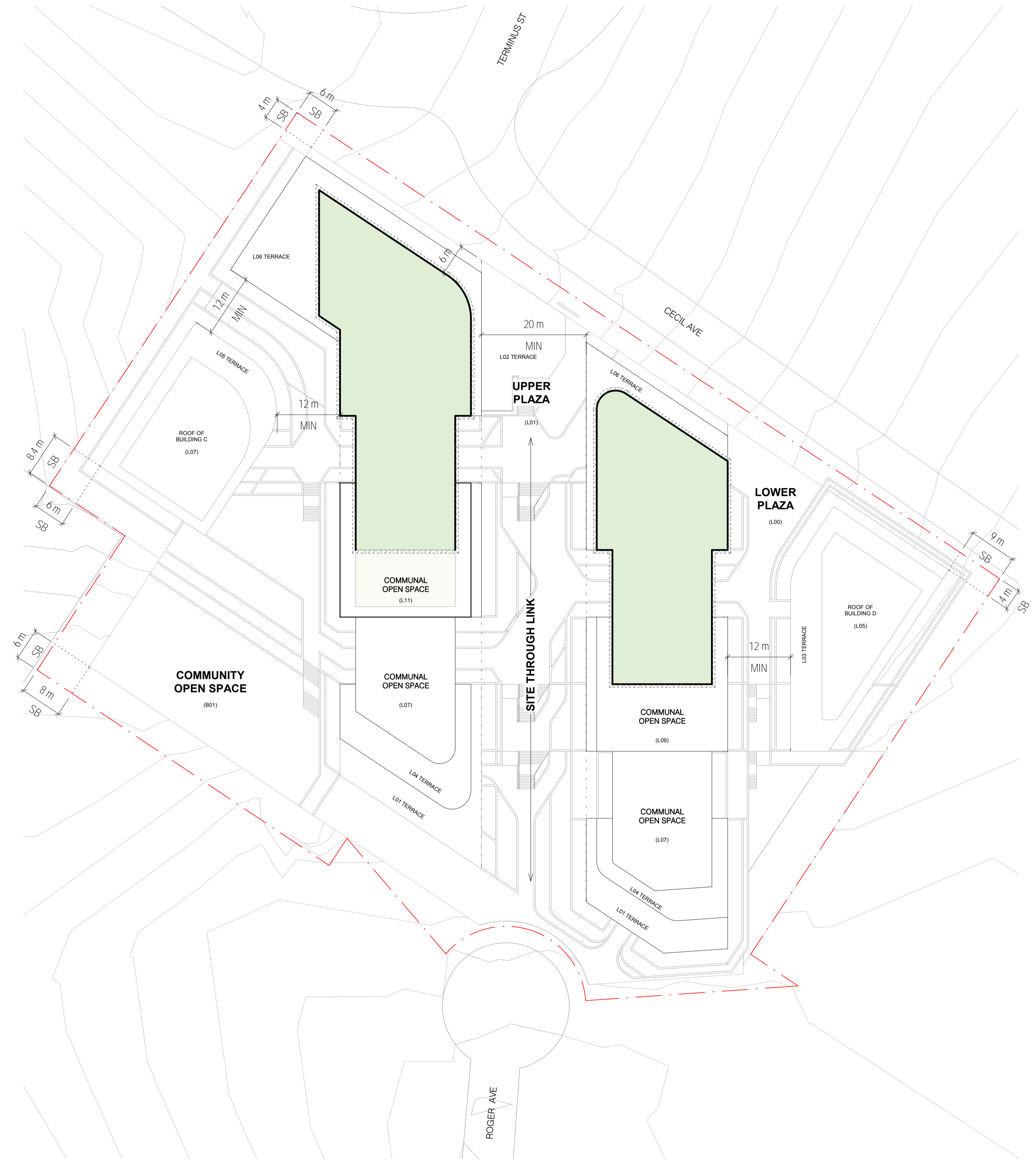
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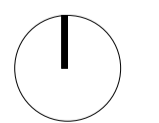


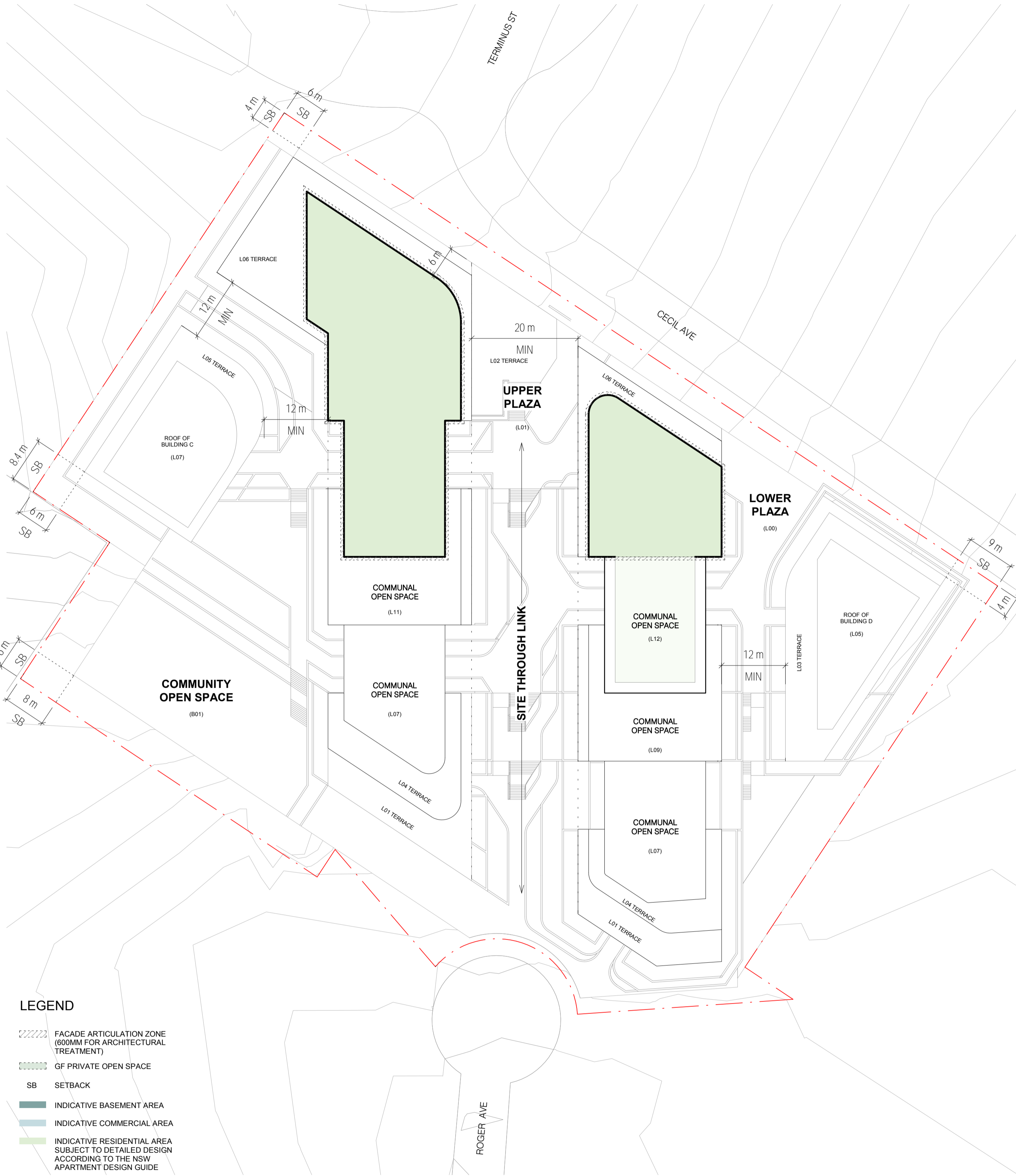
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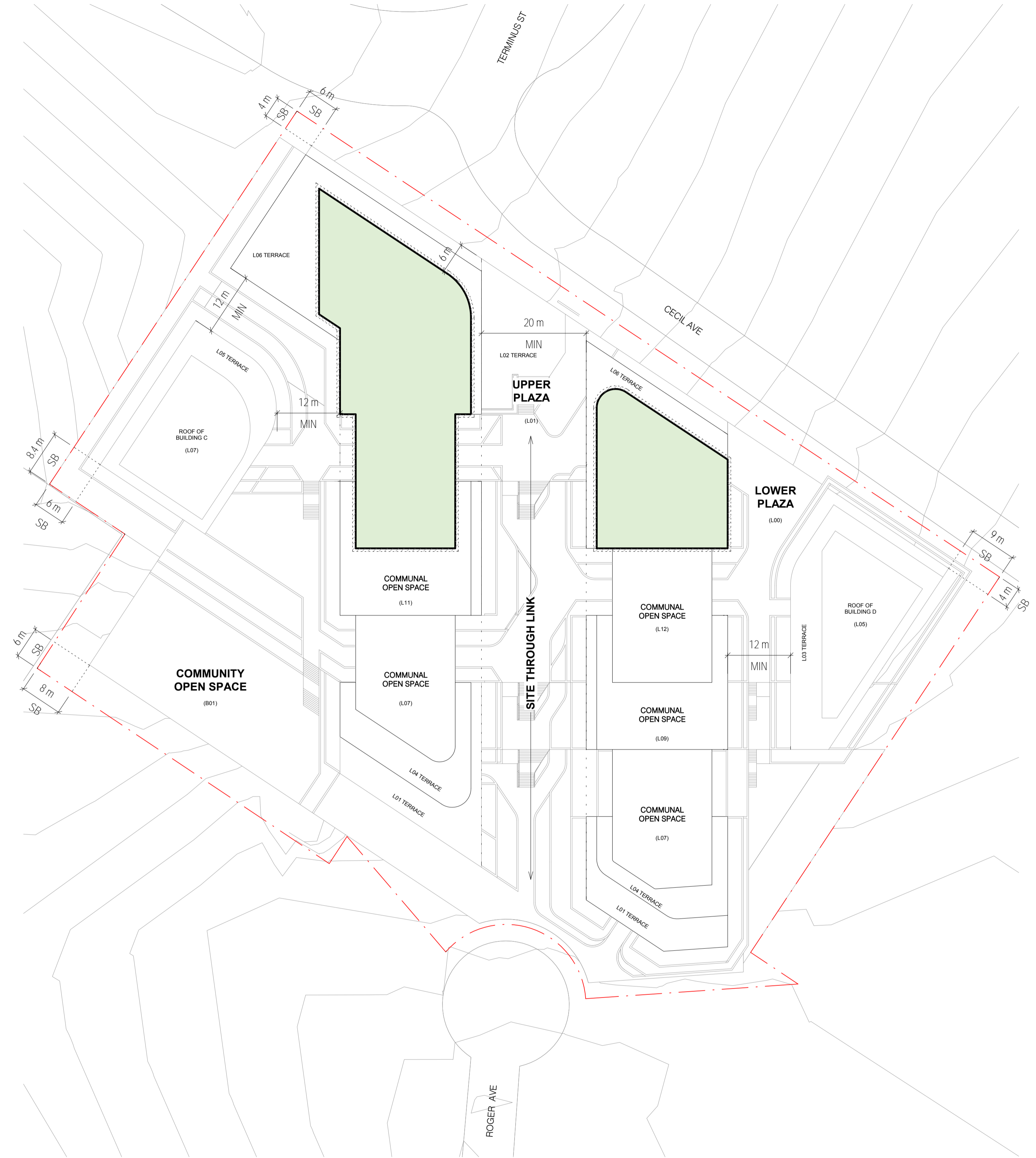


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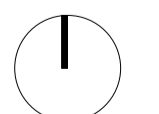


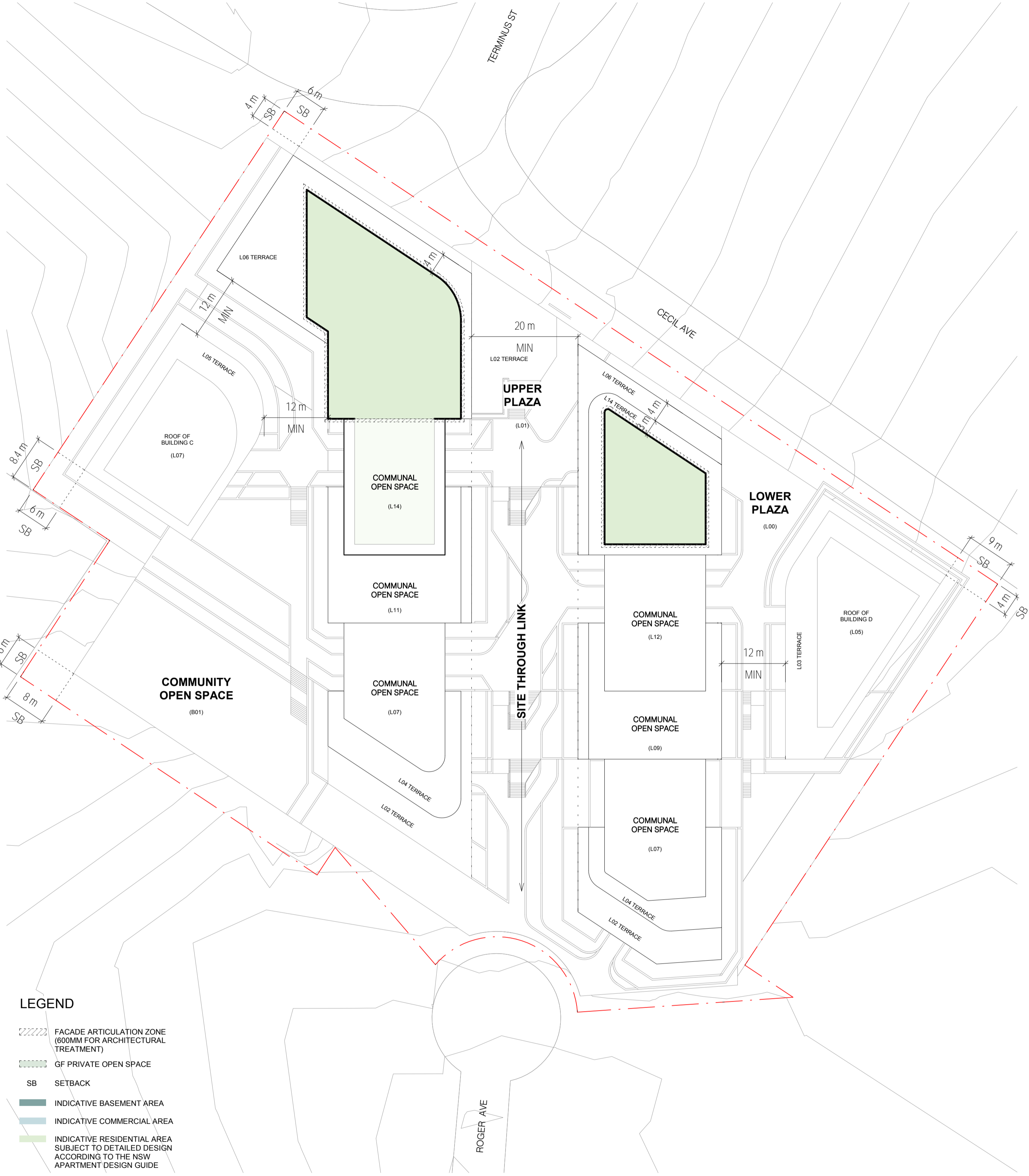


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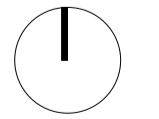


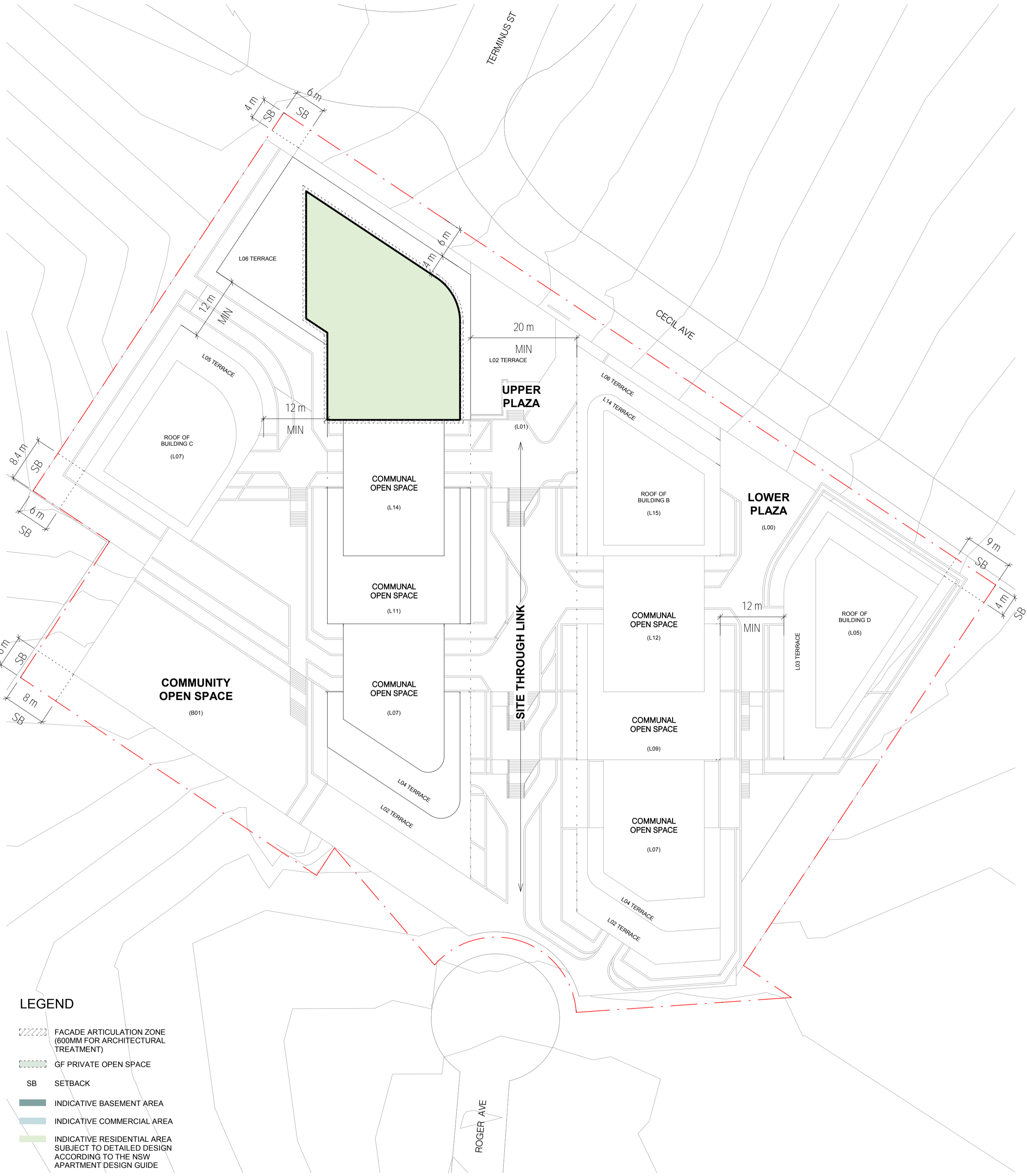
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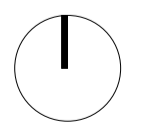


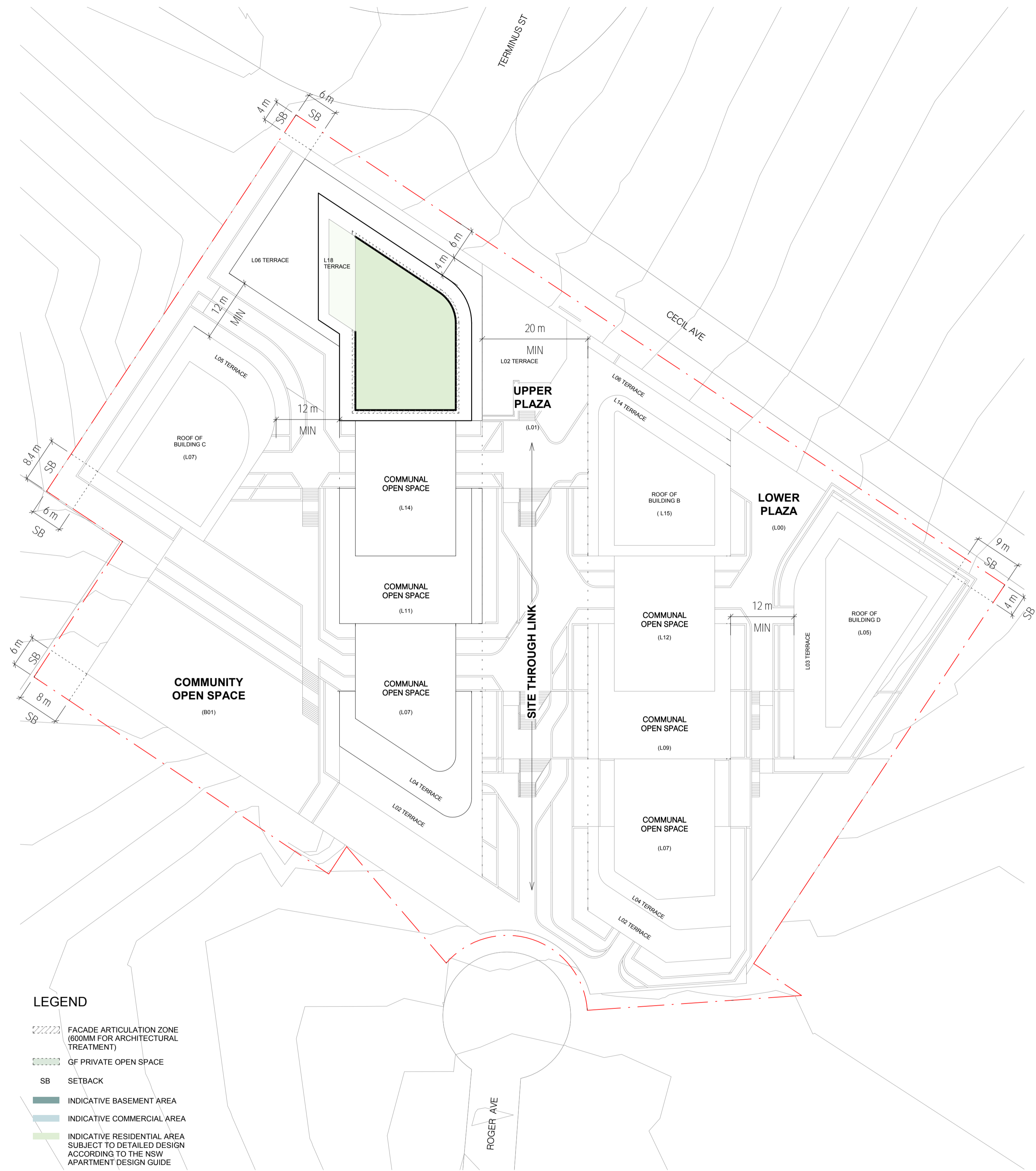
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- FAÇADE ARTICULATION ZONE (600MM FOR ARCHITECTURAL TREATMENT)
 - GF PRIVATE OPEN SPACE
 - SB SETBACK
 - INDICATIVE BASEMENT AREA
 - INDICATIVE COMMERCIAL AREA
 - INDICATIVE RESIDENTIAL AREA SUBJECT TO DETAILED DESIGN ACCORDING TO THE NSW APARTMENT DESIGN GUIDE

1 BUILDING ENVELOPE PLAN - L16
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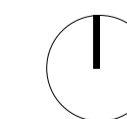


2 BUILDING ENVELOPE PLAN - L17
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1 BUILDING ENVELOPE PLAN - L18
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Appendix D

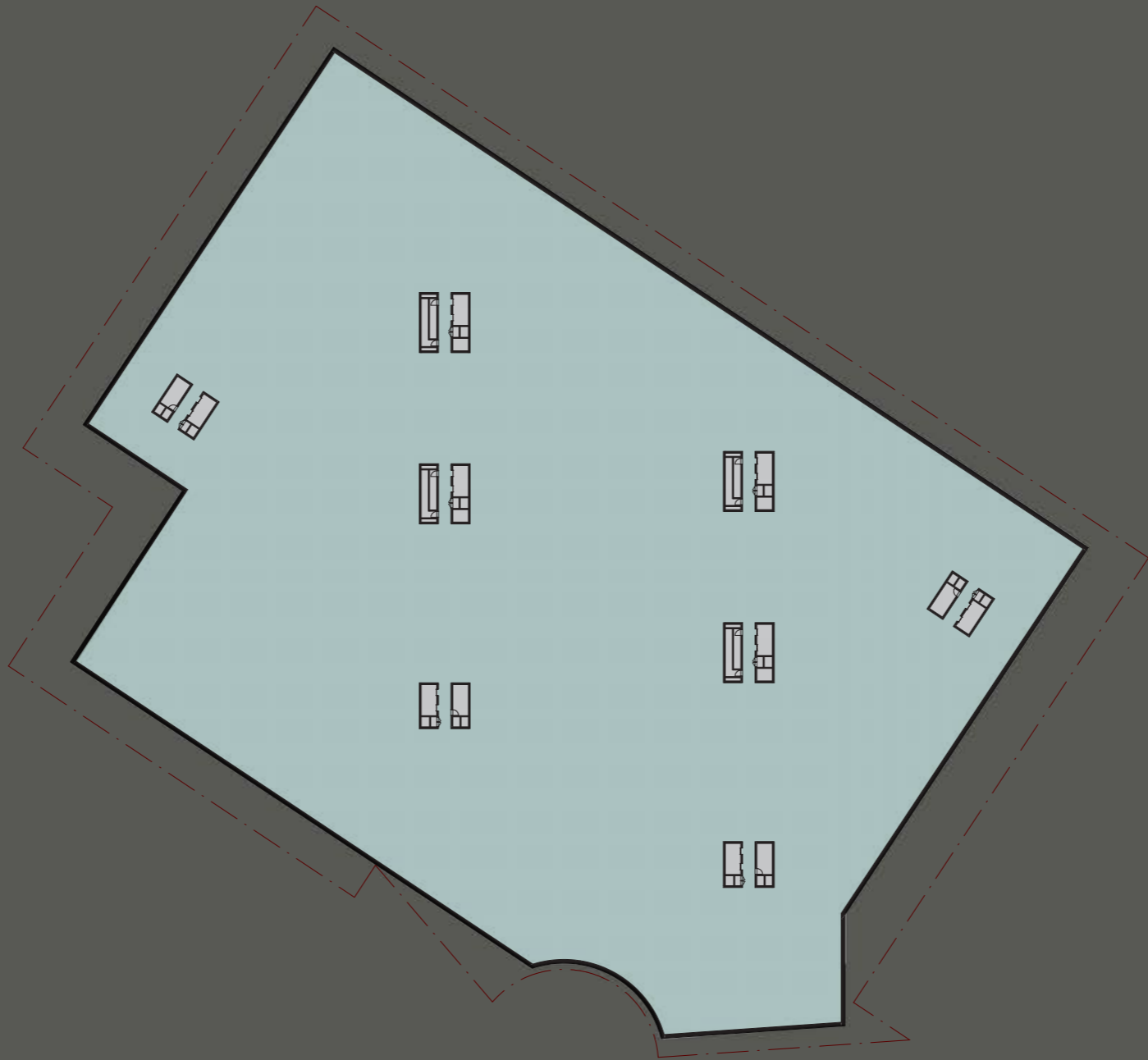
Indicative Reference Drawings, 97-105 Cecil Avenue, Castle Hill, prepared by PTW Architects, dated 22 May 2017

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REFERENCE PLAN - B04

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- INDICATIVE CORE AREA
- INDICATIVE CIRCULATION AREA
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- INDICATIVE COMMERCIAL AREA
- INDICATIVE COMMUNAL AREA
- RESIDENTIAL ENTRY



IP-1001
Indicative Reference Plan - B04

1 : 500
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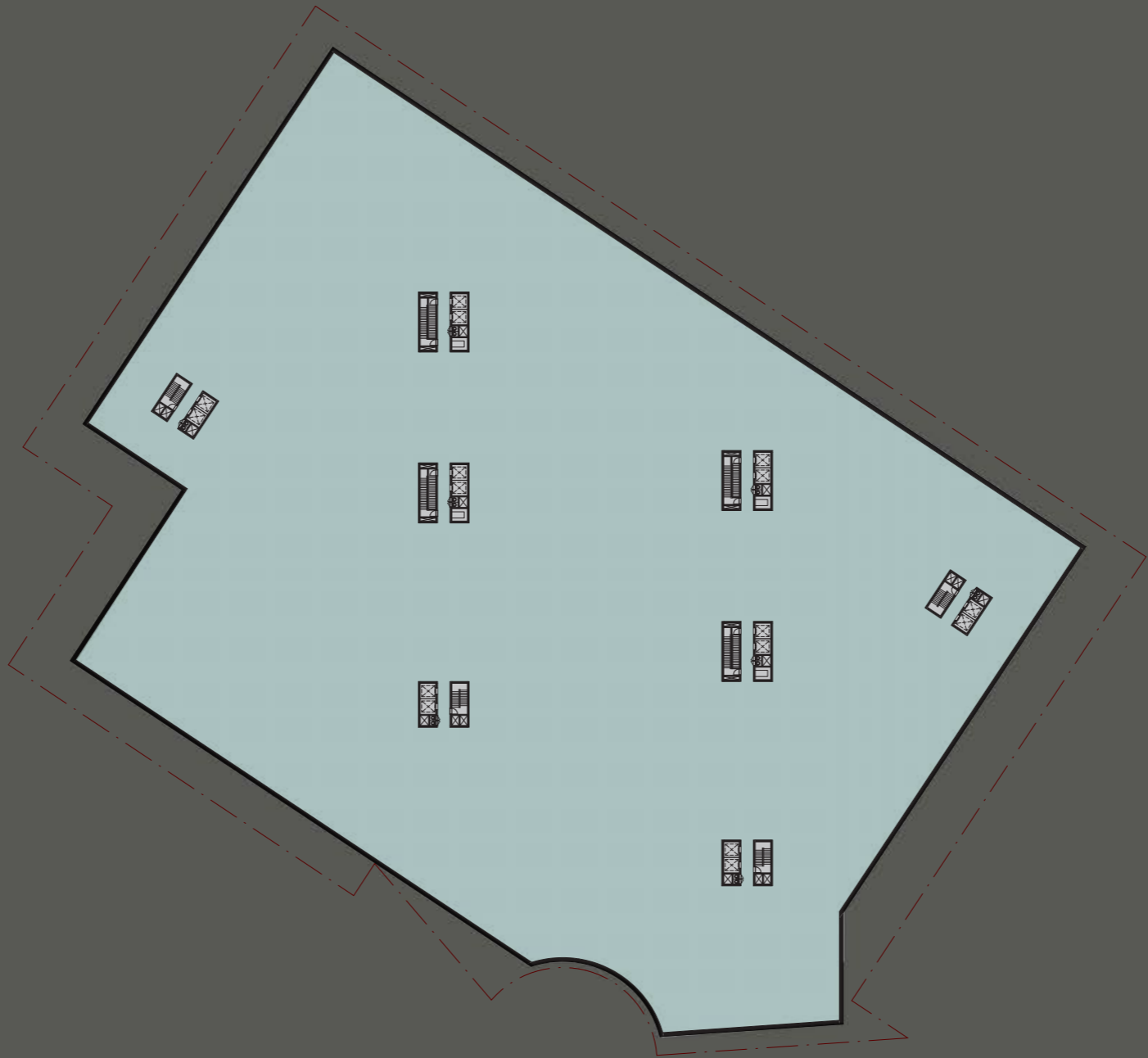
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- INDICATIVE COMMUNAL AREA
- RESIDENTIAL ENTRY



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- INDICATIVE CIRCULATION AREA
- INDICATIVE BASEMENT AREA
- INDICATIVE COMMERCIAL AREA
- INDICATIVE COMMUNAL AREA
- RESIDENTIAL ENTRY

1 REFERENCE PLAN - B02
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IP-1003
Indicative Reference Plan - B02
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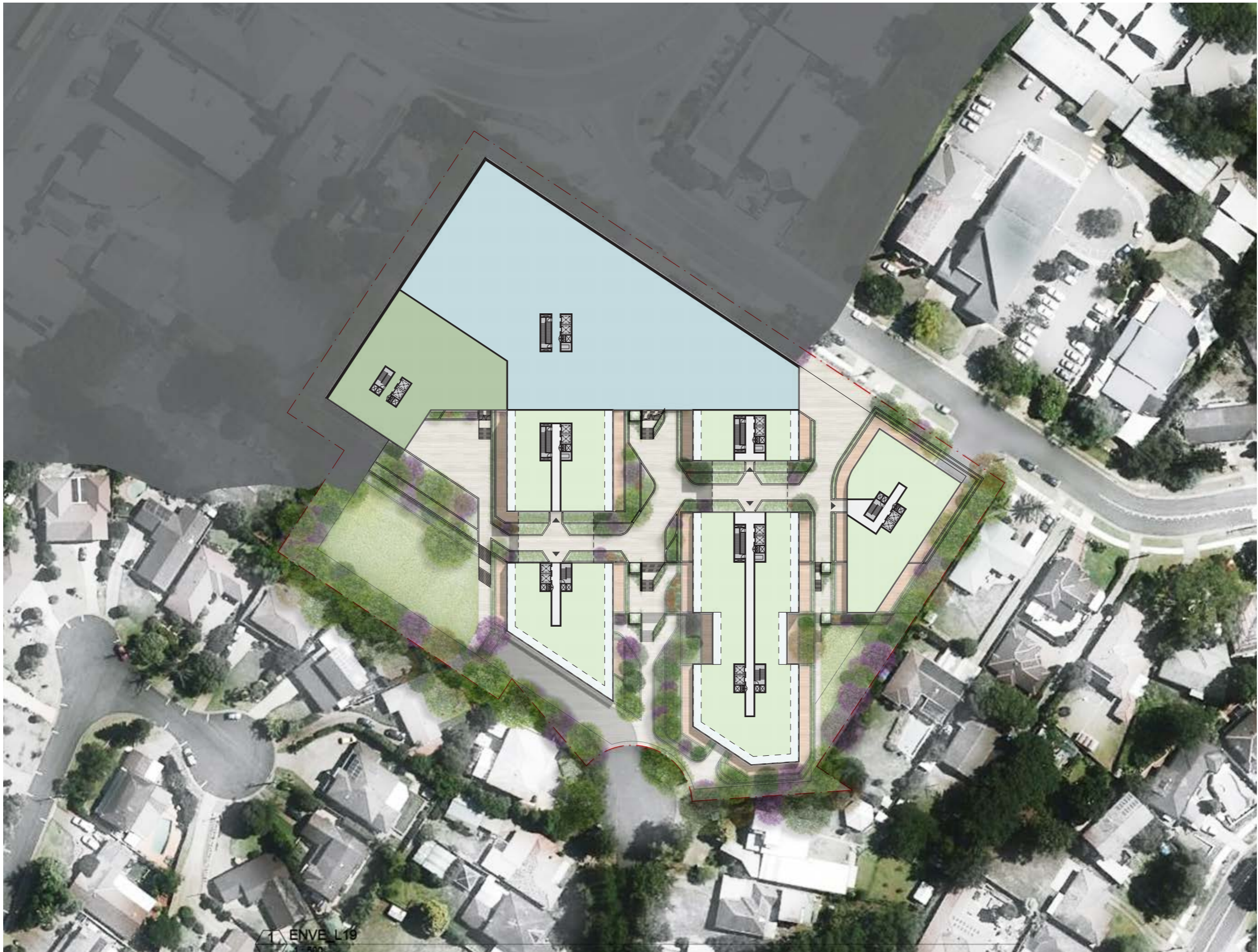
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1 REFERENCE PLAN - L00
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- RESIDENTIAL ENTRY

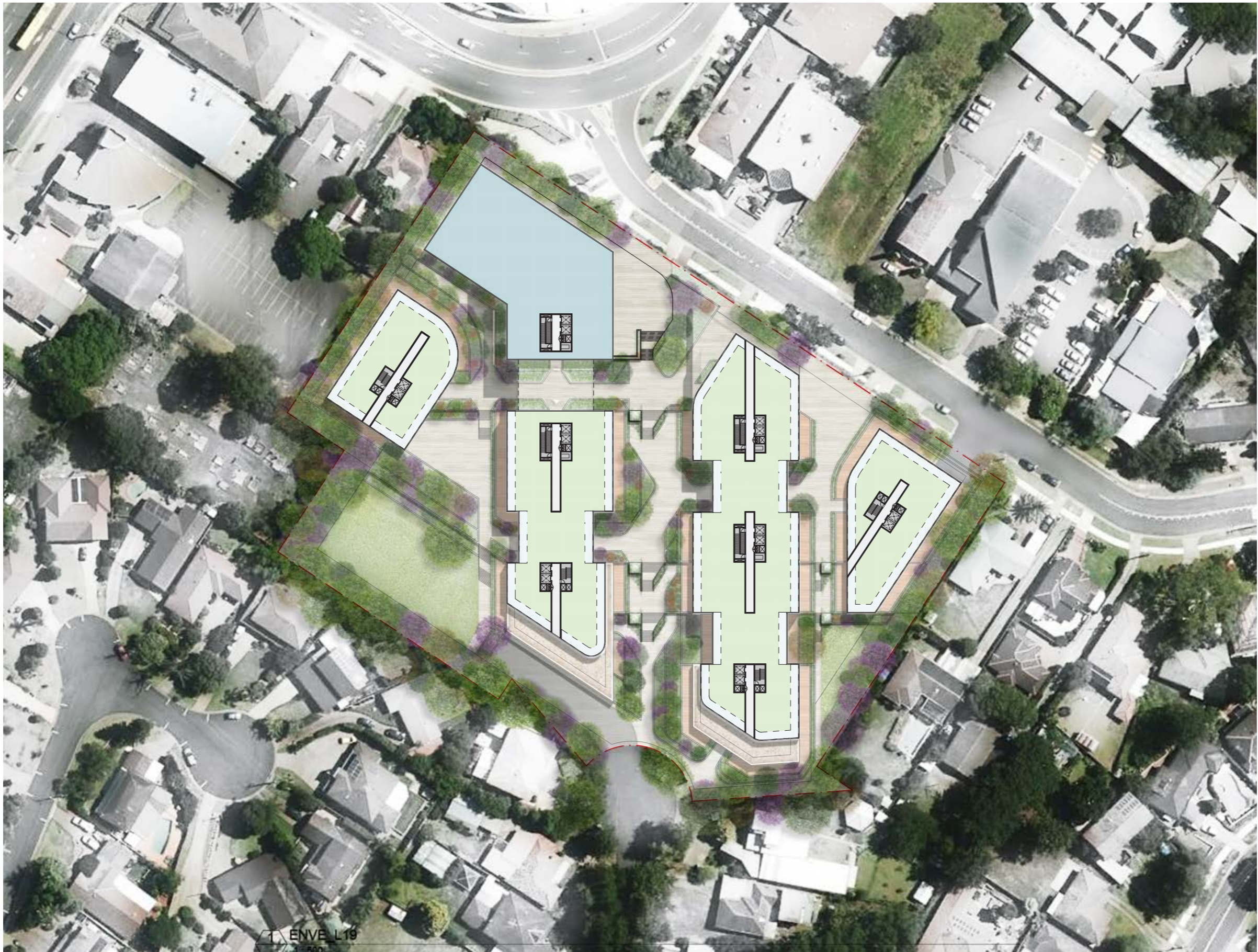
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1 REFERENCE PLAN - L02
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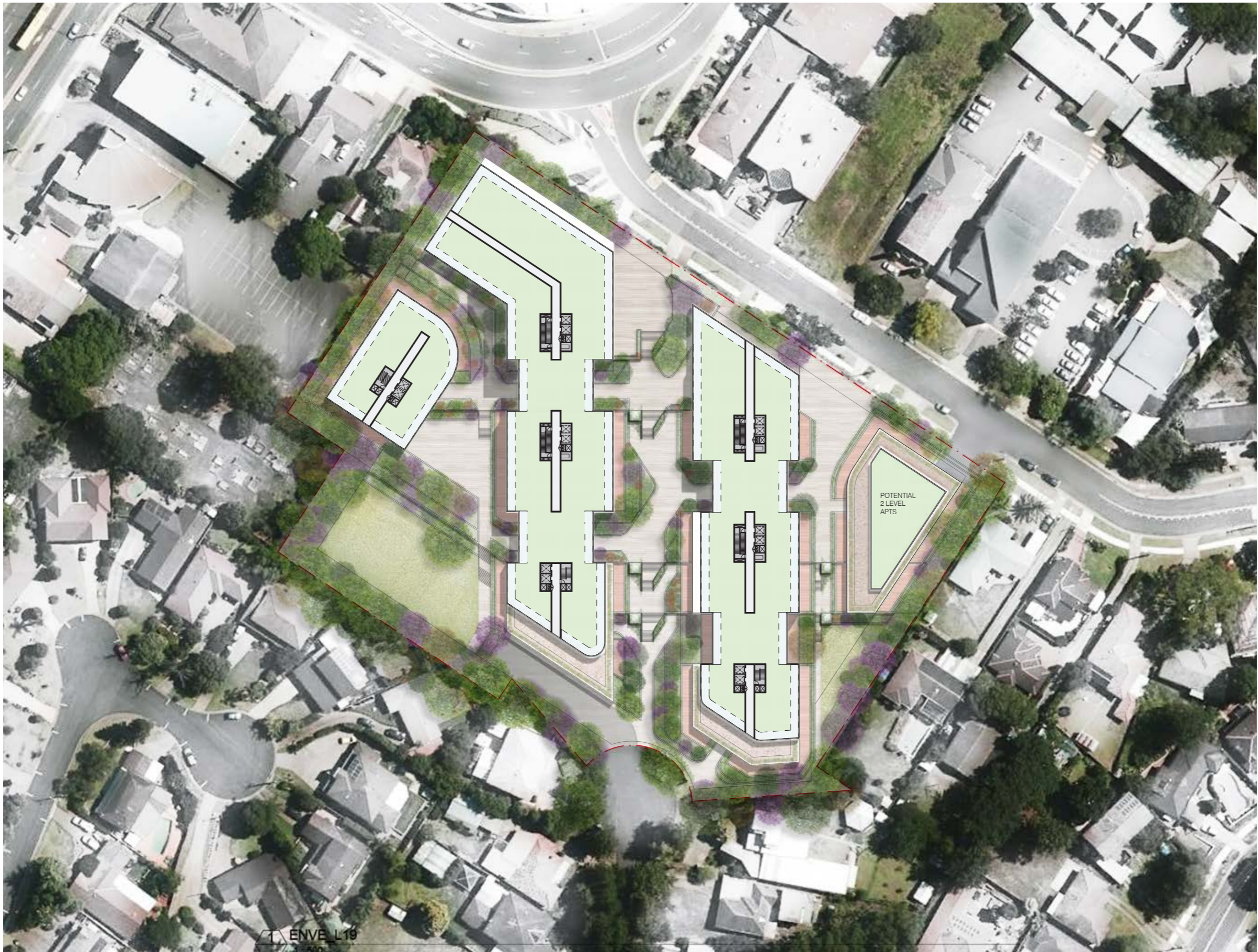
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Indicative Reference Plan - L02
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- RESIDENTIAL ENTRY

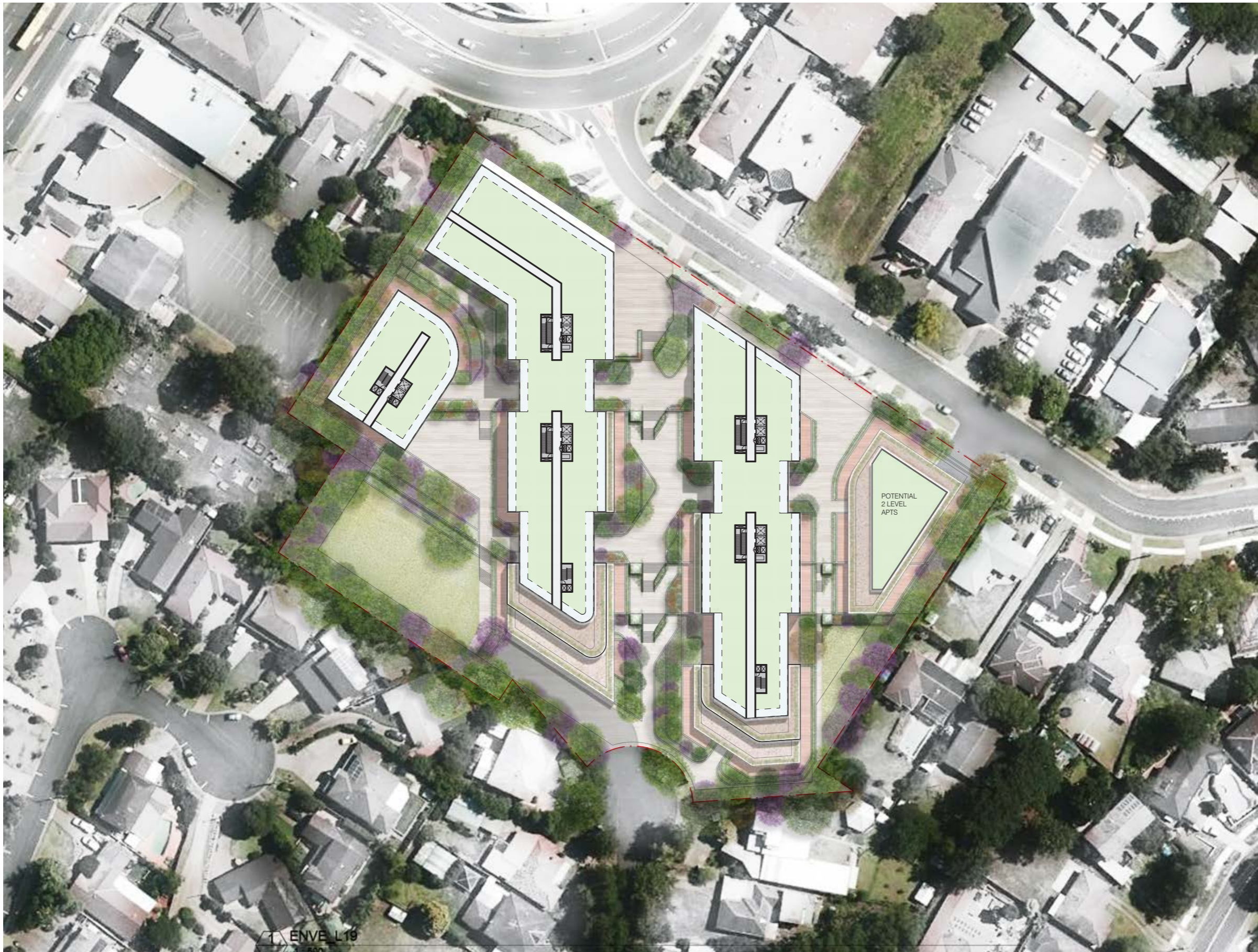
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1 REFERENCE PLAN - L04
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Indicative Reference Plan - L04
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1 REFERENCE PLAN - L05
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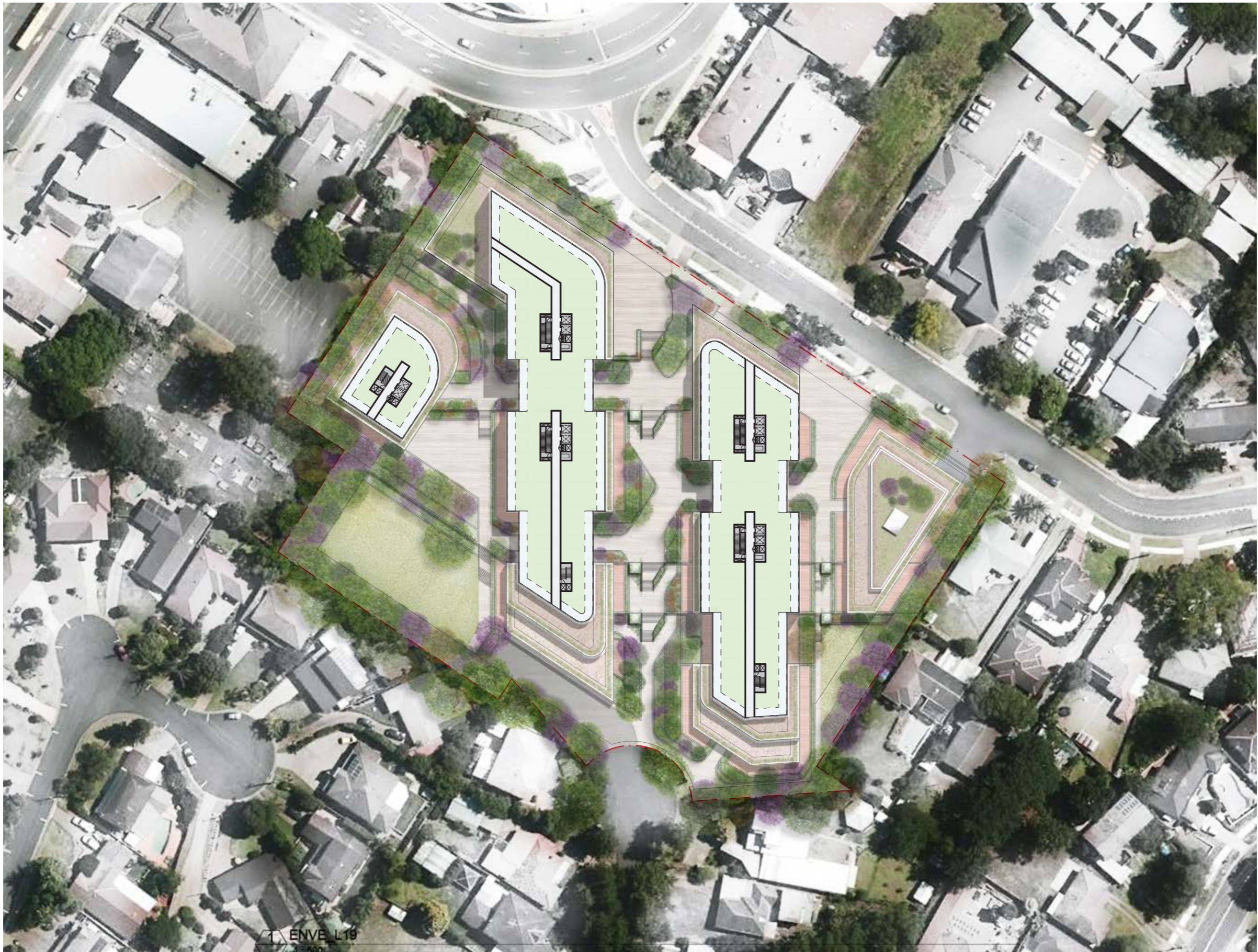
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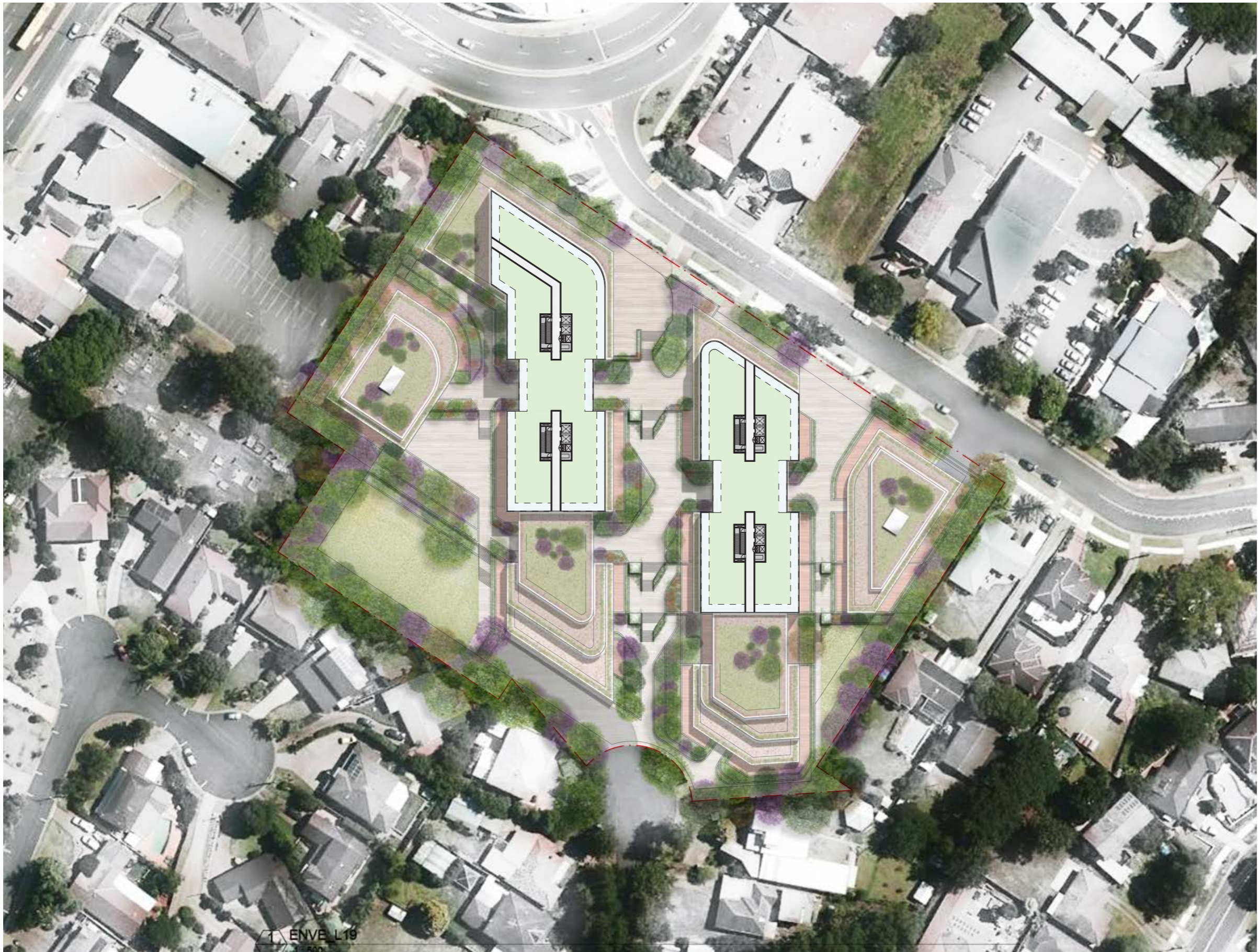
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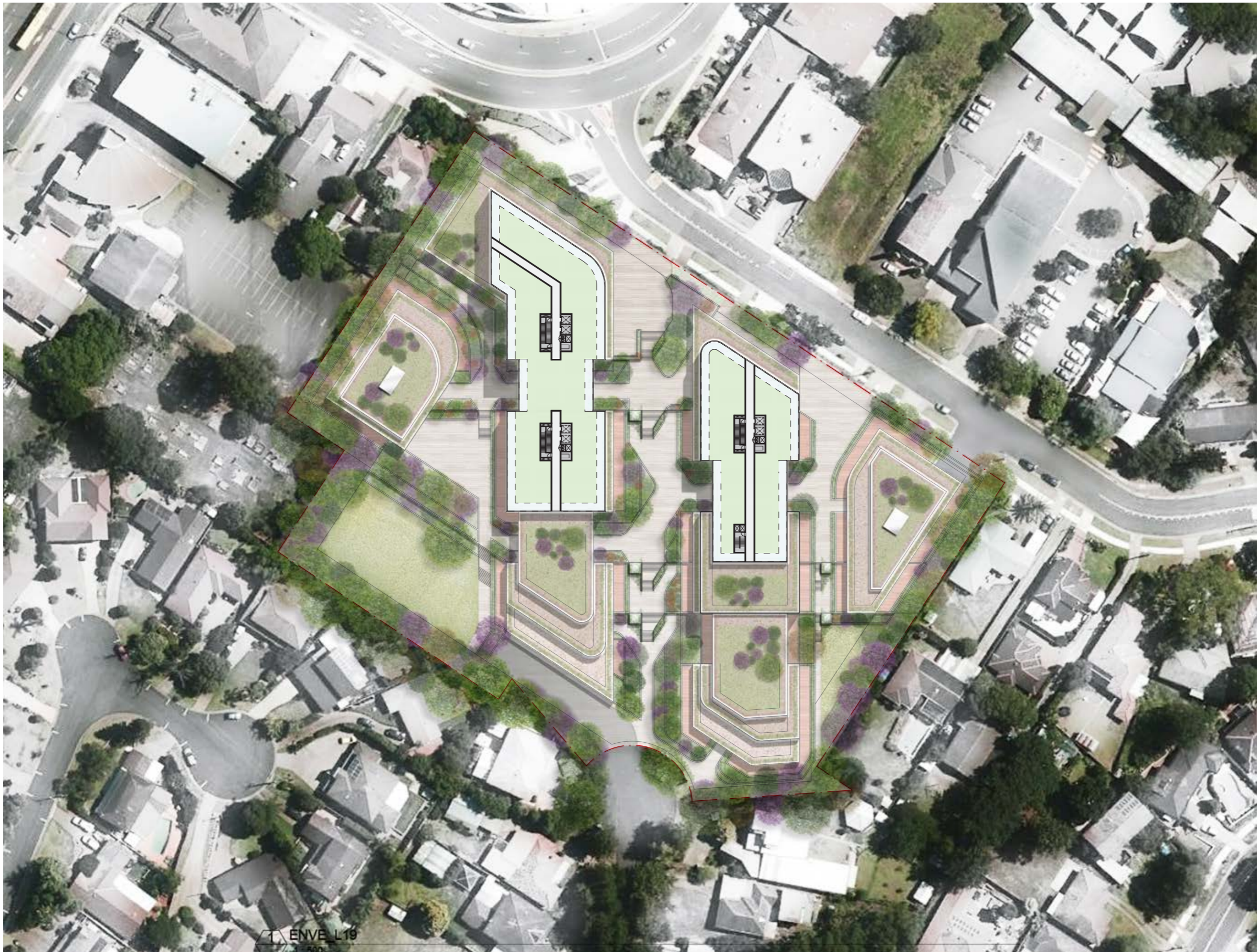
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- RESIDENTIAL ENTRY



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1 REFERENCE PLAN - L09
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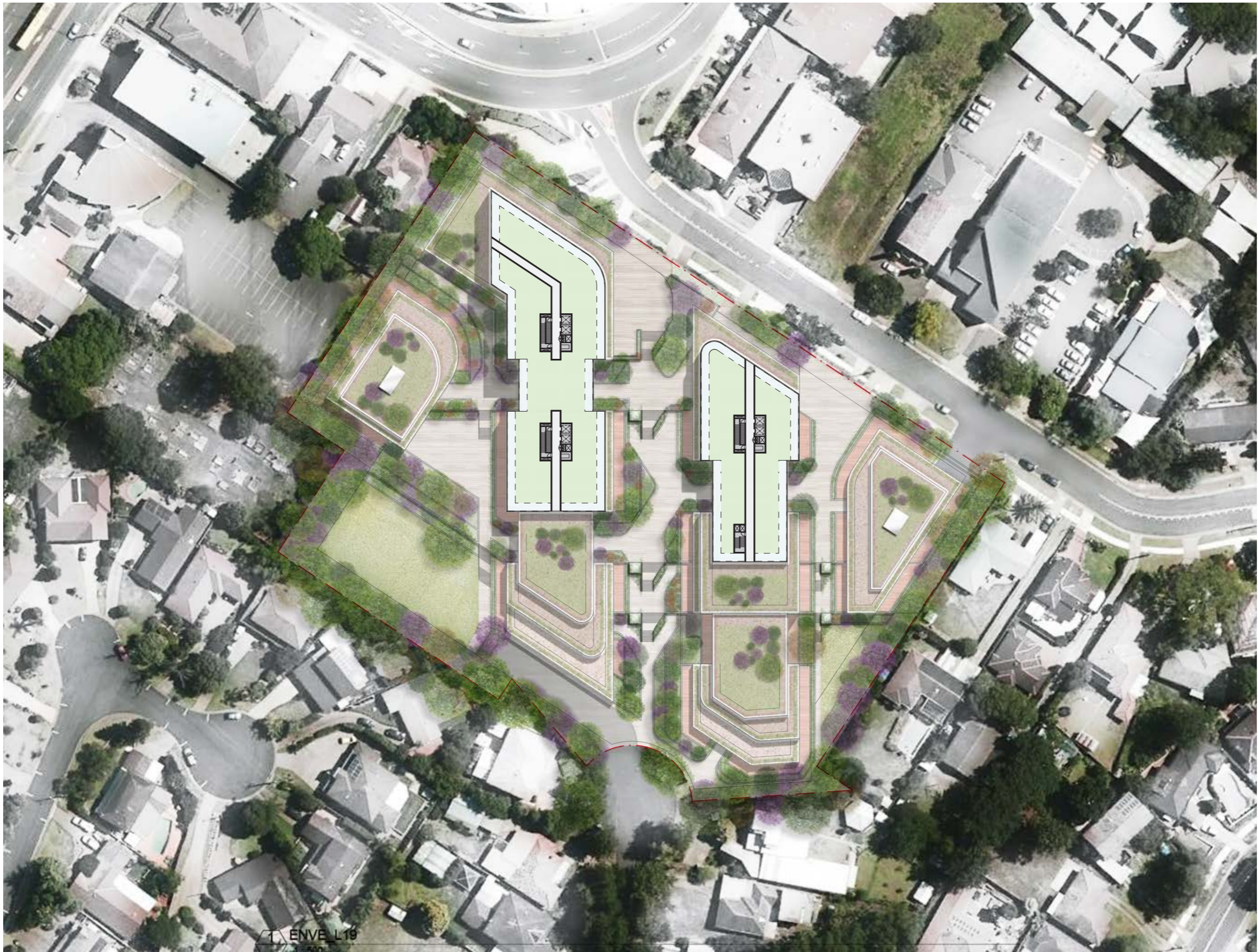
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1 REFERENCE PLAN - L10
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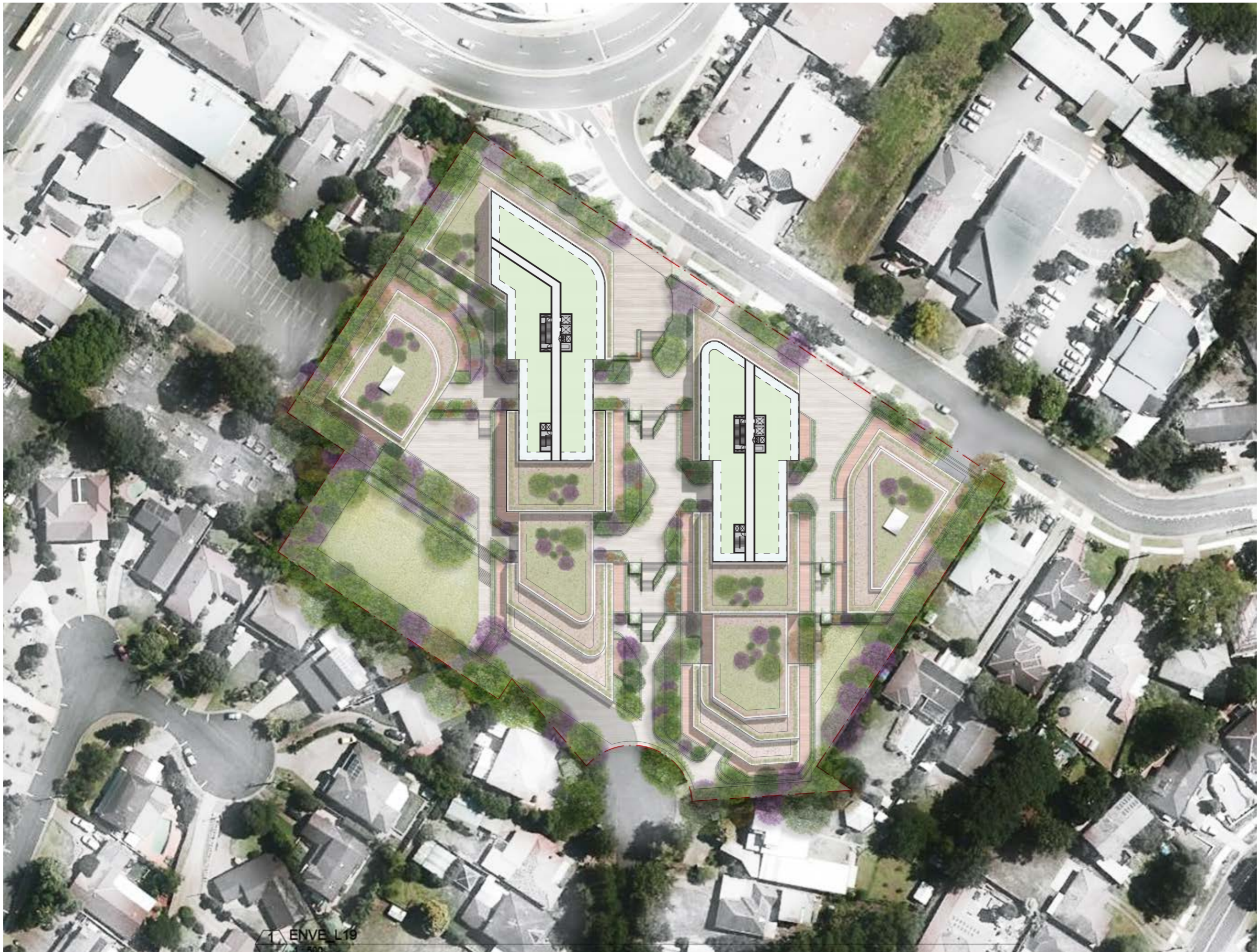
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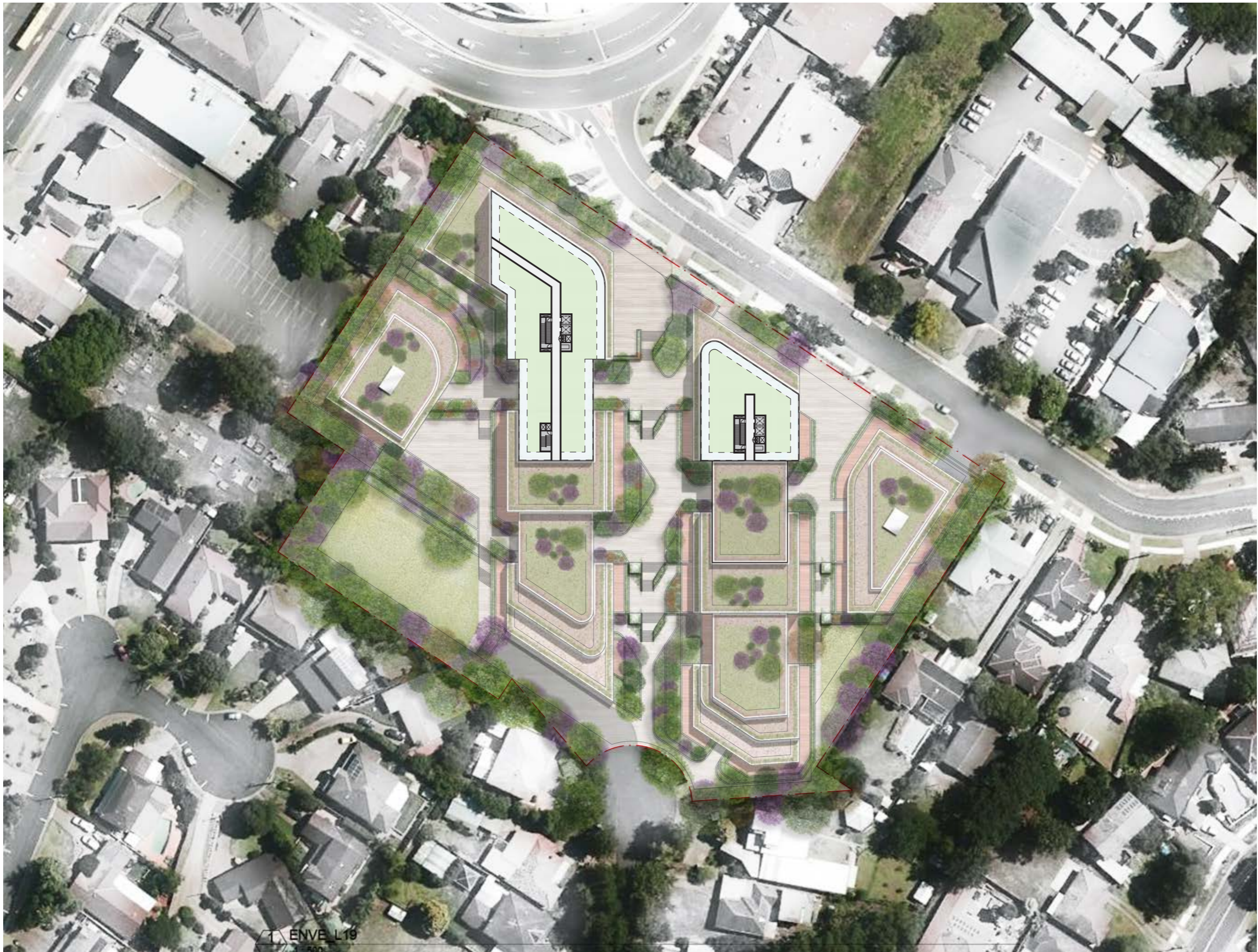
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1 REFERENCE PLAN - L12
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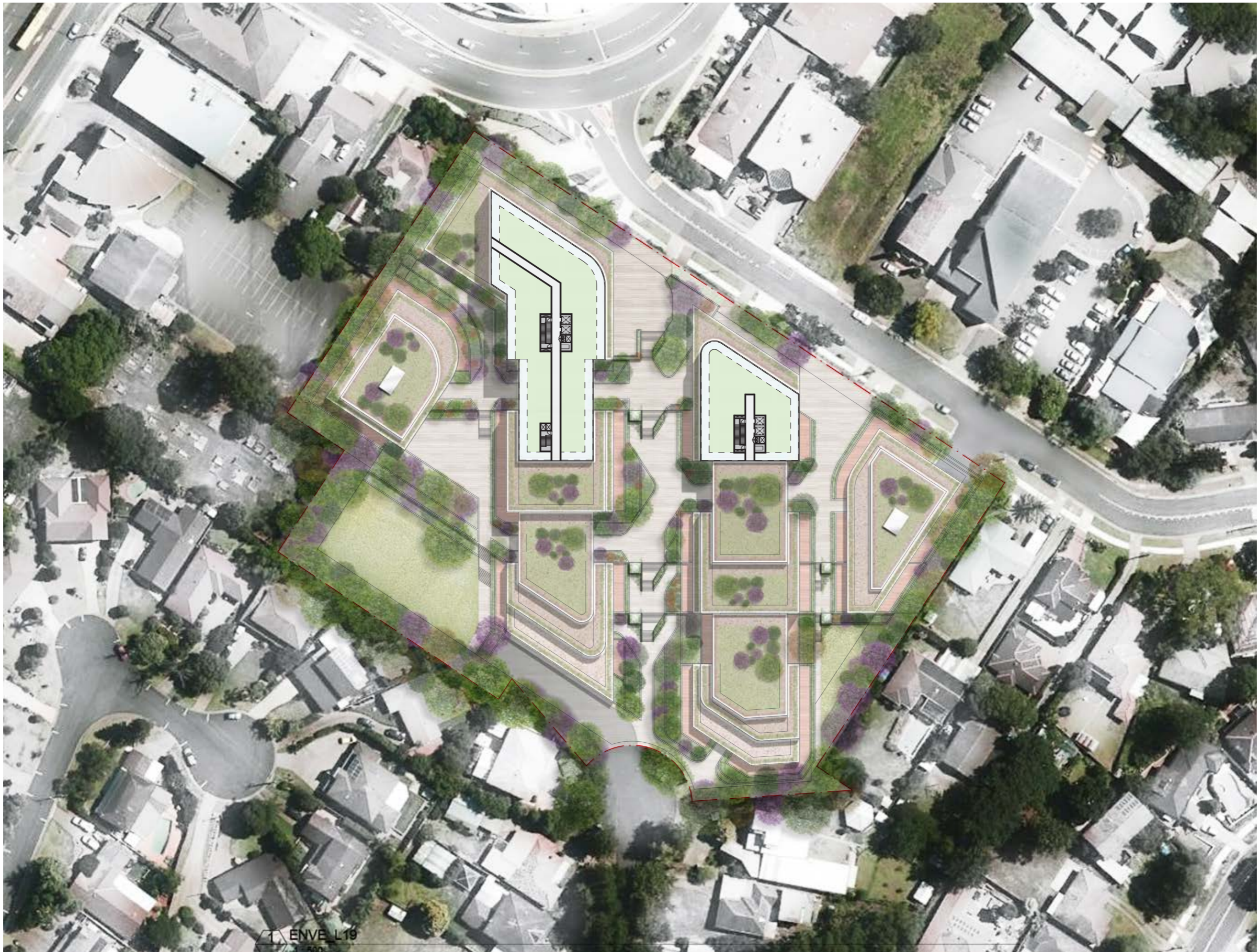
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- RESIDENTIAL ENTRY



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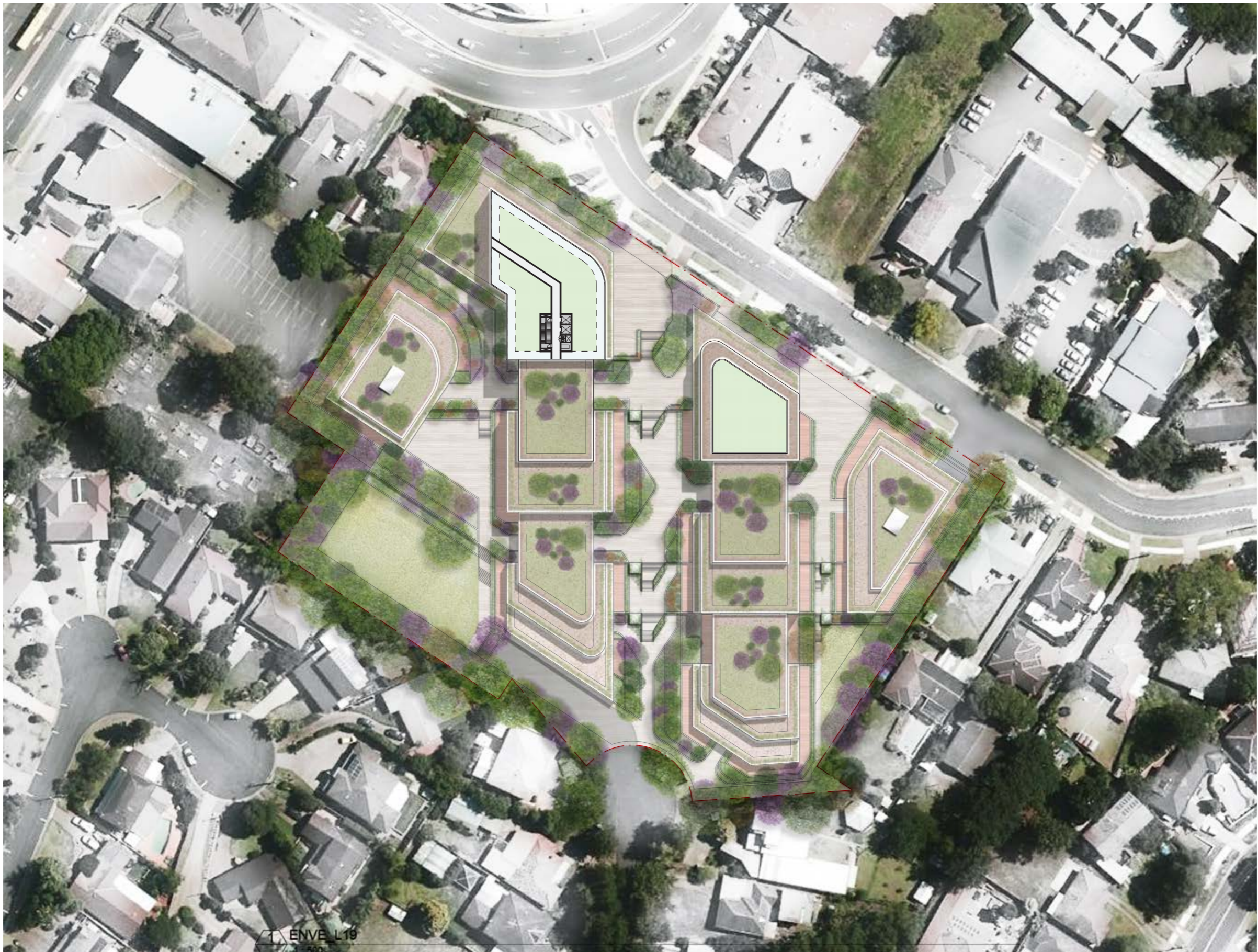
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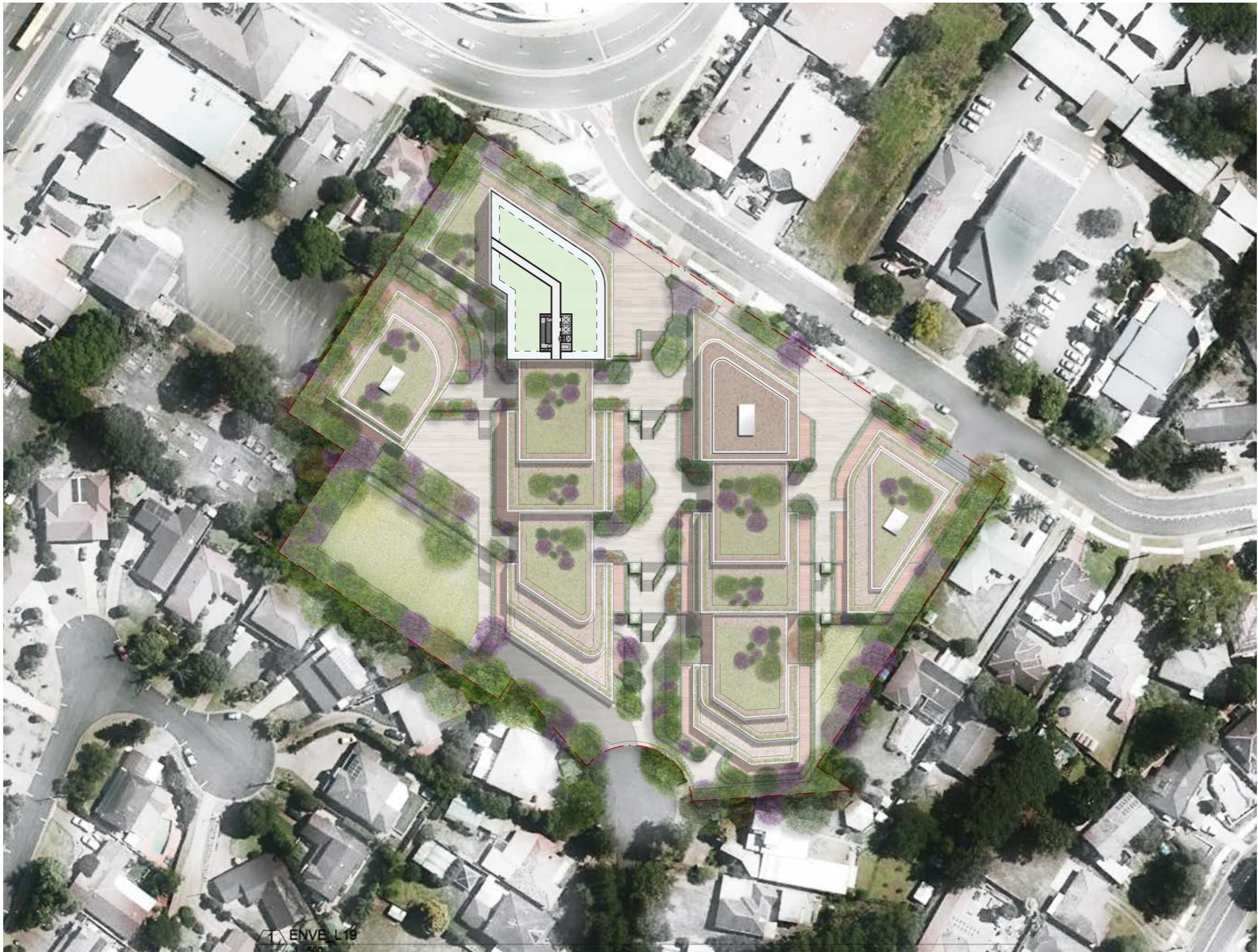
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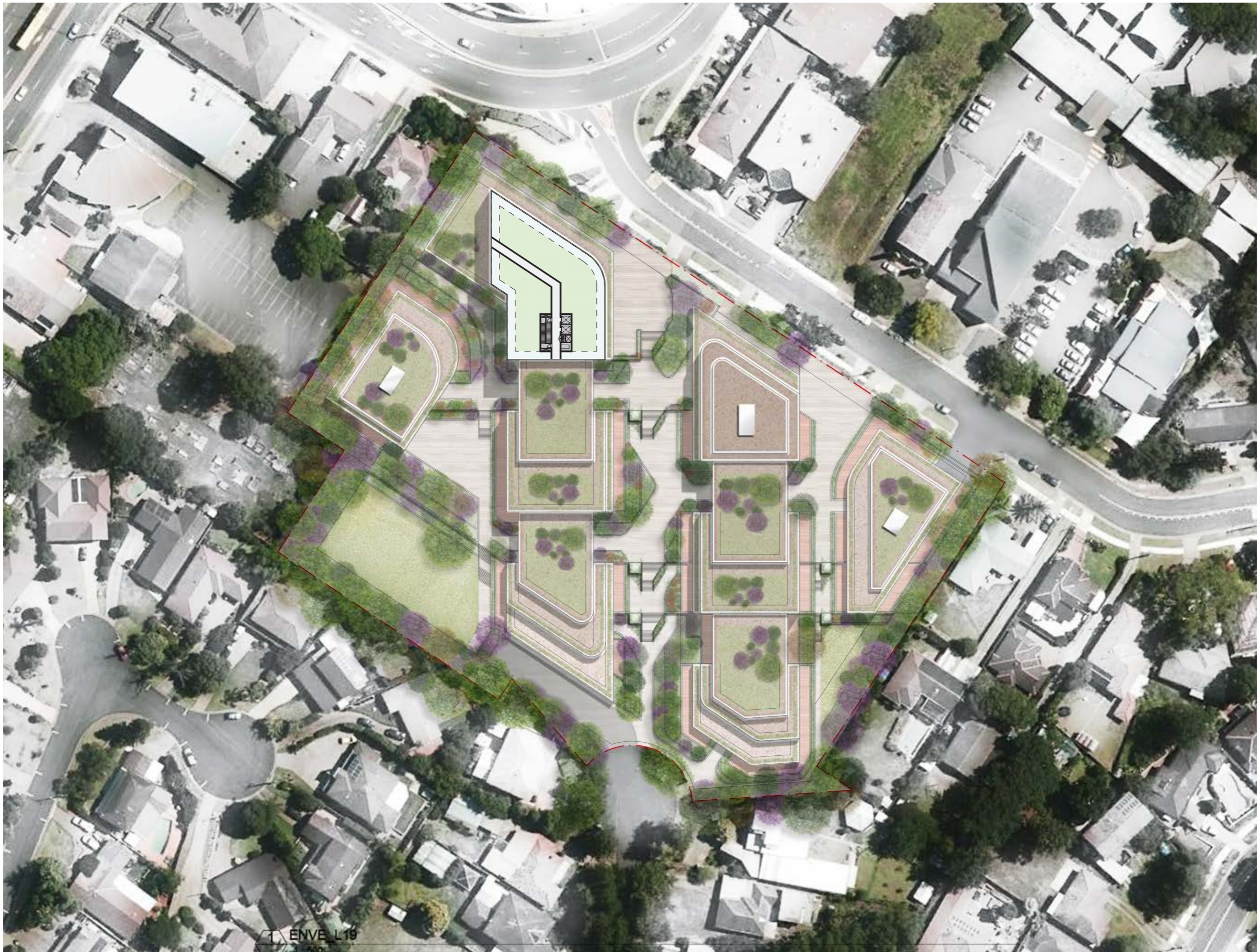
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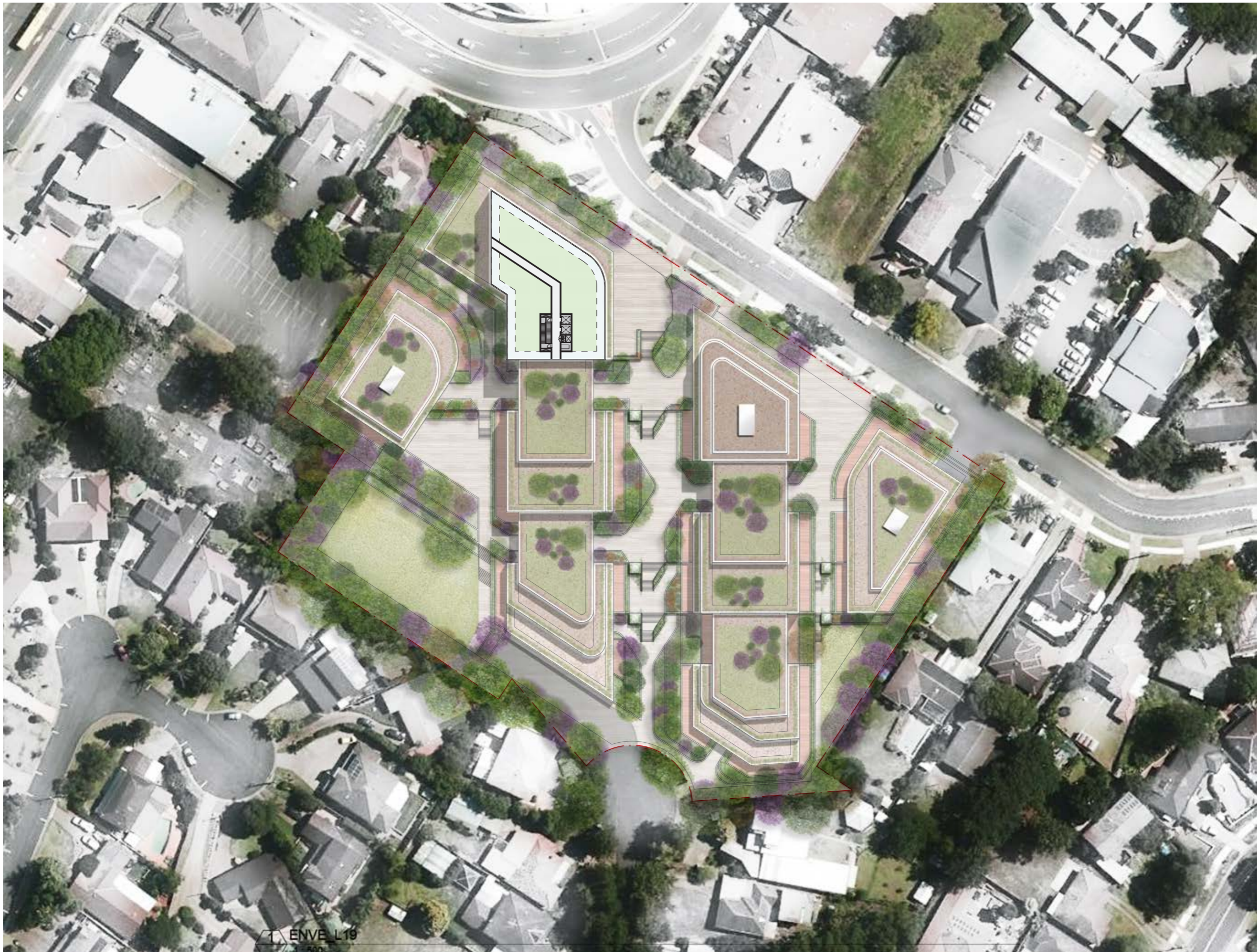
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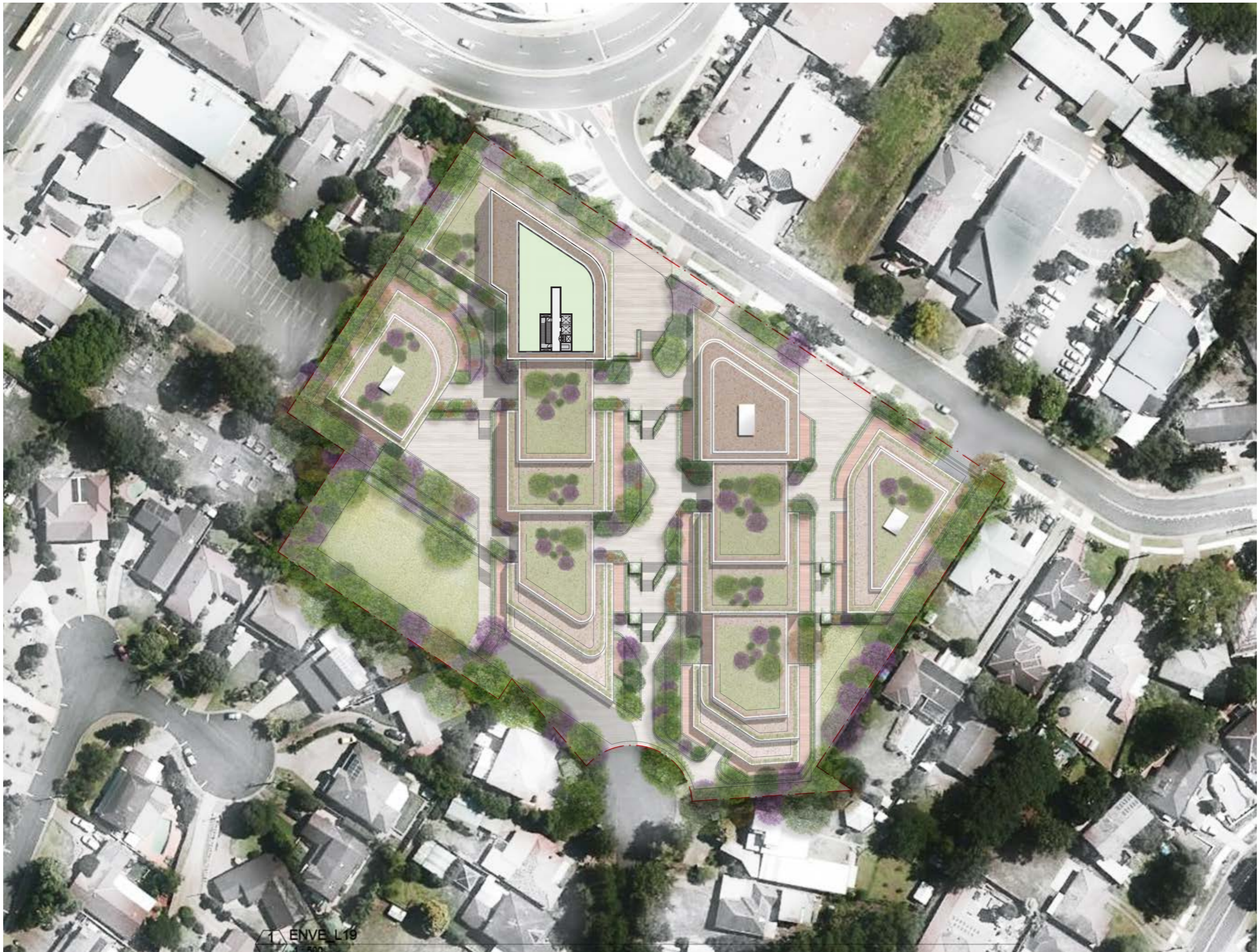
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West Elevation



East Elevation



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L24	RL	197.600
L23	RL	194.500
L22	RL	191.400
L21	RL	188.300
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L00	RL	123.200
B01	RL	120.100
B02	RL	117.000
B03	RL	114.200
B04	RL	111.400

North Elevation



L24	RL	197.600
L23	RL	194.500
L22	RL	191.400
L21	RL	188.300
L20	RL	185.200
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L18	RL	179.000
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L04	RL	135.600
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South Elevation

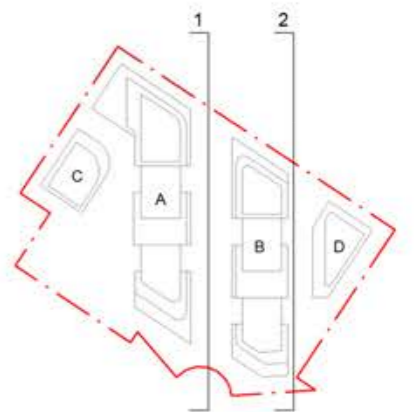




Site Section 1 looking at Building A



Site Section 2 looking at Building B



Appendix E

DCP Figures, 93-107 Cecil Avenue and 9-10 Roger Avenue, Castle Hill, prepared by PTW Architects,
dated 26 May 2017

93-107 Cecil Ave and 9-10 Roger Ave, Castle Hill DCP Figures

Prepared for MERC - 26 May 2017

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FIGURE 2 - SITE PLAN

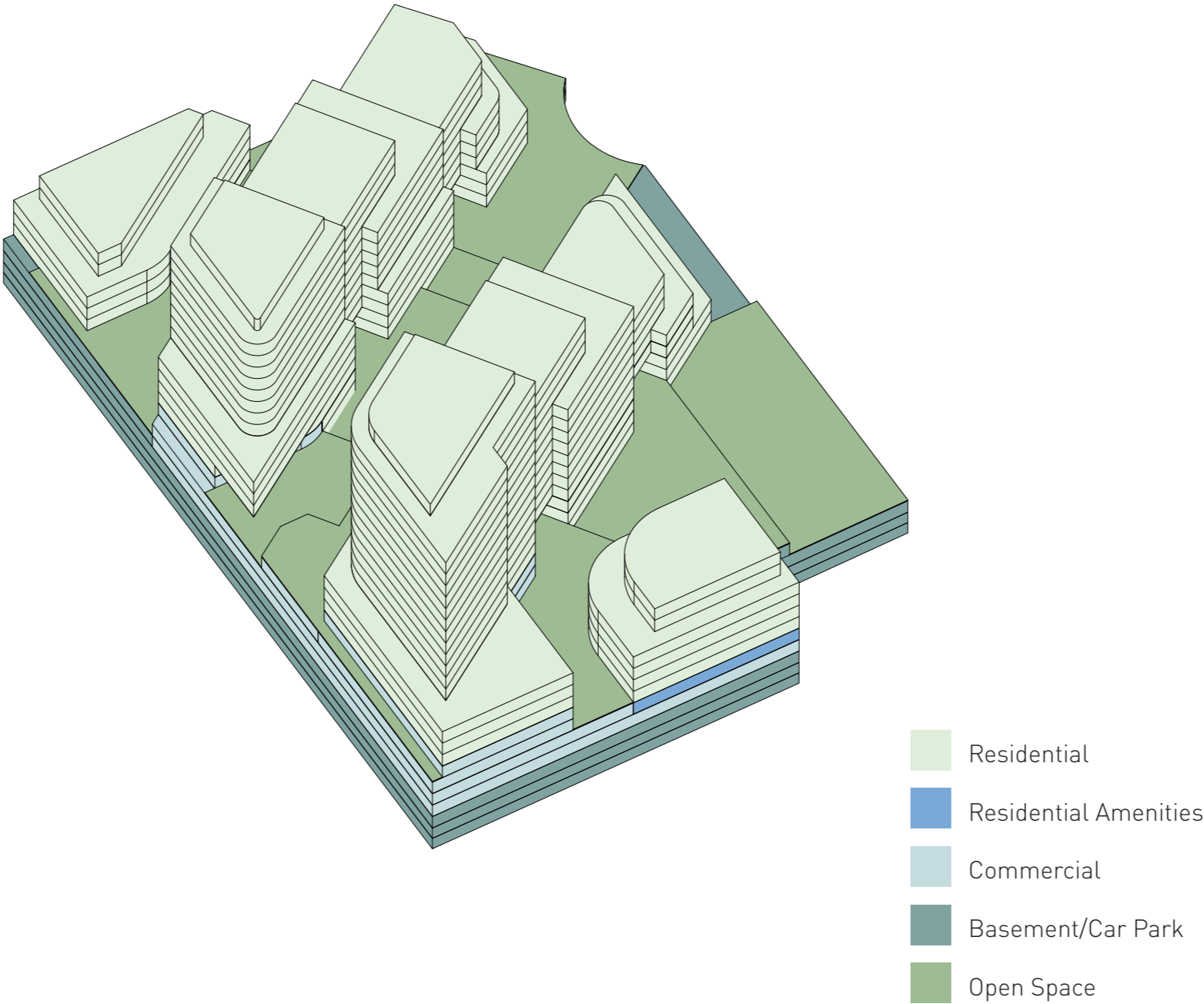


FIGURE 3A - LAND USE ARRANGEMENT

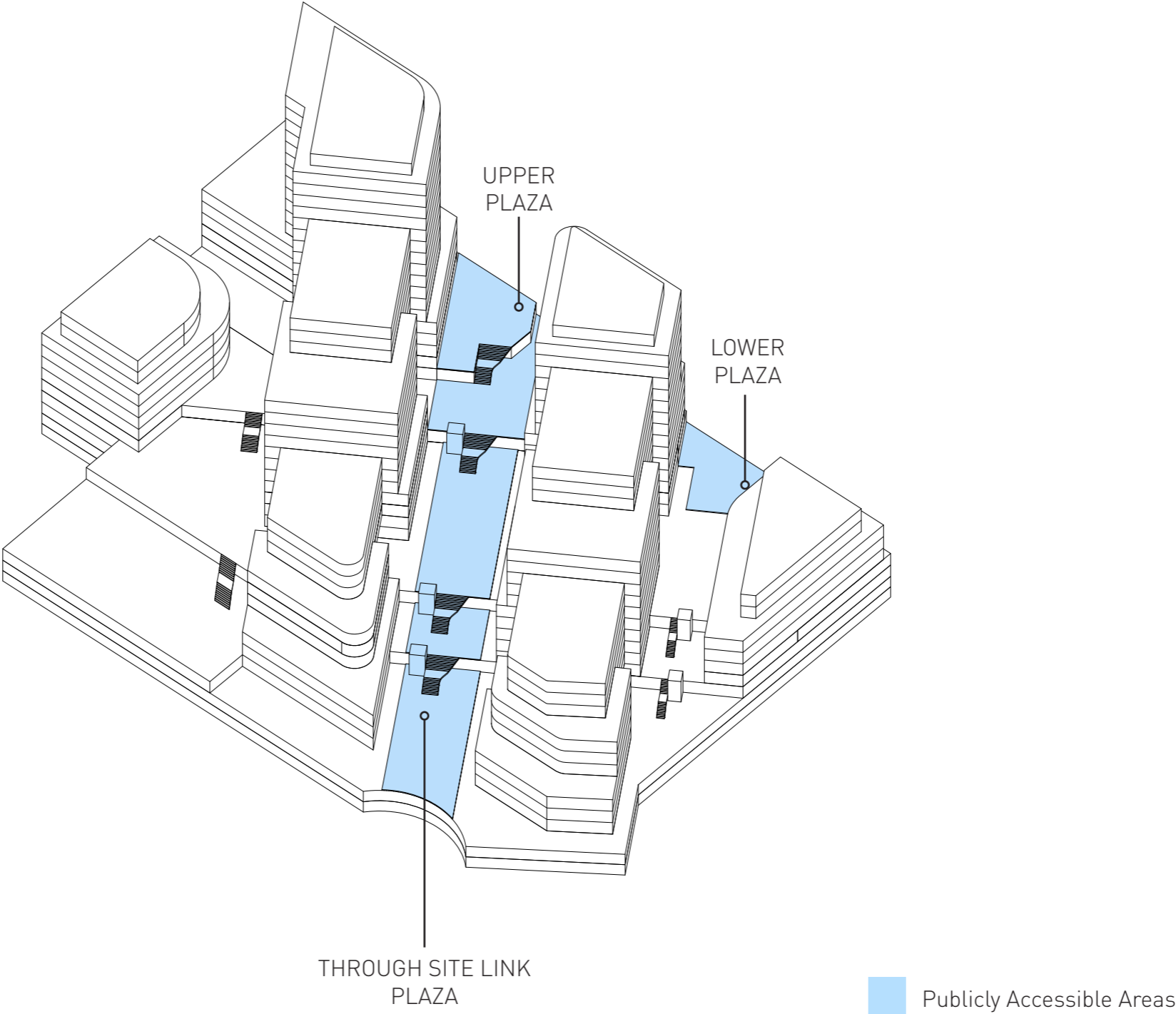


FIGURE 3B - PUBLICLY ACCESSIBLE AREAS



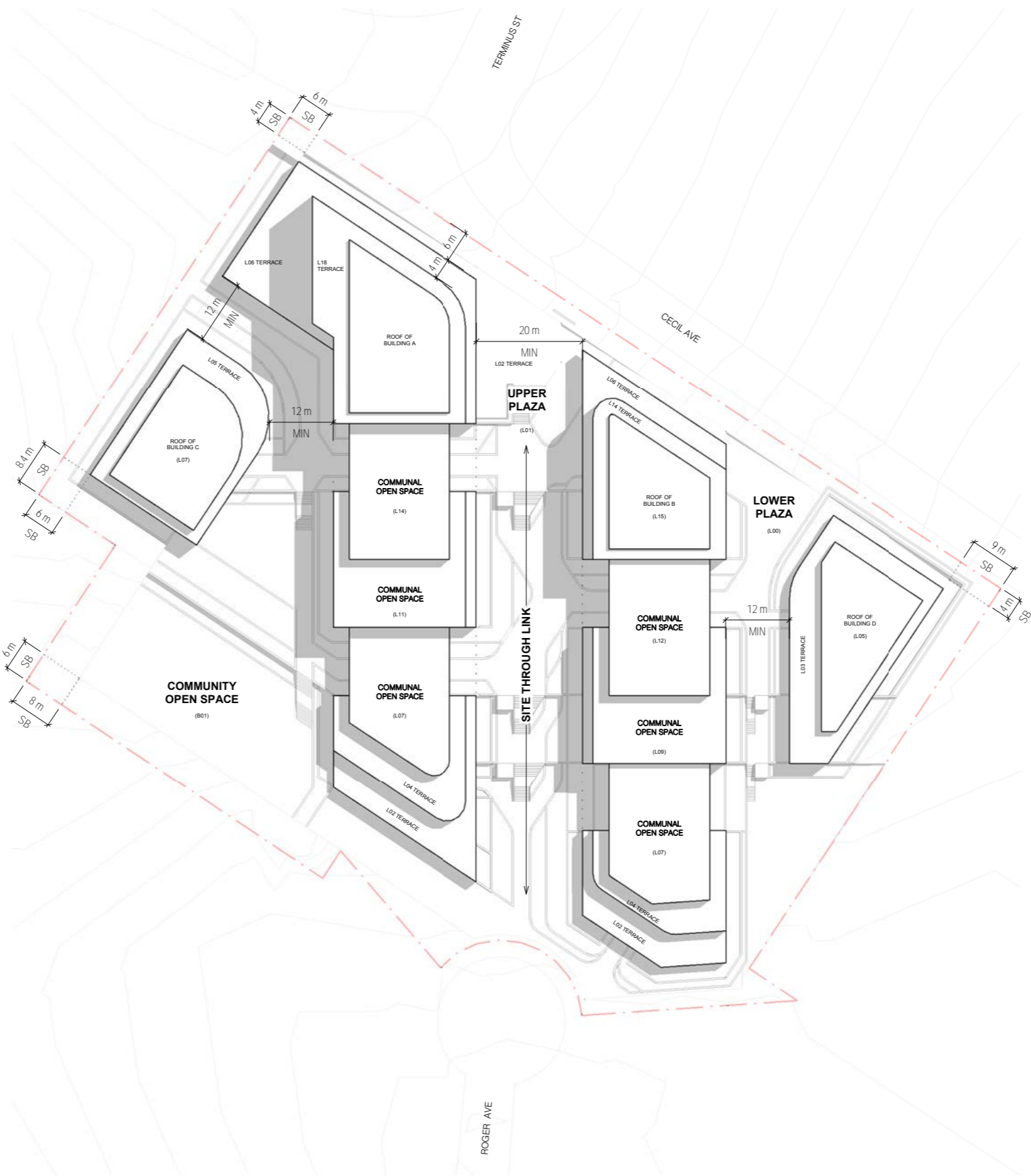


FIGURE 4 - BUILDING SITING AND SETBACK PLAN

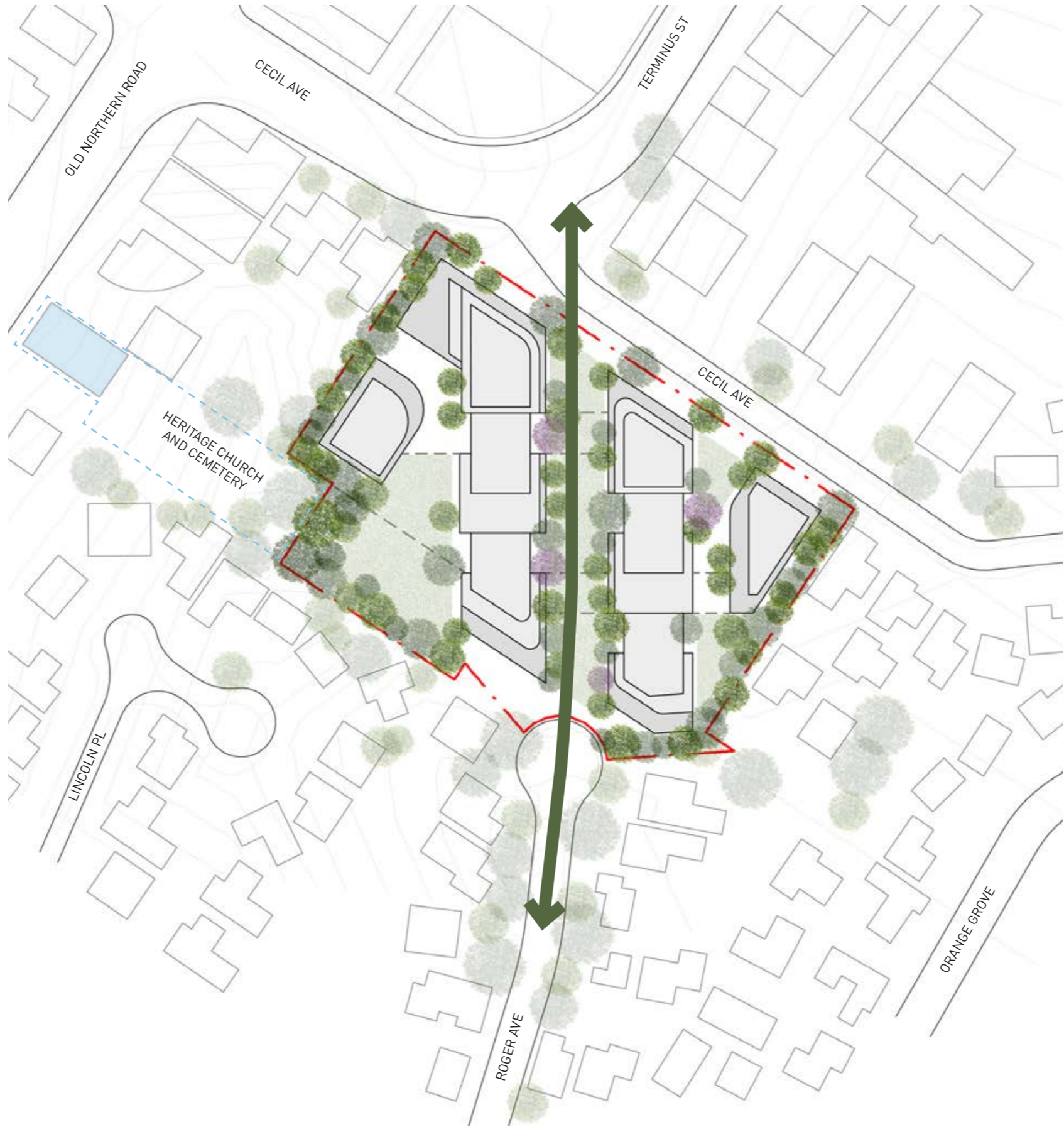


FIGURE 5 - HEIGHT INTENT DIAGRAM



FIGURE 6 - BUILDING MASS - BUILDING B SECTIONAL ELEVATION





Green corridor connects southern residential neighbourhood to Castle Hill train station and town centre.

Trees and shrubs used to screen side boundaries in particular heritage cemetery.

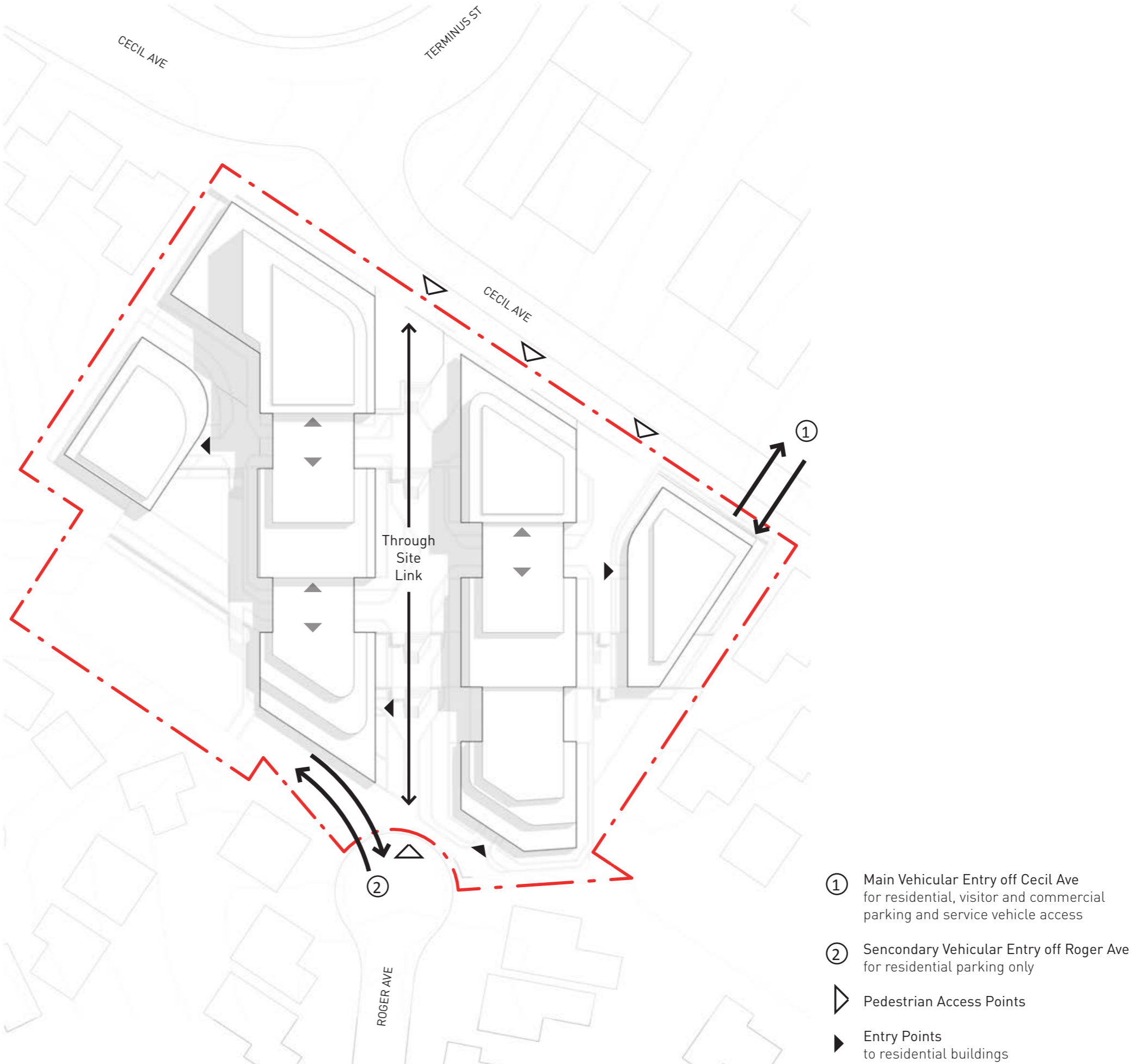


FIGURE 8 - ACCESS AND PARKING PLAN

Appendix F

The Hills Shire Council, Heritage Inventory Sheet I61, St Paul's Cemetery

PROPERTY DESCRIPTION STREET NO & NAME: 247 Old Northern Road TOWN/SUBURB: Castle Hill REAL PROPERTY DESCRIPTION: Lot 11 DP 1053193	COMMON NAME: St Paul's Cemetery (Castle Hill Christadelphian Ecclesia Church) SITE AREA: 2023 m ²																																																						
*CATEGORY: Other works SUB-CATEGORY: Cemetery SUPERSEDED REFERENCE NO. 214	*YEAR OF CONSTRUCTION: 1863 ARCHITECT/DESIGNER: BUILDER:																																																						
HERITAGE RELATED REPORTS UNDERTAKEN: (Note: Reference should be made to all Development Applications lodged in relation to the property for details of all (if any) heritage related reports that have been undertaken)	DEVELOPMENT APPLICATION HISTORY																																																						
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*COMMENTS: See Castle Hill Christadelphian Ecclesia Church																																																							
*HISTORY: In 1856, Dr Richard Greenup, the first Registrar and Secretary of the University of Sydney gave half an acre of his 100 acre property, known as Darcey Hey, at Castle Hill for the building of St Paul's Church and in 1863 on the northern boundary of his property, about half a mile from the church he gave a further half an acre for a burial ground and school. The burial ground was used from about 1860 to 1990 and is rich in local history and local funeral sculpture. Many headstones date from 1860 to 1890. Families closely associated with the development of the district are buried here - Thorne, Wansbury, Acres. Also here are the six children of Charles and Mary Anne Crane who all died within a few months of each other. Two sculptors appeared to have captured the local headstone market. One last century and the other in the 1920s & 30s. Templeton family grave of black granite is new addition to the churchyard.																																																							
*HISTORICAL THEMES SHIP: Religion LOCAL THEMES: Religion: philanthropy																																																							

*PHYSICAL CHARACTERISTICS

ARCHITECTURAL STYLE:

MATERIALS – EXTERIOR:

INTERIOR:

OTHER DETAILS OF PHYSICAL APPEARANCE

Except for the Templeton grave, headstones all of sandstone or brown granite. Many of the headstones date from the 1860s - 1890s while there are a considerable number from the early 20th until the 1930s. Two sculptors appear to have captured the local headstone market. One in the last century concentrating on plump primitive doves, in high relief, bearing olive branch; the other who worked in the 1920s and 1930s produced a mock rough-stone memorial, with scroll containing biographical details and a flower of fern appearing around its edge. There are a number of headstones with interesting castellated tops, and Hannah Bellamy's stone (died 1860 aged 89) has a medallion of mother and child carved in relief.

MODIFICATIONS: Oak trees along southern boundary now interspersed with shrubs and other unrelated trees. Eucalypts to northern boundary.

*INFORMATION SOURCES

WRITTEN: National Trust Files, Baulkham Hills Shire Council files

ORAL:

GRAPHIC:

HISTORY OF HERITAGE ASSISTANCE FUND

*BRIEF STATEMENT OF SIGNIFICANCE

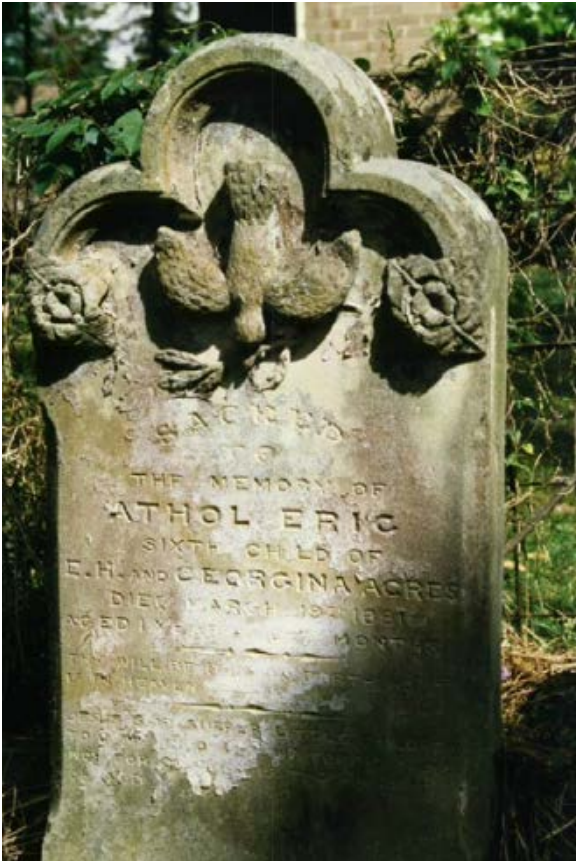
Cemetery is rich in headstone sculpture and in particular in the work of two local sculptors and their simple distinctive work. It is the first burial ground in the Castle Hill Area and contains the remains of its early settlers and their descendants. Still in use and cared for by the Anglican community.

RELATIONSHIP TO NEAREST ARTERIAL ROAD. LOT SIZE, SHAPE, AND RELATIONSHIP TO NEIGHBOURS



PHOTOGRAPHS:

DATE TAKEN: 11 November 1993



***Extract from Baulkham Hills Heritage Study 1993-1994**

ST. PAULS CEMETERY (from 1863) features many
ornate headstones.
Photograph: Town Planning Division, 1991



* Extract Baulkham Hills Shire Council Heritage Register, August 1991

Appendix G

The Hills Shire Council, Heritage Inventory Sheet I62, Christadelphian Church

PROPERTY DESCRIPTION STREET NO & NAME: 245 Old Northern Road TOWN/SUBURB: Castle Hill REAL PROPERTY DESCRIPTION: Lot 12 DP 1053191	COMMON NAME: Christadelphian Church																																																							
*CATEGORY: Building SUB-CATEGORY: Other community hall SUPERSEDED REFERENCE NO. B006	SITE AREA: 1011 m2 *YEAR OF CONSTRUCTION: 1920 c ARCHITECT/DESIGNER: BUILDER:																																																							
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*COMMENTS:																																																								
*HISTORY: Hall built on land excised from Church of England cemetery – as a memorial to the men of the parish who gave their lives for God and country in the Great War. Now used as a Christadelphian Church.																																																								
*HISTORICAL THEMES SHIP: Defence LOCAL THEMES: Memorials																																																								

PHYSICAL CHARACTERISTICS*ARCHITECTURAL STYLE:****MATERIALS – EXTERIOR:** brick / tile**INTERIOR:****OTHER DETAILS OF PHYSICAL APPEARANCE**

Simple rectangular brick hall with gable roof, central front porch, double casement rectangular windows

MODIFICATIONS:**HERITAGE ASSISTANCE FUND**

2003/2004 - \$3060 external re-painting of building with exception of the brickwork

INFORMATION SOURCES*WRITTEN:****ORAL:****GRAPHIC:****HISTORY OF HERITAGE FUND*****BRIEF STATEMENT OF SIGNIFICANCE**

Of social significance as a memorial to those members of the Castle Hill Community who served in the First World War

RELATIONSHIP TO NEAREST ARTERIAL ROAD. LOT SIZE, SHAPE AND RELATIONSHIP TO NEIGHBOURS

PHOTOGRAPHS:
DATE TAKEN: 16 November 1993



* Extract from Baulkham Hills Heritage Study 1993-1994