
ITEM-4	PLANNING PROPOSAL - 6-12 AND 16-20 GARTHOWEN CRESCENT, CASTLE HILL (24/2016/PLP)
THEME:	Balanced Urban Growth.
OUTCOME:	7 Responsible planning facilitates a desirable living environment and meets growth targets.
STRATEGY:	7.2 Manage new and existing development with a robust framework of policies, plans and processes that is in accordance with community needs and expectations.
MEETING DATE:	8 AUGUST 2017 COUNCIL MEETING
GROUP:	STRATEGIC PLANNING
AUTHOR:	SENIOR TOWN PLANNER JANE KIM
RESPONSIBLE OFFICER:	ACTING MANAGER FORWARD PLANNING JANELLE ATKINS

EXECUTIVE SUMMARY

This report recommends that a planning proposal to amend the zoning, building height and floor space ratio applicable to land at 6-12 and 16-20 Garthowen Crescent, Castle Hill to facilitate a high density residential flat building development, be forwarded to the Department of Planning and Environment for Gateway Determination.

The proposal, as submitted by the applicant, sought to facilitate a high density residential development with a maximum floor space ratio of 3.7:1, maximum height of 26 storeys and anticipated yield of 222 units. However, given the site location, characteristics, context and the relationship with adjacent development (including 'Garthowen House' heritage item and potential medium density housing to the north) the scale and density of the applicant's proposal is considered inappropriate.

Notwithstanding this, given the strategic merit for increased residential density on the site and the opportunity presented for this land to develop as a large, amalgamated holding, this report recommends that Council proceed with an alternative proposal to amend Schedule 1 Additional Permitted Uses of LEP 2012 and facilitate approximately 180 to 190 units, with a maximum floor space ratio of 3:1 and a maximum height of 18 storeys. The attainment of this maximum yield would be conditional on the developer achieving the following key outcomes for the site:

- Full compliance with the requirements set out in Clause 7.12 (3) (a) to (e) of The Hills Local Environmental Plan 2012 (housing mix and diversity);
- Amalgamation of the site (including Lots 23, 24, 25, 28, 29 and 30 in DP222257 and SP40627) to form one development site;
- Provision of a 7.5 metre setback to Garthowen Crescent;

- Achievement of a 'sensitive' response to the adjoining heritage item 'Garthowen House'. This must include the location of ground level common open space at the common boundary between Lot 28 DP222257 and Lot 2 DP533390;
- Provision of a through-site link with public right of carriage for pedestrian movement, in the western portion of the site, connecting between both Garthowen Crescent frontages; and
- Provision of a consolidated basement parking area which provides through-site vehicular access (for residents) to entry/exit points at both the northern and southern frontages to Garthowen Crescent.

This report also recommends that draft amendments to the draft DCP for Castle Hill North Precinct be exhibited concurrently with the planning proposal which provide detailed guidance with respect to anticipated built form (height) on the site, vehicular entry/exit points and the relationship between development and the adjoining heritage item ('Garthowen House').

The development outcomes recommended within this report and facilitated through the proposed amendments to Schedule 1 of LEP 2012 represent an appropriate uplift in development potential given the strategic location of the site and benefits of a consolidated development outcome, whilst also ensuring that the resultant built form is appropriate both in the context of the broader Castle Hill Precinct and in relation to adjoining sensitive land uses ('Garthowen House' and future medium density development to the north of Garthowen Crescent). The alternative outcome has been achieved as a result of ongoing discussions and negotiations with the applicant who has indicated a willingness to proceed with the alternative outcome proposed within this report.

APPLICANT

Architectus Group Pty Ltd on behalf of HCM Group and Kassis Classic Homes

OWNERS

Mr D R Lea, Mrs S K Lea, Mr D L Lea and Mrs L Lea
 Mr K A Pratt and Mrs M A Pratt
 Mr J K Soady and Mrs B E Soady
 Mr N Kalina and Mrs D Kalina
 Mr G E Hayunga

THE HILLS LOCAL ENVIRONMENTAL PLAN 2012

	Existing	Applicant Proposal
Zone:	R3 Medium Density Residential	R4 High Density Residential
Minimum Lot Size:	700m ²	700m ²
Maximum Height:	9m	79m (26 storeys)
Maximum Floor Space Ratio:	Nil	3.7:1

POLITICAL DONATIONS

Nil disclosures by the applicant.

HISTORY

20/01/2015 – Public Exhibition of the Draft Castle Hill North Precinct Plan.
27/02/2015

22/09/2015 – Public Exhibition of The Hills Corridor Strategy.
20/10/2015

24/11/2015	Adoption of The Hills Corridor Strategy. Council resolved to forward Castle Hill North Planning Proposal for Gateway Determination.
12/05/2016	Original Planning Proposal for the site lodged with Council.
30/08/2016	Councillors briefed on Planning Proposal.
10/09/2016	Meeting between Council officers and the proponent to discuss the proposal and to provide feedback on the preliminary assessment.
11/10/2016	Letter sent to the proponent outlining issues identified as part of the preliminary assessment.
22/02/2017	Revised concept submitted by proponent.
04/07/2017	Council briefed on revised Planning Proposal.
01/08/2017	Meeting between Council officers and the proponent to discuss the proposal and alternative outcome to be recommended by officers.

BACKGROUND

The planning proposal, as originally submitted in May 2016, sought to facilitate a high density residential development incorporating two (2) residential towers with building heights ranging from 16 storeys to 20 storeys and raised communal open space in between the tower elements (as detailed below).



Figure 1
Original Development Concept (Site Plan)

To achieve this, the original proposal sought to amend LEP 2012 to allow for a maximum 'incentivised' FSR of 4.5:1 and a maximum height of buildings of 68 metres. The original proposal sought to accommodate approximately 240 apartments on the site. As a result of feedback to the applicant with respect to a range of issues including height, density, traffic, infrastructure capacity and orderly development, a revised concept and proposal has been submitted.

REPORT

The purpose of this report is to consider a planning proposal to amend LEP 2012 to facilitate a high density proposal on the subject site.

1. THE SITE

The site, known as 6-12 & 16-20 Garthowen Crescent, Castle Hill comprises seven (7) residential allotments, being Lots 23, 24, 25, 28, 29 and 30 in DP222257 and SP40627. The site is located in the north eastern portion of the Castle Hill North Precinct and is approximately 420 metres walking distance from Castle Towers Shopping Centre and Railway Station. The site has a total area of 6,010m² and is zoned R3 Medium Density Residential.

The site is irregular in shape and has two frontages to Garthowen Crescent (northern frontage and southern frontage). The surrounding area is currently characterised by low and medium density developments. The site adjoins a heritage item, known as 'Garthowen House', which is currently operating as a child care centre. An aerial view of the site and surrounding locality is provided in Figure 2 below.



Figure 2
Aerial view of the site and surrounding locality

2. PLANNING PROPOSAL

The revised development concept, as submitted by the applicant, contains two (2) residential flat buildings with maximum heights of 16 and 26 storeys. As demonstrated within the revised development concept (Figure 3 below), the proposal would facilitate a residential yield of approximately 222 apartments, with 1,900m² of communal open space and deep soil zone at the northern interface with 'Garthowen House' heritage item.

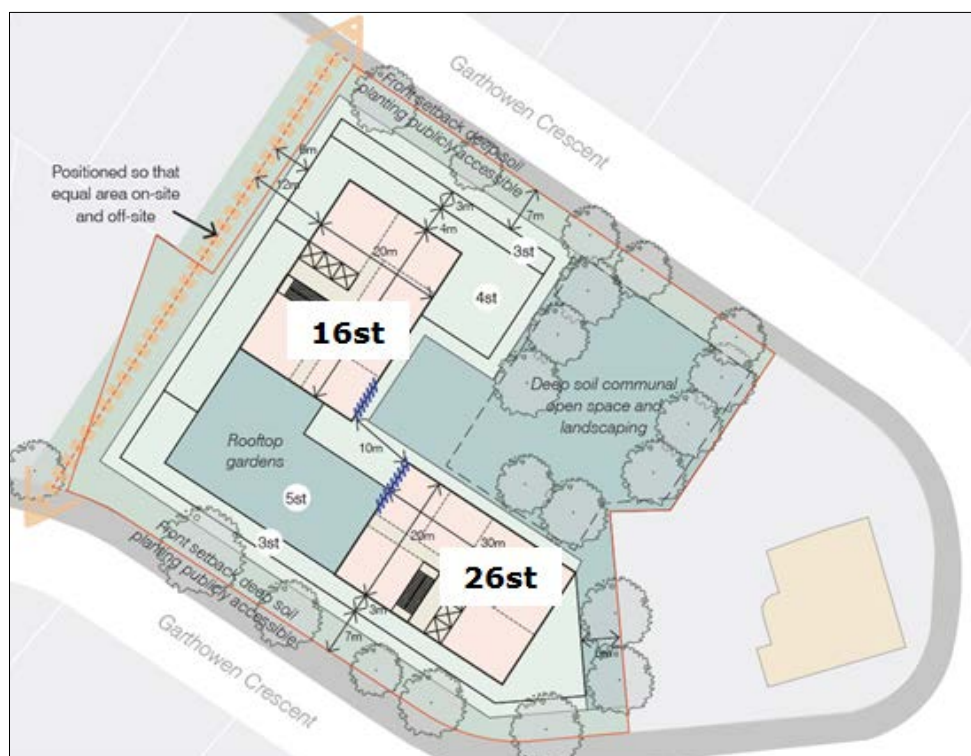


Figure 3
Revised Development Concept

To facilitate this development outcome, the proposal seeks to amend LEP 2012 to:

- Rezone the site from R3 Medium Density Residential to R4 High Density Residential;
- Introduce a maximum floor space ratio of 3.7:1;
- Increase the maximum building height from 9 metres to 79 metres; and
- Identify the site as a 'key site' under the LEP 2012 eligible for FSR incentives.

Having regard to an assessment of the applicant's proposal and the matters for consideration below, this report recommends an alternative development outcome to that proposed by the applicant, as detailed further in Section 4.

3. MATTERS FOR CONSIDERATION

The planning proposal requires consideration of the following matters:

- a) Strategic Framework;
- b) Suitability of Building Heights;
- c) Interface with Adjoining Heritage Item (Garthowen House);
- d) Potential Road Widening;
- e) Traffic Impacts on Local Road Network;
- f) Proposed Density; and
- g) Adequacy of Local Infrastructure.

a) Strategic FrameworkA Plan for Growing Sydney

The Plan is intended to guide land use planning decisions for the next 20 years and presents a strategy for accommodating Sydney's forecast population growth over this time. Two of the key goals within the Plan are to create 'a City of housing choice with homes that meet our needs and lifestyles' and 'a great place to live with strong, healthy and well-connected communities'.

The proposal will facilitate high density development on a strategically located site within a suitable walking distance (420 metres) to public transport, services and amenities. As the planning proposal seeks to facilitate the delivery of housing within an area earmarked for growth the proposal is considered to be consistent with the Plan.

Draft West Central District Plan

In achieving the vision for the West Central Precinct, the District Plan includes the following key priorities which are of direct relevance to the current proposal:

- Improving housing choice;
- Improving housing diversity and affordability – which includes planning for, and delivering, housing diversity;
- Create housing capacity within the District; and
- Provision of design-led planning.

The delivery of a high density residential development within the walkable catchment of the future Castle Hill Railway Station will facilitate an increase in the supply of housing to meet the housing demand of the future population. Council's local incentive provision will ensure that an appropriate diversity of apartment types and sizes will provide housing choice in the market and will ensure that the housing stock appropriately aligns with the needs and expectations of the future Hills Shire demography.

Notwithstanding the foregoing, the proposed building heights of 16 storeys and 26 storeys are considered inappropriate for the location and will have a visual outcome which is inconsistent with surrounding medium density developments and the adjoining heritage item. It is considered that the alternative outcome, with a reduced maximum height of 18 storeys as detailed in Section 4 of this report, would be more appropriate in the context of the site and reflect a design-led approach.

Sydney Metro North West Corridor Strategy

The site is located within the Castle Hill Railway Station Precinct under the Government's 2013 North West Rail Link Corridor Strategy. The NSW Government Corridor Strategy provides a vision for how the areas surrounding the eight (8) new stations of the Sydney Metro Northwest could be developed to integrate new homes and jobs.

The Structure Plan for Castle Hill indicated a total capacity for Castle Hill of an additional 7,900 dwellings and 18,500 jobs. However, the Structure Plan assumed an uptake rate of 56% for housing and 52% for employment which limited the yield envisaged by 2036 to 4,400 dwellings and 9,500 jobs.

The Strategy identifies the site within the high density apartment living character area (as illustrated in Figure 4 below). The character statement for this area anticipates 7-20 storeys, carefully master planned around communal open spaces and incorporating landscaped setbacks to existing streetscapes. The Strategy emphasises that these sites are only appropriate for multi-dwelling housing where they are of an appropriate size to deliver a high level of amenity for the existing and future residents.

Under the Castle Hill North Structure Plan, the high density apartment living character area has an indicative floor space ratio of between 3:1 and 4:1, which would result in between 180 and 240 dwellings. Given the context of the site, adjoining a heritage item and existing low density residential development (identified as potential medium density development) to the north, it is envisaged that the site would be suitable to accommodate a floor space ratio of 3:1, at the lower end of the range.



Figure 4

North West Rail Link Corridor Strategy – High Density Apartment Living Character Area

While the proposal to accommodate 222 dwellings falls within the range of anticipated yield on this site envisaged under the Structure Plan, it exceeds the indicative height and fails to achieve an appropriate built form and character outcome having regard to the specific context of the land, as envisaged within the Structure Plan.

In particular, the proposed height of 26 storeys is inappropriate in broader context of the precinct as it fails to provide an appropriate scale and transition in height and in terms of the relationship between the proposed 26 storey building and adjacent development including 'Garthowen House' to the east and potential medium density housing redevelopment under the Castle Hill North Precinct Plan.

Having regard to the above, it is considered that the proposal, as submitted by the applicant, is inconsistent with the outcomes envisaged under the Structure Plan. The alternative outcomes recommended within this report (floor space ratio of 3:1, maximum height of 18 storeys and anticipated yield of 180 to 190 dwellings) would more appropriately align with the outcomes envisaged within the Structure Plan.

The Hills Corridor Strategy and Castle Hill North Planning Proposal

The Hills Corridor Strategy and Castle Hill North Precinct Plan identify the site as being suitable to accommodate a density of part 96 dwellings per hectare and part 192 dwellings per hectare. These densities would facilitate a yield of between 83 and 115 dwellings on the site. As shown within the Castle Hill Structure Plan below, it was anticipated that the density of development on the site would transition to lower scale development in the east of the site (96 dwellings per hectare/4 storeys) adjoining 'Garthowen House' heritage item and across from planned medium density development on the northern side of Garthowen Crescent.

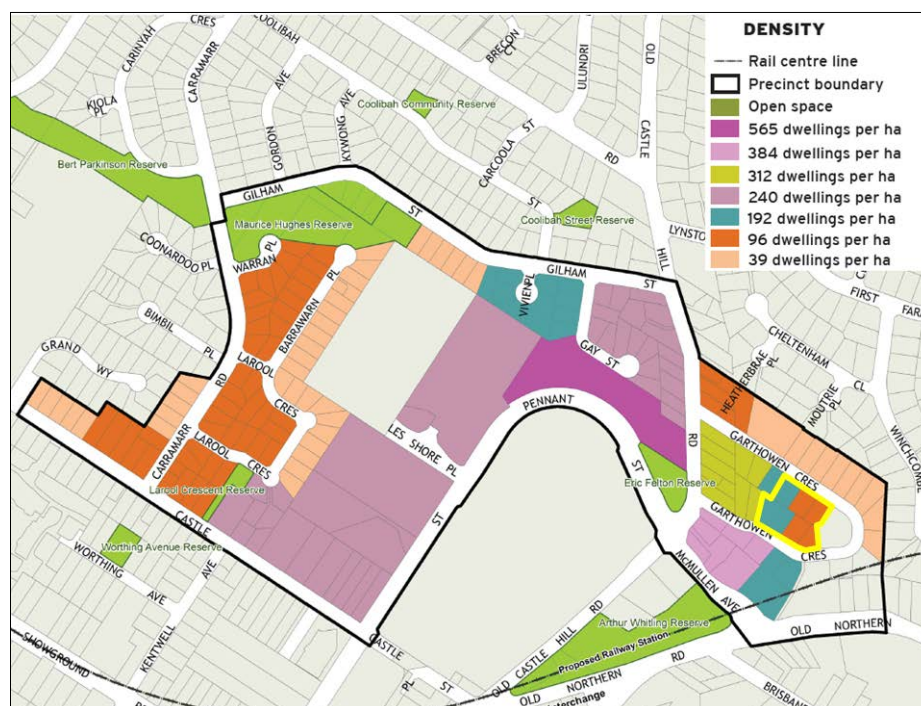


Figure 5
Castle Hill North Precinct Plan – Structure Plan

The Castle Hill North Planning Proposal, for which a Gateway Determination has been issued, identifies the site as being suitable for a maximum incentivised FSR of 1.54:1, with potential for a further 20% FSR bonus subject to property amalgamations and future development providing a sensitive interface to 'Garthowen House'. This would bring the total achievable FSR under the Castle Hill North Planning Proposal to 1.85:1, equating to a yield of approximately 111 dwellings.

A summary of the development potential under the current controls, Castle Hill North Planning Proposal and the applicant's revised concept is provided below:

	Current	Castle Hill North Planning Proposal	Applicant Concept
Zone	R3 Medium Density Residential	R4 High Density Residential	
Min. Lot Size	700m ²	1,800m ²	
Max. Height of Building	2 storeys	No HOB in LEP (4-10 storeys in DCP)	16-26 storeys
Floor Space Ratio	N/A	Base FSR 0.77:1 Incentive FSR 1.54:1 Key Site FSR 1.85:1	3.7:1
Approximate Yield	18 townhouses	111 units	222 units

Table 1
Summary of Development Potential

As demonstrated above, the applicant's proposal would result in a yield which is double that envisaged and planned for under The Hills Corridor Strategy and Castle Hill North Precinct Plan. This raises significant concerns with respect to the capacity of planned and existing local infrastructure and the potential amenity impacts on surrounding development which would be of a significantly lower scale (including the existing heritage item 'Garthowen House').

Given the opportunity presented to enable the development of this land as a large amalgamated development site with associated public benefits and urban design outcomes, it is considered that there is merit for considering a higher density than originally envisaged within the Castle Hill North Planning Proposal. However, it is critical that any additional yield be capable of being accommodated within a suitable built form having regard to the context of this site.

As detailed within this report, the proposal, as submitted by the applicant, would allow for an excessive built form of up to 26 storeys adjoining the heritage item and proposed medium density development to the north. The alternative development outcome proposed within this report (floor space ratio of 3:1, maximum height of 18 storeys and anticipated yield of 180 to 190 dwellings) would result in a more suitable built form on this site which remains consistent with the strategic outcomes for the site envisaged under the Castle Hill North Precinct Plan and which facilitates an appropriate transition in density and height between the centre of the Precinct, high density development to the west of the site and 'Garthowen House' and medium density development to the east and north of the site respectively.

The Hills Local Strategy

The key directions and objectives of the Local Strategy relevant to this proposal are:

- R1 Accommodate population growth;
- R2 Response to changing housing needs; and
- R4 Facilitate quality housing outcomes.

The planning proposal is consistent with the principles of the Local Strategy Residential Direction as it seeks to provide additional residential accommodation in close proximity to the future Castle Hill Railway Station and existing and planned services and infrastructure. The proposal applies to land that is already earmarked for higher residential densities through the North West Rail Link Corridor Strategy, The Hills Corridor Strategy and Castle Hill North Precinct Plan.

The application of Council's local provision to this development will ensure that an appropriate diversity of housing product is delivered which responds to the current and anticipated demographic and housing market demands of the locality.

Section 117 Ministerial Directions

Section 117(2) of the *Environmental Planning and Assessment Act 1979* (EP&A Act) enables the Minister for Planning and Environment to issue directions that Councils must address when preparing planning proposals for a new LEP. The relevant Section 117 Directions are:

- Direction 2.3 - Heritage Conservation
- Direction 3.1 - Residential Zones
- Direction 3.4 - Integrating Land Use and Transport
- Direction 5.9 – North West Rail Link Corridor Strategy

The planning proposal is generally consistent with these Directions with the exception of 2.3 – *Heritage Conservation* and 5.9 – *North West Rail Link Corridor Strategy*, which are discussed further below.

Direction 2.3 – Heritage Conservation requires that a planning proposal contain provisions that facilitate the conservation of a heritage building in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of the item, area, object or place, identified in a study of the environmental heritage of the area. In order to achieve consistency with this Direction it is necessary to implement design strategies such as sufficient setbacks from an item, gradual height transition between development and a heritage item and minimising building heights and site coverage.

The Castle Hill North Planning Proposal recognised the need to implement design strategies to protect the heritage significant of 'Garthowen House', which directly adjoins the site to the east. Under the Castle Hill North Planning Proposal, the subject site is identified as a key site, with a requirement that any high density development on the site must demonstrate a visually sympathetic treatment to 'Garthowen House'. The Castle Hill North Planning Proposal would require that the future development on the key site concentrate heights towards the west of the site, as far away from the heritage item as possible.

The revised concept submitted incorporates the following design strategies:

- Minimisation of site coverage;
- Siting of buildings to provide physical separation to the heritage item; and
- Location of 1,900m² of communal open space adjoining the heritage item.

However, the proposal seeks to locate the highest building element (26 storeys) immediately adjoining the heritage item. As detailed further within Section 3 c) of this report, a built form of this scale immediately adjoining the heritage item is considered to be inappropriate and unjustifiable in the context of Direction 2.3. It is considered that the alternative development outcome recommended within this report, which would limit the height of buildings adjoining the heritage item to 18 storeys, provides a more suitable and balanced outcome which allows for an increase in the density of development on the site, whilst ensuring an appropriate relationship and interface with the heritage item can be achieved.

Direction 5.9 – North West Rail Link Corridor Strategy requires that a planning proposal be consistent with the North West Rail Link Corridor Strategy, including growth projections and proposed future character for each of the precincts. As detailed earlier within this report, the proposal is inconsistent with the anticipated height and character for this particular location under the corridor strategy. It is noted that the alternative development outcome recommended within this report would facilitate a more suitable built form on the site of up to 18 storeys, with a floor space ratio of 3:1, which aligns with the character, built form outcomes and density assumption for the land under the Strategy.

b) Suitability of Proposed Building Heights

The proposed heights of 16 storeys and 26 storeys exceed that which has been planned for the site under all current strategic planning policies including the NSW Government Corridor Strategy and Castle Hill Structure Plan and Council's The Hills Corridor Strategy and Castle Hill North Precinct Plan.

In addition to inconsistency with the applicable strategic planning policies, an assessment of the proposed heights in the specific context of this site reveals a number

of built form and urban design issues both in terms of the broader outcomes for the Precinct and in terms of the relationship with adjoining development.

In terms of the proposed heights in the context of the Castle Hill Precinct, it is relevant to note that the ground level of the site is higher than that within the Castle Hill Town Centre to its south. Consequently, buildings on this site will have a higher *absolute* height than equivalent buildings on sites with lower ground levels closer to the centre and greater potential for visual dominance when the Precinct is viewed holistically.

As detailed in Figure 6 below, the proposed height of 26 storeys on the site, would allow for one of the tallest buildings within the Castle Hill Precinct to be located in the north-eastern periphery of the precinct, exceeding the absolute height of other significant developments anticipated within the precinct at Castle Towers, Pennant Street Target Site, Crane Road and Vivien Place.

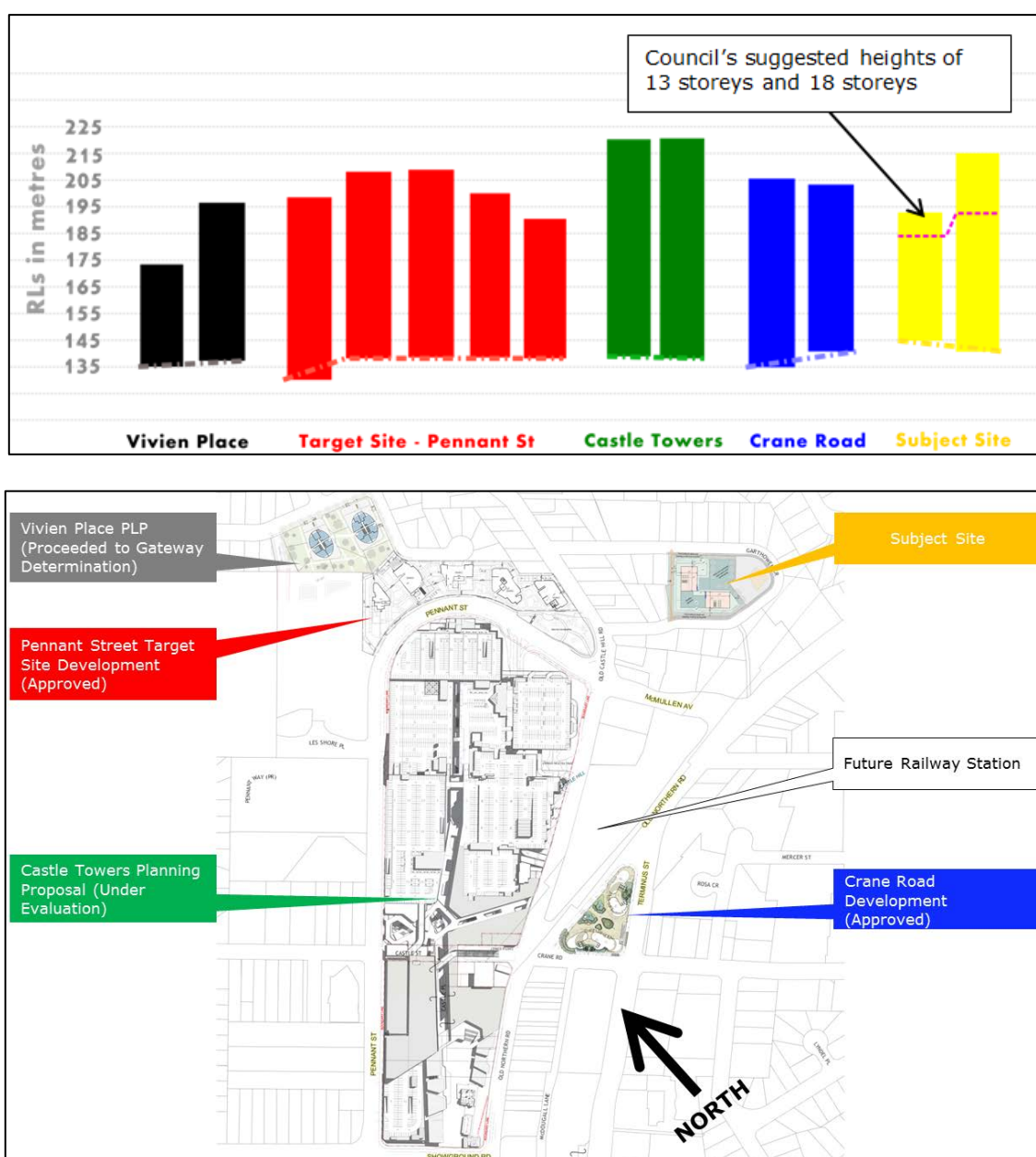


Figure 6
Comparative height analysis

While there is strategic merit for increased density on the site, it is considered that the provision of a 26 storey building on this particular site, has the potential to dominate the urban skyline of the Precinct and fails to provide a suitable transition in heights away from the centre towards lower scale development at the periphery and adjoining the site.

As detailed in Figure 6 above, a maximum height of 18 storeys on the site would more result in a more appropriate transition of heights throughout the precinct, whereby building heights taper across the Castle Hill Precinct and the highest elements (having regard to ground levels and absolute heights) are located towards the centre of the precinct in order to manage impacts on surrounding land uses and soften the urban skyline.

A revised scheme is provided below which demonstrates the layout of the site with an 18 storey building and 13 storey building.

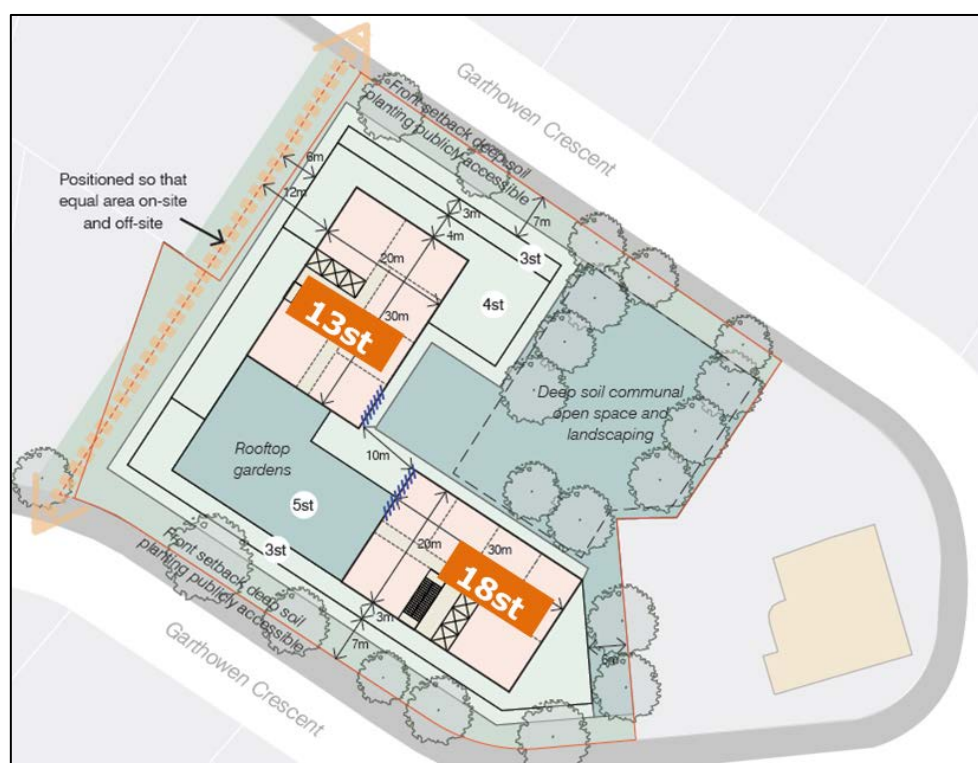


Figure 7
Revised development concept (Council revision)

In terms of the proposed heights in the immediate context of the site, it is noted that the Castle Hill North Precinct Plan and Planning Proposal identified the site as suitable for a lower scale of development with heights ranging from 4 to 10 storeys. This reflected the specific constraints to development on this particular site as a result of the sensitivity of its surroundings, particularly the adjoining 'Garthowen House' heritage item. Under the draft development controls for Castle Hill North Precinct that Council resolved to exhibit at its meeting of 25 July 2017, development on the subject site is required to demonstrate its visual compatibility with the character of Garthowen Crescent which can be summarised as:

- a. *This streetscape will be characterised by high density residential development within an open landscaped setting;*
- b. *Building heights and densities shall transition throughout the streetscape to respond to existing lower scale development and other sensitive interfaces including Garthowen House; and*
- c. *Building heights and densities shall transition throughout the streetscape to respond to existing lower scale development and other sensitive interfaces including Garthowen House.*

Having regard to the desired transition of heights along Garthowen Crescent into areas envisaged for medium density development (along the northern side of Garthowen Crescent), 8 storey development (on the southern side of Garthowen Crescent – across from the site) and existing lower scale residential flat buildings between Garthowen Crescent and Old Northern Road, the proposed height of 26 storeys has potential to be 8 times higher than future development anticipated within the immediate context of the site.

It is considered that this significant difference in height would be inconsistent with the desired character for Garthowen Crescent and has the potential to visually dominate the broader Precinct and immediate locality. It would also be likely to result in unreasonable visual and amenity impacts on existing and future development within the surrounding locality. It is noted that overshadowing analysis has not been submitted by the proponent and this should be prepared and submitted prior to any public exhibition of the planning proposal.

While the applicant's proposal incorporates reduced site coverage and smaller plates, it is considered that the proposed height of 26 is beyond that which could be reasonably located on the site having regard to the existing and future character of land along Garthowen Crescent and adjoining the site. It is recommended that a maximum height of 18 storeys would provide a more suitable outcome in the immediate context of the site and, subject to further detailed design, would be capable of achieving the desired character outcomes for Garthowen Crescent and the locality.

c) Interface with Adjoining Heritage Item

The site adjoins the 'Garthowen House' local heritage item, which is listed under Schedule 5 of LEP 2012 as an item of local heritage significance. It is anticipated that any future development on the site will have regard to the significance of the item and ensure an appropriate relationship between the development and the site is achieved.

The Castle Hill North Precinct Plan notes that any future developments along Garthowen Crescent should have '*a character that respects the heritage item Garthowen House*'. The subject site is part of the key site 'Area L' stipulated under the proposed LEP amendments for the Castle Hill North Precinct, which require future development to incorporate '*a sensitive response to the heritage item Garthowen House*' and to '*concentrate height to the western portion of the site.*'

The development concept, as submitted by the proponent, seeks to implement design strategies to minimise impacts on the heritage item including minimisation of site coverage, increased upper level setbacks, landscaping within setback areas and the location of a large area of common open in the north eastern portion of the site at the interface with 'Garthowen House', which has the effect of 'softening' the visual impact of the development through the provision of a physical separation distance of approximately 50 metres between the heritage item and the proposed 16 storey building in this portion of the site.

Notwithstanding this, the proposal seeks to locate the proposed 26 storey building in the south eastern portion of the site, directly adjoining the item. It is considered that the location of the buildings of this scale and height in this location would visually dominate, and significantly detract from the setting of, the existing heritage item. The siting of the tallest element (26 storeys) in this portion of the site represents a design outcome which does not achieve the stated objectives for development on the site with respect to the interface and relationship with the heritage item.

While further consideration of heritage impacts can occur as part of the detailed development assessment process, it is considered that allowing for a maximum height of 26 storeys in the south-eastern portion of the site would provide a misleading indication of appropriate form and scale of future development on the site and would ultimately be unachievable without unreasonable impact on the adjoining heritage item. Having regard to the location of the site within the broader Castle Hill North Precinct and in relation to the adjoining heritage item, it is considered that a substantially lower height of 18 storeys would be a more appropriate maximum height limit.

Subject to the preparation of detailed plans, heritage impact analysis and further consideration as part of the development application process, it is considered that a maximum height limit of 18 storeys represents an appropriate balance between the allowing for increased residential densities in strategically located areas and the protecting the setting and significance of the adjoining 'Garthowen House' heritage item.

d) Potential Road Widening

As part of the planning for the Castle Hill North Precinct, plans have been prepared to widen certain sections of Garthowen Crescent to increase the width of the carriageway and to provide greater verge widths to encourage pedestrian movement. The development concept for the site will need to make allowances for this road widening (northern part of the site) whilst ensuring that there is sufficient setbacks for landscaping.

The pedestrian experience will be further enhanced if additional pedestrian links are provided and integrated with the existing local pedestrian network. Since the site is situated in a strategically desirable location, the incorporation of through-site pedestrian links should be considered to reduce car-dependence amongst future residents and promote walking as a primary mode of travel.

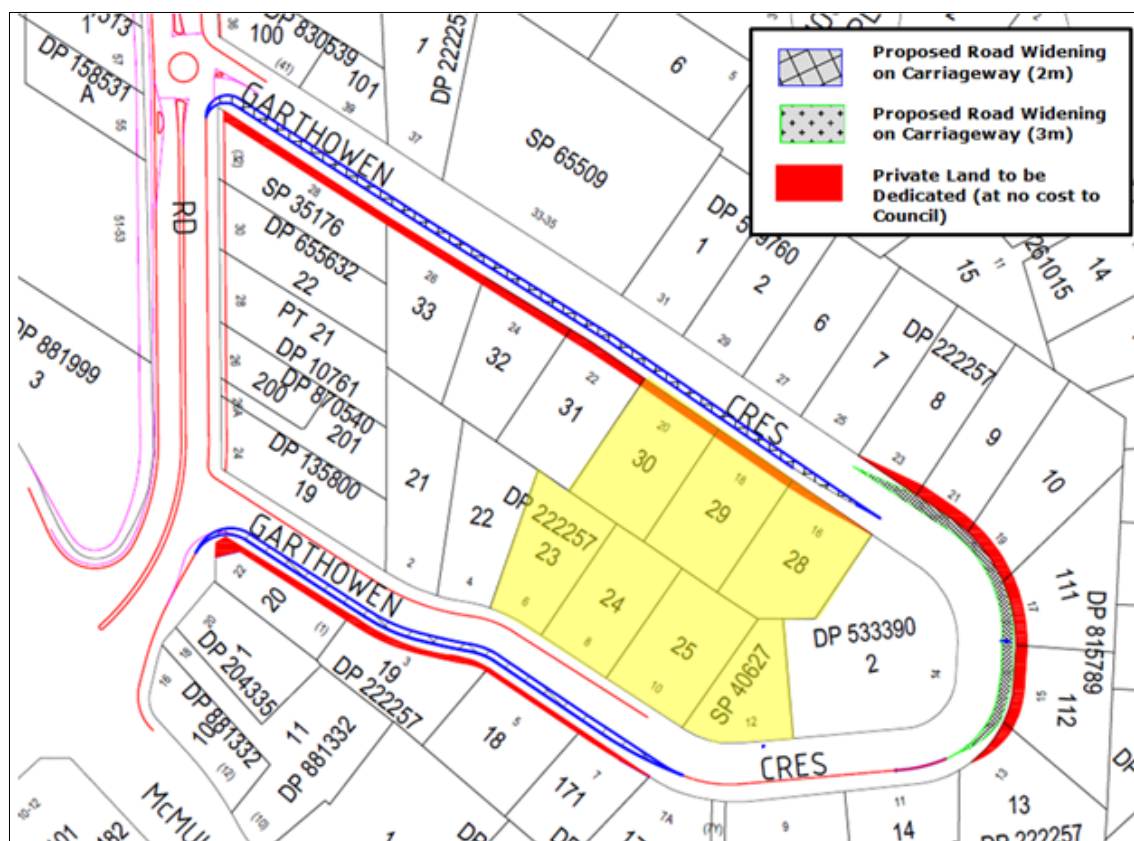


Figure 8
Road widening details for Garthowen

e) Traffic Impacts on Local Road Network

As part of the Castle Hill North Planning Proposal, additional intersection improvements are proposed to ensure that the road network operates at an efficient level of service following development. Broadly, these improvements are as follows:

- Roundabouts in four (4) locations are to be provided under the Contributions Plan. The works are considered necessary to meet future demand, whilst ensuring an acceptable level of access, safety and convenience for all street and road users within the Castle Hill North Precinct. New roundabouts are proposed at the Carramarr Road/Castle Street junction, Gilham Street/Carramarr Road junction, Gilham Street/Old Castle Hill Road junction and the Garthowen Avenue/Old Castle Hill Road junction;
- While one roundabout is to be constructed at the northern junction of Garthowen Crescent and Old Castle Hill Road, the southern junction of Garthowen Crescent and Old Castle Hill Road is to be converted to a left in-left out junction as shown in Figure 9; and
- Garthowen Crescent will be subject to future road widening works as shown in Figure 8 above.

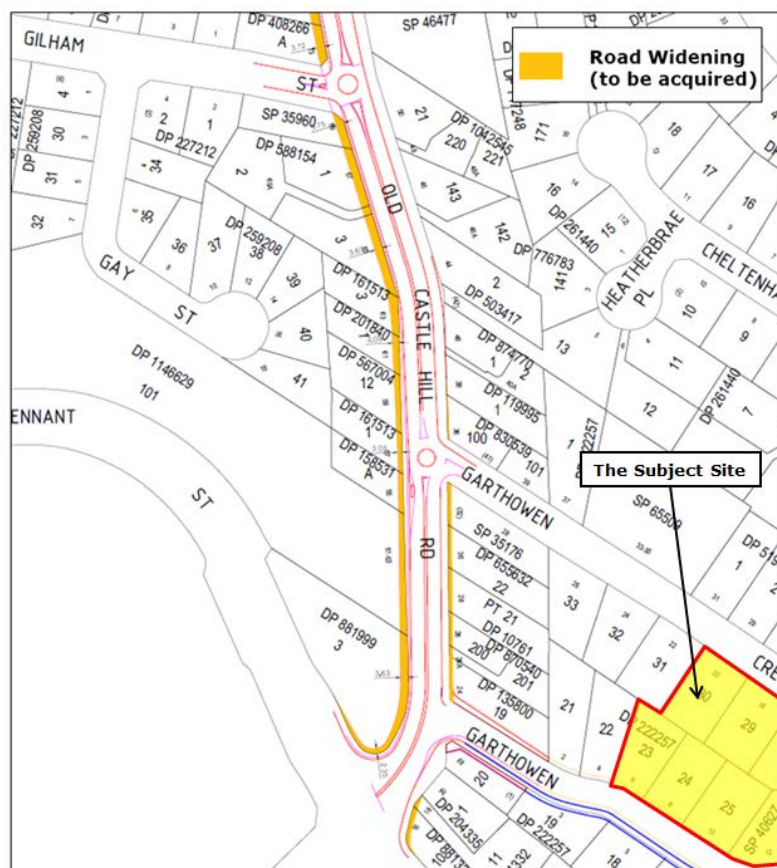


Figure 9
New Roundabout Construction

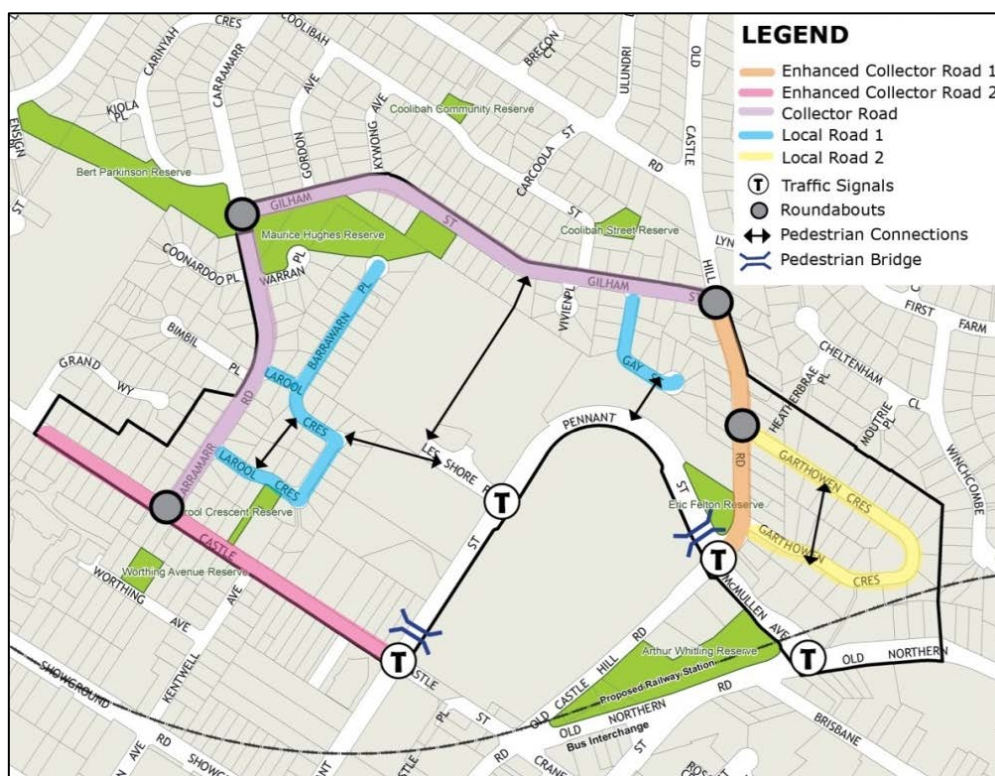


Figure 10
Desired street network and hierarchy

Whilst the assessment submitted in support of the proposal concludes that the proposed development will have a negligible impact on the surrounding road network, it is principally focused on the subject site within its existing situation and is absent of any full consideration or analysis of the overall growth that is anticipated within the broader Castle Hill North Precinct. As the planning proposal will increase the yield over and above that envisaged for the site as part of the precinct planning, further traffic analysis will be required to ensure that the proposed treatments are sufficient to accommodate the additional growth, in the context of all other anticipated development within the Precinct.

In order to minimise the volume of additional traffic movements along Garthowen Crescent as a result of this development, it is critical that future development of the site provide vehicular through-site access (at basement level) for residents to ensure connection between entry/exit points at both the northern and southern frontages to Garthowen Crescent. This will allow residents to directly access either of the intersections of Garthowen Crescent and Castle Hill Road, without the need to travel along the full length of the road, around the curved/thinner portion of the road. As detailed within this report, it is recommended that this through-site linkage for use by residents be included as a requirement which must be met in association with the proposed development of the land.

In addition to this requirement, should Council resolve to forward the planning proposal for Gateway Determination, it is recommended that a revised traffic assessment be submitted by the proponent to assess the impact of the proposed development on the performance of the surrounding road network and key intersections. This must take into account the proposed road improvements (within the Castle Hill North Precinct), the additional growth resulting from the Castle Hill North Planning Proposal and the approved growth on the Pennant Street Target Site to the west.

f) Proposed Density

The proposal, as submitted by the applicant, seeks to apply a maximum floor space ratio to 3.7:1, which would result in a density of 370 dwellings per hectare. This is well in excess of what has been anticipated for the site under the State Corridor Strategy (3:1 or approximately 300 dw/ha) or the envisaged density resulting from Council's planning within the Castle Hill North Precinct Plan, which identifies the site as being suitable for a density of between 96 and 192 dw/ha.

Density in excess of that anticipated raises concerns for additional demand on local infrastructure which was not planned or catered for through infrastructure planning for the precinct. In this particular location, it also results in a built form outcome (as discussed earlier in this report) which is inappropriate within the broader context of the Precinct and the immediate context of the site.

It is considered that a density of 300 dwellings per hectare could be justified on this site, consistent with the anticipated outcome under the State Corridor Strategy, given the opportunity to amalgamate the site and provide transition in form and reduced site coverage within the amalgamated site. This density could also be accommodated within a more appropriate built form outcome, limited to 18 storeys in height, than that proposed by the applicant and would promote a more suitable transition down from the envisaged density of 312 dwellings per hectare adjoining the site to the west (closer to the centre).

To enable a density of 300 dwellings per hectare to be achieved within a built form of up to 18 storeys, it is recommended that a maximum FSR of 3:1 be applied to the site. This would facilitate approximately 180 to 190 dwellings on the site.

g) Adequacy of Local Infrastructure

The infrastructure assessment which has been undertaken as part of the planning for the Castle Hill North Precinct assumed a maximum yield of 111 dwellings on the site. Accordingly, the additional yield beyond this will result in additional demand for local infrastructure not planned or catered for within the existing network of future provision identified under the draft Contributions Plan for Castle Hill North Precinct. The planning proposal as submitted would result in an additional yield of 111 'unplanned' units (in addition to the 111 unit which were envisaged on the site). The outcome recommended within this report, would result in additional yield of 79 'unplanned' units.

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

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

The 111 additional 'unplanned' dwellings (over and above the 111 dwellings planned for as part of the draft Contributions Plan for the Castle Hill North Precinct) proposed by the current planning proposal would generate the need for approximately:

- o 5.6% of a new sports field;
- o 5.6% of a local park;
- o 5.6% of a netball court;
- o 5.6% of a tennis court; and
- o 2% of a local community centre.

In addition to this, there may be demand for additional traffic infrastructure within the Precinct as a result of the additional growth (although this would be informed by more detailed traffic analysis, as discussed earlier in this report).

In recognition of the additional demand for local infrastructure resulting from any development yield on the site in excess of 111 dwellings, it is recommended that further negotiations be undertaken with the proponent to address the increased demand for local infrastructure generated by the proposed increase in residential density. Matters relating to how the proponent intends to address the additional demand on local infrastructure, including the funding of additional infrastructure, should be addressed in the draft VPA offered by the proponent.

h) Housing Mix and Diversity

The proponent has indicated a commitment to comply with Council's apartment size, mix and car parking requirements which will promote the housing outcomes advocated by Council to suit the needs and expectations of anticipated future residents.

In recognition of this, it is recommended that the proposed Schedule 1 clause permit residential flat buildings with a maximum floor space ratio of 3:1, only where full compliance with Council's unit mix and size requirements is achieved. These requirements are set out in Council's local provision (Clause 7.12 of LEP 2012).

4. RECOMMENDED AMENDMENTS TO LOCAL ENVIRONMENTAL PLAN

As set out in section 2 of this report the planning proposal, as submitted, seeks to change the zone, height and floor space ratio to facilitate the revised development concept.

In order to provide certainty with respect to key development outcomes on the site, it is recommended that the existing R3 Medium Density Residential zoning be retained, and that the proposal be facilitated through the use of Schedule 1 Additional permitted uses within LEP 2012. This approach would enable the key components of the proposed development concept to be clearly articulated and for the master planned outcome to be clearly guided. It would provide certainty that key elements of the proposal (amalgamation of the allotments, through-site pedestrian link, through-site vehicular link at basement level for residents and appropriate relationship with the adjoining heritage item) must be achieved in order for any developer of the land to obtain the uplift proposed.

To facilitate the alternative development outcome recommended within this report, it is recommended that the following clause be included in Schedule 1 of LEP 2012:

8 Use of certain land at 6-12 and 16-20 Garthowen Crescent, Castle Hill

(1) *This clause applies to land at 6-12 and 16-20 Garthowen Crescent, Castle Hill, comprising Lots 23, 24, 25, 28, 29 and 30 in DP222257 and SP40627, shown as "Item 16" on the Additional Permitted Uses Map.*

(2) *Development for a purpose shown in Column 1 of the table is permitted with development consent, subject to all conditions shown opposite in Column 2.*

Column 1	Column 2
<i>Residential flat buildings</i>	<i>Maximum floor space ratio must not exceed 3:1.</i> <i>Maximum building height must not exceed 18 storeys.</i> <i>Development must fully comply with the requirements set out in Clause 7.12 (3) (a) to (e) of The Hills Local Environmental Plan 2012.</i> <i>The entire site (including land at Lots 23, 24, 25, 28, 29 and 30 in DP222257 and SP40627) must be amalgamated to form one development site.</i> <i>The proposed development incorporates a 7.5 metre setback to both sides of Garthowen Crescent.</i> <i>A through-site link with public right of carriage for pedestrian movement is provided through the site, in the western portion of the site, connecting between both Garthowen Crescent frontages.</i>

	<i>Development must provide a sensitive response to the adjoining heritage item 'Garthowen House'. This must include the location of ground level common open space at the common boundary between Lot 28 DP222257 and Lot 2 DP533390.</i> <i>Development must provide a consolidated basement parking area which provides through-site vehicular access (for residents) to entry/exit points at both the northern and southern frontages to Garthowen Crescent.</i>
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Should the planning proposal proceed to finalisation, Council is able to consider housekeeping amendments to rezone the site to reflect the approved uses, once development has commenced. However, at this stage, the use of Schedule 1 to permit the intended development outcomes provides significantly more certainty for Council with respect to yield, built form and key development outcomes which are critical for an appropriate outcome to be achieved on the site.

It is noted that the Castle Hill North Planning Proposal includes controls relating to the site which would no longer be required should Council choose to proceed with the above approach. The Castle Hill North Planning Proposal will continue to proceed concurrently with (and in advance of) this proposal however future consideration of the Castle Hill North Planning Proposal following public exhibition should have regard to the outcomes proposed for the site under this proposal. Any issues relating to conflict between, or duplication of, the two sets of controls can be resolved at this later stage.

It is noted that the above clause will facilitate a residential outcome of 180 to 190 dwellings on the site. The applicant has indicated that they are agreeable to proceeding with the alternative planning proposal which facilitates this yield.

5. DEVELOPMENT CONTROL PLAN AMENDMENTS

As part of the Castle Hill North Planning Proposal, a draft DCP 2012 (Part D Section 20 – Castle Hill North) has been prepared to guide future development within the Precinct. This draft DCP was reported to Council on 25 July 2017 and in accordance with Council's resolution will be placed on public exhibition shortly. The draft DCP contains a range of development controls which guide development outcomes within the Precinct and which would be suitable to apply to future development on the site. However should Council decide to proceed with the planning proposal, the following further amendments to the draft DCP would be required to secure key development outcomes:

- Update the structure plan for the precinct to identify the proposed height range of 3 to 18 storeys on the site; and
- Include an indicative layout plan for the site which identifies how development on the site can 'sensitively respond' to the adjoining 'Garthowen House' heritage item. This would include the siting and height of buildings as well as the location of common open space on the site.

It is recommended that draft DCP 2012 Part D Section 20 – Castle Hill North, as detailed in Attachment 1, be exhibited concurrently with the planning proposal. It is noted that this draft amendment uses the draft Castle Hill North DCP as a 'base' and assumes that

finalisation of the draft Castle Hill North DCP would precede these subsequent amendments for this site.

6. VOLUNTARY PLANNING AGREEMENT

As detailed within this report, it is recommended that Council proceed with discussions with the proponent with respect to the preparation of a draft VPA which will resolve how the proponent will address the increased demand for local infrastructure generated by the proposed increase in residential density, over and above the yield planned for as part of the Castle Hill North Planning Proposal and catered for within the draft Contributions Plan for the Precinct. Following the preparation of the draft VPA, and prior to any public exhibition of the planning proposal, the draft VPA will need to be reported to Council for consideration.

IMPACTS

Financial

This matter has no direct financial impact upon Council's adopted budget or forward estimates.

The Hills Future - Community Strategic Plan

The alternative development outcome and amendments to LEP 2012 proposed within this report are consistent with the vision and objectives of The Hills Future – Community Strategic Plan as they will facilitate a desirable living environment and assist Council in meeting its growth targets. It is also consistent with the key strategy of managing new and existing development with a robust framework of policies, plans and processes that is in accordance with community needs and expectations.

RECOMMENDATION

1. A planning proposal be forwarded to the Department of Planning and Environment for a Gateway Determination to amend Schedule 1 Additional Permitted Uses of LEP 2012 to permit residential flat buildings on the site, with a maximum floor space ratio of 3:1 and maximum height of 18 storeys, subject to achieving the following criteria:
 - a) Full compliance with the requirements set out in Clause 7.12 (3) (a) to (e) of The Hills Local Environmental Plan 2012 (housing mix and diversity);
 - b) Amalgamation of the site (including Lots 23, 24, 25, 28, 29 and 30 in DP222257 and SP40627) to form one development site;
 - c) Provision of a 7.5 metre setback to both sides of Garthowen Crescent;
 - d) Achievement of a 'sensitive' response to the adjoining heritage item 'Garthowen House'. This must include the location of ground level common open space at the common boundary between Lot 28 DP222257 and Lot 2 DP533390;
 - e) Provision of a through-site link with public right of carriage for pedestrian movement, in the western portion of the site, connecting between both Garthowen Crescent frontages; and
 - f) Provision of a consolidated basement parking area which provides through-site vehicular access (for residents) to entry/exit points at both the northern and southern frontages to Garthowen Crescent.
2. The proponent be requested to provide additional overshadowing and traffic analysis, as detailed within this report, prior to any public exhibition of the planning proposal.

3. Council undertake discussions with the proponent with respect to the preparation of a draft Voluntary Planning Agreement which resolves how the proponent will address the increased demand for local infrastructure generated by the proposed increase in residential density.
4. 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.
5. Draft The Hills Development Control Plan 2012 Part D Section 20 – Castle Hill North (Attachment 1) be exhibited concurrently with the planning proposal.

ATTACHMENTS

1. Draft DCP 2012 Part D Section 20 – Castle Hill North (64 Pages)

MINUTES of the duly convened Ordinary Meeting of The Hills Shire Council held in the Council Chambers on 8 August 2017

Clr A J Hay OAM
Clr R K Harty OAM

VOTING AGAINST THE MOTION

None

ABSENT

Clr Y D Keane

ITEM-3

NOTICE OF RESCISSION - ACKNOWLEDGEMENT OF TRADITIONAL LAND OWNERS

A MOTION WAS MOVED BY COUNCILLOR HAY OAM AND SECONDED BY COUNCILLOR HARTY OAM THAT the decision of the Ordinary Meeting of Council held on 25 July 2017 in respect of Item 2 – Acknowledgement of Traditional Land Owners be rescinded.

THE MOTION WAS PUT AND LOST.

Councillors Harty OAM and Hay OAM rose for a Division. The result of the Division was as follows:-

VOTING FOR THE MOTION

Clr R K Harty OAM
Clr A J Hay OAM
Clr Dr J N Lowe
Clr R M Tracey

VOTING AGAINST THE MOTION

Clr R A Preston
Clr Dr M R Byrne
Clr Dr P J Gangemi
Clr M G Thomas
Clr A N Haselden

ABSENT

Clr Y D Keane

8:50pm *Clr Tracey left the meeting and returned at 8:57pm during Item 4.*

ITEM-4

**PLANNING PROPOSAL - 6-12 AND 16-20
GARTHOWEN CRESCENT, CASTLE HILL
(24/2016/PLP)**

Proceedings in brief

Mr Michael Harrison – Urban Designer Architect representing the applicant addressed Council regarding this matter.

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

THE MOTION WAS PUT AND CARRIED.

MINUTES of the duly convened Ordinary Meeting of The Hills Shire Council held in the Council Chambers on 8 August 2017

401 RESOLUTION

1. A planning proposal be forwarded to the Department of Planning and Environment for a Gateway Determination to amend Schedule 1 Additional Permitted Uses of LEP 2012 to permit residential flat buildings on the site, with a maximum floor space ratio of 3:1 and maximum height of 18 storeys, subject to achieving the following criteria:
 - a) Full compliance with the requirements set out in Clause 7.12 (3) (a) to (e) of The Hills Local Environmental Plan 2012 (housing mix and diversity);
 - b) Amalgamation of the site (including Lots 23, 24, 25, 28, 29 and 30 in DP222257 and SP40627) to form one development site;
 - c) Provision of a 7.5 metre setback to both sides of Garthowen Crescent;
 - d) Achievement of a 'sensitive' response to the adjoining heritage item 'Garthowen House'. This must include the location of ground level common open space at the common boundary between Lot 28 DP222257 and Lot 2 DP533390;
 - e) Provision of a through-site link with public right of carriage for pedestrian movement, in the western portion of the site, connecting between both Garthowen Crescent frontages; and
 - f) Provision of a consolidated basement parking area which provides through-site vehicular access (for residents) to entry/exit points at both the northern and southern frontages to Garthowen Crescent.
2. The proponent be requested to provide additional overshadowing and traffic analysis, as detailed within this report, prior to any public exhibition of the planning proposal.
3. Council undertake discussions with the proponent with respect to the preparation of a draft Voluntary Planning Agreement which resolves how the proponent will address the increased demand for local infrastructure generated by the proposed increase in residential density.
4. 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.
5. Draft The Hills Development Control Plan 2012 Part D Section 20 – Castle Hill North (Attachment 1) be exhibited concurrently with the planning proposal.

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

VOTING FOR THE MOTION

Clr R A Preston
Clr Dr J N Lowe
Clr Dr P J Gangemi
Clr A N Haselden
Clr M G Thomas
Clr R M Tracey
Clr A J Hay OAM
Clr R K Harty OAM

