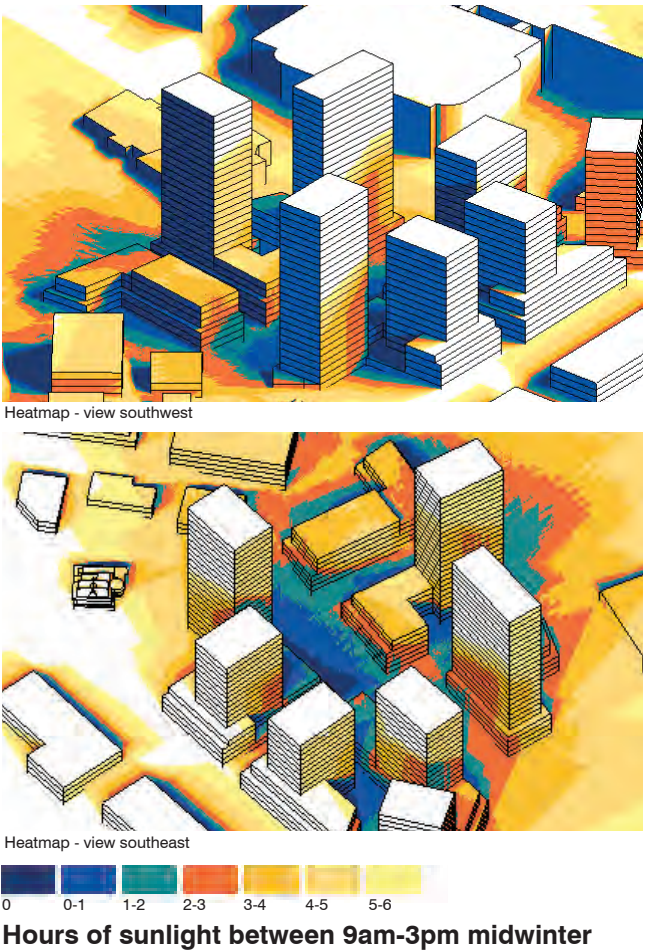
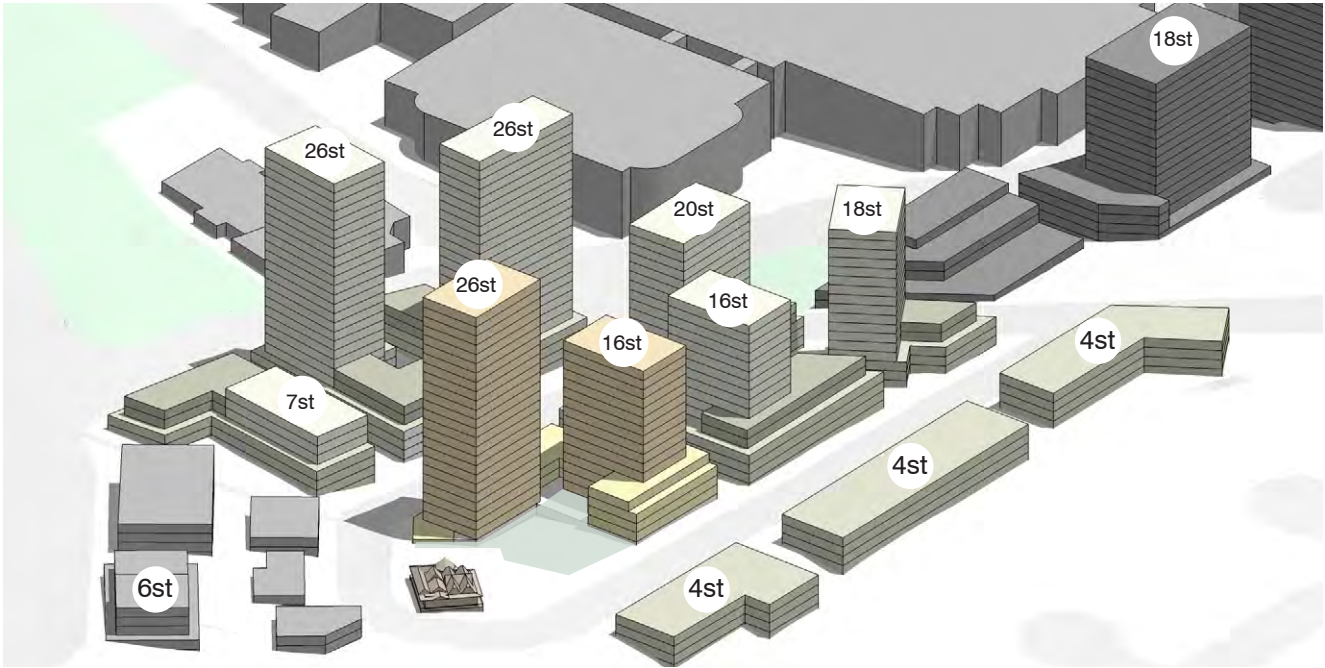


New Option - FSR 3.7:1, two towers, open space

- FSR 3.7:1 on site.
 - Two towers on site of 16 and 26 storeys.
 - Approx. 228 apartments (95.8sqm GFA/apartment)*.
 - Provides SEPP65 compliant solar access and building separation for visual privacy.
 - Opportunities for deep soil planting through adequate setbacks.
 - Provision of large communal open space (approx. 1900sqm).
 - Adjacent sites can still achieve SEPP65 compliant solar access.
- *Note approx. apartments (Mix described in current Planning Proposal).



Indicative plan - towers

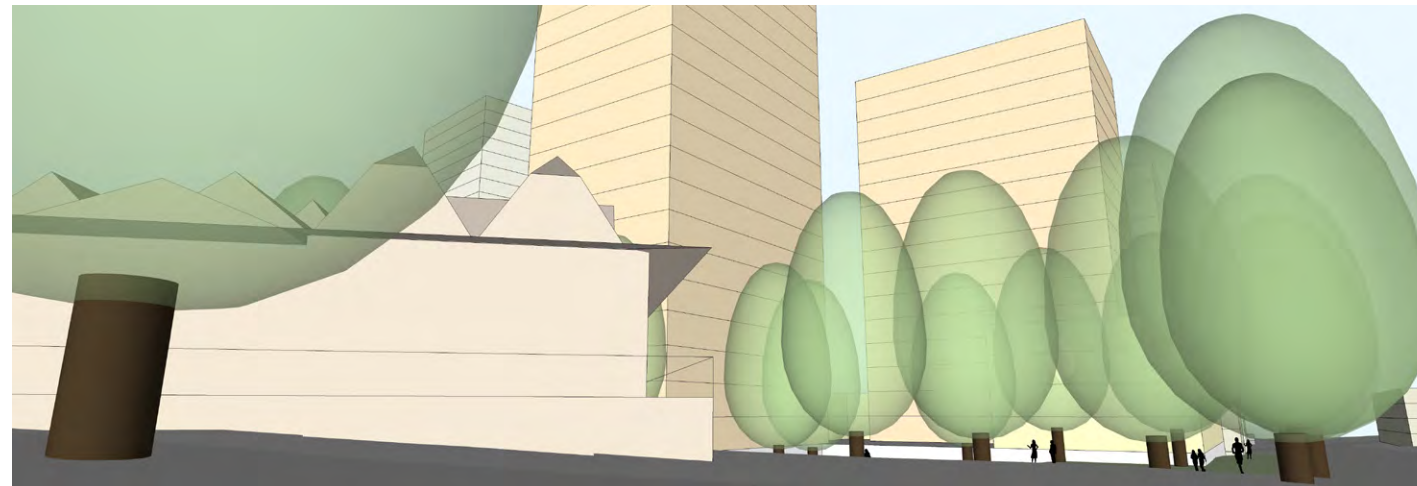


Aerial view from north

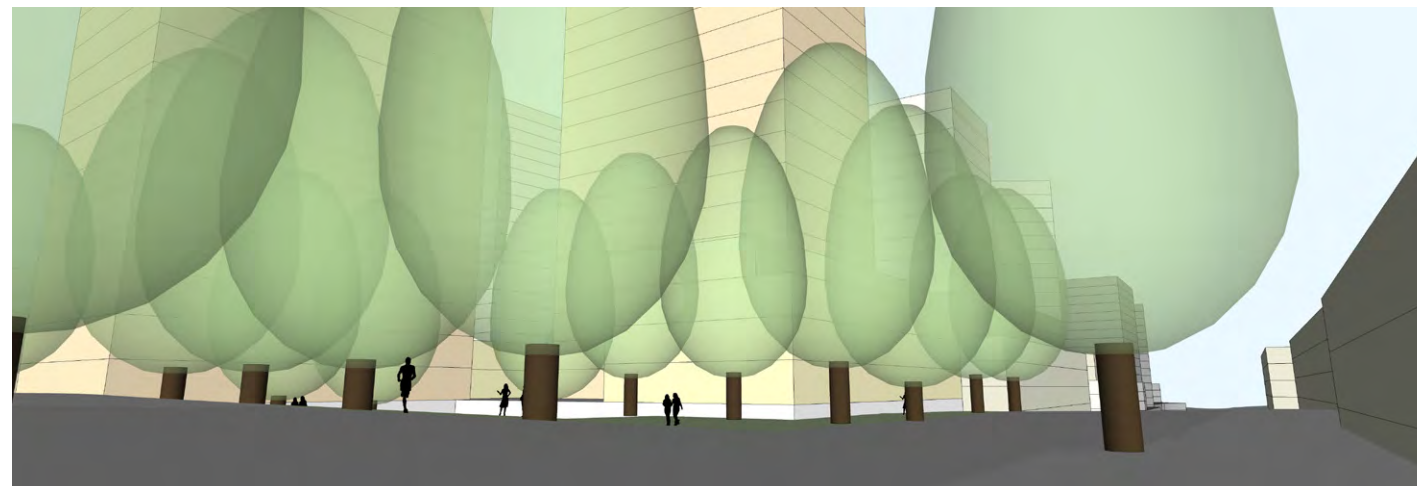
Site Area	6010
FSR	3.7
Aim GFA	22236

	Floor plate	Storeys	GBA	GFA
Podium north	464	3	1392	1044
Podium north setback	350	1	350	262
Tower north	600	16	9600	7200
Podium south GF	436	1	436	327
Podium south L1-L2	918	2	1835	1376
Podium south setback	538	2	1076	807
Tower south	600	24	14400	10800
				21817
No. of apartments				228

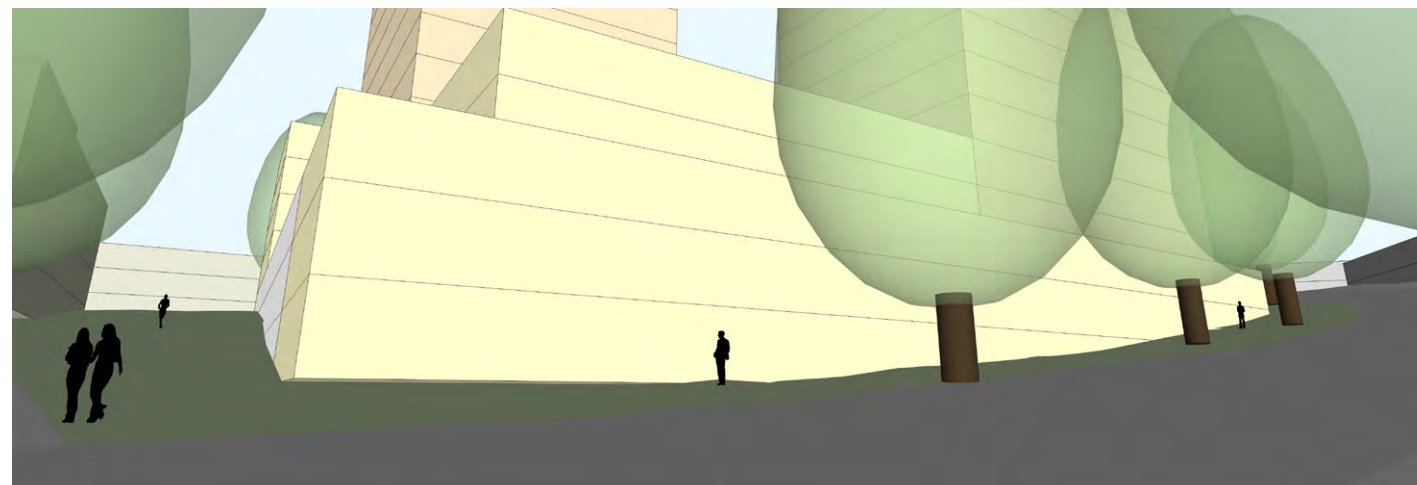




1 View from heritage item



2 View from Garthowen Crescent (north)



3 View from Garthowen Crescent (south)



Location plan

CALADINES

TOWN PLANNING PTY LTD



Planning Proposal

To Amend

The Hills Local Environmental Plan 2012

6-10 & 16-20 Garthowen Crescent

Castle Hill

June 2016

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TABLE OF CONTENTS

1.0 Introduction.....	3
2.0 Regional Context.....	4
3.0 The Site and Surrounding Environment.....	5
4.0 Existing Planning Provisions.....	21
5.0 Planning Proposal.....	24
6.0 Conclusion.....	51

1.0 Introduction

This Town Planning report has been prepared by Caladines Town Planning Pty Ltd on behalf of HCM Building Pty Ltd and accompanies a Planning Proposal to The Hills Shire Council, seeking to make amendments to the planning controls contained within The Hills Local Environmental Plan (The Hills LEP) 2012 that relate to land at 6-10 & 16-20 Garthowen Crescent Castle Hill to facilitate two (2) high density detached residential flat buildings (RFB's) containing 268 apartments with associated landscaping, amenities and basement car parking.

The two (2) buildings are slender in form and design and vary in height by between 3 and 20 storeys (southern building) and 4 and 16 storeys (northern building).

A large area of landscaped communal open space (approximately 900m²) is located in the core of the site, between both buildings.

The proposed amendments to The Hills LEP 2012 to accommodate the proposal include:

- change the lands zoning from R3 Medium Density Residential to R4 High Density Residential to permit residential flat buildings;
- change the building height control from 9m to 68m across the entire site;
- introduce a Floor Space Ratio (FSR) control of 4.5:1 across the entire site and
- identify the site as a KEY SITE on the Foreshore Building Line Map, Landslide Risk Map Urban Release Map and Key Sites Map;
- introduce new local provisions into The Hills LEP 2012 text (Clause 7.10) to regulate unit sizes, unit mix and car parking.

The Town Planning report explains the intent of, and justification for the changes sought to The Hills LEP 2012.

Given the development sites location on the edge of the Castle Hill Town Centre and its proximity to the new Castle Hill Railway Station (currently under construction), bus interchange and business centre, the site is optimally located to accommodate the proposed high density residential development that forms the Planning Proposal.

The suitability of the site for high density residential development of between 7 and 20 storeys was identified in the North West Rail Link Castle Hill Station Structure Plan – A Vision for Castle Hill Station and Surrounds Report (p. 24) (September 2013) and is therefore an appropriate form of residential development for its context.

The Planning Proposal has been prepared in accordance with Section 55 of the Environmental Planning and Assessment Act 1979 and explains the background to the requested amendments and consists of the following six parts, consistent with the document titled A Guide to Preparing Planning Proposals, prepared by NSW Planning & Infrastructure (October 2012):

Part 1	Objectives or intended outcomes
Part 2	Explanation of the provisions
Part 3	Justification
Part 4	Mapping
Part 5	Community consultation
Part 6	Project timeline

The Planning Proposal is accompanied by the following documents:

Appendix 1	Amended Zone, Building Height, FSR and KEY SITE Maps
Appendix 2	Site Survey - LTS Lockley Pty Ltd (23/02/15)
Appendix 3	Urban Design Study and Master Plan - Architectus (June 2016)
Appendix 4	Transport and Accessibility Assessment - John Coady Consulting Pty Ltd (7 June 2016)
Appendix 5	Heritage Impact Assessment - Archnex dated (June 2016)
Appendix 6	Arborist Report - Redgum Horticultural

The Planning Proposal is accompanied by an Urban Design Study and Master Plan prepared by Architectus at Appendix 3, which appropriately addresses the site's environmental constraints, proposed building form, preferred development concept and the high level of amenity afforded to future residents of both buildings.

The Planning Proposal is consistent with all relevant SEPP's and regional strategic studies that identify Castle Hill as both a Major Centre and a Strategic Centre that is to be serviced by the Sydney Metro North West, offering an important opportunity to accommodate projected increases in residential densities within 400m or 5minutes walk of the future Castle Hill Railway Station and expanding business centre.

Given the considerable merits of the Planning Proposal, it is commended to Council for endorsement and forwarding to the Department of Planning & Environment for gateway determination.

2.0 Regional Context

Castle Hill is sited approximately 30km northwest of the Sydney CBD and 10km from Parramatta. Since the early 1990s, the population of Castle Hill has continually increased as a result of new dwellings, particularly medium and high density.

The Metropolitan Strategy for Sydney, draft North West Sub-Regional Strategy, Metropolitan Plan for Sydney 2036 and The State Governments Plan for Growing Sydney identify Castle Hill as a 'Major Centre' within the North West Sub-Region of Sydney. See **Figure 1**.

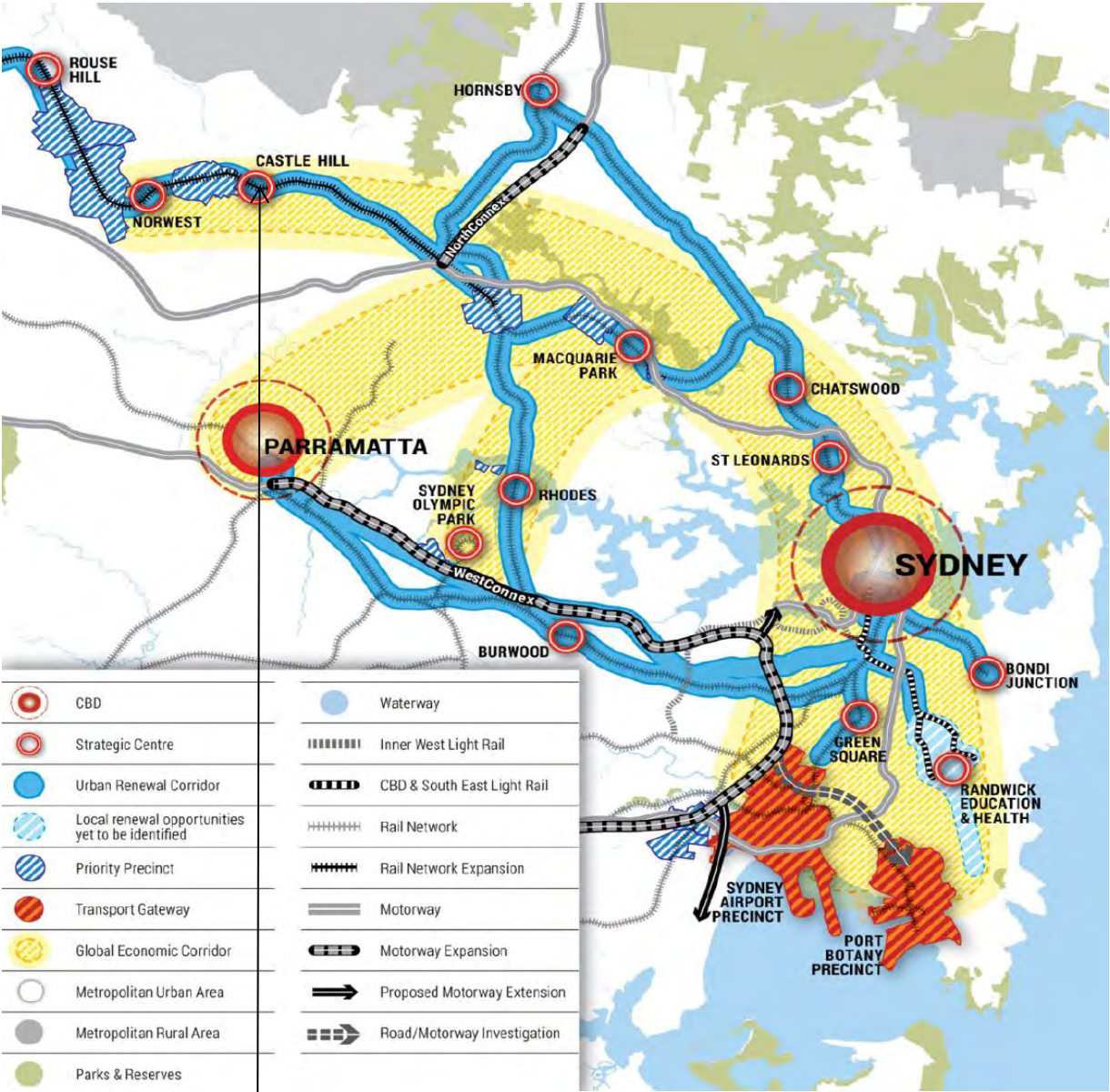


Figure 1

Source: The State Governments Plan for Growing Sydney

Castle Hill plays an important retail and commercial role for the Hills Shire and greater region. It also supports the social needs of the surrounding local community through the provision of community facilities, services and leisure facilities.

The introduction of the Castle Hill train station is expected to increase demand for housing close to the centre as it will provide opportunities for existing and new residents to live in a location where there is excellent public transport links and a variety of local services. As a Major Centre, Castle Hill has the following characteristics:

- Transport Interchange both rail and bus;
- Taller commercial built form both existing and proposed;
- Higher order retail and destination shopping, including future major extensions planned;
- Higher density and variety in housing stock;
- Community services and facilities including Police Station and a major library
- Strong pedestrian activity day and night, including hotel, entertainment, restaurants and cinemas.

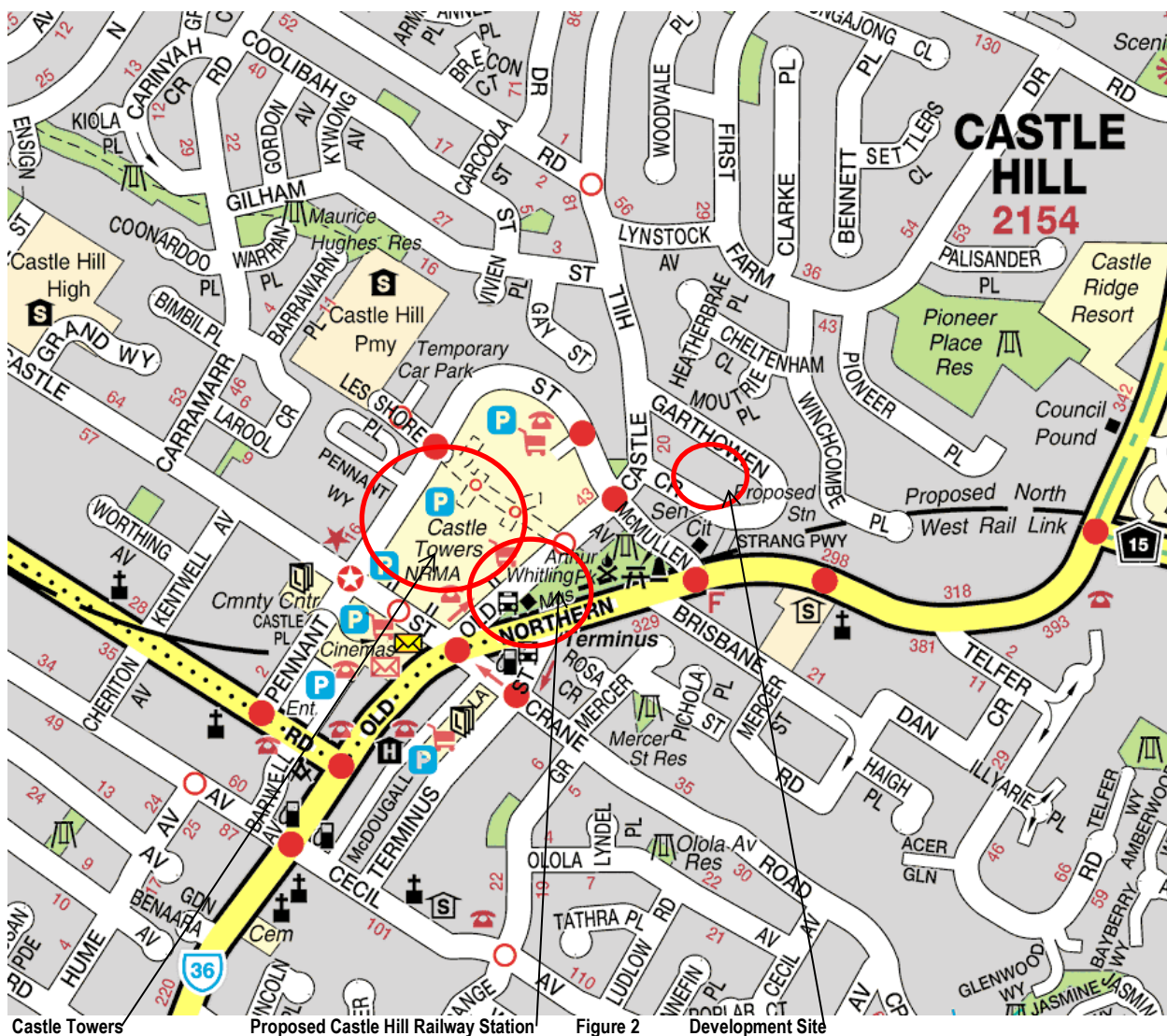
3.0 The Site and Surrounding Environment

Garthowen Crescent is a local, no through road, which offers two-way traffic movements in each direction and is accessed via two (2) separate ingress/egress points off Old Castle Hill Road.

Because of a median strip in Old castle Hill Road, the most southern ingress/egress point into Garthowen Crescent off Old Castle Hill Road denies cars turning right into and out of Garthowen Crescent. All turning movements into and out of this southern Garthowen Crescent are left in, left out only.

The northern ingress/egress intersection of Garthowen Crescent and Old Castle Hill Road is not subject to a median strip and therefore cars are able to turn right into and out of Garthowen Crescent. See **Figure 2**.

The most convenient point off access from the site to the proposed railway station and Castle Towers is through Strang Pathway that is located diagonally opposite the site in Garthowen Crescent. It allows direct access to Old Northern Road and to a set of signalised traffic lights.



The development site is located towards the northern edge of the Castle Hill town centre where it sits on a spur, and is high in the landscape. The topography of the land falls steeply in a general east-west direction.

The development site sits in the centre of Garthowen Crescent and has frontages to both the northern and southern sides of Garthowen Crescent.

The development site is irregular in shape and is the amalgamation of six (6) single allotments that are legally described as Lot 23, Lot 24, Lot 25, Lot 28, Lot 29 and Lot 30 in DP22257 generally known as 6-10 and 16-20 Garthowen Crescent Castle Hill.

All but Lot 23 and Lot 28 are rectangular in shape, each lot containing a detached dwelling house, associated structures and vegetation. The development site contains a total land area of 5346m²

Whilst the Garthowen Crescent precinct is characterised by low density dwelling houses, and some medium density development, there are some new high density RFB's that have frontages to Garthowen Crescent and Old Northern Road within the visual catchment of the site. Immediately to the east of the development site is a strata titled dual occupancy containing two (2) attached dwelling houses, generally known as 12 and 12A Garthowen Crescent.

The property generally known as 14 Garthowen Crescent contains a building in the form of a dwelling house that has been converted into a childcare centre known as "Young Academics Early Learning Centre". This property is a local Heritage Item named Garthowen and is located on the bend of the street and as such has a continuous street frontage to Garthowen Crescent. It is noted that part of the development sites (16 Garthowen Crescent) side boundary abuts the childcare centre.

This childcare centre has an at grade car park on the western side of the building whilst the north and north eastern parts of the site, contain the children's outdoor play area. See aerial photos of the site and surrounds at **Figures 3 and 4**.



Castle Towers Shopping Centre

Proposed Castle Hill Railway Station

Figure 3

Development Site

Childcare Centre

Open Space

- 1 Castle Hill Heritage Park
- 2 Spain Reserve
- 3 Ulundri Drive Reserve
- 4 Banks Road Reserve
- 5 James Greenwood Reserve
- 6 Castle Hill Showground
- 7 Maurice Hughes Reserve
- 8 Coolibah Street Reserve
- 9 Pioneer Place Reserve
- 10 Unnamed Reserve
- 11 Cockayne Reserve
- 12 Mercer Street Reserve
- 13 Olola Avenue Reserve
- 14 Telfer Way Reserve
- 15 Anson Place Reserve
- 16 Coolong Reserve Dog Park
- 17 Greenup Park
- 18 Timothy Avenue Reserve
- 19 Glenwood Way Reserve
- 20 Castlewood Community Reserve

Educational & Community Facilities

- A The Discovery House Preschool
- B Restore Church
- C Castle Hill Bowling Club
- D Castle Hill High School
- E 1st Castle Hill Scout Hall
- F Castle Hill Public School
- G Oakhill College
- H St Paul's Anglican Church, Castle Hill
- I Wesley Castle Hill Uniting Church
- J Castle Hill Police Station
- K Castle Hill Library
- L St Bernadette's Catholic Church
- M St Bernadette's Primary School
- N Castle Hill Baptist Church
- O Castle Hill Presbyterian Church
- P Hills Adventist College
- Q Excelsior Public School
- R Gilroy Catholic College
- S St Gabriel's School
- T Castle Hill Library
- U Dashing Ducks Pre-School Castle Hill
- V St Bernadette's Primary School



Figure 5
Source: Architectus

Development Site

Photos of the site and surrounds are located at **Figures 6 to 29**.



Figure 6 - View North Towards 4 Garthowen Crescent



Figure 7 - View North Towards 6 Garthowen Crescent



Figure 8 - View North Towards 8 Garthowen Crescent



Figure 9 - View North Towards 10 Garthowen Crescent



Figure 10 - View North Towards (Duplex) 12 Garthowen Crescent



Figure 11 - View North Towards (Duplex) 12A Garthowen Crescent



Figure 12 - View North Along Strang Pathway Towards Garthowen Crescent
Strang Pathway allows direct access to Old Northern Road from Garthowen Crescent.



Figure 13 - View North Towards Childcare Centre at 14 Garthowen Crescent



Figure 14 - View North Towards Rear Car Park Area of Childcare Centre at 14 Garthowen Crescent



Figure 15 - View South Towards Childcare Centre at 14 Garthowen Crescent



Figure 16 - View West Along Garthowen Crescent



Figure 17 - View South Towards 16 Garthowen Crescent



Figure 18 - View South Towards 18 Garthowen Crescent



Figure 19 - View South Towards 20 Garthowen Crescent



Figure 20 - View South Towards 22 Garthowen Crescent



Figure 21 - View South Towards 22 Garthowen Crescent



Figure 22 - View East Along Garthowen Crescent



Figure 23 - View East Towards New High Rise RFB's in Garthowen Crescent



Figure 24 - View East Towards Existing Medium Density RFB's in Garthowen Crescent



Figure 25 - View South-East Towards Existing Medium Density Housing in Garthowen Crescent



Figure 26 - View South Towards Existing Single Dwelling House Opposite Development Site in Garthowen Crescent



Figure 27 - View West Along Streetscape of Garthowen Crescent



Figure 28 - View South Towards Multi-Level Car Park of Castle Towers Shopping Centre – Intersection of Pennant Street and Old Castle Hill Road



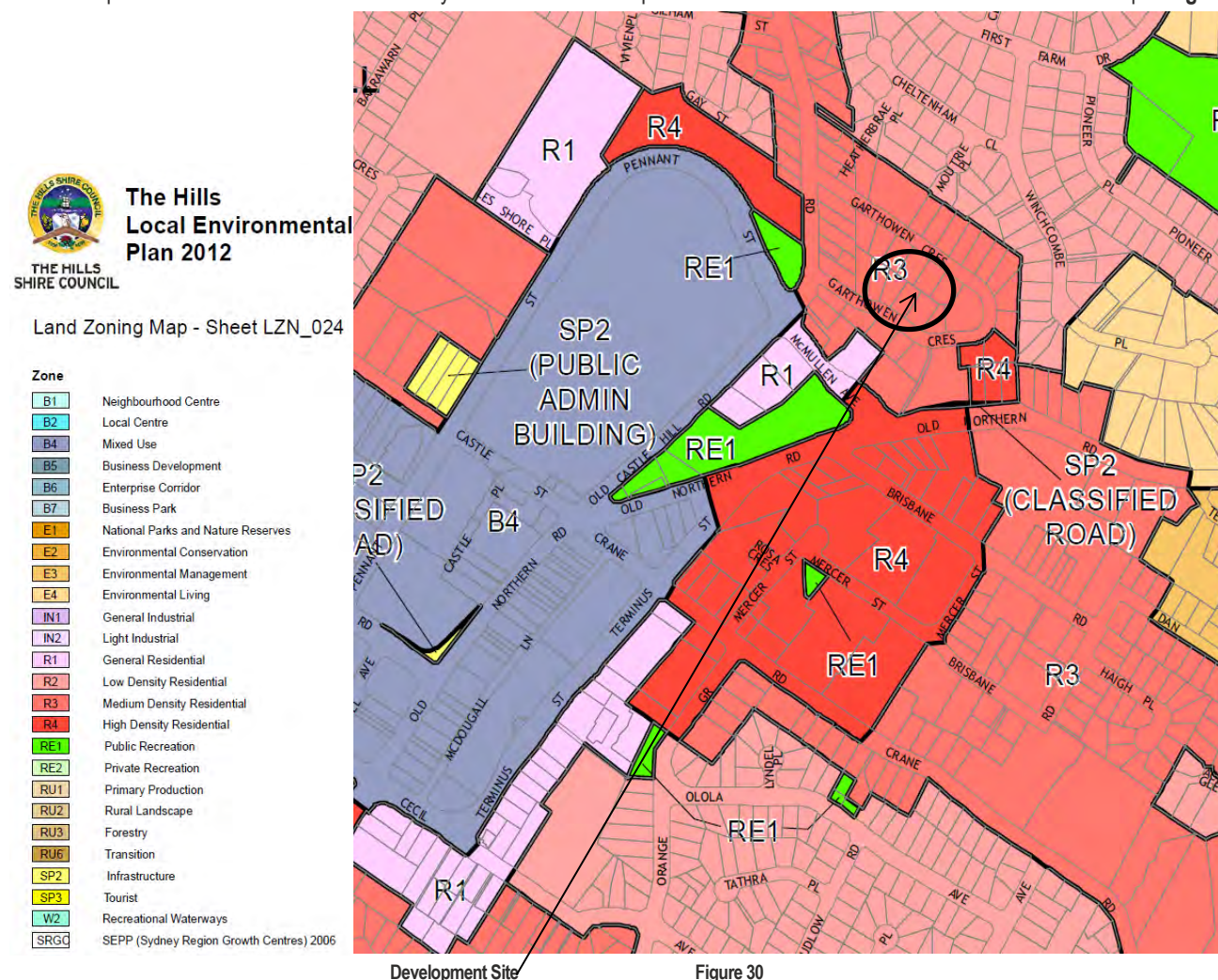
Figure 29 - View South Towards Multi-Level Car Park of Castle Towers Shopping Centre – Intersection of Old Castle Hill Road & Pennant Street

4.0 Existing Planning Provisions

The existing planning provisions applying to the site under The Hills LEP 2012 are set out as follows:

Land Use Zoning

The development site is zoned R3 Medium Density Residential under the provisions of The Hills LEP 2012. See extract of zone map at Figure 30.



The land use table set out below identifies the zones objectives and permitted/prohibited uses. Residential Flat Buildings are prohibited in the R3 Medium Density Residential zone:

Zone R3 Medium Density Residential

1 Objectives of zone

- To provide for the housing needs of the community within a medium density residential environment.
- To provide a variety of housing types within a medium density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To encourage medium density residential development in locations that are close to population centres and public transport routes.

2 Permitted without consent

Home businesses; Home occupations

3 Permitted with consent

Attached dwellings; Boarding houses; Building identification signs; Business identification signs; Child care centres; Community facilities; Dual occupancies; Dwelling houses; Group homes; Home-based child care; Multi dwelling housing; Neighbourhood shops; Places of public worship; Respite day care centres; Roads; Seniors housing; Any other development not specified in item 2 or 4 *

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Commercial premises; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Entertainment facilities; Environmental facilities; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Function centres; Heavy industrial storage establishments; Helipads; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Information and education facilities; Jetties; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Passenger transport facilities; Port facilities; Public administration buildings; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Research stations; Residential accommodation; Restricted premises; Rural industries; Service stations; Sewerage systems; Sex services premises; Signage; Storage premises; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Warehouse or distribution centres; Waste or resource management facilities; Water recreation structures; Water supply systems; Wharf or boating facilities; Wholesale supplies

Height of Buildings

The development site is subject to a 9m building height standard pursuant to cl. 4.3 of The Hills LEP 2012. See Figure 31.

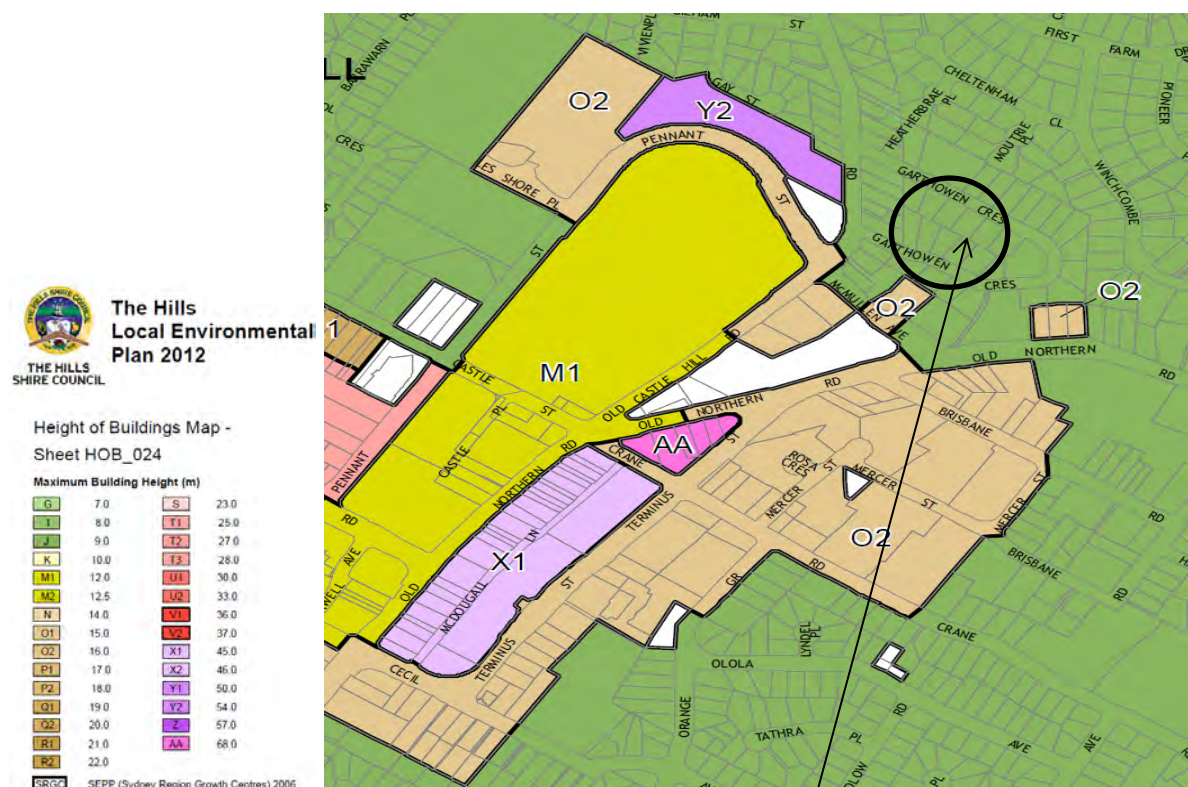
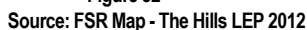


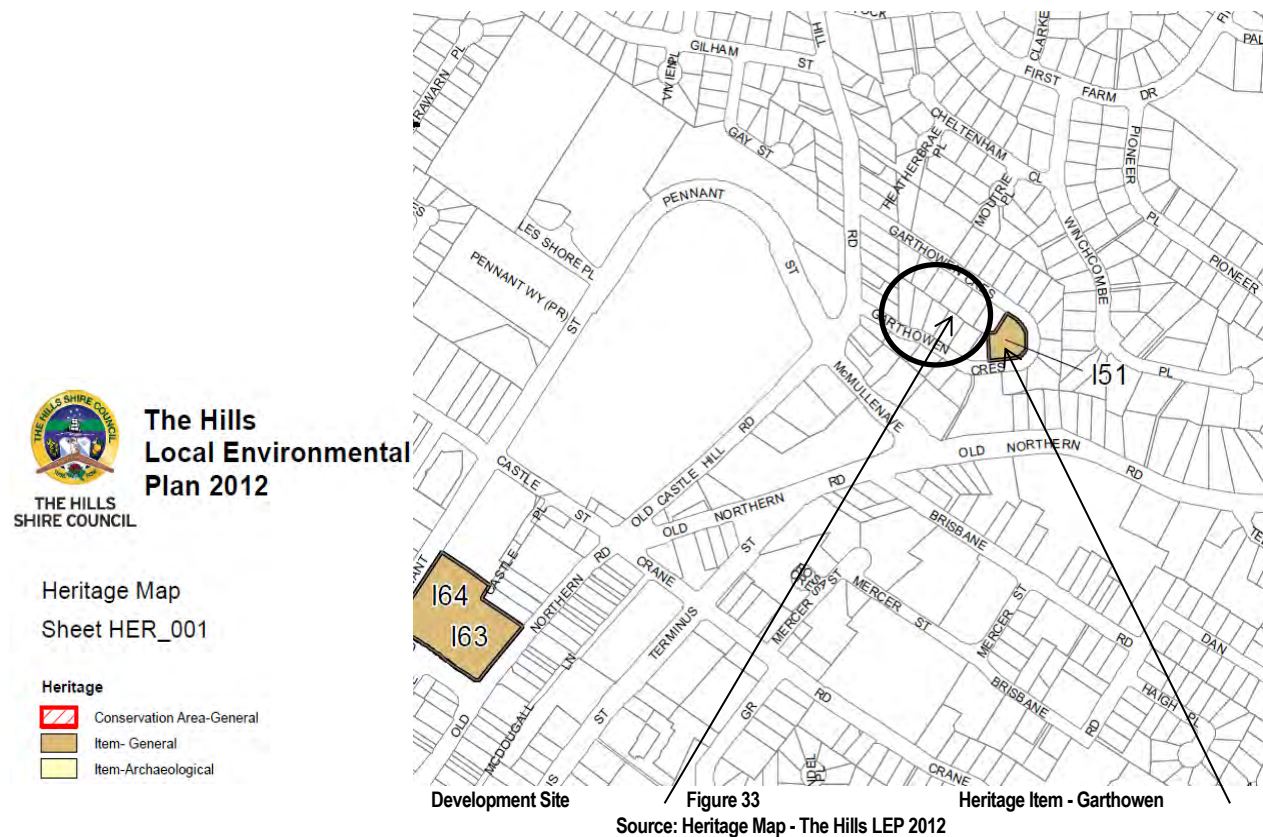
Figure 31 Development Site
Source: Height of Buildings Map - The Hills LEP 2012

The development site is not subject of a floor space ratio (FSR) standard pursuant to cl. 4.4 of The Hills LEP 2012. See **Figure 32**.



Heritage

The development site is not listed as a heritage item, nor is it located within a heritage conservation area. However, part of the development site's eastern (side) boundary abuts 14 Garthowen Crescent, which is listed as a local heritage item on Council's heritage inventory. The heritage item is generally known as "Garthowen", and is currently being used as a childcare centre. See extract from The Hills LEP 2012 Heritage Map at **Figure 33**.



Development Control Plan

The Hills LEP 2012 is supplemented by The Hills Development Control Plan (The Hills DCP) 2012, which provides specific controls for different types of development, such as residential flat buildings; dictating building heights in storeys, setbacks, the treatment of landscaping and broader urban design considerations and controls. It also provides area-specific development principles and intended outcomes.

5.0 Planning Proposal

The Architectus Master Plan tested the following four (4) design options before arriving at the option believed to be most suitable to its context, location to the Castle Hill business centre, bus interchange and proposed Castle Hill railway station and impacts upon the surrounding environment. See detailed Architectus Urban Design Study and Master Plan accompanying the Planning Proposal.

1. Design A – 2 x (5) storey buildings (Consistent with the draft Hills Shire Strategy) with an FSR of approximately 1.6:1;
2. Design B – 1 x 10 and 1 x 11 storey buildings with an FSR of approximately 3:1;
3. Design C – 1 x 16 and 1 x 20 storey buildings with an FSR of approximately 4.5:1
4. Design D - 1 x 26 and 1 x 30 storey buildings with an FSR of approximately 6:1

Design Option C was considered to be the most appropriate design scheme for the site because:

- the FSR of 4.5:1 is consistent with density controls found in other major centres throughout Sydney and also densities of new or approved high density residential or mixed use developments within the visual catchment of the site;

- it offers to the surrounding Castle Hill environment, 2 slender, free standing buildings that vary in height of between 4 -16 storeys (northern building) and 3-20 storeys (southern building). A large landscaped open space area is provided between both buildings and setbacks will comply with the ADG;
- the density and type of building form proposed is consistent with that identified in the Castle Hill Station Structure Plan for this precinct, i.e. approx. 7-20 storeys;
- the density proposed is based on an average of 90m² per dwelling and proposed unit sizes provided on each buildings floor plate demonstrates they are consistent with Part B Section 5 of Council's Residential Flat Building DCP, not SEPP 65 minimum unit size standards. The proposal will seek to introduce new local provisions (Clause 7.10) into The Hills LEP 2012 text to regulate unit sizes, mix, internal floor areas and on-site car parking;
- each building is well articulated and modulated;
- the slender scale of both buildings achieves design excellence by ensuring units in each building receive natural light, blue sky and views between buildings;
- Deep soil/landscaping – 1545m² or 29% of site area;
- Open Space (communal) – 891 m² or 17% at ground level (between buildings) + 669m² or 13% at podium rooftop levels = 1560m² or 29% in total;
- it will be consistent with the building bulk and scale of the two (2) RFB's under construction on the corner of Old Northern Rd and Crane Road;
- it will be similar in height to the approved residential flat buildings on the Pennant Street Target Site with significantly less bulky towers;
- appropriate density for a large consolidated site within a major centre site that is within 400m or a 5 minute walk of the Castle Hill railway station, bus interchange and major shopping centre;
- ensure there will be less reliance on the use of motor vehicles and more on public transport;
- ensure that environmental and amenity impacts associated with increased development yield on a large consolidated site area are not materially increased;
- is able to meet SEPP65 (ADG) solar access requirements, even with future development on adjacent sites;
- ingress/egress into the basement car park is off the northern side of Garthowen Crescent over a 6m wide combined driveway with compliant on-site car parking provided.

Design Option C will achieve a unit yield of 268 apartments, comprising the following mix of units and FSR:

- 67 x 1 bedroom;
- 174 x 2 bedroom;
- 27 x 3 bedroom.

Total = 268

Density Scenario C - 4.5:1 FSR

Building Envelope	Floor Plate Area	Storeys	GBA	GFA
Podium - Garthowen S (A)	648	3	1944	1458
Podium - Garthowen S (B)	245	2	490	367.5
Podium - Garthowen N (A)	754	4	3016	2262
Podium - Garthowen N (B)	424	2	848	636
Tower - Garthowen S	720	16	11520	8640
Tower - Garthowen N	720	20	14400	10800
Total			32218	24163.5
Site area	5345			
FSR	4.5			
Number of apartments	268			

* Based on 90sqm GFA/apartment

The proposal will therefore involve the following:

- change the sites current zone from R3 Medium Density Residential to R4 High Density Residential to permit Residential Flat Buildings;
- change the building height control for the site from 9m to 68m;
- introduce a FSR control of 4.5:1 across the site;
- identify the development site as a KEY SITE on the Key Site map;
- include a provision in Clause 7.10 of The Hills LEP 2012 in respect of unit mix and yield, internal floor areas and car parking.

See preferred development concept at **Figure 34** and Photomontages of the proposal at **Figures 35** and **36**.

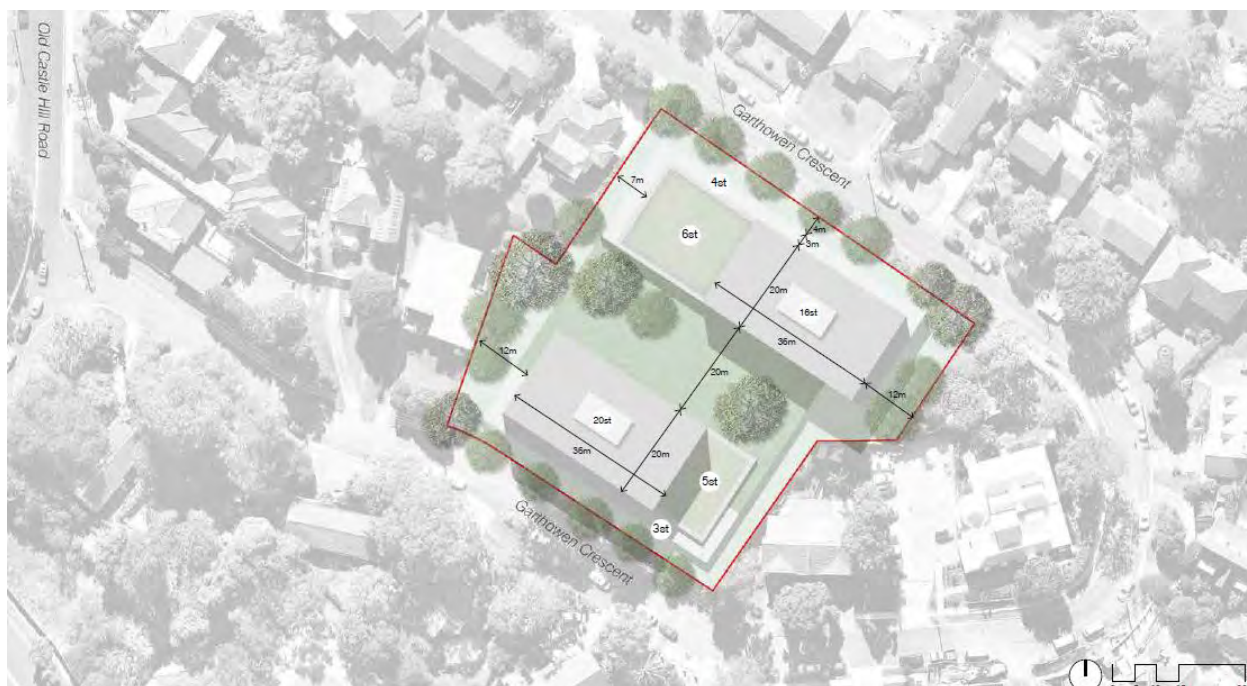


Figure 34 – Preferred Development Concept
Source: Architectus



Figure 35 – View West Towards The Proposed Buildings
Source: Architectus



Figure 36 – View South Towards Proposed Buildings
Source: Architectus

This Planning Proposal has been prepared in accordance with Section 55 of the Environmental Planning & Assessment Act 1979 and the guide prepared by the Department of Planning dated October 2012 entitled “*A guide to preparing planning proposals*” which requires the following parts to be addressed:

1. objectives or intended outcomes;
2. explanation of provisions;
3. justification;
4. mapping;
5. community consultation and
6. project timeline
7. relationship to strategic planning framework;
8. environmental, social and economic impact;
9. state and Commonwealth interests;

PARTS of PLANNING PROPOSAL

Part 1 - Objectives or Intended Outcomes

The objective of the Planning Proposal is to amend The Hills LEP 2012 to permit two (2) detached high density residential flat buildings on the site with a height and FSR commensurate to its location with the Castle Hill Town Centre (Major Centre) and within 400m or 5m walk from the under construction Castle Hill Railway Station, major shopping centre in Castle Towers, bus interchange and other future buildings of similar bulk and scale, either under construction, approved or being considered by Council. The objectives are summarised as follows:

- to facilitate the future development of the site, enabling two (2) slender free standing RFB's that will achieve design excellence by promoting high quality architectural designs to ensure quality residential amenity is achieved for future residents in this precinct;
- proactively facilitate development at the northern end of the Castle Hill business centre, furthering its success and vitality as a Major Centre and Specialist Centre;
- provide an FSR, building height and unit yield that reinforces the role of the site as a northern gateway to and through the Castle Hill business centre, being a recognised Major Centre;

- provide increased floor space and building height that improves the viability of the development and reflects enhanced site capability for accommodating a high density building form, due to a larger than average site area;
- encourage the consolidation of six (6) allotments to facilitate two (2) aesthetically pleasing high density, buildings on a large consolidated development site;
- ensure that environmental and amenity impacts associated with increased development yield on a large development site are not materially increased. Designs prepared by Architectus, which accompany the Planning Proposal demonstrate this;
- enable more economic and efficient use of land and additional housing within a major centre environment, that is within a 5 minute walk of a major bus/rail interchange, which is compatible with a high density urban environment;
- suitable building setbacks and separation distances have been provided in the design to ensure that there is minimal increase in shadows and the building opens up view corridors along the sides and between buildings;
- Incorporates a significant communal open space area between both buildings to provide a quality recreational area for future residents;
- Preserves views into and out of the site through an imaginative design that is well articulated and varies in bulk, form, height and scale;
- Unit sizes are consistent with Council's DCP controls for unit sizes, not smaller SEPP 65 units sizes;

Part 2 – Explanation of the Provisions

The objective and intended outcome set out above will be achieved by the following amendments to The Hills LEP 2012.

The Planning Proposal seeks to:

- Change the sites zone from R3 Medium Density Zone to R4 High Density Residential to permit RFB's;
- Change the building height from 9m to 68m;
- Introduce a FSR of 4.5:1 across the site;
- Identify the site on The Hills LEP 2012 Key Sites Map and
- Introduce new local provisions (Clause 7.10) into The Hills LEP 2012 text to regulate unit yield and mix, unit sizes, internal floor areas and car parking.

These amended maps follow and are also provided at Appendix 1.

Change in Zoning

Zone R4 High Density Residential

1 Objectives of zone

- *To provide for the housing needs of the community within a high density residential environment.*
- *To provide a variety of housing types within a high density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To encourage high density residential development in locations that are close to population centres and public transport routes.*

2 Permitted without consent

- Home businesses; Home occupations

3 Permitted with consent

Attached dwellings; Boarding houses; Building identification signs; Business identification signs; Child care centres; Community facilities; Dual occupancies; Dwelling houses; Home-based child care; Multi dwelling housing; Neighbourhood shops; Places of public worship; Residential flat buildings; Respite day care centres; Roads; Shop top housing; Any other development not specified in item 2 or 4 4 Prohibited Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Boat building and repair facilities; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Commercial premises; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Entertainment facilities; Environmental facilities; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Function centres; Heavy industrial storage establishments; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Information and education facilities; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Passenger transport facilities; Public administration

buildings; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Research stations; Residential accommodation; Restricted premises; Rural industries; Service stations; Sewerage systems; Sex services premises; Signage; Storage premises; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Warehouse or distribution centres; Waste or resource management facilities; Water recreation structures; Water supply systems; Wharf or boating facilities; Wholesale supplies

Amend the Zone Map

Amend Zone Map (Sheet LZN_024) to rezone the land R4 High Density Residential. See Figure 37.

Land use zoning

B1	Neighbourhood Centre
B2	Local Centre
B4	Mixed Use
B5	Business Development
B6	Enterprise Corridor
B7	Business Park
E1	National Parks and Nature Reserves
E2	Environmental Conservation
E3	Environmental Management
E4	Environmental Living
IN1	General Industrial
IN2	Light Industrial
R1	General Residential
R2	Low Density Residential
R3	Medium Density Residential
R4	High Density Residential
RE1	Public Recreation
RE2	Private Recreation
RU1	Primary Production
RU2	Rural Landscape
RU3	Forestry
RU6	Transition
SP2	Infrastructure
SP3	Tourist
W2	Recreational Waterways
SRGC	SEPP (Sydney Region Growth Centres) 2006

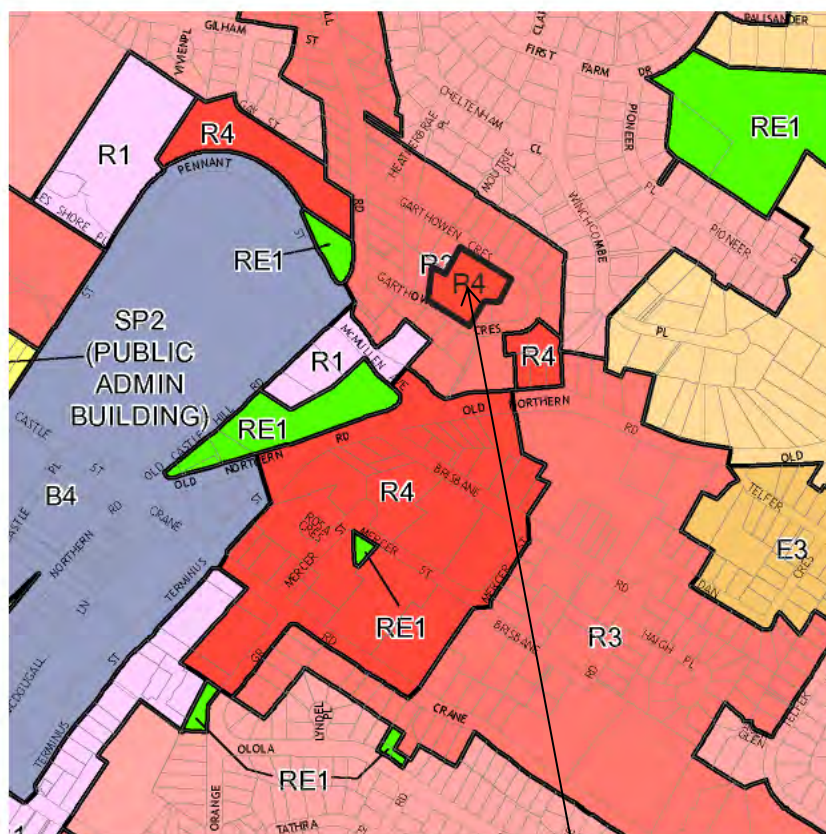


Figure 37

Development Site

Amend the Height of Buildings Map

Amend the Height of Buildings Map (Sheet HOB_024) to vary the sites current height standard from 9m to 68m. See **Figure 38**.

Height of buildings

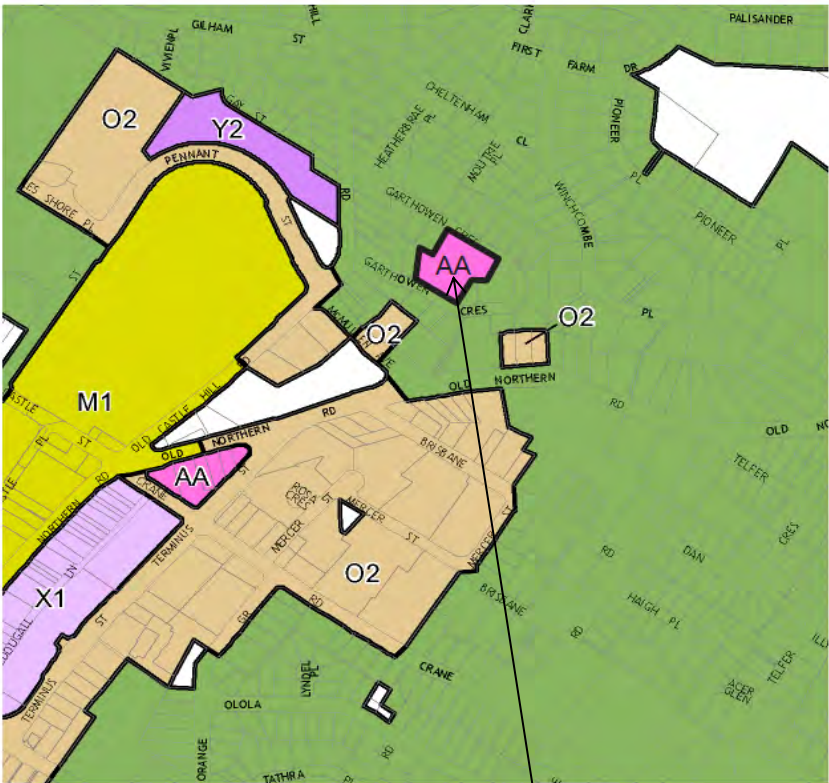
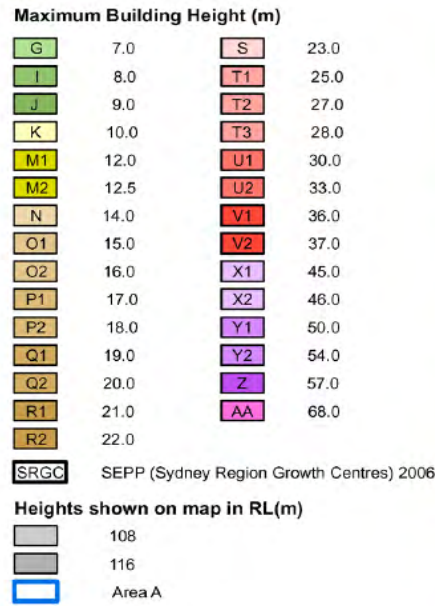


Figure 38 Development Site

Amend the Floor Space Ratio Map

Amend the FSR Map (Sheet FSR_024) to introduce a FSR standard of 4.5:1 across the development site, which will generate 24,163.5m² of GFA. See Figure 39.

Floor space ratio

Maximum Floor Space Ratio (n:1)

A	0.2
B	0.4
D	0.5
F	0.6
J	0.8
N	1.0
R	1.49
S	1.99
T	2.3
U	2.7
V	3.0
W	3.8
X2	4.5
X	4.0
Z1	5.0
Z2	5.5
AA	6.4

SEPR (Sydney Region Growth Centres) 2006

Cadastre

Cadastre 09/03/2015 © THSC

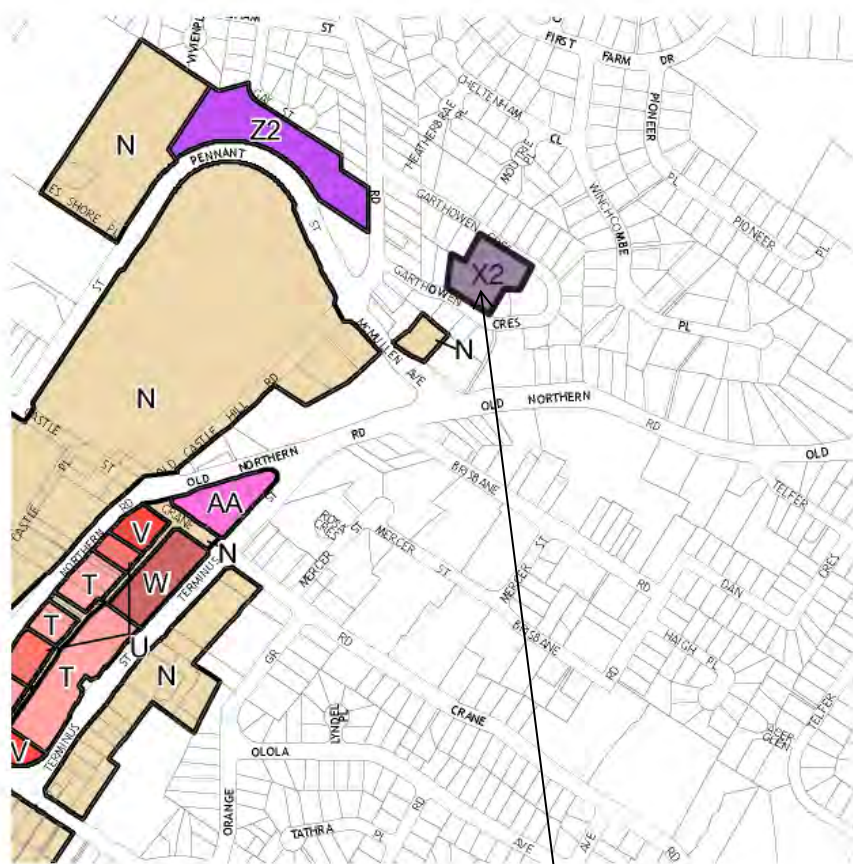


Figure 39

Development Site

Amend the Foreshore Building Line Map, Landslide Risk Map Urban Release Map and Key Sites Map;
 Amend the Map (Sheet KEY Sites Map_024) to include the site as a KEY Site. See Figure 40.

Key sites

- Foreshore Building Line**
 - Foreshore Area
 - Foreshore Building Line
- Landslide**
 - Landslide Risk
- Urban Release Area**
 - Urban Release Area
- Key Sites**
 - Area A
 - Area B

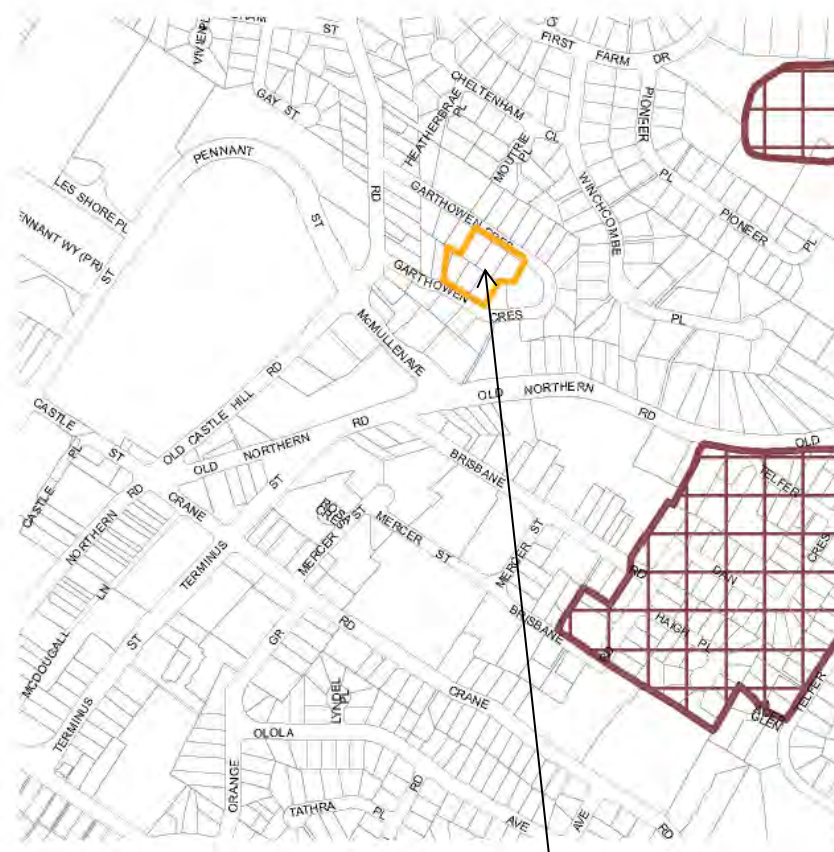


Figure 40

Development Site

Additional local provision - cl. 7.10 - Residential Development Yield

The following additional local provision is proposed in relation to dwelling yield, apartment mix and internal floor areas; consistent with Council's resolutions in 2015 (subsequently gazetted) in relation to a planning proposal for land at 30 Fairway Drive, Kellyville, Lot 33 and Lot 101 Spurway Drive, Baulkham Hills and Lot 5 Commercial Road Rouse Hill.

This incorporates similar provisions from The Hills Development Control Plan (THDCP) 2012 into the planning proposal. See below:

7.10 Residential Development Yield on Certain Land

(1) The objectives of this clause are as follows:

(a) to ensure the provision of a mix of dwelling types in residential flat buildings, providing housing choice for different demographics, living needs and household budgets,

(b) to ensure that development for residential flat buildings does not place an unreasonable burden on the provision of services, facilities and infrastructure in the area to which this clause applies,

(c) to provide opportunities for suitable housing density that is compatible with existing development and the future character of the surrounding area,

(d) to promote development that accommodates the needs of larger households, being a likely future residential use.

(2) This clause applies to land identified as "Area B" on the Key Sites Map.

(3) Development on the whole of the land specified in Column 1 of the Table is not to exceed the criteria and standards specified in Column 2 or 268 dwellings and a maximum height and floor space ratio as shown on the "Height of Buildings Map and Floor Space Ratio Map".

(4) Development on the whole of the land specified in Column 1 of the Table may be less or equal to that specified in Column 3, where the development complies with all criteria and standards specified in Column 4.

(a) no more than 25% of the total number of dwellings (to the nearest whole number of dwellings) forming part of the development are studio or 1 bedroom dwellings, or both, and

(b) at least 10% of the total number of dwellings (to the nearest whole number of dwellings) forming part of the development are 3 or more bedroom dwellings, and

(c) the development comprises the following:

(i) Type 1 apartments-up to 30% of the total number of dwellings (to the nearest whole number of dwellings), and

(ii) Type 2 apartments-up to 30% of the total number of dwellings (to the nearest whole number of dwellings), and

(ii) Type 3 apartments, and

(d) the following minimum number of car parking spaces are provided in the development;

(i) for each 1 bedroom dwelling – 1 car parking space, and

(ii) for each 2 or more bedroom dwelling – 2 car parking spaces, and

(iii) for every 5 dwellings – 2 car parking spaces, in addition to the car parking spaces required for the individual dwelling.

(6) In this clause:

Type 1 apartment means:

(a) a studio or 1 bedroom apartment with an internal floor area of at least 50m² but less than 65m² , or

(b) a 2 bedroom apartment with an internal floor area of at least 70m² but less than 90m² , or

(c) a 3 bedroom or more apartment with an internal floor area of at least 95m² but less than 120m² .

Type 2 apartment means:

(a) a studio or 1 bedroom apartment with an internal floor area of at least 65m² but less than 75m² , or

(b) a 2 bedroom apartment with an internal floor area of at least 90m² but less than 110m² , or

(c) a 3 or more bedroom apartment with an internal floor area of at least 120m² but less than 135m² .

Type 3 apartment means:

(a) a studio or 1 bedroom apartment with a minimum internal floor area of 75m² , or

(b) a 2 bedroom apartment with a minimum internal floor area of 110m² , or

(c) a 3 or more bedroom apartment with a minimum internal floor area on 135m² .

Internal floor area does not include the floor area of any balcony.

3 – Justification

This part of the planning proposal describes and justifies the amendments described in Part 2.

The following questions have been extracted from the document titled *A guide to preparing planning proposals*, by NSW Planning & Infrastructure (October 2012):

SECTION A - NEED FOR THE PLANNING PROPOSAL

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

NO

The planning proposal is not a result of any site specific strategic study or report however, the planning proposal is considered to be an appropriate means of implementing regional strategies to increase housing supply and mix and promote a larger workforce in the Castle Hill Major/Strategic Centre. These studies include:

- A Plan for Growing Sydney
- North West Rail Link Corridor Strategy
- North West Rail Link Castle Hill Station Structure Plan
- Metropolitan Plan for Sydney 2036
- Draft Subregional Strategy North West Subregion

The aims and objectives of the abovementioned strategies seek to provide more housing around Sydney Metro North West that is within 400m or 5minutes walk of a railway station, major retail centre in Castle Towers, bus interchange and rapidly expanding business centre.

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

YES

A planning proposal, to amend The Hills LEP 2012, is the most effective way of providing certainty for Council, the local community and the landowner and allows for the orderly and economic development of the land that is consistent with the Department of Planning and Environments fundamental strategy of increasing densities around railway stations and major business centre, nothing dissimilar to other Major Centres such as:

- Hornsby;
- Chatswood;
- Green Square;
- Hurstville;
- Bondi Junction and
- St Leonards.

The existing planning controls applying to the site would not permit the form of development envisaged in the planning proposal or identified within the strategic studies prepared by the Department of Planning and Environment for Castle Hill as a Major Centre.

SECTION B - RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK

This part assesses the relevance of the planning proposal to the directions outlined in key strategic planning policy documents.

Questions in this section consider State and local government plans including the NSW Government's *A Plan for Growing Sydney* and the draft subregional strategy, State Environmental Planning Policies (SEPPs), local strategic and community plans and applicable Ministerial Directions.

3. 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.

A Plan for Growing Sydney

On 14 December 2014, the NSW Government released *A Plan for Growing Sydney* which outlines actions to achieve the Government's vision for Sydney to be a 'strong global city and a great place to live'.

Sydney's Strategic Centres: Castle Hill is identified as a Strategic Centre (p. 46 and Figures 2 and 28). A Strategic Centre is defined as follows (p.139):

The largest centres in the Sydney Metropolitan Area, when developed. They contain mixed-use activity of an amount, density and diversity that is of metropolitan significance, including commercial (office, business and retail), civic and cultural uses; government services; and higher density housing. They are typically on the passenger rail network or serviced by other high frequency public transport. Strategic centres typically contain at least 10,000 jobs, with the potential to accommodate ongoing jobs growth over the long term. They are priority locations for employment and retail activity.

Figure 41 is an extract from *A Plan for Growing Sydney*, which identifies the approximate location of the site within the West Central Subregion and the Castle Hill Strategic Centre that are relevant to the site and the planning proposal.

Urban Renewal Corridor and Rail Network:

The site is located within an Urban Renewal Corridor located on the new Northwest Rail Link. Urban renewal is defined as:

The revitalisation of established urban areas to provide for a greater range of housing and improve liveability through better access to employment, improved services and social infrastructure. In relation to Urban Renewal Corridors, A Plan for Growing Sydney states (p.114):

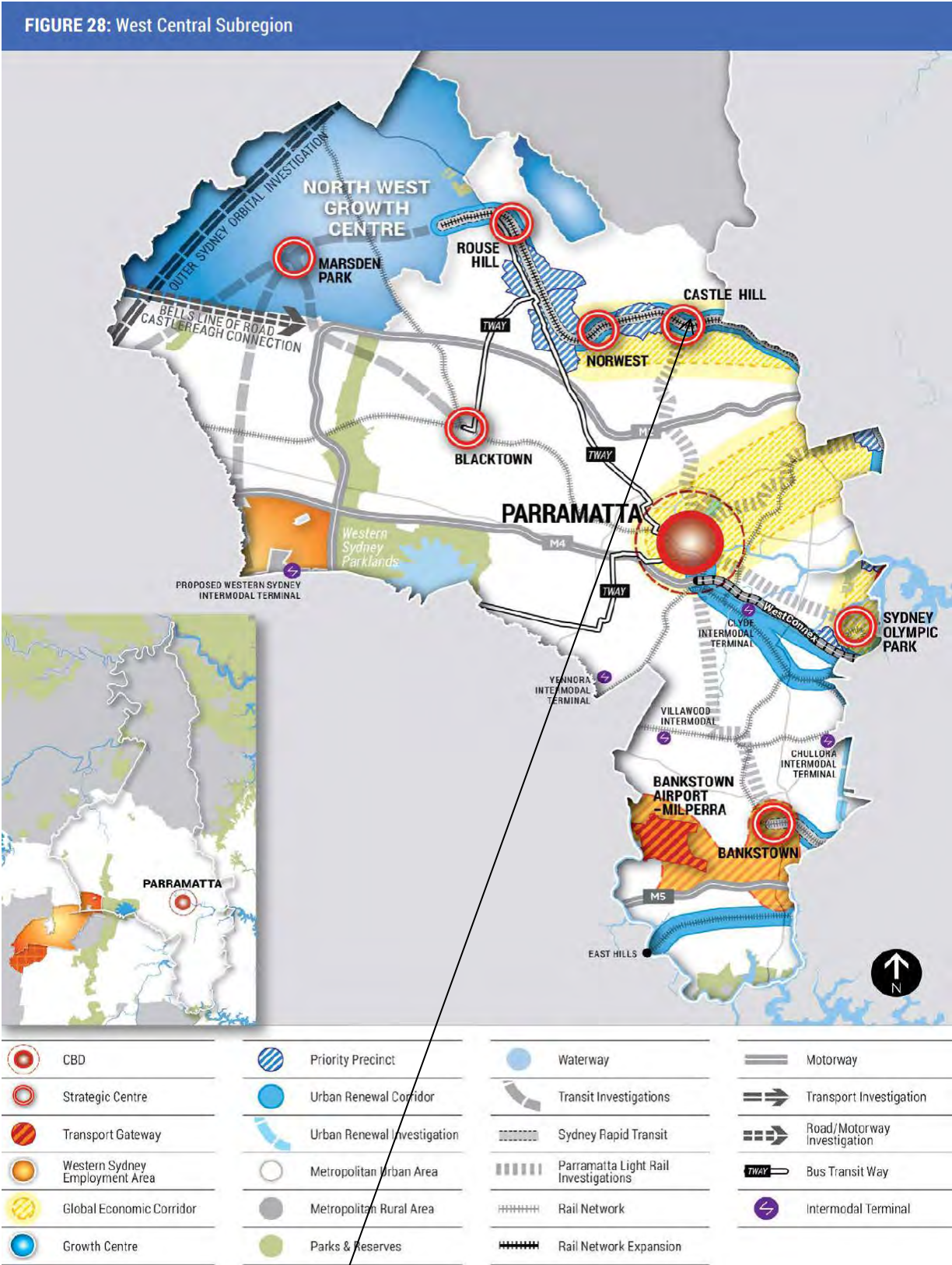
Accelerate Housing Supply, Choice and Affordability and Build Great Places to Live

Work with councils to identify suitable locations for housing and employment growth coordinated with infrastructure delivery (urban renewal), including around Priority Precincts, established and new centres, and along key public transport corridors including the North West Rail Link, the Western Line, the Cumberland Line, the Carlingford Line, the Bankstown Line, Sydney Rapid Transit and bus T-Ways

Priorities for Strategic Centres: In relation to Castle Hill, *A Plan for Growing Sydney* states (p. 116):

Work with council to implement the Castle Hill Station Structure Plan in the North West Rail Link Corridor Strategy to provide additional capacity around the future Castle Hill train station for mixed-uses including offices, retail, services and housing, and to plan for outward expansion of the centre.

The planning proposal will enable the consolidation of six (6) allotments, provide two (2) slender high density buildings that achieve design excellence, which will contribute towards new dwellings on a site located within 400m of the Castle Hill Strategic Centre with excellent access to public transport, local services and amenities.



Development Site
Figure 41
Source: A Plan for Growing Sydney - West Central Subregion.

North West Rail Link Corridor Strategy (September 2013)

The North West Rail Link Corridor Strategy was prepared to guide development around the Sydney Metro North West stations, these new stations being Cherrybrook, Castle Hill, Showground Road, Norwest, Kellyville, Rouse Hill and Cudgegong.

The Corridor Strategy identifies a vision for precincts around the new stations with the objective of maximising the opportunities for Sydney Metro North West to support positive changes in travel behaviour as a result of the transport modal shift from road to rail.

The Corridor Strategy predicts that land around the eight new stations will accommodate 28,800 new dwellings and 49,500 new jobs by 2036.

Sydney Metro North West can only strengthen Castle Hill's role as a Major Strategic Centre by supporting growth in and around the centre. This will help achieve key metropolitan policy objectives for Sydney such as carrying out urban renewal through the increase of residential densities in identified urban areas, enabling residential growth where there is available or planned public transport capacity and providing jobs closer to home.

The Corridor Strategy includes a new railway station at Castle Hill (currently under construction), to be located on the eastern side of the Castle Hill business centre, corner of Old Northern Road outside the Castle Towers shopping centre, approximately 400m from the proposed development site.

Castle Hill Station Structure Plan (September 2013)

Land Use Planning

The Castle Hill Station Structure Plan (p. 21) notes that Council's 2012 LEP planning controls around the Castle Hill Strategic Centre will not promote the realisation of the Centre's status. It 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 and only a moderate increase in housing. Therefore, the vision and Structure Plan detail the desired future character of the area and proposed land uses to complement the new rail link and station. See a map of the study area for the Castle Hill Structure Plan at **Figure 42**, which identifies the site as being suitable for high density residential.

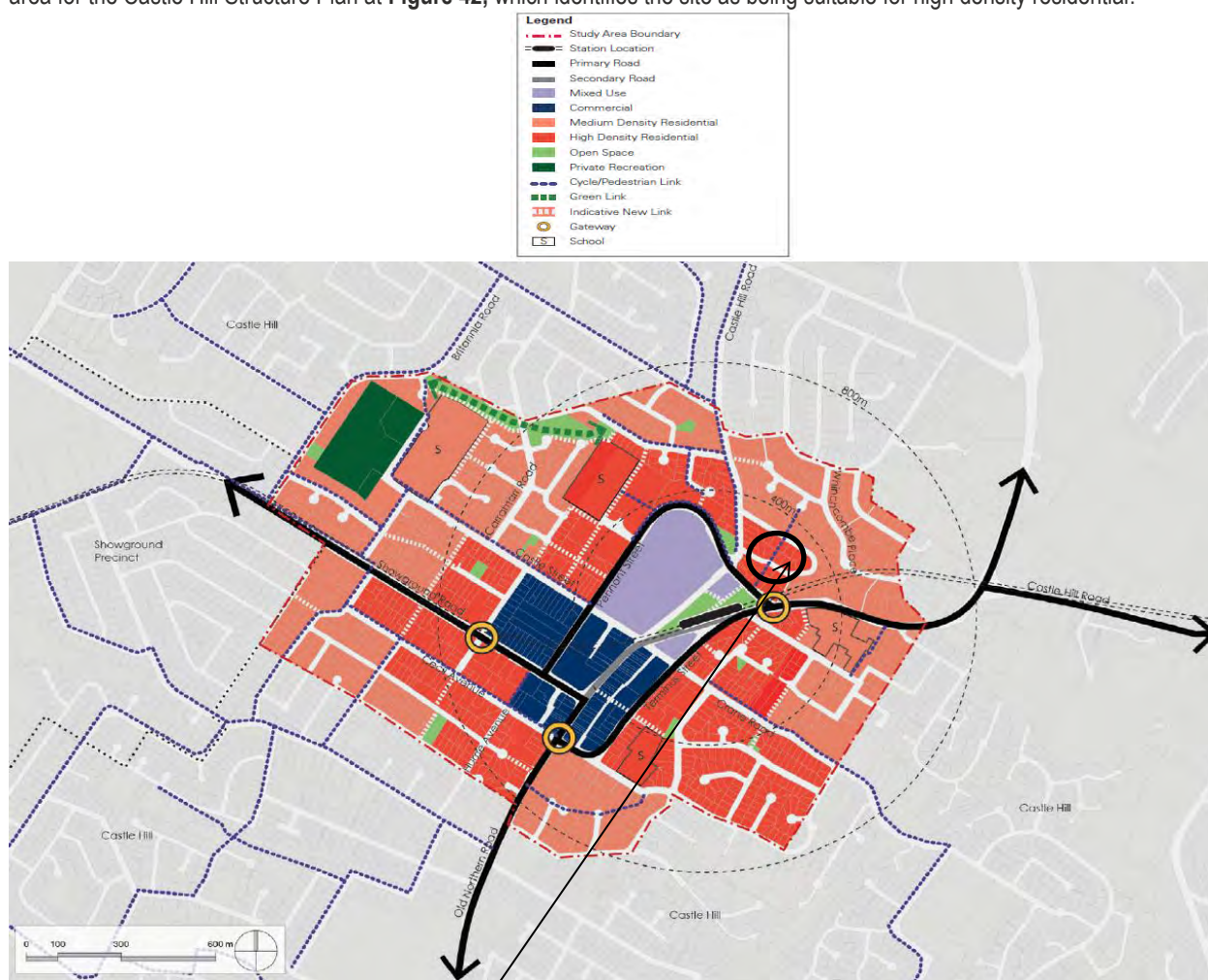


Figure 42

Source: Castle Hill Station Structure Plan.

It is noted on page 24 of the Castle Hill Station Structure Plan, under the heading Uses, it states:

“Suitable locations for high density residential between 7 and 20 storeys, have been identified surrounding the commercial/retail core, which will benefit from direct access to the bus and rail transport interchange and mix of uses and facilities in the core”.

The Planning Proposal is consistent with this direction of the Castle Hill Structure Plan as the site is located within 400m or 5minutes walk of the Castle Hill Railway Station and business centre and is identified as a long term opportunity site, which are the least constrained sites in the study area.

The planning proposal will make a significant and timely contribution to the Structure Plan targets and will improve connections to the station for pedestrians, cyclists, public transport users and motorists.

On page 29 under the heading “Vision & Structure Plan”, of the Castle Hill Station Structure Plan, a map identifies the development site as part of an area that should be considered for high density apartment living. See **Figure 43**. Notations next to the map state:

“High Density Apartment Living

Objectives: *To provide for the housing needs of a growing community and to encourage an increased residential density in areas with direct access to the new rail link and station.*

Character: *It is anticipated that under the vision and Structure Plan 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 7-20 storey apartment buildings, carefully master planned around communal open spaces and incorporating landscaped setbacks to existing streetscapes.”*



Figure 43 Development Site
Source: Castle Hill Station Structure Plan.

The Planning Proposal as submitted includes a detailed Urban Design Study and Master Plan prepared by Architectus, which is consistent with the character statement and vision objectives of the Castle Hill Station Structure Plan.

On page 30 of the Castle Hill Station Structure Plan under the heading Projected "Growth", subheading "Outcomes of the Demand Analysis". "3. Type and Location of Development" it states:

"The demand analysis supports the provision for 7-20 storey and 3-6 storey garden apartments within close walking distance of the new train station. These areas of residential uplift and renewal may serve as the catalyst for regeneration within the broader precinct. In particular, future residents will be attracted to these areas for their high levels of amenity, employment opportunities, retail, cultural and community facilities and close proximity to the train station".

The proposed development provides for master planned high density well designed residential flat buildings that vary in height by between 16 and 20 storeys. Each is slender in design and well separated and setback off side boundaries to allow for greater opportunities for natural light and sky between both buildings.

The site is located within 400m or 5minutes walk of the Castle Hill Railway Station, bus interchange and major shopping centre in Castle Towers. Easy access can be provided to the railway station through Strang Pathway (diagonally opposite the site in Garthowen Crescent) or Old Castle Hill Road and therefore complies with the objectives of the demand analysis.

Metropolitan Plan for Sydney 2036

The Metropolitan Plan 2036 is the strategic plan that guides Sydney's growth to 2036. The Plan is an integrated, long-term planning framework that will significantly manage Sydney's growth and strengthen its economic development to 2036, while enhancing its unique lifestyle, heritage and built and natural environments.

The Plan sets five central aims to manage Sydney's growth by enhancing the city's live ability, strengthening economic competitiveness, ensuring fairness, protecting the environment and improving governance.

The Plan projects Sydney's population to grow by 1.7 million to almost 6 million people by 2036. To support the population growth, Sydney will need an additional 770,000 homes by 2036. In addition to the housing targets, employment growth is envisioned at 760 000 jobs, with half of these needed in Western Sydney. The Plan sets capacity targets for each Subregion to facilitate housing and economic growth through providing more jobs closer to home.

The Plan also aims to concentrate development in centres or transit nodes. Castle Hill is classified as a Major Centre.

Cities supply the region's high order services and support the business growth sectors providing jobs in Western Sydney. Their role is critical for a fair and efficient city – one that offers jobs closer to home and less need to travel, particularly by the use of motor vehicles.

The proposal is consistent with the objectives and strategies of the Metropolitan Plan in that it will:

- facilitate the delivery of new housing stock into Castle Hill;
- strengthen Castle Hills role as a Major Centre and Strategic Centre;
- contribute towards the achievement of short term employment for Castle Hill through jobs to build the RFB's;
- better utilise the excellent public transport opportunities the Castle Hill will have on offer;
- provides for a stronger and successful centre, i.e. accessible and pedestrian friendly, having attractive and safe public domain spaces;
- ensures the residential integrity of Castle Hill is maintained and enhanced and
- allows for a future built form that is appropriate in height, form and density for a precinct that is in need of urban renewal.

Draft North West Central Subregional Strategy

The Draft West Central Subregional Strategy (December 2007) and other Subregional Strategies support and implement the Sydney Metro Strategy for the various subregions of Sydney, by providing more detailed planning strategies at a subregional level to guide preparation of local environmental plans and assessment of development proposals.

Castle Hill is identified as a Major Centre in Sydney being an economic hub and gateway to other major and regional centres. The Draft North West Strategy seeks to concentrate activities in identified centres, particular strategic centres such as Castle Hill.

Increased building heights and floor space ratios are intended to allow higher density commercial/retail development in the Castle Hill centre so that sufficient floor space is available for the anticipated growth in employment and high density housing that is to be sited throughout the business core and around the core.

The proposed increase in height and FSR will contribute positively to Castle Hill's role as a major business centre that is projected in the Strategy to provide at least 3,000 additional jobs within the centre by 2031. New stages to the Castle Towers retail hub will substantially increase retail space within the centre to accommodate this projected growth in employment.

The proposed development is consistent with the Draft West Central Subregion Strategy in that it provides an increase in housing stock to accommodate the demands of a growing workforce population within the centre and other nearby business centres, particularly those linked by the North West Rail Line and also other centres accessed by the public bus interchange next to the station.

Draft Metropolitan Strategy for Sydney

The draft Metropolitan Strategy for Sydney was placed on public exhibition in March 2013. The strategy will guide the city's growth to 2031. The proposal is consistent with the following key directions identified in the draft Metropolitan Strategy:

- **Balanced Growth:** by providing opportunities for new housing, supporting the growth of businesses in the area, revitalizing the business centre and strengthening the growth of the other small and large centres;
- **Liveable City:** by delivering new housing to meet existing demand and support Sydney's growth, delivering a mix of well-designed housing types in line with current demand, supporting the growth and activation of this centre and attracting investment and providing high quality open spaces to promote social, cultural and recreational opportunities;
- **Productivity and Prosperity:** by acting as a catalyst for employment growth in the area, supporting the existing smaller and major centres by supplying creative hubs and open spaces and providing retail space in line with existing demand in the area;
- **Healthy and Resilient Environment:** by encouraging high quality architectural and landscape design and adopting ESD principles such as walking and cycling and
- **Accessibility and Connectivity:** by providing housing and employment opportunities at a location with excellent public transport access and redeveloping the site that is within 400m of the Castle Hill railway station and bus interchange.

Urban Activation Precincts

Current forecasts suggest that more than 1.6 million additional people will be living in Sydney by 2031, requiring around 664,000 new homes. Urban Activation Precincts (UAPs) aim to deliver some of these additional homes in places with access to infrastructure, transport, services and jobs.

About 100,000 additional people are expected to reside in The Hills Shire as the children who live there now grow up and have families of their own. The government projects that at least 36,000 homes and 47,000 jobs will be created in Sydney's North West over the next 25 years. Following nomination by The Hills Shire Council, the NSW Government (in August 2014) confirmed the following three UAPs along the North West Rail Link:

- Kellyville Station within 800m or 10 minutes' walk of the future station;
- Showground Station within 800m or 10 minutes' walk of the future station and
- Bella Vista Station within 800m or 10 minutes' walk of the future station.

Showground Railway Station is the next station to the south-west of the Castle Hill Station. The UAP boundaries are set for 800m from the Showground and Bella Vista, whereby the development site is within 400m or 5 minutes' walk of the Castle Hill Station.

The projected number of additional people, homes and jobs in Sydney, the North West and three new North West UAPs is summarised in **Table 1** (noting that the time frame for the projected additional homes is not stated in the government publications on the UAPs).

Table 1 shows that taking into account the targets for the three UAPs, 23,600 additional houses and 28,000 additional jobs need to be provided elsewhere in the North West. The Planning Proposal would realise some 268 units.

Table 1**Forecast additional people, homes and jobs – Source NSW Planning and Environment Planning for Sydney's North West (August 2014)**

	Additional people	Additional homes	Additional Jobs
Sydney	1.6 million by 2031	664,000 by 2031	
North West	100,000 over next 25 years	36,000 over next 25 years	47,000 over next 25 years
UAPs:			
Kellyville Station		4,400	800 by 2036
Showground Station		3,600	7,700 by 2036
Bella Vista Station		4,400	10,500 by 2036
Total for three UAPs		12,400	19,000 by 2036
Remaining houses/jobs to be provided elsewhere in the North West		23,600	28,000 by 2036

4. Is the Planning Proposal consistent with a council's local strategy or other local strategic plan?**The Hills Future Community Strategic Plan**

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

The planning proposal will assist in the realisation of The Hills Future outcome of balanced urban growth through the provision of residential accommodation that will serve a variety of housing needs with the community. The Planning Proposal would promote better usage of existing land and capitalise on the strategic location of the site.

The proposal would accommodate additional residents close to planned and existing services and infrastructure, being 400m or 5minutes walk from the future Castle Hill Railway Station and core of the business centre.

The Planning Proposal is consistent with the following Hills Future Community Outcomes:

Vibrant Communities

- Public spaces are attractive, safe and well maintained providing a variety of recreational and leisure activities to support active lifestyle
- A connected and supported community with access to a range of services and facilities that contribute to health and well being

Balanced Urban Growth

- Safe, convenient and accessible transport options that enable movement through and within the Shire
- Responsible planning facilitates a desirable living environment and meets growth targets.

Draft Local Strategy

In June 2008, Council adopted its Local Strategy to provide the basis for the future direction of land use planning in the Shire and within this context implement the key themes and outcomes of the 'Hills 2026 Looking Toward the Future'. The Residential, Integrated Transport, Centres and Employment Lands Directions are the relevant components of the Local Strategy to be considered in the assessment of this Planning Proposal.

Residential Direction

The Planning Proposal is consistent with the Residential Direction since it would contribute to a diversity of housing choice in an existing urban environment, in close proximity to employment, services and transport infrastructure.

Integrated Transport Direction

A key objective of the Integrated Transport Direction is to ensure that planning and future development supports the provision of an efficient transport network. Relevant actions include planning for a concentration of and/or intensity of land use activities around major public transport nodes and higher order centres.

The site is located within 400m or 5minutes walk of the Castle Hill Railway Station, which will be serviced by bus services that service the locality. The Planning Proposal is consistent with this Direction as it will facilitate high density residential development within close proximity to existing and future high frequency public transport services.

Centres Direction

The Centres Direction seeks to establish a network of centres that provides places for residents to shop, work and enjoy social interaction and recreational opportunities. The Direction includes a centres hierarchy which provides a framework for the scale, location and function of centres. This ensures that the population has access to a range of centres that meet their needs and are appropriate in scale and design for their location.

Castle Hill is a Major Centre and it is considered that the high density residential land use and built form envisaged in the Planning Proposal will contribute to the centres major centre status and as such the Planning Proposal is consistent with this direction.

Draft Castle Hill North Precinct Plan

On 20 January 2015, Council exhibited draft Castle Hill North precinct plan, which arose from the North West Rail Link Corridor Strategy and Structure Plan and changes to the Pennant Street Target Site controls.

The Castle Hill North Precinct Plan had similar aims to the Department of Planning and Environments structure plan, seeking to increase residential densities and allow greater building heights around the Castle Hill town centre.

Under the exhibited plan, the site is proposed to be rezoned to R4 High Density Residential to permit residential flat buildings however the height of the proposed residential flat buildings would be restricted to between 4 and 8 storeys.

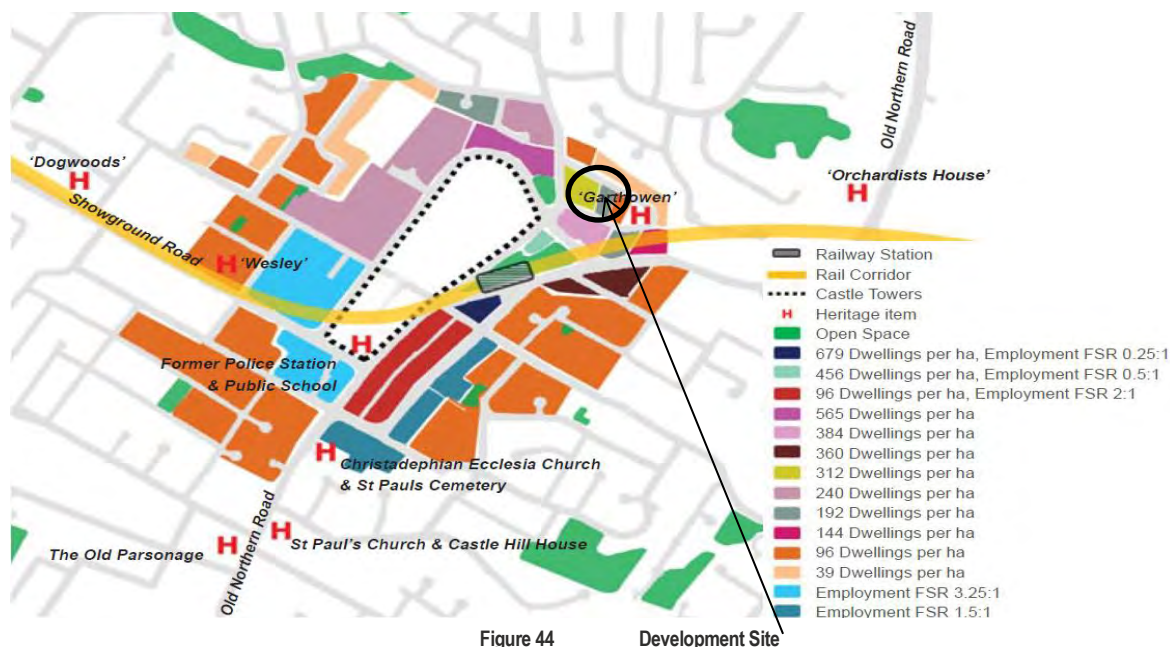
On 15 December 2015, Council resolved to prepare a planning proposal for amending The Hills LEP 2012 as follows:

1. *The Castle Hill North Precinct Plan in Attachment 3 be adopted (ECM Document Number 14270792).*
2. *A planning proposal be forwarded to the Department of Planning and Environment for a Gateway Determination to amend Local Environmental Plan 2012 in the following manner:*
 - I. *rezone land in the precinct from R1 General Residential and R2 Low Density Residential to R1 General Residential, R3 Medium Density Residential and R4 High Density Residential;*
 - II. *apply a minimum lot size of 1800m² across the precinct;*
 - III. *apply maximum floor space ratio standards ranging from 0.6:1 to 2.4:1;*
 - IV. *remove height of buildings for land proposed to be zoned R1 General Residential and R4 High Density Residential;*
 - V. *introduce a maximum height of buildings of 10 metres for land proposed to be zoned R3 Medium Density Residential;*
 - VI. *add to clause 4.4 Floor Space Ratio to incentivise development, including a Floor Space Ratio incentive map to allow for floor space ratio standards ranging from 1.2:1 to 4.8:1, for development that meets Council's apartment size, mix and parking requirements;*
 - VII. *add to clause 4.4 Floor Space Ratio to provide a floor space incentive for key mapped sites to amalgamate where it can be demonstrated that the amalgamation will deliver improved outcomes, public domain improvements; and*
 - VIII. *revise clause 7.7 Design Excellence to apply to all development with a height of 25 metres or more, with revised considerations for design excellence and provision for a Design Excellence Panel rather than architectural design competition.*

The architectural concept plan at **Appendix 3** demonstrates that the consolidated development site consisting of 6 allotments, generating a total site area of 5346m², which can readily accommodate high density residential flat building development with a height of between 16 and 20 storeys without causing any unreasonable impacts upon neighbouring properties. See complete Architectus Master Plan accompanying the Planning Proposal at **Appendix 3**.

Draft Hills Corridor Strategy

On 22 September 2015, Council placed draft Hills Corridor Strategy on public exhibition. This corridor strategy identified the development site as being subject to a dwelling per hectare density control. This density map reflects a split density control for the site of between 96 and 192 dwellings per hectare, generating approximately 77 dwellings for the development site. See **Figure 44**. This number of residential units is well below the 268 units proposed as part of the Planning Proposal. Further, the aims, objectives outcomes of Council's corridor strategy are inconsistent with all regional and subregional policies applicable to Major Centres, in particular Castle Hill where the site is located within 400m or 5minutes walk of a railway station and within the visual catchment of other high rise developments (under construction or approved) within the visual catchment of the site.



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

YES

The Planning Proposal is consistent with applicable State Environmental Planning Policies set out in Table 2

Table 2
Consistency with Planning Proposal with SEPPs

State Environmental Planning Policy (SEPP)	Comment
SEPP No 1—Development Standards	Not relevant
SEPP No 14—Coastal Wetlands	Not relevant
SEPP No 15—Rural Land Sharing Communities	Not relevant
SEPP No 19—Bushland in Urban Areas	Not relevant
SEPP No 21—Caravan Park	Not relevant
SEPP No 26—Littoral Rainforests	Not relevant
SEPP No 29—Western Sydney Recreation Area	Not relevant
SEPP No 30—Intensive Agriculture	Not relevant
SEPP No 32—Urban Consolidation (Redevelopment of Urban Land)	Planning Proposal promotes urban consolidation
SEPP No 33—Hazardous and Offensive Development	Not relevant
SEPP No 36—Manufactured Home Estates	Not relevant
SEPP No 39—Spit Island Bird Habitat	Not relevant
SEPP No 44—Koala Habitat Protection	Not relevant
SEPP No 47—Moore Park Showground	Not relevant
SEPP No 50—Canal Estate Development	Not relevant
SEPP No 52—Farm Dams and Other Works in Land	Not relevant
SEPP No 55—Remediation of Land	Residential development is already permitted on the site in the form of Multi Dwelling Housing. Furthermore, the site is free of contamination although further investigations, if considered necessary, can be carried out at a DA stage.

State Environmental Planning Policy (SEPP)	Comment
SEPP No 59—Central Western Sydney Regional Open Space and Residential	Not relevant
SEPP No 62—Sustainable Aquaculture	Not relevant
SEPP No 64—Advertising and Signage	Not relevant
SEPP No 65—Design Quality of Residential Flat Development	Comply - DA consideration
SEPP No 70—Affordable Housing (Revised Schemes)	Not relevant
SEPP No 71—Coastal Protection	Not relevant
SEPP (Affordable Rental Housing) 2009	Not relevant
SEPP (Building Sustainability Index: BASIX) 2004	Comply - DA consideration
(Exempt and Complying Development Codes) 2008	Not relevant
SEPP (Housing for Seniors or People with a Disability) 2004	Not relevant

State Environmental Planning Policy (SEPP)	Comment
SEPP (Infrastructure) 2007	Comply – John Coady Traffic report confirms road network will be able to cope with increased traffic volumes. Following Gateway Determination, the Planning Proposal will be referred onto RMS and TfNSW for review and comment. DA will also be referred onto RMS.
SEPP (Kosciuszko National Park— Alpine Resorts) 2007	Not relevant
State Environmental Planning Policy (Kurnell Peninsula) 1989	Not relevant
SEPP (Major Development) 2005	Not relevant
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	Not relevant
State Environmental Planning Policy (Miscellaneous Consent Provisions) 2007	Not relevant
State Environmental Planning Policy (Penrith Lakes Scheme) 1989	Not relevant
SEPP (Rural Lands) 2008	Not relevant
State Environmental Planning Policy (SEPP 53 Transitional Provisions) 2011	Not relevant
State Environmental Planning Policy (State and Regional Development) 2011	Not relevant
SEPP (Sydney Drinking Water Catchment) 2011	Not relevant
SEPP (Sydney Region Growth Centres) 2006	Not relevant
State Environmental Planning Policy (Three Ports) 2013	Not relevant
SEPP (Urban Renewal) 2010	Not relevant
State Environmental Planning Policy (Western Sydney Employment Area) 2009	Not relevant
Relevant deemed SEPPs	Not relevant
SREP No.9 – Extractive Industry (No 2 – 1995)	Not relevant
SREP No.18 – Public Transport Corridor	Not relevant
SREP No.19 – Rouse Hill Development Area	Not relevant
SREP No. 20 – Hawkesbury – Nepean River (No 2 – 1997)	The site is presently in Zone R3 – Medium Density Residential, permitting a variety of urban land uses. Appropriate controls are in place to ensure that future development does not adversely impact the riverine environment. The Planning Proposal achieves satisfactory compliance.

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

YES

The Planning Proposal is consistent with the relevant Directions issued under Section 117(2) of the Environmental Planning and Assessment Act, 1979 by the Minister to Councils, as demonstrated in the assessment at **Table 3**.

Table 3 – Consistency with Relevant Ministerial Directions

Direction	Consistency	Comment
1. Employment and Resources		
1.1. Business & Industrial Zones	N/A	
2. Environment and Heritage		
2.1 Environmental Conservation	Yes	The site does not contain any threatened/endangered species, populations or ecological communities or their habitats. The proposal will not have any detrimental impacts upon the neighbouring Heritage item at 14 Garthowen Crescent. See the Archnex Heritage report accompanying the Planning Proposal.
3. Housing, Infrastructure & Urban Development		
3.1 Residential Zones	Yes	Residential uses (including residential flat buildings) will be permitted within the R4 High permitted with consent on the site. At present, permissible residential uses are limited to dwellings, dual occupancy, multi housing, boarding houses and seniors housing. Castle Hill is a Major Centre and the site is within 400m or 5m walk of the under construction Castle Hill Railway Station. The Planning Proposal is therefore consistent with this Direction as it will broaden the choice of building types and locations available for housing and make more efficient use of existing and proposed infrastructure and services
3.3 Home Occupations	Yes	The Planning Proposal does not hinder application of the home occupation provisions in The Hills LEP 2012
3.4 Integrating Land Use & Transport	Yes	The Planning Proposal is consistent with the aims, objectives and principles of Improving Transport Choice – Guidelines for planning and development (DUAP 2001), and The Right Place for Business and Services – Planning Policy (DUAP 2001) as it will facilitate: • High density housing, that can be connected by walking, cycling and public transport • Increased housing within 400m or 5 minutes walk of the Castle Hill Major Centre and the future Castle Hill Railway Station thereby car dependence. • Efficient and viable operation of public transport including the North West Rail Link, noting that the Castle Hill Structure Plan (p.21) concludes that the current controls require amendment 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”.
4.0 Hazard and Risk		
4.1 Acid Sulfate Soils	Yes	The Planning Proposal has considered the acid sulphate soils provisions in The Hills LEP 2012. Can be dealt with at DA stage.
4.3 Flood Prone Land	Yes	The site is not subject to flooding.

Direction	Consistency	Comment
4.4 Planning for Bushfire Protection	N/A	Land is not subject to bushfires
5. Regional Planning		
5.9 North West Rail Link	Yes	As detailed above, the Planning Proposal is consistent with the <i>North West Rail Corridor Strategy</i>, <i>Castle Hill Station Structure Plan</i>, and the Issues Report as: The <i>Castle Hill Station Structure</i> (Figure 12 - Combined Constraints) concludes that the site is located on a steep slope (see Figure 12 in this Planning Proposal) The <i>Castle Hill Station Structure Plan</i> (Figure 17- Opportunities Sites within the Study Area) identifies the site as a Long Term Opportunity Site (see Figure 9 in this Planning Proposal)
6. Local Plan Making		
6.1 Approval and Referral Requirements	Yes	The planning proposal does not include any concurrence, consultation or referral provisions nor does it identify any development as designated development.
6.2 Reserving Land for Public Purposes	N/A	
6.3 Site Specific Provisions	Yes N/A	
7. Metropolitan Planning		
7.1 Implementation of A Plan for Growing Sydney	Yes	The Planning Proposal is consistent with A Plan for Growing Sydney as discussed previously in this planning report.

5.4.3 Section C. Environmental, social and economic impact

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

No.

The site is located within a well-established low to medium dense residential neighbourhood and does not contain any threatened flora or fauna species or threatened species habitat. See copy of Arborist report at **Appendix 6**, which addresses the removal of trees and other types of vegetation on the site.

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

No

There are no natural environmental constraints or issues relevant to the Planning Proposal as:

- The combined constraints map to the Castle Hill Station Structure Plan shows that the site is free of constraints that would preclude renewal (constraints considered in the Structure Plan include electricity easements, strata titling, creeks, heritage, threatened species, open space, bushfire prone land, special use and recent residential development).
- Consistent with The Hills LEP 2012 cl. 6.2, services and infrastructure to the site will need to be extended to accommodate any development on the site.

Built form and urban design

Architectus have tested a number of scenarios to identify the most appropriate urban design response for the site. The proposal before Council is considered to be the best urban design outcome and responds to the unique conditions of the site's local and strategic context.

Its key features include:

- The development site consists of the amalgamation of 6 lots that provide a site area of 5346m², which is generous in size for a residential development of this type;
- A density consistent with the site's proximity to the proposed Castle Hill train station and business centre;
- A form of development that is consistent with the objectives of The Castle Hill Station Structure Plan and other regional strategic studies for this area, in particular fundamental characteristics to be defined as a Major Centre.
- A form of development that is compatible with Council's nearby Pennant Street Target Site, but less bulky.
- The Draft Hills Strategy for neighbouring sites within the same block (allowing transition north and east of Garthowen Crescent).
- An FSR of 4.5:1 and the delivery of approximately 268 apartments (average density of 90sqm GFA/apartment)
- The unit sizes and mix are consistent with Council's controls not SEPP 65/ADG minimum unit sizes or mix;
- A human-scale 3-4 storey street wall as the focus for development, with setbacks to upper level built form.
- Two slim, offset towers (16 and 20 storeys) providing excellent amenity for future occupants.
- Built form setbacks from neighbouring residential and heritage sites.
- A generous at grade communal open space area within the northern side of Garthowen Crescent.

Traffic, Access and Car Parking

A Transport and Accessibility Assessment assessing the Planning Proposal has been prepared by John Coady Consulting Pty Ltd and is located at Appendix 4. The Assessment finds that the proposal is acceptable in terms of traffic, transport and parking and makes the following observations:

The site is conveniently located in respect of Castle Hill CBD, and the public transport services which serve the CBD. It is located a walking distance of up to 400m from Castle Towers Shopping Centre, the bus interchange centred on Old Castle Hill Road, and the future Castle Hill Station which will form part of the Sydney Metro Northwest Railway Line.

The proposed development site enjoys a high level of public transport accessibility via a number of bus services which stop at the Castle Hill Bus Interchange on Castle Hill Road, a walking distance of approximately 400m from the site. In the future, the site will also have public transport service via the Sydney Metro Northwest Railway Line between Chatswood and Rouse Hill which is currently under construction and expected to become operational in mid-2019. Access to this rail system will be via Castle Hill Railway Station which is located adjacent to the bus interchange. The site therefore enjoys convenient access to all of the public transport services, both existing and planned, which currently serve Castle Hill Centre and which will do so in the future.

It can be reasonably concluded that the parking requirement specified by the Hills DCP for the proposed development is substantially excessive and therefore inconsistent with established State Government policy which promotes sustainable development, particularly in circumstances where the residential development proposal is high density, the site is conveniently located in respect of the Castle Hill Major Centre, and has convenient access to all public transport services which currently serve the Castle Hill CBD and which are planned