

PLANNING PROPOSAL

LOCAL GOVERNMENT AREA: The Hills Shire Council

NAME OF PLANNING PROPOSAL: Proposed Local Environmental Plan 2019 (Amendment No (#) – Amend Schedule 1 Additional Permitted Uses to include ‘Seniors Housing’, Amend Maximum HOB to part 0m, 9m, 15m, 18m and 22m, Apply a Maximum FSR of 0.83:1.

STATUS: Exhibition

ADDRESS OF LAND: 346-350 Old Northern Road, Castle Hill (Lot 503 DP 1048808)

SUMMARY OF HOUSING YIELD:

	EXISTING	PROPOSED	NET CHANGE
Dwellings	113	247	+134

SUPPORTING MATERIAL:

Attachment A	Assessment against State Environment Planning Policies
Attachment B	Assessment against Section 9.1 Local Planning Directions
Attachment C	Local Planning Panel Report and Minute, 18 August 2021
Attachment D	Council Report and Minute, 14 September 2021 (Gateway Determination)
Attachment E	Sydney Central City Planning Panel Record of Decision, 24 February 2022
Attachment F	Council Report and Minute, 22 March 2022 (PPA Authority)
Attachment G	Council Report and Minute, 27 September 2022 (VPA and DCP)
Attachment H	Draft Development Control Plan
Attachment I	Draft Voluntary Planning Agreement and Explanatory Note
Attachment J	Gateway Determination, 22 July 2022 and Gateway Alteration, 19 January 2023
Attachment K	Department of Planning and Environment Exhibition Endorsement, 1 November 2022
Attachment L	Department of Planning and Environment Gateway Assessment Report
Attachment M	Urban Design Report
Attachment N	Seniors Living Demand Study
Attachment O	Arboricultural Impact Assessment
Attachment P	Civil Due Diligence Report
Attachment Q	Electrical Due Diligence Report
Attachment R	Hydraulic Due Diligence Report
Attachment S	Site Survey
Attachment T	Revised Ecological Assessment
Attachment U	Transport Assessment
Attachment V	Geotechnical Advice

THE SITE:

The site and existing seniors housing development is known as Castle Ridge Resort and is located at 346-350 Old Northern Road, Castle Hill (Lot 503 DP 1048808). It has an area of approximately 3.7 hectares, is irregular in shape and is located approximately 1.2 kilometres to the north east of the Castle Hill Town Centre, on the prominent ridgeline along Old Northern Road. The site has a primary frontage to Old Northern Road (to the east) and an alternative vehicular entry/exit point at the end of Palisander Place (to the north-west) as shown in Figure 1 below.



Figure 1
Aerial view of the site and surrounding locality

The surrounding locality is characterised by low density residential development, with the exception of one (1) large lot residential development to the north, a townhouse development to the south and the Pioneer Place Public Reserve to the south west. Land to the east on the opposite side of Old Northern Road is within Hornsby Shire Council and includes St Paul's Church and the Anglican Retirement Village (ARV) – Castle Hill Campus.

The site currently accommodates a seniors' living development with 113 independent living units. The existing development demonstrates a medium density outcome in terms of bulk, height (one (1) to three (3) storeys) and distribution of massing over the site, with fine-grain buildings and minimal excavation. This enables the achievement of a sympathetic outcome having regard to the sloping topography of the site and existing bushland/vegetated setting.



Figure 2
Aerial View of the subject site

Council's mapping indicates that parts of the site are affected by Landslip Risk and the presence of Blue Gum High Forest, which is a Critically Endangered Ecological Community (CEEC) under the Biodiversity Conservation Act 2016.

The land was zoned Rural 1(b) under the Baulkham Hills Planning Scheme Ordinance (1964). Local Environmental Plan 1991 zoned the land "Residential 2(d) – Protected" to reflect geotechnical issues, the drainage line traversing the site, vegetation on the site and the scenic values of the prominent ridgeline along Old Northern Road. General district views to the Blue Mountains from Old Northern Road and the rural area is an important local characteristic, particularly in combination with urban bushland that contributes to a scenic landscape. Similarly, the site and ridgeline is visually prominent when viewed from areas to the west.

In the translation to the Standard Instrument in 2012, the C4 Environmental Living zone was applied to the site, being an equivalent zone to the Residential 2(d) – Protected zone. The objectives of the C4 Environmental Living zone are:

- *To provide for low-impact residential development in areas with special ecological, scientific or aesthetic values.*
- *To ensure that residential development does not have an adverse effect on those values.*

LEP 2019 does not permit seniors housing in the C4 Environmental Living zone. However, the existing seniors living facility on the site was constructed in the early 1980's and currently operates under existing use rights afforded by the Environmental Planning and Assessment Act 1979. The site is also precluded from seniors housing provisions under State Environmental Planning Policy (Housing) 2021 (Housing SEPP) as a result of the environmental zoning of the site.

BACKGROUND:

Previous Planning Proposals (2016 and 2019)

Two previous planning proposals have been lodged for the site in 2016 and 2019 respectively. In both instances, Council resolved not to progress to Gateway Determination. The Hills Local Planning Panel also considered the 2019 planning proposal and advised that the planning proposal should not proceed. The two proposals were subject to rezoning reviews and on both occasions, the Sydney Central City Planning Panel determined that the proposals should not proceed to Gateway Determination.

Current Planning Proposal (2020)

The current planning proposal was submitted to Council on 25 September 2020. It sought to amend The Hills Local Environmental Plan 2019 to introduce seniors housing as an additional permitted use on the site and increase the maximum height and floor space ratio controls to permit 247 independent living units. While the existing seniors housing development benefits from existing use rights, the proposal seeks to facilitate redevelopment and expansion of the facility well beyond that which can be achieved under existing use rights provisions.

Specifically, the proposal sought to amend LEP 2019 to:

1. Include 'Seniors Living' as an additional permitted use on the site under Schedule 1 of LEP 2019 and associated Additional Permitted Uses Map (the existing facility currently operates under existing use rights);
2. Increase the Maximum Height of Buildings applicable to the site from nine (9) metres to part 0 metres, 9 metres, 15 metres, 18 metres and 22 metres (enabling building heights of 3-7 storeys); and
3. Apply a Floor Space Ratio control of 0.83:1 to the site.



Figure 3
Proposed Development Concept

The development concept submitted by the Proponent depicts a high density residential development, which would necessitate the redevelopment of the existing seniors housing facility on the site. The development seeks to enable the development of 247 independent living units, within 14 buildings ranging in height between three (3) to six (6) storeys (it is noted that the maximum height of building control requested through the planning proposal could potentially allow up to seven (7) storeys, being an additional storey to that depicted in the Proponent's concept plans).



Figure 4
Proposed Development Concept

Local Planning Panel Advice

On 18 August 2021, The Hills Local Planning Panel considered the proposal and advised that it should not proceed to Gateway Determination on the basis that the proposal had not sufficiently justified the scale of uplift and the proposed development exceeded the capacity of the site. The Panel noted issues with height, scale, density, character, traffic impacts and access with the proposed development. The Panel also noted The Hills is well placed to meet the housing needs of senior residents, with sufficient opportunities already available in more appropriate locations. The Local Planning Panel's advice is provided as Attachment C.

Following the Panel's advice, Council considered the proposal at its meeting of 14 September 2021 and resolved that the planning proposal not proceed to Gateway Determination, on the same basis as the Local Planning Panel. The Council determination is provided at Attachment D.

Rezoning Review

The Proponent subsequently lodged a Rezoning Review Application on 17 September 2021, seeking a review of Council's decision by the Sydney Central City Planning Panel (SCCPP).

The Sydney Central City Planning Panel considered the Proponent's Rezoning Review application and on 24th February 2022, the Panel determined that the proposal should be submitted for Gateway Determination. The Panel was of the view that the proposal demonstrated both strategic and site-specific merit, although the Panel noted that some site specific matters still required further attention and resolution, including building heights, interface, visual impacts, excavation and social infrastructure. The record of the Panel's decision is provided as Attachment E and the Department's Gateway Assessment Report is provided as Attachment L.

Planning Proposal Authority

On 2 March 2022, the Planning Panels Secretariat wrote to Council advising of the SCCPP's determining and inviting Council to be the Planning Proposal Authority (PPA) for the proposal. On 22 March 2022, Council resolved to advise the Panel of its acceptance of the PPA role, prepare and submit the planning proposal to DPE for Gateway Determination and consider a further report on the draft DCP and VPA prior to public exhibition of the planning proposal. This report and minute is provided as Attachment F.

Draft Development Control Plan and Draft Voluntary Planning Agreement

At its Ordinary Meeting of 27 September 2022, Council resolved to publicly exhibit a draft DCP and draft VPA (updated in accordance with the outcomes of a legal review) concurrent with the planning proposal.

The draft DCP has been prepared in association with the planning proposal to guide built form outcomes on the site. A new site-specific section of the DCP will establish controls relating to setbacks, landscaping, built form design, parking and vehicular access, public domain, pedestrian amenity, solar access and overshadowing.

The draft VPA will secure infrastructure contributions through both the delivery of works and monetary contributions. Monetary contributions will be allocated towards local infrastructure items, including upgrades to Pioneer Place Reserve. The developer will also provide a footpath along Palisander Place and a 60m deceleration lane at the entry of the site from Old Northern Road.

PART 1 OBJECTIVES OR INTENDED OUTCOME

The planning proposal seeks to facilitate a high density residential seniors living development, replacing the existing seniors living development on the site. The development seeks to enable the development of 247 independent living units, within 14 buildings ranging in height between three (3) to six (6) storeys (it is noted that the maximum height of building control requested through the planning proposal could potentially allow up to seven (7) storeys, being an additional storey to that depicted in the Proponent's concepts).

PART 2 EXPLANATION OF THE PROVISIONS

The proposed outcomes will be achieved by amending The Hills Local Environmental Plan 2019 as follows:

1. Include 'Seniors Living' as an additional permitted use on the site under Schedule 1 of LEP 2019 and associated Additional Permitted Uses Map;
2. Amend the Maximum Height of Buildings applicable to the site from nine (9) metres to part 0 metres, 9 metres, 15 metres, 18 metres and 22 metres (enabling building heights of 3-7 storeys and preventing development on the proposed open space portion of the site that is most affected by Landslide Risk); and
3. Apply a Floor Space Ratio control of 0.83:1 across the entire site.

A draft amendment to Schedule 1 Additional Permitted Uses is provided below:

XX Use of certain land at 346-350 Old Northern Road, Castle Hill

- 1) *This clause applies to 346-350 Old Northern Road, Castle Hill, Lot 503 DP 1048808, identified as "Item X" on the Additional Permitted Uses Map.*
- 2) *Development for the purposes of seniors housing is permitted with development consent.*

Note: This clause is draft only and will be subject to legal review.

While the proposed 0 metre height limit seeks to retain the current open space use and prevent development on a portion of land susceptible to Landslide risk, a 0m height limit could potentially limit the ability to embellish the open space with playground equipment, seating, BBQ areas and the like. Consideration should be given to retaining the existing height limit and applying a mapped floor space ratio across parts of the site where built form is proposed.

PART 3 JUSTIFICATION

SECTION A - NEED FOR THE PLANNING PROPOSAL

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

No, the planning proposal is not the result of any strategic study or report. It has been initiated by the proponent, acting on behalf of Stockland Castleridge Pty Ltd.

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

A planning proposal is the only planning pathway to develop a high density residential development in C4 Environmental Living, as the C4 zone is an environmentally sensitive land use zone that does not permit seniors living or high density residential development and the objectives are to provide low impact residential development.

Such density at the subject site has not been identified in any strategic planning document and would not be considered for uplift by Council in the context of the current planning framework or any ongoing work by Council at this time. Council determined not to progress the planning proposal as it considered the proposal was not considered low impact development and did not achieve the objectives of the zone.

SECTION B - RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK

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

Council's assessment of the strategic merit of the proposal concluded that it was not consistent with the objectives and actions contained within the applicable regional or subregional strategy.

The Sydney Central City Planning Panel concurred with the Proponent and determined that the proposal did demonstrate strategic merit. The Panel's commentary in relation to this decision is outlined in the extract below. The full record of the Panel's decision is provided as Attachment E.

REASONS FOR THE DECISION

Strategic merit

The Panel is satisfied by the material provided that the planning proposal demonstrates strategic merit.

In issuing the Gateway Determination, DPE concluded that the proposal demonstrates strategic merit and that the planning proposal is to be updated to include a more detailed assessment of the proposal against the strategic framework.

The Proponent's commentary in relation to the proposal is as follows:

"Yes. The Planning Proposal is consistent with the objectives and actions of the following strategies, as set out below.

- Greater Sydney Region Plan (2018)
- Central City District Plan (2018)
- Northwest Rail Link Corridor Strategy and Castle Hill Station Structure Plan 2013
- The Hills Corridor Strategy 2015"

Greater Sydney Region Plan

Objective 6: Services and infrastructure meet communities' changing need

The Plan recognises the need to plan for changing demographics. The Central City will experience the greatest proportional increase in people over 65 years. This will generate greater demand for health, social and aged care services than currently exist.

The Planning Proposal responds to the need for more seniors housing and will help to provide housing to match changing household composition and increasing demand for smaller households. The proposal includes improved facilities and infrastructure, to ensure new housing is matched by the services and facilities needed to support an older population and allow more people to remain in their communities. Furthermore, the amenities required by residents will be provided on site, reducing demand elsewhere.

Objective 7: Communities are healthy, resilient and socially connected

The existing retirement village is hindered by poor internal circulation, connectivity and accessibility.

The Planning Proposal will facilitate a healthy and socially connected lifestyle for residents by providing a highly walkable and accessible environment, with opportunities for gathering, gentle exercise and community activities.

The Planning Proposal will provide 3,500m² of new accessible communal open spaces, and retain 19,000m² of deep soil and green open space (approximately 53% of the site). The communal open spaces are varied and located throughout the development, consisting of small communal terraces for small social gatherings, BBQ areas and a vegetable gardens for the cultivation of produce.

A pedestrian network that minimises steeper gradients to within an acceptable range between 1:20 and 1:14 will encourage pedestrian access and physical activity.

Objective 10: Greater housing supply

The Plan identifies the need for greater housing choice and providing improved services and infrastructure to meet the needs of an older, growing population. Key to this is providing more seniors housing, in an accessible community, with improved services and facilities.

As our communities change and grow, there will need to be more housing and a greater range of housing to create more liveable neighbourhoods and support an ageing population. Key to this will be demand for housing that caters for older, and smaller households. This means that as people age, they can move into smaller homes, with less maintenance and age in their local community, which is important for social connectedness and well-being.

The Planning Proposal specifically responds to this objective, by delivering new and improved seniors housing, along with supporting community facilities and improved infrastructure, to meet the growing demand for seniors housing in The Hills LGA

Objective 11: Housing is more diverse and affordable

Of critical importance is the need to provide a diversity of housing, particularly in areas characterised by larger homes and single detached dwellings, such as The Hills.

The Plan recognises that there is a limited availability of smaller dwellings to meet the growing proportion of small households. Planning for an ageing population means a greater proportion of housing must be designed for smaller, older households.

The renewal of Castle Ridge Resort can help address the growing demand for smaller households in The Hills LGA. The aim of this Planning Proposal is to increase the amount of seniors housing, along with significant infrastructure and accessibility improvements, to provide better housing choice for residents and encourage more empty nesters to move into smaller dwellings.

Objective 27: Biodiversity is protected, urban bushland and remnant vegetation is enhanced

The Planning Proposal is informed by an Arborist report that identifies the location of significant trees. The Planning Proposal prioritises the retention of significant trees in the redevelopment of the site.

The Planning Proposal prioritises redevelopment of the site in its parkland setting. The Planning Proposal will not directly impact endangered remnant vegetation. The Planning Proposal minimises impacts on existing vegetation, retains significant trees, and locates development within the existing disturbed parts of the site, away from vegetated areas. Over half of the site would be retained as landscaped area and open space, with 34 significant trees retained, and 150 new trees proposed. This will improve biodiversity outcomes across the site.

Central City District Plan

Planning Priority C1: Providing services and social infrastructure to meet people's changing needs

The increase in people aged over 85, represents the greatest proportion growth with a 285% increase from the 2016 population. The Planning Proposal responds to a growing need for seniors housing and will help meet the growing demands of a more diverse, and older population in The Hills LGA over the next 20 years.

The Planning Proposal is consistent with this objective of the District Plan by increasing the number and diversity of dwelling types available. Increasing the provision of seniors housing is an important action for the District, given the rapidly ageing nature of the population. The Plan forecasts an addition 122,100 people aged over 65 between 2016 and 2036

Planning Priority C2: Fostering healthy, creative, culturally rich and socially connected communities

The Planning Proposal would deliver a more functional development with increased accessibility and better internal circulation. It will also deliver well designed, high amenity buildings to meet the seniors housing needs of the existing and future community.

The Planning Proposal would facilitate the redevelopment of Castle Ridge Resort, which would allow people to age in place, and gain the social and recreational benefits of living in a retirement community

Planning Priority C5: Providing housing supply, choice and affordability with access to jobs, services and public transport

To meet the needs of an ageing population, there will need to be a significant increase in apartment living, smaller homes and seniors housing to allow people to age in place.

The Planning Proposal seeks to amend the planning controls applicable to the site to allow the redevelopment of the existing retirement village to increase the supply of seniors housing and provide a range of high-quality housing options. Increasing the supply of housing in a highly accessible location in close proximity to employment, health and transport infrastructure is consistent with the vision and objectives of the Plan.”

Council’s assessment and conclusion is documented below, as well as within Attachments C and D.

Objective 10 of the Greater Sydney Region Plan and Planning Priority C5 of the Central City District Plan seek to ensure ongoing housing supply and a range of housing types in the right locations. While the proposal is partially consistent with this objective through the provision of increased residential density to cater for the ageing population, the scale of development proposed is not appropriate in this location.

The Plan specifies that consistency with this objective is not measured by dwelling numbers alone, but rather it requires a place-based approach to development in a local context. The proposed development is within a low density, environmentally sensitive setting outside the walking catchment of the Castle Hill Station Precinct and Town Centre.

As demonstrated through the assessment within the attachments, the uplift sought does not demonstrate a balance between feasible redevelopment uplift and integration with the surrounding context, particularly environmental and scenic values of the site, interface with adjoining low scale development and the availability of services and infrastructure. Given this, the planning proposal is considered to be inconsistent with this objective as the location is not appropriate for the level of uplift sought. Notwithstanding this, the draft development control plan seeks to regulate the proposed density on the site in accordance with the requirements of the Gateway Determination.

Planning Priority C3 identifies that The Hills Shire LGA will be subject to one of the largest projected growth in aged population. The Priority encourages that demand for seniors housing be met through the delivery of more diverse housing types and medium density housing, in walkable neighbourhoods that maintain closeness to family, friends and established health and support networks for enhanced well-being. Planning Priority C4 promotes the need to foster healthy, creative, culturally rich and socially connected communities.

While the planning proposal is partially consistent with these priorities as it seeks to deliver housing for the aged population, a recent review of current seniors housing supply in the Hills Shire (completed as part of a Project Control Group with DPIE and the Greater Sydney Commission) concluded that Council is already well placed to meet the housing needs of senior residents. Further, there are sufficient opportunities to provide new seniors housing developments in more appropriate locations.

It is important to note that the subject site is not identified within the strategic framework as an area within the Shire that is suitable for increased development potential. Notwithstanding this, the merits of increased provision of seniors housing through the planning proposal are acknowledged, as is the need

for revitalisation and rejuvenation of the existing development, by way of increased maintenance, refurbishment or redevelopment. However, the application had not demonstrated that the development density sought by the Proponent can be achieved in an appropriate built form outcome with acceptable amenity, environmental and infrastructure outcomes. Given that the needs of senior residents can be comfortably met elsewhere in the Shire on more connected and well-serviced sites, the planning proposal should demonstrate a superior built form and place-making outcome to warrant the uplift sought. As a result, Council has sought to ensure that the proposed density is appropriately regulated through the provisions of the draft DCP.

Objective 28 and Planning Priority C15 identify the importance of protecting and enhancing bushland, biodiversity and scenic and cultural landscapes. In comparison to the existing development on the site which is relatively sensitive to these factors, the proposal seeks to facilitate a high density residential development outcome and built form character in an area that is identified for its environmentally sensitive and scenic values. The area is characterised by low density development which responds to site specific constraints and protects and retains the aesthetic/scenic qualities of the prominent ridgeline along Old Northern Road.

While the existing development benefits from existing use rights, it would otherwise be a prohibited form of development considered incompatible with the site and context. Notwithstanding this, the existing development on the site does demonstrate a scale, built form and character which is not entirely inconsistent or incompatible with the environmental and scenic qualities of the land. The scale of uplift and high density built form proposed through the planning proposal would represent a significant change with respect to the built form outcome and character on the land, which would adversely impact on these qualities and would therefore fail to align with this priority. The draft DCP seeks to mitigate some of these impacts with development controls relating to site planning, built form, amenity, open space and landscaping.

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

Council's assessment of the strategic merit of the proposal concluded that it was not consistent with Council's Community Strategic Plan or Local Strategic Planning Statement.

The Sydney Central City Planning Panel determined that the proposal did demonstrate strategic merit. The Panel's commentary in relation to this decision is outlined in the extract below. The full record of the Panel's decision is provided as Attachment E.

REASONS FOR THE DECISION

Strategic merit

The Panel is satisfied by the material provided that the planning proposal demonstrates strategic merit.

In issuing the Gateway Determination, DPE concluded that the proposal demonstrates strategic merit and that the planning proposal is to be updated to include a more detailed assessment of the proposal against the strategic framework.

The Proponent's commentary in relation to the proposal is as follows:

The Hills Shire Council's Local Strategic Planning Statement (LSPS)

"Planning Priority 2: Build strategic centres to realise their potential"

The proposal seeks to provide 247 new units for seniors within proximity to Castle Hill strategic centre. The increased resident intake at Castle Ridge Resort will facilitate Castle Hill in becoming a strategic centre as residents will make use of the available retail, community facilities, recreation and cultural facilities near to them.

Planning priority 6: Plan for new housing to support Greater Sydney's growing population

Demographically, the Hills Shire is expected to see a proportional increase in the number of people aged over 65, highlighting a need for more housing suitable for seniors.

The planning proposal aligns with Planning Priority 6 as it will deliver 247 new seniors living units. The proposal will also offer the opportunity for new community facilities and spaces that will support the

needs of seniors at Castle Ridge Resort, including activity rooms, green roofs, a new open space, gym and indoor pool.

Planning Priority 7: Plan for new housing in the right locations

The proposal will provide housing in an area that is well serviced by public transport and well connected to essential facilities and amenities. The site is conveniently located close to Castle Hill strategic centre where needed services and retail will be available.

The site is regularly serviced by buses that connect Castle Ridge Resort to Castle Hill, Parramatta and the City. The on-demand bus service will also provide improved accessibility for residents.

Planning Priority 8: Plan for a diversity of housing

Planning Priority 8 addresses that planning for housing diversity is important for making it easier for people to relocate within their local area and stay connected to community services, friends and family while achieving the lifestyle that they desire. The planning proposal responds to this by providing housing that allows local residents to 'age in place' as they become seniors and require greater support.

Planning Priority 9: Renew and create great places

The planning proposal responds to Planning Priority 9 by creating a safe, enjoyable neighbourhood for residents of Castle Ridge Resort. The planning proposal will deliver spaces for community development and social interaction with new facilities, including a new community hub, green open space, pool, gym and activity rooms.

The proposal also aligns with Planning Priority 9 by improving connectivity on site via a new village street that will form a central spine across the site. This central spine is to be the main walkway through the site and will establish an element of village life. The improved pedestrian network will also allow for improved way finding and legibility.

The planning proposal will enhance the scenic and natural landscape of Castle Ridge Resort by planting 150 trees. The proposal provides an opportunity for communal and private green roofs which will improve amenity for residents.

Planning Priority 10: Provide social infrastructure and retail services to meet residents' needs

The proposal will provide opportunities for new community facilities and spaces that will encourage social interaction between residents. A new community hub will provide spaces for a range of community and cultural events and activities to be held. The planning proposal seeks the provision of a new community green space, Planning Proposal | Castle Ridge Resort | Architectus 79 pool and gym that will encourage residents to engage in physical activity together, ultimately improving quality of life.

Planning Priority 11: Plan for convenient, connected and accessible public transport

The proposal responds to Planning Priority 11 as it seeks to provide quality seniors housing in an area that is well serviced by public transport. There are two bus stops conveniently located on site which connect Castle Ridge Resort to Castle Hill interchange, Parramatta and the City.

The available bus services will also contribute to Greater Sydney becoming a 30-minute city by linking residents to Parramatta CBD.

Planning Priority 13: Expand and improve the active transport network

The planning proposal will deliver a new communal green, flexible open space that will enhance residents' physical and mental wellbeing.

The proposal will improve the active transport network by upgrading movement corridors across the site, which will promote greater resident mobility.

Planning Priority 15: Provide new and upgraded passive and active open spaces

The proposal could provide for a new green, flexible open space. The topography of the site represents an opportunity for green roofs to be provided, as both communal and private open space. These open spaces will encourage physical activity amongst residents and will create opportunities to connect people to the natural environment.

The planning proposal will utilise an open space hierarchy to guide the provision and embellishment of open space.

Planning Priority 17: Protect areas of high environmental value and significance

The planning proposal acknowledges that the site has a parkland setting and seeks to enhance its environmental value and significance. The planning proposal will provide opportunity for 150 new tree plantings and landscaping to further enhance the parkland setting of the site and ensure that the landscape is consistent with the green character of the local area.

The planning proposal embraces the scenic views of natural landscapes on site and presents an opportunity to create green roofs for residents to appreciate their natural surroundings.

Planning Priority 18: Increase urban tree canopy cover

The planning proposal will increase urban tree canopy cover by planting 150 new trees on site. The proposal also presents an opportunity for green roofs. These will help maintain the green nature of The Hills Shire, and contribute to mitigating the urban heat island effect, and support cleaner air and water for residents.

The Hills Shire Housing Strategy

Plan for housing supply to support Sydney's growing population

The number of people aged 55 years and over is anticipated to increase in The Hills Shire, showing a demand for more housing fit for this demographic. Additionally, empty nesters are opting to move into seniors housing developments and into smaller dwellings near to centres.

The Planning Proposal will respond to future population projections and the housing demand of The Hills Shire by delivering 247 new high-quality independent living units in Castle Hill strategic centre. The Planning Proposal will foster the needs of residents by providing an opportunity to deliver community services and new facilities that are suitable for seniors, including improved site connections and an established community hub.

Plan for new housing in the right locations

The site is an appropriate and suitable location for seniors housing because of its close proximity to Castle Hill strategic centre. The site is already well connected and within reach of available transport, enabling residents to have access to essential infrastructure and services, such as medical facilities and retail.

The Site is also close to Castle Hill Station Precinct, where Castle Hill metro station can provide greater access to infrastructure and services across the north western areas of Sydney. The close proximity to services and transport options facilitates an improved quality of life and prevents social isolation. The on-demand bus service will also improve the liveability of residents by linking the site to essential services.

Plan for a diversity of housing

The strategy notes that between 2011 and 2016, there was an increase of approximately 1,300 residents who needed assistance with core activities, with the largest proportion of people aged 85 years and over. This suggests that there is an increased demand for housing for seniors and people with a disability with higher levels of care.

The Planning Proposal will allow a well-located, existing retirement village to be redeveloped to meet current market and lifestyle expectations. The Planning Proposal provides the community of Castle Hill with a greater supply of contemporary seniors housing choices.

The proposal enables local residents to age in place and allows people to remain connected to their social networks as they age and require greater care.

Renew and create great places

The site is currently zoned E4 Environmental Living. Seniors housing and Residential Flat Buildings are prohibited in the zone.

The planning proposal will facilitate the site to become a 'great place' by providing an opportunity to upgrade Castle Ridge Resort to meet contemporary standards for seniors living, improve pedestrian and vehicular access, and provide sufficient parking for residents. The planning proposal also provides an opportunity Planning Proposal | Castle Ridge Resort | Architectus 82 to increase amenity of the site and improve the quality of life for residents through the provision of new open spaces, green roofs and new facilities such as an indoor pool, gym and activity rooms.

The planning proposal will also plant 150 new trees which will maintain the green, leafy characteristic of the area and ensure the Resort is attractive.

Provide services and social infrastructure to meet residents' needs

The planning proposal will facilitate the provision of new community facilities for residents, which will enhance village life at Castle Ridge Resort and provide opportunities for residents to connect and interact with each other.

The proposed new pedestrian village street will be the focus of day-to-day activities, which allows for street activation and enables residents to socially interact with each other. The site is also situated close to Castle Hill strategic centre where a range of services are available to meet the needs of residents."

Council's assessment and conclusion is documented below, as well as within Attachments C and D.

The Hills Local Strategic Planning Statement and Supporting Strategies

The LSPS has based the location of future high density development on the principles of transit oriented development which is demonstrated through the Planning Priority 6 new housing to support Greater Sydney. Dwellings are to align with planned infrastructure and The Hills' future growth is anticipated in areas connected to or within reach of transport and other urban services, being the Sydney Metro Northwest Corridor and Growth Centre Precincts. The planning proposal seeks to facilitate increased residential uplift outside of these strategically identified locations.

Planning Priority 7 of the LSPS responds to the previously discussed objective of providing new housing in the right locations. Planning Priority 8 also emphasises that location is a crucial element of the liveability of a development. Council's Housing Strategy stipulates that while there is demand for seniors housing, it is by no means excessive given the existing stock and that many older residents choose to age in place. It is therefore likely that there will be greater demand for higher care facilities than independent living units.

The level of uplift sought on the subject site is considered unnecessary for the purposes of supply alone, given that there is no shortage of opportunities for seniors housing to be provided elsewhere in the Shire in more appropriate locations. While it is acknowledged that there is merit in facilitating redevelopment of the site, the extent of uplift sought is not warranted on strategic grounds. However, the Department of Planning and Environment and the Sydney Central City Planning Panel determined that the planning proposal demonstrated strategic merit and the matter was able to proceed to Gateway Determination and subsequently public exhibition on this basis.

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

It is noted that there are no applicable State Environmental Planning Policies for the proposed development. The Housing SEPP does not apply to the land given the site's environmental zoning. Similarly, SEPP No. 65 – Design Quality and Residential Apartment Development does not apply to seniors housing typologies even though many seniors developments present as a high density residential apartment built form.

5. *Is the planning proposal consistent with applicable Ministerial Directions (s. 9.1 directions)?*

Council's assessment of the strategic merit of the proposal concluded that it was not consistent with the applicable Ministerial Directions.

The Sydney Central City Planning Panel determined that the proposal did demonstrate strategic merit. The Panel's commentary in relation to this decision is outlined in the extract below. The full record of the Panel's decision is provided as Attachment E.

REASONS FOR THE DECISION

Strategic merit

The Panel is satisfied by the material provided that the planning proposal demonstrates strategic merit.

In issuing the Gateway Determination, DPE concluded that the proposal demonstrates strategic merit and that the planning proposal is to be updated to include a more detailed assessment of the proposal

against the strategic framework. The proposal has been updated accordingly and DPE has endorsed the proposal for public exhibition.

The Proponent's commentary in relation to the proposal is as follows:

Direction 2.1 - Environmental Protection Zones

This Planning Proposal applies to land zoned E4 Environmental Living. The site currently accommodates an existing seniors housing development (existing use rights). Under The Hills LEP 2019, current zoning allows for urban development while permitting the aesthetic and ecological quality of these lands are preserved.

Planning Proposal | Castle Ridge Resort | Architectus 85 The proposal is underpinned by an Arborist report prepared by Naturally Trees (Attachment F), and Geotechnical assessment prepared by JK Geotechnics (Attachment H). The findings and recommendations of these reports has informed building footprint, orientation and internal circulation network on the site.

The Planning Proposal is consistent with the objectives of the E4 zone, with a low impact development, that will not have any adverse impacts of the environmental or scenic values of the land.

Direction 3.1 - Residential Zones

The Planning Proposal will facilitate the delivery of high quality seniors housing to meet the needs of the existing and future community in the Hills LGA. The development will increase housing supply and improve the choice of dwelling types available.

The site is currently an existing retirement village and as such the proposed development will only increase residential density at a well-located site without impacting resource lands.

Direction 3.4 - Integrating Land Use and Transport

The site is within 1km of Castle Hill bus interchange, Castle Hill Town Centre and Castle Hill Station which is currently undergoing construction. The Planning Proposal will enable the intensification of seniors housing in a well connected site and encourage use of public transport. In addition, the site is also serviced by an on-demand private village bus, providing efficient access to Castle Hill Town Centre, and reducing demand on private vehicles trips.

Direction 5.9 - North West Rail Link Corridor Strategy

The proposal increases the supply and diversity of seniors housing stock in close proximity to Castle Hill Town Centre, and future Northwest Metro Station. The proposal is not considered contrary to the North West Rail Link Corridor Strategy.

Council's assessment and conclusion is documented below, as well as within attachments C and D.

Section 9.1 Ministerial Directions

The following Directions issued by the Minister for Planning and Public Spaces under Section 9.1 of the Environmental Planning and Assessment Act 1979 require consideration:

Direction 2.1 - Environmental Protection Zones

The proposed development would be unlikely to significantly impact on threatened ecological communities. The Flora and Fauna Assessment submitted with the proposal concludes that the majority of the vegetation present within the study area comprises landscape plantings and does not constitute critically endangered species. However, the proposed development would result in the clearing of some existing vegetation on the site. Though not critical species, the existing urban bushland contributes to the values of the E4 Environmental Living zone and the vegetated character of the locality.

Further, the planning proposal is inconsistent with this Direction as the proposed high density residential development (which is not a permitted use in the zone) requires substantial land take for the purposes of communal open space, landscaping and building footprint, which is not commensurate with a low impact development.

It is acknowledged that the current development would not be considered to conform with this objective either, however proceeding with a development with greater impacts to the site in comparison to what exists would not be prudent land use management. The level of impact should be equal to (or ideally improve) the current impacts to warrant development uplift. These impacts are proposed to be mitigated through the draft DCP amendments that accompany this planning proposal.

Direction 3.1 - Residential Zones

While the planning proposal may be partially consistent with this Direction as it does not decrease the current residential density on the site, the Direction also requires development to demonstrate good design on sites that are adequately serviced. The planning proposal is accompanied by a draft voluntary planning agreement that seeks to facilitate local infrastructure contributions in association with the development uplift.

Direction 3.4 - Integrating Land Use and Transport

The proposal is inconsistent with this direction as it seeks to facilitate a high density residential development in a location that is not compatible with the principles of transit oriented development and is not in the walkable catchment of the Castle Hill Metro Station. Higher density development outside of catchments well-served with high-frequency public transport is likely to promote reliance on private vehicle usage to access the site, which does not align with the objectives of this Direction.

Direction 6.3 - Site Specific Provisions

This Direction requires that a planning proposal seeking to allow a particular development to be carried out be evaluated to ensure that unnecessarily restrictive site specific planning controls are not adopted. The Direction encourages Council to rezone sites to allow particular development rather than introduce additional permitted uses on the site and discourages the introduction of new site specific development standards.

In the case of this development the proposal seeks to formalise an existing use which has been applied to the site since the 1980s. The formalisation of seniors housing as a permissible use is a logical extension of permitted uses on the site. The purpose of formalising the use should however, not to be used as a mechanism to facilitate a high density residential development that is inconsistent with the objectives of the zone and inappropriate in the context of the site and locality.

SECTION C - ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACT

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

The proposed development would be unlikely to significantly impact on threatened ecological communities. The Flora and Fauna Assessment submitted with the proposal concludes that the majority of the vegetation present within the study area comprises landscape plantings and does not constitute critically endangered species. However, the proposed development would result in the clearing of some existing vegetation on the site. Though not critical species, the existing urban bushland contributes to the values of the C4 Environmental Living zone and the vegetated character of the locality. The draft DCP comprises controls that seek to secure the retention of mature trees and existing vegetation on the site.

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

There are a number of environmental impacts that may result from the planning proposal. These matters ultimately contributed to both The Hills Local Planning Panel and Council concluding that the proposal should not proceed to Gateway Determination. A summary of the issues is provided in Council's Report and Minute from 14 September 2021 (Attachment D).

Notwithstanding this, the Sydney Central City Planning Panel determined that the proposal did demonstrate site specific merit and should proceed to Gateway Determination. The Panel identified a number of matters that required further attention and resolution. Council sought to obtain clarification from the Panel with respect to how these issues could be resolved, particularly given that Council's

assessment of the proposal determined that the numerous iterations of the proposal as submitted by the Proponent had not resolved these matters.

Council did not receive any further guidance or parameters from the Panel and Council was subsequently required to submit the proposal to DPE within 42 days of acceptance of the PPA role, without this clarification. It remains unclear how these site-specific issues identified by the Local Planning Panel, Council and the Sydney Central City Planning Panel are proposed to be managed or rectified. The Department's Gateway Assessment Report is provided as Attachment L.

Some of the key matters are discussed below.

- *Topography, Landslide Risk and Cut and Fill*

Parts of the site are affected by Landslide risk and there are concerns with respect to geotechnical constraints to development on the site. The significant basement car park and podiums can only be facilitated through substantial land form modification via cut and fill and retaining walls (5m on boundary of the site). The proposal has not submitted a geotechnical constraints report to demonstrate how this will be addressed. It is further noted that the amount of cut and fill required would result in a substantial variation to the existing Council DCP requirements. Further, it is unclear how this extent of cut and fill would align with the objectives of the environmentally sensitive zone in which the site is located or be categorised as "low-impact" development.

The Panel determined that the proposal had demonstrated site specific merit on the basis that a new facility would be able to resolve landslide issues through geotechnical measures such as excavation on the site. The Panel simultaneously raised concern with the extent of proposed cut and fill on the site. The draft DCP seeks to regulate the cut and fill requirements on the site, noting that the development concept would require more cut and fill than is ordinarily required as part of Council's existing DCP requirements.

- *Built Form, Visual Dominance and Character*

Council's assessment of the proposal identified a number of issues relating to the scale of built form, its visual dominance and integration with the surrounding character of the area.

Despite the determination that the planning proposal should proceed, the Sydney Central City Planning Panel simultaneously identified a number of issues which required resolution:

- *The proposed height of buildings, particularly where the site interfaces with either existing housing or public streets.*
- *Visual impacts resulting from the proposed building heights and massing of buildings, including impact on Old Northern Road and Palisander Place.*

The Gateway Determination required the planning proposal be updated to include additional assessment and built form testing, as well as clear description of setbacks and map annotations within the architectural material. The planning proposal was updated to include further justification from the proponent with respect to their current architectural plans. The draft DCP was formulated on the basis of achieving compliance with the conditions of the Gateway Determination.

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

The planning proposal should address the impacts of providing substantial residential density out of the walking catchment of the metro on a site that does not benefit from improved access, proximity to medical services, retail or casual social opportunities that are important to the wellbeing of senior residents. The Sydney Central City Planning Panel's determination requires that the Proponent address the provision of social infrastructure. The draft DCP comprises development controls relating to the adequate provision of access to services that will be required by residents of the facility. The draft VPA secures infrastructure contributions to be allocated towards local infrastructure upgrades in the locality.

SECTION D - STATE AND COMMONWEALTH INTERESTS

9. *Is there adequate public infrastructure for the planning proposal?*

While the total yield of 247 units that would result from this planning proposal may not, in isolation, create the need for new local infrastructure facilities, it is crucial to consider the cumulative impact of incremental uplift and growth on local infrastructure provision.

While the concept masterplan incorporates central parkland (3,800m² in total area) within the subject site (with a capacity to hold fetes and communal events), such a proposal is primarily to the benefit of residents of the future development, in order to promote a sense of belonging within the local community through event participation.

Notwithstanding the different local infrastructure requirements of the specific demographic group the proposal would cater for, the provision of community benefits in the form of local infrastructure to accommodate the increased density on the site would still be required.

The Proponent provided a public infrastructure offer which comprised:

Contribution Item	Estimated Cost
Offsite Roadworks – 60m left turn deceleration lane on Old Northern Road and relocation of the existing traffic island (estimated cost of \$100,000)	Works in Kind
Provision of a 1.2m wide concrete footpath along the southern side of Palisander Place from the rear of the entry gate to the existing concrete footpath in First Farm Drive (estimated cost \$90,000).	Works in Kind
Open Space monetary contribution towards the upgrade of the adjacent Pioneer Place Reserve, with Council to advise of design.	\$180,000
Monetary contribution towards infrastructure to deliver public benefits as determined by Council	\$510,000
Total Value	\$690,000

The offer is made in addition to the contributions payable under The Hills Section 7.12 Contribution Plan (estimated to be approximately \$1,663,200, calculated as 1% of the cost of construction). The total value of contributions offered by the Proponent (being the combination of the draft VPA and s7.12 contributions) equates to \$2,353,200. This equates to approximately \$9,527 per dwelling (equivalent to 1.4% of the cost of construction).

On this basis, it is considered that the VPA offer, in combination with Section 7.12 Contributions payable under The Hills Section 7.12 Contributions Plan, represents a fair and reasonable contribution toward local infrastructure associated with this particular development. The VPA offer is considered appropriate and generally reflective of the likely cost to Council of providing infrastructure to cater for the demand generated by the development.

On 27 September 2022 Council considered the draft VPA offer and resolved:

1. *Draft The Hills Development Control Plan 2012 Part D Section X – Castle Ridge Resort (Attachment 3) and Residential Map Sheet 8 of Part B Section 2 – Residential (Attachment 4) be publicly exhibited concurrent with the planning proposal.*
 2. *Council accept, in principle, the draft Voluntary Planning Agreement (Attachment 2), with the VPA to be subject to legal review (at the cost of the Proponent), updated in accordance with the recommendations of the legal review and subsequently placed on public exhibition concurrent with the planning proposal and draft Development Control Plan.*
 3. *Council consider a further report on the outcomes of public exhibition of the planning proposal, draft Development Control Plan and draft Voluntary Planning Agreement.*
10. *What are the views of State and Commonwealth Public Authorities consulted in accordance with the gateway determination, and have they resulted in any variations to the planning proposal?*

The Gateway Determination required additional information and built form testing for the development outcomes on the site, particularly in relation to the interface between buildings and their relationship with Old Northern Road and Palisander Place, upper storey setbacks especially along Old Northern Road and an improved scale and visual appearance, privacy, overshadowing and other impacts.

It is noted that the Department's endorsement of the proposal to proceed to public exhibition is conditional upon further background from Council on the DCP provisions.

The Proponent's submission following the Gateway Determination did not entirely address the conditions of the Gateway, nor did the timeframes within the Department's Gateway Determination enable sufficient time for this to occur.

Given that the Department of Planning issued a Gateway Determination that the planning proposal should proceed (against Council's decision that it should *not* proceed), the DCP remained the only available mechanism for Council to ensure an appropriate development outcome is secured in a manner that responds to the Sydney Central City Planning Panel's and the Department's concerns with the site-specific merit of the proposal. The DCP prepared by Council does not entirely align with the Proponent's material, however Council does not have further opportunity to rectify this matter through further requests for revised material from the Proponent, whilst still complying with the Gateway Determination timeframe conditions. A summary of the Proponent's material and Council's DCP controls in response to issues raised is provided below.

The Proponent's response to the Gateway Determination is provided as Attachment M in the Proponent's Urban Design Response. This response comprises further written justification for the existing development outcome, rather than amendments to the built form to ensure the conditions of the Gateway Determination and requirements of the Sydney Central Planning Panel have been met. The draft DCP originally submitted by the Proponent simply sought to support the submitted concept through principles and objectives rather than any amended concept that responded to the conditions of the Gateway Determination and requirements of the Sydney Central Planning Panel.

Council's draft DCP was prepared to overcome this issue and establish changes to the concept that would ensure compliance with the conditions of the Gateway and facilitate an appropriate built form outcome on the site that responds to the following issues with the submitted concept that were raised by the Regional Panel and DPE's Gateway Determination:

- The level of cut and fill proposed within the concept application;
- The proposed height and setback of buildings;
- Upper level setbacks;
- Significant trees to be retained;
- Building separation;
- Relationship between buildings and Old Northern Road and Palisander Place;
- Privacy;
- Overshadowing;
- Amenity impacts;
- Social infrastructure; and
- Scale and visual appearance.

Given that the Proponent did not revise their concept, but rather submitted further written justification for their existing scheme, the above matters were not addressed through an amended development concept. The draft DCP responds to all of the identified issues through the following measures:

- Maximum site coverage control to address building bulk and overshadowing concerns;
- Detailed quantifiable controls relating to cut and fill requirements, including excavation and stabilisation requirements to address cut and fill and landslip concerns;
- Increased northern and eastern boundary setbacks to address building bulk, overshadowing, amenity impacts, privacy and the relationship between buildings and Old Northern Road and Palisander Place;
- Parking and basement access requirements to ensure deep soil landscaping can be achieved and address perceived building bulk, amenity, privacy and relationship between buildings and Old Northern Road and Palisander Place;
- Minimum requirements for location and access to facilities and services to address social infrastructure concerns;

- Building height controls to address building height concerns, scale, visual appearance, bulk, overshadowing and relationship between buildings and Old Northern Road and Palisander Place;
- Revised setbacks to address upper level setbacks, building separation, relationship between buildings and Old Northern Road and Palisander Place, amenity, overshadowing, privacy, scale and visual appearance;
- Maximum building length and building design requirements to address human scale, bulk and visual appearance concerns;
- Solar access requirements to address overshadowing concerns;
- Noise controls to address amenity concerns;
- Minimum deep soil requirements, landscape area dimensions and their location within the site (10m buffer to Old Northern Road) and minimum trees to be retained to address concerns relating to the visual appearance, tree retention, relationship between buildings and Old Northern Road and amenity; and
- Communal open space requirements to address amenity, social infrastructure, tree retention and building separation.

As noted in DPE's endorsement letter, the draft DCP is not under the jurisdiction of the Department of Planning, given that it is a draft policy proposed to be adopted by Council. The draft DCP is provided as Attachment H. However, as Council accepted the role as Planning Proposal Authority responsible for the public exhibition of the planning proposal, it is open to Council to include a draft DCP concurrently which, as part of a suite of documents, ensures compliance with the Gateway conditions.

Council is required to consult with Public Authorities and Government Agencies per the conditions of the Gateway Determination. Consultation with the Public Authorities will occur concurrently with public exhibition.

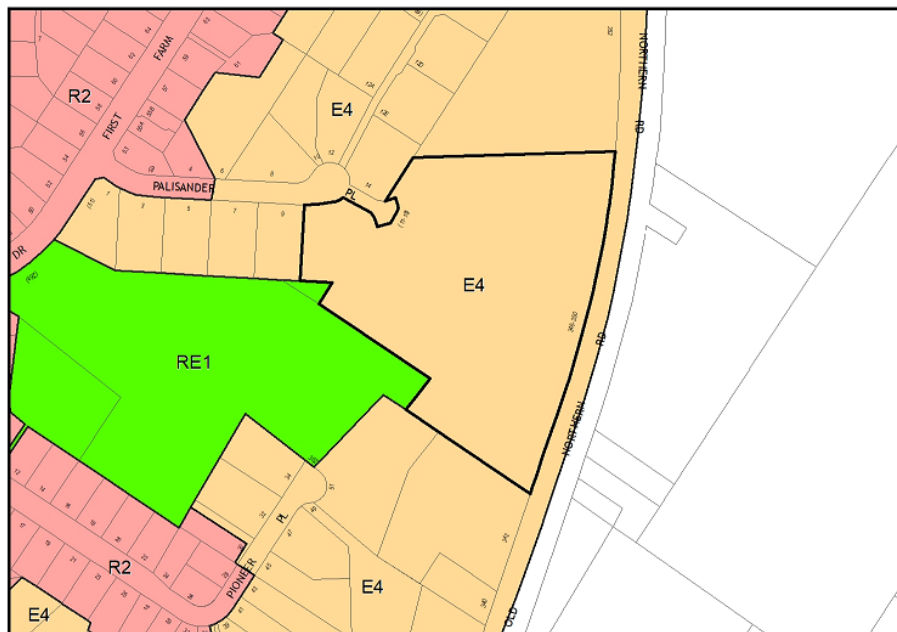
Consultation is being undertaken with the following Public Authorities and Government Agencies:

- Transport for NSW
- NSW Environment and Heritage
- NSW Health
- Sydney Water Corporation
- Ausgrid
- Hornsby Council

PART 4 MAPPING

The following map amendments are proposed to The Hills Local Environmental Plan 2019

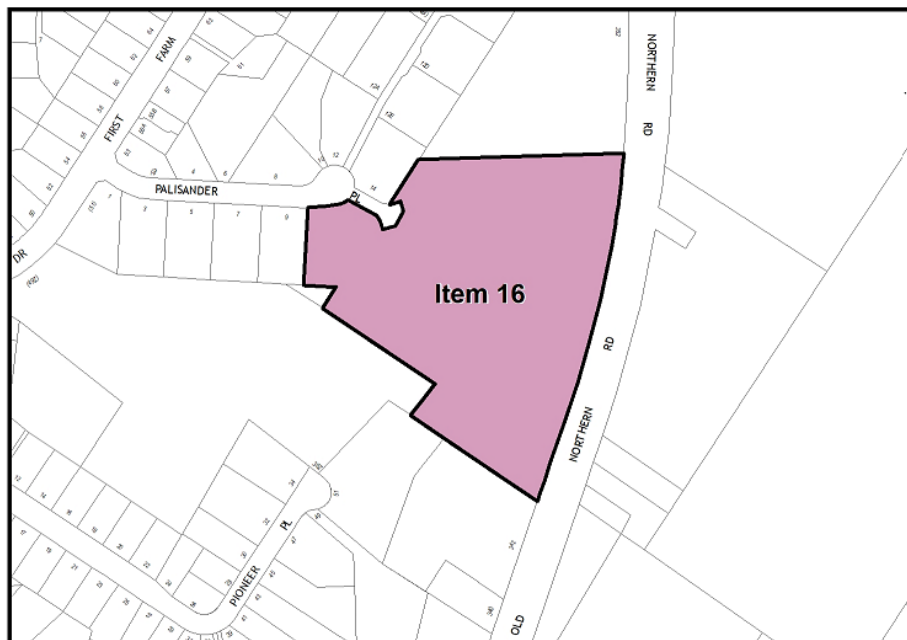
Existing Land Zone Map (No Change Proposed)



Land Zoning (LZN)

E4	Environmental Living	RE1	Public Recreation
R2	Low Density Residential		

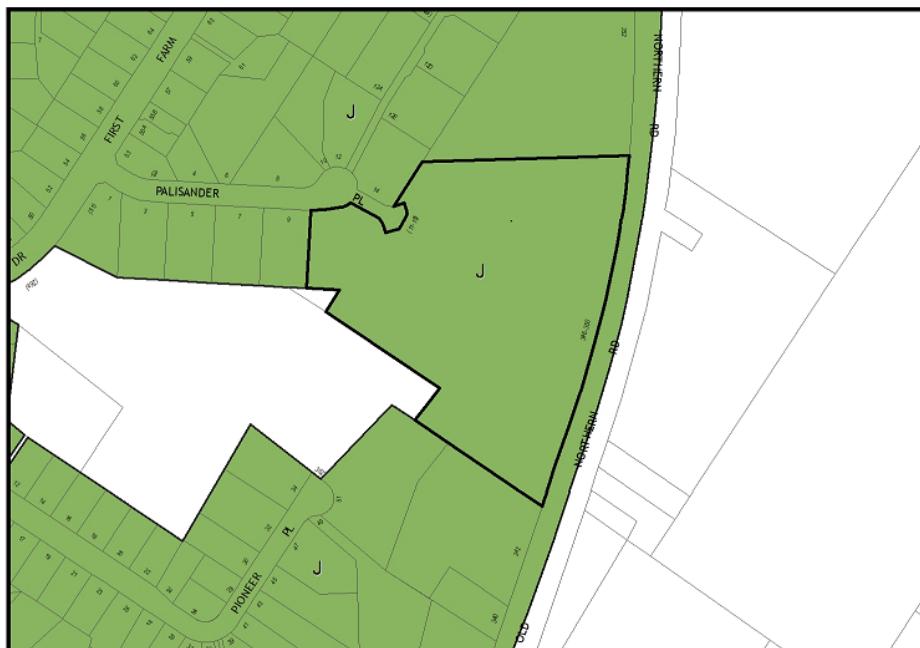
Proposed Additional Permitted Uses Map



Additional Permitted Uses (APU)

Item 16	Refer to Schedule 1
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Existing Height of Building Map



Height of Buildings (m) (HOB)

J 9.0

Heights Shown on Map in RL (m)

Proposed Height of Building Map

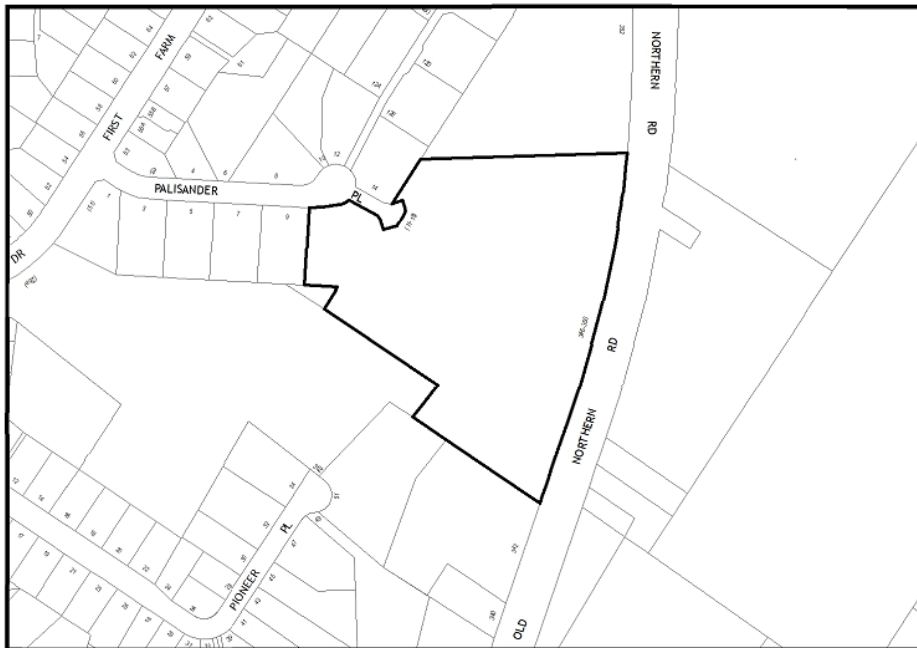


Height of Buildings (m) (HOB)

A	0.0	O1	15.0	R2	22.0
J	9.0	P2	18.0		

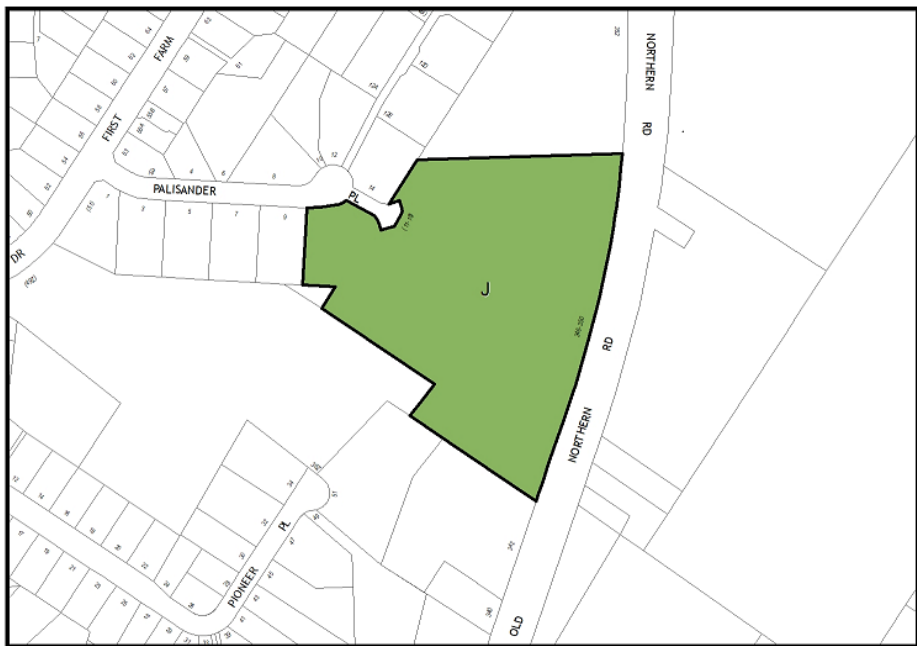
Heights Shown on Map in RL (m)

Existing Floor Space Ratio Map



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

Proposed Floor Space Ratio Map



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

J 0.83

PART 5 COMMUNITY CONSULTATION

The planning proposal is currently on public exhibition. The planning proposal is advertised on Council's website and social media platforms (Facebook and LinkedIn) as well as on Council's *Have Your Say* webpage. Residents and adjoining landowners have been directly notified of the public exhibition period and are invited to comment on the proposal.

PART 6 PROJECT TIMELINE

STAGE	DATE
Commencement Date (Gateway Determination)	June 2022
Revised material from Proponent	July 2022
Report to Council on VPA and DCP	September 2022
Legal review of VPA	October 2022 – February 2023
Evaluation and potential endorsement of planning proposal	November 2022
Commencement of public exhibition period (28 days)	February 2023
Government agency consultation	February 2023
Completion of public exhibition period	March 2023
Timeframe for consideration of submissions	April 2023
Timeframe for consideration of proposal post exhibition	April 2023
Report to Council on submissions	May 2023
Date Council will forward to Department for notification	June 2023

ATTACHMENT A: LIST OF STATE ENVIRONMENTAL PLANNING POLICIES

STATE ENVIRONMENTAL PLANNING POLICY (SEPP)	APPLICABLE TO THSC	RELEVANT? (YES/NO)	(IF RELEVANT) INCONSISTENT/CONSISTENT
Biodiversity and Conservation (2021)	YES	NO	N/A
Building Sustainability Index: BASIX (2004)	YES	NO	N/A
Exempt and Complying Development Codes (2008)	YES	NO	N/A
Housing (2021)	YES	NO	N/A
Industry and Employment (2021)	YES	NO	N/A
No. 65 – Design Quality and Residential Apartment Development	YES	NO	N/A
Planning Systems (2021)	YES	NO	N/A
Precincts – Central River City (2021)	YES	NO	N/A
Precincts – Eastern Harbour City (2021)	NO	-	-
Precincts – Regional (2021)	NO	-	-
Precincts – Western Parkland City (2021)	NO	-	-
Primary Production (2021)	YES	NO	N/A
Resilience and Hazards (2021)	YES	NO	N/A
Resources and Energy (2021)	YES	NO	N/A
Transport and Infrastructure (2021)	YES	NO	N/A

ATTACHMENT B: ASSESSMENT AGAINST SECTION 9.1 MINISTERIAL DIRECTIONS

DIRECTION		APPLICABLE	RELEVANT? (YES/NO)	(IF RELEVANT) INCONSISTENT/ CONSISTENT
Planning Systems				
1.1	Implementation of Regional Plans	YES	YES	INCONSISTENT
1.2	Development of Aboriginal Land Council land	NO	-	-
1.3	Approval and Referral Requirements	YES		
1.4	Site Specific Provisions	YES	YES	CONSISTENT
1. Planning Systems – Place-based				
1.5	Parramatta Road Corridor Urban Transformation Strategy	NO	-	-
1.6	Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	YES	NO	N/A
1.7	Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	NO	-	-
1.8	Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	NO	-	-
1.9	Implementation of Glenfield to Macarthur Urban Renewal Corridor	NO	-	-
1.10	Implementation of the Western Sydney Aerotropolis Plan	NO	-	-
1.11	Implementation of Bayside West Precincts 2036 Plan	NO	-	-
1.12	Implementation of Planning Principles for the Cooks Cove Precinct	NO	-	-
1.13	Implementation of St Leonards and Crow Nest 2036 Plan	NO	-	-
1.14	Implementation of Greater Macarthur 2040	NO	-	-
1.15	Implementation of Pyrmont Peninsula Place Strategy	NO	-	-
1.16	North West Rail Link Corridor Strategy	YES	NO	N/A
1.17	Implementation of the Bays West Place Strategy	NO	-	-
2. Design and Place				
3. Biodiversity and Conservation				
3.1	Conservation Zones	YES	YES	INCONSISTENT
3.2	Heritage Conservation	YES	YES	N/A
3.3	Sydney Drinking Water Catchments	NO	-	-
3.4	Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs 26	NO	-	-
3.5	Recreation Vehicle Areas	YES	NO	N/A

4. Resilience and Hazards				
4.1	Flooding	YES	NO	N/A
4.2	Coastal Management	NO	-	-
4.3	Planning for Bushfire Protection	YES	NO	N/A
4.4	Remediation of Contaminated Land	YES	NO	N/A
4.5	Acid Sulfate Soils	YES	NO	N/A
4.6	Mine Subsidence and Unstable Land	YES	YES	INCONSISTENT
5. Transport and Infrastructure				
5.1	Integrating Land Use and Transport	YES	YES	INCONSISTENT
5.2	Reserving Land for Public Purposes	YES	NO	N/A
5.3	Development Near Regulated Airports and Defence Airfields	YES	NO	N/A
5.4	Shooting Ranges	NO	-	-
6. Housing				
6.1	Residential Zones	YES	YES	INCONSISTENT
6.2	Caravan Parks and Manufactured Home Estates	YES	NO	NO
7. Industry and Employment				
7.1	Business and Industrial Zones	YES	NO	NO
7.2	Reduction in non-hosted short-term rental accommodation period	NO	-	-
7.3	Commercial and Retail Development along the Pacific Highway, North Coast	NO	-	-
8. Resources and Energy				
8.1	Mining, Petroleum Production and Extractive Industries	YES	NO	NO
9. Primary Production				
9.1	Rural Zones	YES	NO	NO
9.2	Rural Lands	NO	-	-
9.3	Oyster Aquaculture	YES	NO	NO
9.4	Farmland of State and Regional Significance on the NSW Far North Coast	NO	-	-