

ORDINARY MEETING OF COUNCIL

24 APRIL, 2018

ITEM-2	PLANNING PROPOSAL FOR SHOWGROUND PRECINCT SITES (3/2017/PLP)
THEME:	Balanced Urban Growth.
OUTCOME:	7 Responsible planning facilitates a desirable living environment and meets growth targets.
STRATEGY:	7.2 Manage new and existing development with a robust framework of policies, plans and processes that is in accordance with community needs and expectations.
MEETING DATE:	24 APRIL 2018 COUNCIL MEETING
GROUP:	STRATEGIC PLANNING
AUTHOR:	SENIOR TOWN PLANNER BRONWYN INGLIS
RESPONSIBLE OFFICER:	MANAGER – FORWARD PLANNING STEWART SEALE

EXECUTIVE SUMMARY

This report recommends that Council seek the advice of the Department of Planning and Environment on the relative merits of a revised development concept and planning proposal for the subject sites that addresses a number of requirements. The revised proposal would facilitate 2,643 dwellings, an additional 440 dwellings more than what could be achieved under the existing standards applying to the site under the Showground Precinct Plan as gazetted in December 2017.

The planning proposal was initially lodged in November 2016, prior to the finalisation of the precinct planning process. It has been worked on during the exhibition and finalisation of the Precinct Proposal, resulting in the current proposal that would facilitate 3,040 dwellings. The proponent has aggregated 78 lots in Ashford Avenue and along Middleton and Dawes Avenue totalling 9.07 hectares. As the assessment has progressed, the proposal has been reduced in scale and modified.

In its current form it does propose approximately 38% more yield than the gazetted plan. The density being pursued would result in a built form that is not considered desirable for the location or able to be serviced by local infrastructure. The extent of additional floor space and yield sought to offset the costs of the public benefits would result in a built form outcome that is likely to compromise the high quality urban design outcomes sought for the Showground Precinct.

On its own it is unlikely that Council nor the Department of Planning and Environment would allow changes to the heights and floor space ratio standards for the Precinct. This proposal however does represent some benefits that are worthy of consideration and if the built form can be demonstrated to meet all development standards and the proponents vision, it is a proposal that, with some modification, could be worthy of seeking the comments and advice from the Department of Planning and Environment.

Aspects of the proposal that are considered to have wider public benefits include:

- 1) The guaranteed delivery of a widened Middleton Avenue for both vehicular and pedestrian movement. The widened area would otherwise have a range of floor space ratios allowing 5,800m² representing around 58 dwellings;
- 2) A further 5,000m² of public open space on land that would otherwise have a floor space ratio of 2.3:1 or 11,500m² of floor space representing around 115 dwellings; and
- 3) Aggregated sites that enable more efficient vehicular access, parking and orientation of buildings.

Understandably there are sensitivities with increasing yield and exceeding newly gazetted controls. The decision of the Central City District Planning Panel in relation to the Chapman and Dawes Avenue planning proposal is testament to this. There would need to be a compelling argument and agreement with Government as it would contribute to reaching the 5,000 dwelling cap inequitably and requires more consideration of State infrastructure.

Accordingly it is recommended that engagement occur with Department of Planning and Environment in the first instance to determine whether there is likely to be support for a revised concept and planning proposal. The alternative concept outlined in section 4 of this report would have a reduced dwelling yield and would deliver the widening and construction of Middleton Avenue and 5,000m² of public open space.

Any revised proposal would also need to demonstrate that the resulting development would exhibit an appropriate built form outcome in terms of building bulk, provision of adequate solar access to future units within each building, ability for future development to comply with overshadowing controls, provision of adequate landscaped open space, provision of appropriate setbacks to sensitive interfaces (including the riparian corridor) and provision of adequate building height transition.

It is further recommended a further report be provided to Council following receipt of Department of Planning and Environment advice.

APPLICANT

Showground Corporation c/- APP Corporation Pty Limited

OWNERS

See Attachment 1

THE HILLS LOCAL ENVIRONMENTAL PLAN 2012

	Current	Proposal 1	Proposal 2 (Current Concept)
Zone:	R4 High Density Residential RE1 Public Recreation SP2 Local Road Widening	No change	No change
Minimum Lot Size Map:	1,800m ² for R4 zoned land 700m ² for RE1 zoned land	No change	No change
Height of Buildings Map :	21 - 40m across the sites	Refer to Key Site Bonus	Refer to Key Site Bonus

Maximum Floor Space Ratio (Base):	1.6:1 – 2.1:1 across the sites	Refer to Key Site Bonus	Refer to Key Site Bonus
Maximum Floor Space Ratio (Incentive):	2.3:1 – 3.1:1 across the sites	Refer to Key Site Bonus	Refer to Key Site Bonus
Key Sites Bonus (Gross Floor Area)	N/A	<ul style="list-style-type: none"> • Key Site 1: 116,000m² of GFA • Key Site 2: 193,000m² of GFA • <u>Total GFA: 309,000m²</u> • Requires community infrastructure and affordable housing. 	<ul style="list-style-type: none"> • Key Site 1: 114,000m² of GFA • Key Site 2: 190,000m² of GFA • <u>Total GFA: 304,000m²</u> • Requires community infrastructure and affordable housing.
Key Site Height of Buildings	N/A	8-20 storeys across the sites	8-18 storeys across the sites
Key Site Floor Space Ratio	N/A	Not Identified	Range 2.09:1 – 4.80:1
Housing Diversity	Applies to the land	Not stated	Applicant intends to comply
Achievable Yield	2,203	3,600	3,040

POLITICAL DONATIONS

Nil disclosures by the applicant.

REPORT

The purpose of this report is to consider a planning proposal which seeks to facilitate additional high density dwellings in close proximity to the future Showground Rail Station.

1. THE SITE

The planning proposal relates to land within the Showground Station Precinct in Castle Hill, identified as Key Site 1 and Key Site 2 in Figure 1 below. The sites are irregular in shape and consist of 78 lots with a combined total area of 90,700m² (9.07ha) (including land identified for open space):

- Key Site 1 – approximately 32,238m² (17 separate lots)
- Key Site 2 – approximately 58,462m² (61 separate lots)

The sites are located on the southern side of Carrington Road and are opposite the site of the future Showground Station. Cattai Creek is located within the rear of some properties on Ashford Avenue. The sites have frontage to a number of roads, including Carrington Road, Middleton Avenue, Fishburn Crescent, Dawes Avenue, Hughes Avenue, Cadman Crescent, Partridge Avenue and Ashford Avenue.

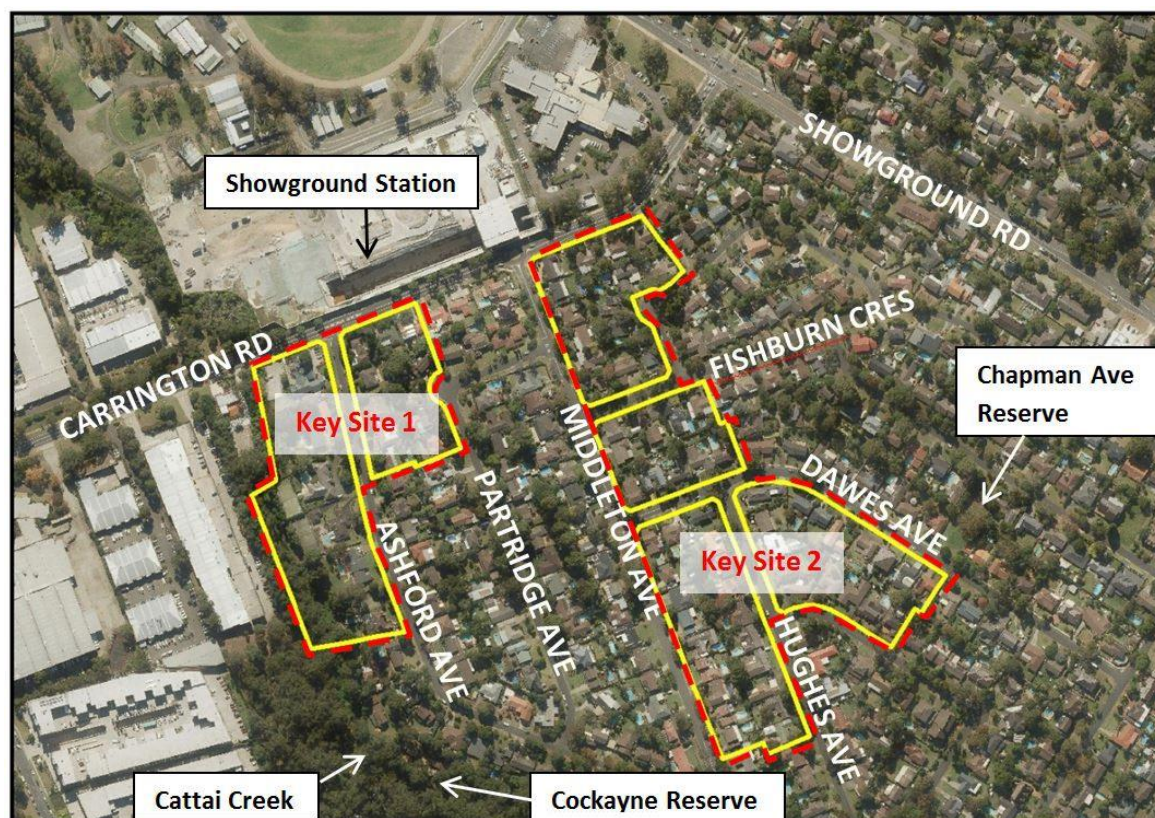


Figure 1
Consolidated development sites

The sites are currently zoned R4 High Density Residential, RE1 Public Recreation and SP2 Infrastructure (Local Road Widening) under LEP 2012.

The current controls that apply would permit the following:

	Site 1	Site 2	Total
Height	8-12 storeys	6-12 storeys	6-12 storeys
Maximum FSR	2.7:1 - 3.1:1	2.3:1 – 3.1:1	2.3:1 – 3.1:1
GFA	74,208m ²	146,111m ²	220,319m ²
Yield	742	1,461	2,203
Density	290d/ha	252d/ha	264d/ha

Table 1
Existing Development Standards

2. PLANNING PROPOSAL

Planning Proposal 1

This proposal lodged in November 2017 sought to amend LEP 2012 to put in place a key site provision which achieves a total gross floor area of 309,000m² across the subject site. The proponent anticipated that this would facilitate an overall yield of 3,600 dwellings based on SEPP65 apartment sizes (resulting in a population of around 7,200 people). The design concepts submitted with the proposal indicated heights ranging from 8-20 storeys. The yield being sought was 1,397 dwellings more than the 2,203 dwellings possible under the existing controls applying to the site. Photomontage images were submitted with the original concept which illustrates the intended future development outcomes for the sites and are shown in the following figures. The design

concept includes some ground floor retail/commercial uses to provide street-level activation.



Figure 2

Artists Impression: Cadman Crescent, Hughes Avenue and Dawes Avenue development site
(Planning Proposal 1)



Figure 3

Artists Impression – view looking north along Middleton Avenue
(Planning Proposal 1)

The proponent was advised of a number of concerns in relation to the submitted proposal, which included the high yield/density, excessive height, application of housing diversity, local road widening, uncertainty with respect to the construction of Middleton Avenue and lack of open space.

Revised Planning Proposal (Current Concept)

The revised proposal does not seek to amend the existing zones, building heights or floor space ratio maps applying to the land. Rather, it involves the introduction of a new key site provision and maps which would permit additional floor space and increased building heights across the sites, subject to the provision of the specified public benefits. The key site provision will achieve a total gross floor area of 304,000m² across the subject site. This equates to a reduction in GFA of approximately 5,000m² (1.6%) from the previous concept.

Based on Council's housing diversity provision, this GFA would facilitate approximately 3,040 dwellings (Table 2) which is approximately 837 dwellings over and above what could be achieved under the current controls.

	Site 1	Site 2	Total
Height	9-18 storeys	8-18 storeys	8-18 storeys
Maximum FSR	2.09:1 – 4.55:1	2.61:1 – 4.8:1	2.09:1 – 4.8:1
GFA	114,000m ²	190,000m ²	304,000m ²
Yield	1,140	1,900	3,040
Density	445d/ha	328d/ha	364d/ha

Table 2
Current Planning Proposal

The distribution of height and gross floor area would be identified on two new LEP maps, a 'key site floor space ratio map' and a 'key site height of buildings map'. The proponent has submitted plans that show building heights ranging from 18 storeys opposite the future rail station, stepping down to 8 storeys on the periphery of the site. Achievement of the proponent's development concept will result in floor space ratios ranging from 4.8:1 (opposite the future rail station) to 2.09:1 (adjacent to Cattai Creek) (Figure 4).



Figure 4
Proposed Key Site Floor Space Ratio Map

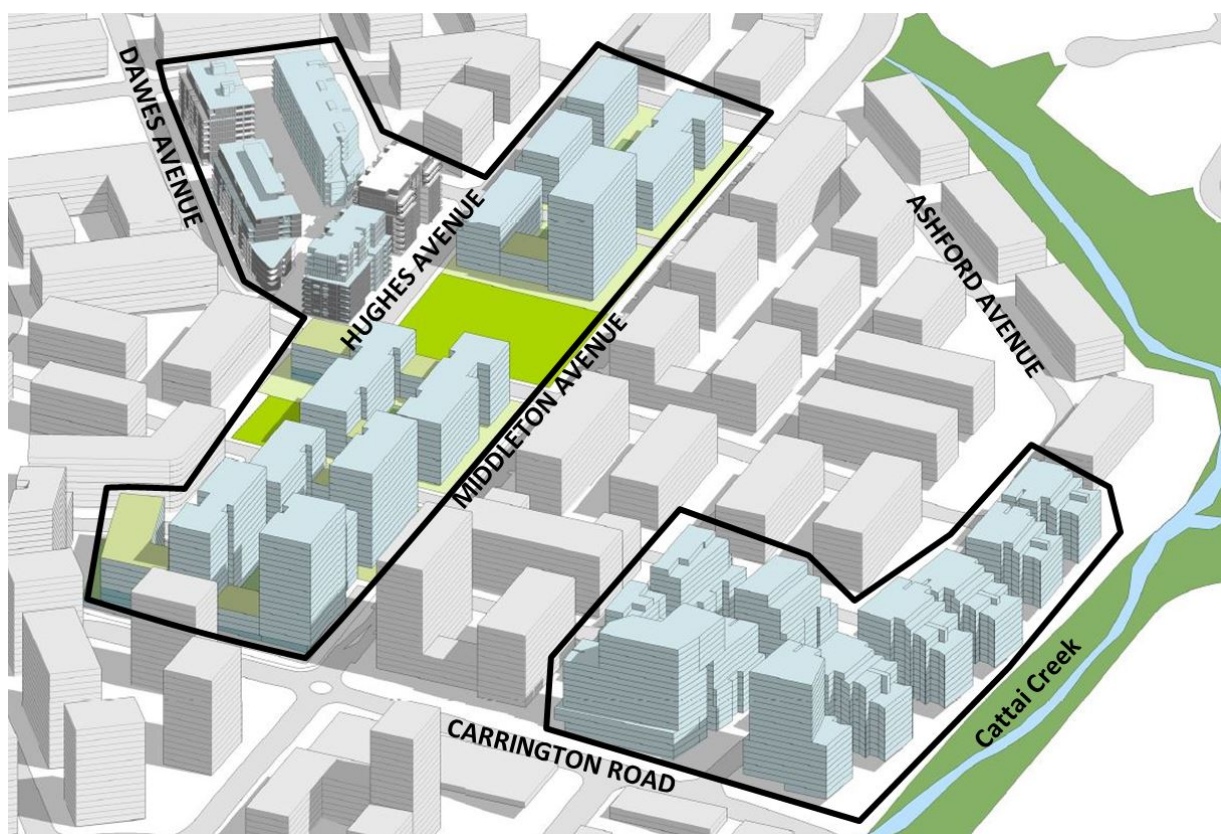


Figure 5

Proposed Built Form Massing (subject sites outlined in black)

Letter of Offer

The planning proposal is accompanied by a letter of offer to provide public benefits through road widening, open space, community infrastructure and affordable housing.

Road Widening:

Location	Works / Public Benefit Offered
Site 1: <ul style="list-style-type: none"> Length of Ashford Ave Partial length of Partridge Ave 	2m road widening 2m road widening (total: 301m ² widening)
Site 2: <ul style="list-style-type: none"> Length of Middleton Ave Partial length of Dawes Ave, Fishburn Cres, Sexton Ave, Hughes Ave, Cadman Ave 	5m widening 2m widening (total 3,795m ² widening)
Total land for road widening:	4,096m ²

Table 3

Letter of Offer – Road Widening

The proponent has valued the land to be dedicated for road widening at \$23.55 million (\$5,750/m²), and have offered a \$10 million cash contribution towards the reconstruction works associated with Middleton Avenue.

Public Open Space:

Location	Works / Public Benefit Offered
Intersection of Middleton Ave and Dawes Ave	5,000m ² to be dedicated to Council as public open space.
Sexton Ave, between Carrington Rd and Dawes Ave	1,378m ² public plaza and park.
Through-site links	7,156m ² of privately owned land to be dedicated as publicly accessible thoroughfares.

Table 4
Letter of Offer – Open Space

The proponent has valued the land to be dedicated as public parks at \$36.7 million and the land for through-site links at \$41.1 million.

Other Community Infrastructure:

- 3 new child care centres;
- A new digital library to be constructed and dedicated to Council;
- A free WiFi service; and
- Public domain works, such as children's play equipment, outdoor fitness and street furniture.

The applicant has valued their community infrastructure contribution at approximately \$15–20 million.

Affordable Housing:

The proponent also proposes to designate 15% of dwellings for purchase or lease to key workers and community housing providers (5%) and first home buyers (10%).

A map showing the location of items included in the Proponent's VPA offer is included below.



Figure 6
Map of Items within Proponent's VPA offer

3. MATTERS FOR CONSIDERATION

The planning proposal requires consideration of the following matters:

- a) Strategic Framework;
- b) Public Benefits;
- c) Building Height, Massing and Density;
- d) Overshadowing;
- e) Address to the Riparian Corridor;
- f) Master Planned Outcome;
- g) Proposed Key Sites Provision;
- h) Transfer of Floor Space;
- i) Traffic Management;
- j) Open Space and Social Infrastructure; and
- k) Stormwater Management.

a) Strategic Framework

Attachment 2 details the objectives of relevant strategic documents and the consistency of the proposal with these documents. Relevant state level policy documents include *Greater Sydney Region Plan: A Metropolis of Three Cities* and *Central City District Plan*.

The key strategic document relating specifically to the management of growth and development in the Sydney Metro Northwest Corridor is the State Government's 2013 North West Rail Link Corridor Strategy. These are discussed further below.

North West Rail Link Corridor Strategy

The strategy anticipates that land to the south and east of the Showground rail station will accommodate medium density living within a 10 minute walk of the station to provide a diversity of housing within an attractive and accessible centre to cater for the needs of a growing population. The Strategy identified the subject sites as short term opportunity sites that may accommodate 3-6 storey apartment buildings, carefully master planned around communal open spaces and incorporating landscaped setbacks to existing streetscapes.

While there has been a body of work undertaken to provide more detailed planning for the Precinct, there is still a Ministerial S117 Direction (now Section 9.1) that requires any changes to planning controls to be consistent with the North West Rail Link Corridor Strategy. The Strategy forecasts a floor space ratio of 1:1 – 2:1 which would facilitate a yield between 835 to 1,670 dwellings (100 – 199 dwellings/ha).

It is noted that the Planning Proposal seeks heights of up to 18 storeys, and yield of 3,040 dwellings (364 dwellings/ha), which is beyond the floor space ratios and building heights that were identified in the North West Rail Link Corridor Strategy and what can be achieved under the current controls developed through the detailed Precinct Planning.

Showground Planned Precinct

The NSW Government rezoned the Showground Precinct for high and medium density development on 15 December 2017. This rezoning was the outcome of an extensive planning process led by the Department of Planning and Environment which commenced in August 2014. The Showground Precinct was one of four Precincts identified by the NSW Government to be planned as part of its 'Planned Precinct Program' along the Sydney Metro Northwest.

Based on the development standards which apply to the Precinct, the overall yield is likely to be slightly over 9,000 dwellings (with a 5,000 dwelling cap which will be reviewed once outstanding infrastructure issues are addressed). A draft development control plan, contribution plan (infrastructure plan) and public domain plan have been prepared by Council to support the rezoning of the Precinct and have recently been exhibited for public comment. These documents were prepared to achieve high quality built form outcomes that reflect the intended character of the precinct as a highly liveable transit centre. The draft DCP includes the following structure plan:

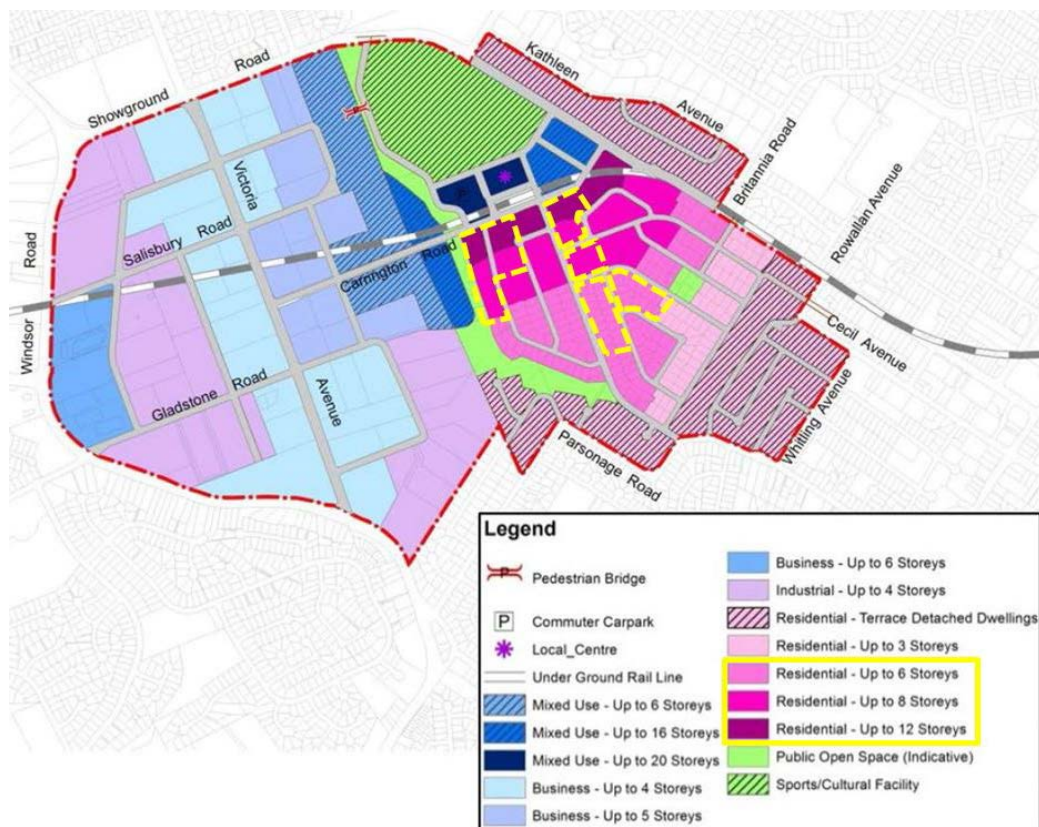


Figure 7

Draft Showground Precinct Structure Map, showing planning proposal sites in yellow

As illustrated in the above figure, the draft DCP envisages building heights of between 6 and 12 storeys across the subject sites. The proposal is a substantial variation from the density and heights identified as part of the master planning process.

Comparison of Station Strategies and Precinct Plans

The following table includes a comparison of the planning proposal against the growth identified within the North West Rail Link Corridor Strategy and the Showground Priority Precinct Plan.

	NWRL Corridor Strategy	Showground Station Precinct (Current Controls)	Planning Proposal
Height of Buildings	3-6 storeys	12, 8 and 6 storeys	8 - 18 storeys
Floor Space Ratio	1:1 – 2:1	Base FSR: 2.1, 1.9 and 1.6 Incentive FSR: 3.1, 2.7 and 2.3	Key Site FSR: 2.09:1 – 4.80:1
Density (dwellings/ha)	100–199	264	364
Yield (Units)	835 – 1,670	2203	3,040

Table 5
Comparison of Controls and Expected Yields

While the heights, densities and yields being sought are well in excess of what was anticipated for the land within the planning framework, the public benefits being offered with the proposal are worthy of consideration. In addition to the public benefit, consideration needs to be given to whether the unplanned growth can be serviced with sufficient infrastructure and whether the resulting built form is appropriate for the location.

b) Public Benefits

A review of the various aspects of the proponent's Voluntary Planning Agreement offer is provided below. The following table lists the items included in the offer and provides comment on their value/benefit.

Offer	Public Benefit	Comment
Road Widening		
2m land dedication along Ashford Avenue, Partridge Avenue, Part of Dawes Avenue, Fishburn Crescent, Sexton Avenue, Hughes Avenue and Cadman Avenue.	Requirement of DCP. Not a public benefit.	The Draft Showground Station Precinct DCP (draft DCP) requires land identified on its 'Local Street – Land Dedication Plan' to be dedicated to Council at no cost. The development potential that may be achieved on the dedicated land can be transferred to the final development site through clause 9.2 under LEP 2012. As this is required under the DCP and the floor space is able to be incorporated into the final development site, it does not constitute an additional public benefit.

Offer	Public Benefit	Comment
Middleton Avenue 5m Road Widening (Land Dedication) and \$10m contribution toward construction.	Public Benefit	<p>The widening of Middleton Avenue would improve accessibility and connectivity within the Precinct.</p> <p>This is considered to be a public benefit, which is not secured through any other mechanism or offer.</p> <p>Further discussion on this item is included below.</p>
Open Space		
A new centrally located 5,000m ² park at the intersection of Middleton Avenue and Dawes Avenue to be dedicated to Council as public open space. Land dedication only.	Public Benefit	<p>This is considered to be a public benefit, not secured through any other mechanism or offer.</p> <p>Further discussion on this item is included below.</p>
A new centrally located 1,378m ² public plaza and park located along Sexton Avenue between Carrington Road and Dawes Avenue.	<p>Requirement of DCP.</p> <p>Not a VPA item.</p>	<p>The Draft Showground Station Precinct DCP (draft DCP) identifies a through site pedestrian link in this location to improve accessibility and connectivity.</p> <p>It is considered that a public plaza may create some benefit through activation of the pedestrian link that assists in providing access to the station. However, the plaza also provides benefits to the residents within the development and should not be accepted as part of the VPA offer.</p>
Through site links comprising shared pathways for pedestrians and cyclists (7,156m ² of privately owned land to be dedicated as publicly accessible thoroughfares).	<p>Requirement of DCP.</p> <p>Not a VPA item.</p>	<p>The Draft Showground Station Precinct DCP (draft DCP) identifies a number of through site pedestrian link to improve accessibility and connectivity.</p> <p>Pedestrian links are to be subject to a legal right of public access and are not dedicated to Council.</p> <p>Given the provision of through-site links is a requirement under the DCP, they should not be accepted as part of the VPA offer.</p>

Offer	Public Benefit	Comment
Other Infrastructure		
Three new childcare centres; the details of which are to be negotiated with Council.	Not a VPA item.	The child care centres are likely to be commercially run by a private operator for profit and they are not appropriate for inclusion within a VPA.
A new digital library to be constructed and dedicated to Council; the details of which are to be negotiated with Council.	Not a VPA item.	While a free digital library might be useful to future residents, it has minimal public benefit which would warrant its inclusion in a VPA.
The delivery of free Wi-Fi services and infrastructure to support the growth and connectivity of the Showground Precinct.	Not a VPA item.	While free Wi-Fi might be useful to future residents, it has no public benefit which would warrant its inclusion in a VPA.
Inclusion of public domain works; the details of which are to be negotiated with Council and may include: <ul style="list-style-type: none"> - children's play equipment; - outdoor fitness equipment and space; and - street furniture. 	Requirement of DCP and Public Domain Plan. Not a VPA item.	Council has prepared exhibited a Draft Public Domain Plan which seeks to enhance the image and amenity of the Precinct through the provision of public domain improvements, for example street furniture, landscaping and play equipment. Public domain works would be delivered as part of future development and condition on any development consent, as such do not provide a public benefit.
Affordable Housing - 15% of dwellings delivered under the Key Sites provision for purchase or lease to key workers and community housing providers (5%) and first home buyers (10%).	Not a VPA item.	The proponent has indicated their intention to comply with Council's housing diversity provisions which are in place to ensure that the right mix and size of apartments is achieved. Through the housing diversity provisions and policies that promote housing supply, Council is shaping future developments to deliver a diversity of housing. This is considered the most appropriate mechanism to achieve affordable housing in the Shire and as such, the inclusion of affordable housing provisions in a VPA is not warranted. The developer could still elect to provide affordable housing within their development if they so wish.

Table 6

Assessment of Items within Letter of Offer

It is important to note that the increased density as a result of the planning for the whole of the Showground Precinct generates the need for local infrastructure. As such a draft Contribution Plan has been prepared, and exhibited, based upon the current controls that will deliver the necessary local infrastructure. The VPA offer is intended to provide for the infrastructure demand that arises from the density above that currently

planned (837 dwellings). Therefore, a contribution to local infrastructure, based on the exhibited draft Contribution Plan, would also be applied to future development as it relates to the 2,203 planned dwellings.

Preliminary estimates under the draft Showground Station Contributions Plan indicate the following rates could apply:

Multi-Unit Housing	Rate per unit	Proposed Number of Units	Estimated Contribution
1 Bedroom	\$14,347	550	\$7,890,850
2 Bedroom	\$15,191	1,210	\$18,381,110
3 Bedroom	\$21,099	440	\$9,283,560
Total		2,200	\$35,555,520

Note: The mix of units is based on the current Housing Diversity clause applying to the Showground Precinct.

Table 7

Estimated Contribution Fees for Development under Existing Controls

The following figure identifies the location of the two key public benefits which warrant consideration. These items are the proposed widening of Middleton Avenue and the new local park at the junction of Hughes, Dawes Avenue and Middleton Avenues.



Figure 8

Map of Items that Demonstrate Public Benefit

Widening of Middleton Avenue:

The western side of Middleton Avenue is currently identified for widening with a 24 metre wide profile from Carrington Road to just past Fishburn Crescent including a central landscaped median. This section is identified as SP2 Infrastructure on the land zoning map, and will facilitate the intersection upgrade of Middleton Avenue and Carrington Road. From just past Fishburn Avenue heading south west, the road profile, under draft DCP controls, reduces in width to 20 metres as you move away from the station.

The draft Voluntary Planning Agreement offer includes 5 metre widening and a cash contribution of \$10 million toward the reconstruction of Middleton Avenue from Carrington Road to Ashford Avenue. This will facilitate a road profile of at least 24 metres along this length. The intention of this widening is to provide additional space for travel lanes and street tree planting, including a central landscaped median. The transformation of Middleton Avenue from a small scale suburban street to a landscaped, tree lined boulevard will deliver on transit oriented development principles and encourage residents to walk to the station, which will create an active and vibrant boulevard.

The following sections provide a comparison of a street with a 19.8 metre wide profile and a street with a 24 metre wide profile.

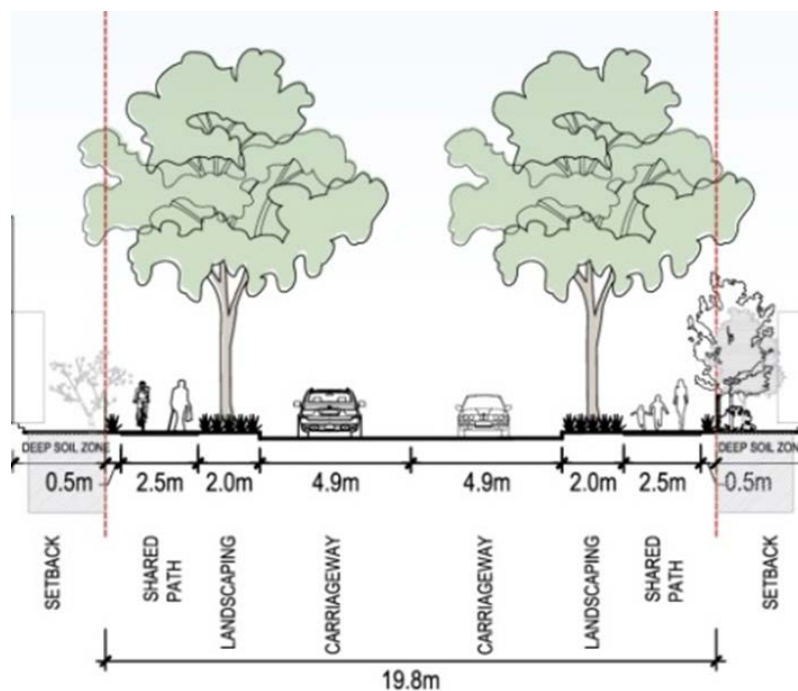


Figure 9
Middleton Avenue Road Profile – Existing

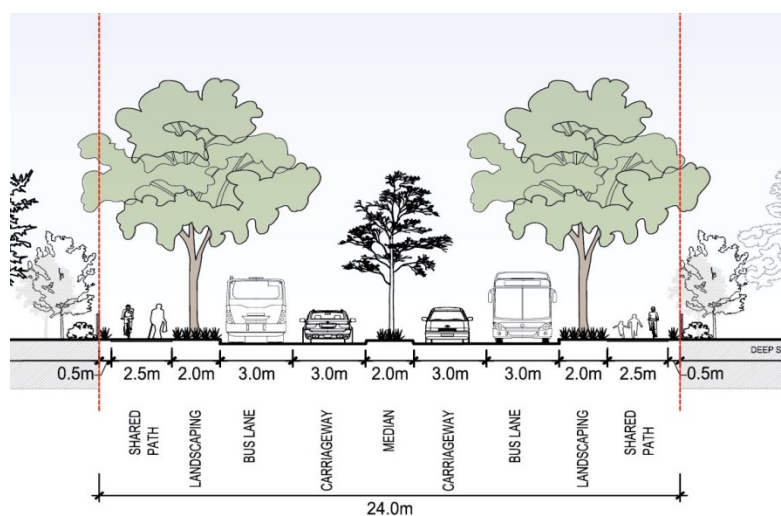


Figure 10
Middleton Avenue Road Profile - Proposed

When transitioning from the dense environment of the station site/local centre to a landscaped residential environment to the south, the sense of openness will be improved by having a wider street. It will allow the areas with taller buildings to have an appropriate proportion of street width to building height to contribute to landscape character whilst maintaining a reasonable sense of enclosure.

Whilst the benefits of this outcome are significant, the offer from the proponent does not provide sufficient certainty of the outcome. The cash contribution of \$10m offered by the proponent, whilst on the face of it a reasonable amount, it would require Council to carry the risk of unknown costs to deliver the reconstruction of Middleton Avenue, including design, any service relocations, management and construction.

New Local Park

The additional population anticipated within the Showground Station Precinct is not catered for within Council's existing open space network. Accordingly, the additional population within the broader Precinct will increase demand for both active and passive forms of open space beyond that catered for within the existing and planned open space network.

Based on standard benchmarks for greenfield locations (2.83 ha per 1,000 population) an additional population of a little over 20,000 people would generate demand for approximately 56.5 hectares of open space comprising approximately 24 ha of active open space and 32 ha of passive open space. However, given the high density and future urban character of the precinct and the lack of availability and high cost of land, the provision of open space at these benchmark rates would not be feasible or practical.

The *Community Facilities and Open Space Study* publicly exhibited as part of the 'Planned Precinct Program' for the Showground Precinct recommended that the provision of open space within the Showground Priority Precinct should instead be at a rate of 1 ha per 1,000 population (comprising 0.5 ha of active open space and 0.5 ha passive open space). Based on these rates, additional population of approximately 20,000 people within the broader precinct would require approximately 10 ha of passive open space.

The purpose of passive open space is to provide informal play space and opportunities for supervised play within convenient walking distance from any given residence. To meet the demand for passive open space generated by the future residents within the Showground Precinct the following is proposed:

- Expansion of Cockayne Reserve (Creek Corridor) to include an additional 10,236m²;
- Expansion of Chapman Avenue Reserve to include an additional 4,059m²; and
- A town square urban plaza, located on the station site to the east of Doran Drive (connecting the station to the Showground), with an area of 1,150m².

The above opportunities (as included within the recently exhibited draft Contributions Plan for the Showground Precinct) would provide approximately 15,500m² of additional passive open space, which will result in approximately 20ha of passive open space in the Precinct. However, the majority of the future residential density is separated from the largest component of passive open space (being the Showground) by Carrington Road.

Given the expected future densities the spatial distribution of passive recreational opportunities is not ideal and areas of the precinct will not have easy access to a local park.

The proponent's draft VPA offer includes the dedication of land at no cost to Council of a 5,000m² public park. The following image identifies the location of the proposed new local park, in conjunction with the other local open space upgrades proposed within the Showground Precinct.

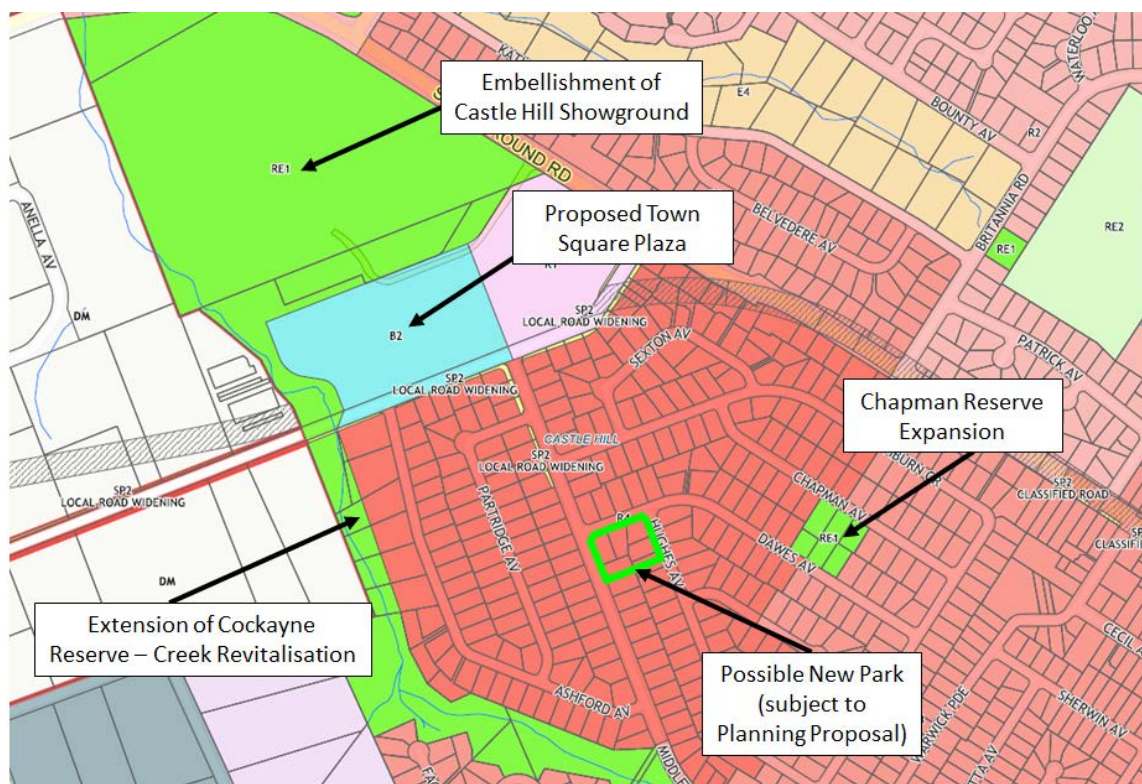


Figure 11
Location of Proposed Local Park

As can be seen a new park at the junction of Dawes, Hughes and Middleton Avenue would significantly improve the distribution of passive open space within the Showground Precinct. It would create a new focal point for the community in a more central location in the precinct, providing better access to this essential infrastructure for more future residents of the Showground Precinct. It will also provide a substantial new local park option for residents, south of Carrington Road.

It is noted that the offer from the proponent does not currently include any embellishment of this park. Embellishment to a high standard for an urban area is critical to the community benefit, as without any or only base level embellishment it will not attract people to the location.

Justification for Additional Yield

The public benefits being proposed through the VPA offer are substantial and would not only address the additional demand resulting from the planning proposal, but would also be enjoyed by the residents within the broader Precinct. Any opportunity to secure additional public benefits to improve the amenity and liveability of the Precinct warrants detailed consideration.

The determination of an appropriate amount of additional floor space/yield to offset to cost of the public benefits will ultimately need to be guided by the appropriateness of the resulting built form. Notwithstanding, in order to establish a possible yield it would be reasonable to permit an additional 20% floor space bonus through the key site provision. This approach is similar to the methodology applied within the Castle Hill North Precinct,

whereby development gets an additional floor space bonus, subject to certain public benefits. If a similar approach was applied to the subject site, this would bring the possible supportable yield to around 2,643 units (+440), subject to urban design.

Whilst the public benefits will make a positive contribution to the Precinct, the critical matters that will need to be considered are whether the unplanned growth can be serviced with sufficient infrastructure and whether the resulting built form is appropriate for the location.

c) Building Heights and Massing

Building Height

The proposed distribution of height and yield is as follows:

- Site 1: Residential flat buildings ranging in height from 18 Storeys adjoining Carrington Road to 9 storeys to the south; and
- Site 2: Residential flat buildings ranging in height from 18 Storeys adjoining Carrington Road to 8 storeys to the south.

The height and scale of the built form reduces to the south to provide a transition in scale to the medium density residential areas to the south and east. The proposed built form is illustrated in the figure below.



Figure 12
Proposed Building Heights

In determining an appropriate maximum height and density for future development, it is necessary to consider the significance of the site in relation to overall context of the Precinct and also the relationship between the site and adjoining sensitive uses. The highest and most dense building elements within the Precinct should ideally be located

on the station site as this location has the highest level of accessibility to transport and future services. The Showground Precinct has been planned with the height and density of buildings transitioning downward from the highest building elements toward the lower density development adjoining the Precinct.

The proposal is broadly consistent with this philosophy. However, the heights proposed fronting Carrington Road are 6 storeys higher than the other buildings along this frontage. The 18 storey elements will be more akin to the development on the station site itself, rather than the residential components of the precinct across Carrington Road. The built form for the precinct has been designed to demarcate the station site and create it as an identifiable feature in the Precinct that signifies the station location and retail area. The local centre above the station was earmarked for higher buildings as this will allow greater separation distances between buildings, maximise solar access and allow for significant area of public realm at ground level.

The Precinct Plan sought to limit the building heights along Carrington Road to a maximum of 12 storeys, based on extensive urban design testing. Building elements approaching 16 to 18 storeys in the residential part of the precinct weaken the transit oriented development principles the precinct was designed to embody.

Massing

Buildings approaching a floor space ratio of 3:1 and above are difficult to design to meet relevant criteria, such as building separation, amenity and solar access requirements and potentially present compromised amenity for the future residents. The Apartment Design Guide provides requirements for building separation and a greater distance separation between the tower structures may be required. As a result of the proximity of the tall buildings to each other, the development may be perceived as greater in bulk and mass when viewed from surrounding areas.

While transformation of the Precinct to a transited orientated urban area means bigger buildings are inevitable, it is important to ensure that consideration be given to the impact of future buildings on the public realm. Buildings that are 'overbearing' or 'overwhelming' can have a negative impact on the legibility of the Precinct and create poor solar access to areas where pedestrians should be encouraged to walk, rest and interact. The proposal lacks sufficient analysis to fully determine the impact of the building heights and floor space ratios on the public realm.

More work is needed to provide a better transition between the key sites and adjacent land. In particular the heights proposed at the southern end of both key sites (refer Figure 12) are unlikely to provide sufficient transition to the heights allowable on adjoining land under the gazetted precinct controls.

Ultimately, the extent of any additional yield on these sites should be guided by urban design. In this regard, the proposal needs to demonstrate that the additional floor space will result in development that exhibits slender built form, adequate solar access, buildings that are able to comply with overshadowing controls, adequate building separation, appropriate setbacks to sensitive interfaces and adequate building height transition.

Dwelling Cap

Based on the development standards which apply to the Precinct, the overall yield is likely to be slightly over 9,000 dwellings. However the NSW Government has recognised that there are some outstanding infrastructure issues which have not been finalised, including schools. For this reason the State Government has capped the yield until such time as the outstanding infrastructure issues have been resolved. Once this has occurred, it is expected that the cap will be reconsidered. Development applications will

be assessed on a 'first come - first served' basis and will be subject to the relevant standards and controls applying to each site. Council is liaising with the Department to resolve outstanding infrastructure issues. It is anticipated that the regional infrastructure matters will be addressed prior to the cap being reached.

d) Overshadowing

Consideration is required of the impact of overshadowing resulting from future development. This includes overshadowing of adjoining land and future common open space within each development site. The overshadowing is indicated in Figure 13.

Insufficient detail has been provided to demonstrate compliance with relevant solar access controls which are in place to ensure appropriate solar access to common open space, public open space, public streets and adjoining sites. Notwithstanding, based on the shadow diagrams provided, it is apparent that there will be extensive overshadowing over the Cattai Creek riparian corridor, public streets (including Middleton Avenue), the new proposed local park, common open space within the development and on adjacent sites. These shadow impacts will create an undesirable living environment for future residents as well as compromise the development potential of adjacent sites.

Based on these diagrams, concern is also raised in relation to the likely solar access to a number of buildings, especially along Ashford Avenue, being unlikely to meet the minimum solar access requirements within the Apartment Design Guide. For a number of buildings, multiple sides are in shadow for a majority of the day. Accordingly there is uncertainty that the proposed development will be capable of delivering an appropriate built form that meets minimum solar access requirements.



**Figure 13**

Shadow Diagrams 9am (top), 12pm (middle) and 3pm (bottom) mid-winter

e) Address to the Riparian Corridor

The sites on Ashford Avenue adjoin Cattai Creek and require careful design consideration to protect the integrity and environmental functionality of the riparian corridor. The Draft Showground Station Precinct DCP recognises that residential uses will define the edge of the riparian corridor and provide passive surveillance during the day and night. Future development uses and built form are required to be appropriately scaled and present an attractive interface with the riparian corridor.

Future development in the vicinity of the riparian corridor will be required to demonstrate compliance with the Draft Showground Station Precinct DCP, which will involve undertaking an appropriate survey to identify the extent of the riparian corridor.

Should the planning proposal be supported by Council, the proponent will be required to demonstrate that overshadowing impacts on the riparian corridor between the hours of 9am – 3pm are acceptable, prior to public exhibition. Further urban design analysis is also required to demonstrate that building setbacks (including upper level setbacks) and built form interface meet the DCP requirements.

f) Proposed Key Site Provision

The applicant is seeking the additional floor space by way of a new local provision in LEP 2012 (refer Attachment 3). The proposed new local provision identifies the gross floor area achievable on the sites (beyond the existing height and floor space ratio controls), if certain criteria are met such as the delivery of affordable housing and community infrastructure. This approach includes the introduction of two new maps in the LEP known as the Key Sites Floor Space Ratio Map and the Key Sites Building Height Map. These maps would identify the distribution of the gross floor area and height across the sites (indicatively illustrated in Figures 4 and 12).

The proposed local provision seeks to 'cap' dwelling yields on the subject sites and encourage site amalgamation and master-planned built form outcomes. The intention of the clause is to make the additional yield contingent on the delivery of public benefits. Should the stated public benefits not be provided, the redevelopment of the land will be restricted to the development potential provided by the existing base and incentive floor space ratios that apply to the land.

The community benefits referenced in the clause include items that are not considered public benefits, as discussed in section 3(b) of this report. Should the proposal proceed, this would need to be amended to exclude these items, as they are either not public benefits or are already secured via other planning controls.

The proponent has indicated an intention to comply with Councils housing diversity provision however the proposed clause does not provide sufficient certainty that this will be delivered should developments site be less than 10,000m². This would need to be included in any local provision, should the proposal proceed. By not locking the housing diversity provisions in, the development yield could potentially be increased as a higher number of apartments would be able to be achieved in the same amount of gross floor area.

g) Transfer of Floor Space

Land within the Showground Precinct is subject to Clause 9.2 *Site area of proposed development includes dedicated land* of LEP 2012.

This clause allows developers to take the floor space potential of land to be dedicated for public purposes (such as roads and public open space) and transfer this to the remainder of the site. Under this clause, the proponent could dedicate the proposed road widening for Middleton Avenue and the proposed local park, and transfer the floor space potential from this land to the remainder of the development sites. Using this clause, the development value of the land for the widening of Middleton Avenue and the proposed local park is retained and the land could be dedicated at no cost, without increasing the achievable yield on the sites.

Under the current LEP and DCP controls there is no trigger to require the widening of Middleton Avenue or dedication of the local park or compelling reason for the developer to do so. As part of the overall package, the proponent is seeking an increase in yield (800 dwellings) to make the overall concept 'stack up' in terms of providing the public benefits that would not otherwise be achievable without the large amalgamated master planned sites.

It should be noted that the development yield that would be offset from the land area of the combined Middleton Avenue widening and the new local park is 173 dwellings. However, this transfer of development potential would only relate to the value of the land and not the cost of embellishment of the park or construction of Middleton Avenue.

It would be reasonable for some additional yield to further offset the embellishment and construction costs.

In considering a reasonable amount of additional yield, as set out in section 3(b) of the report, a similar methodology to that applied within the Castle Hill North Precinct would be appropriate where development gets an additional floor space bonus, subject to certain public benefits. This would bring the possible supportable yield to around 2,643 units (+440), subject to urban design.

h) Traffic Management

Broader Precinct Planning

A number of roads in the Showground Precinct will be upgraded as part of the delivery of the Sydney Metro Northwest by the State Government, and the delivery of residential uplift in the precinct. As redevelopment occurs, the following transport works will be provided by parties other than Council (such as Transport for NSW, Landcom and future developers of land in the Precinct), at no cost to Council:

- New local and collector roads within the Precinct, including roads within the station site and proposed new local roads identified in the draft Showground Station Precinct DCP;
- Intersection upgrades and signalisation (as required) at the following intersections:
 - Showground Road and Carrington Road; and
 - Showground Road and Victoria Avenue.
- Upgrade of the intersection of Windsor Road and Showground Road (left-turn into Showground Road).

In addition to the road works identified above, draft Contributions Plan No.19 – Showground Station Precinct will provide for the following traffic and transport infrastructure to meet future demand:

- Upgrade and widening of Carrington Road to four (4) lanes incorporating a central landscaped median;
- One (1) new roundabout at the intersection of Middleton Avenue and Fishburn Crescent;
- Upgrade and signalisation of the following intersections:
 - Carrington Road and Victoria Avenue;
 - Carrington Road and Middleton Avenue;
 - Victoria Avenue and Anella Avenue/Hudson Avenue;
 - Victoria Avenue and Hoyle Avenue/Gladstone Road;
 - New road between Fishburn Avenue and Showground Road (left-in / left-out);
- One (1) pedestrian bridge over Cattai Creek between Anella Avenue and the Showground;
- One (1) pedestrian bridge over Carrington Road at Cattai Creek;
- Cycleway along Cattai Creek corridor between Showground Road and Cockayne Reserve; and
- Shared footpaths/cycleways along Salisbury Road (between Victoria and Windsor Road) and the remainder of Victoria Avenue (both sides) (between Showground Road and Windsor Road).

This planning proposal provides an opportunity to achieve tangible public benefits through the provision of a high quality streetscape via the widening of Middleton Avenue. However as detailed below, further analysis would be required to ensure that the uplift resulting from the proposal can be supported, having regard to the upgrades already

proposed, and the overall growth likely to be achieved within the Precinct (which will exceed the 5,000 dwelling cap).

Traffic Impact Assessment

A Traffic Impact Assessment (prepared in November 2017) has been submitted in support of the subject planning proposal. The assessment examined the impact of the proposed development uplift for the site under the control of Showground Corporation located within the Showground Station Precinct. The assessment utilised three scenarios to analysis the potential traffic impact of the proposed development on the surrounding road network.

These include:

- Scenario S1, 2016 Base Year Traffic Conditions – this scenario represents the current performance of the network and a baseline for comparative purposes;
- Scenario S2, 2036 Future Base Case – this scenario includes the forecast background traffic growth (for 2036 future year) plus the development traffic associated with the development of the Showground Station Precinct (being 5,000 dwellings and 10,000m² GFA retail); and
- Scenario S3, 2036 Future with Precinct Development and Proposed Uplift – Scenario S2 plus the traffic generation associated with the proposed uplift resulting from the planning proposal.

The assessment analysed the performance of the key intersections within the Precinct, having regard to existing planned road network changes. The Report acknowledged that the traffic associated with the additional dwellings would result in increased traffic delays at the Carrington Road intersections with Showground Road and Middleton Avenue, but that the intersections would continue to have satisfactory operation generally.

The analysis indicated that the proposed development uplift is not expected to create any adverse traffic impacts above what is anticipated for the precinct. However, the traffic assessment only identified capped growth of 5,000 dwellings as the base case for future growth within the precinct. Whereas the development standards that have been adopted for the precinct could facilitate yield of around 9,000 dwellings. Furthermore the assessment only assessed the performance of the key intersections during the weekday evening and Saturday morning peaks. It did not assess the impact of future development on the key intersections during the morning peaks.

The Traffic Impact Assessment also includes an assessment of parking requirements for the proposal, which recommends the provision of approximately 4,098 parking spaces across the sites. It is noted however, that the parking rates used in the assessment are lower than the requirements of the Draft Showground Station Precinct DCP. Future development will need to comply with the parking requirements in the DCP.

If the planning proposal proceeds, amended traffic assessment is required to evaluate the impact of the proposed development on the performance of the surrounding road network and key intersections. It will need to take into account the proposed road improvements (including the widening of Middleton Avenue), the incentivised yield within the broader Showground Precinct, being 9,000 dwellings and assess the impact of development during the weekday AM peak, weekday PM peak and Saturday AM peak. An amended traffic assessment should also provide an updated parking assessment.

i) Open Space and Social Infrastructure

The unplanned growth facilitated through the planning proposal (being 837 unplanned dwellings) requires consideration of implications for open space and social infrastructure. Based on participation rates within The Hills Shire, 837 additional dwellings (1,674 additional people) within an area would typically generate the need for approximately:

- 42% of a new playing fields;
- 42% of a local park;
- 42% of a netball court;
- 42% of a tennis court; and
- 19% of a local community centre.

Active Recreation (playing fields)

The additional population would generate demand for almost 42% of a playing field which would need to be located within the vicinity of the Precinct.

It is likely that the Precinct will accommodate around 9,000 dwellings on the land that has already been rezoned and an additional 2,000 dwellings within the 'deferred area' which is subject to further master planning led by the Department of Planning and Environment. Collectively the overall yield is likely to be around 11,000 dwellings (22,000 people) once fully developed. As part of the preparation of the draft Contributions Plan for the Precinct an assessment was undertaken to identify how the future population within the Precinct could be serviced with playing fields.

Future development within the whole of the Precinct will generate demand for approximately 4-5 playing fields. Given the high cost and low availability of land within and surrounding the Showground Priority Precinct, the provision of 4-5 new playing fields on newly acquired land within (or surrounding) the Precinct will not be possible. Accordingly, it is proposed to instead meet the additional demand for active open space through the combination of the following solutions:

- Expansion of Fred Caterson Reserve to provide an additional 3 single playing fields (allowing for 1 cricket oval) and associated parking, amenities, pathways and planting;
- The provision of 1 synthetic field – co-located in Castle Hill (to be determined); and
- Expansion of Castle Glen Reserve Playing Fields, including car parking, amenities and lighting to enable an additional field.

The provision of four (4) new playing fields will result in a shortfall of 1 playing field. However, it is considered that these new facilities would be adequately supplemented by the proposed increase in the capacity of existing playing field at Castle Glen Reserve. It was considered that these opportunities would be sufficient to meet the planned demand, even though there would likely be an undersupply of approximately 0.5 playing fields.

Whilst the planned growth can be serviced, the proposed additional growth resulting from the planning proposal results in the overall demand within the precinct increasing to 6 playing fields resulting in a shortfall of 1 whole playing field. Without the identification of new options for playing fields, there is a possibility that the Precinct will have a lower level of service. Should Council support the planning proposal further work will be needed to address the identified shortfall, over and above what has already been identified for the Precinct.

Local Open Space

The additional population will generate demand for 42% of a new local park. Based on the 'Recreational and Open Space Guidelines for Local Government' local parks should have an area of between 0.5-2ha and be located within 400m from most dwellings.

To offset the demand for open space created by the unplanned additional dwellings, the proponent has offered to dedicate 5,000m² of land to Council at the intersection of Dawes and Middleton Avenue for use as a public park. The proposed 5,000m² park would provide substantial public benefit. It is considered that the additional demand for local open space, resulting from the unplanned growth on the site will be sufficiently offset by the dedication and embellishment of the new park.

Relationship between the VPA and the Draft Contributions Plan

Council has recently exhibited Draft Contributions Plan No.19 – Showground Precinct. This plan accounted for the planned growth within the Precinct and the new infrastructure required to support the planned growth. In order to ensure that all works identified in Draft Contributions Plan No.19 – Showground Precinct can be provided as planned, it is essential that the proponent be subject to Section 7.11 (formerly s94) payments up to the dwelling yield that was anticipated on the subject sites under the gazetted development standards, being 2,203 dwellings. Any yield in excess of the planned yield would need to be addressed through the proposed public benefits.

j) Stormwater Management

The subject land is affected by overland flow from the local catchments within the Showground Precinct. Council has identified Flood Controlled Land between Middleton Avenue and Cattai Creek associated with an overland flowpath and Council's stormwater infrastructure. The overland flowpath associated with the flood controlled land has been further defined in Council's *draft Urban Overland Flow Study*. Figure 9 identifies the location of overland flow paths. Council is also aware of some historic property flooding during the late 80's and 90's along the overland flowpath between Middletown and Ashford Avenues.

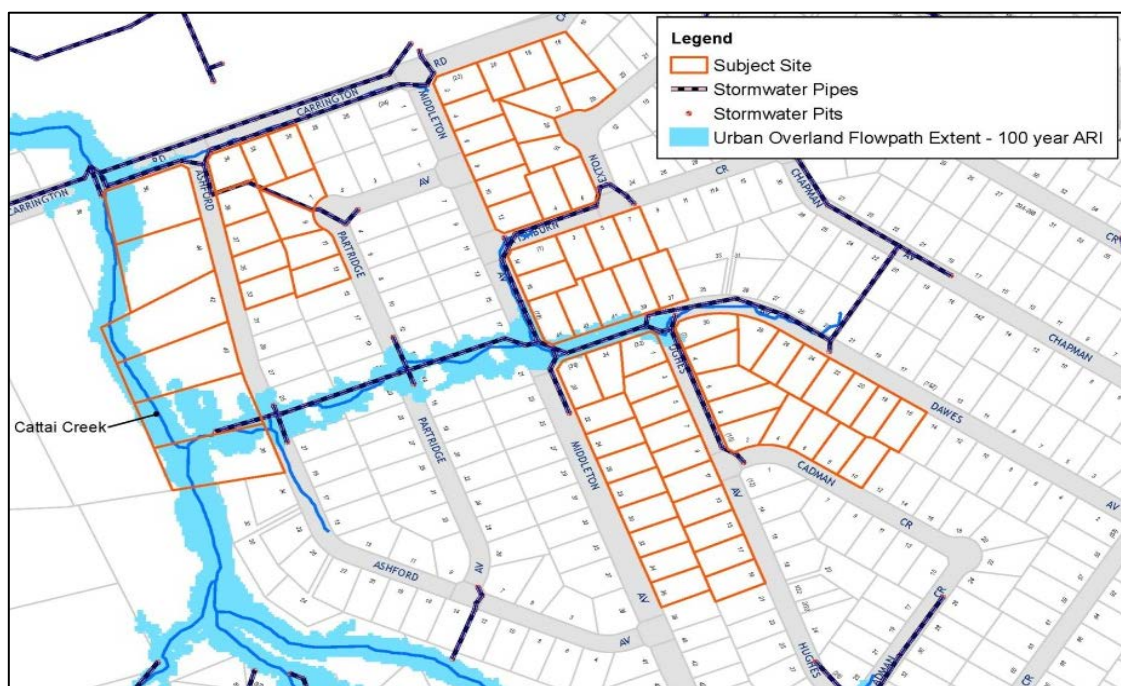


Figure 14
Location of Overland Flow Paths

Stormwater infrastructure also traverses the subject sites which run parallel to Cattai Creek, with the stormwater network also influencing part of the subject sites higher in the catchment.

Information submitted with the planning proposal has not addressed the constraints posed to these sites with regards to the existing stormwater network and any upgrades that may be necessary to meet the current design standards for the future development.

Should the planning proposal be supported by Council, the proponent will be required to further investigate the capacity of stormwater infrastructure and identify where augmentation is required, and demonstrate that local overland flow constraints have been addressed in the design concept.

4. OPTIONS

There are three (3) options available to Council in relation to the planning proposal, as detailed below.

Option 1 – Progress the Planning Proposal for Gateway Determination

1. Council forward the planning proposal, as submitted by the Proponent, for Gateway Determination. The proposal would seek the following amendments to LEP 2012:
 - Introduce a new Key Sites provision to identify a gross floor area of 114,000m² to site 1 and 190,000m² to site 2, facilitating a yield of approximately 3,040 dwellings, subject to the delivery of community infrastructure and affordable housing;
 - Introduce a key site floor space ratio map which identifies floor space ratios ranging between 2.09:1 – 4.8:1 across the site; and
 - Introduce a key site height of buildings map which identifies heights ranging from 8-18 storeys across the site.
2. Council continue to negotiate the preparation of a draft Voluntary Planning Agreement which secures the delivery of a 5,000m² local park (including the dedication of land and park embellishment) and widening of Middleton Avenue to provide a boulevard treatment (including the dedication of land and road reconstruction).
3. A draft Voluntary Planning Agreement and Development Control Plan 2012 amendments to support the planning proposal be reported to Council prior to any public exhibition of the planning proposal.
4. The Draft Voluntary Planning Agreement be subject to a legal review at the cost of the proponent, prior to any public exhibition that may occur.

Option 2 – Not Proceed with the Planning Proposal

Council resolves not to proceed with planning proposal on the grounds that the Precinct has only recently been rezoned by the State Government, the lack of change in circumstances to warrant any amendments at this time, and that the densities and floor space ratios being pursued would result in a built form that is not appropriate for the location.

Option 3 – Progress an Alternative Concept

Whilst the public benefits being offered are significant, the extent of floor space being sought through the planning proposal is excessive. Inadequate justification has been provided to demonstrate that the resulting development would exhibit an appropriate built form outcome in terms of building bulk, provision of adequate solar access to future units, ability for future development to comply with Council's overshadowing controls, landscaped open space requirements, adequate building separation, provision of appropriate setbacks to sensitive interfaces (including the riparian corridor) and provision of adequate building height transition.

An alternative approach would be to seek the advice of the Department of Planning and Environment on the relative merits of a revised development concept and planning proposal for the subject sites that addresses the following requirements:

- Yield
 - Provides no more than 2,643 dwellings (which is 20% bonus similar to Castle Hill North methodology and is subject to acceptable urban design and built form outcomes).
 - Complies with the housing diversity within clause 9.1 of LEP 2012.
- Design
 - Includes a maximum height of 18 storeys.
 - Includes at least 50% of the site area (excluding land proposed to be dedicated or acquired) as landscaped open space (excluding building footprint, access driveways and parking).
 - Deep soil planting compliant with Apartment Design Guide requirements.
 - Demonstrate that at least 50% of the open space of adjoining properties, including the common open space of private development, receives a minimum of 4 hours of sunlight between the hours of 9am and 3pm on 21 June.
 - Demonstrate that the future development achieves direct sunlight to the principal usable part of the communal open space for a minimum of 2 hours between 9am and 3pm on 21 June.
 - Demonstrate that the development achieves a minimum of 50% direct sunlight to the public domain immediately adjacent and perpendicular to the site for the extent of the road reservation, for a minimum of 3 hours between 9am and 3pm on 21 June.
 - Demonstrate that each 'building' within the development will be able to comply with the solar access requirements within the Apartment Design Guide which require at least 70% of units to receive at least 2 hours of solar access to living rooms and private open space and no more than 15% of units to receive no solar access.
 - Ensures that towers (above podium elements) do not include floor plates in excess of 750m² Gross Floor Area per storey.
 - Demonstrate that adequate building separation, provision of appropriate setbacks to sensitive interfaces (including the riparian corridor) and provision of adequate building height transition can be achieved.
 - Building footprints to be revised to account for overland flowpaths.
 - An amended traffic assessment (refer section 3h of report).

- Voluntary Planning Agreement
 - Update the VPA offer to specify that the Proponent will dedicate the land required for the widening of Middleton Avenue and construction of Middleton Avenue.
 - Update the VPA offer to specify that the Proponent will dedicate the land required for the new 5,000m² new local park and include embellishment of the park.
 - Update the VPA offer to exclude items as detailed within this report.

Following the submission of the revised concept, a further report would be considered by Council. It is noted that in order to comply with the above requirements, the yield/density may need to reduce below 2,643 dwellings.

If the proponent elects to not submit a revised concept then the maximum achievable yield will be as per the development standards that are currently in place for the site.

IMPACTS

Financial

As this proposal will increase the planned population under the LEP for this area it will demand additional infrastructure to service the additional population. If this planning proposal is supported by Council and a Gateway Determination is issued by the Department of Planning and Environment, Council will proceed with discussions with the applicant to prepare a Voluntary Planning Agreement. A further report will be brought forward outlining how the increased demand for additional infrastructure will be funded.

Strategic Plan - Hills Future

The vision and objectives of The Hills Future – Community Strategic Plan seek to facilitate a desirable living environment and assist Council in meeting its growth targets. The subject planning proposal will support the Sydney Metro Northwest by focussing high densities close to the future Showground Rail Station and provides for increased public open space for future residents.

RECOMMENDATION

1. Council seek the advice of the Department of Planning and Environment on the relative merits of a revised development concept and planning proposal for the subject sites that addresses the following requirements:
 - a. The maximum dwellings is not to exceed 2,643;
 - b. The maximum building height is not to exceed 18 storeys;
 - c. Dedication of land for the widening of Middleton Avenue and construction of Middleton Avenue, in a staged and timely manner;
 - d. Dedication and embellishment of 5,000m² of public open space at the corner of Dawes and Middleton Avenue;
 - e. Demonstration that future development will comply with housing diversity requirements contained in Clause 9.1 of LEP 2012;
 - f. Demonstration that the future development can meet standards for overshadowing, solar access, site cover and deep soil planting (as set out in section 4 of this report);
 - g. Demonstration that adequate building separation, setbacks to sensitive interfaces, and building height transition can be achieved; and
 - h. Demonstration that building footprints account for overland flowpaths.

2. A further report be provided to Council following receipt of Department of Planning and Environment advice.

ATTACHMENTS

1. List of Property Owners (2 pages)
2. Strategic context for the site (4 pages)
3. Proponents Draft Amendments to LEP 2012 and Letter of Offer (8 pages)

PROPERTY OWNERS – PLANNING PROPOSAL 3/2017/PLP

Mr G J Nance & Mrs K L Nance
G V Pettit & K W Pettit
Mr S Oguz & Mrs Y Oguz
ARO Property Holdings Pty Ltd
Mr J A Garside & Mrs B G Garside
Mr P Falamich & Miss M Falamich
Mr J E Herbert & Mrs S M Herbert
Mrs T E Sanford
Mr P A Cook & Mrs A C Cook
Mr A J Huggett
Mr M R Aashour
Mrs K A Eldridge & Mrs N M Oomens
Mr P Ryou & Mrs E Ryou
Mrs S Gurisik & Mr S S Gurisik
Mr G N Perry & Ms S J Perry
Mr G N Perry & Ms S J Perry
Mrs C Knox
Mr M J Pearson & Mrs D M Pearson
Mr G J Jarman & Mrs C M Jarman
Mr F F Purac
Mr J Martin & Ms I Martin
Ms M L Shih
Mr D F Sutton
Mrs T A Said
Mr N T Wong & Mrs P H Boey
Mrs A Czereba
Mr Z Yao & Ms P Wang
Mr J Harney & Mrs C D Harney
Mrs V Linklater
Mr A B Cicco & Mrs L Cicco
Mr D W Hall & Mrs S Hall
Mr S Sroba & Mrs Z Sroba
Mr M A Gilchrist & Mrs M G Gilchrist
Mr S J Armsworth & Mrs D A Armsworth
Mrs M Scuglia & Mr V Scuglia
Mr C S Hopkinson & Ms V A Tunbridge
Mr J M Parsons & Mrs G S Parsons
Mr B C Rees & Mrs D E Rees
Mr D A Gable & Mrs M A Gable
Mr P S Hinding & Mrs C M E Hinding
Hughes 888 Pty Ltd
Mr J Gatt & Mrs N Gatt
Mr S Nahirny

Mr R M Scott
Mrs B E Matthews
Mr G D Powell & Mrs M M Powell
Mr J A Mercimek
Spintaro Pty Ltd
Mr D J Quinn & Mrs R J Quinn
Mr A Oon & Mrs A J Oon
Mr M J Butcher & Mrs G J Butcher
Mrs M Ramsden
Mr D H Simpson & Mrs J A Simpson
Mrs B Rose
Mr S A Tavner & Ms D G Cooke
Mrs A Hindi
Ms P So
Ms Y Zhou
Mr J C Duff-Tytler & Mrs M P Duff-Tytler
Mrs J A Tindale & Mr W G Tindale
Mrs N Bertrand
Mrs B Kay
Dr L K Ho
Mr T D Cody & Mrs J M Cody
Mr G A Nugent & Mrs N E Nugent
Mr R E Buxton & Mrs S J Buxton
Mrs A C Emanuel
Mr J J Vella & Mrs P H Vella
J & W Xie Holdings Pty Ltd
Mrs Z Matic
Mr S A Jameson & Mrs C A Jameson
Dr P Kovoor
Mr R A Chary & Mrs J L Chary
Mr S Saad & Mrs L Saad
Mrs K A McCartney & Mr A J McCartney
Mr D W Heiler & Mrs D J Heiler
Mr D A Whittle & Mrs A J Whittle
Mr E Ahmed & Mrs E A D Ahmed

ATTACHMENT 2**STRATEGIC CONTEXT**Greater Sydney Region Plan

The Region Plan is built on a vision where the people of Greater Sydney live within 30 minutes of their jobs, education and health facilities, services and great places.

Objective 2 of the draft Plan identifies a range of areas that are forecast to experience significant residential and employment growth. All these areas will require new and/or enhanced local and regional infrastructure to support these changes. Many of these areas have existing infrastructure challenges, particularly those areas experiencing growth and increasing demand for appropriate infrastructure. The planning proposal would provide additional open space in a precinct anticipated for future growth and is consistent with this direction. However, the Direction notes that growth must be aligned with the delivery of infrastructure.

Objective 10 of the draft Region Plan aims to provide ongoing housing supply and a range of housing types in the right locations to create more liveable neighbourhoods and support Sydney's growing population. The planning proposal seeks to facilitate the delivery of housing close to the Hills Showground Railway Station. The planning proposal would enable higher density development on the site than that which could be achieved under the current planning controls in order to capitalise on the strategic location of the site with access to services, employment and transport.

To create great places, the Plan states that the mechanisms for delivering public benefits need to be agreed early in the planning process so that places provide good design and built form, with the right mix of fine grain urban form and land use mix to facilitate a sense of belonging and social opportunities. To achieve this, development should be designed with open space and the public realm in mind.

The planning proposal and the development concept design are largely consistent with the desired outcomes in the Region Plan, specifically the dedication of a significant portion of the site to Council as open space and the through site links. However, the built form proposed has not been demonstrated to deliver a fine grain urban form and high amenity. Given the rate of growth Sydney is currently expanding, it is important for Council and developers to think innovatively about what goes into urban renewal beyond housing supply, and to consider the living conditions of future residents.

Objective 31 notes that access to high quality open space is becoming increasingly important as higher housing densities, more compact housing and changing work environments develop. Where land for additional open space is difficult to provide, innovative solutions will be needed, as well as a strong focus on achieving the right quality and diversity of open space. The planning proposal seeks to provide open space within a precinct undergoing urban transformation where land for recreation purposes is scarce.

Central City District Plan

In March 2018, the Greater Sydney Commission released the Central City District Plan that aligns with the *Greater Sydney Region Plan* and NSW Government's *Future Transport 2056 Strategy*. The District Plans set out how the *Region Plan* will inform Council's Plans and guide the assessment of local planning proposals. The Hills is located within the Central City District to better align with its location within the Three Cities vision. An assessment of the planning proposal against the following relevant Planning Priorities as listed in the revised Plan is included below:

Providing services and social infrastructure to meet people's changing needs

The Plan states that planning must recognise the changing composition in population groups in local places and provide social infrastructure and services accordingly.

Additionally, the Plan aims to provide the right local mix of services, programs and social infrastructure at the heart of walkable neighbourhoods to support them to live socially connected, active and healthy lives.

The Hills Shire Council's residents are predominately families with children. To cater to this demographic, The Hills is dedicated to providing family friendly apartments and local services that cater to their needs. Accordingly, the planning proposal is considered to be consistent with this Priority as the proponent intends to comply with Council's housing diversity provisions and proposes to provide public benefit to cater to future resident's needs (specifically the dedication of land for open space and child care centres).

Providing housing supply, choice and affordability with access to jobs, services and public transport

The Plan sets out five-year housing targets of 8,550 additional dwellings and, while the planning proposal does contribute to housing supply and choice, The Hills is well on track to exceed these targets. Accordingly, additional yield on the site is not required to meet the Plan's housing targets.

Creating and renewing great places and local centres, and respecting the District's heritage

The Plan aims to provide active streetscapes that enhance viability and access to high-quality, community specific public spaces. The proposed land to be dedicated and embellishments to the public domain will revitalise the area. Notwithstanding this, the plan seeks to encourage fine grain urban design with great places that are of human scale, walkable with a mix of land uses.

The planning proposal would increase the height and building mass on the site, which have not been demonstrated to be appropriate for the locality. In this regard the planning proposal is not consistent with this direction.

Increasing urban tree canopy cover and delivering Green Grid connections

The Plan aims to increase the urban tree canopy cover in the public realm to promote a healthier urban environment, improve community access to recreation and exercise, encourage social interaction, support walking and cycling connections and improve resilience.

The planning proposal will increase the amount of open space land in the Precinct. Future development will be required to comply with the Draft Showground Station Precinct DCP which contains provisions to protect the riparian corridor and identifies open space requirements for the precinct as a whole (including an extension to the Chapman Avenue Reserve and the riparian corridor park along Cattai Creek). A new 5,000m² public park is proposed to be provided as part of a Voluntary Planning Agreement, which will assist with promoting a healthier urban environment and places for recreation and exercise. Future development will also be required to incorporate pedestrian links throughout the precinct to improve walkability and access to passive recreation spaces.

Delivering high quality open space

The Plan notes that the key considerations for planning open space are quality, quantity and distribution. The proposed embellishments to the public domain are consistent with this Priority. Through the Voluntary Planning Agreement the proposal will provide a new centrally located 5,000m² local park on Middleton Avenue that will provide recreation opportunities close to future dwellings.

North West Rail Link Corridor Strategy

See Section 3(a) of the Report.

The Hills Corridor Strategy

The Hills Corridor Strategy sets a vision for the land within the Showground Precinct. The Strategy envisages that the highest density development will be adjacent to the rail station with a maximum residential density of 300 dwellings per hectare. The land opposite the future Showground Rail Station (fronting Carrington Road) was identified as being appropriate for high density residential, with densities of 144 dwellings per hectare. As walking distance from the station increases, lower scale apartments were envisaged with densities of around 96 dwellings per hectare.

The Strategy identifies a yield of approximately 961 dwellings (density of 115 dwellings/ha). The density sought through the proposal, being 364 dwellings/ ha, is well in excess of the density in the Hills Corridor Strategy.

Showground Priority Precinct

See Section 3(a) of the Report.

Comparison of Station Strategies and Precinct Plans

The following table includes a comparison of the planning proposal against the growth identified within the Showground Priority Precinct Plan and the Hills Corridor Strategy. It is noted that the dedication of land and through site links included in the proposal are additional public benefits not previously identified in any strategic documents.

	NWRL Corridor Strategy	The Hills Corridor Strategy	Showground Station Precinct (existing)	Planning Proposal
Max. Height of Buildings	3-6	NA	12, 8 and 6 storeys)	8 - 18 storeys
Max. Floor Space Ratio	1:1 – 2:1	NA	Base FSR: 2.1, 1.9 and 1.6 Incentive FSR: 3.1, 2.7 and 2.3	Key Site Incentive FSR: 2.09:1 – 4.80:1
Density (dwellings/ha)	100 – 199 dwellings/ ha	96 – 144 dwellings / ha	264 dwellings / ha	364 dwellings / ha
Yield	835 – 1,670	961	2203	3,040

Table 1
Comparison of Controls and Expected Yields

Ministerial 9.1 Directions

Section 9.1 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) enables the Minister for Planning and Infrastructure to issue directions that Councils must address when preparing planning proposals for a new LEP. The following Section 9.1 Directions are applicable to this planning proposal:

- Direction 3.1 Residential Zones
- Direction 3.4 Integrating Land Use and Transport
- Direction 4.3 Flood Prone Land
- Direction 5.9 – North West Rail Link Corridor Strategy
- Direction 6.3 Site Specific Provisions

The planning proposal is considered to be inconsistent with the following Directions:

- *Direction 3.1 Residential Zones:*
The planning proposal is potentially inconsistent with this Direction given the scale of the development and increase in yield that is over and above what has

been planned for. The applicant will be required to undertake further analysis, particularly with respect to of stormwater, traffic and open space.

- *Direction 4.3 Flood Prone Land:*

This Direction seeks to ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the *Floodplain Development Manual 2005*.

The properties on Ashford Avenue are identified as flood control lots in The Hills DCP Part C Section 6 Flood Controlled Land. There are also overland flow paths on the subject sites. The subject planning proposal does not seek to rezone land, but does partly apply to land zoned RE1 Public Recreation (which contains Cattai Creek).

In accordance with the The Hills DCP Part C Section 6 Flood Controlled Land, no future development will be permitted to occur in or over a floodway area, a flowpath or a high hazard area (as defined in the Floodplain Development Manual) generated by flooding up to FPL4. Should the planning proposal be supported by Council, the applicant will be required to demonstrate the proposal's consistency with Ministerial Direction 4.3 by further investigating the capacity of stormwater infrastructure and demonstrating that local overland flow constraints have been addressed in the design concept.

- *Direction 5.9 – North West Rail Link Corridor Strategy:*

This Direction requires that a planning proposal must be consistent with the North West Rail Link Corridor Strategy, including growth projections and proposed future character for each of the precincts.

The Strategy identifies the subject land as short term opportunity sites that may accommodate 3 – 6 storey apartment buildings. The planning proposal is inconsistent with this Direction, as it proposed building heights of 8 - 18m.

- *Direction 6.3 Site Specific Provisions:*

This Direction seeks to discourage unnecessarily restrictive site specific planning controls. This planning proposal is inconsistent with this Direction as it proposes the introduction of a new key sites provision in LEP 2012.

Local Strategy

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

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

The planning proposal is consistent with the principles of the Local Strategy Residential Direction as it seeks to provide additional residential accommodation in close proximity to the future Hills Showground Station and existing and planned services and infrastructure. However there are concerns that the proposed built form will not provide quality housing outcomes given the issues with amenity and design.



Property and Infrastructure Specialists

Ref: 11902 Showground Corporation Planning Proposal

Level 7, 116 Miller Street
North Sydney NSW 2060
T +61 2 9957 6211
E josh.owen@app.com.au
app.com.au    

17 April 2018

Stewart Seale
Director Forward Planning
The Hills Shire Council
3 Columbia Court
BAULKHAM HILLS NSW 2153

Dear Stewart,

SHOWGROUND CORPORATION PLANNING PROPOSAL UPDATES

This letter is provided to summarise the updates to the Showground Corporation Planning Proposal as revised and resubmitted to Council in November 2017. These more recent updates to the proposal follow months of ongoing discussions between your strategic planning team and the Showground Corporation's team of designers and planners. The details provided in this letter and the attached drawings provide sufficient information to report the proposal to the soonest possible Council meeting for a pre-gateway determination. I confirm that the planning proposal report prepared by APP Corporation Pty Limited will be relevantly updated to incorporate these details, and provided to you prior to the targeted Council meeting of 24 April 2018.

1 Description of the Lands

Sites 1 and 2 remain unchanged from the November 2017 planning proposal (see Figure 1 on the following page). We can confirm that it is the developer's intent to pursue the purchase of sections of Sexton Avenue from Council for closure to form part of the proposed future plaza and parkway connecting Carrington Road through to Dawes Avenue. This is proposed to be negotiated with Council as part of the Showground Corporation Voluntary Planning Agreement (VPA) that supports this planning proposal.

2 The Proposal

Following the November 2017 revised submission, and recent discussions concerning reduced densities, we can confirm that the current planning proposal seeks to implement a Key Sites provision to recognise:

- The significance of the two Showground Corporation Sites 1 and 2 in their consolidation; large scale, comprising 90,700m² of high density zoned land; and the importance of their proximity to the Showground metro station, local centre, jobs, services and recreational facilities.
- The ability of the sites and proposal to deliver much needed community infrastructure benefits to support the growing community including new parklands, publicly accessible through-site connections for pedestrians and cyclists, improved and widened public roads with lush, landscaped streetscapes, digital infrastructure including an electronic library and precinct-wide

wifi services, three childcare centres and additional furnishings to the public domain.

- The commitment of Showground Corporation to delivering a point of difference in the architectural design, landscape and construction quality of residential flat building developments on gateway sites around the local centre and metro station.
- The importance of incentives in providing real affordable housing to first home buyers, local key workers and community housing providers within a first class transit orientated residential development.



Figure 1 Showground Corporation Key Sites 1 and 2

In lieu of the over \$150 million worth of land dedications and cash contributions proposed to improve the precinct's infrastructure, Showground Corporation seek to implement their Key Sites provision into The Hills LEP 2012 to permit a total maximum gross floor area of 304,000m² over their sites under future concept development applications. This represents:

- An increase of 64,000m² GFA above the maximum 240,000m² capable of being achieved under concept development applications that adhere to the current incentives standards under the LEP.
- An increase of 25% in the total GFA above that currently permitted under the LEP.
- A maximum target of approximately 3000 apartments above 2400 that are capable of being achieved under the current controls.

Following discussions with your team, the proposed Key Sites provision has been revised as below with the relevant mapping inputs attached to this letter.

9.9 Key Sites in the Showground Precinct**1) Objectives**

- a) To support design-led, master planned outcomes on consolidated key sites in the Showground Precinct;
- b) To deliver improvements to community infrastructure, the public domain and ensure high quality residential amenity.
- c) To promote built forms, landscaped settings and high quality public domain that responds to, and is commensurate with the capacity of existing and planned infrastructure in the precinct and aligns with the intrinsic character of the garden shire.
- d) To permit incentive height and floor space ratio controls where buildings exhibit high standards of architectural design excellence and provide affordable housing.

2) Land to which this clause applies

This clause applies to the key sites in the Showground Precinct identified on Key Sites Map 16.

3) Affordable housing and community infrastructure

Consent to development may be granted under (4) and (5) where the development application provides community infrastructure and affordable housing.

Note: For the purposes of this clause **'community infrastructure'** means development the likes of recreational areas, community facilities, improvement works to the public domain and road widening. Additionally, **'affordable housing'** means housing leased or sold to first home buyers, people with a disability and local key workers.

4) Gross Floor Area

- a) The consent authority may consent to development for a residential flat building or shop top housing on Key Site 1 with a total gross floor area of not more than 114,000m² where considered as part of a single concept development application.
- b) The consent authority may consent to development for a residential flat building or shop top housing on Key Site 2 with a total gross floor area of not more than 190,000m² where considered as part of a single concept development application.

5) Incentives Heights and Floor Space Ratios

The consent authority may grant consent to development carried out in accordance with (3) and (4) above where the development complies with the incentives building height and floor space ratios shown on the Key Sites Incentives FSR Map 16 and Key Sites Incentives Building Height Map 16.

6) Consistencies with Part 9

Development proposed on the key sites must demonstrate consistencies with the provisions in Part 9 of this plan in addition to this clause.

3 Voluntary Planning Agreement Offer

This planning proposal is supported by an offer to enter into a VPA with The Hills Shire Council. VPAs are provided for in Subdivision 2 of Division 7.1 of Part 7 of the *Environmental Planning and Assessment Act, 1979* (the Act). The Act defines VPAs as a voluntary agreement or other arrangement between 'developers' and 'planning authorities'. Under a VPA a developer agrees to:

- dedicate land free of cost;

- pay a monetary contribution;
- provide any other material public benefit; or
- any combination of them, to be used for or applied towards a **public purpose**.

A **public purpose** is defined under clause 7.4 of the EP&A Act as any of the following:

- the provision of (or the recoupment of the cost of providing) public amenities or public services,*
- the provision of (or the recoupment of the cost of providing) affordable housing,*
- the provision of (or the recoupment of the cost of providing) transport or other infrastructure relating to land,*
- the funding of recurrent expenditure relating to the provision of public amenities or public services, affordable housing or transport or other infrastructure,*
- the monitoring of the planning impacts of development,*
- the conservation or enhancement of the natural environment.*

Contributions can be made through dedication of land; monetary contributions; construction of infrastructure; and provision of materials for public benefit and/or use.

Showground Corporation proposes to prepare and submit for the Council's consideration, a VPA under the terms of Part 7 of the Act. The offer provides that the developer (Showground Corporation) will offer land dedication for community infrastructure and other material public benefits as well as cash contributions with a total value exceeding \$150 million as detailed below:

Road Widening and Civil Works		
	Land Dedicated to Road Reserve Widening (m x m ²)	Public Benefit (\$)
Site 1	<ul style="list-style-type: none"> • Length of Ashford Avenue (2m) • Partial Partridge Avenue (2m) <p>2 metres x 150 metres = 902m²</p>	Current land value per sq. metre = \$5,750 (902m ² x \$5,750 = \$5.2m)
Site 2	<ul style="list-style-type: none"> • Length of Middleton Avenue • Partial lengths of Dawes Avenue, Fishburn Crescent, Sexton Avenue, Hughes and Cadman Avenues <p>2 and 5 metres of widening x (759 metres) = 3,864m²</p>	Current land value per sq. metre = \$5,750 (3,864m ² x \$5,750 = \$22.2m)
Total Road Widening (Land Value)	4,766m ²	\$27.4 million
Capital Work Cash Contribution	Reconstruction works associated with Middleton Avenue	\$10 million

Public Open Space		
	Detail	Public Benefit (\$)
Cattai Creek Park Expansion	<p>The dedication of 6,555m² of lands in Key Site 1 to the expansion of the Cattai Creek Park at no cost to Council.</p> <p>This offer is proposed to be retained, notwithstanding the fact that this acquisition may be included in the relevant S94 contribution for the precinct.</p>	<p>Current land value per sq. metre = \$5,750 (6,555m² x \$2,250 = \$14.7m)</p>
Central Park and Plaza	<p>A new centrally located 5,000m² park at the intersection of Middleton Avenue and Dawes Avenue to be dedicated to Council as public open space.</p> <p>A new centrally located 1,378m² public plaza and park located along Sexton Avenue between Carrington Road and Dawes Avenue. This will include the purchase and closure of sections of Sexton Avenue to be negotiated with Council.</p>	<p>Current land value per sq. metre = \$5,750 (5,000m² x \$5,750 = \$36.7m)</p> <p>Current land value per sq. metre = \$5,750 (3,795m² x \$5,750 = \$21.82m)</p>
Through Site Links and Pocket Park	Through site links comprising shared ways for pedestrians and cyclists (7,156m ² of privately owned land to be dedicated as publicly accessible thoroughfares). This land is additional to the requirements for communal and private open space under the Apartment Design Guide and SEPP 65.	<p>Current land value per sq. metre = \$5,750 (7,156m² x \$5,750 = \$41.1m)</p>
Total Lands dedicated to parks and open space (Land Value)	22,506m ²	\$114.3 million

Other Community Infrastructure	
Childcare Centres	Three new childcare centres; the details of which are to be negotiated with Council.
Digital Library	A new digital library to be constructed and dedicated to Council; the details of which are to be negotiated with Council.
Free Wifi Service	The delivery of free Wifi services and infrastructure to support the growth and connectivity of the Showground precinct.
Public Domain Works	<p>Inclusion of public domain works; the details of which are to be negotiated with Council and may include:</p> <ul style="list-style-type: none"> - children's play equipment - outdoor fitness equipment and - street furniture

Housing for First Home Buyers, Key Workers and NDIS / Community Housing Providers

A commitment to the provision of affordable housing is included in the Showground Corporation VPA. 15% of all dwellings proposed to be delivered under the Key Sites incentives will be designated for purchase or lease to key workers, first home buyers and community housing providers such as NDIS Housing.

Showground Corporation is a founding supporter of the Housing Supply Association (HSA). This organisation is focussed on assisting Government in reviewing the supply and affordability issues which are having a major impact in Sydney. It prioritises first homebuyers, assisting affordable rental and purchase opportunities for key workers.

The exact details of the affordability scheme are to be negotiated with Council and other key stakeholders including the NSW Government, Housing NSW and community housing providers. The proposed affordable housing scheme to be delivered as a commitment under the VPA is detailed as follows:

First Home Buyers

- 10% or approximately 300 apartments are to be designated for sale to first home buyers at a reduced purchase cost. In addition, a 5% deposit is payable, as opposed to the standard 10% deposit.
- A diversity of affordable housing types will be offered to first home buyers including one, two and three bedroom apartments.

Key Workers and Community Housing

- 5% or approximately 150 apartments are to be designated for sale or lease to local key workers at a reduced purchase or rental cost.
- A portion of these dwellings will be on-sold or managed by a community housing provider who will ensure discounted rental rates for persons with a disability and key workers.
- A portion of these dwellings will be sold to key workers in the locality. These include police officers, nurses, firefighters, teachers, service men and women and other essential services personnel.

On behalf of the whole team at Showground Corporation we thank you and your team for your advice and collaboration around our planning proposal. We look forward to having the matter reported to Council for a pre-Gateway determination shortly.

Should you have any questions in relation to the above information please don't hesitate to contact me.

Yours sincerely,



Josh Owen
Senior Associate Planner
APP CORPORATION PTY LIMITED

Key Site Map 16

Key Site Incentive FSR Map
MAP A

MAP B



Key Site Incentive Building Height Map



MINUTES of the duly convened Ordinary Meeting of The Hills Shire Council held in the Council Chambers on 24 April 2018

ITEM-1 CONFIRMATION OF MINUTES

A MOTION WAS MOVED BY COUNCILLOR UNO AND SECONDED BY COUNCILLOR PRESTON THAT the Minutes of the Ordinary Meeting of Council held on 10 April 2018 be confirmed.

THE MOTION WAS PUT AND CARRIED.

185 RESOLUTION

The Minutes of the Ordinary Meeting of Council held on 10 April 2018 be confirmed.

APOLOGIES

A MOTION WAS MOVED BY COUNCILLOR HAY OAM AND SECONDED BY COUNCILLOR HASELDEN THAT the apologies from Councillors Harty OAM, Collins OAM, Tracey and Russo be accepted and leave of absence granted.

THE MOTION WAS PUT AND CARRIED.

186 RESOLUTION

The apologies from Councillors Harty OAM, Collins OAM, Tracey and Russo be accepted and leave of absence granted.

COMMUNITY FORUM

There were no addresses to Council during Community Forum.

Councillor Jethi having previously declared a non-pecuniary and less than significant conflict of interest for Item 2 remained in the room.

**ITEM-2 PLANNING PROPOSAL FOR SHOWGROUND
PRECINCT SITES (3/2017/PLP)**

Proceedings in Brief

Joe Chiha (Applicant), Managing Director of Showground addressed Council regarding this matter.

A MOTION WAS MOVED BY COUNCILLOR UNO AND SECONDED BY COUNCILLOR HASELDEN THAT Council resolves not to proceed with the Planning Proposal on the grounds that the Precinct has only recently been rezoned by the State Government, the lack of change in the circumstances to warrant any amendments at this time and that the densities and floor space ratios being pursued would result in a built form that is significantly different to those controls without strategic justification.

THE MOTION WAS PUT AND CARRIED.

MINUTES of the duly convened Ordinary Meeting of The Hills Shire Council held in the Council Chambers on 24 April 2018

187 RESOLUTION

Council resolves not to proceed with the Planning Proposal on the grounds that the Precinct has only recently been rezoned by the State Government, the lack of change in the circumstances to warrant any amendments at this time and that the densities and floor space ratios being pursued would result in a built form that is significantly different to those controls without strategic justification.

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

VOTING FOR THE MOTION

Mayor Dr M R Bryne
Clr Dr P J Gangemi
Clr R Jethi
Clr M G Thomas
Clr F P De Masi
Clr A J Hay OAM
Clr A N Haselden
Clr S P Uno

VOTING AGAINST THE MOTION

Clr R A Preston

ABSENT

Clr B L Collins OAM
Clr R K Harty OAM
Clr E M Russo
Clr R M Tracey

ITEM-3

PLANNING PROPOSAL - 8 SOLENT CIRCUIT, BAULKHAM HILLS (11/2018/PLP)

Proceedings in Brief

Peter Lee (Applicant), Calibre Consulting on behalf of Eden Brae addressed Council regarding this matter.

A MOTION WAS MOVED BY COUNCILLOR HAY OAM AND SECONDED BY COUNCILLOR THOMAS THAT

1. Council forward the planning proposal to increase the maximum floor space ratio to 2.2:1 and increase the permissible maximum building height to RL126 metres at 8 Solent Circuit, Baulkham Hills (Lot 4026 DP 873565) to the Department of Planning and Environment for a Gateway Determination;
2. Council proceed with discussions with the proponent to prepare a draft Voluntary Planning Agreement which secures a fair and reasonable contribution from future development on the site towards infrastructure improvements within the Norwest Business Park; and