

22 May 2019

Mr Jim Betts
Secretary
Department of Planning and Environment
GPO Box 39
Sydney NSW 2001

Attention: Angela Hynes
Sydney Region West

Dear Angela,

RE: Request for Rezoning Review of Planning Proposal at Castle Ridge Resort, 350 Old Northern Road, Castle Hill (The Hills Shire Council)

Stockland is seeking a Rezoning Review of a Planning Proposal by the Sydney Central City Planning Panel for the proposed redevelopment of Castle Ridge Resort, an existing seniors housing development at 350 Old Northern Road, Castle Hill.

The Planning Proposal seeks to amend The Hills Local Environmental Plan (LEP) 2012 to:

- Introduce 'seniors housing' as an additional permitted use for the site under Schedule 1 'Additional Permitted Uses' (Note: the site is in an E4 Environmental Living zone where seniors housing is prohibited)
- Increase the maximum height of buildings from 9m to various specific Reduced Levels (RL) ranging from RL 158.00 metres to 186.00 metres (equivalent to 3 to 6 storeys for buildings)
- Introduce a maximum floor space ratio of 1:1 for the site.

The Planning Proposal has come about in response to the need to renew the existing seniors housing on site. Despite significant investment into ongoing maintenance, the site was built in the early 1980s and is showing signs of its age, in addition, it no longer meets the needs of its residents. The site has a number of issues currently impacting accessibility, movement, and amenity such as:

- Units rely on stair access and are not served by lifts,
- Steep inclines and poor design of pedestrian routes with extensive stairs to overcome the significant fall across the site,
- Lack of pathways and level access to the central parkland,
- General access around the site is not manageable for older residents,
- Ageing infrastructure, including 25-year-old community facilities in a re-purposed farmhouse that no longer meet the contemporary needs of retirees,
- Insufficient parking in areas that are too far from residents' units

Redevelopment of the site is required to address these issues. Although the site is developed for seniors housing, it is a prohibited use under the current zoning and *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004* does not apply to the site. Existing use rights provisions do not provide for the scale of development required to renew the site and bring it up to modern standards. A Planning Proposal is the most appropriate pathway to facilitate renewal of the site.

Importantly, Stockland has made two commitments to their existing residents. Firstly, no one will be forced to leave the village at any point in time. Secondly, existing residents will not be financially disadvantaged due to the redevelopment, and will be offered the opportunity to move into a new apartment with the same number of bedrooms as their existing

apartment. These principles have been considered in the development of the master plan and Planning Proposal, resulting in a more complex staging plan and a minimum density target to make the redevelopment feasible.

The Rezoning Review is being sought as Council, at a meeting held 14 May 2019, resolved not to proceed with the Planning Proposal. A copy of Council's resolution is provided at Attachment B. Council resolved that the planning proposal not proceed to Gateway Determination for the following reasons:

- a) *There is insufficient strategic merit and justification for the scale of built form and density proposed, especially given the site is in an area that is largely isolated and outside of the walking catchment of Castle Hill Town Centre, is not serviced by sufficient infrastructure to accommodate the growth proposed and is heavily affected by environmental and topographical constraints.*
- b) *The scale of development permitted by the proposal would be inconsistent with the objectives and character of the E4 Environmental Living zone under LEP 2012 and would adversely impact on the ecological and aesthetic values of the site and locality.*
- c) *The proposed density and built form results in an inappropriate development outcome on the site, likely to result in unreasonable amenity impacts on adjoining development and public open space.*
- d) *The proposal fails to adequately resolve a number of issues relating to traffic and movement which may result in pedestrian and traffic safety issues and exacerbation of existing issues on Old Northern Road and Palisander Place.*

A previous version of this Planning Proposal was considered by the Sydney Central Planning Panel in 2018. The Panel confirmed that the proposal has strategic merit and provided a number of recommendations to be addressed to demonstrate site-specific merit. (Attachment C). A revised Planning Proposal, consistent with the Panel's recommendations, was lodged with The Hills Shire Council in January 2019. It is therefore considered that this Planning Proposal clearly demonstrates both strategic and site-specific merit.

This letter provides an overview of the Planning Proposal and a description of the key issues that we believe are relevant to the request for Rezoning Review. Included in this letter is:

- A. Description of the site and its context
- B. Description of the Planning Proposal
- C. Central City Planning Panel recommendations
- D. Response to Council's recommendations
- E. Summary of the strategic merit of the Planning Proposal
- F. Summary of the site-specific merit of the Planning Proposal
- G. Conclusion and recommendation

Please also find enclosed with this letter:

- A hard copy of the Planning Proposal and supporting documentation (**Attachment A**)
- A summary of the Planning Proposal (**Attachment B**)
- A copy of The Hills Council Report and Resolution not to Proceed (**Attachment C**)
- A copy of the Rezoning Review Record of Decision (**Attachment D**)
- A signed Rezoning Review Application Form;
- A bank cheque for the \$20,000 application fee for the Rezoning Review made out to NSW Department Planning and Environment
- A USB containing all relevant documentation.

A. The site and its context

The subject site is located at 350 Old Northern Road, Castle Hill at the boundary of The Hills and Hornsby Local Government Areas. The site has a total area of 3.66ha with 260m frontage to Old Northern Road, and a secondary access from Palisander Place. The existing seniors housing development, known as Castle Ridge Resort, was constructed in the 1980's and includes 113 independent living units (up to 3 storeys), landscaped parklands and communal facilities.

The site is within 1km of the Castle Hill Strategic Centre and future Metro station, which provides a range of services, amenities and community facilities. The site is highly accessible, with excellent bus connections providing access to Castle Hill Town Centre and the amenities, services, and community facilities it provides.

Immediately adjoining the site to the south west is Pioneer Park Reserve, a large public open space that connects to the private communal parkland within Castle Ridge. To the east of the site is the Anglican Retirement Village, an amalgam of six retirement villages and five assisted living facilities. The Anglican Retirement Village is located in the Hornsby LGA and comprises buildings up to 5 storeys.



Figure 1 Local Context

B. The Planning Proposal

The intended outcome of the Planning Proposal is to amend The Hills LEP 2012 to facilitate the redevelopment of Castle Ridge Resort, an existing seniors housing development. To achieve this outcome, the Planning Proposal seeks to amend The Hills LEP 2012 to:

- Introduce 'seniors housing' as an additional permitted use on the site under Schedule 1 'Additional Permitted Uses'
- Increase maximum height of buildings from 9 metres to various specific Reduced Levels (RL) ranging from RL 158.00 metres (to allow for small-scale uses such as pergola or shade structures in limited locations throughout the central parkland area) to 186.00 metres (equivalent to 3 to 6 storeys for buildings),
- Introduce a maximum floor space ratio of 1:1 for the site (rounded up from 0.96:1 to simplify implementation of planning controls).

The Planning Proposal does not propose a change to the existing E4 Environment Living zone. This site-specific zoning strategy is unique to the site, and will limit the potential for any additional types of residential development, and ensure that future development is consistent with the objectives of the E4 zone. This approach was discussed with Council as part of a previous Planning Proposal, and was identified as the preferred zoning strategy for the site.

To support the proposed amendments to The Hills LEP 2012, and ensure an outcome consistent with the master plan, a site-specific Development Control Plan has also been prepared. The DCP includes the following provisions:

- Height in storeys plan and illustrative master plan;
- Maximum site coverage / soft landscaping controls;
- Access points and preferred locations for servicing and loading;
- Open space and setback provisions; and
- Specific controls for protecting views and the area's landscape character.



Figure 2 Castle Ridge Master Plan

C. Central City Planning Panel recommendations

In August 2018, a previous Planning Proposal for the site was presented to the Central Sydney Planning Panel (as part of a rezoning review process). The Panel supported the continued use of the site for seniors housing, and confirmed that the Planning Proposal has strategic merit. The Rezoning Review Record of Decision is provided at Attachment D.

The Panel provided a number of recommendations to be addressed in the Planning Proposal in order to demonstrate site specific merit. Specifically, the Panel recommended:

1. *A review of the proposed heights, with heights of generally 3 storeys along Palisander Place, 5-6 storeys in the centre of the site and 3-4 storeys along Old Northern Road being suggested;*
2. *Less site disturbance and tree loss through reduced basement car parking areas;*
3. *Keep the building footprints but review with a view to retain more trees;*
4. *Ensure the height of buildings map is consistent with the building footprints shown in the master plan.*

The Planning Proposal is consistent with the Panel's recommendations, and therefore demonstrates both strategic and site-specific merit. A response to the Panel's recommendations is provided in the following table.

Recommendation	Response
1. Buildings heights are to be generally 3 storeys along Palisander Place, 5-6 storeys in the centre of the site, and 3-4 storeys along Old Northern Road	The previous Planning Proposal proposed heights of 4 to 8 storeys. The proposed building heights in this Planning Proposal are consistent with the heights recommended by the Panel. Heights have been reduced such that: • Heights of 3 storeys adjacent to Palisander Place, • Heights of 5-6 storeys in the centre of the site, and • Heights of 3-4 storeys for buildings directly fronting Old Northern Road, with generous setbacks provided
2. Ensure less site disturbance and tree loss through substantially reduced parking areas	The proposed car parking rate has been reduced, along with the extent of basement area, to ensure less site disturbance and to maximise retention of significant trees. The extent of basement area has been sustainability reduced to 25% of site area (from 40% previously).
3. Keep the proposed building footprints but amend if necessary to achieve greater tree retention	Building footprints and the location of communal open spaces have been modified to ensure greater tree retention. Of the 37 high category trees identified by the Arborist, 34 are proposed to be retained. This is a significant improvement compared to the previous Planning Proposal which resulted in the loss of 10 high category trees. Significant planting of 150 new trees is also proposed to mitigate the proposed loss of three high category trees, and 21 low category trees.
4. The proposed height of buildings map is to be consistent with the building footprints as shown in the master plan.	The Planning Proposal proposes a detailed maximum building height plan that closely matches the master plan outcomes. A key change compared to the previous Planning Proposal is that height of buildings plan will not permit any significant development in the large, central, communal open space. The proposed heights on the central parkland are limited to 3m to provide some small-scale uses, such as pergolas or shade structures.

D. Response to Council's recommendations

The table below outlines Council's recommendations and a response to how the Planning Proposal responds to these matters.

Recommendation	Response
<i>There is insufficient strategic merit and justification for the scale of built form and density proposed, especially given the site is in an area that is largely isolated and outside of the walking catchment of Castle Hill Town Centre, is not serviced by sufficient infrastructure to accommodate the growth proposed and is heavily affected by environmental and topographical constraints.</i>	The Central Planning Panel confirmed that the Proposal has strategic merit. The site is already developed for seniors housing, containing 113 independent living units, constructed in the 1980's. The renewal of Castle Ridge Resort is required to meet the needs of an ageing population, and an increasing demand for high quality seniors housing in The Hills LGA. To facilitate redevelopment of the existing seniors housing on the site, increased density, along with upgraded facilities and services, is required. This means the renewal of Castle Ridge Resort can only occur if significant uplift in density can be achieved. The proposed density is considered acceptable for such a large site, and the proposed FSR of 1:1, is suitable for land within such close proximity to a strategic centre. The Proposal ensures optimal built form and environmental outcomes are achieved, while providing for a viable redevelopment outcome that will facilitate redevelopment of the site. The site is extremely well serviced by existing social infrastructure and community facilities. The Planning Proposal retains the 8,500m² central parkland and includes over 1,700m² of new community facilities and an additional 3,000m² of new accessible communal open space. A timetabled and on-demand bus service will operate for residents. The range of services and facilities proposed on-site ensures no increased demand on local infrastructure. Stockland is also willing to consider a contribution towards the upgrade of Pioneer Place Reserve as part of the redevelopment of the site. Stockland commences ground monitoring of the site in May 2019 and a statement from the Geotechnical Engineer is included as part of the Planning Proposal. Potential geotechnical constraints will be resolved and managed through ongoing monitoring and a detailed design response. The Ecological Assessment and Biodiversity Impact Assessments identified no significant or direct impact on existing vegetation or landscape resulting from the proposed redevelopment.
<i>The scale of development permitted by the proposal would be inconsistent with the objectives and character of the E4 Environmental Living</i>	Development undertaken in accordance with the Planning Proposal has the ability to be consistent with the objectives of E4 zone. The Planning Proposal minimises building footprints, retains the majority of significant trees, and minimises excavation. The building footprint is limited to 27% of the total site area and the extent of basement area is less than 25% of site area (reduced from 40% in a previous Planning Proposal).



Recommendation	Response
<i>zone under LEP 2012 and would adversely impact on the ecological and aesthetic values of the site and locality</i>	Several options for the land use controls were considered, and retaining the E4 Zone was determined to be the best planning outcome. The proposal is consistent with the character and ecological values of the E4 zone, and complements the site's unique environmental qualities by responding to the steep topography, retaining existing vegetation, maintaining views and enhancing the natural parkland setting. The Proposal ensures over 50% of the site retained for communal open space and landscaping, retains the 8,500m² large central parkland, and retains the majority of significant trees and proposes 150 new tree plantings to enhance the sites landscape character. The proposed development is well located, works with the slope of the land, is located within the existing building area, and is designed so that it does not have an adverse effect on the environmental qualities of the land. The proposed development is within the extent of the existing building area, ensuring that any future development will maintain the existing topography of the site, and would not encroach into the central parkland, or undeveloped areas of the site. Potential geotechnical constraints and landslip has been considered and any impacts can be resolved and managed through ongoing monitoring and a detailed design response. Furthermore, the Ecological Assessment and Biodiversity Impact Assessments identified no significant or direct impact on existing vegetation or landscape resulting from the proposed redevelopment. Importantly, the objectives of the E4 zone would continue to apply, ensuring any future development is consistent with the objectives of the zone. The objectives of the zone will ensure the future design is low impact, and does not impact on the environmental or scenic qualities of the site.
<i>The proposed density and built form results in an inappropriate development outcome on the site, likely to result in unreasonable visual and amenity impacts on adjoining development and public open space.</i>	The proposed development has been designed to minimise visual impacts from surrounding properties and public open space and does not create any unreasonable amenity impacts on adjoining development or public open space. Building heights are limited to 3 storeys on Palisander Place and 3 storeys adjacent to existing development on Old Northern Road to provide a more sensitive interface to adjoining development. The proposed heights ensure a height difference of less than 1-metre between new buildings and existing residential dwellings on Palisander Place and Old Northern Road. The proposal does not result in any additional overshadowing to Pioneer Place Reserve, adjoining development, or other areas of public open space. The proposed development would not be visible from Pioneer Place Reserve, and views of the development from surrounding properties are minimal. While the Proposal includes buildings up to 6 storeys in the centre of the site, the apparent height of these buildings is no more than 4 storeys when viewed from the Old



Recommendation	Response
	Northern Road. When viewed from surrounding properties and open spaces, the tallest elements of the site are completely concealed behind vegetation and are not visible at the site edges as demonstrated in the Visual Impact Assessment in the Urban Design Report provided to Council.
<i>The proposal fails to adequately resolve a number of issues relating to traffic and movement which may result in pedestrian and traffic safety issues and exacerbation of existing issues on Old Northern Road and Palisander Place.</i>	The Traffic Assessment confirms that any potential traffic impacts associated with the Planning Proposal are acceptable and can be appropriately managed. The proposal includes a new deceleration lane from Old Northern Road to improve access to the site, along with improved internal streets and footpaths for enhanced accessibility and movement of residents and visitors. The Traffic Assessment determined that any increase in traffic movements are acceptable, and any potential impacts can be addressed through the introduction of traffic management measures including signage to prevent the execution of U-turns along Old Northern Road. In addition, based on a conservative modelling approach, the redevelopment of the site is unlikely to affect the key intersections surrounding the site. The Planning Proposal will not significantly increase traffic volumes on Palisander Place. The Traffic Assessment identified that future peak hour trips on Palisander Place were well within the capacity of a local street of 200 vehicles per hour as defined in the <i>Guide to Traffic Generating Development</i> (RMS). Therefore, the proposal is unlikely to create any traffic impacts on Palisander Place. The occupancy rates for seniors housing are much lower than traditional residential development, generating significantly less traffic impacts. Traffic counts indicate that peak movements from the site occur around 10am, with residents avoiding the network during peak hours on weekdays. The site will also be serviced by an efficient public bus service, an on-demand private village bus, in addition to a GoGet car share, reducing demand on private vehicles trips.

E. Strategic merit

Does the proposal have strategic merit?

This Planning Proposal demonstrates strategic merit and should be supported. In August 2018 the Central City Planning Panel determined that the Proposal has Strategic merit.

Providing more seniors housing in an area with a rapidly ageing population is a key driver of the NSW Government. The Planning Proposal responds to this need and will deliver high quality, well-located seniors housing within an area with a rapidly ageing population. A response to each of the specific criteria that whether a Proposal has strategic merit, is provided below.

It is understood that a Planning Proposal that seeks to amend controls that are less than 5 years old will only be considered where it clearly meets the Strategic Merit Test. The Hills LEP 2012 was gazetted in October 2012, and is therefore more than 5 years old.

- ***Is it consistent with the relevant regional plan outside of the Greater Sydney Region, the relevant district plan within the Greater Sydney Region, or corridor/precinct plans applying to the site, including any draft regional, district or corridor/precinct plans released for public comment.***

Providing more seniors housing in an area with a rapidly ageing population is a key driver of the NSW Government. The Planning Proposal will deliver increased seniors housing, consistent with *the Greater Sydney Region Plan 2056, and Central City District Plan*, as detailed below.

Greater Sydney Region Plan: A metropolis of three cities 2017

The Greater Sydney Region Plan sets out the NSW Government's 40-year vision for Greater Sydney and provides ten Directions to guide future growth. The relevant objectives for the Planning Proposal are outlined below:

Objective 6 – Services and infrastructure meet communities changing needs

The site is located in the Central City, which will experience the greatest proportional increase in people over 65 years. This will generate greater demand for health, social and aged care services than currently exist.

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

Objective 7: Communities are healthy, resilient and socially connected

The Planning Proposal will facilitate a healthy and socially connected lifestyle for residents by providing a highly walkable and accessible environment.

The Planning Proposal will provide new accessible communal open spaces, including the upgrade 8,500sqm of existing parkland. The communal open spaces are varied and located throughout the development to ensure easy access for all residents. A pedestrian network that minimises steeper gradients to within an acceptable range between 1:20 and 1:14 will encourage pedestrian access and physical activity.

Objective 10 Greater housing supply

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

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

Objective 11 Housing is more diverse and affordable

Of critical importance is the need to provide a diversity of housing, particularly in areas characterised by larger homes and single detached dwellings, such as The Hills. There is limited availability of smaller dwellings to meet the growing proportion of small households. Planning for an ageing population means a greater proportion of housing must be designed for smaller, older households.

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

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

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

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

Central City District Plan 2017

The Planning Proposal responds to the actions and priorities in the Plan. The Plan identifies the need for an additional 8,550 dwellings in The Hills LGA over the next 5 years. Currently, The Hills LGA has a high proportion of detached homes, and to meet the needs of an ageing population, there will need to be a significant increase in apartment living, smaller homes and dedicated seniors housing. The Planning Proposal will support this outcome as it seeks to provide local opportunities for increased housing and diversity in an area with high accessibility.

It is acknowledged that a major focus for housing growth will be around the new Sydney Metro stations. However, the provision of seniors housing is an important typology that can be differentiated from general apartment living. Seniors Living offers a number of on-site facilities for residents to satisfy their recreational and social needs, as well as changed conditions for traffic generation and movement. In contrast to other forms of residential uses, Seniors Living does not generate the same increased demand on local infrastructure such as roads or schools.

As is identified in the Plan, The Hills LGA has an ageing population with a rapidly increasing proportion of residents over 65. The Planning Proposal responds to a growing need for seniors housing and will help meet the growing demand of a more diverse, and older population in The Hills LGA over the next 20 years.

The Plan forecasts that by 2036 there will be an additional 20,150 people aged between 65-84 and an additional 5,700 people aged over 85 in The Hills LGA. The increase in people aged over 85, represents the greatest proportion growth with a 285% increase from the 2016 population.

Providing more general residential apartment stock in The Hills is not sufficient to meet this demand, nor is it sufficient to expect ageing residents to remain in older housing stock. Renewal of existing seniors housing sites will be essential to meet the needs of an ageing population, meet a growing demand for high quality seniors housing, and release existing larger housing stock for families in The Hills LGA. The Plan identifies that opportunities for renewal of existing housing stock may exist where investment in infrastructure and facilities are being delivered.

The projected growth in people aged over 65 means that there must be more emphasis on planning for housing diversity, particularly seniors housing and aged care options that allow people to age in place and gain the social and recreational benefits of living in a retirement community.

- ***Is it consistent with a relevant local council strategy that has been endorsed by the Department?***

The Hills Corridor Strategy 2016

The Hills Corridor Strategy, prepared by Council, is a long-term strategy to guide development around the future Sydney Metro Northwest train stations. Although not endorsed by the Department, the document sets out Council's vision for the delivery of future housing, employment, and growth in Castle Hill. Key to the strategy are the following guiding principles, relevant to the Planning Proposal:

- Housing to match Shire needs

A diversity of housing options is to be provided to respond to future demand, with a particular focus on the delivery of viable and attractive apartment living to encourage "empty nesters" to downsize and make available more traditional family homes. To support this goal, new multi-unit developments must be of outstanding design, size, and density.

In an area forecast to have an additional 11,000 people over the age of 65 in the next 10 years, opportunities to increase seniors housing will assist in meeting the growing demand for seniors housing. Moreover, seniors housing is not being developed at a rate to meet future demand, which is anticipated to grow in response to an ageing population. By 2025, demand for seniors housing is forecast to double. The Strategy identifies the need for increased seniors housing and recognises the role of the market in delivering seniors housing developments to meet the needs of an ageing population in The Hills LGA.

Consistent with the Strategy, the Planning Proposal responds to the critical need for additional seniors housing in The Hills LGA and will facilitate high quality seniors housing, that responds to contemporary standards and delivers a financially viable seniors housing development.

- Facilities to match the Shire lifestyle

Residents of new developments should have access to open space, recreation, and community facilities in line with the lifestyle enjoyed by existing residents in The Hills LGA.

The Planning Proposal will deliver improved facilities to meet the needs of older residents and match the lifestyle preferences of modern retirees. The renewal of Castle Ridge is an opportunity to redefine excellence in design, lifestyle, and amenity in seniors housing, consistent with the lifestyle preferences in The Hills LGA. Our vision for the site will deliver high quality seniors housing in a landscaped, parkland setting, with improved communal facilities and open space to meet the needs of residents.

The Proposal includes new community facilities, including a gym, indoor pool and activity rooms, a new village green that will form the focal point for events as a flexible open space, a community hub with a range of facilities, communal gardens, and improvements to the large central parkland.

- ***Is it responding to a change in circumstances, such as the investment in new infrastructure or changing demographic trends that have not been recognised by existing planning controls?***

The Planning Proposal specifically responds to the changing demographic profile and the growing demand for seniors housing in The Hills LGA. Seniors Housing is not being developed at a rate to meet future demand. Over the next 10 years demand for seniors housing will double. We need to plan for an ageing population and increase seniors housing in The Hills LGA. The Planning Proposal responds to this need, by delivering contemporary seniors housing, supported with modern facilities and improved services that allow more residents to remain in their local communities.

Given the increasing demand for seniors housing, renewal of existing seniors housing sites must be prioritised. The ability to secure large sites for seniors housing, close to a major town centre, transport and established community and aged care facilities is a challenge. The redevelopment of existing retirement villages will only occur if significant uplift in density can be achieved. Stockland are committed to delivering improved outcomes for residents, and this can only be achieved through a full redevelopment of the site. Critically, Stockland is placing the needs of existing residents first,

ensuring no one has to leave the village during redevelopment and is seeking to deliver desired facilities and services that have been identified by the existing residents.

The Planning Proposal seeks to facilitate the renewal of the outdated seniors housing at Castle Ridge, but importantly will address issues associated with ageing infrastructure and lack of facilities. The current facilities are not up to modern standards, either in terms of size or quality. We recognise the changing needs of residents who seek access to a wider variety of health and community facilities, and the Planning Proposal aims to improve the amenity and lifestyle available to residents.

F. Site specific merit

- ***Does the proposal have site-specific merit, having regard to the following?***

This Planning Proposal demonstrates site-specific merit for the reasons outlined below, and should therefore be supported.

- ***The natural environment (including known significant environmental values, resources or hazards).***

The site is zoned E4 Environmental Living because it has scenic and environmental values. The Planning Proposal does not include a change to the land use zone and will retain the current E4 Environmental Living zone. This site-specific zoning strategy is unique to the site, and will limit the potential for any additional types of residential development, and ensure that future development is consistent with the objectives of the E4 zone. This approach was discussed with Council, and was identified as the preferred zoning strategy for the site.

In addition, a number of environmental assessments were undertaken to assess the Planning Proposal and its impact on the natural environment. The assessment findings are summarised below:

- ***Arborist:*** The Planning Proposal is supported by an arborist report that identifies the location of significant trees across the site. A total of 91 trees were identified and assessed as part of the arboricultural impact assessment. Of these trees, a total of 37 are identified as high category trees (Category AA, and A). We are committed to retaining mature trees on site where possible, with 34 of the 37 significant trees being retained, and planting over 150 new trees as part of the proposal.
- ***Biodiversity:*** A Biodiversity Impact Assessment undertaken by ACS Environmental determined that there are no threatened species, ecological communities, or populations occurring at the site, and that the development would not result in any significant or direct impacts on existing vegetation. The subject site has been extensively modified, and all individuals of trees and shrubs were planted as part of a landscape plan for the development of the site in the early 1980's. The Ecological Assessment confirms that in contrast to The Hills Vegetation Classification map 2014 no areas of Blue Gum High Forest occur within the residential areas of the site. Remnant trees, or individuals derived from remnant vegetation, may occur in the south-western corner, although this is considered unlikely. This area is located within the parkland (which is to be retained) and would not be impacted as part of the redevelopment of the site.
- ***Geotechnical:*** The site is steeply sloping and is identified in The Hills LEP 2012 as subject to potential land slip. Preliminary geotechnical advice provided by JK Geotechnics indicates that current residential buildings are located on higher, stable ground, with the proposed new buildings expected to be predominately positioned and founded in stable shale bedrock. However, monitoring of ground movement will be required to identify potential construction management and stabilisation measures required at a later detailed design, or construction phase. Any issues in relation to the stability of this area can be addressed through practical engineering solutions suitable for the site.

- ***The existing uses, approved uses, and likely future uses of land in the vicinity of the proposal.***

The site is already developed for, and used as seniors housing. Given the limited number of large sites available for new seniors housing developments, particularly in areas with a rapidly ageing population, renewal and redevelopment of existing sites should be prioritised and encouraged.

Castle Ridge Resort is located close to other seniors housing developments, including Anglicare Village, and a range of supporting community facilities, including St Paul's Church. The Planning Proposal will support renewal of an established aged care community in Castle Hill, allowing people to age in place, in a community focused environment, close to other seniors and their families.

It's important to note that the existing use is no longer a permissible under the current controls and currently already exceeds the maximum building height controls under The Hills LEP 2012. Given the need for a full redevelopment and increased density across the site to achieve a viable development outcome, it is not possible to achieve our vision for the site under existing use rights.

The proposal has been carefully designed to ensure future development is consistent with the local character. This has resulted in the tallest buildings being located below the ridgeline, in the lower portion of the site, to minimise visual impacts and to create a consistent scale of development along Old Northern Road. The master plan includes a large, landscaped setback along Old Northern Road, and generous landscaped setbacks to surrounding residential development, including a 15m landscaped setback to development on Palisander Place.

The proposed buildings heights ensure there would be minimal visual, or amenity impacts as a result of the development. The proposed heights of 3 storeys at the interface with adjoining development on Old Northern Road and Palisander Place, ensure a consistent scale of development, with a height difference of less than one-metre to adjoining residential dwellings.

The proposed development has been designed to minimise visual impacts from surrounding properties and public open space and has been designed and tested to ensure future development does not create any unreasonable amenity impacts on adjoining development and public open space.

The Visual Impact Assessment in the Urban Design report demonstrates that the proposed development would not be visible from Pioneer Place Reserve, and that views of the development from surrounding properties are minimal. The proposal also retains the large central parkland, and the extent of the existing building area, minimising the potential for any overshadowing to Pioneer Place Reserve and adjoining residential dwellings.

- ***The services and infrastructure that are or will be available to meet the demands arising from the proposal and any proposed financial arrangements for infrastructure provision.***

The Planning Proposal includes over 1,700m² of new facilities including a gymnasium, indoor pool, health and wellbeing and activity rooms, 3,000m² of new communal open space, and retention of the 8,500m² large central parkland. In this regard, the social and recreational needs of residents will be catered for with the delivery of new facilities and embellished open space within Castle Ridge Resort.

Given the sites' location adjacent to Pioneer Place Reserve, there is the potential to consider improvements and enhanced accessibility as part of the renewal of Castle Ridge Resort. Council's Corridor Strategy identifies potential future improvements to Pioneer Place Reserve to meet the growing recreational needs of the future population. Stockland welcomes the opportunity to work with Council to understand the local recreational needs, and a potential contribution towards improvements to Pioneer Place Reserve could be considered as part of the proposed redevelopment in the future.

The site is also extremely well serviced by existing social infrastructure and community facilities, and the location of the site, in such close proximity to other seniors housing and retirement villages, enhances the level of services, facilities and sense of community in the local area. Access to local community facilities, and facilities within the Anglicare Village, is provided by the Village bus; an on-demand transport service for all residents.

Enhanced accessibility will also be provided with a new village entry, pick up and drop off point for residents and visitors, co-located adjacent to new community facilities, as well as construction of a deceleration lane from Old Northern Road to improve overall access to the site.

The Planning Proposal will therefore significantly improve the range of facilities available to residents on-site, meaning that the need for off-site journeys is minimised, reducing demand elsewhere as a result. In addition, the village bus service will take residents to local shopping and entertainment venues to both a set timetable and on-demand, further reducing the need for private vehicle trips or increased demand on public bus services.

G. Conclusion and Recommendation

As detailed within this letter and accompanying Planning Proposal (and supporting documentation) it is submitted that this Planning Proposal has strategic and site-specific merit and is recommended for support by the Sydney Central City Planning Panel to advance to a Gateway determination.

I trust the information provided is sufficient to enable consideration of this Planning Proposal for a Rezoning Review and your assistance with this matter is greatly appreciated. Should you have any queries or wish to discuss this matter further, please do not hesitate to contact me on 02 9035 2929 or calum.ross@stockland.com.au.



Calum Ross
Regional Manager, Development
Stockland Retirement Living

Attachments:

Attachment A: Planning Proposal (and supporting documents) – Under separate cover

Attachment B: Summary of Planning Proposal

Attachment C: Council Resolution not to proceed to Gateway determination 14 May 2019

Attachment D: Rezoning Review Record of Decision 7 August 2018

Attachment A – Under separate cover

Attachment B - Under
separate cover

Attachment C



ORDINARY MEETING OF COUNCIL

Tuesday, 14 May 2019

TO STRIVE FOR BETTER THINGS

ITEM	SUBJECT	PAGE
ITEM-1	CONFIRMATION OF MINUTES	
	THE FOLLOWING ITEM 2 IS DEFINED AS A PLANNING MATTER PURSUANT TO THE LOCAL GOVERNMENT & PLANNING LEGISLATION AMENDMENT (POLITICAL DONATIONS) ACT 2008	
ITEM-2	PLANNING PROPOSAL - CASTLERIDGE, 350 OLD NORTHERN ROAD, CASTLE HILL (7/2019/PLP)	13
ITEM-3	DRAFT HILLS SHIRE PLAN 2019/20	35
ITEM-4	LTC RECOMMENDATIONS FOR APRIL 2019 - MARIE STREET, CASTLE HILL - PROPOSED NO STOPPING RESTRICTIONS	68
ITEM-5	LTC RECOMMENDATIONS FOR APRIL 2019 - LYNSTOCK AVENUE, CASTLE HILL - REMOVAL OF BUS ZONES AND REPLACEMENT WITH NO STOPPING RESTRICTIONS	72
ITEM-6	LTC RECOMMENDATIONS FOR APRIL 2019 - FAIRWAY DRIVE, NORWEST - INSTALLATION OF PARKING RESTRICTIONS	76
ITEM-7	LTC RECOMMENDATIONS FOR APRIL 2019 - RESTON GRANGE, BELLA VISTA - INSTALLATION OF PARKING RESTRICTIONS	84
ITEM-8	LTC RECOMMENDATIONS FOR APRIL 2019 - BRAEMAR AVENUE, KELLYVILLE - INSTALLATION OF PARKING RESTRICTIONS	88
ITEM-9	LTC RECOMMENDATIONS FOR APRIL 2019 - GAINSFORD DRIVE, KELLYVILLE - APPLICATION FOR BUS STOPS AND BUS ZONES	96

MINUTES of the duly convened Ordinary Meeting of The Hills Shire Council held in the Council Chambers on 30 April 2019

ITEM	SUBJECT	PAGE
ITEM-1	CONFIRMATION OF MINUTES	3
ITEM-2	FURTHER REPORT AND PLANNING PROPOSAL - SECONDARY DWELLINGS IN RURAL ZONES	3
ITEM-3	POST EXHIBITION - REVIEW OF DISABILITY CONTROLS (FP230)	4
ITEM-4	COMMUNITY INITIATED CAPITAL WORKS PROPOSALS - PROPOSED POLICY, GUIDELINES AND PROCEDURES	5
ITEM-5	BUDGET REVIEW AS AT 31 MARCH 2019	5
ITEM-6	HILLS SHIRE PLAN 2018/19 REVIEW 3	5
ITEM-7	TENDER T19-32 PANEL CONTRACTS FOR ROAD PAVEMENT WORK, FOOTPATH, KERB & GUTTER, GUARDRAIL AND IRRIGATION WORK 2019-2021	6
ITEM-8	DEED OF AGREEMENT TO LEASE ARTHUR WHITLING PARK CASTLE HILL	6
ITEM-9	OPERATIONAL LICENCE AGREEMENT - SYDNEY METRO	7
ITEM-10	PROPERTY DEALINGS RELATING TO DEVELOPMENT MATTERS	7
ITEM-11	PURCHASE OF PART 68 TERRY ROAD BOX HILL	7
ITEM-12	INFORMATION AND STATUS REPORTS	7
	QUESTIONS WITHOUT NOTICE	8
	CLOSED COUNCIL	9
ITEM-13	PROPERTY MATTER	10

MINUTES of the duly convened Ordinary Meeting of The Hills Shire Council held in the Council Chambers on 30 April 2019

147 PRESENT

Mayor Dr M R Byrne (In the Chair)
Clr A N Haselden (Deputy Mayor)
Clr R A Preston
Clr Dr P J Gangemi
Clr B L Collins OAM
Clr R Jethi
Clr J Jackson
Clr M G Thomas
Clr E M Russo
Clr F P De Masi
Clr R M Tracey
Clr S P Uno

148 APOLOGIES

Clr A J Hay OAM

149 TIME OF COMMENCEMENT

7.04pm

150 TIME OF COMPLETION

9.37pm

151 DECLARATIONS OF INTEREST

Item 13 Councillor Jethi

152 ARRIVALS AND DEPARTURES

9.25pm Councillor Russo left the meeting and returned at 9.29pm during Item 13.

153 DISSENT FROM COUNCIL'S DECISIONS

Item 13 Councillor Tracey

154 ADJOURNMENT & RESUMPTION

Nil.

ITEM-2	PLANNING PROPOSAL - CASTLERIDGE, 350 OLD NORTHERN ROAD, CASTLE HILL (7/2019/PLP)
THEME:	Shaping Growth
OUTCOME:	5 Well planned and liveable neighbourhoods that meets growth targets and maintains amenity.
STRATEGY:	5.1 The Shire's natural and built environment is well managed through strategic land use and urban planning that reflects our values and aspirations.
MEETING DATE:	14 MAY 2019 COUNCIL MEETING
GROUP:	SHIRE STRATEGY, TRANSFORMATION AND SOLUTIONS
AUTHOR:	SENIOR TOWN PLANNER JANE KIM
RESPONSIBLE OFFICER:	ACTING MANAGER – FORWARD PLANNING NICHOLAS CARLTON

EXECUTIVE SUMMARY

This report recommends that the planning proposal to amend The Hills Local Environmental Plan 2012 (LEP) to enable redevelopment of Castle Ridge Resort Retirement Village for up to 298 independent living units within nine (9) buildings ranging in height from three (3) to six (6) storeys not proceed to Gateway Determination.

The proposal, as submitted by the proponent, is not supported on the basis that:

- a) There is insufficient strategic merit and justification for the scale of built form and density proposed, especially given the site is in an area that is largely isolated and outside of the walking catchment of Castle Hill Town Centre, is not serviced by sufficient infrastructure to accommodate the growth proposed and is heavily affected by environmental and topographical constraints.
- b) The scale of development permitted by the proposal would be inconsistent with the objectives and character of the E4 Environmental Living zone under LEP 2012 and would adversely impact on the ecological and aesthetic values of the site and locality.
- c) The proposed density and built form results in an inappropriate development outcome on the site, likely to result in unreasonable visual and amenity impacts on adjoining development and public open space.
- d) The proposal fails to adequately resolve a number of issues relating to traffic and movement which may result in pedestrian and traffic safety issues and exacerbation of existing issues on Old Northern Road and Palisander Place.

It is recognised that the current seniors living development (which was constructed in the early 1980s) would benefit from refurbishment and that a limited increase in the scale and density of the development may be appropriate. However, as detailed within this report, the scale, density and form of the high density outcome proposed is well in excess of what is considered to be a suitable outcome for the site. The existing use for seniors housing is not, in and of itself, sufficient justification to allow for an increase in the density and built form to the extent proposed or the progression of an outcome which is inconsistent with the relevant strategic planning framework and unable to be appropriately accommodated on the site.

A more appropriate development outcome for the site would better respect the low-scale character of the locality and respond to the topography and environmental constraints on the site. Specifically, a lower-scale and 'stepped' built form would better integrate into the slope of the land, avoid a stark and generic high density building form protruding beyond the vegetation on the site and provide superior amenity outcomes for current and future residents within the site.

The E4 zoning is quite restrictive and normally unsuitable to seniors living. In general, densities in this zone are typically around 5 dwelling per hectare and while the current development is well in excess at 30 dwelling per hectare, some additional yield would be needed to make the renewal feasible. It would be desirable that any renewal would largely keep the built form footprint the same, limiting building heights at all site boundaries to two (2) storeys and concentrating some additional height (with buildings stepping up to maximum heights ranging from 4-6 storeys) at appropriate locations towards the centre of the site. Depending on siting, arrangement and internal layout, a built form of this nature may result in a potential yield of 180-200 dwellings (with an associated density of approximately 54 dwellings per hectare). This represents an increase in yield on the site of approximately 90 dwellings, in comparison to the 185 additional dwellings sought through the planning proposal. The realisation of such an outcome would be contingent on further investigations and consideration of commercial viability by the Proponent as well as detailed assessment by Council.

A more appropriate development outcome for the site would better respect the low-scale character of the locality and respond to the topography and environmental constraints on the site. Specifically, a lower-scale and 'stepped' built form would better integrate into the slope of the land, avoid a stark and generic high density building form protruding beyond the vegetation on the site and provide superior amenity outcomes for current and future residents within the site.

The Hills Local Planning Panel considered the planning proposal at its meeting of 17 October 2019 and advised that the proposal is unsatisfactory and should not proceed to Gateway Determination.

APPLICANT

Architectus Group Pty Ltd on behalf of Stockland Castleridge Pty Ltd

OWNER

Stockland Castleridge Pty Ltd

THE HILLS LOCAL ENVIRONMENTAL PLAN 2012

The planning proposal seeks to amend The Hills LEP 2012 as follows:

	Existing	Proposed
Zone:	E4 Environmental Living	E4 Environmental Living
Minimum Lot Size:	2,000m ²	2,000m ²
Maximum Height:	9 metres	RL158–186 metres (3-6 storeys)
Maximum FSR:	Nil	1:1
Additional Permitted Uses:	Nil	Seniors' Living

POLITICAL DONATIONS

Nil disclosures by the proponent.

HISTORY

1 MAY 2016	Planning Proposal 22/2016/PLP was lodged for a high density seniors living redevelopment comprising 359 independent living units incorporated within nine (9) buildings with heights varying from three (3) to ten (10) storeys.
14 JULY 2017	The Proponents submitted a revised Planning Proposal supported by a development concept comprising 323 independent living units within nine (9) buildings ranging in height from four (4) to eight (8) storeys.
12 DECEMBER 2017	Council resolved not to proceed due to inconsistencies with the E4 Environmental Living zone objectives, inappropriate density and built form, insufficient strategic justification and potential impact in association with geotechnical constraints, traffic impacts and increased demand for local infrastructure.
8 AUGUST 2018	The Sydney Central City Planning Panel considered a Rezoning Review request lodged by the Proponent and resolved that the proposal should not proceed to Gateway Determination.
30 JANUARY 2019	Subject planning proposal (7/2019/PLP) lodged for a high density seniors living development including 298 dwellings within nine (9) buildings with heights varying from three (3) to six (6) storeys.
5 MARCH 2019	Planning proposal presented to Councillor Workshop.
27 MARCH 2019	Council officers met with Proponent to discuss a number of issues with the proposal, including the scale of built form and density proposed. No amendments were made to the proposal and the Proponent requested that Council continue its assessment of the proposal as submitted.
24 APRIL 2019	Planning proposal considered by The Hills Local Planning Panel. The Panel advised that the proposal is unsatisfactory and should not proceed to Gateway Determination.

REPORT

The purpose of this report is to consider the planning proposal to amend LEP 2012 to facilitate a high density seniors living development on land at 346-350 Old Northern Road, Castle Hill ('Castle Ridge Resort').

1. THE SITE

The site is known as 346-350 Old Northern Road, Castle Hill (Lot 503 DP1048808) and has an area of approximately 3.66 ha. It is irregular in shape and is located approximately 1.2km to the north east of the Castle Hill Town Centre, on the prominent ridgeline along Old Northern Road. The site has a primary frontage to Old Northern Road (to the east) and an alternative vehicular entry/exit point at the end of Palisander Place (to the north-west).

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



Figure 1

Aerial view of the site and surrounding locality

The site currently accommodates a seniors' living development, known as 'Castle Ridge Resort', with 113 independent living units in a built form ranging from one (1) to three (3) storeys. This existing development was approved and constructed in the early 1980's, with subsequent expansions (amalgamation of adjoining land) of the complex during the 1990's. The existing development demonstrates a medium density outcome in terms of bulk, height (one (1) to three (3) storeys) and distribution of massing over the site, which enables a sympathetic relationship with the sloping topography of the site and minimises visual impacts on the bushland setting of the site or protrusion above the established tree canopy.

The land was zoned Rural 1(b) under the Baulkham Hills Planning Scheme Ordinance (1964). Local Environmental Plan 1991 zoned the land Residential 2(d) – Protected to reflect geotechnical issues, the drainage line traversing the site, vegetation on the site and scenic values on the prominent ridgeline along Old Northern Road. In the translation to the Standard Instrument in 2012, the E4 Environmental Living zone was applied to the site, being an equivalent and similar zone to the Residential 2(d) – Protected zone.

The E4 Environmental Living zone has the objectives of allowing *“low impact residential development in areas with special ecological, scientific or aesthetic values”* and ensuring *“that residential development does not have an adverse effect on those values”*. In recognition of the constraints to development and appropriate scale of built form in areas zoned E4 Environmental Living, the Seniors’ Living SEPP does not apply to these areas or allow for vertical villages, similar to that proposed.

2. PLANNING PROPOSAL

The planning proposal seeks to enable redevelopment of the site for a high density seniors’ living development comprising nine (9) buildings ranging in height between three (3) to six (6) storeys and accommodating 298 independent living units, as shown below.



Figure 2
Proposed Development Concept



Figure 3
Proposed Development Concept

The proposal seeks to achieve this outcome through amendments to LEP 2012 to:

1. Include 'Seniors Living' as an additional permitted use on the site under Schedule 1 of LEP 2012 and within the Additional Permitted Uses Map;
2. Increase the Maximum Height of Buildings applicable to the site from nine (9) metres to various Reduced Levels (RLs, height above Australian Height Datum), ranging from RL158.00 metres to RL 186.00 metres (enabling building height of 3-6 storeys); and
3. Apply a Floor Space Ratio control of 1:1 to the site.

The proponent has advised that the concept provides 388 parking spaces and achieves 19,000m² of deep soil open space (representing 53% of the site area).

3. MATTERS FOR CONSIDERATION

The planning proposal requires consideration of the following matters:

- a) Strategic Context
- b) Objectives of the E4 Environmental Living Zone
- c) Inconsistency with Local Character
- d) Residential Density
- e) Amenity Impacts on Adjoining Developments
- f) Management of Geotechnical Constraints
- g) Traffic
- h) Local Infrastructure and Community Benefit

i) Local Planning Panel

Each of these matters is discussed in detail below.

a) Strategic Context

▪ Greater Sydney Region Plan

The Greater Sydney Region Plan and Central City District Plan were released in March 2018 and seek to deliver housing and jobs for the projected population across Sydney, through objectives relating to productivity, liveability and sustainability.

Objective 10 of the Greater Sydney Region Plan seeks to ensure ongoing housing supply and a range of housing types in the right locations. While the proposal to a high density seniors living development including up to 298 self-care residential units will address demands of the aged population, this Objective highlights the importance of ensuring that the housing stock in the 'right locations' with local infrastructure earmarked by good strategic planning. In this regard, additional housing stock should respond to market demands and be provided on land which is appropriately identified in the State and local strategies. The proposal to enable a high density outcome on land which holds environmental and scenic values, in a location outside the walking catchment of services and infrastructure, does not meet the objective of providing housing in 'the right locations'.

▪ Central City District Plan

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

The proposal does not align with these priorities, as it proposes a high density built form within a low density, environmentally sensitive setting outside the walking catchment of the Castle Hill Station Precinct. While it is acknowledged that the development concept indicates an intention to provide communal areas and ancillary uses on site, this does not alleviate the physical disconnect to crucial urban and social services owing to the location of the subject site.

Planning Priority C5 seeks to promote the provision of housing supply, choice and affordability, with access to jobs, services and public transport. The Proposal would meet some demand for aged population seeking to downsize and become self-sufficient and would more broadly contribute to the supply of housing. However, the proposed development is within a low density, environmentally sensitive setting outside the walking catchment of the Castle Hill Station Precinct. Further, given the type of development proposed, the land is not adequately serviced by local infrastructure or services and is not within an area identified for potential growth under the existing strategic planning framework.

Planning Priority C15 identifies the importance of protecting and enhancing bushland, biodiversity and scenic and cultural landscapes. The proposal is contrary to this priority, as it seeks to facilitate a high density residential development outcome in an area that is identified for its environmentally sensitive and scenic values. The area is characterised by low density

development which responds to site specific constraints and protects and retains the aesthetic/scenic qualities of the prominent ridgeline along Old Northern Road. While the existing development benefits from existing use rights, it does demonstrate a scale and form which is not entirely inconsistent with the environmental and scenic qualities of the land. The scale of uplift and high density built form proposed as part of this concept would represent a significant change with respect to the built form outcome on the land, which would adversely impact on these qualities and would fail to align with this priority.

- Section 9.1 Ministerial Directions

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

- *Direction 2.1 - Environmental Protection Zones*
- *Direction 3.1 - Residential Zones*
- *Direction 3.4 - Integrating Land Use and Transport*
- *Direction 6.3 - Site Specific Provisions*

- *Direction 2.1 Environmental Protection Zones*

This Direction requires that a planning proposal contain provisions that facilitate the protection and conservation of environmentally sensitive areas and that proposals must not reduce the environmental protection standards that apply to the land (including by modifying development standards that apply to the land).

Areas of Blue Gum High Forest (a 'critically endangered ecological community' under the *Biodiversity Conservation Act 2016*) have been identified across the length of the site. This vegetation creates an unbroken ecological corridor between denser areas of Blue Gum High Forest located north and south of the site. The proposed development concept seeks to increase the building footprints and undertake significant excavation without adequate consideration for potential impacts upon this critically endangered ecological community. The proposal is therefore inconsistent with Ministerial Direction 2.1 and further consultation would be required with the Department of Planning.

- *Direction 3.1 – Residential Zones*

This Direction requires a planning proposal to address current and future housing needs by providing a choice of housing types, ensuring that new housing has adequate access to infrastructure and services and minimising the impact on the environment and resource lands.

The planning proposal is inconsistent with this direction as it seeks to increase the density and supply of residential development outside a walkable catchment of the Castle Hill Town Centre and rail station (greater than 800 metres) and in isolation of required services. The provision of additional housing on land not intended for intensive urban development fails to recognise and capitalise on the opportunities to concentrate growth more appropriately around the Castle Hill Town Centre and ensure efficient use of its expanding services and public transport opportunities.

The proposal to enable a high density outcome in a location outside the walking catchment of services and infrastructure is likely to increase dependence on cars within the locality and place further burden on the existing infrastructure and services designed for low density developments.

- *Direction 3.4 - Integrating Land Use and Transport*

This Direction aims to ensure that development improves access to housing, jobs and services, increase choice of available transport, reduce travel demand, and provide for the efficient movement of freight. A planning proposal must locate zones for urban purposes and include provisions that are consistent with the aims, objectives and principles of *Improving Transport Choice – Guidelines for planning and development* (DUAP 2001) and *The Right Place for Business and Services – Planning Policy* (DUAP 2001).

The proposal is inconsistent with the objectives of this direction as it will facilitate a high density residential development (which is intended to house ageing residents with potentially limited mobility) outside the walking catchment of a future transit corridor. The proposal fails to recognise the ample opportunities to locate and contain uplift in more appropriate locations closer to the Castle Hill Town Centre and capitalise on these services and facilities, consistent with the principles of Transit Oriented Development. Given the distance from the Town Centre, the proposed high density outcome would result in increased vehicle movements to and from the site, being highly inconsistent with the underlying principle of this Direction to support the efficient and viable operation of existing public transport services.

- *Direction 6.3 Site Specific Provisions*

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

Having regard to the ecological and aesthetic values of the land, it would be inappropriate to rezone the site from E4 Environmental Living to an alternative land use zone in which seniors housing is permissible. Further, as detailed within this report, the inclusion of an additional permitted use to enable development to occur on the site (which essentially takes the form of a high density residential development) would be inconsistent with this Direction as it would permit a development outcome that is inconsistent with the objectives of the zone under LEP 2012.

▪ The Hills Local Strategy (Residential and Integrated Transport Directions)

The Residential and Integrated Transport Directions form part of the Draft Local Strategy and considers how housing for seniors can be accommodated in The Hills Shire. The Residential Direction outlines the approach to appropriately address housing needs for seniors and people with a disability (R2 Respond to Changing Housing Needs):

- *Encourage development in areas close to centres which incorporate retail, medical and community facilities and access to public transport (not necessarily commuter transport);*
- *Opportunities for residents to stay in areas they are familiar with so that social networks can be retained;*
- *Discourage development in isolated areas without sufficient infrastructure or with environmental or topographical constraints;*
- *Encouragement of a high proportion of adaptable dwellings in multi-unit housing developments; and*
- *Opportunities for residents to 'age in place' in larger developments with a range of self-care, low care and high care living options.*

The Integrated Transport Directions sets out key directions and objectives for strategic planning in support of orderly growth:

- *Ensure that planning and future development supports the provision of an efficient transport network (T1);*
- *Respond to the transport needs of population and employment growth in the Shire in an effective and timely manner (T1);*
- *Provide for transport infrastructure to serve, support and connect local destinations (T2);*
- *Enhance the attractiveness of the public transport network as a travel option (T3); and*
- *Promote the availability and accessibility of alternative transport options (T3).*

The proposal is inconsistent with the Residential and Integrated Transport Directions as it seeks to increase the density of housing for seniors in an area that is largely isolated and outside of the walking catchment of Castle Hill Town Centre, is not serviced by sufficient infrastructure to accommodate the growth proposed and is on a site that is heavily affected by environmental and topographical constraints.

While it is noted that the site is already used for the purpose of a seniors' living development, this is a result of an historical approval which benefits from existing use rights. The existing use of the site for this purpose is not, in and of itself, sufficient justification to allow for an inappropriate increase in the density and built form of the development or the progression of a proposal which is inconsistent with the relevant strategic planning framework.

b) Objectives of the E4 Environmental Living Zone

The application of the E4 Environmental Living zone within The Hills Shire is intended to accommodate low density and low-impact residential development (dwelling houses, secondary dwellings and attached dual occupancies only) on land that has special ecological, scientific or aesthetic values. The significant environmental constraints and prominent location of the site on the ridgeline are reflected in the zoning of this particular site as E4 Environmental Living. The specific objectives of the E4 Environmental Living zone under LEP 2012 are:

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

In the E4 Environmental Living zone, multi dwelling housing and residential flat buildings are prohibited under LEP 2012. The site is also excluded from the provisions of the State Environmental Planning Policy (Housing for Seniors of People with a Disability) 2004 due to its zoning, which is considered under the SEPP to be an area of environmental protection where higher density built form would not be appropriate. The proposed concept for a 'vertical village' would only be permitted on land where residential flat buildings were already permitted under LEP 2012.

The proposal would enable what is essentially a high density residential built form, which is *not* considered to be '*low-impact residential development*' and would be likely to have an adverse impact on the ecological and aesthetic values of the site and locality. The existing use of the site for seniors housing (which benefits from existing use rights) is not, in and of itself, sufficient justification to permit a significant intensification of the development (in terms

of both density and built form) to an extent that is inconsistent and incompatible with the objectives of the applicable land use zone.

c) Inconsistency with Local Character

The existing development demonstrates a medium density outcome in terms of bulk, height (one (1) to three (3) storeys) and distribution of massing over the site. This enables the achievement of a sympathetic outcome having regard to the sloping topography of the site and existing bushland/vegetated setting. The maximum heights and fragmented distribution of existing buildings on the site reduces the extent to which buildings visually protrude above the existing tree canopy and enables the existing development to 'blend' into its bushland setting. Despite this, even the existing development, with its relatively low scale built form, already exhibits some visual dominance on the adjoining Pioneer Place Reserve and is clearly visible from part of Pioneer Place and Winchcombe Place.



Figure 4
Existing development on the site

In comparison to the existing development, the proponent's development concept demonstrates heights ranging from three (3) to six (6) storeys. As a result of the proposed siting of the buildings and attempts to utilise the natural slope to reduce visual impacts, the elevation of the proposed development would likely appear as a four (4) storey built form when viewed from Old Northern Road. When viewed from the west (downslope), the topography of the land results in the apparent heights of the buildings being two (2) to three (3) storeys over and above the existing two (2) to three (3) storey built form. Noting that heights within the E4 Environmental Living zone are primarily limited to a maximum of two (2) storeys for dwelling houses, the proposed heights are greater than that envisaged for the locality.



Figure 5
Concept Development

The proposal would facilitate additional building height and bulk which will inhibit the ability of the built form to blend into the natural landscape and the character of surrounding development. The heights proposed would result in significant disruption to, and protrusion above, the bushland setting which, given the site's prominent location on a ridgeline, would adversely impact on the aesthetics of the locality and district views.

Furthermore, in comparison to the fragmented built form of the existing development, the proposed building envelopes demonstrate visual dominance as a result of their height and building length (in excess of 65 metres). The visual presence of the building elements situated fronting the Old Northern Road ridgeline would adversely impact on the fine grained low density neighbourhood character within a highly vegetated setting and will cause disruptions to the scenic vista currently enjoyed by the local residents.

Ultimately, the proposal would enable an unsympathetic outcome which could not be considered "*low-impact residential development*" that protects the ecological and aesthetic values of the site and locality. The proposal would allow a built form which is inconsistent with the visual character envisaged for the E4 Environmental Living area and this prominent location on the ridgeline along Old Northern Road. The predominant features of residential developments within E4 Environment Living areas includes the maximisation of setbacks to property boundaries and Old Northern Road, the incorporation of high quality landscaping screening and fencing, low building heights ranging between one (1) to two (2) storeys (especially at the periphery and high points on the site) and subdivision patterns and allotment sizes to achieve an overall impression of built forms blending into the steep topography and vegetation, rather than protruding.

It is considered that a more appropriate development outcome on the site could be achieved, which is in keeping with the E4 Environmental Living zone and surrounding context, whereby the development is lower-scale and stepped down in sympathy with the steep topography, preserving local and internal amenity and retaining district views.



Figure 6

Desired built form outcomes for the E4 Environmental Living zoned land

d) Residential Density

The proposal seeks to facilitate future development with a density well in excess of that envisaged for the E4 Environmental Living area (low density residential development typically with a density of five (5) dwellings per hectare). Specifically, the existing development on the site achieves a density of 30.5 dwellings per hectare, which is already nearly six (6) times the typical outcome for the zone. In comparison, the proposed development (for 298 dwellings) equates to a density of 80.5 dwellings per hectare, which is more than 16 times that typical outcome for the zone and 2.6 times that of the existing development.

Further, it is noted that the proposed density is significantly higher than other seniors' living developments within the locality, as demonstrated below. Of particular relevance, the proposed density is nearly 2.3 times that achieved within the nearby campus style Anglican Retirement Village Castle Hill seniors' living development which is zoned R2 Low Density Residential within Hornsby Council.

Name	Zone	Land Size (ha)	Dwelling No.	Density (per ha)
Anglican Retirement Village – Old Northern Road and Castle Hill Road, Castle Hill	R2 – Low Density Residential – Hornsby LGA	43.672 Ha	882 dwellings	20.2 dwellings/ha
Anglican Retirement Village – 599-607 Old Northern Road, Glenhaven	RU2 – Primary Production - Hornsby LGA	9.853 Ha	352 dwellings	35.7 dwellings/ha
Living Choice Glenhaven - 50 Old Glenhaven Road, Glenhaven	RU6 – Transition	13.29 Ha	236 dwellings	17.8 dwellings/ha
Castle Ridge Retirement Village (Current)	E4 – Environmental Living	3.7 Ha	113 dwellings	30.5 dwellings/ha
Castle Ridge Retirement Resort (Proposed, 7/2019/PLP)	E4 – Environmental Living	3.7 Ha	298 dwellings	80.5 dwellings/ha

Table 1

Comparison of density with other nearby seniors' housing developments

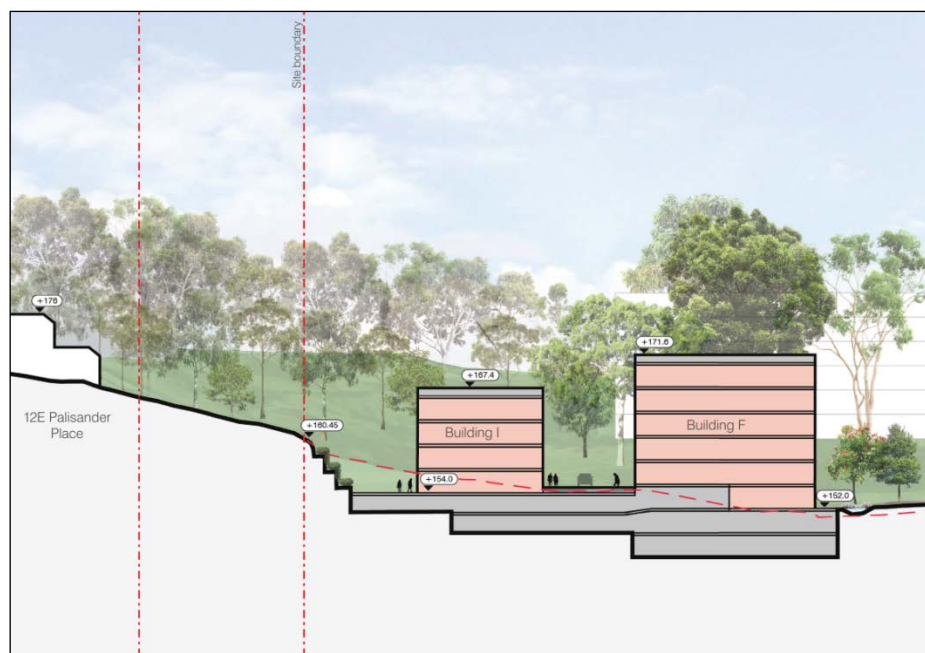
While the site is already used for the purpose of an aged care facility, this is the result of an historical approval and ongoing existing use rights. However, this existing use is not sufficient grounds to justify a further increase in the residential density on the site beyond that envisaged under the zoning and strategic framework and does not negate the need for the promotion of an appropriate planning and built form outcome. Further, the Proponent has not adequately demonstrated that a density of this magnitude can be accommodated on the land within a 'low-impact' development without adverse impacts on the aesthetic and scenic values of the site and locality.

Given the location and context of the site, the substantial constraints affecting the land, the strategic objectives and intended outcomes for the E4 Environmental Living zone and comparison with other seniors living developments, it is considered that the proposed density is in excess of the land's capacity.

e) Amenity Impacts on Adjoining Developments

The development concept demonstrates building heights of four (4) storeys at the interface with low density single detached dwellings to north west and west, six (6) storeys facing large lot residential development to north and six (6) storeys at the interface with adjoining townhouse development to south.

The detached multi dwelling development to the south of the site would be located immediately adjoining a basement carpark entry and a proposed six (6) storey residential component. This also applies to a two (2) storey single detached residential development at 51 Pioneer Place, which will directly adjoin a proposed six (6) storey residential component with no means of buffer present to mitigate potential amenity impacts.

**Figure 7**

Section through the site along the east west axis, demonstrating the relative scale of the concept development to the adjoining low density development

**Figure 8**

Section through the site along the east west axis, demonstrating the concept development's inappropriate scale in relation to the natural topography

The majority of properties adjoining the site to the south are orientated towards the north to maximise solar access, which would likely be affected by the proposed development. The shadow diagrams submitted by the Proponent do not accurately depict the siting and scale of adjoining developments to south and should the proposal proceed, further information would be required to fully assess the overshadowing impacts of the development on adjoining properties.

The proposed built form would be unable to 'blend' into the existing landscape, topography and tree canopy in the same manner as the existing development and this would result in a more visually obtrusive development and significant change in character when viewed from

Old Northern Road, adjoining properties surrounding the development and public roads and open space (Pioneer Place Reserve) to the west. Given the existing development, envisaged character of the locality and lack of strategic merit for the proposal in this location, it is considered unreasonable to enable the proposed development and associated visual and amenity impacts to occur.

f) Management of geotechnical constraints

While LEP 2012 identifies the undeveloped portions of the site as affected by landslip risk, as detailed below, the steep slope is evenly distributed across the site, even where the existing development is located. In comparison to the existing development, the proposed outcome incorporates significant basement parking and podiums with substantial floor plates that could only be facilitated through significant landform modification (cut and fill).

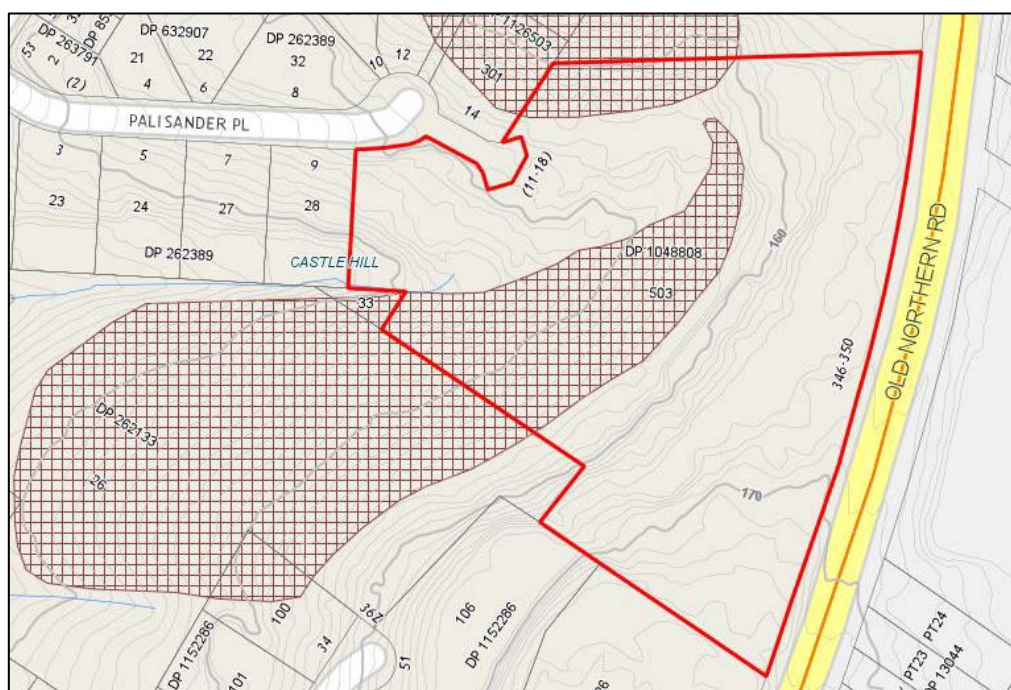


Figure 9

Area affected by landslip risk (hatched) and contour lines depicting steep topography of the site

No detailed geotechnical assessment report has been submitted to enable proper consideration of the proposal and potential geotechnical impacts and constraints. Should the proposal proceed, in this or any form in the future, adequate technical information would be required to properly assess the geotechnical capacity of the site to accommodate the built form proposed and determine the stability of soil and bedrock.

g) Traffic

The traffic assessment report submitted with the proposal anticipates that the proposal would generate an additional 28 vehicle trips in the AM and PM peak, as well as an additional 65 vehicle trips between 11:45am and 12:45pm on a Saturday. Based on the existing distribution data, the development relies heavily on the existing entry point via Old Northern Road for vehicles entering and departing the site however there would also be a resultant increase in traffic along Palisander Place (a local street).

The proposal incorporates a 60 metre long deceleration lane along the Old Northern Road frontage to mitigate the increases in traffic volume on the road. Whilst this solution would reduce the impact of decelerating traffic on the flow of traffic along Old Northern Road, the provision of this lane reduces the depth of developable land and limits the opportunity to provide significant landscaped setback to Old Northern Road to soften the scale of the built form at this frontage.

The traffic assessment notes that there has been ongoing traffic safety issues with respect to the existing retirement village development and that the current left in left out arrangement (which the proposal seeks to retain) is known to generate unsafe traffic movements by the residents who seek to join southbound traffic towards the Castle Hill Town Centre on Old Northern Road. Specifically, vehicles utilise a redundant road verge immediately adjoining the grounds of St Paul's Church to make a 'u-turn' or three point turn across Old Northern Road and join southbound traffic.

The proposal states that an alternative to this would be for more traffic to exit the site via Palisander Place, or for traffic exiting onto Old Northern Road to rely on the existing Oakhill College Drop-off zone or St Paul's Church Parking Lot. These informal 'solutions' are all currently available and do not alleviate the problem. Further, they rely on coordination with other entities (Oakhill College and St Paul's Church), neither of which have indicated a willingness to enable their drop-off zone and/or parking lot to form part of the solution to local traffic issues. Given the above, it is anticipated that an increase in density on the site would only exacerbate the current issue and increase the frequency of these 'right turns' and unsafe movements.

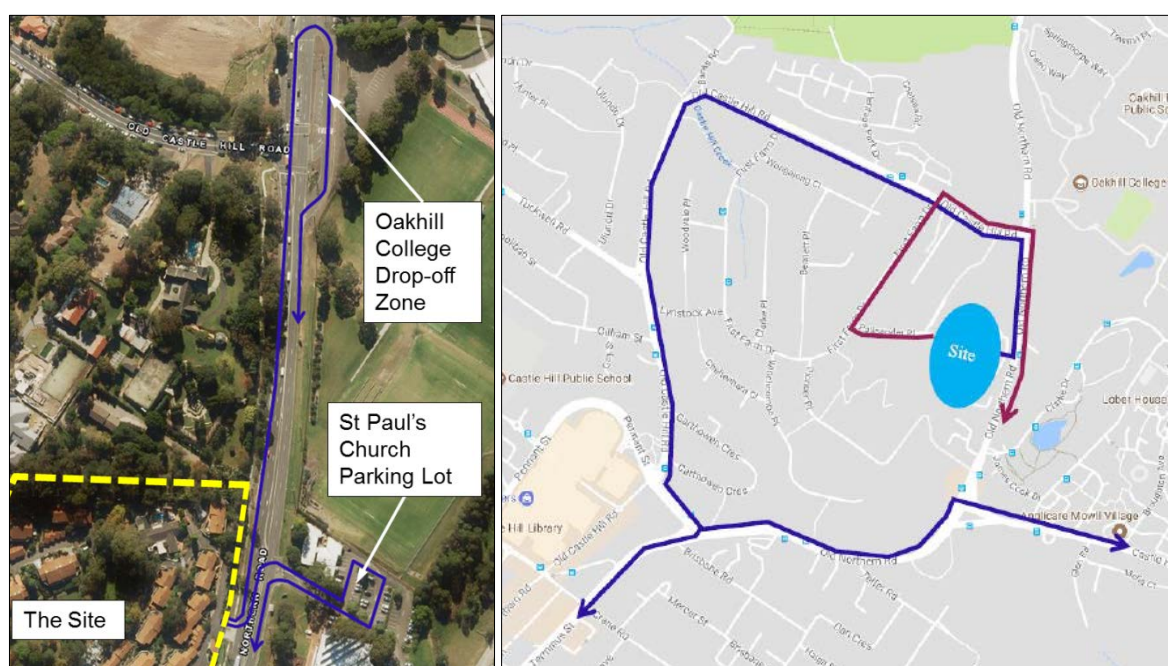


Figure 10

Proposed options available for merging into southbound traffic along Old Northern Road (Left) and Alternative methods for travelling towards Castle Hill Town Centre (Right)

The traffic assessment also proposes the relocation of a pedestrian crossing 60 metres further to the north of its existing location to enable for the provision of the deceleration lane. The implications of this should be further addressed by the proponent in terms of how this may affect the pedestrian experience and accessibility levels for local residents in the locality.

An issue concerning steady traffic flow via Palisander Place has been noted as an ongoing issue for the residents of adjoining properties to west of the site. Palisander Place is currently constrained in terms of available carriageway width as a result of a substantial number of parked vehicles during the day. The proposal will introduce heavier traffic flow at this location as a result of two vehicular entry points to basement carpark in proximity to the Palisander Place access point.



Figure 11

Proposed internal traffic movement within the future development

The proposal in its current form raises a number of issues relating to traffic and movement which have not been adequately resolved and which may result in pedestrian and traffic safety issues and exacerbation of existing issues on Old Northern Road and Palisander Place.

h) Local Infrastructure and Community Benefit

While the total yield of 298 units that would result from this planning proposal may not, in isolation, create the need for new local infrastructure facilities, it is crucial to consider the cumulative impact of incremental uplift and growth on local infrastructure provision.

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

Notwithstanding the different local infrastructure requirements of the specific demographic group the proposal would cater for, the provision of community benefits in the form of local infrastructure to accommodate the increased density on the site would still be required. Should any increase in residential density on the site occur, consideration should be given to the potential for:

- Access links to encourage connectivity and access to the adjoining Pioneer Place Reserve and to Castle Towers;
- Further embellishment of the adjoining Pioneer Place Reserve, including provision of exercise equipment to promote its use, activation and capacity; and
- Footpath embellishments within the locality to promote pedestrian activity.

i) Local Planning Panel

The Hills Local Planning Panel considered the Planning Proposal at its meeting of 24 April 2019 and unanimously resolved that *“the Panel have considered the staff report and support the Council Officer’s recommendation to not proceed to Gateway determination”*. The Panel provided the following reasons for this decision:

“The Panel note and agree with the staff position that the proposal is unsatisfactory and agree with the points in recommendation as follows:

The planning proposal applicable to land at 346-350 Old Northern Road, Castle Hill not proceed to Gateway Determination for the following reasons:

- a) There is insufficient strategic merit and justification for the scale of built form and density proposed, especially given the site is in an area that is largely isolated and outside of the walking catchment of Castle Hill Town Centre, is not serviced by sufficient infrastructure to accommodate the growth proposed and is heavily affected by environmental and topographical constraints.*
- b) The scale of development permitted by the proposal would be inconsistent with the objectives and character of the E4 Environmental Living zone under LEP 2012 and would adversely impact on the ecological and aesthetic values of the site and locality.*
- c) The proposed density and built form results in an inappropriate development outcome on the site, likely to result in unreasonable amenity impacts on adjoining development and public open space.*
- d) The proposal fails to adequately resolve a number of issues relating to traffic and movement which may result in pedestrian and traffic safety issues and exacerbation of existing issues on Old Northern Road and Palisander Place.*

The Panel advises that a better solution can be found for the site in keeping with the E4 zone, whereby the development is lower-scale and stepped down in sympathy with the steep topography, preserving local and internal amenity and retaining district views”.

The minutes of the Local Planning Panel meeting are provided as Attachment 1.

IMPACTS

Financial

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

Strategic Plan – Hills Future

The planning proposal is inconsistent with the outcomes and strategies of The Hills Future and does not reflect responsible planning or good management of the Shire’s natural and built environment.

RECOMMENDATION

The planning proposal applicable to land at 346-350 Old Northern Road, Castle Hill not proceed to Gateway Determination for the following reasons:

- a) There is insufficient strategic merit and justification for the scale of built form and density proposed, especially given the site is in an area that is largely isolated and outside of the walking catchment of Castle Hill Town Centre, is not serviced by sufficient infrastructure to accommodate the growth proposed and is heavily affected by environmental and topographical constraints.
- b) The scale of development permitted by the proposal would be inconsistent with the objectives and character of the E4 Environmental Living zone under LEP 2012 and would adversely impact on the ecological and aesthetic values of the site and locality.
- c) The proposed density and built form results in an inappropriate development outcome on the site, likely to result in unreasonable amenity impacts on adjoining development and public open space.
- d) The proposal fails to adequately resolve a number of issues relating to traffic and movement which may result in pedestrian and traffic safety issues and exacerbation of existing issues on Old Northern Road and Palisander Place.

ATTACHMENTS

- 1. Local Planning Panel Minutes – 24 April 2019 (2 Pages)

ATTACHMENT 1

LOCAL PLANNING PANEL – THE HILLS SHIRE COUNCIL

MINUTES OF THE LOCAL PLANNING PANEL MEETING – ELECTRONIC DETERMINATION
24 APRIL 2019

PRESENT:

Penny Holloway	(Chair)
Richard Thorp AM	(Expert)
Damian Kelly	(Community Representative)

TIME OF COMMENCEMENT:

2:04pm

TIME OF COMPLETION:

2.38pm

DECLARATIONS OF INTEREST:

Nil

ITEM 1: **PLANNING PROPOSAL – CASTLE RIDGE RESORT –
350 OLD NORTHERN ROAD, CASTLE HILL (7/2019/PLP)**

COUNCIL OFFICER'S RECOMMENDATION:

That the Planning Proposal not proceed to Gateway determination.

LOCAL PLANNING PANEL DECISION:

The Panel have considered the staff report and support the Council Officer's recommendation to not proceed to Gateway determination.

REASONS

The Panel note and agree with the staff position that the proposal is unsatisfactory and agree with the points in recommendation as follows:

The planning proposal applicable to land at 346-350 Old Northern Road, Castle Hill not proceed to Gateway Determination for the following reasons:

-
- a) There is insufficient strategic merit and justification for the scale of built form and density proposed, especially given the site is in an area that is largely isolated and outside of the walking catchment of Castle Hill Town Centre, is not serviced by sufficient infrastructure to accommodate the growth proposed and is heavily affected by environmental and topographical constraints.
 - b) The scale of development permitted by the proposal would be inconsistent with the objectives and character of the E4 Environmental Living zone under LEP 2012 and would adversely impact on the ecological and aesthetic values of the site and locality.
 - c) The proposed density and built form results in an inappropriate development outcome on the site, likely to result in unreasonable amenity impacts on adjoining development and public open space.
 - d) The proposal fails to adequately resolve a number of issues relating to traffic and movement which may result in pedestrian and traffic safety issues and exacerbation of existing issues on Old Northern Road and Palisander Place.

The Panel advises that a better solution can be found for the site in keeping with the E4 zone, whereby the development is lower-scale and stepped down in sympathy with the steep topography, preserving local and internal amenity and retaining district views.

VOTING:

Unanimous

MINUTES of the duly convened Ordinary Meeting of The Hills Shire Council held in the Council Chambers on 14 May 2019

ITEM	SUBJECT	PAGE
ITEM-1	CONFIRMATION OF MINUTES	3
ITEM-2	PLANNING PROPOSAL - CASTLERIDGE, 350 OLD NORTHERN ROAD, CASTLE HILL (7/2019/PLP)	3
ITEM-3	DRAFT HILLS SHIRE PLAN 2019/20	5
ITEM-4	LTC RECOMMENDATIONS FOR APRIL 2019 - MARIE STREET, CASTLE HILL - PROPOSED NO STOPPING RESTRICTIONS	5
ITEM-5	LTC RECOMMENDATIONS FOR APRIL 2019 - LYNSTOCK AVENUE, CASTLE HILL - REMOVAL OF BUS ZONES AND REPLACEMENT WITH NO STOPPING RESTRICTIONS	5
ITEM-6	LTC RECOMMENDATIONS FOR APRIL 2019 - FAIRWAY DRIVE, NORWEST - INSTALLATION OF PARKING RESTRICTIONS	6
ITEM-7	LTC RECOMMENDATIONS FOR APRIL 2019 - RESTON GRANGE, BELLA VISTA - INSTALLATION OF PARKING RESTRICTIONS	5
ITEM-8	LTC RECOMMENDATIONS FOR APRIL 2019 - BRAEMAR AVENUE, KELLYVILLE - INSTALLATION OF PARKING RESTRICTIONS	6
ITEM-9	LTC RECOMMENDATIONS FOR APRIL 2019 - GAINSFORD DRIVE, KELLYVILLE - APPLICATION FOR BUS STOPS AND BUS ZONES	5
QUESTIONS WITHOUT NOTICE		6

178 PRESENT

Mayor Dr M R Byrne (In the Chair)
Clr R A Preston
Clr Dr P J Gangemi
Clr B L Collins OAM
Clr J Jackson
Clr M G Thomas
Clr E M Russo
Clr A J Hay OAM
Clr R M Tracey

179 APOLOGIES

Clr A N Haselden (Deputy Mayor)
Clr R Jethi
Clr F P De Masi
Clr S P Uno

180 TIME OF COMMENCEMENT

7.10pm

181 TIME OF COMPLETION

8.34pm

182 DECLARATIONS OF INTEREST

Nil.

183 ARRIVALS AND DEPARTURES

Nil.

184 DISSENT FROM COUNCIL'S DECISIONS

Nil.

185 ADJOURNMENT & RESUMPTION

Nil.

MINUTES of the duly convened Ordinary Meeting of The Hills Shire Council held in the Council Chambers on 14 May 2019

ITEM-1 CONFIRMATION OF MINUTES

A MOTION WAS MOVED BY COUNCILLOR DR GANGEMI AND SECONDED BY COUNCILLOR RUSSO THAT the Minutes of the Ordinary Meeting of Council held on 30 April 2019 be confirmed.

THE MOTION WAS PUT AND CARRIED.

186 RESOLUTION

The Minutes of the Ordinary Meeting of Council held on 30 April 2019 be confirmed.

APOLOGIES

A MOTION WAS MOVED BY COUNCILLOR HAY OAM AND SECONDED BY COUNCILLOR RUSSO THAT the apologies from Councillors De Masi, Haselden, Jethi and Uno be accepted and leave of absence granted.

THE MOTION WAS PUT AND CARRIED.

187 RESOLUTION

The apologies from Councillors De Masi, Haselden, Jethi and Uno be accepted and leave of absence granted.

COMMUNITY FORUM

There were no addresses to Council during Community Forum.

ITEM-2 PLANNING PROPOSAL - CASTLERIDGE, 350 OLD NORTHERN ROAD, CASTLE HILL (7/2019/PLP)

Proceedings in Brief

Sam Czyz – National Planning Manager for Stockland Castleridge Pty Ltd addressed Council regarding this matter.

A MOTION WAS MOVED BY COUNCILLOR RUSSO AND SECONDED BY COUNCILLOR THOMAS THAT the Recommendation contained in the report be adopted.

THE MOTION WAS PUT AND CARRIED UNANIMOUSLY.

188 RESOLUTION

The planning proposal applicable to land at 346-350 Old Northern Road, Castle Hill not proceed to Gateway Determination for the following reasons:

- a) There is insufficient strategic merit and justification for the scale of built form and density proposed, especially given the site is in an area that is largely isolated and outside of the walking catchment of Castle Hill Town Centre, is not serviced by sufficient infrastructure to accommodate the growth proposed and is heavily affected by environmental and topographical constraints.

MINUTES of the duly convened Ordinary Meeting of The Hills Shire Council held in the Council Chambers on 14 May 2019

- b) The scale of development permitted by the proposal would be inconsistent with the objectives and character of the E4 Environmental Living zone under LEP 2012 and would adversely impact on the ecological and aesthetic values of the site and locality.
- c) The proposed density and built form results in an inappropriate development outcome on the site, likely to result in unreasonable amenity impacts on adjoining development and public open space.
- d) The proposal fails to adequately resolve a number of issues relating to traffic and movement which may result in pedestrian and traffic safety issues and exacerbation of existing issues on Old Northern Road and Palisander Place.

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 Byrne
Clr R A Preston
Clr Dr P J Gangemi
Clr A J Hay OAM
Clr J Jackson
Clr B L Collins OAM
Clr E M Russo
Clr M G Thomas
Clr R M Tracey

VOTING AGAINST THE MOTION

None

MEETING ABSENT

Clr A N Haselden
Clr R Jethi
Clr S P Uno
Clr F P De Masi

CALL OF THE AGENDA

A MOTION WAS MOVED BY COUNCILLOR HAY OAM AND SECONDED BY COUNCILLOR COLLINS OAM THAT items 4, 5, 7 and 9 be moved by exception and the recommendations contained therein be adopted.

THE MOTION WAS PUT AND CARRIED.

189 RESOLUTION

Items 4, 5, 7 and 9 be moved by exception and the recommendations contained therein be adopted.

ITEM-4 **LTC RECOMMENDATIONS FOR APRIL 2019 - MARIE STREET, CASTLE HILL - PROPOSED NO STOPPING RESTRICTIONS**

190 RESOLUTION

Council install approximately 20 metres of 'No Stopping' restrictions along the eastern side of Marie Street, Castle Hill between Parsonage Road and the southern side of the driveway at No 3 Marie Street in accordance with Figure 1 in the report.

ITEM-5 **LTC RECOMMENDATIONS FOR APRIL 2019 - LYNSTOCK AVENUE, CASTLE HILL - REMOVAL OF BUS ZONES AND REPLACEMENT WITH NO STOPPING RESTRICTIONS**

191 RESOLUTION

The existing 'Bus Zone' signs in Lynstock Avenue, Castle Hill be replaced with 'No Stopping' signs as shown in Attachment 1 of the report.

ITEM-7 **LTC RECOMMENDATIONS FOR APRIL 2019 - RESTON GRANGE, BELLA VISTA - INSTALLATION OF PARKING RESTRICTIONS**

192 RESOLUTION

'No Stopping 7:30am to 9:30am Monday - Friday' signs be installed on the western side of Reston Grange, Bella Vista as detailed in Attachment 1 to the report.

ITEM-9 **LTC RECOMMENDATIONS FOR APRIL 2019 - GAINSFORD DRIVE, KELLYVILLE - APPLICATION FOR BUS STOPS AND BUS ZONES**

193 RESOLUTION

The proposed bus stops and signposted Bus Zones in Gainsford Drive, Kellyville between Neiwand Avenue and Daffodil Crescent be approved and the existing part-time 4P parking restriction signs be adjusted accordingly as shown in Attachment 1 of the report.

ITEM-3 **DRAFT HILLS SHIRE PLAN 2019/20**

A MOTION WAS MOVED BY COUNCILLOR DR GANGEMI AND SECONDED BY COUNCILLOR JACKSON THAT the Recommendation contained in the report be adopted.

THE MOTION WAS PUT AND CARRIED.

194 RESOLUTION

1. The Draft Hills Shire Plan containing the Community Strategic Direction – Hills Future, Delivery Program, Operational Plan, and Resourcing Strategy containing the Draft FY 19/20 Budget, Capital Works Program and the Fees & Charges be endorsed

MINUTES of the duly convened Ordinary Meeting of The Hills Shire Council held in the Council Chambers on 14 May 2019

and placed on public exhibition from Thursday 16 May 2019 to Wednesday 12 June 2019. (Attachment 1)

2. As required by the Environmental Planning and Assessment Act (1979) The Community Participation Plan (CPP) now incorporated into the Community Engagement Strategy be placed on public exhibition from Thursday 16 May 2019 to Wednesday 12 June 2019.

ITEM-6 LTC RECOMMENDATIONS FOR APRIL 2019 - FAIRWAY DRIVE, NORWEST - INSTALLATION OF PARKING RESTRICTIONS

A MOTION WAS MOVED BY COUNCILLOR THOMAS AND SECONDED BY COUNCILLOR DR GANGEMI THAT this matter be deferred and brought to a Councillor Workshop.

THE MOTION WAS PUT AND CARRIED.

195 RESOLUTION

This matter be deferred and brought to a Councillor Workshop.

ITEM-8 LTC RECOMMENDATIONS FOR APRIL 2019 - BRAEMAR AVENUE, KELLYVILLE - INSTALLATION OF PARKING RESTRICTIONS

A MOTION WAS MOVED BY COUNCILLOR RUSSO AND SECONDED BY COUNCILLOR DR GANGEMI THAT 'No Stopping' signs be installed in Braemar Avenue, Kellyville as detailed in Attachment 3 to the report within school hours, Monday to Friday, 8:00am – 9:30am and 2:30pm - 4:00pm.

THE MOTION WAS PUT AND CARRIED.

196 RESOLUTION

'No Stopping' signs be installed in Braemar Avenue, Kellyville as detailed in Attachment 3 to the report within school hours, Monday to Friday, 8:00am – 9:30am and 2:30pm - 4:00pm.

QUESTIONS WITHOUT NOTICE

197 LETTER OF CONDOLENCE

Councillor Hay OAM requested that his name be included in any letter of condolence to former Councillor Jeff Lowe and his partner Suzie Donaldson on the sudden death of their grandson Samuel Peter Donaldson who was aged 3 months. The funeral for anyone that may be available is tomorrow at Castlebrook Memorial Park at 10.00am in the Chapel.

The Mayor responded to further Councillors requests that a tribute be sent to the home.

198 NORTH WEST RAIL LINK (NWRL)

Councillor Hay OAM asked whether Council has received an invitation from NWRL to trial the train before it officially commences service.

Councillor Preston advised that she had the opportunity yesterday to meet the Minister for Disability and the Minister for Transport and Road and lobbied on behalf of the Councillors to ensure that Council got an invitation to have a ride before the rail officially opens. Councillor Preston was advised that they will contact the Mayor's office.

199 COMMUNITY PROJECTS GRANTS AVAILABLE

Councillor Preston asked the General Manager whether the Council has been active with Community Projects Grants that are available. Councillor Preston asked whether there were going to be any applications as its closes at 2 pm tomorrow.

The General Manager replied that he is aware of a couple of applications that are being checked. Council is working through the list at the moment.

200 NORTH WEST RAIL LINK (NWRL)

Councillor Collins OAM stated that The Friends of Glenhaven have a massive bet on line whether the lights at Glenhaven will operate before the NWRL officially opens.

The Group Manager - Infrastructure & Works advised that Council has been tentatively booked for 31 May 2019.

201 THE GABLES LAKE

Councillor Dr Gangemi wanted to pass on his thanks to Council Officers Ben Hawkins, Don Higginbotham, Anisul Huq and Lauren Vallejo for their work in the Construction Certificate for the Gables Lake (4 hectares lake) which includes parking, paths, and jetty. The lake will be opened early 2020 next year.

202 UPDATE ON THE STORM CLEAN-UP AND MAINTENANCE BACK LOG

Councillor Jackson stated that during Questions Without Notice in the past, he had made enquiries about the update on the Storm Clean-up of the area as well as getting back on track with the maintenance schedule. Councillor Jackson had a message passed on to him by a resident thanking Council for getting back up to date and also the pleasantness of the Staff at the grounds at Chapel Lane in providing them assistance with a general question they had.

203 PARKING RESTRICTIONS SOLENT CIRCUIT

Councillor Thomas commented that he had noticed near the old skate ring site in Solent Circuit that a development worker is putting witches hats on the road to secure parking space. Can Council please investigate?

The General Manager advised that he would take the matter on notice.

MINUTES of the duly convened Ordinary Meeting of The Hills Shire Council held in the Council Chambers on 14 May 2019

204 INVESTMENT PRIORITIES

Councillor Thomas noted that Terminus Street has been on the Agenda for a couple of Strategic Workshops in the past and asked for an update.

The Minutes of the above Meeting were confirmed at the Meeting of the Council held on 28 May 2019.

MAYOR

GENERAL MANAGER

Attachment D

DATE OF DECISION	7 August 2018
PANEL MEMBERS	Paul Mitchell (Acting Chair), Julie Savet Ward and Stuart McDonald
APOLOGIES	Michael Edgar and Stewart Seale
DECLARATIONS OF INTEREST	Nil

REZONING REVIEW

2018SWC030 – The Hills Shire – RR_2018_THILL_002_00 AT 350 Old Northern Road, Castle Hill
(AS DESCRIBED IN SCHEDULE 1)

Reason for Review:

- ☒ The council has notified the proponent that the request to prepare a planning proposal has not been supported
- ☐ The council has failed to indicate its support 90 days after the proponent submitted a request to prepare a planning proposal or took too long to submit the proposal after indicating its support

PANEL CONSIDERATION AND DECISION

The Panel considered: the material listed at item 4 and the matters raised and/or observed at meetings and site inspections listed at item 5 in Schedule 1.

Based on this review, the Panel determined that the proposed instrument:

- ☐ **should** be submitted for a Gateway determination because the proposal has demonstrated strategic and site specific merit
- ☐ **should not** be submitted for a Gateway determination because the proposal has
 - ☐ not demonstrated strategic merit
 - ☒ has demonstrated strategic merit but not site specific merit

The decision was unanimous.

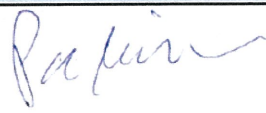
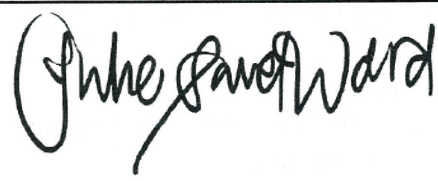
REASONS FOR THE DECISION

1. The Panel believes that the continued use of the site for Senior's Living and provision of improved housing and support facilities would be beneficial planning outcomes. Accordingly, the Panel is satisfied that the proposal has strategic merit.
2. In terms of site specific merit the Panel considers that the proposed scale envisaged by the amended planning controls is excessive for the E4 zone and not in keeping with the existing or planned future character of the locality. The Panel is also concerned about excessive tree loss and excavation needed to accommodate the substantial proposed parking areas. In addition, the proposed height of buildings map and development footprints shown in the master plan are substantially inconsistent.

The Panel sees merit in a revised planning proposal which provides:

- Heights of buildings that are generally 3 storeys along Palisander Place, 5-6 storeys in the centre of the site and 3-4 storeys along Old Northern Road;
- Less site disturbance and tree loss through substantially reduced parking areas;
- Keeping the proposed building footprints but amended if necessary to achieve greater tree retention;
- A height of buildings map that is consistent with the building footprints as shown in the master plan.

Otherwise the Panel supports inclusion of Senior's Living as a permissible use on the site and a maximum FSR included for the site.

PANEL MEMBERS	
	
Paul Mitchell (Acting Chair)	Julie Savet Ward
	
Stuart McDonald	

SCHEDULE 1		
1	PANEL REF – LGA – DEPARTMENT REF - ADDRESS	2018SWC030 – The Hills Shire – RR_2018_THILL_002_00 AT 350 Old Northern Road, Castle Hill
2	LEP TO BE AMENDED	The Hills Local Environmental Plan 2012
3	PROPOSED INSTRUMENT	The planning proposal seeks to amend The Hills Local Environmental Plan 2012 to rezone land at 350 Old Northern Road, Castle Hill to introduce seniors housing as an additional permitted use for the site under Schedule 1 'Additional Permitted Uses', increase maximum height of buildings from 9 metres to a range between 14 and 27 metres for the site, and introduce a maximum floor space ratio of 1:1 for the site.
4	MATERIAL CONSIDERED BY THE PANEL	• Rezoning review request documentation • Briefing report from Department of Planning and Environment
5	MEETINGS AND SITE INSPECTIONS BY THE PANEL	• Site inspection: 7 August 2018 ○ Panel members in attendance: Paul Mitchell (Acting Chair), Julie Savet Ward and Stuart McDonald ○ Department of Planning and Environment (DPE) staff in

		attendance: Christine Gough and Angela Hynes • Briefing meeting with Department of Planning and Environment (DPE): 7 August 2018, 2.45pm to 3.03pm ○ Panel members in attendance: Paul Mitchell (Acting Chair), Julie Savet Ward and Stuart McDonald ○ DPE staff in attendance: Christine Gough and Angela Hynes • Briefing meeting with Proponent: 7 August 2018, 3.05pm to 3.50 pm ○ Panel members in attendance: : Paul Mitchell (Acting Chair), Julie Savet Ward and Stuart McDonald ○ DPE staff in attendance: Christine Gough and Angela Hynes ○ Proponent representatives in attendance: <u>Speakers on behalf of the Applicant/Proponent</u> • Calum Ross - Stockland • Michael Harrison - Architectus • Jane Freeman - Architectus <u>Consultants available for questions on behalf of the applicant/proponent:</u> • Andrew Jackaman – JK Geotechnics • Andrew Hulse – Arup Transport • Peter Stricker – ACS Environmental <u>In attendance on behalf of the applicant/proponent:</u> • Llew Gartrell - Stockland • Samantha Czyz - Stockland • Dean Hosking - Stockland • Lucas Flecha – Stockland • Jess Roach – Stockland • Katrina Burley – Architectus • Briefing meeting with Council: 7 August 2018, 3.55pm to 4.14pm ○ Panel members in attendance: Paul Mitchell (Acting Chair), Julie Savet Ward and Stuart McDonald ○ DPE staff in attendance: Christine Gough and Angela Hynes ○ Council representatives in attendance: Megan Munari and Janelle Atkins
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