

Planning Proposal Report



1020 Melia Court, Castle Hill

Prepared by Paro Consulting on behalf of Castle Hill Glen Pty Ltd

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Document status

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Contents

1. Introduction	4
1.1 Overview	4
1.2 Vision and objectives	4
1.3 Proposal Amendments	4
1.4 Report Structure	4
1.5 Specialist Input	4
1.6 The Proponent	5
1.7 Future Community Engagement	5
1.8 Pre-lodgement Consultation	5
2. The Site	6
2.1 Site Location and Context	6
2.2 Site Description	8
2.3 Existing Site Attributes	9
2.4 Site Access and Transport and Infrastructure	16
2.5 Surrounding Context	16
3. Current Planning Controls	20
4. Background and Pre-Lodgement Discussions	24
4.1 Development Application History	24
4.2 Engagement with The Hills Shire Council	25
5. Indicative Concept	37
6. Planning Proposal Assessment	44
6.1 Part 1 – Objectives and intended outcomes	44
6.2 Part 2 – Explanation of provisions	45
6.3 Part 3 – Justification of strategic and site-specific merit	46
6.4 Part 4 – Maps	78
6.5 Part 5 – Community Consultation	79
6.6 Part 6 – Project Timeline	79
7. Conclusion	81

1. Introduction

1.1 Overview

This planning proposal has been prepared by Paro Consulting on behalf of Castle Hill Glen Pty Ltd (the Proponent) to initiate an amendment to The Hills Shire Local Environmental Plan 2019 (THLEP 2019) and The Hills Shire Development Control Plan (THDCP) in relation to the land at 1020 Melia Court, Castle Hill (the site).

1.2 Vision and objectives

The vision of the planning proposal is to create an authentic park side and forest living experience where a strong connection to nature, health and wellbeing sets a precedent for a biophilic community in the Hill Shire.

The objective of the planning proposal is to facilitate a residential development, comprising residential apartments, multiple dwelling housing, basement parking, new roads, a through site link, public park and nature reserve, landscaping and public domain works. The development will provide for increased housing in proximity to the Castle Hill Train Station and Commercial Centre, Cherrybrook Train Station and bus services along Castle Hill Road.

1.3 Proposal Amendments

The Planning Proposal seeks approval for the following amendments to THLEP 2019:

- Amendment the land use zoning map from C4 Environmental Living to R3 Medium Density Residential, R4 High Density Residential, C2 Environmental Conservation and RE1 Public Recreation; and
- Amendment of the maximum height standard map from 9m to accommodate heights ranging from 10m to 22m.

1.4 Report Structure

The planning proposal has been prepared in accordance with the Department of Planning and Environment's (DPE's) Local Environmental Plan Making Guideline August 2023, we provide a detailed overview of the planning proposal request having regard to Section 3.33 of the Environmental Planning & Assessment Act 1979 (EP&A Act).

1.5 Specialist Input

This Planning Proposal is accompanied by the following specialist reports, which provide an analysis of the site complexities and characteristics.

Table 1 Specialist Consultant Inputs

Report	Consultant
Site Survey	Chadwick Cheng
Urban Design Report & Concept Plans	DKO Architects
Landscape Design Report & Concept Plans	Land and form
Geotechnical Assessment Report	Tetra Tech Coffey
Structural Report	Northrop Consulting Engineers
Civil Engineering Assessment and Feasibility Report	Northrop Consulting Engineers
Service Infrastructure Report	Northrop Consulting Engineers

Report	Consultant
Transport Impact Assessment	ARUP
Arboricultural Impact Assessment and Tree Survey	H2O Consulting Group
Visual Impact Assessment	Audax Urban
Preliminary Site Investigation	Tetra tech Coffey
Draft Development Control Plan	Paro Consulting
Flood Assessment Report	Northrop Consulting Engineers
Heritage Impact Assessment	Weir Phillips Heritage and Planning
Biodiversity Development Assessment Report	Fraser Ecological Consulting
Vegetation Management Plan	Fraser Ecological Consulting
Community and Economic Needs Assessment	Hill PDA
Perspectives	DKO Architects
Bushfire Report	Blackash Bushfire Consulting
Public Benefit Offer	Paro Consulting
Communication Plan	Urban Concepts

1.6 The Proponent

Castle Hill Glen Pty. Ltd is the Proponent for this Planning Proposal, which is lodging the planning proposal for the owner of the site Castle Hill Glen Pty Ltd are committed to ensuring the site is developed in accordance with the strategic vision for Castle Hill.

1.7 Future Community Engagement

Urban Concepts have been engaged to prepare a communication plan and to facilitate community consultation during the planning proposal process.

1.8 Pre-lodgement Consultation

The Applicant submitted a scoping proposal to The Hills Shire Council and preliminary planning proposal meeting occurred on 1 June 2023. On 14 June 2023 written preliminary feedback was provided in relation to the scoping proposal and detailed response to these concerns is addressed in this report.

2. The Site

2.1 Site Location and Context

The site is located within the Hills Shire Local Government Area (LGA). The site is located is within close proximity to Castle Hill Railway Station (approximately 1.1km) to the west and Cherrybrook Railway Station (approximately 900m) to the east and Castle Hill Road being a Classified Road (50m) to the north of the site. The site plays a key role to play in the provision of housing, given its close proximity to the Castle Hill Commercial Centre and public transport. The following illustrations depict site, Figure 1 provides the location of the site within the local context, and Figure 2 provides aerial imagery.

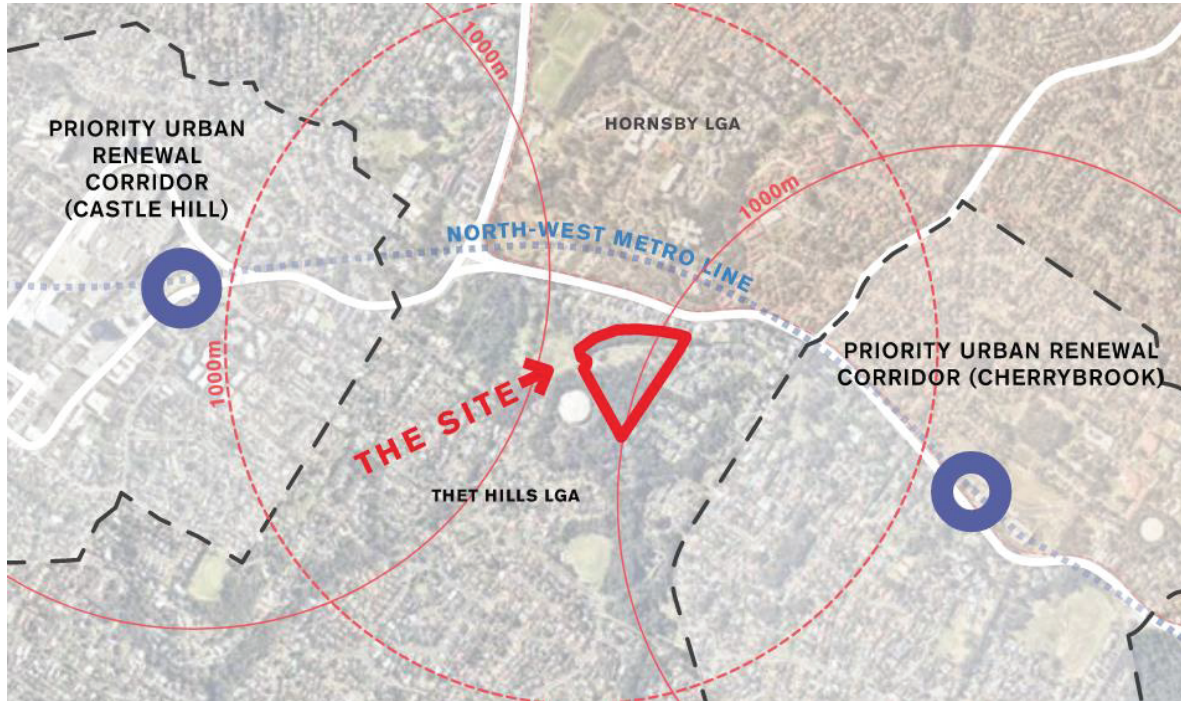


Figure 1: Locality (source DKO Architects)

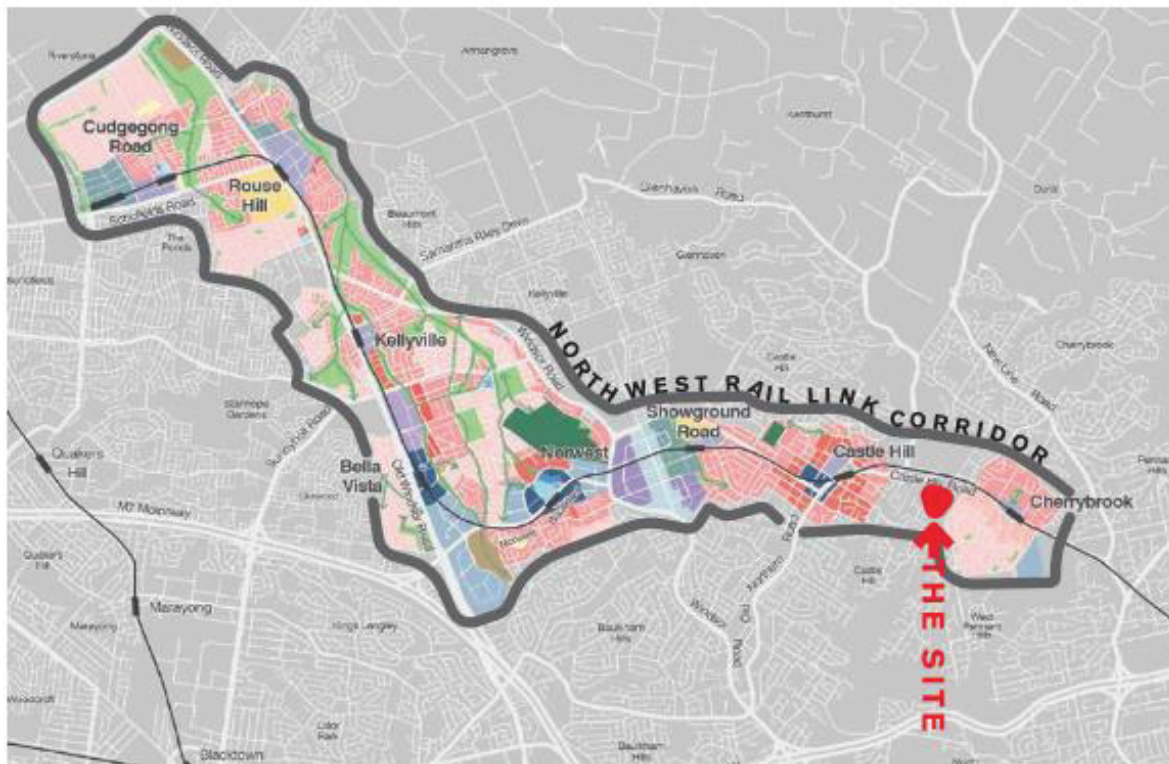


Figure 2: North West Rail Link Corridor Strategy September 2013

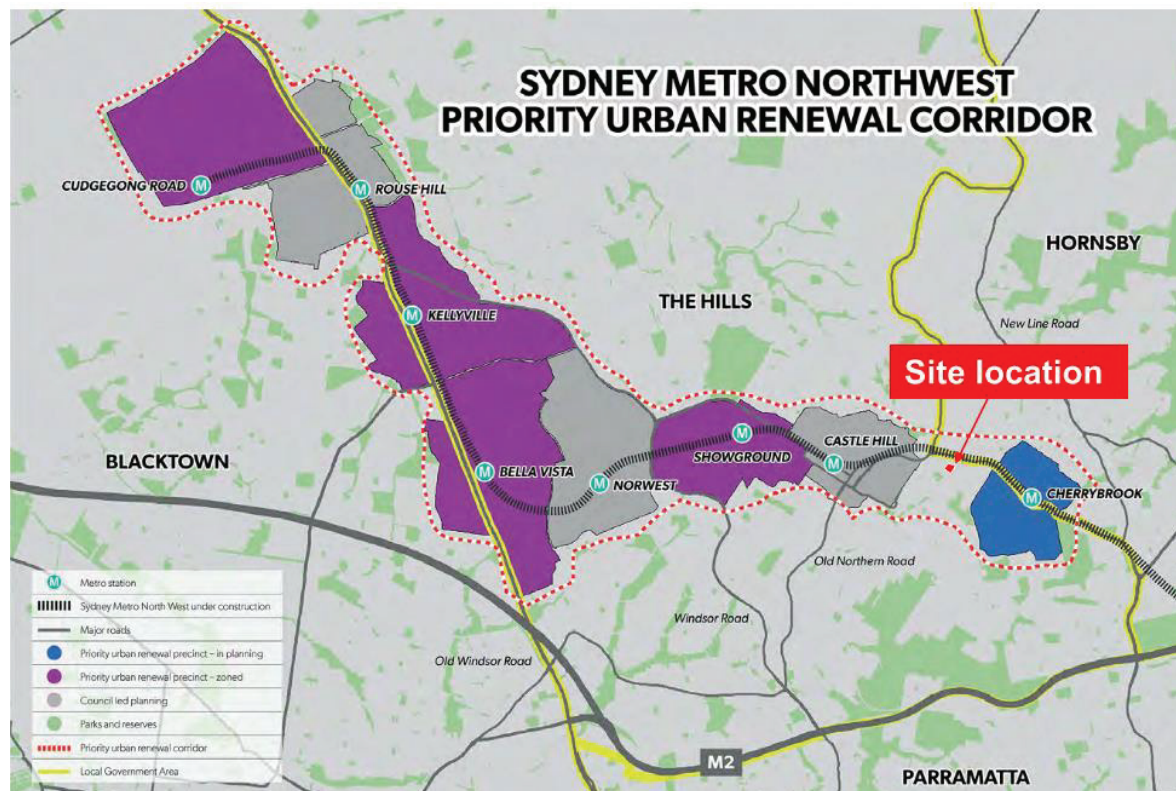


Figure 3: Sydney Metro North West Priority Urban Renewal Corridor 2022

2.2 Site Description

The site is located at 1020 Melia Court, Castle Hill on the southern side of Castle Hill Road and includes three separate torrens title lots each under single ownership. The separate allotments which make up the site, and their legal address, description, site area is provided at Table 1 below. The site has an approximate combined area of 45,024m² based on the site survey prepared by Chadwick Cheng.

Table 1. Site Details

Legal Description	Site Area
Lot 1020 DP 876671	20,100m ²
Lot 1021 DP 876671	9,760m ²
Lot 2 DP 576773	15,200m ²

The site benefits from two street frontages. There is one to Glen Road (west) of approximately 70m in length and another frontage to Melia Court (north) that is approximately 82m in length. The site has a combined site length of 277m to the western boundary, a combined site length of 315m to the eastern boundary and combined site length of 320m to the northern boundary. The site location its various allotments is shown at Figure 4.



Figure 4: Aerial Map (source DKO Architects)

A large sewage line traverses the land west to east and the following restrictions are located on the site as identified on the site survey which relate to drainage and water supply:

- Easement to drain water 3m wide (DP876671);
- Easement to drain water 3m wide (DP879431);
- Easement for water supply works 6.095m wide (H829136); and
- Easement to drain water 3m (DP576773).

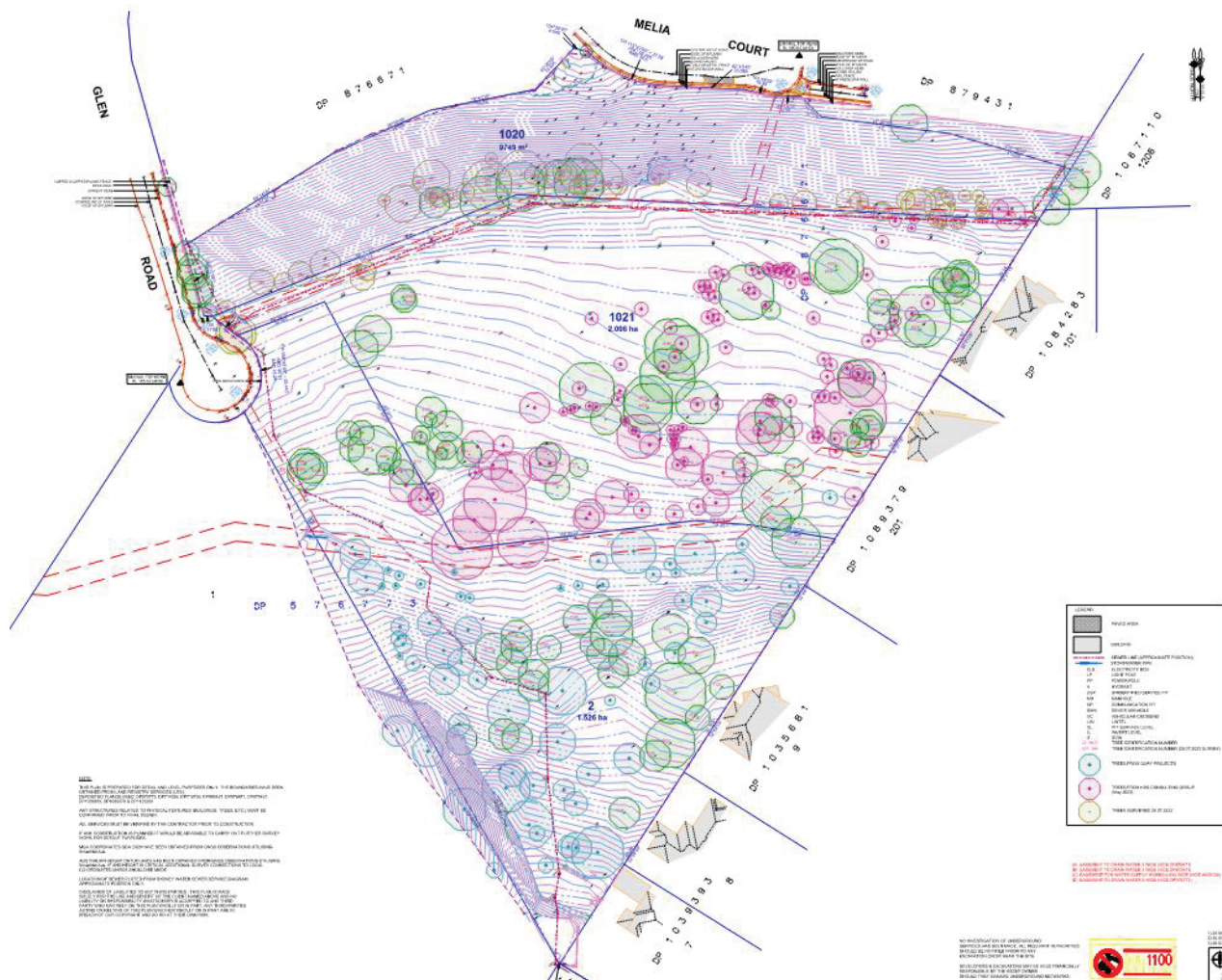


Figure 5: Site Survey (source: Chadwick Cheng)

2.3 Existing Site Attributes

The site is currently vacant and includes grassed areas and vegetation. The site is currently only access point for cars and pedestrians from Glen Road, given the steep topography to the Melia Court. Refer to the below photographs of the site. The site itself slope down to the south, from Melia Court to the north, down to a creek gully in the south.

There is a change in elevation of approximately 60m north south across the site, from RL 190m AHD along the northern site boundary down to RL 135m AHD at the southern end of site. This hillside can then be broadly divided into the following three distinct areas:

- The northern third of site is a moderately steep to steep hillside that is approximately 20m high and slopes

down to the south at 22°-25°.

- The central third of site is a gently to moderately sloping hillside that is approximately 15m high and slopes down to the south at 5°-8° with a change of elevation of approximately 20m.
- The lower third of site was again moderately steep with a slope of approximately 10°-15° degrees.

At the time of the site visit the central third of the site predominately included grassed land. The northern and southern thirds of site were heavily vegetated and are a difficult to walk through due to this vegetation. There are no structures or paved areas on site. In the central part of site, it was evident that the surficial soils had been disturbed by past track clearing and possibly some earthworks with a number of access tracks cut into the hill side, and low spoil mounds across the area. Fencing around the site varies and includes a stone block retaining wall along part of the northern boundary, metal and wire fencing and Colorbond fencing and there are no built structures on the site.

Vegetation on the site is identified in detail in the Arboricultural Impact Assessment prepared by H2O Consulting Group that accompanies this application. Within the site, there is denser vegetation on the north and southern parts of the site, with a central clearing. The survey carried out for the Arboricultural Assessment identified various canopy forming species with locally occurring native vegetation and exotic species. Tree types include Sydney Blue Gum (up to 32m in height), Black Wattle (up to 16m in height), Camphor Laurel (up to 25m in height), Brush Box (up to 18m in height), Hickory Wattle (up to 12m in height), Native Daphne (up to 14m in height) and Coral Trees (up to 20m in height).



Figure 6. Entrance to the site from the Glen Road



Figure 7. Looking east across the site



Figure 8. Looking north across the site



Figure 9. Looking towards the north eastern corner of the site



Figure 10. Looking towards the eastern boundary of the site



Figure 11. Looking towards the northern end of the eastern boundary of the site



Figure 12. Looking towards the south end of the eastern boundary of the site



Figure 13. Looking towards the south of the site



Figure 14. Looking towards the west across of the site



Figure 15. Looking towards the east across of the site



Figure 16. Aerial photo of the site



Figure 17. Aerial photo of the site looking towards Castle Hill Centre



Figure 18. Aerial photo of the site

2.4 Site Access and Transport and Infrastructure

Surrounding Road Network

Castle Hill Road is located 50m to the north of the site and 180m from the vehicular entrance of the site. The road is Classified Road which connects Castle Hill to Cherrybrook and Pennant Hills Road.

Rail

The site is located is within close proximity to Castle Hill Railway Station (approximately 1.1km) to the west and Cherrybrook Railway Station (approximately 900m) to the east. The trains line provides access to the Norwest Business Park to the west and several commercial centres to the east including Macquarie Park, Chatswood, St Leonards, North Sydney and Sydney CBD.

Bus

The site is also well connected to several bus services. A bus stop is located either side of Castle Hill Road within 200m walking distance of the site providing regular services to Hornsby and Epping via Pennant Hills and also Parramatta via Kellyville and Rouse Hill. It is understood that Transport for NSW have a draft plan to provide a dedicated express bus lane to Castle Hill Road between Castle Hill Station and Cherrybrook Station.

Open Space

The site is surrounding by natural vegetation, the proposal includes the provision a local park, walking trails and at least approximately 20,000m² of land will be retained as native forest including substantial blue gum trees.

Bicycle

There is a limited bike network in the local street network. It is understood there is a preliminary proposal to provide a cycling link between Castle Hill Station to Cherrybrook Station. This project provides the opportunity to use development contributions to contribute towards this infrastructure.

2.5 Surrounding Context

The adjoining characteristics of the neighbouring lots provide a good foundation for the site. The development will be sympathetic and relevant to existing characteristics. The following personas are drawn from an understanding of the characteristics of the surrounding;

Glen Road & Melia Court Residents

The existing residents of Glen Road and Melia Court currently share one egress and ingress point at Castle Hill road. A portion of Melia Court residents share panoramic vistas of Western Sydney.

Remnant Large Lot Parcels

The site is adjacent to a handful of large lot parcels to the West, most front another local road with the expectation of one lot which shares Glen Road. It not known the development intent of this parcel, if any. Currently it is managed land with some patches of vegetation.

Rogans Hill Reserve

Rogans Hill reserve is a Sydney Water asset which is managed and up kept on a frequent basis. The reserve has one circular water storage tank and minor surrounding auxiliary buildings. It also has access roads for maintenance.

Dorris Hirst & Hoop Pine

Well known in the Hills area are large lots in Dorris Hirst & Hoop Pine Place. These lots contain a variety of amenities, such as pools, domestic sporting fields and courts. Due to the site topography the dwellings are greater than two storeys with terracing in the front and back yards.

The result of these amenities & size their values are more than the surrounding dwelling.

Rogans Hill Community

The exploration of the edge conditions have provided insight that the site sits within small community that is residents of Glen Road and Melia Court. The development seeks to sensitively site within this community and aims to uplift and provide additional amenity such as increased connectivity and open space offering.



Figure 19. Immediate Site Context (Source: DKO Architects)



Figure 20. Photographs of Glen Road towards the south-west



Figure 21. Photographs of Glen Road towards the west



Figure 22. Photographs from Melia Court looking South



Figure 23. Photographs from Melia Court looking South

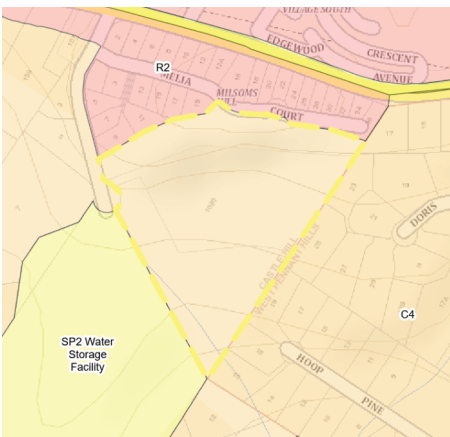


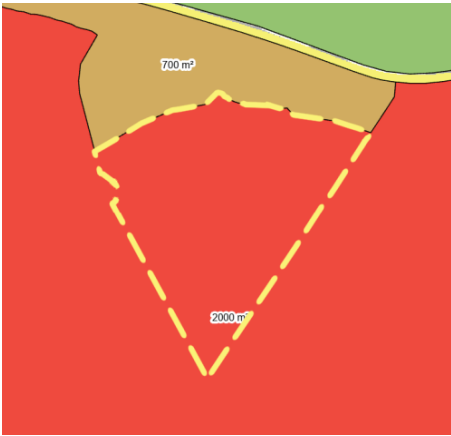
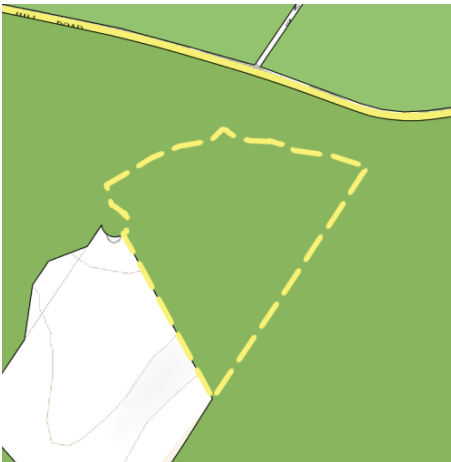
Figure 24. Photographs from Doris First Place looking west

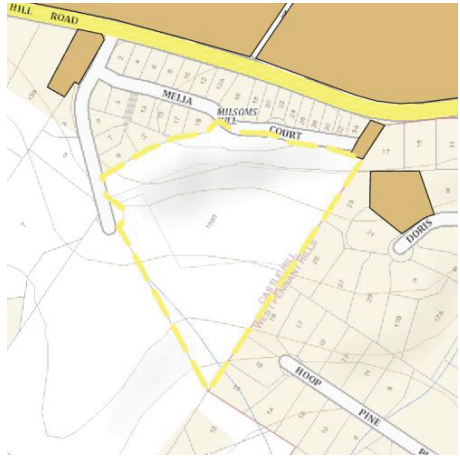

3. Current Planning Controls

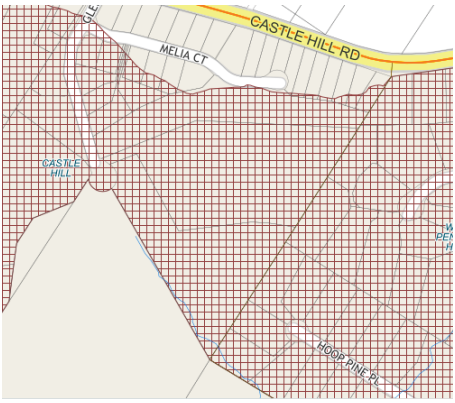
The current planning controls which apply to the site under The Hills LEP 2019 are summarised in the Table 2 below.

Table 2. The Hills LEP 2019 Assessment

Standard/Clause	Standard	Comment / Map
Land use zoning	<p>The site is zoned C4 Environmental Living.</p> <p>The land to the west, south and east is primarily zoned C4 Environmental Living.</p> <p>Land to the north is zoned R2 low density residential and SP2 Water Storage Facility to the south-west.</p>	 <p>Figure 25. Land use zoning map (Planning Portal)</p>
Uses	<p>Permitted with consent</p> <p>Bed and breakfast accommodation; Building identification signs; Business identification signs; Community facilities; Dual occupancies (attached); Dwelling houses; Emergency services facilities; Environmental protection works; Home-based child care; Home businesses; Oyster aquaculture; Pond-based aquaculture; Roads; Secondary dwellings; Tank-based aquaculture</p> <p>Prohibited</p> <p>Industries; Local distribution premises; Service stations; Warehouse or distribution centres; Any other development not specified in item 2 or 3</p>	
Part 4 Principal development standards		

Standard/Clause	Standard	Comment / Map
4.1 Minimum lot size	<p>The subject site is subject to a 2,000m² minimum lot size.</p> <p>The land surrounding the site is preliminary subject to a 2,000m² minimum lot size with the except of the R2 Low Density Residential zoned land to the north which includes a 700m² minimum lot size.</p>	 <p>Figure 26. Min lot size map (Planning Portal)</p>
4.1AA Minimum subdivision lot size for community title schemes	The minimum lot size of 2,000m ² is also applicable for any community title subdivision.	
4.2A Erection of dwelling houses or dual occupancies on land in certain rural and conservation zones	Development consent must not be granted for the erection of a dwelling house or dual occupancy on land in a zone to which this clause applies, and on which no dwelling has been erected, unless the land is a lot that is at least the minimum lot size of 2,000m ² .	
4.3 Height of Buildings	<p>The subject site is subject to 9m height standard.</p> <p>The land surrounding the site is subject to a 9m height standard.</p>	 <p>Figure 27. Height Map (Planning Portal)</p>
4.4 Floor Space Ratio	Not Applicable.	
Part 5 Miscellaneous provisions		

Standard/Clause	Standard	Comment / Map
5.10 Heritage Conservation	<p>The land is not heritage listed, though there are a number of heritage items in the broader context.</p> <p>The site 31 Melia Court adjoins the land and includes a heritage item. The local heritage listing relates to gates & gateposts which are not visible from the site.</p>	 <p>Figure 28. Heritage map (Planning Portal)</p>
5.16 Subdivision of, or dwellings on, land in certain rural, residential or conservation zones	<p>The following considerations are given to subdivision or a new dwelling house:</p> <p>(4) The following matters are to be taken into account—</p> <p>(a) the existing uses and approved uses of land in the vicinity of the development,</p> <p>(b) whether or not the development is likely to have a significant impact on land uses that, in the opinion of the consent authority, are likely to be preferred and the predominant land uses in the vicinity of the development,</p> <p>(c) whether or not the development is likely to be incompatible with a use referred to in paragraph (a) or (b),</p> <p>(d) any measures proposed by the applicant to avoid or minimise any incompatibility referred to in paragraph (c).</p>	
5.21 Flood planning	The land is not identified as being flood affected on the flood planning map.	
Part 7 Local provisions— General		
7.1 Acid sulfate soils	The site does not identified as containing acid sulfate soils as per The Hills LEP.	
7.4 Terrestrial biodiversity	The site is identified as containing a significant area of 'Blue Gum High Forest' as illustrated on the Terrestrial biodiversity map.	

Standard/Clause	Standard	Comment / Map
		Figure 29. Terrestrial biodiversity map (Planning Portal)
7.6 Landslide risk	<p>The site is identified as containing a significant area of 'land slide risk' as illustrated on the land slide risk map.</p>	 <p>Figure 30. Landslide risk map (Planning Portal)</p>

4. Background and Pre-Lodgement Discussions

4.1 Development Application History

From a search on the Hills Shire Council DA tracker and submitting a GIPA application the following applications are of relevance:

On 5/1/2018, Section 4.55 Application No 1089/2006/ZA/C was approved by Castle Hill Council. This application sought modification of the previous development approval by amending the approved sub-surface drainage methodology from a drainage blanket methodology to deep sub-soil strip drains provided within drainage lines constructed along lot boundaries. The sub-soil pipes will also afforded an easement 500mm wide along their full length to allow for their ongoing maintenance. Clause 9A granted additional removal of trees along the southern boundary.

On 2/10/2012, Section 4.55 No 1089/2006/ZA/B was withdrawn by the applicant. The application sought modification of the previous development approval by amending the approved sub-surface drainage methodology from a drainage blanket methodology to deep sub-soil strip drains provided within drainage lines constructed along lot boundaries. The sub-soil pipes will also afforded an easement 500mm wide along their full length to allow for their ongoing maintenance.

On 14/08/2006, Development Application No 1089/2006/ZA was approved by Baulkham Hill Shire Council. A proposed community title subdivision creating 24 lots, Stage 1 is to create Lots 1 - 19 and Stage 2 is to create Lots 20 - 24.

On 3/5/2007, DA No 1274/2007/ZB was refused by the Hill Shire Council. The proposal included a proposed 23 Lot community title subdivision creating proposed Lots 1 to 23. It is understood a key concern related to the stabilisation strategy for the land.

On 10/8/2011, DA No 1089/2007/ZA was refused by the Hill Shire Council and successfully appealed in the NSW LEC. The proposal included a proposed 23 Lot community title subdivision creating proposed Lots 1 to 23. It is understood a key concern related to the stabilisation strategy for the land. A Construction Certificate has been issued and works have practically commenced which has been confirmed by Council in writing which is included with the planning proposal.

On 21/12/2001, DA No 2483/2002/HA was refused by the Hills Shire Council in relation to a development application with a cost of works of \$400,000.

DA No 1089/2007/ZA – 23 Lot Subdivision

A Construction Certificate has been issued in relation DA No 1089/2007/ZA and therefore substantially commenced.

The figure below compares the approved DA to the planning proposal masterplan.



Figure 31. Comparison of approved DA and new proposal (Source: NSW Planning Portal)

The proposal is considered to result in a significantly better outcome for the following reasons:

- The proposal delivers 185 dwellings including 15% affordable rental housing within the walking catchment of two metro stations and regular bus services, compared to 23 large residential estates which is an underutilisation of state funded infrastructure.
- The proposal delivers a publicly accessible park, nature corridors and nature reserve compared than the 23 Lot subdivision which only includes a publicly accessible road with no public benefits.
- The proposal provides for greater environmental protection, by rezoning the most environmentally sensitive land to C2 Environmental Conservation, bush regeneration and proposal for the ongoing management of the nature reserve.
- The proposal provides for a smaller development footprint area compared to original DA (approx. 21,328m² compared to 23,351m²).
- The proposal includes a commitment to retain more existing trees within the development area. The landscape design features a 2:1 offset planting scheme, aiming to increase tree canopy coverage by approximately 40% within the development area while retain and manage the existing Blue Gum High Forest to the south.
- The proposal provides a holistic solution to mitigate land slide risk by constructing retaining wall to the north.
- The proposal provides for significantly greater monetary contributions to deliver local services and infrastructure.

4.2 Engagement with The Hills Shire Council

The Proponent has had ongoing discussions with The Hills Shire Council, prior to the lodgement of the Planning Proposal. A Scoping Proposal was formally lodged with the Council on 1 June 2023 and preliminary written feedback was provided in relation to the scoping proposal.

The indicative masterplan proposed as the preliminary proposal meeting is identified below.



Figure 32. Preliminary DA Masterplan (Source: DKO Architects)

A summary of the key issues and how the proposed concept design addresses those matters are provided below.

“1. Preliminary Advice as to Whether the Proposal has Strategic and Site-Specific Merit

Preliminary commentary is provided below with respect to the potential for the proposal to satisfy the strategic and site-specific merit tests. Please note that these comments are preliminary officer level comments only, based on the scoping material submitted. The comments below do not represent the final views of Council officers, which can only be established following thorough assessment of your full application and supporting technical studies. Furthermore, these preliminary comments do not impact the discretion of the elected Council to form a different view with respect to the proposal, if lodged and reported to Council for Determination”.

Table 3. Response to Council Comments on Briefing proposal

Comment against Framework	Comment
<p>Greater Sydney Region Plan and Central City District Plan</p> <p><i>The Greater Sydney Region Plan and Central District Plan contain objectives that seek to protect and enhance biodiversity and scenic landscapes.</i></p> <p><i>The proposal seeks to rezone land on a site identified as containing Blue Gum High Forest, which is a Critically Endangered Ecological Community under the Biodiversity Conservation Act 2016. It is unclear how the proposal will manage the development of the land in terms of protecting the critically endangered ecological community and facilitating the proposed development. Based on the</i></p>	<p>The proposal includes medium to high density residential development located between two metro stations and proposes greater protections and revegetation of biodiversity onsite compared to the current land use zone and protects scenic landscapes.</p> <p>The proposal seeks to rezone approximately 48% of the existing site from C4 Environmental Living to C2 Environmental Conservation which primary objective is to protect, manage and restore areas of high ecological, scientific, cultural or aesthetic values and to</p>

<p><i>information provided to date, it is considered unlikely that the proposal would be able to demonstrate consistency with these objectives.</i></p> <p><i>The current zoning of the site, C4 Environmental Living, contains objectives to maintain the scenic and district views (in this case along the ridgeline of Castle Hill Road) consistent with the Central City District Plan. The zone seeks to allow for low-impact residential development to protect ecological, scientific or aesthetic values and contribute to protecting biodiversity. The scale, density and yield of the proposed development would be well beyond what is considered “low-impact”, given the large building footprint and the level of earthworks and stabilisation works required to facilitate development. The planning proposal would appear to enable a built form that would be visible above the tree canopy on the ridgeline and that would detract from the significant district views.</i></p> <p><i>Under the current policy framework, high-density infill development opportunities are focussed within the walkable catchment immediately surrounding the new metro stations, in accordance with the principals of transit oriented development. The site is not within the walkable catchment of high frequency public transport or the Castle Hill Strategic Centre or Cherrybrook Metro Station. The planning proposal is therefore unlikely to be consistent with the Priorities and Actions of the Region and District Plans which seek to provide increased housing in the right locations within close proximity to jobs, services and public transport.</i></p> <p><i>Given these inconsistencies with the Greater Sydney Region Plan and Central City District Plan, it is the preliminary view of Council officers that it would be highly unlikely that the proposal would be capable of demonstrating strategic merit or consistency with the Region and District Plans.</i></p>	<p>prevent development that could destroy, damage or otherwise have an adverse effect on those values.</p> <p>The proposal seeks to plant an additional 418 trees, increase the tree canopy to 61.1% and provide bush regeneration to enhance the landscape character and biodiversity value of the land.</p> <p>The site is the subject of a recent development application DA 1089/2007/ZA that was approved by the Land and Environment Court. The DA included a 23 lot subdivision and access road. A construction certificate has been issued for the development and the DA has substantial commencement. The Concept Master Plan that is the subject of this Planning Proposal maintains a smaller development footprint, provides a range of multi apartment and terrace style housing typologies and includes the restoration of the retained blue gum forest, slope hazard mitigation works, the delivery of a public open space network and affordable housing community benefits. A comparison of the existing approved and proposed development is provided within urban design report prepared by DKO Architects.</p> <p>The planning proposal package includes a detailed visual impact assessment which demonstrate the heights and siting of the proposed building envelopes ensures the proposal will not significantly adversely impact upon any significant district views.</p> <p>The site is located within close proximity to Castle Hill Railway Station (approx. 1.1km) to the west and Cherrybrook Railway Station (approx. 900m) to the east. The trains line provides access to the Norwest Business Park to the west and several commercial centres to the east including Macquarie Park, Chatswood, St Leonards, North Sydney and Sydney CBD. The site is also well connected to several bus services. A bus stop is located either side of Castle Hill Road within 200m walking distance of the site providing regular services to Hornsby and Epping via Pennant Hills and also Parramatta via Kellyville and Rouse Hill. Transport for NSW have a draft plan to provide a dedicated express bus lane to Castle Hill Road between Castle Hill Station and Cherrybrook Station which will provide greater accessibility to these stations.</p>
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	<p>Every single metro station within the Hills Shire LGA includes land zoned either R3 Medium Density and/or R4 High Density Residential located at least 1.1km from a metro station. The proposal is consistent with the approach of permitting medium and high density residential development within 900m and 1.1km walking catchment of two metro stations. The approved subdivision creates large residential estates on approx. 2,500m² lots within 900m – 1.1km of two metro stations and is not considered consistent with the principles of transport orientated development.</p> <p>Further, the DPE and Transport for NSW have adopted an approach on focus high density housing supply within 1.2km of Metro Station locations. This includes an announcement in December 2023 of both Bella Vista and Kellyville includes high density residential development within 1.2km of the walking catchment of the railway stations. The proposal is consistent with this approach.</p> <p>The proposal is considered consistent with both the Greater Sydney Region Plan and Central City District Plan.</p>
<p><i>The Hills Local Strategic Planning Statement (LSPS)</i></p> <p><i>Council's LSPS seeks to provide housing in the right locations, close to transport and to protect biodiversity and scenic landscapes.</i></p> <p><i>The LSPS envisages the majority of future residential uplift to occur along the Sydney Metro Northwest Corridor and greenfield precincts of North Kellyville and Box Hill. There is sufficient land zoned or identified for future uplift in order to meet the Shire's housing targets to 2036 and beyond. Council is one of the only Metropolitan Council's that has met its 2016-2021 housing target and is on track to meeting its 2021-2026 housing target. As such, there is limited justification for providing additional housing outside of areas already identified as being suitable for uplift, where recent infrastructure investment can be readily capitalised on to enable transit oriented development outcomes.</i></p> <p><i>The site is not located within the walkable catchment of Castle Hill or Cherrybrook Metro Stations. The proposal seeks to provide high density residential development on a site that is identified as containing critically endangered ecological communities, in a location that has not been</i></p>	<p>As noted above, the site is located within close proximity to Castle Hill Railway Station (approx. 1.1km) to the west and Cherrybrook Railway Station (approx. 900m) to the east.</p> <p>Whilst it is acknowledged the Hills Shire Council is may meet its 2021-2026 housing target, the planning proposal and future development applications will be likely to be determined after 2026, and therefore can contribute to future housing supply, housing diversity and affordable housing which are the key highlights in the LSPS.</p> <p>The key findings from HillPDA's Community and Economic Needs Assessments stipulate that the population projections for the local area and LGA suggest a trend toward smaller household sizes, signalling a need for a greater number of smaller dwellings in the area moving forward.</p> <p>The surrounds and LGA have a much lower proportion of medium and high-density housing than Greater Sydney, with separate house overwhelmingly being the dominant typology. The proposal would assist in increasing housing diversity in the local area and LGA,</p>

<p><i>planned to accommodate this level of uplift and in an area which has been specifically identified for low-impact residential only in order to protect and maintain the environmental, aesthetic and scenic qualities of the locality. Given this, it is highly unlikely that the planning proposal would be able to demonstrate consistency with the vision and priorities articulated within Council's LSPS, which has been formally assured by the Greater Cities Commission.</i></p>	<p>aligning with strategic directions to increase housing diversity. By increasing housing diversity, the proposal would assist in meeting a need for a wider variety of dwellings types and sizes, enabling residents to remain part of the community as their requirements change (most particularly, enabling ageing in place).</p> <p>The proposal would assist in improving alignment between housing stock and household size, with small households being overrepresented in separate dwellings, suggesting an unmet demand for smaller sized dwellings. Indeed, at the 2021 Census, over a quarter (26 per cent) of separate dwellings within the study area had 3 or more spare bedrooms, again suggesting a mismatch in the size and diversity of dwellings being delivered within the area.</p> <p>Therefore, the proposal is considered to be consistent with the The Hills Local Strategic Planning Statement (LSPS)'s objectives as it is located in close proximity to major metro stations, offer to deliver additional housing supply and housing diversity beyond 2026.</p>
<p>North West Rail Link Corridor Strategy</p> <p><i>The site is not identified as being suitable for development uplift within this Plan. Land in closer proximity to stations (within the walkable catchment from each station) has been identified as more suitable areas for high density development to occur.</i></p>	<p>Every single metro station within the Hills Shire LGA includes land zoned either R3 Medium Density and/or R4 High Density Residential at least 1.1km from a metro station. The proposal is consistent with approach of permitting medium and high-density residential development within 900m and 1.1km of two metro stations. The subdivision which creates large residential estates on approx. 2,500m² lots within 900m – 1.1km of two metro stations is not considered consistent with the principles of transport orientated development and will under capitalise on the site being walking distance to two new metro stations and local centre and not deliver any affordable housing.</p>
<p>Cherrybrook Station Precinct Place Strategy</p> <p><i>The site is not identified as being suitable for development uplift within this Plan. Land in closer proximity to the station (within the walkable catchment from the station) has been identified as a more suitable area for high density development to occur.</i></p>	<p>Further, the DPE and Transport for NSW have adopted an approach on focus high density housing supply within 1.2km of Metro Station locations. This includes an announcement in December 2023 of both Bella Vista and Kellyville includes high density residential development within 1.2km of the metro stations. The proposal is consistent with this approach and delivers new housing within 1.2km of two stations in a location closer to the Sydney CBD.</p>
<p>The Hills Corridor Strategy</p> <p><i>The site is not identified as being suitable for development uplift within this Plan. Land in closer proximity to stations (within the walkable catchment from each station) has been identified as more suitable areas for high density development to occur.</i></p>	
<p>Draft Castle Hill Precinct Plan</p> <p><i>The site is not identified as being suitable for development uplift within this draft Plan. Land in closer proximity to the</i></p>	

<p><i>station (within the walkable catchment from the station) has been identified as a more suitable area for high density development to occur.</i></p>	
<p>Section 9.1 Ministerial Directions</p> <p><i>Direction 3.1 Conservation Zones seeks to conserve environmentally sensitive areas. The direction states that planning proposals must not reduce the environmental protection standards that apply to land identified for environmental conservation purposes in an LEP (including modifying development standards that apply to the land). The Planning Proposal would appear to be inconsistent with this Ministerial Direction.</i></p> <p><i>The proposal would need to demonstrate consistency with Direction 4.1 Flooding which seeks to ensure that planning proposals consider the potential flood impacts both on and off the subject site. There is concern about the potential to achieve consistency with this direction, given the topography and landslip risk associated with the site, and the Sydney Water easement that traverses the site. This is discussed further below.</i></p>	<p>The proposal seeks to significantly increase the environmental conservation and protection of the site through rezoning 48% of the land from C4 Environmental Living to C2 Environmental Conservation.</p> <p>The proposed development site, characterised predominantly by cleared land with remnant trees and weed-infested Blue Gum High Forest, presents a habitat of low quality for fauna. The proposal seeks to plant an additional 418 trees and increase the tree canopy to 61.1% and proposes substantial bush regeneration and creation of new landscaped corridors. The proposal includes measures for the dedication and future protection of the BGHF in the southern portion of the site to a Vegetation Management Plan (potentially under a Planning Agreement relating to the land). This area is to be placed under an 88B restriction as to its use and enforced under Section 88E of the Conveyancing Act, 1919.</p> <p>A flood impact and risk assessment report has been prepared by Northrop Consulting Engineers. The report identifies the site is marginally affected by local overland flow from Glen Road and the upstream Melia Court. The report recommends the implementation of standard engineering solutions such as swales and an inground pit and pipe network to divert upstream flow away from the proposed development. The report concludes the proposal is consistent with the Ministerial Directions – Flooding.</p>
<p>Response to a change in circumstances that has not been recognised by the existing planning framework</p> <p>There has been no change in circumstances that has not been recognised by the existing planning framework. The existing planning framework has appropriately responded to the introduction of the Sydney Metro Northwest through the corresponding Corridor Strategies, Place Strategies and draft Precinct Plans, none of which identify the site as being suitable for development uplift. Under</p>	<p>The site is located within close proximity to within the new constructed Castle Hill Railway Station (approx. 1.1km) to the west and Cherrybrook Railway Station (approx. 900m) to the east. There is a draft plan by Transport for NSW to provide a dedicated express bus lane to Castle Hill Road between Castle Hill Station and Cherrybrook Station. This will supplement the exiting regular bus services to Hornsby and Epping via</p>

<p>these plans, the focus of higher density development is in proximity to these Stations.</p>	<p>Pennant Hills and also Parramatta via Kellyville and Rouse Hill.</p> <p>The current C4 Environmental Living zone and 2,000m² minimum lot size which would accommodate large residential estates is considered an under capitalisation of the two recently two metro stations located only 900m and 1.1km from the site and deliver no affordable housing.</p> <p>The DPE and Transport for NSW have adopted an approach on focusing high density housing supply within 1.2km of Metro Station locations. This includes an announcement in December 2023 of both Bella Vista and Kellyville includes high density residential development within 1.2km of the metro stations. The proposal is consistent with this approach and delivers new housing within 1.2km of two stations in a location closer to the Sydney CBD.</p>
<p>Site-Specific Merit</p> <p><i>“the natural environment on the site to which the proposal relates and other affected land (including known significant environmental areas, resources or hazards)”</i></p> <p><i>“The site is heavily constrained by a number of environmental factors, including steep topography, landslide risk and the presence of Blue Gum High Forest, which is listed as a Critically Endangered Ecological Community under the Biodiversity Conservation Act 2016. Under Clause 7.6 – Landslide Risk of LEP 2019, the site is identified and mapped as susceptible to landslide risk. This clause seeks to restrict development on unsuitable land to ensure that development is commensurate with the underlying geotechnical conditions.</i></p> <p><i>The geotechnical engineering response that would likely be required to stabilise the land for the proposed development outcome would heavily conflict with the protection of environmental values (including critically endangered vegetation) on the site.</i></p> <p><i>Any future planning proposal for the site would need to demonstrate that the development concept and required engineering works would not result in serious and irreversible impacts to the endangered ecological community on site. Considering the substantial clearing required to facilitate the proposal, the development would</i></p>	<p>The proposal seeks to significantly increase the environmental conservation and protection of the site through rezoning 48% of the land from C4 Environmental Living to C2 Environmental Conservation. The proposed residential zoned portion of the land includes a similar footprint to the approved DA for a 23 Lot subdivision.</p> <p>The proposal seeks to plant an additional 418 trees and increase the tree canopy to 61.1%. The proposal also seeks for the dedication and future protection of the blue gum high forest in the southern portion of the site to a Vegetation Management Plan (potentially under a Planning Agreement relating to the land). This area is to be placed under an 88B restriction as to its use and enforced under Section 88E of the Conveyancing Act, 1919.</p> <p>The proposed development site, characterised predominantly by cleared land with remnant trees and weed-infested Blue Gum High Forest, presents a habitat of low quality for fauna.</p> <p>The master plan that supports the Planning Proposal has been designed to predominately retain the high value trees. In addition, the landscape strategy for the site seeks to increase the existing canopy cover of the land and proposes bush regeneration to enhance the landscape character and biodiversity value of the land.</p>

<p><i>trigger the Biodiversity Offset Scheme. The NSW Environment and Heritage Group (EHG) stated in their submission, that the planning proposal in its current form does not meet requirements in relation to biodiversity assessment and floodplain risk management. EHG noted that the proposal is likely to have significant impact on the local biodiversity values given the extent of the proposed engineering works. Significant Biodiversity Assessment would be required to demonstrate the impact of the proposed development on the endangered ecological community. Further discussion on the issues raised by EHG are provided in the next section of this letter. The submission received from EHG is provided as Attachment 2.</i></p> <p><i>The southern portion of the site is identified as a flood control lot. The proposed development is likely to redirect overland flow paths across the site, potentially impacting the adjoining properties. The proposed density increase would also have implications for stormwater drainage south of the site and would substantially increase the level of impervious surfaces. A Flooding Impact Assessment would be required to identify the potential flooding impacts of the proposed development and demonstrate that the proposal does not increase flood risk. It is noted that this matter was raised as a concern in the submission received from Sydney Water, which is discussed further in the next section of this letter. A copy of Sydney Water's submission is also provided as Attachment 5.</i></p> <p><i>The planning proposal would be required to demonstrate how the required protection of biodiversity is balanced with the extensive engineering work required to mitigate landslide risks on the site and the proposed boardwalk through the Blue Gum Heigh Forest, especially during construction of the proposed development. In assessing the planning proposal Council would also be required to consider the risk of setting a precedent for applications seeking a similar outcome, which could in turn compromise the integrity of the continuous C4 Environmental Living zone land and further impact local biodiversity”.</i></p>	<p>The proposal includes measures for the dedication and future protection of the BGHF in the southern portion of the site to a Vegetation Management Plan (potentially under a Planning Agreement relating to the land). This area is to be placed under an 88B restriction as to its use and enforced under Section 88E of the Conveyancing Act, 1919.</p> <p>A Geotechnical Report has been prepared by Tetra Tech Coffey and Structural Report by Northrop Engineers. The proposal includes a basement that accommodates a permanently anchored shoring wall and piles into rock which will significantly reduce the risk of landslide of the existing houses to Melia Crescent. The proposed basement is located predominantly within the footprint of the recently approved DA 1089/2007/ZA including a 23 lot subdivision and access road and the protection of the existing significant vegetation to the north of the site.</p> <p>A Biodiversity Development Assessment Report and vegetation management plan has been prepared by Fraser Ecological and enclosed to the planning proposal. The documents demonstrate the proposal will not result in serious and irreversible impacts to the endangered ecological community on site and vegetation plan is considered to improve the biodiversity value of the land.</p> <p>The proposal is considered to provide a suitable balance between stabilising the site from landslip and retaining vegetation of biodiversity values on the site.</p> <p>A flood impact and risk assessment report has been prepared by Northrop. The report identifies the site is marginally affected by local overland flow from Glen Road and the upstream Melia Court. The report recommends the implementation of standard engineering solutions such as swales and an inground pit and pipe network to divert upstream flow away from the proposed development. The report concludes the proposal is consistent with the Ministerial Directions – Flooding.</p> <p>The proposal is considered to provide a suitable balance between resolving the existing landslide risk and stabilising the site and protecting properties to Melia Court and protecting existing Blue Gum high Forest to the north of the site.</p>
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<p>Strategic Merit</p> <p><i>“the built environment, social and economic conditions.”</i></p> <p><i>“The proposed high density development is inconsistent with the character of surrounding low to very low density residential development. The site and surrounds form an important ‘environmental spine’ along Castle Hill Road. The bulk and scale of the proposed development is likely to detract from district scenic views along the ridgeline of Castle Hill Road.</i></p> <p><i>The Scoping Proposal indicates that the resulting development density would be 42 dwellings per hectare. This is inconsistent with the surrounding character of the area and the objectives of the C4 Environmental Zone. Further, the density calculation has been undertaken across the whole site, much of which is undevelopable due to dense, critically endangered vegetation. The proposed development outcome is closer to a density of 83 dwellings per hectare when calculated based on the 2.3 hectare portion of the site that is proposed for development. This scale of development is consistent with high density development that is typically considered to be appropriate in the inner walkable catchment of Metro Station Precincts, rather than in low density neighbourhoods that are constrained by environmental values and identified for low-impact development only which protects environmental, aesthetic and scenic values.</i></p> <p><i>The central park is unlikely to provide a substantial public benefit, considering the isolated location of the site. The central park is likely to only service the future residents of the proposed development. The stated benefit of allowing residents to enjoy recreational walks through the adjacent bushland also has the potential to impact on the</i></p>	<p>The subject site and land to the west, south and east are zoned C4 Environmental Living and include a 2,000m² minimum lot size and land to the north is zoned R2 Low Density Residential and includes a 700m² minimum lot size. The provision of large residential estates on adjoining properties to the adjoining properties not capitalisation of the two recently two metro stations located within 800m of the lands and future express bus service to Castle Hill Road and does not contribute to affordable housing.</p> <p>Rezoning the portion of C4 Environmental Living land which contain significant vegetation to C2 Environmental Conservation is considered to provide a greater protection to the important environmental spine’ along Castle Hill Road whilst permitting greater density housing within close proximity to metro line and bus services. The proposal seeks to plant an additional 418 trees and increase the tree canopy to 61.1% and includes bush regeneration.</p> <p>Every single metro station within the Hills Shire LGA includes land zoned either R3 Medium Density and/or R4 High Density Residential at least 1.1km from a metro station. The proposal is consistent with approach of permitting medium and high-density residential development within 900m and 1.1km of two metro stations. The subdivision which creates large rural estates on 2,000m² lots within 900m – 1.1km of two metro stations is not considered consistent with the principles of transport orientated development and will under capitalise on the site being walking distance to two new metro stations and local centre.</p> <p>Further, the DPE and Transport for NSW have adopted an approach on focus high density housing supply within 1.2km of Metro Station locations. This includes an announcement in December 2023 of both Bella Vista and Kellyville includes high density residential development within 1.2km of the metro stations. The proposal is consistent with this approach and delivers new housing within 1.2km of two stations in a location closer to the Sydney CBD.</p> <p>The proposal provides a public park zoned RE1 Public Recreation to the western portion of the site adjoining Glen Road being the most publicly accessible portion</p>
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<p><i>flora and fauna habitats and seasonal behaviours and would need to be further considered”.</i></p>	<p>of the land. The proposed public park is not considered isolated, and purpose is to residents within Cherrybrook and Castle Hill.</p> <p>The site is characterised predominantly by cleared land with remnant trees and weed-infested Blue Gum High Forest, presents a habitat of low quality for fauna. The proposal includes planting an additional 418 trees and increase the tree canopy to 61.1% and substantial bush regeneration and creation of new landscaped corridors as identified with the supporting vegetation management plan.</p> <p>The primary purpose of the proposed C2 Environmental Conservation zone is environmental conservation and rehabilitation. Any proposed recreational walks would be designed to not impact upon on the flora and fauna habitats (measures such as separation, boardwalks, fenced paths).</p>
<p><i>“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”.</i></p> <p><i>“The proposed density increase is likely to contribute to existing traffic impacts along Castle Hill Road. Right turn movements from Castle Hill Road onto Glen Road are currently prohibited during peak times. The proposal will need to consider the potential safety issues associated with this and the extent to which the development uplift would further exacerbate these issues.</i></p> <p><i>It is unclear from the Scoping Proposal whether the proposed park is intended to be dedicated to Council. This is unlikely to be supported as it would require Council to own and maintain land for a public purpose, without any significant public benefit for the community, beyond servicing residents of development on this site.</i></p> <p><i>Any proposal would need to consider and include an infrastructure mechanism to ensure the funding and delivery of any new or upgraded upgrades to local infrastructure required as a result of the proposed development”.</i></p>	<p>A Transport Impact Assessment has been prepared by ARUP which considers the impact of the proposal upon the local transport network.</p> <p>The key findings of the assessment are:</p> <ul style="list-style-type: none"> • The road carriageway of Glen Road is generally narrow and vehicles are unable to pass each other where there are vehicles parked on both sides of the road. Therefore, to accommodate additional traffic generated by the development, kerbside restrictions should be considered at regular intervals on both sides of Glen Road to allow vehicles passing, such as by providing ‘no parking’ restrictions. • Right turns are not permitted from Castle Hill Road to Glen Road on weekdays during the AM and PM peak hours (6am – 10am and 3pm – 7pm). Due to this restriction, vehicles (except for emergency vehicles) approaching the site from the west would be required to undertake a detour. • Based on a conservative modelling approach, the development is expected to have a minor impact on the Castle Hill Road / Glen Road intersection during peak periods. Traffic generated by the development is very low when compared to background traffic volumes on Castle Hill Road. This low traffic generation is also expected to only have a minor impact on intersections along the detour route (for vehicles approaching the

	<p>site from the west during weekday peak hours). Therefore, the road network impacts of the proposal are expected to be minimal.</p> <p>The proposal will be referred to RMS which will provide recommends for infrastructure works.</p> <p>The proposal will result in significant monetary contributions which can be used for local road and public domain upgrades.</p>
<p>2. Views of Public Authorities – Preliminary Consultation</p> <p><i>“As part of the Scoping and Pre-lodgement process, Council has undertaken consultation with the following State Government agencies to obtain their preliminary views on the proposal:</i></p> <ul style="list-style-type: none"> <i>• Sydney Water;</i> <i>• Endeavour Energy;</i> <i>• Transport for NSW; and</i> <i>• NSW Environment and Heritage Group (EHG).</i> <p><i>A submission has been received from each of these authorities.</i></p> <p><i>Endeavour Energy and Sydney Water confirmed that an augmentation of the existing local network would be required to service the proposed development. Additionally, Sydney Water noted a critical water main within an easement traverses the site. Sydney Water raised concerns with the soil.”</i></p> <p><i>conditions and the slope stability of the site, as the proposed development has the potential to increase the risk to the watermain during water leak and break events.</i></p> <p><i>Transport for NSW responded with no concerns or objections raised in relation to the proposed development, however provided recommendations for further consideration in the preparation of a traffic study. ‘</i></p> <p><i>The submission received from the NSW Environment and Heritage Group raised a number of issues and provided guidance for further technical studies that need to be undertaken. The critical concerns raised in their submission are summarised as follows:</i></p> <ul style="list-style-type: none"> <i>• It is likely that the current proposal could have significant impacts on local biodiversity values given the extent of engineering works covers more than 55% of the site.</i> 	<p>Combined Infrastructure Services Assessment has been prepared by Northrop which details the proposed augmentation of the existing local network. All future infrastructure will be designed in consideration of the existing easement and land stability.</p> <p>The proposal seeks to stabilise the land and will reduce the risk of potential future damage to the existing watermain.</p> <p>A Transport Impact Assessment has been prepared by ARUP which considers the impact of the proposal upon the local transport network. A detailed traffic study can be provided following the planning proposal being supported and providing to Gateway determination.</p> <p>The site is subject to an approval for a 23 lot subdivision including road access under DA No 1089/2007/ZA which includes the protection of the existing significant vegetation to the north of the site. The proposed residential zoning is proposed predominantly within the footprint of the approved subdivision DA and seeks to rezone the remainder of the land (approx. 48%) as C2 Environmental Conservation to provide a more</p>

<ul style="list-style-type: none"> • <i>Given the impacts to Serious and Irreversible Impact (SAII) entities due to the proposed extent of the R3 zoning, the Proponent would be unlikely to be able to demonstrate how the proposal has avoided and minimised impacts to biodiversity values on the site.</i> <p><i>The proposal does not sufficiently identify threatened entities, nor provide adequate protection through appropriate zoning and ongoing management of avoided land with significant biodiversity values.</i></p> <ul style="list-style-type: none"> ▪ <i>Approval of the current rezoning proposal could lead to future DAs being refused given that section 7.16 of the Biodiversity Conservation Act states that a consent authority must refuse to grant consent if it is of the opinion that the proposed development is likely to result in a serious and irreversible impact on biodiversity values.</i> <p><i>A copy of all submissions received from public authorities are provided as Attachments 2-5.</i></p>	<p>appropriate zoning for the ongoing management of avoided land with significant biodiversity values.</p> <p>A Biodiversity Development Assessment Report and vegetation management plan has been prepared by Fraser Ecological and Arborist Impact Assessment Report, prepared by H20 Consulting and enclosed to the planning proposal.</p> <p>The proposal is considered to provide a suitable balance between stabilising the site from landslip and retaining vegetation of biodiversity values on the site.</p> <p>The site is characterised predominantly by cleared land with remnant trees and weed-infested Blue Gum High Forest, presents a habitat of low quality for fauna. The proposal seeks to plant an additional 418 trees and increase the tree canopy to 61.1% and includes substantial bush as identified with the supporting vegetation management plan and considered to improve the biodiversity value of the land.</p>
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5. Indicative Concept

The indicative concept permits a medium to high density residential development which relates to the sites strategic location and attributes, ensure greater environmental conservation and provide opportunities for public recreation at the subject site 1020 Melia Court, Castle Hill.

The planning proposal seeks to achieve this outcome through amendments to The Hills Local Environmental Plan (THLEP) 2019 to allow for the following:

- Rezone the C4 Environmental Living zoned land to R3 Medium Density Residential, R4 High Density Residential, RE1 Public Recreation and C2 Environmental Conservation.
- Amend the maximum Building Height Standard for the subject site from 9m, to a range of maximum Building Height Standards from 10m to 22m.

The LEP amendments above will facilitate the delivery of the concept residential masterplan community illustrated in the accompanying Urban Design Report prepared by DKO Architects. The Concept Design is illustrative only and does not represent a fully developed DA scheme. It is prepared to demonstrate the quality design outcome and the suitability of impacts of the proposed planning controls for the site.

The intended future development for the site comprises of the following:

- A Publicly Accessible Park “Rogans Hill Park” that is designed to provide a natural play area and outdoor fitness opportunities.
- Six (6) residential flat buildings, with heights ranging from three to six storeys, containing 147 apartment units and 38 terraces, each spanning between two and three stories.
- 15% of housing to be provided as affordable rental housing for 15 years.
- A series of connected biodiversity corridors connecting the existing Blue Gum High Forest and WSUD infrastructure that provide habitats for local flora and fauna.
- A central loop road to enhance accessibility and circulation to each public and communal space.
- Spaces for the public to enable meaningful community engagement.

The following sections demonstrate that the proposed zoning and building height sought under this Planning Proposal can be accommodated on the site within a built form that does not significantly impact existing and future surrounding development, biodiversity, view corridors or the road network and is therefore suitable for the site.



Figure 32. Masterplan (Source: DKO Architects)

Tree Planting and Canopy Coverage



Figure 33. Landscape Masterplan (Source: Land and Form)



Figure 34. Aerial view of Masterplan (Source: DKO Architects)



Figure 35. View towards future public park (Source: DKO Architects)



Figure 36. View towards townhouse typology (Source: DKO Architects)



Figure 37. View towards boardwalk (Source: DKO Architects)

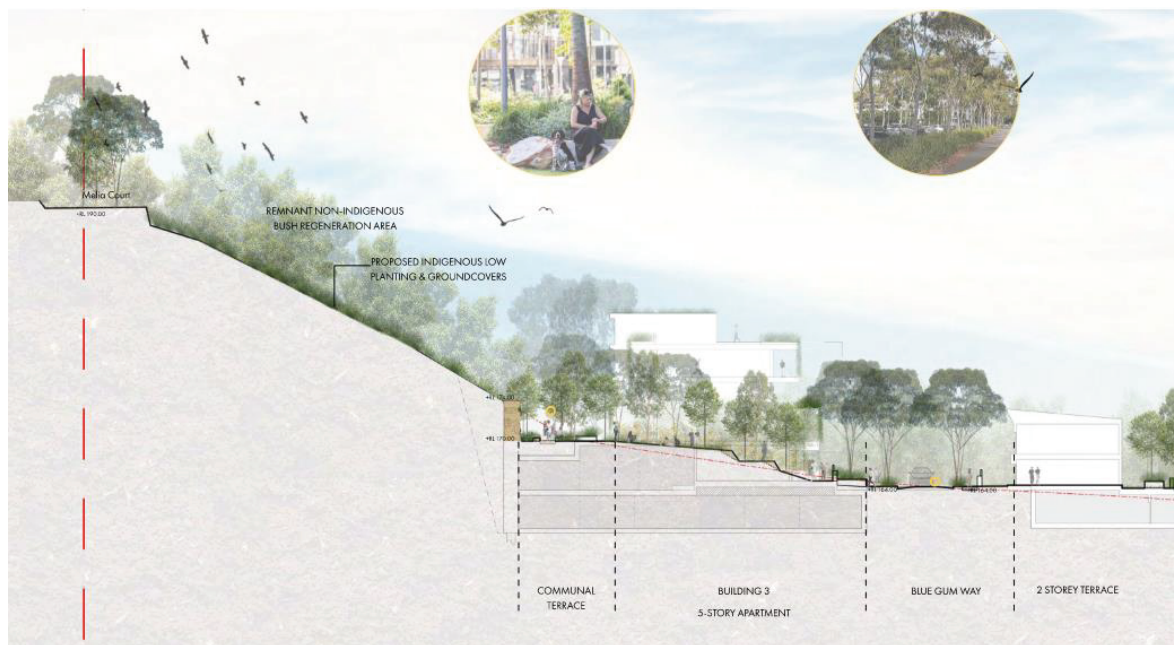


Figure 38. Section showing high side (Source: DKO Architects)

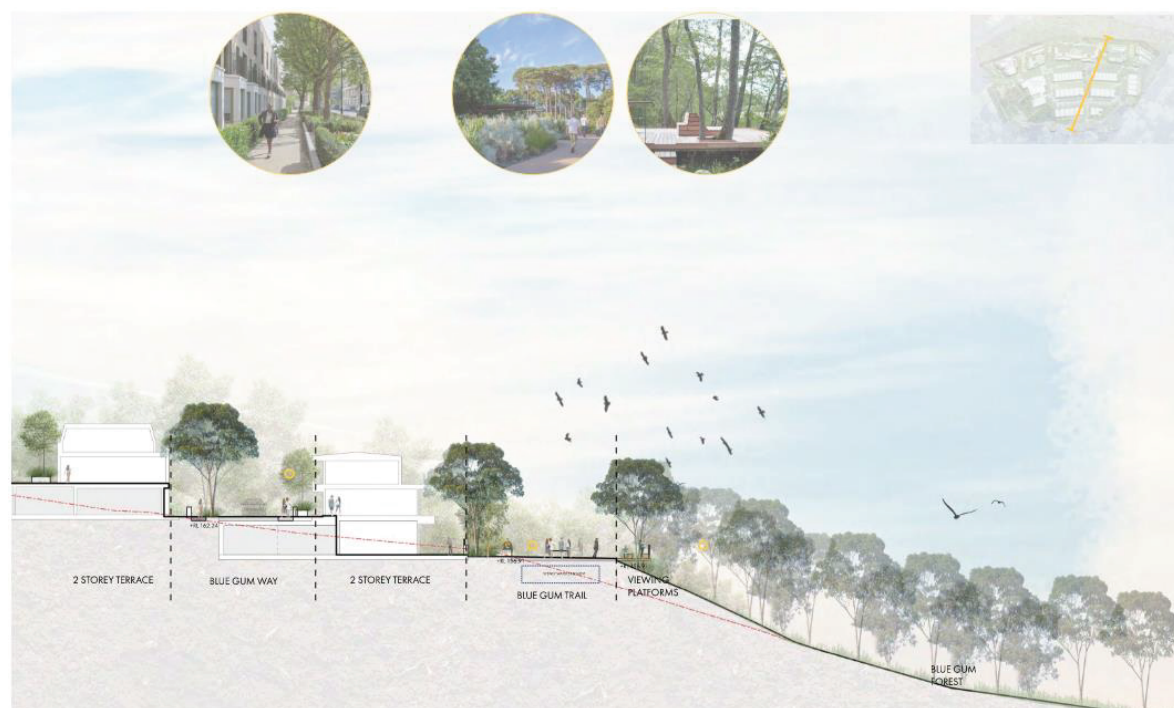


Figure 39. Section showing low side (Source: DKO Architects)

The reference design prepared by DKO Architects within the Urban Design Report and is summarised in the table below.

Figure 4. Development Summary

Element	Detail
Site Area	45,059m ²
No. of buildings	Six (6) residential flat buildings Five (5) rows of terraces
Total Dwellings	185 Dwellings, 147 apartments and 38 terraces
Total Developable Area	21,328m ²
Total Building Footprint	7,605m ² (12,981m ² including basement)
Affordable Rental Housing	15% of the total residential floor area
Buildings height	Building 1 – maximum 3 storeys Building 2 – maximum 5 storeys Building 3 – maximum 6 storeys Building 4 – maximum 5 storeys Building 5 – maximum 4 storeys Building 6 – maximum 4 storeys All the rows of terraces will be a maximum of 3 storeys.
Dwellings per Hectare	41
Uses	Residential Flat Buildings and Multiple Dwelling Housing
Apartment and Terrace Mix	1 bedroom = 35 dwellings (19%) 2 bedroom = 95 dwellings (51%) 3 bedroom = 17 dwellings (9%)
Vehicular Access	Single entrance and ring road
Public Park	2,000m ²
Trees Planting	Retained = 55 Trees Removed = 209 Trees Proposed = 418 Trees
Tree Canopy	Existing Canopy = 18.9% Proposed Canopy Coverage = 42.2% Total Canopy Coverage = 61.1%
Total Deep Soil Area	72% (32,475m ²)
Total Landscaped Area	80% (36,123m ²)
Nature & Water Play Exploration Garden Area	500m ²

Element	Detail
New publicly accessible greens space	5,000m ²
Streetscape upgrades & shared linkages	2,250m ²

6. Planning Proposal Assessment

The required content of a planning proposal is set out in Section 3.33 of the Environmental Planning and Assessment Act 1979. To assist with the preparation of a planning proposal, the DPE have published the Local Environmental Plan Making Guideline (August 2023) which sets out the form and content that is required within the six parts identified below:

Part 1 – Objectives and intended outcomes - a statement of the objectives of the proposed instrument

Part 2 – Explanation of provisions – an explanation of the provisions that are to be included in the proposed instrument

Part 3 – Justification of strategic and site-specific merit – justification of strategic and potential site-specific merit, outcomes, and the process for implementation

Part 4 – Maps – existing and proposed maps, where relevant, to identify the effect of the planning proposal and the area to which it applies

Part 5 – Community consultation – details of consultation undertaken with Government agencies, council or other authorities, and community consultation that is to be undertaken on the planning proposal post Gateway and during exhibition

Part 6 – Project timeline – Project timeline to detail the anticipated timeframe for the LEP making process This Planning Proposal has been prepared in a manner consistent with the LEP Plan Making Guidelines, including the specific matters required to be addressed and also the anticipated timeframe. Whilst this Planning Proposal was submitted in April 2022, it has been updated to reflect the August 2023 Guideline, post gateway determination.

6.1 Part 1 – Objectives and intended outcomes

Objective

To amend The Hills LEP 2019 to permit a low to mid rise residential development which relates to the sites strategic location and attributes, ensure greater environmental conservation and provide opportunities for public recreation at the subject site 1020 Melia Court, Castle Hill.

Intended outcomes

The intended future development for the site comprises of the following:

- A publicly accessible park that is designed to provide a natural play area and outdoor fitness opportunities for residents in the local community.
- Six (6) residential flat buildings with heights ranging from three to six storeys and terraces each spanning between two and three stories.
- 15% of housing as affordable rental housing for 15 years.
- Create a series of connected biodiversity corridors connecting the existing Blue Gum High Forest and WSUD infrastructure that provide habitats for local flora and fauna.
- A central loop road to enhance accessibility and circulation to each public and communal space.
- Spaces for the public to enable meaningful community engagement.

6.2 Part 2 – Explanation of provisions

This section provides a detailed statement of how the objectives or intended outcomes will be achieved by amending an existing The Hills LEP 2019.

The objectives and intended outcomes of the Planning Proposal will be achieved by establishing planning controls that would enable the redevelopment of the site. The proposed planning controls would enable a high quality medium and high density residential development with affordable rental housing, including a future public park and environmental conservation that successfully integrates with the emerging context.

Intended Provisions

An explanation of the intended provisions is included in the table below.

Figure 5. Development Summary

Intended Provision	Explanation
Amend the Hills LEP 2013 Land Use Zoning Map to rezone the C4 Environmental Living zoned land to R3 Medium Density Residential, R4 High Density Residential, RE1 Public Recreation and C2 Environmental Conservation (refer to figure 37 below).	<p>The proposed R4 High Density Residential land use zone purpose is to permit residential flat buildings to be accommodated to this portion of the land.</p> <p>The proposed R3 Medium Density Residential land use zone purpose is to permit multiple dwelling houses to be accommodated to this portion of the land.</p> <p>The proposed RE1 Public Recreation land use zone purpose is to permit a public park to this portion of the land.</p> <p>The proposed C2 Environmental Conservation land use zone purpose is to ensure environmental conservation to this portion of the land.</p>
Amend the Hills LEP 2013 Height of Buildings Map from a 9m maximum height standard to permit a 10m and 22m maximum building height (refer to figure 38 below).	<p>The 22m height standard is to be applied in the R4 High Density Residential Zone and a typical height standard for a building up to a maximum height of six storeys in the Hills Shire LGA. The site specific DCP prescribes varying maximum storey heights within the R4 High Density Residential zone. Alternatively, a range of maximum height standards can be applied in the R4 High Density Residential Zone upon the request of Council.</p> <p>A maximum height standard of 10m is proposed in the R3 Medium Density Residential zone. This is the typical maximum height standard applied to multiple dwelling housing in R3 Medium Density Residential zone land on sloping land within the Hills Shire LGA.</p>

The 2,000m² minimum lot size is proposed to be retained for the land.

The RE1 Public Recreation zoned land which is proposed to be subdivided and transferred in ownership to The Hills Shire Council including a minimum lot size of 2,000m².

Typically, the R4 High Density Residential land use zone includes a 1,800m² minimum lot size and R3 Medium Density Residential land use zone includes 700m² minimum lot size. These lower minimum lot sizes can be accommodated upon the request of The Hill Shire Council, however not required for the development in this instance.

No Floor Space Ratio (FSR) standard applies to the site and this Planning Proposal does not seek to change this.

The Planning Proposal is expected to be advanced in parallel with a site-specific Development Control Plan which provides the detailed guidelines and controls for the delivery of the indicative concept. It is anticipated the draft DCP will be further developed in consultation with Council, post-gateway determination.

6.3 Part 3 – Justification of strategic and site-specific merit

The following section considers the Planning Proposal against the Department of Planning and Environment's Strategic Merit and Site-Specific Merit Tests for Planning Proposals.

6.3.1 Strategic Merit

SECTION A – NEED FOR A PLANNING PROPOSAL

'1. Is the planning proposal a result of an endorsed LSPS, strategic study or report?'

The Planning Proposal has been initiated following the key directions and strategies described in the Plan for Growing Sydney, A Metropolis of Three Cities – Greater Sydney Region Plan, and the Central City District Plan. The proposal is consistent with the key directions and strategies described in A Plan for Growing Sydney. Discussion on the consistency of the planning proposal with this strategy is contained in the response to Question 3.

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

It is considered that the Planning Proposal is the best means of achieving the stated objective of urban revitalisation of this land. The Planning Proposal is certainly the most efficient mechanism available for stimulating urban renewal and accelerating delivery of high-density housing on this site in a manner consistent with the strategic directions established in the documents the Plan for Growing Sydney, A Metropolis of Three Cities – Greater Sydney Region Plan, the Central City District Plan.

The Planning Proposal is certainly the most efficient mechanism available for ensuring increased environmental conservation, stabilising the land, and accelerating delivery of high-density housing.

SECTION B – RELATIONSHIP TO THE STRATEGIC PLANNING FRAMEWORK

'3. Will the planning proposal give effect to the objectives and actions of the applicable regional or district plan or strategy (including any exhibited draft plans or strategies)?'

The stated objective of the planning proposal closely aligns with several State Government strategies, specifically the Plan for Growing Sydney, A Metropolis of Three Cities – Greater Sydney Region Plan, and the Central City District Plan.

A. The Plan for Growing Sydney (Department of Planning and Environment, December 2014)

The Plan for Growing Sydney outlines the State Government's plan to deliver homes, jobs and infrastructure to support a growing population. Key directions described in the Plan relate to accelerating housing supply and urban renewal across Sydney, with a focus on providing homes in areas well serviced by existing or planned infrastructure.

The Plan identifies that there is a significant gap between current housing production and future housing needs and that it is critical to remove the barriers to increased housing production to facilitate accelerated housing supply. The Plan's Vision for 2056 promotes the '30 minute city' concept across greater metropolitan Sydney, allowing people to live, work and access amenities and services in a highly accessible manner. The Plan also advocates for more housing in the specific locations and encourages urban renewal of particular sites which benefit from existing and proposed infrastructure, especially around centres with good public transport access and amenity. The Plan identifies emphasises the importance of aligning population growth with infrastructure investment to create liveable and well serviced cities.

The subject site is position between the Castle Hill Strategic Centre / Castle Hill Railway Station to the west (1.1km), Cherrybrook local Centre and Railway Station to the east (900m) and 200m from Castle Hill Road which provides frequent bus services to other Strategic Centres. There is a draft plan by Transport for NSW to provide a dedicated express bus lane to better connect Castle Hill Road between Castle Hill Station and Cherrybrook Station.

The Plan states private industry is to manage bushland on private lands in areas of high conservation value, including biodiversity corridors and to voluntarily enter into a joint agreement with the Minister for the Environment to permanently protect special features on their land. Such an agreement permanently conserves the land even if the land changes hands. The Plan also states local planning controls should be used to protect high conservation value areas, native vegetation and biodiversity. Many of these areas to contribute directly to the protection of animals and plants.

The proposal seeks to rezone 48% of the most environmentally significant portion of the land from C4 Environmental Living to C2 Environmental Conservation and proposal seeks to plant an additional 418 trees and increase the tree canopy to 61.1%. The proposal also includes entering into a joint agreement with the Minister for the Environment to protect, regenerate and maintain the significant biodiversity of the subject site. The proposed land to be rezoned to R3 Medium Density Residential, R4 High Density Residential and RE1 Public Recreation is proposed to be located predominately within the footprint of an approved DA for a 23 lot subdivision.

B. A Metropolis of Three Cities – Greater Sydney Region Plan (Greater Sydney Commission March 2018)

The Metropolis of Three Cities – Greater Sydney Region Plan provides a framework for the predicted growth in Greater Sydney. Key themes based on delivering a metropolis of three 30-minute cities which are a follow on from the ten directions envisioned by the Greater Sydney Commission. This vision is set out in the structure plan shown in Figure below.



Figure 40. Extract from A Metropolis of Three Cities (Source: Greater Sydney Region Plan March 2018)

The four key themes are focused on infrastructure and collaboration, liveability, productivity and sustainability. The planning proposal is aligned with these key themes, directions, metrics and objectives by:

- “1. Infrastructure and collaboration. The subject land is located on the fringe of the Baulkham Hills Town Centre in a highly accessible location with opportunities for everyday needs, employment and public transport corridors.*
- 2. Liveability. The reference architectural design drawings provided with this planning proposal and the urban design study show that liveability for the future residents is a primary consideration for the future building design. Solar access and cross ventilation has been maximised along with general compliance with the requirements of the Apartment Design Guide. Further the design and configuration are also carried out with the remote work and work from home trend arising from the COVID-19 pandemic.*

3. *Productivity. The proposal capitalises on the location on the fringe of the Town Centre. The proposal creates a more accessible and walkable city with pedestrian links to be enhanced adjacent the site.*

4. *Sustainability. The planning proposal facilitates building capacity based on existing and committed infrastructure noting that whilst traffic problems are known within the Town Centre there is not expected to be any discernible impact of the proposal on the traffic network as confirmed in the traffic report”.*

Figure 6. Consistency with the Metropolis of Three Cities – Greater Sydney Region Plan

Objective	Planning Proposal
Objective 10. Greater housing supply	<p>The Planning Proposal meets this objective by amending the existing planning controls to enable medium to high density residential development. The site is located between Castle Hill Strategic centre and station and Cherrybrook Station and located 200m from Castle Hill Road providing regular bus services to other Strategic Centres</p> <p>The existing C4 Environmental Living zoning and 2,000m² minimum lot size is considered an underutilised upon recently constructed Castle Hill and Cherrybrook metro station. The proposal represents the orderly and economic development of land and ensures this infrastructure can be readily capitalised on to enable transit-oriented development outcomes.</p> <p>The proposal will deliver 185 dwelling including 15% affordable rental housing compared to that of the approved 23 Lot subdivision to accommodate large residential estates approved under a DA under the current zoning and development standards.</p>
Objective 11. Housing is more diverse and affordable	<p>The Planning Proposal seeks to increase the number of new dwellings in the suburb of Castle Hill and proposes a mixture of dwelling types including residential apartments and multiple dwelling housing. The proposal offers 15% of the total floor area to be provided as affordable rental housing for a 15 year period to ensure a portion of the housing will be affordable.</p>
Objective 14. A Metropolis of Three Cities – integrated land use and transport creates walkable and 30-minute cities	<p>The Planning Proposal meets this objective by:</p> <ul style="list-style-type: none"> • Creating an opportunity for additional dwellings within a short distance of the Castle Hill town centre; • Supports the delivery of existing transport infrastructure including Sydney Metro and bus by ensuring additional residential capacity is located in an accessible location; • Will contribute additional monetary contributions towards the provision of community infrastructure to service the growing city.
Objective 27. Biodiversity is protected, urban bushland and remnant vegetation is enhanced	<p>The proposed development site, characterised predominantly by cleared land with remnant trees and weed-infested Blue Gum High Forest, presents a habitat of low quality for fauna. The proposal seeks to rezoned over 48% of the land from C4 Environmental living to C2 Environmental Conservation, includes substantial planting increasing the tree canopy to 61.1%, the creation of new landscaped corridors and proposes to enter into a joint agreement with the Minister for the Environment to protect, regenerate and maintain the significant biodiversity of the subject site.</p>

Objective	Planning Proposal
Objective 30. Urban tree canopy cover is increased	<p>The area of the proposed residential development and future park is predominantly located within the footprint of the approved 23 lot subdivision including road access under DA No 1089/2007/ZA to minimise the loss of any significant vegetation.</p> <p>The proposal seeks to significantly increase the urban tree canopy of the site to 61.1% through bush regeneration and additional planting of 418 trees as detailed in the proposed vegetation management plan prepared by Fraser Ecological. The proposal also includes creating a number of green grid connections to enable the bushland to the south and north of the site to be connected. Further consideration of this matter can occur at the Development Application (DA) stage.</p>

C. Central City District Plan

The Central City District Plan sets out the priorities and actions for this District and these are structured around 3 key themes of a Productive City, a Liveable City and a Sustainable City.

Expediting the delivery of housing brings more dwellings to the market which in turn drives prices down. Delivering more dwellings and within shorter timeframes aims to respond to the current housing crisis in Western Sydney where scarcity has resulted in an affordable housing shortage.

The planning proposal seeks to deliver housing to the market quickly and in a highly liveable and accessible location which is within walking/cycling distance of both Castle Hill Strategic Centre and Station and Cherrybrook Station and Castle Hill Road which provides regular bus services to other Strategic Centre.

In summary, this planning proposal seeks to deliver on the vision set forward in the Central City District Plan by:

1. Increasing diversity of housing choice.
2. Delivering housing to meet the need for an additional 207,500 homes in the period between 2016 to 2036. This is an ambitious target that can only be met with permitting additional housing in highly accessible and amenable locations.
3. Expediting the delivery of new housing stock to ease the pressure of demand resulting in a generally more affordable housing product. The provision of large residential estates on significant 2,000m² lots will result in a negligible contribution to housing stock and deliver a housing typology only available to the affluent. The proposal includes a mixture of apartment, multiple dwelling housing and will deliver 15% of housing as affordable for 15 years.
4. Contribution to energy efficiency through aims to deliver a development that meets environmental performance criteria.
5. Reduced emissions through both building environmental performance but also through reduction in reliance on private vehicle travel. Focusing increased housing on the subject site which is highly accessible to two metro stations and regular bus services means that future residents are more likely to walk, cycle and use integrated public transport systems. EV's and future mobility solutions are also likely to further assist in unlocking greater liveability across The Hills.
6. Provision of high quality housing that will reflect the greater propensity for remote working or work from home opportunities. This is achieved through a 'family friendly' mix of apartment and multiple dwelling housing sizes to align with the broader Hills Shire Council approach on unit developments.

Figure 7. Consistency with the District Plan

District Plan Direction	District Plan priority/action and response
Infrastructure and collaboration	<p><i>‘A city supported by infrastructure: C1 – Planning for a city supported by infrastructure’.</i></p> <p>The proposal is consistent with this priority as it will facilitate the additional dwellings within the strategic centre of Castle Hill, and a short distance from public transport options (two railway stations and regular bus service), increasing the 30-minute access to a metropolitan centre.</p>
Liveability	<p><i>‘Housing the city: C5 – Providing housing supply, choice and affordability with access to jobs, services and public transport’.</i></p> <p>The proposal is consistent with this priority as it will facilitate the addition housing within the strategic centre of Castle Hill, and a short distance from public transport options, jobs and services. The proposed rezoning will broaden the residential uses permissible on the site and increasing affordability.</p>
Productivity	<p><i>‘Jobs and skills for the city: C9 – Delivering integrated land use and transport planning and a 30-minute city’.</i></p> <p>The proposal is consistent with this priority as it will facilitate new housing within the strategic centre of Castle Hill, and a short distance from public transport options (two railway stations and regular bus service), increasing the 30-minute access to a centre.</p>
Sustainability	<p>A city in its landscape:</p> <p><i>‘C15 – Protecting and enhancing bushland, biodiversity and scenic and cultural landscapes.’</i></p> <p>The proposed development site, characterised predominantly by cleared land with remnant trees and weed-infested Blue Gum High Forest, presents a habitat of low quality for fauna. The area of the proposed residential development and future park is predominantly located within the footprint of the approved 23 lot subdivision including road access under DA No 1089/2007/ZA.</p> <p>The proposal seeks to rezoned over 48% of the land from C4 Environmental living to C2 Environmental Conservation, includes substantial revegetation and creation of new landscaped corridors and proposes to enter into a joint agreement with the Minister for the Environment to protect, regenerate and maintain the significant biodiversity of the subject site.</p> <p>A Biodiversity Development Assessment Report and vegetation management plan has been prepared by Fraser Ecological supporting the proposal.</p> <p><i>‘C – 16 Increasing urban tree canopy cover and delivering Green Grid connections’</i></p> <p>The area of the proposed residential development and future park is predominantly located within the footprint of the approved 23 lot subdivision including road access under DA No 1089/2007/ZA to minimise the loss of any significant vegetation.</p> <p>The proposal seeks to significantly increase the urban tree canopy of the site to 61.1% through bush regeneration and additional planting of 418 trees as detailed in the proposed vegetation management plan prepared by Fraser Ecological.</p>

District Plan Direction	District Plan priority/action and response
	The proposal also includes bush regeneration and creating several green grid connections to enable the bushland to the south and north of the site to be connected. Further consideration of this matter can occur at the Development Application (DA) stage.

Is the Planning Proposal consistent with a Council's local strategy or other local strategic plan?

A. The Hills Local Strategic Planning Statement

Hills Future 2036, The Hills Shire Council's Local Strategic Planning Statement (LSPS), links the State's regional planning framework with Council's local planning framework and sets out Council's short-, medium- and long-term priorities on infrastructure, liveability, productivity and sustainability to a 20 year horizon. The LSPS was endorsed by Council on 22 October 2019.

The figure below identifies the subject site within the LSPC.

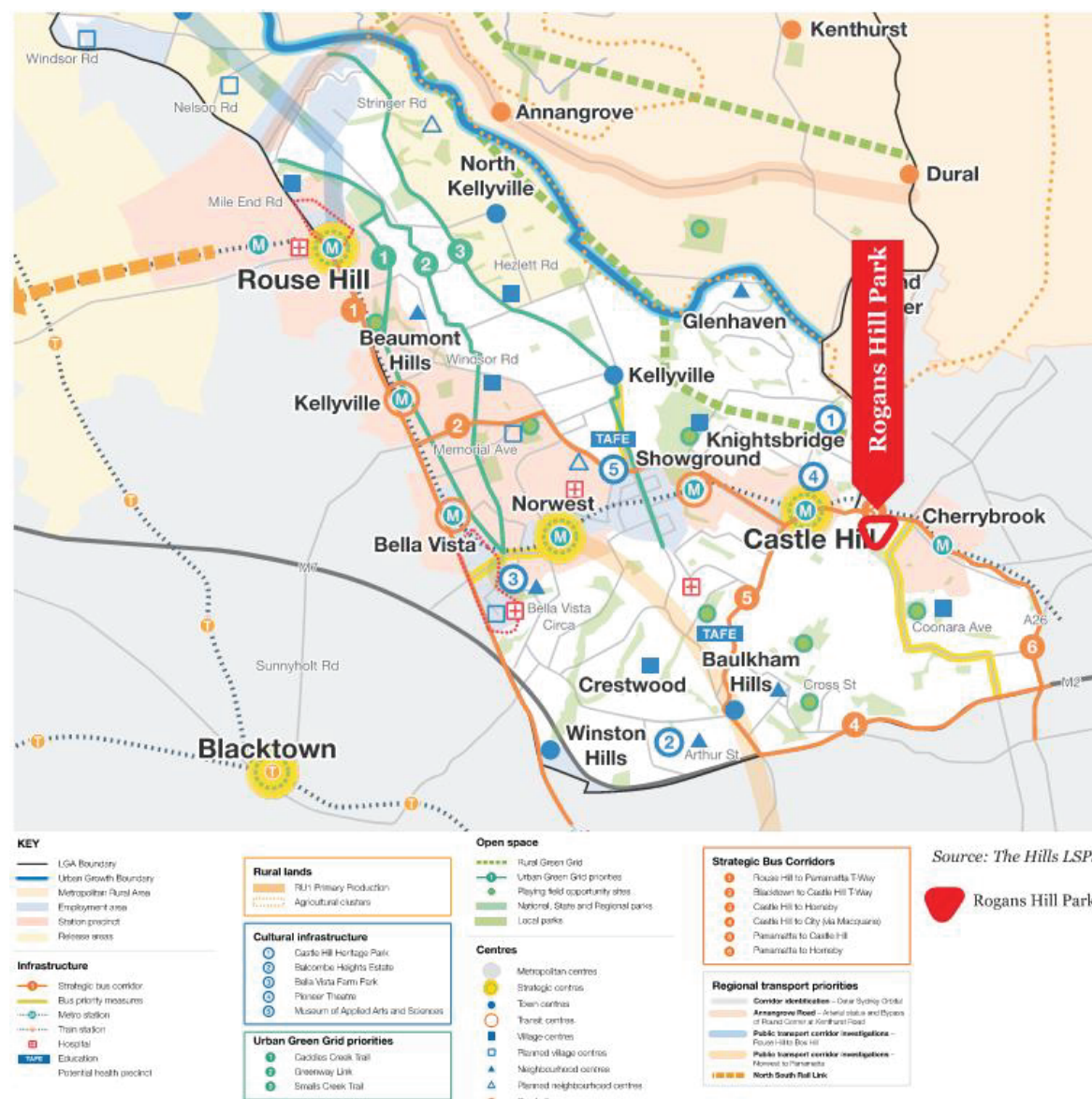


Figure 41. LSPC (Source: The Hills Council)

The LSPS presents 23 Planning Priorities which seek to shape the growth of the LGA. Applicable Planning Priorities relating to housing and the environment are reproduced below. In summary, the Planning Proposal is consistent with the outcomes of the Hills LSPS.

Figure 8. Consistency with Hills LSPS

Planning Priority	Planning Proposal
Shaping Growth	
<i>6: Plan for new housing to support Greater Sydney's growing population</i>	<p>The Planning Proposal seeks to amend the existing suite of planning controls to provide 185 dwellings within an area with an established residential character and serviced by existing utilities. This will assist Council to reach its new dwelling target of 38,500 dwellings by 2036. The site is not industrial, employment or rural land.</p> <p>Whilst it is acknowledged the Hills Shire Council is on track to meet its 2021-2026, housing target. The planning proposal and future development application will be determined after 2026, and therefore contribute to future housing supply and affordable housing which has yet to be forecasted.</p> <p>The proposal will deliver a significantly greater number of dwellings than the approved development under DA No 1089/2007/ZA which includes a 23 lot subdivision including road access, with each lot including a minimum lot size of 2,000m² as required by the current THLEP 2019.</p> <p>The proposal seeks to deliver 15% of the total residential floor area as affordable rental housing for 15 years.</p>
<i>7: Plan for new housing in the right locations</i>	<p>The site is within walking distance of the Castle Hill Strategy precinct which provides transport, employment and services which are easily accessible to future residents.</p> <p>The site is located within close proximity to Castle Hill Strategic Centre and Railway Station (approx. 1.1km) to the west and Cherrybrook Railway Station (approx. 900m) to the east. A bus service is located to Castle Hill Road (200m) to the north of the site providing connections to a number of Strategic Centres. There is a draft plan to provide a dedicated express bus lane to Castle Hill Road between Castle Hill Station and Cherrybrook Station providing better connectivity for the site.</p> <p>Every single metro station within the Hills Shire LGA includes land zoned either R3 Medium Density and/or R4 High Density Residential greater than 1.1km. The proposal is consistent with approach of permitting medium and high-density residential development within 900m and 1.1km of two metro stations. The subdivision which creates large rural estates on 2,500m² lots within two metro stations is not considered consistent with the principles of transport orientated development and will under capitalise on the site being walking distance to two new metro stations and local centre.</p> <p>Further, the DPE and Transport for NSW have adopted an approach on focus high density housing supply within 1.2km of Metro Station locations. This includes an announcement in December 2023 of both Bella Vista and Kellyville includes high</p>

Planning Priority	Planning Proposal
	density residential development within 1.2km of the metro stations. The proposal is consistent with this approach.
<i>8: Plan for a diversity of housing</i>	<p>The provision of new dwelling house stock in Castle Hill as sought by this Planning Proposal seeks to balance new housing in this location with higher density apartment style housing stock closer to the site entry and providing a mix of lower density townhouses adjoining the bushland and adjoining low density residential area. This provides a diversity of new housing which may be constructed in the suburb of Castle Hill.</p> <p>The proposal seeks to deliver 15% of the total residential floor area as affordable rental housing for 15 years, which is considered to deliver a diversity of residents and tenure.</p>
<i>9. Renew and Create Great Places</i>	<p>The proposal seeks to provide new dwellings within close proximity to Castle Hill Strategic Centre, Castle Hill and Cherrybrook station and future rapid bus service to Castle Hill Road ensure residents will have good accessibility and access to services.</p> <p>The proposal includes the delivery of a future public park through the rezoning of a portion of the land to RE1 Public Recreation and the creation of a number of publicly accessible green links and walking tracks.</p> <p>The proposal seeks to rezone at least 48% of the land to C2 Environmental Conservation, including bush regeneration, protection and to increase the tree canopy of the site increasing the environmental amenity of the land for the benefit of the local community.</p>
<i>10. Provide social infrastructure and retail services to meet resident's needs</i>	The planning proposal includes supports the social infrastructure with the provision of a new public park and reserves of nature walks which will contribute to the wellbeing of children and local residents.
Infrastructure	
<i>11. Plan for convenient, connected and accessible public transport</i>	<p>The planning proposal is located close to major transport infrastructure including the Castle Hill Strategic Centre, Castle Hill and Cherrybrook metro stations and future rapid bus services along Castle Hill Road. Providing additional population in areas with good public transport accessibility and routes, supports the ongoing viability and future public transport investment.</p> <p>The current approved DA No 1089/2007/ZA which includes a 23 >2,500m² lot subdivision to accommodate large residential estates is considered a significant underutilisation of the new metro stations and future rapid bus service.</p>
Environment	

Planning Priority	Planning Proposal
<p><i>17: Protect areas of high environmental value and significance</i></p>	<p>The proposed development site, characterised predominantly by cleared land with remnant trees and weed-infested Blue Gum High Forest, presents a habitat of low quality for fauna. The area of the proposed residential development and future park is predominantly located within the footprint of the approved 23 lot subdivision including road access under DA No 1089/2007/ZA.</p> <p>The proposal seeks to rezoned over 48% of the land from C4 Environmental living to C2 Environmental Conservation, includes substantial revegetation and creation of new landscaped corridors and proposes to enter into a joint agreement with the Minister for the Environment to protect, regenerate and maintain the significant biodiversity of the subject site.</p> <p>A Biodiversity Development Assessment Report and vegetation management plan has been prepared by Fraser Ecological supporting the proposal.</p>
<p><i>18. Increase urban tree canopy cover</i></p>	<p>The proposal seeks to significantly increase the urban tree canopy of the site through bush regeneration and additional planting as detailed in the proposed vegetation management plan prepared by Fraser Ecological. The proposal significantly increases the urban tree canopy of the site to 61.1% through bush regeneration and additional planting of 418 trees.</p> <p>The proposal also includes creating several green grid connections to enable the bushland to the south and north of the site to be connected.</p>
<p><i>20: Prepare residents for environmental and urban risks and hazards</i></p>	<p>The site is neither subject to significant flood nor bushfire risk and supported by both a flood assessment and bush fire report. The concept submitted within this Planning Proposal confirms that future residents can live in resilient dwellings that reduce the risks associated with climatic extremes.</p> <p>The site has a landslide risk overlay in THLEP 2019. The geotechnical site investigation carried out by the Geotechnical Engineer in the Appendix concludes that the risks of shallow slump failure and deep-seated failure are respectively unlikely and rare likelihood. A number of landslide risk management strategies are recommended in the report including the design of slope stabilisation mechanisms, drainage, footing designs and cut and fill which are to be adopted by any future DA for dwellings on the site.</p> <p>The site has a landslide risk overlay in THLEP 2019. The geotechnical site investigation carried out by Tetra Tech Coffey suggested the following landslide management and construction strategies:</p> <ul style="list-style-type: none"> • Support of the slide mass with engineering structures such as retaining walls and/or toe berms so it is fully retained. • Remove and/or replace the slide mass and slide surfaces with Engineered Fill, structures can then be constructed on the Engineered Fill. • Construct a permanent subsurface drainage network so that no excess groundwater pressure can build up on the slide surface and in the soil mass. • Reduce the slide mass by cutting back the slope.

Planning Priority	Planning Proposal
	<ul style="list-style-type: none"> Reinforce the slide mass with cast insitu elements such as piles or jet grout columns on a closely spaced grid pattern across the slide footprint. <p>This planning proposal makes it financially viable to fund the necessary structural works to stabilise the land, which includes the construction of a large retaining wall which anchors the land to the north.</p>

As set out above the planning proposal will contribute toward achieving the goals identified in the plan. Specifically, the redevelopment of the subject site will contribute to the economic growth of Castle Hill, will encourage diversity and liveability of places and environmental conservation, and will enhance the status of The Hills as a City in which people want to reside.

B. Hills Local Housing Strategy

The Hills Local Housing Strategy (LHS) was prepared to outline the strategic direction to manage the residential population growth anticipated between 2016 and 2036 which is envisioned to be between 162,500 people to 290,900 people, or approximately 80% of the existing population. The LHS has been prepared to reflect the planning priorities of the Hills LSPS, specifically the following:

- Plan for new housing to support Greater Sydney's growing population;*
- Plan for new housing in the right locations;*
- Plan for a diversity of housing;*
- Renew and create great places; and*
- Provide social infrastructure and retail services to meet residents' needs'.*

Figure 9. Consistency with Local Housing Strategy

Planning Priority	Justification
<i>Plan for new housing to support Greater Sydney's growing population</i>	<p>The Planning Proposal seeks to amend the existing suite of planning controls to provide 185 dwellings within an area with an established residential character and serviced by existing utilities. This will assist Council to reach its new dwelling target of 38,500 dwellings by 2036. The site is not industrial, employment or rural land.</p> <p>Whilst it is acknowledged the Hills Shire Council maybe on track to meet its 2021-2026, housing target. The planning proposal and future development application will be determined after 2026, and therefore contribute to future housing supply, housing diversity and affordable housing which has yet to be forecasted.</p> <p>The proposal will deliver a significantly greater number of dwellings that the approved development under DA No 1089/2007/ZA which includes a 23 lot subdivision including road access, with each lot including a minimum lot size of 2,000m² as required by the current THLEP 2019.</p> <p>The proposal seeks to deliver 15% of the total residential floor area as affordable rental housing for 15 years.</p>

Planning Priority	Justification
<p><i>Plan for new housing in the right locations</i></p>	<p>The site is located within close proximity to Castle Hill Strategic Centre and Railway Station (approx. 1.1km) to the west and Cherrybrook Railway Station (approx. 900m) to the east. A bus service is located to Castle Hill Road (200m) to the north of the site providing connections to a number of Strategic Centres. There is a draft plan to provide a dedicated express bus lane to Castle Hill Road between Castle Hill Station and Cherrybrook Station providing better connectivity for the site.</p> <p>Every single metro station within the Hills Shire LGA includes land zoned either R3 Medium Density and/or R4 High Density Residential greater than 1.1km. The proposal is consistent with approach of permitting medium and high-density residential development within 900m and 1.1km of two metro stations. The subdivision which creates large rural estates on 2,500m² lots within two metro stations is not considered consistent with the principles of transport orientated development and will under capitalise on the site being walking distance to two new metro stations and local centre.</p> <p>Further, the DPE and Transport for NSW have adopted an approach on focus high density housing supply within 1.2km of Metro Station locations. This includes an announcement in December 2023 of both Bella Vista and Kellyville includes high density residential development within 1.2km of the metro stations. The proposal is consistent with this approach.</p>
<p><i>Plan for a diversity of housing</i></p>	<p>The provision of new dwelling house stock in Castle Hill as sought by this Planning Proposal seeks to balance new housing in this location with higher density apartment style housing stock closer to the site entry and providing a mix of lower density townhouses adjoining the bushland and adjoining low density residential area. This provides a diversity of new housing which may be constructed in the suburb of Castle Hill.</p>
<p><i>Renew and create great places</i></p>	<p>The proposal seeks to provide new dwellings within close proximity to Castle Hill Strategic Centre, Castle Hill and Cherrybrook station and future rapid bus service to Castle Hill Road ensure residents will have good accessibility and access to services.</p> <p>The proposal includes the delivery of a future public park through the rezoning of a portion of the land to RE1 Public Recreation and the creation of a number of publicly accessible green links and walking tracks.</p> <p>The proposal seeks to rezone at least 48% of the land to C2 Environmental Conservation, including bush regeneration, protection and to increase the tree canopy of the site increasing the environmental amenity of the land for the benefit of the local community.</p>
<p><i>Provide social infrastructure and retail services to meet residents' needs</i></p>	<p>The planning proposal includes supports the social infrastructure with the provision of a new public park and reserves of nature walks which will contribute to the wellbeing of children and local residents.</p>

C. Draft Precinct Plan for the Castle Hill Strategic Centre

The Draft Precinct Plans set a 20-year vision for Council's three Strategic Centres, to enable them to reach their full potential and on public exhibition until 31 July 2023. The precinct plan builds on the high-level outcomes envisaged within NSW Government strategies, Council's Local Strategic Planning Statement, The North West Rail Link Corridor Strategy and The Hills Corridor Strategy and draw on a range of technical studies (which are also being made available as part of the public exhibition). The Plans articulate how the strategic objectives and outcomes for each Strategic Centre will be implemented over the next 20 years, drilling down into finer grain, site specific detail to inform future development and potential changes to planning controls and the infrastructure contributions framework for each Centre. Each draft Plan includes a suite of actions and Implementation Plan.

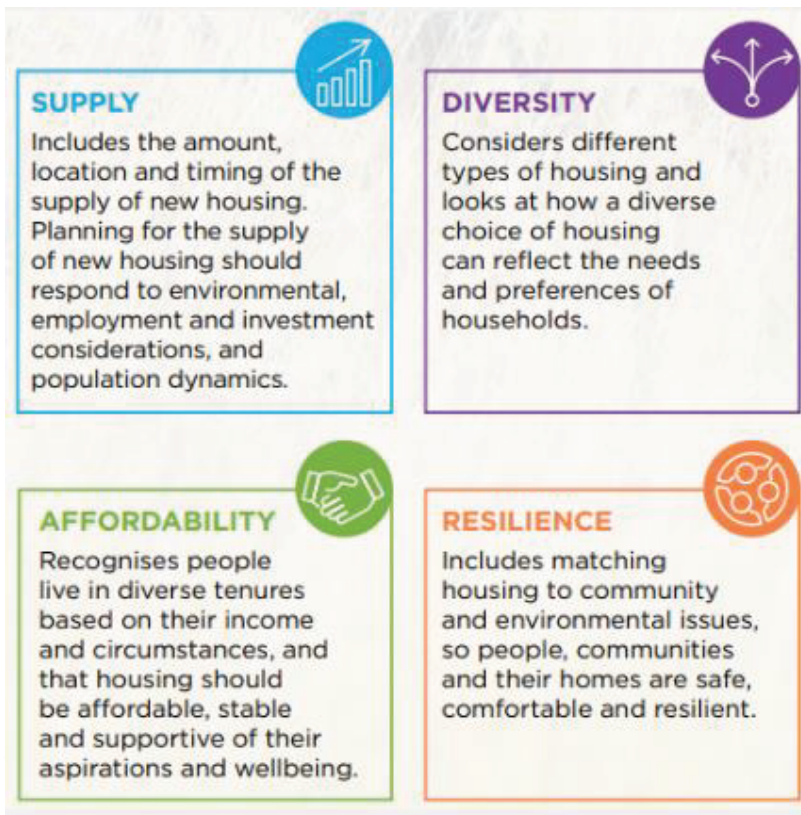
The site has been excluded from the Castle Hill Strategy as it has not been located within the study area.

Is the planning proposal consistent with any other applicable State and regional studies or strategies?

The planning proposal is consistent with all relevant studies and strategies prepared by the NSW Government as discussed in the table below.

Figure 10. Consistency with State and regional studies or strategies

Planning Priority	Justification
<i>Future Transport Strategy 2056</i>	<p>The Future Transport Strategy sets the direction of the NSW Government to improve the transport system across the state. It intends to make decisions by putting people and places at the centre to ensure that customers, community and the economy experience maximum benefits. The planning proposal over the subject site is consistent with key strategic directions within the strategy including:</p> <ul style="list-style-type: none"> - C1.1 Enhance 30-minute metropolitan cities - C2.1 Support car-free, active, sustainable transport options - C3.1 Provide transport choices for people no matter where they live - P1.2 Support growth around public transport - P2.1 Support thriving and healthy 15-minute neighbourhoods
<i>Staying Ahead: State Infrastructure Strategy 2022 – 2042</i>	<p>The State Infrastructure Strategy provides a 20-year plan for the NSW Government for strategic investment decisions. The strategy aims to provides recommendations that aid the growth and productivity of the State to improve living standards for the community.</p> <p>Chapter 4 Service Growing Communities is relevant to this Planning Proposal. Key Strategic directions include:</p> <ul style="list-style-type: none"> - Deliver housing in great neighbourhoods for all parts of the community. - Improve access to efficient, quality services through better use of assets and a better mix of physical infrastructure and technology-enabled solutions. <p>The proposal satisfies the above strategic directions by providing housing within a highly accessible location, adjacent to a town centre, and within a location previously identified by Council as suitable for higher density housing.</p>
<i>Housing Strategy 2041</i>	<p>This strategy establishes the 20 year housing vision for NSW and aims to provide the framework for greater housing supply, improved affordability of housing, along with</p>

Planning Priority	Justification
	<p>housing diversity and resilience. There are four pillars of housing supply in the strategy, with the diagram reproduced below:</p>  <p>The diagram consists of four colored boxes arranged in a 2x2 grid, each with a corresponding icon in a circle. The top-left box is blue and titled 'SUPPLY', with an icon of a bar chart and an upward arrow. The top-right box is purple and titled 'DIVERSITY', with an icon of three arrows pointing outwards from a central point. The bottom-left box is green and titled 'AFFORDABILITY', with an icon of two hands shaking. The bottom-right box is orange and titled 'RESILIENCE', with an icon of a globe with a network of lines. Each box contains a brief description of the pillar.</p> <p>The Planning Proposal is consistent with these pillars.</p>
<i>Net Zero Plan</i>	<p>The Net Zero Plan outlines the NSW Government's plan to grow the economy, creating jobs and reducing emissions over the next decade.</p> <p>A future Development Application will be subject to the provisions of the Sustainable Buildings SEPP 2022. This SEPP will ensure that development over the subject site is sustainable and resilient, making a valuable contribution to NSW being a net zero emitter.</p>

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

The following table provides a brief assessment of consistency against each State Environmental Planning Policy (SEPP) relevant to the planning proposal.

Figure 11. Consistency with Relevant SEPPs

Consideration of relevant SEPPs	Comment
<i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i>	The land is not identified as 'avoided land' or 'strategic conservation area' or 'Cumberland Plain Land' or 'koala habitat' under SEPP (Biodiversity and Conservation) 2021.

Consideration of relevant SEPPs	Comment
	<p>The site is identified on the biodiversity values map and includes clearly a small portion of existing vegetation within the mapped area.</p> <p>A Biodiversity Development Assessment Report and vegetation management plan has been prepared by Fraser Ecological supporting the proposal. The proposal seeks to substantially revegetate the existing habitat and proposes the creation of new landscaped corridors and to enter into a joint agreement with the Minister for the Environment to protect, regenerate and maintain the significant biodiversity of the subject site. A biodiversity offset credit will be required for the loss of any significant vegetation if it is unable to be retained.</p> <p>The proposal significantly increases the urban tree canopy of the site to 61.1% through bush regeneration and additional planting of 418 trees and considered consistent with this SEPP.</p>
<i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i>	Not Applicable.
<i>State Environmental Planning Policy (Housing) 2021</i>	<p>The proposal is consistent with the intent of the Housing SEPP.</p> <p>Future development under the SEPP remains permissible, though rezoning of the site may expand opportunities for a greater diversity and type of housing.</p>
<i>State Environmental Planning Policy (Industry and Employment) 2021</i>	Not Applicable.
<i>State Environmental Planning Policy No. 65 - Design Quality of Residential Apartment Development</i>	The planning proposal seeks to facilitate high-density housing in the form of a residential flat building. An urban design study submitted with this planning proposal considers potential design options which address the provisions of SEPP 65.
<i>State Environmental Planning Policy (Planning Systems) 2021</i>	It is likely that future development of the site will constitute Regional Development and may be determined by the Sydney West Planning Panel
<i>State Environmental Planning Policy (Precincts—Central River City) 2021</i>	Not applicable
<i>State Environmental Planning Policy (Precincts—Eastern Harbour City) 2021</i>	Not applicable
<i>State Environmental Planning Policy (Precincts—Regional) 2021</i>	Not applicable

Consideration of relevant SEPPs	Comment
<i>State Environmental Planning Policy (Precincts—Western Parkland City) 2021</i>	Not applicable
<i>State Environmental Planning Policy (Primary Production) 2021</i>	Not applicable
<i>SEPP (Resilience and Hazards) 2021</i>	<p>The existing site was zoned C4 Environmental Living which permits residential dwellings. The proposal seeks to rezone the land to R3 Medium Density Residential, R4 High Density Residential and RE1 Public Recreation to accommodate residential apartments, multiple dwelling housing and public park.</p> <p>Tetra Tech Coffey Pty Ltd (Coffey) has prepared a preliminary site investigation for the site. The site has not accommodated any historical contaminating generating uses and there is no known ground contamination issue that would make the site unsuitable to accommodate the residential uplift sought by the Planning Proposal.</p> <p>The planning proposal is consistent with the aims and provisions of this SEPP.</p> <p>In any case, future redevelopment of the site will need to address the requirements of the SEPP. The proposal is consistent with the provision of this SEPP.</p>
<i>State Environmental Planning Policy (Resources and Energy) 2021</i>	Not applicable
<i>State Environmental Planning Policy (Sustainable Buildings) 2022</i>	The planning proposal is consistent with the aims or provisions of this SEPP. Future development incorporating a BASIX affected buildings will be subject to the provisions of this SEPP.
<i>SEPP (Transport and Infrastructure) 2021</i>	Future development may constitute traffic generating development and trigger an assessment under this SEPP.

Draft State Environmental Planning Policy (Environment SEPP)

The draft Environment SEPP aims for the protection and management of the natural environment. Since its exhibition between 31 October 2017 and 31 January 2018, the SEPP has not been finalised and remains in draft form. Since this time, the DPE has consolidated a number of SEPPs, with the Biodiversity and Conservation SEPP consolidating many of the SEPPs that had been addressed in the draft Environment SEPP. Whilst the Environment SEPP status is unknown, it does not appear as if it will be made imminently. Regardless, any future development of the subject site is likely to be consistent with the draft SEPP and a more detailed assessment can occur at the DA stage.

‘6. Is the planning proposal consistent with applicable Ministerial Directions (section 9.1 Directions) or key government priority?’

The following table provides a brief assessment of consistency against each S.9.1 Direction relevant to the Planning Proposal.

Figure 12. Consistency with Relevant Ministerial Directions

Ministerial Direction	Assessment	Consistent
Focus Area 1: Planning Systems		
1.1 Implementation of Regional Plans	<p>This proposal is consistent with the objectives and strategies of A Plan for Growing Sydney as outlined in the Planning Proposal report.</p> <p>The Planning Proposal is consistent with the NSW Government's A Plan for Growing Sydney. Refer to Part 3 – Justification of this report, Section B – Relationship to Strategic Planning Framework of the Planning Proposal for an explanation of the consistency of the Planning Proposal with A Plan for Growing Sydney.</p> <p>The Planning Proposal achieves the overall intent of the Plan and seeks to implement the achievement of its vision, land use strategy, policies, outcomes or actions.</p> <p>This Planning Proposal seeks to facilitate development of this key parcel of land which will encourage economic investment in this strategic centre, employment generation and delivery of housing opportunities.</p> <p>This planning proposal seeks to facilitate development of a site that will contribute to housing supply adjacent to a town centre and major transport infrastructure. It supports the implementation of a 30 minute city.</p>	Yes
1.2 Development of Aboriginal Land Council Land	Aboriginal and archaeological investigations will be completed as part of the future detailed design and development application documentation.	Yes
1.3 Approval and Referral Requirements	The Planning Proposal does not introduce any provisions that require any additional concurrence, consultation, or referral.	Yes
1.4 Site Specific Provisions	The planning proposal relates to a rezoning of land and building height provisions. This planning proposal does not impose any development standards or requirements in addition to those already contained in the principal environmental planning instrument being amended.	Yes
1.4A Exclusion of Development Standards from Variation	The proposal does not seek to propose to exclude a development standard from variation under clause 4.6 of a Standard Instrument LEP.	Yes
Focus Area 1: Planning Systems – Place Based		
1.16 North West Rail Link Corridor Strategy	The site is not located within the Northwest Rail Link Corridor Strategy.	N/A

Ministerial Direction	Assessment	Consistent
1.22 Implementation of the Cherrybrook Station Place Strategy	The site is not located within the Cherrybrook Station Place Strategy	N/A
Focus Area 2: Design and Place	Directions not made	N/A
Focus Area 3: Biodiversity and Conservation		
3.1 Conservation Zones	<p>The direction stipulates:</p> <p><i>“(1) A planning proposal must include provisions that facilitate the protection and conservation of environmentally sensitive areas.</i></p> <p><i>(2) A planning proposal that applies to land within a conservation zone or land otherwise identified for environment conservation/protection purposes in a LEP must not reduce the conservation standards that apply to the land (including by modifying development standards that apply to the land). This requirement does not apply to a change to a development standard for minimum lot size for a dwelling in accordance with Direction 9.2 (2) of ‘Rural Lands’”</i></p> <p>The proposal is considered consistent with this direction and seeks to increase the environmental conservation of the land by rezoning at least 48% of the site from Environmental Living to C2 Environmental Conservation.</p> <p>A portion of the existing C4 Environmental Living land will be rezoned to a R3 Medium Density Residential and R4 High Density Residential and RE1 Public Recreation which reduces the environmental protection of this area. However, this portion of the land is predominantly contained within the footprint of the developable area of an approved 21 Lot subdivision and local roads and will ensure the removal of any significant trees is minimised.</p> <p>A Biodiversity Development Assessment Report and vegetation management plan has been prepared by Fraser Ecological supporting the proposal. The proposal seeks to substantially revegetate the existing habitat and proposes the creation of new landscaped corridors and to enter into a joint agreement with the Minister for the Environment to protect, regenerate and maintain the significant biodiversity of the subject site.</p>	Yes
3.2 Heritage Conservation	<p>There are no items, areas, objects and places of environmental heritage significance and indigenous heritage significance, on the subject site.</p> <p>There is a local heritage listed item adjacent to the site and a number of heritage items in the broader locality. The site is considered to present an opportunity to achieve appropriate residential uplift in a suitable location, surrounded by residential development. The proposed increase density</p>	Yes

Ministerial Direction	Assessment	Consistent
	<p>will not be readily discernible from any of the heritage items or impact upon the heritage significant curtilage.</p> <p>The proposal is supported by a heritage assessment prepared by Weir Phillips Heritage and Planning.</p> <p>Accordingly, there is no impact on any areas requiring heritage conservation.</p>	
3.4 Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs	Not relevant to the subject planning proposal.	Yes
3.5 Recreational Vehicle Areas	Not relevant to the subject planning proposal.	Yes
3.6 Strategic Conservation Planning	<p>This direction applies to all relevant planning authorities when preparing a planning proposal that relates to land that, under the State Environmental Planning Policy (Biodiversity and Conservation) 2021, is identified as avoided land or a strategic conservation area.</p> <p>The direction stipulates:</p> <p><i>“(1) A planning proposal authority must be satisfied that a planning proposal that applies to avoided land identified under the State Environmental Planning Policy (Biodiversity and Conservation) 2021 demonstrates that it is consistent with:</i></p> <p><i>(a) the protection or enhancement of native vegetation,</i></p> <p><i>(b) the protection or enhancement of riparian corridors, including native vegetation and water quality,</i></p> <p><i>(c) the protection of threatened ecological communities, threatened species and their habitats,</i></p> <p><i>(d) the protection or enhancement of koala habitat and corridors, and</i></p> <p><i>(e) the protection of matters of national environmental significance.</i></p> <p><i>(2) A planning proposal authority must be satisfied that a planning proposal that applies to a strategic conservation area identified under the State Environmental Planning Policy (Biodiversity and Conservation) 2021 demonstrates that it is consistent with:</i></p> <p><i>(a) the protection or enhancement of native vegetation,</i></p> <p><i>(b) the minimisation of impacts on areas of regionally significant biodiversity, including threatened ecological communities, threatened species and their habitats,</i></p>	Yes

Ministerial Direction	Assessment	Consistent
	<p><i>(c) the protection or enhancement of koala habitat and corridors, including habitat connectivity and fauna movement, and links to ecological restoration areas, and</i></p> <p><i>(d) the maintenance or enhancement of ecological function.</i></p> <p><i>(3) A planning proposal must not rezone land identified as avoided land in the State Environmental Planning Policy (Biodiversity and Conservation) 2021 to:</i></p> <p><i>(a) a rural, residential, employment, mixed use, SP1 Special Activities, SP2 Infrastructure, SP3 Tourist, SP4 Enterprise, SP5 Metropolitan Centre, RC2 Private Recreation, W4 Working Waterfront or equivalent zone.</i></p> <p><i>A planning proposal that proposes to rezone land identified as avoided land or a strategic conservation area under the State Environmental Planning Policy (Biodiversity and Conservation) 2021 to Zone SP2 Infrastructure may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary) that planning proposal demonstrate that:</i></p> <p><i>“(a) the rezoning is to facilitate infrastructure that is required to service or support development within nominated areas; and</i></p> <p><i>(b) the planning proposal is consistent with the Cumberland Plain Conservation Plan Guidelines”.</i></p> <p>The land is not located within the Cumberland Plain land or containing potential Koala Habitat.</p> <p>The land is not identified as ‘avoided land’ or ‘strategic conservation area’ under SEPP (Biodiversity and Conservation) 2021.</p> <p>The site is identified on the biodiversity values map and includes clearly a small portion of existing vegetation within the mapped area.</p> <p>However, the proposal is considered consistent with this direction and seeks to increase the environmental conservation of the land by rezoning at least 48% of the site from Environmental Living to C2 Environmental Conservation from C4 Environmental Living.</p> <p>A portion of the existing C4 Environmental Living land will be rezoned to a R3 Medium Density Residential and R4 High Density Residential and RE1 Public Recreation which reduces the environmental protection of this area. However, this portion of the land is predominantly contained within the footprint of the developable area of an approved 21 Lot subdivision and local roads and will ensure the removal of any significant trees is minimised.</p>	

Ministerial Direction	Assessment	Consistent
	A Biodiversity Development Assessment Report and vegetation management plan has been prepared by Fraser Ecological supporting the proposal. The proposal seeks to substantial revegetate the existing habitat and proposes the creation of new landscaped corridors and to enter into a joint agreement with the Minister for the Environment to protect, regenerate and maintain the significant biodiversity of the subject site. The proposal significantly increase the urban tree canopy of the site to 61.1% through bush regeneration and additional planting of 418 trees.	
3.7 Public Bushland	<p>The site currently does not include any publish bushland.</p> <p>However, the proposal seeks to rezone 48% of the land to C2 Environmental Conservation and to make this land publicly accessible and managed to minimise any potential impacts to biodiversity.</p> <p>The proposal significantly increase the urban tree canopy of the site to 61.1% through bush regeneration and additional planting of 418 trees.</p>	Yes
3.8 Willandra Lakes Region	Not relevant to the subject planning proposal.	N/A
3.9 Sydney Harbour Foreshores and Waterways	The subject site is well away from any foreshore and waterway area. A future development application can provide the necessary measures to manage water quality.	Yes
3.10 Water Catchment Protection	A future development application can provide the necessary measures to manage water quality.	Yes
Focus Area 4: Resilience and Hazards		
4.1 Flooding	The planning proposal does not seek to change the existing Council controls relating to flooding. However, the site is not subject to flooding.	Yes
4.2 Costal Management	Not relevant to the subject planning proposal.	Yes
4.3 Planning for Bushfire Protection	<p>The site is not impacted by a Bushfire Map, nor is it bushfire prone.</p> <p>Notwithstanding this, the planning proposal is supported by a Bushfire Assessment demonstrating the proposal is acceptable in relation to bushfire safety.</p>	Yes
4.4 Remediation of Contaminated Land	The existing site was zoned C4 Environmental Living which permits residential dwellings. The proposal seeks to rezone the land to R3 Medium Density Residential, R4 High Density Residential and RE1 Public Recreation to accommodate residential apartments, multiple dwelling housing and public park.	Yes

Ministerial Direction	Assessment	Consistent
	<p>Tetra Tech Coffey Pty Ltd (Coffey) has prepared a preliminary site investigation for the site. The site has not accommodated any historical contaminating generating uses and there is no known ground contamination issue that would make the site unsuitable to accommodate the residential uplift sought by the Planning Proposal.</p> <p>The planning proposal is consistent with the aims and provisions of this SEPP. In any case, future redevelopment of the site will need to address the requirements of the SEPP. The proposal is consistent with the provision of this SEPP.</p>	
4.5 Acid Sulfate Soils	The land is not mapped on the acid sulfate soil map.	Yes
4.6 Mine Subsidence and Unstable Land	Not relevant to the subject planning proposal.	N/A
Focus Area 5: Transport and Infrastructure		
5.1 Integrating Land Use and Transport	<p>The site is located within close proximity to Castle Hill Strategic Centre and Railway Station (approx. 1.1km) to the west and Cherrybrook Railway Station (approx. 900m) to the east. A bus service is located to Castle Hill Road (200m) to the north of the site providing connections to a number of Strategic Centres. There is a draft plan to provide a dedicated express bus lane to Castle Hill Road between Castle Hill Station and Cherrybrook Station providing better connectivity for the site.</p> <p>Every single metro station within the Hills Shire LGA includes land zoned either R3 Medium Density and/or R4 High Density Residential greater than 1.1km. The proposal is consistent with approach of permitting medium and high-density residential development within 900m and 1.1km of two metro stations. The subdivision which creates large rural estates on 2,500m² lots within two metro stations is not considered consistent with the principles of transport orientated development and will under capitalise on the site being walking distance to two new metro stations and local centre.</p> <p>Further, the DPE and Transport for NSW have adopted an approach on focus high density housing supply within 1.2km of Metro Station locations. This includes an announcement in December 2023 of both Bella Vista and Kellyville includes high density residential development within 1.2km of the metro stations. The proposal is consistent with this approach.</p>	Yes
5.2 Reserving Land for Public Purposes	The planning proposal seeks to rezone a portion of the land to RE1 Public Recreation.	Yes

Ministerial Direction	Assessment	Consistent
	<p>The direction therefore requires approval of the relevant public authority and the Planning Secretary (or an officer of the Department nominated by the Secretary).</p> <p>The proposal seeks to transfer ownership of the future public park to The Hills Shire Council and therefore consideration of the Land Acquisition (Just Terms Compensation) Act 1991 is not required.</p>	
5.3 Development Near Regulated Airports and Defence Airfields	The land is not within the vicinity of an aerodrome.	Yes
5.4 Shooting Ranges	The land is not within the vicinity of a shooting range.	Yes
Focus Area 6: Housing		
6.1 Residential Zones	<p>The planning proposal is consistent with the direction. The planning proposal seeks to facilitate the development of high-density housing through the application of appropriate building height controls.</p> <p>The planning proposal represents a more efficient use of existing infrastructure and services and reduces the consumption of land for housing through urban renewal.</p>	Yes
6.2 Caravan Parks and Manufactured Home Estates	The planning proposal does not seek amend the current prohibition of caravan parks on this site	Yes
Focus Area 7: Industry and Employment		
7.1 Employment zones	The existing and proposed zoning are not considered employment zones.	N/A
7.2 Reduction in non-hosted short-term rental accommodation period	Not relevant to the subject planning proposal.	N/A
7.3 Commercial and Retail Development along the Pacific Highway, North Coast	Not relevant to the subject planning proposal.	N/A
Focus Area 8: Resources and Energy		
Focus Area 9: Primary Production		
		N/A

6.3.2 Site Specific Merit

SECTION C – ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACT

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

Council mapping identifies the centre of the site contains blue gum high forest and Cattai Alluvial Tall Forest which are identified as a Critically Endangered Ecological Community under the Biodiversity Conservation Act 2016. The site is also identified as purple on the Biodiversity Value Map which means clearing is regulated by the State Environmental Planning Policy (Biodiversity and Conservation) 2021.

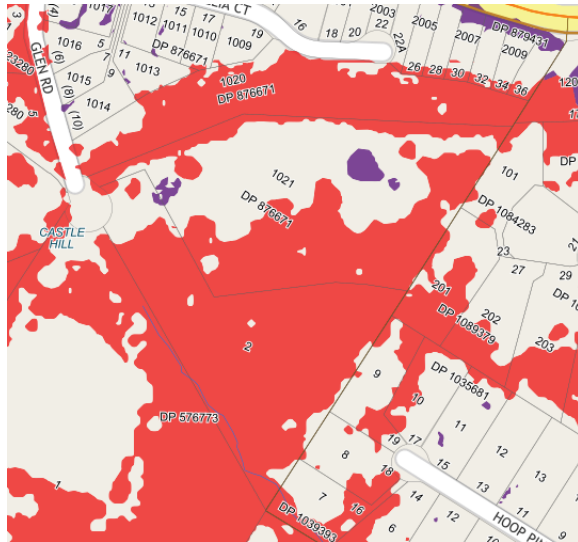


Figure 42. Vegetation Map (Source: Planning Portal)

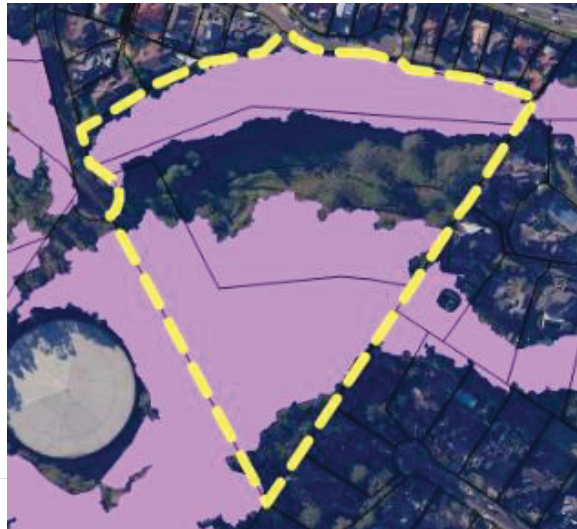


Figure 43. Biodiversity Value Map (Planning Portal)

The proposal includes rezoning the land from C4 Environmental Living to C2 Environmental Conservation to 48% of the land which contains the most significant biodiversity. The portion of the land which is predominantly cleared and located within the footprint of the approved 23 Lot subdivision is to be rezoned from C4 Environmental Living to RE1 Public Recreation, R4 High Density Residential and R3 Medium Density Residential.

The proposal seeks to plant an additional 418 trees and to increase existing tree canopy to 61.1%.

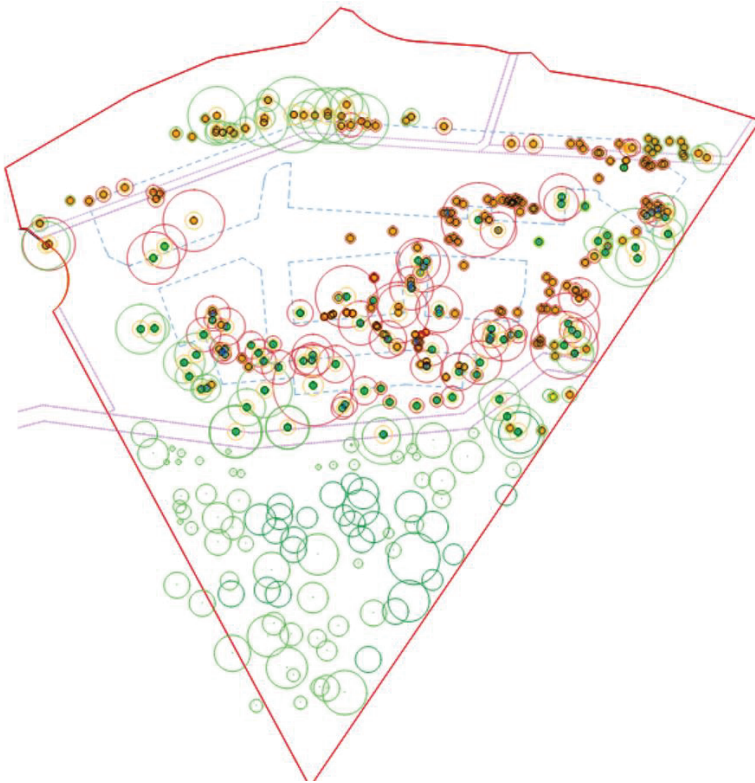


Figure 44. Tree removal plan (Land and Form)

Tree Planting and Canopy Coverage



Figure 45. Tree Planting Plan (Land and Form)



Figure 46. Comparison of approved DA and new proposal (Source: NSW Planning Portal)

The site for the proposed development predominantly occurs in existing cleared land or area with scattered remnant trees or highly weed infested remnant BGHF forest. Therefore, the overall quality of fauna habitat is considered to be low. However, the main development impact area provides fauna habitat in the following forms:

- Seasonal foraging resources when eucalypts and other plants flower provide nectar and insect resources for mobile fauna including Grey-headed Flying Fox, possums, gliders, microchiropteran bats and a variety of woodland bird species (breeding habitat absent).
- Seasonal sources of seed on the forest floor and grasses and acacias for parrots.
- Bird species likely to occur include parrots and nectivorous honeyeaters that forage and roost in the upper canopy of the trees. Blossoms from flowering canopy Myrtaceae would attract a variety of nectivores including possums, birds and threatened Grey-headed Flying Fox.

Whilst the proposal results in the removal of a portion of existing vegetation within the centre of the land, the proposed future environmental conservation zone will ensure the most significant vegetation will be conserved and will act as a catalyst for bush regeneration through removal of invasive weed species and planting of endemic native plant species.

The Biodiversity Offsets Scheme will be applicable to this project and includes a framework for offsetting unavoidable impacts on biodiversity from development with biodiversity gains through landholder stewardship agreements. The Biodiversity Offsets Scheme (BOS) was established under the Biodiversity Conservation Act 2016 and relates to, applications for development or clearing approvals must set out how impacts on biodiversity will be avoided and minimised. The remaining residual impacts will need to be offset by the purchase and/or retirement of biodiversity credits or payment to the Biodiversity Conservation Fund or potentially a Biodiversity Stewardship Agreements on their land to generate biodiversity credits. h2o Consulting Group have prepared a tree survey for the site and enclosed as an appendix to this report.

Fraser Ecological Consulting has prepared a Biodiversity Development Assessment Report and Vegetation Management Plan to comply with the conditions of consent for the enhancement and protection of Blue Gum High Forest (BGHF) Critically Endangered Ecological Community listed under the NSW Biodiversity Conservation Act 2016

The potential inconsistencies are considered of minor significance as the planning proposal is consistent with the relevant strategic plans. The proposal is not considered to decrease other environmental protections in the LEP, The Hills DCP 2012, or the State Environmental Planning Policy (Biodiversity and Conservation) 2021.

The site has one stream mapped in the NSW Hydraulic Survey. The riparian, is classified as a 1st order stream and a proposed vegetated riparian zone of 10m with no proposed works in this area. The site also contains a 40m waterfront land, which only the crushed granite trail will encroach upon this setback.

The planning proposal will be subject to consultation with the NSW Environment and Heritage Group - Biodiversity and Conservation Division to give further consideration to this matter.

‘8. Are there any other likely environmental effects of the planning proposal and how are they proposed to be managed?’

With reference to the relevant considerations set out within the NSW DPE's Local Environmental Plan Making Guideline, it is noted that:

- The potential for environmental effects can be readily managed, including by way of appropriate massing and setbacks as demonstrated by the accompanying concept design.
- Any future DA would be accompanied by the relevant technical reports to ensure that any impacts are suitably ameliorated.
- The scale of the development would be compatible with its physical context and strategic location.
- The proposed development will result in positive social and economic effects for the local area through public realm improvements, increasing the availability and diversity of housing, and providing a public park offering for the surrounding area.

Matters that warrant further consideration are detailed below.

The Planning Proposal seeks to revise the maximum permitted building height and floor space ratio controls contained within Hills LEP 2019 in order to facilitate the redevelopment of the subject site for the purpose of high-density residential development. The anticipated environmental effects associated with the higher-density development that will be permitted by the amendment are discussed below.

A. Urban Design

The site is located within proximity to employment opportunities, educational establishments, recreational activities and public transportation including two metro stations within walking distance and regular buses along Castle Hill Road.

The amendments proposed in this Planning Proposal are specific to the site and will facilitate a new high quality residential flat building and multiple dwelling housing development that provides a high-quality built form. The proposal seeks to provide a more suitable use of the land compared to current zoning and minimum lot size which facilitates large residential estates with minimal environmental protections and limited public access.

A detailed urban design report and landscape concept has been prepared by DKO Architects and Landform, which is enclosed to this report. A review of the urban design and landscaped contributions has been detailed in the proposal section of this report. Some of the key design principles include the following:

- Visual impact assessments highlighted the importance of maintaining existing views from Melia Court. The proposed heights have been determined to maintain views and minimise visual impact.
- R3 medium density zone Lare predominantly 2-3 storeys in height. Built-form adjacent to this boundary should preserve the height and maintain the maximum of 3 storeys.
- Creating a welcoming entry includes minimising bulk in the entry blocks. 3 storeys at the entry provides a balance of height and width at the entry location.

- Solar access studies of these massing indicate the following max heights are required to achieve equitable solar access throughout the site – this includes private open space, communal open space as well as public open spaces.

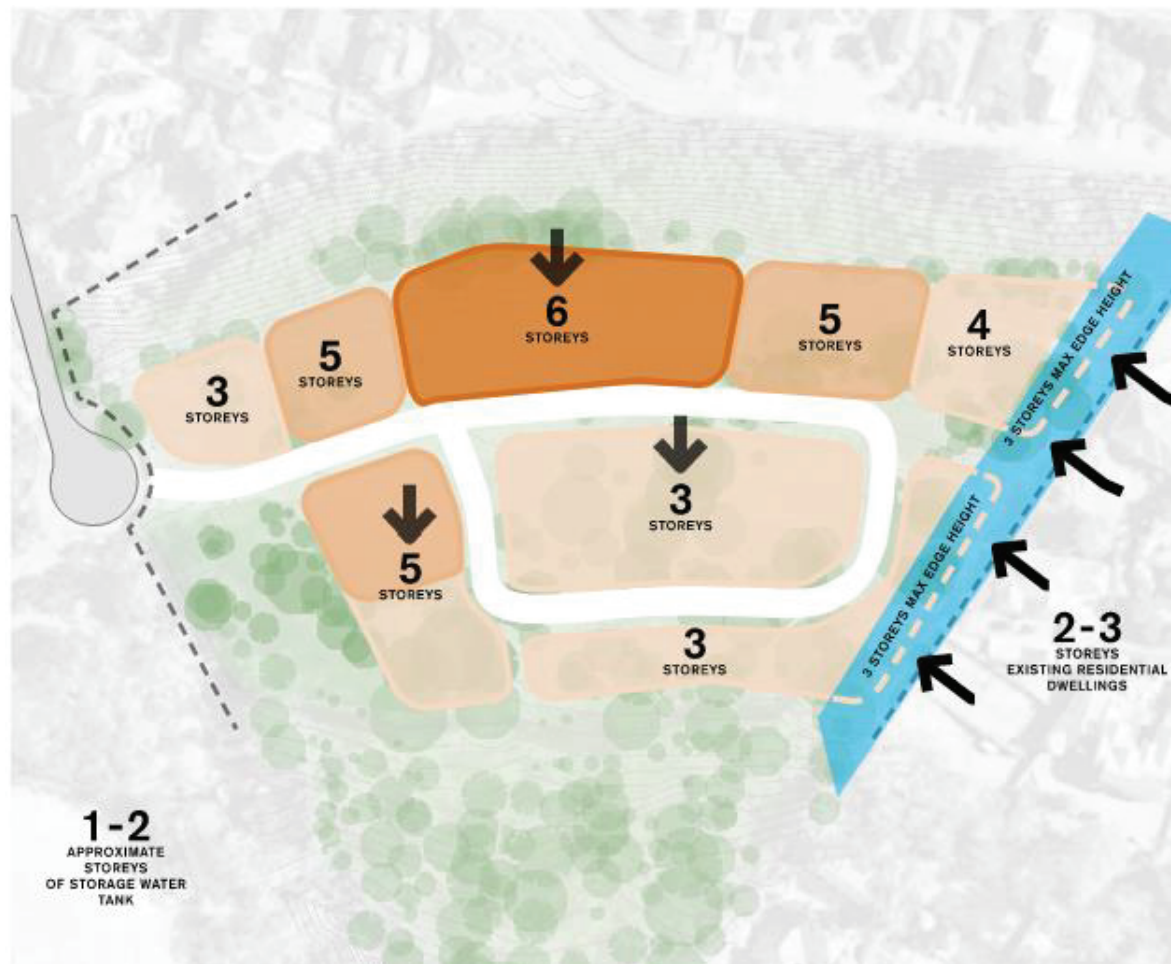


Figure 47. Height Massing Principles (Source: DKO Architects)

B. Landscape Masterplan

Rogans Hill Park will become a place of enhanced well-being where natural systems are rehabilitated and celebrated, a place where communities connect and where people have access to state of the art open green space, tree lined streetscapes and nature at your doorstep.

Public Open Space

The public open space is created around stands of existing trees and biodiversity corridors, forming a neighbourhood-scale public open space for both passive and active recreation. The space provides a variety of program, open to air experiences which promote community connectedness with the natural environment. Some of these experiences include nature play, terraced amphitheatres with views over the existing Blue Gum High Forest and areas for social gathering including passive spaces for seating & relaxation.

Streetscapes & Laneways

The proposed street & laneway network promotes positive green infrastructure & WSUD principles such as perforated kerbs, raingardens, permeable paving as well as including significant tree canopy coverage to mitigate urban heat island affect and create a comfortable streetscape experience for residents and visitors.



Figure 48. Landscape Masterplan (Source: Urban Form)

C. Traffic and Parking Assessment

A Transport Impact Assessment has been prepared by ARUP and enclosed to this report. The key findings of the assessment are:

- The proposal would include 185 dwellings (consisting of 147 apartments and 38 terraces) as well as community open space.
- The site is located within a 5-minute walk from bus stops, which provide connections to jobs and services at Castle Hill, Epping, Pennant Hills and Parramatta. Rail services at the Castle Hill and Cherrybrook metro stations are also accessible within a 20-minute walk or 10-minute cycle or via bus services.
- The road carriageway of Glen Road is generally narrow and vehicles are unable to pass each other where there are vehicles parked on both sides of the road. Therefore, to accommodate additional traffic generated by the development, kerbside restrictions should be considered at regular intervals on both sides of Glen Road to allow vehicles passing, such as by providing 'no parking' restrictions.
- The site is located within the Sydney Metro Northwest Corridor (as defined by DPE) and the proposed parking provision meets the relevant requirements in the HDCP.
- Right turns are not permitted from Castle Hill Road to Glen Road on weekdays during the AM and PM peak hours (6am – 10am and 3pm – 7pm). Due to this restriction, vehicles (except for emergency vehicles) approaching the site from the west would be required to undertake a detour. This detour is approximately 3 kilometres long with an estimated travel time of 6 minutes.
- Based on a conservative modelling approach, the development is expected to have a minor impact on the Castle Hill Road / Glen Road intersection during peak periods. Traffic generated by the development is very low when compared to background traffic volumes on Castle Hill Road. This low traffic generation is also expected to only have a minor impact on intersections along the detour route (for vehicles approaching the

site from the west during weekday peak hours). Therefore, the road network impacts of the proposal are expected to be minimal.

The figure below identifies the proposed vehicular access points to the future buildings.



Figure 49. Vehicular Access Plan (Source: ARUP)

D. Bushfire

The site is not mapped as bushfire prone land in the LEP. A bushfire assessment was conducted to mitigate risk to the development and local residents. The Southern bushland was identified as a potential fuel source, and an associate BAL category is assigned. The proposal seeks to manage the lands within the APZ. The outer 20m protection area will be managed vegetation, including any healthy or significant trees that will be retained. The inner 25m protection area will be cleared and significant trees will be retained. The southern boardwalk is designed to also be used as a RFS access road to a width of no less than 4m and a passing bay every 120m. Hydrants will be located to RFS guidelines, drawing from the water mains. The access road has a dedicated entry and egress to Glen Road as to avoid impeding evacuation in an emergency. The access to the road is limited using special bollards that are only accessible to RFS and other emergency services. The internal road network will comply to RFS standard of clear 5.5m width.

E. Heritage

There is no local heritage listed item within the site and a number of heritage items in the broader locality. The site is considered to present an opportunity to achieve appropriate residential uplift in a suitable location, surrounded by residential development. The proposed increase density will not be readily discernible from any of the heritage items or impact upon the heritage significant curtilage.

Weir Phillips Heritage and Planning have prepared a Heritage Impact Statement supporting the proposal. The report concludes that the proposed works will not impact on the fabric of any of the nearby heritage items or block existing significant view corridors to/from them. The proposal will be concealed within the immediate setting of all the items, except for the outbuildings once part of the Pine Ridge Homestead. The outbuildings are not readily visible from the public domain and do not rely upon the character of their setting to explain their significance.

F. Contamination

Tetra Tech Coffey Pty Ltd (Coffey) has prepared a preliminary site investigation for the site and enclosed to this report. The site has not accommodated any historical contaminating generating uses and there is no known ground contamination issue that would make the site unsuitable to accommodate the residential uplift sought by the Planning Proposal. The planning proposal will be supported by a detailed environmental assessment as recommended by Coffey following gateway determination.

G. Landslide Risk

The site is identified as being a landslide risk on The Hills Shire Council's Landslide Risk Map. The following Landslide Risk Assessment Reports have been prepared to support the proposal:

- Geotechnical Assessment prepared by Tetra Tech Coffey; and
- Structural Report by Northrop Consulting Engineers.

The reports conclude development could occur at the site, subject to appropriate stabilisation measures being implemented at the design and construction phases of development.

H. Flooding & Stormwater

The land is not identified on the Council mapping as being subject to flooding. Further consideration can be given to this matter at the development application stage. A stormwater Plan has been prepared by Northrop and enclosed to this report. The plan identifies the site can be suitably drainage and proposes a large onsite detention system beneath the future public park.

I. Services and Utilities

The proposal will facilitate the delivery of three additional dwellings in an existing residential area in the Greater Sydney area. The existing dwelling on the site are able to be connected to power, sewerage and water.

A preliminary hydraulics plan has been prepared by Northrop and enclosed to this report which identifies how the site be serviced by portable water and sewage system. Northrop has also provided preliminary consultation with Endeavor Energy which advised the site can be serviced by electricity, this correspondence has been enclosed to this report.

There will be consultation with utility providers (Sydney Water, Endeavor Energy, and any other relevant utility providers) to ensure the additional dwellings can be adequately serviced during the exhibition period.

J. Impacts to Neighbouring Dwellings

Visual and Acoustic Privacy

The location, siting and height of the proposed residential buildings and townhouses ensure there will not be any overlooking or acoustic impacts to neighbouring properties habitable room windows or private open space areas. This Planning Proposal seeks to adopt the relevant provisions relating to privacy and setbacks from the Hills DCP. These controls provide an appropriate level of amenity for residential development and ensure that the visual and acoustic privacy for neighbouring residents is maintained.

Overshadowing

The location and height of the proposed residential buildings and townhouses ensure there will not be any overshadowing to neighbouring properties habitable room windows or private open space areas. This Planning Proposal seeks to adopt the relevant provisions relating to solar access which are contained in The Hills DCP. These controls ensure that solar access is maximised to internal living spaces and private open spaces of both proposed dwellings and neighbouring dwellings. The site maintains a pleasant outlook and orientation to the dwellings to the

north, and the proposed builders are capable of providing dwellings which maximises solar access to proposed dwellings.

View Loss and view impact

The location and height of the proposed residential buildings and townhouses ensure there will not be any significant view loss from the neighbouring properties habitable room windows or private open space areas. The fall of the land from the north and proximity of dwellings to the east mean the proposed will not make any significant bulk or scale visible from surrounding properties. A detailed visual impact assessment has been prepared by Audux Urban and included in the planning proposal.

‘9. Has the planning proposal adequately addressed any social and economic effects?’

The proposal will not have a significant adverse social or economic impact. The proposal will facilitate the delivery of additional residential dwellings, which will be supported by existing services and amenities. The proposal provides a future public park and publicly accessible bushland which will contribute to the social wellbeing of existing community. The proposal will also generate a high volume of temporary jobs during the period of construction.

The social and economic effects of the Planning Proposal are most appropriately described in the context of the challenges associated with a growing population as described in the State Government document the Metropolis of Three Cities. Among other things, the Plan explains that to meet the needs of a larger population and to maintain economic growth, urban renewal in combination with infrastructure delivery must occur in strategic urban centres.

The objective of the Planning Proposal aligns closely with the strategic direction identified in the Metropolis of Three Cities. The delivery of high-density housing in a location that is well serviced by infrastructure and where there are minimal existing environmental site constraints is considered to represent a positive social outcome.

The Planning Proposal will facilitate future development that will result in higher population density in walking distance to both the Castle Hill Commercial Centre and railway station and Cherrybrook Station.

A. Community and Economic Needs Assessment

A Community and Economic Needs Assessment has been prepared by Hill PDA Consulting. The key findings include:

- There is a diverse range of social infrastructure in proximity to the site, including passive and active open space, education facilities, early learning centres and medical centres.
- We estimate that the proposal would contain approximately 427 people when fully developed. The most represented service age group is projected to be Parents and homebuilders (persons aged between 35 and 49 years).
- Owing to the relatively small size of the resident population, the provision of social infrastructure within the site and existing infrastructure in the surrounds, the proposal is not projected to overburden most local infrastructure within the surrounds (open space, child care and health facilities). Schools within the area had enrolments well above their enrolment cap as defined by the Department of Education, although the site is projected to generate demand for less than 30 public primary school places and 20 public secondary school places
- Population projections for the local area and LGA suggest a trend toward smaller household sizes, signalling a need for a greater number of smaller dwellings in the area moving forward.
- The surrounds and LGA have a much lower proportion of medium and high density housing than Greater Sydney, with separate house overwhelmingly being the dominant typology. The proposal would assist in increasing housing diversity in the local area and LGA, aligning with strategic directions to increase housing diversity.

- By increasing housing diversity, the proposal would assist in meeting a need for a wider variety of dwellings types and sizes, enabling residents to remain part of the community as their requirements change (most particularly, enabling ageing in place).
- The proposal would assist in improving alignment between housing stock and household size, with small households being overrepresented in separate dwellings, suggesting an unmet demand for smaller sized dwellings. Indeed, at the 2021 Census, over a quarter (26 per cent) of separate dwellings within the study area had 3 or more spare bedrooms, again suggesting a mismatch in the size and diversity of dwellings being delivered within the area.
- Sales data from FACS indicates that the area surrounding the proposal has a high median sale price, over \$2 million for non- strata properties, with the median for non-strata (predominantly apartments and smaller attached dwellings) being about half that amount. Amongst rentals, there is a similar difference with bonds lodged on apartments being consistently lower than separate houses. This suggests that an increased amount of smaller dwellings in the market could aid in improving local affordability, particularly with the local rates of rental and mortgage stress.

SECTION D – INFRASTRUCTURE (LOCAL, STATE AND COMMONWEALTH)

‘10. Is there adequate public infrastructure for the planning proposal?’

The existing controls identifies this site as suitable for high density residential development due to its superior access to transport and employment opportunities at the Castle Hill Commercial Centre. The site is located not only located within 1.1km of the Castle Hill metro and 900m from the Cherrybrook metro, the site is within 200m walking distance of rapid bus transport.

Given the proximity of the subject site to public transport services including bus services it is anticipated that a significant proportion of new residents would opt to use public transport rather than private vehicle.

A preliminary Transport Impact Assessment has been prepared by ARUP and enclosed to this report. An assessment has been provided of the proposed impact of the proposed additional vehicle movements upon the existing road network and nearby inspections. The report has identified the local road infrastructure is able to accommodate the proposed increase in vehicular traffic. The future 2033 Glen Road / Castle Hill Road intersection is expected to operate at an efficient.

A future public park has been proposed as part of the planning proposal to address the passive recreational needs of the future and surrounding residents.

SECTION E – STATE AND COMMONWEALTH INTERESTS

‘11. What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway determination?’

Consultation with public authorities and agencies will occur in a manner consistent with the Gateway Determination. The following extract is relevant:

3) Consultation is required with the following public authorities and government agencies under section 3.34(2)(d) of the Act and/or to comply with the requirements of applicable directions of the Minister under section 9 of the Act:

- The Hills Shire Council
- Transport for NSW
- Sydney Water
- Other utility providers
- Department of Environment and Heritage

- Department of Education

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material via the NSW Planning Portal and given at least 30 working days to comment on the proposal.

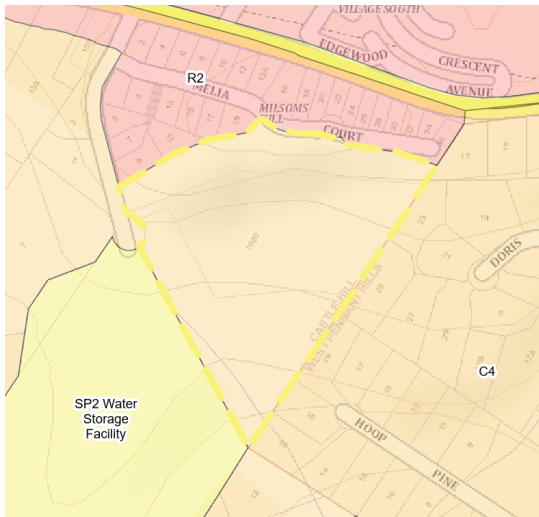
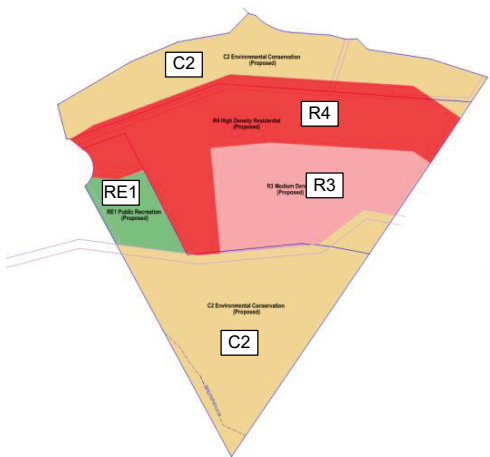
A condition of the Gateway Determination will likely requires that: A site-specific Development Control Plan or identification of similar LEP mechanism must be in place prior to finalisation.

The proponent will work with the Hills Shire Council and Department of Planning, Housing and Infrastructure to prepare an amendment to the draft DCP. It is anticipated that the Gateway Determination will assist with the preparation of the Site Specific DCP amendment, though the proponent will be making early contact with The Hills Shire to prepare the final DCP amendment in accordance with their corporate requirements.

6.4 Part 4 – Maps

It is understood that mapping will be prepared by the relevant planning authority to accord with the standard instrument mapping layouts prior to the Planning Proposal being finalised. The planning proposal seeks amendments to the Land Use Zoning Map, Height of Building Map and Lot Size Map as shown below.

Figure 13. Existing and Proposed LEP Maps

Existing LEP Map	Proposed LEP Map
Land use Zoning Map	
<p>C4 Environmental Living</p> 	<p>C2 Environmental Conservation, RE1 Public Recreation, R3 Medium Density Residential and R4 High Density Residential</p> 
Height of Building Map	
8.5m Height Standard	10m and 22 Height Standard



6.5 Part 5 – Community Consultation

The following community consultation requirements are applicable:

Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the Act as follows:

- The planning proposal is categorised as complex, as described in the Local Environmental Plan Making Guideline (Department of Planning and Environment, August 2023) and must be made publicly available for a minimum of 20 working days; and
- The planning proposal authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in Local Environmental Plan Making Guideline (Department of Planning and Environment, August 2023).

Community consultation will be undertaken in accordance with a community consultation plan prepared by Urban Talk.

6.6 Part 6 – Project Timeline

Planning Proposal is considered to be complex and it is therefore anticipated planning proposal program would be a total of 420 days from pre-lodgement based on the Maximum Benchmark Timeframes included in the Local Environmental Plan Making Guideline – August 2023. An indicative project timeframe is provided in the table below.

Table 14. Timetable and Program

Stage	Timeframe
Stage 1 – Pre-Lodgement - Complete	60 days
Stage 2 – Planning Proposal	120 days
Stage 3 - Gateway determination	45 days
Stage 4 – Post-Gateway	70 days

Stage	Timeframe
Stage 5 – Public Exhibition & Assessment	115 days
Stage 6 - Finalisation	70 days
Sub-total (Department target)	300 working days
Total (End to End)	420 days

7. Conclusion

This Planning Proposal seeks an amendment to land use zoning and maximum building height development standards relating to 1020 Melia Court, Castle Hill in the Hills Local Environmental Plan 2019. The LEP amendments sought by the planning proposal will allow for the accelerated delivery of low to mid rise residential development and future public park and environmental conservation in an area which is well serviced by public transport and infrastructure.

This Planning Proposal is justified for the following reasons:

- The proposal is consistent with the objectives of the EP&A Act, in that it promotes the orderly and economic use and development of land.
- The proposal is consistent with the strategic planning framework for the site.
- The proposal is consistent with the applicable SEPPs and Ministerial Directions.
- The proposal results in an acceptable environmental outcome and will not significantly impact existing and future surrounding natural and built form environment, biodiversity, view corridors, the road network and mitigates landslide risk and is therefore considered suitable for the site.
- The proposal involves repurposing an unused land parcel with remnant trees and weed-infested Sydney Blue Gum High Forest into a vibrant community including the following public benefits.
 - The proposal will deliver a 2,000m² publicly accessible park that is designed to provide a natural play area and outdoor fitness opportunities and several walking tracks promoting a healthy, active and engaged community.
 - The proposal will deliver 185 dwellings including 15% affordable rental housing within the walking catchment of two metro stations and regular bus services, compared to the approved 23 large residential estates which is considered an underutilisation of state funded infrastructure.
 - The proposal includes rezoning 48% of the land to C2 Environmental Conservation and the developable area proposed is contained within the portion of the land which is predominantly cleared and within the footprint of the approved 23 Lot subdivision. The proposal seeks to plant an additional 418 trees, increase existing tree canopy to 61.1% and the C2 Environmental Conservation zoned land to be placed under an 88B restriction to ensure the ongoing environmental conservation and management.
 - The creation of a series of connected biodiversity corridors connecting the existing Blue Gum High Forest and WSUD infrastructure that provide habitats for local flora and fauna.
 - The proposal provides a holistic solution to mitigate landslide risk by constructing a retaining wall to the north which is a current environmental risk to the land.
 - The proposal includes the construction of a new footpath along Glen Road from the land to Castle Hill Road improving pedestrian connectivity.
 - The future development will result in significant monetary contributions to state and local Council which will result in the delivery of additional services and infrastructure.
 - The proposal will create a significant amount of direct and indirect jobs during the construction period.

Therefore, considering the strategic nature of the site and justification provided in addressing planning issues, we believe that the Planning Proposal has strategic merit and would have no hesitation in recommending that the Planning Proposal proceed through the Gateway to public exhibition.