



**THE HILLS**  
Sydney's Garden Shire

**THE HILLS SHIRE COUNCIL**  
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3 November 2021

Knight Frank Australia Pty Ltd  
L 22 Angel Place  
123 Pitt Street  
SYDNEY NSW 2000

Attention: Ms Amy Vaughan

Via Email: [Amy.Vaughan@au.knightfrank.com](mailto:Amy.Vaughan@au.knightfrank.com)

Our Ref: FP35

Dear Ms Vaughan

#### **PRE-LODGEEMENT FEEDBACK – MELIA COURT AND GLEN ROAD, CASTLE HILL**

I refer to our pre-lodgement meeting held on 7 October 2021 and thank you for presenting your plans for the site. It is understood that you are seeking to rezone the land to R3 Medium Density Residential to facilitate approximately 64 townhouses on the site. The following information is provided as Officer-level feedback for your consideration.

- **Strategic Merit**

The proposed R3 Medium Density Residential zoning is inconsistent with surrounding development in the locality, which is typically characterised by larger lots with single dwellings. The site also forms part of an important corridor of land zoned E4 Environmental Living. Strategically, this corridor largely reflects the significant landslide risk and geotechnical constraints for land south of Castle Hill Road. The E4 corridor also reinforces the importance of maintaining scenic and district views along the ridgeline of Castle Hill Road, which is a planning priority within the Central City District Plan. The proposed R3 Medium Density Residential zoning would appear to be contrary to these aims.

Typically, the R3 Medium Density Residential zoning is most appropriately used within The Hills Shire in locations where the principles of transit-oriented development can be demonstrated. Proximity to a local centre and supporting services, including public transport is a key strategic priority in terms of accommodating additional density. This site is not located within a reasonable walking catchment of a centre.

While it is acknowledged that the proposed development seeks to provide additional housing supply and increase diversity of housing choice, other critical elements of the strategic planning framework discussed above are also key considerations and inconsistencies with these may be difficult to overcome. Notably, Council's Local Strategic Planning Statement (LSPS) identifies sufficient land along the Sydney Metro Northwest Corridor and greenfield precincts of North Kellyville and Box Hill in order to meet the Shire's housing needs to 2036 and beyond.

- **Environmental Constraints**

In addition to maintaining the scenic views to the ridgeline as mentioned above, the site is heavily constrained by a number of environmental factors, including steep topography, landslide risk and Blue Gum High Forest, which is listed as a Critically Endangered Ecological Community under the Biodiversity Conservation Act 2016. Parts of the site are also identified on the Biodiversity Values Map and there is potential for development and associated clearing on the site to trigger the Biodiversity Offset Scheme. Consideration should be given to any potential clearing, given that Council cannot grant consent to development that would result in a Serious and Irreversible Impact. Further, the ability to provide the proposed public benefit of walking tracks throughout the site is questioned, given the critically endangered nature of the vegetation.

With respect to landslide risk, it is acknowledged that such geotechnical constraints have been considered extensively in granting consent for the existing Community Title subdivision approval. However, the resulting lot size under the current consent would not circumvent the existing minimum lot size of 2,000m<sup>2</sup>. The proposed development would result in a substantial increase in density and smaller resulting lot sizes. The development's ability to overcome the landslide risk on the site is questioned, as the proposed development outcome would potentially result in increased landslide risk. Please note that the application would need to peer reviewed through to Council's Geotechnical Review Panel at the cost of the Proponent.

Additionally, the steep slope of the site presents further challenges with respect to the level difference of new dwellings and the interface with existing dwellings adjoining the site. The proposed density increase will also have implications for stormwater drainage to the south of the site. A future planning proposal application will need to demonstrate that these issues can be appropriately resolved.

- **Access, Traffic and Infrastructure Demand**

Access to and from the site is currently provided via Glen Road. The proposed density increase is likely to contribute to existing traffic impacts along Castle Hill Road, which already experiences delays in the AM and PM peak periods under current conditions. While the planning proposal would result in increased housing supply, the strategic planning framework emphasises the provision of housing in the right locations, where such impacts are minimised or appropriately addressed through infrastructure upgrades.

Council's LSPS states that there is sufficient land zoned to meet residential supply targets, though the challenge for The Hills is the ability to service the new planned growth with appropriate infrastructure. The uplift sought through this planning proposal is unplanned and therefore uncatered for within Council's existing local Contributions framework. A mechanism will be required to ensure that the local infrastructure demand generated by the proposal can be adequately funded. Additionally, consultation will be required with Transport for NSW as part of the planning proposal process, to determine the impact on regional infrastructure and the need for any upgrades.

- **Proposed Public Park**

The preliminary planning submission indicates the construction and dedication of a public park to Council. It is noted that the site is largely isolated in a location that is not widely known to be accessible to the public. As such, the benefit of providing a public park in this location is questioned.

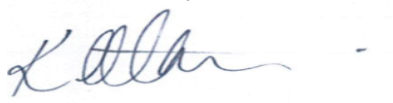
- **Technical Matters and Built Form Outcome**

From a review of the preliminary planning submission, it is difficult to establish the proposed LEP mechanisms, particularly with respect to the proposed minimum lot size. Further, the future

medium density dwelling typology and associated subdivision titling arrangements is unclear, given that the R3 Medium Density Residential zone would permit a range of dwelling types. This includes multi dwelling housing, attached dwellings and small lot housing (integrated housing). Any future planning proposal application would need to clearly stipulate the proposed LEP amendments, subdivision arrangement and dwelling typology and built form outcome. The proposed dwelling arrangement appears to represent a multitude of gun barrel arrangements and a garage-dominant streetscape. The development concept should give further consideration to internal amenity of the proposed built form, having consideration Part B Section 9 – Small Lot Housing (Integrated Housing) and Part B Section 10 – Medium Density Residential (Terraces) of The Hills DCP 2012. These controls may be an appropriate foundation for the development of a site specific DCP to guide built form outcomes on the site, if all other strategic and site specific issues identified in this letter could be overcome.

Based on the information provided it would be difficult for Council officers to conclude that a planning proposal to facilitate medium density development on this site demonstrates strategic and site specific merit. However, should you wish to progress with lodging a planning proposal application with Council, the applicable fee would be the 'Major' fee, being **\$70,620**. Please contact me on 9843 0404 if you wish to discuss the matter further.

Yours faithfully

A handwritten signature in blue ink, appearing to read 'Kayla Atkins', is written over a light blue rectangular background.

**Kayla Atkins**  
**STRATEGIC PLANNING COORDINATOR**