



28 February 2016
Our Ref: 9269A.WG

planning consultants

The Director of Urban Renewal
The Department of Planning and Environment
GPO Box 39
SYDNEY 2001

Dear Sir/Madam

**Exhibition of Showground Station Precinct Proposal
Submission on behalf of Owners of 1-25 Kathleen Avenue, Castle Hill**

1.0 Introduction

DFP Planning has been engaged by Invoke Property Group on behalf of all the land owners of 1-25 Kathleen Avenue, Castle Hill to determine the most appropriate land use zoning for the site and prepare a submission to the Department of Planning and Environment. 1-25 Kathleen Avenue represents all properties along the northern side of Kathleen Avenue between the intersections of Britannia Road and Gilbert Road.

A petition requesting all land bounded by Showground Road, Gilbert Road, the northern side of Kathleen Avenue, Britannia Avenue including the properties in Belvedere Avenue has been signed by 103 of the 110 property owners in the precinct. All of the land owners of 1-25 Kathleen support this submission and have signed the petition. Land owners of two properties did not sign the petition are government owned properties. This petition forms part of this submission however we have been requested that the petition not be attached to this submission and published on the internet for privacy purposes.

In preparing this submission, Invoke Property Group on behalf of the land owners have engaged the following consultants:

- Shed Architects;
- Biosis Flora & Fauna Consultants; and
- DFP Planning Pty Ltd, Town Planners.

In preparing this submission, DFP Planning has reviewed the Flora and Fauna submission undertaken by Biosis (**Attachment 1**) and the Architectural Concept plan prepared by Shed (**Attachment 2**) and has undertaken site inspections in November 2015 and February 2016.

1-25 Kathleen Avenue, Castle (the subject site) lies directly to the north of the Precinct boundary shown in the Showground Station Precinct Plan and accordingly this submission makes the following recommendations:

- The Showground Station Precinct boundary should be relocated to the north along the rear boundaries of the properties on the northern side of Kathleen Avenue. This will enable the tributary of Cattai Creek to act as a vegetation buffer between the Showground Station precinct and the existing low density dwellings to the north. The exhibited document would result in town house development opposite properties with land areas of approximately 4,000m².

- That the subject land be rezoned to R4 High Density Residential.
- That residential apartment buildings with a height generally of 3-6 storeys be permitted on the site.
- That a floor space ratio of approximately 2:1 apply to the site.

The R4 High Density Zone is consistent with the exhibited Showground Road Station Structure Plan prepared by the Department of Planning, September 2013. The 2013 Showground Road Station Structure Plan indicated that properties on the southern side of Kathleen Avenue through to Showground Road were appropriately zoned to allow medium density residential development which consists of residential apartment buildings with a height generally of 3-6 storeys.

DFP has prepared a submission on behalf of 33 landowners whose properties are located at Showground Road, Britannia Road and Belvedere Road seeking that their properties be zoned R4, we are also aware 4 resident groups located within this Precinct who are also putting separate submissions to the Department of Planning and Environment (DoPE) requesting that their properties within this Precinct be rezoned to R4 High Density Residential. The 7 groups in total represent the whole area bounded by the northern side of Kathleen Avenue, Gilbert Road, Showground Road and Britannia Avenue including the properties in Belvedere Avenue.

Given the extensive support and motivation for development on the subject site and in this Precinct, it is requested that a meeting be held with the DoPE to discuss how the subject site fits with the broader planning strategies for this entire precinct.

2.0 The Subject Site

The subject site consists of 13 properties located on the northern side of Kathleen Avenue bounded by the intersections of Britannia Road and Gilbert Road. The properties addresses are 1-25 Kathleen Avenue, Castle Hill. The total site area is 50,812m² (5.0812 hectares).

Figure 1 below is a locality Plan.

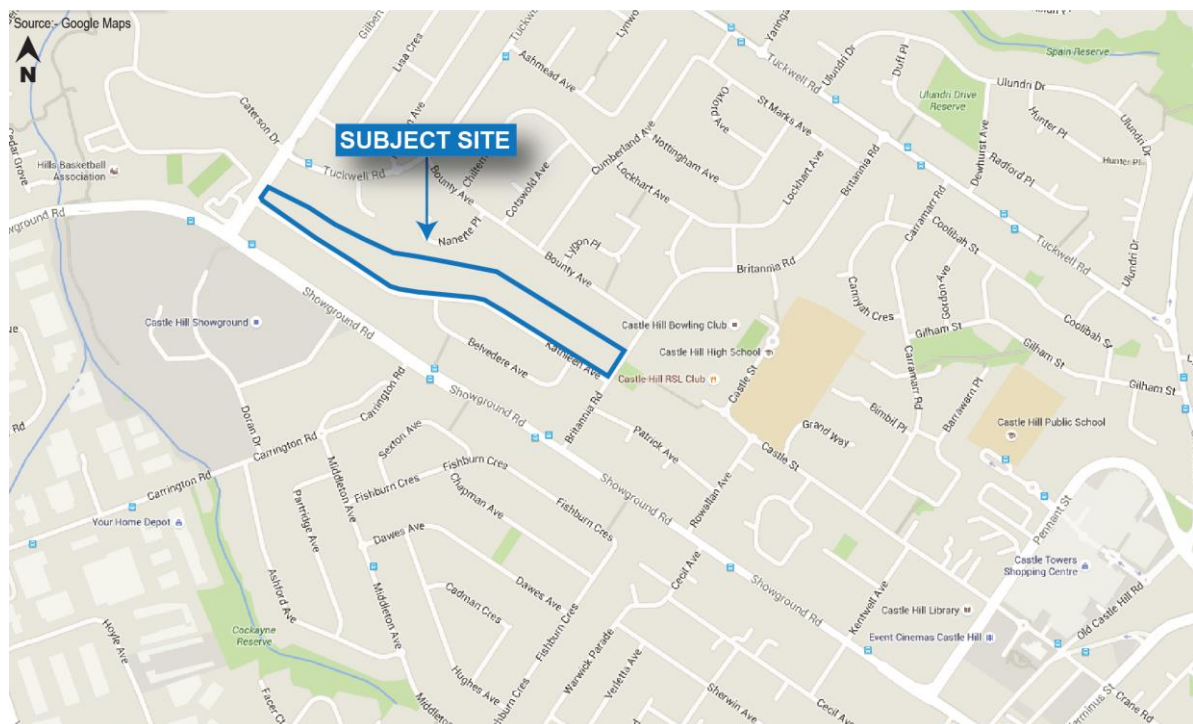


Figure 1: Locality Plan

The lots that make up the subject site have areas ranging from 3,721m² to 4,528m², with the larger lots at the eastern half of Kathleen Avenue.

Figure 2 below is an aerial photograph of the subject site.

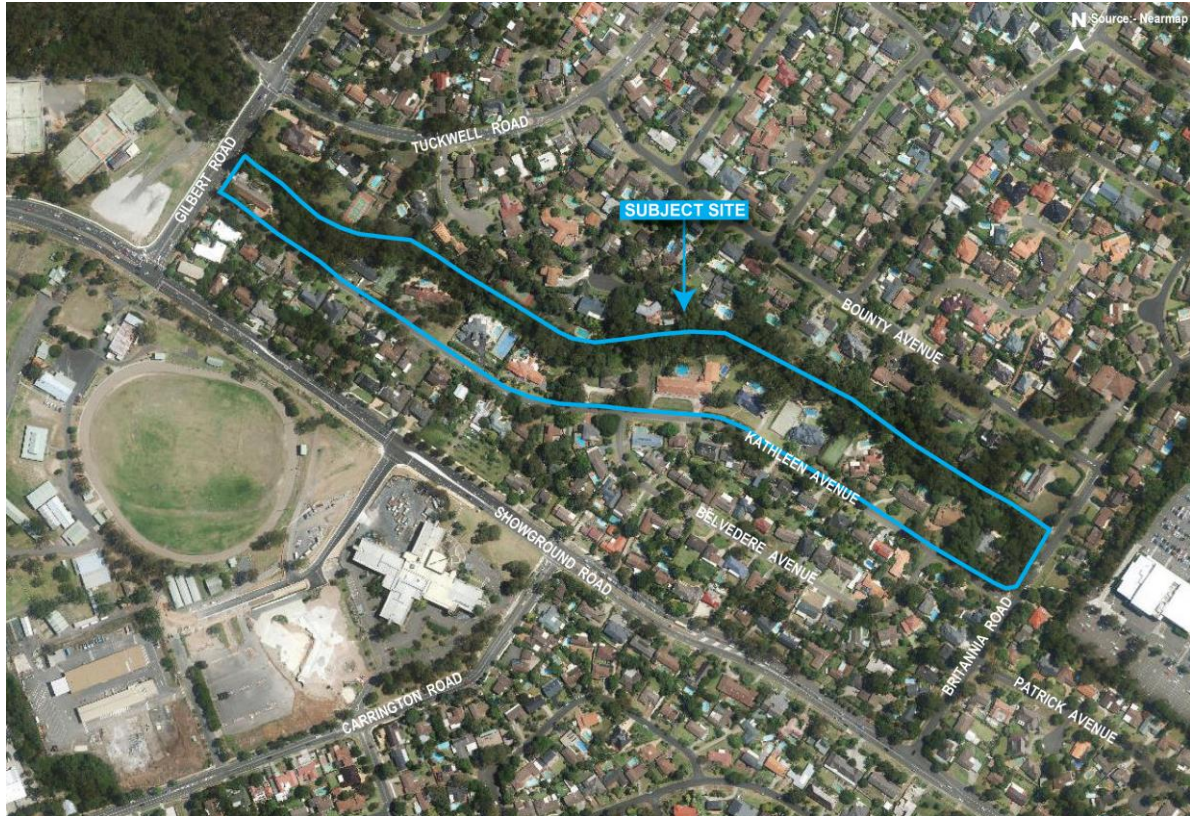


Figure 2 Aerial Photograph

The dwellings located within the subject site are generally substantial 2 storey dwelling houses with a number containing tennis courts. Examples of dwelling within the subject site are provided in the **Figures 3-5** below.



Figure 3: Typical Dwelling Houses within the Subject Site



Figure 4: Typical Dwelling Houses within the Subject Site



Figure 5: Typical Dwelling Houses within the Subject Site

The land on the northern side of Kathleen Avenue slopes down to the watercourse which is a tributary of Cattai Creek. This watercourse flows in a north westerly direction into Cattai Creek within Fred Caterson Reserve. The land slopes up along the northern bank on the northern side of the watercourse.

The northern side of Kathleen Avenue contains significant street trees with large trees and vegetation located along the watercourse. There are other trees inter-dispersed between the dwellings, however due to the substantial size of many of the houses and presence of tennis courts and pools, there are large areas of cleared land through the middle of the sites.

2.1 Flora and Fauna

As the existing zoning of this site is E4 Environmental Living zone, Biosis has undertaken a flora and fauna review of the subject site and the concept master plan (**Attachment 2**). In order to determine whether flora and fauna issues represented a constraint on rezoning, Biosis have undertaken a preliminary flora and fauna study. The flora and fauna report is found at **Attachment 1** of this submission and indicates that there are some clusters of remnant native trees dominated by Turpentine's located on the site. The report indicates that none of the remnant native vegetation within the study area would qualify as Turpentine Ironbark Forest as defined under the Commonwealth EPBC Act as the community does not contain characteristic components from all structural layers, ie. tree canopy, small tree, mid storey and under storey and none have a remnant size greater than 1 hectare. Furthermore Biosis undertook field surveys to determine the likelihood of the subject site containing endangered species of flora and fauna. The report indicates that no endangered plants were found and it is highly unlikely to provide the habitat for endangered fauna. Accordingly, there were no flora and fauna constraints.

The Biosis report provided a number of recommendation on how any proposed development on the site could enhance the ecological condition of the subject site, namely through the siting of buildings to avoid large hollow bearing trees, additional plantings and establishment of a riparian corridor.

2.2 Surrounding Development

Land on the southern side of Kathleen Avenue generally consists of 1 and 2 storey dwelling houses. Generally the southern side of Kathleen Avenue is higher than the northern side and the residential allotments are significantly smaller, generally consisting of approximately 900-1,000m² in area. **Figure 6** below shows typical dwelling houses located on the southern side of Kathleen Avenue.



Figure 6: Typical view of dwellings on the southern side of Kathleen Avenue

To the east of the subject site are other areas of low density residential development generally consisting of 1 and 2 storey dwelling houses. There is a small pocket park with a footpath that links Britannia Road with Castle Hill RSL Club and through to Castle Hill High School located in Castle Street. A photograph of this pocket park leading to the RSL Club is provided at **Figure 7** below.



Figure 7: Pocket Park

To the west of the Precinct is Fred Caterson Reserve which contains a variety of sporting facilities including tennis courts, basketball courts, soccer fields, a cycleway and pony club.

Properties to the north of the Precinct are located in Bounty Avenue, Nanette Place, Brackenfell Close and Tuckwell Road. Properties to the north of the site are also zoned E4 Environmental Living and are generally located on lots with areas of greater than 4,000m². **Figure 8** below is a view of typical dwellings in Bounty Avenue.



Figure 8: View of dwellings in Bounty Avenue to the north of the site

3.0 Existing Environmental Planning Instruments

3.1 The Hills Local Environmental Plan 2012

Land within the subject site is currently zoned E4 Environmental Living pursuant to The Hills LEP.

The objectives of the E4 Environmental Living zone are as follows:

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

Uses permitted with consent include Bed & Breakfast accommodation, attached dual occupancy dwelling houses, home business and secondary dwellings.

The LEP requires a minimum lot size of 4,000m², whilst a 9 metre height limit applies to the site. There is no floor space ratio that applies to the subject site.

3.2 North West Rail Link Showground Station Structure Plan 2013

The Showground Road Structure Plan 2013 prepared by the DoPE identified the Precinct boundary along the northern side of the properties on the southern side of Kathleen Avenue, ie. the properties on the opposite side of Kathleen Avenue to the subject site. The plan identified that properties bounded by Showground Road, Britannia Road, Kathleen Avenue and Gilbert Road as appropriate for medium density residential development consisting of residential apartment buildings between 3 and 6 storeys.

There was no justification for the precinct boundary line ending on the southern side of Kathleen Avenue, however it is surmised that the DoPE may not have wanted to include land on the northern side of Kathleen Avenue as it was zoned E4 Environmental Living zone. The Biosis report concludes that there are no ecological reasons why the site cannot be rezoned to R4 High Density Residential.

3.3 The Draft Hills Corridor Strategy

The Hills Corridor Strategy recommended that land within the Showground Road, Belvedere Avenue, Britannia Road and Kathleen Avenue Precinct be zoned R3 to permit townhouse and villa development up to 3 storeys in height. This varied from the DoPE's Structure Plan of 2013. The Hills Corridor Strategy did not include the subject site within the Showground Precinct.

4.0 Response to the Showground Station Precinct Proposal December 2015

The subject site is currently not included in the Showground Station Precinct. **Figure 9** below provides an extract of the exhibited zoning map for the precinct demonstrating the site is not located within the precinct boundary.

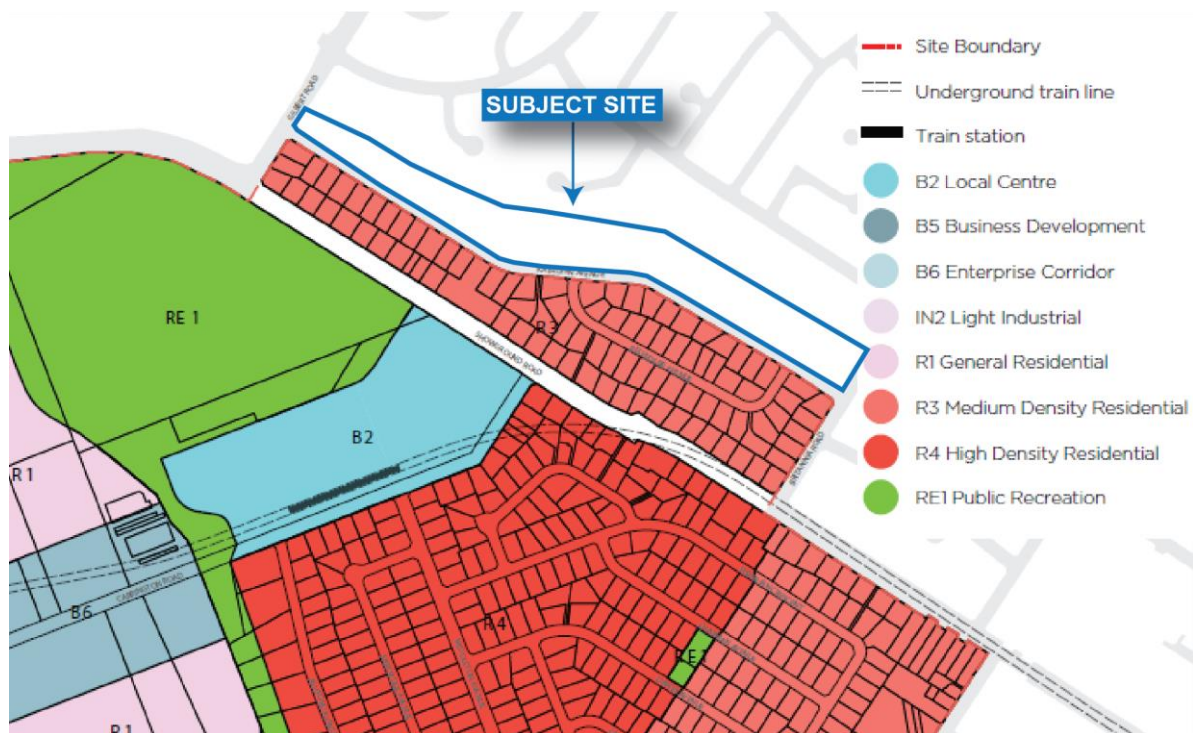


Figure 9: Exhibited zoning map extract

This submission will seek to demonstrate the following:

- That the Precinct boundary be extended to the north so that the tributary of Cattai Creek form the boundary of the Precinct
- That the subject site be rezoned R4 to allow residential apartment buildings
- Following additional consultation with the DoPE, that residential apartment buildings with a maximum of 6 storeys transitioning to 3 storeys at the rear of the site be permitted.

4.1 Justification for Boundary Relocation

Biosis was engaged on behalf of the land owners to undertake a Flora and Fauna assessment to determine whether there were any constraints existing on the site that would prevent a rezoning of the site. The Biosis Flora & Fauna report is provided at **Attachment 1** of this submission.

The conclusion was that there are no areas of remnant vegetation that will qualify as a threatened ecological community under either the Commonwealth EPBC Act or an endangered ecological community under the NSW TSC Act. The Biosis report has also considered the Masterplan prepared by Shed Architects and made some recommendations.

These recommendations are summarised as follows;

1. Undertake a field survey of large trees and those that contain hollows and refine the masterplan avoid as many of these trees as possible;
2. Look to extend the public boardwalk to link up with Kathleen Avenue;
3. Minimise the disturbance to trees and vegetation during the construction of the boardwalk;
4. Tree protection measures be employed on all trees to be retained during construction;
5. Employ best practice sediment and erosion control measures;
6. Prepare a vegetation management plan for the site which proposes to remove all weeds from the riparian corridor; and
7. Identify and remove noxious weeds across the site.

By allowing residential apartment buildings on the subject site, there is a real opportunity to improve the quality of the tributary of Cattai Creek that forms the northern boundary of the subject site. Any redevelopment would require a riparian corridor to be established that would enhance the quality of the ecological features of the subject site. It would also be an opportunity to provide a publicly accessible cycleway/pedestrian path that would link the pocket park adjacent to the Castle Hill RSL Club on Britannia Road through to Gilbert Road opposite Fred Caterson Reserve. This publicly accessible thoroughfare would be constructed at the cost of the developer and would provide significant connectivity through an enhanced riparian corridor. It would also provide opportunities for additional pedestrian corridors to link Kathleen Avenue with the publicly accessible riparian thoroughfare to provide pedestrian permeability throughout the Precinct.

Whilst not being confirmed by a traffic engineer, there is public support for a new future potential road to link Kathleen Avenue with the new intersection established on Showground Road that provides access into the Showground Precinct. The location of the proposed road is shown on the masterplan at **Attachment 2**.

The closest point of the watercourse to the location of the railway station is approximately 410 metres utilising Six Maps distance calculator. The eastern extent of the watercourse where it intersects with Britannia Avenue is approximately 700 metres from the location of the proposed station, whilst the western extent of the watercourse, where it intersects with Gilbert Road, is approximately 550 metres from the train station. Accordingly, the subject site is well within walking distance of the railway station and provides an opportunity for new residential apartment buildings to be located in an area that is within a convenient 10 minute walk of the proposed Showground railway station. The NSW DoPE's planning document "A Plan for Growing Sydney" identifies areas within 800 metres of railway stations as being appropriate residential apartment buildings.

It is considered that the watercourse and its associated vegetation provides a logical Precinct boundary as it provides a significant vegetated buffer between the higher density residential

area of the Station Precinct and the low density residential properties on the northern side of the watercourse. The existing Precinct boundary will result in a change in densities from the current proposal of medium density townhouses to the dwelling houses on the subject site which are all on large lots of approximately 4,000m². It is considered that residential apartment buildings can be located on the subject site and adequately screened by both existing vegetation and additional riparian plantings that would be necessary in any future redevelopment of the site. This vegetated corridor will reduce the visual interface between the Station Precinct and the low density residential areas of Castle Hill to the north of the Station Precinct. Rezoning the subject site to R4 High Density Residential Zone is predicated upon the properties to south between Kathleen Avenue and Showground Road being rezoned to R4 High Density Zone.

It is not a valid response to identify that a potential rezoning of the site to R4 could occur at a later date as if the land is zoned R3 then it may be the case that some strata titled townhouse developments are constructed thereby making a decision to rezone the land to R4 in the future difficult and would result in a poor built form interface.

4.2 Height Transitions from the Proposed Station to the North

Providing residential apartment buildings that transition in height down to 3 storeys at the rear of the site, will ensure that these buildings are screened by the riparian plantings and existing vegetation along both sides of the watercourse. The natural topography of the site will also assist in providing a relative height transition to the dwellings to the rear of the site. This will ensure a good interface between the low density dwellings on the northern side of the watercourse. The DoPE has provided very good height transitions from the central station core to the south of the station along roads such as Middleton and Fishburn Crescent, however the same height transition has not been provided for properties to the north and north east of the station.

The current proposal is for buildings up to 16 storeys in height on the south western side of Showground Road and buildings 3 storeys north eastern side of Showground Road. This height transition will result in an uneasy built form relationship on either side of Showground Road.

The petition provided under separate cover to this submission includes the signatures of residents within the Kathleen, Britannia, Belvedere and Showground area Precinct that all support residential apartment buildings. Of the 110 properties in the precinct 103 of the landowners signed the petition of support (two landholders are the NSW Government who were not approached to sign). Residential apartment buildings of varying heights will ensure that there is a proper transitioning of building heights from the Station Precinct down to the edge of the Precinct.

4.3 Masterplan Concept

Shed Architects have prepared a Masterplan concept which shows residential apartment building platforms on the subject site. The purpose of the Masterplan was to determine whether it was possible to provide residential apartment building platforms on the subject site in a manner that would be compatible with the existing riverine and flora and fauna attributes of the site and to determine whether the site dimensions were adequate to accommodate residential apartment buildings.

The architectural Masterplan concept forms part of this submission at **Attachment 2**. The concept plan has notably provided up to 6 storey buildings, however before building heights can be properly determined, it will be necessary to complement building heights provided in the Showground Road/Belvedere Avenue, Britannia /Kathleen Avenue Precinct. Noting that this area is currently proposed for townhouse development, however submissions are being made to the DoPE by landowners to allow residential apartment buildings of various heights in the

Precinct. Should the DoPE consider that it is appropriate to relocate the Precinct boundary to include the properties on the northern side of Kathleen Avenue, then building heights should transition from the heights of buildings on the southern side of Kathleen Avenue down the rear of the subject site to provide a height transition to the low density development on the northern side of the watercourse. Other key features of the Masterplan concept include:

- Construction of a boardwalk that would provide public access from Britannia Road through to Gilbert Road, linking the Castle Hill RSL Club and Castle Hill High School to Fred Caterson Reserve. Other opportunities would be provided to provide public access to this boardwalk from Kathleen Avenue to increase pedestrian permeability throughout the Precinct to both the RSL Club, Castle Hill High School and Fred Caterson Reserve.
- Consideration for a future road intersection linking Kathleen Avenue to the new signalised intersection that provides access to the Castle Hill Showground Precinct.
- Location of drainage easement locations to drain from Kathleen Avenue to the watercourse.
- The Masterplan shows the location of existing trees and where possible, the building platforms have been located to protect existing trees.
- The building platform is based on a 10 metre front setback to Kathleen Avenue.
- Delineation of the 15 metre setback from the centre line of the watercourse.
- Statistics of the current Masterplan which has considered the applicable apartment design guide requirements. The Masterplan identifies 9 separate building platforms ensuring that the buildings are not too long to establish landscaped breaks between each building. This will assist in protecting hollow bearing trees on the site.

The built upon area for the Masterplan represents 32% of the site area ensuring that there is significant opportunity to protect existing vegetation and provide significant open space opportunities on the site. The Biosis report has made some recommendations in terms of the building envelopes to ensure that any future development is constructed in a fashion that enhances the environmental qualities of the site.

Design statistics have been provided based on a 6 storey proposal, however as discussed it would be necessary to ensure that building heights were commensurate with any change in building heights to properties on the southern side of Kathleen Avenue with a built form transition to the rear of the site.

As discussed previously, ultimate heights will be a function of the heights provided to future residential apartment buildings on the southern side of Kathleen Avenue with an appropriate transition to the low density dwellings to the rear.

Rezoning this precinct will provide additional opportunities for public open space to be provided which will ensure that the rate of open space per person is not diminished by the rezoning in this precinct. Opportunities would exist to provide pocket parks that are connected to the pedestrian cycle path that pass along the riparian corridor that will ensure that the rate of open space per person is not reduced by the rezoning.

4.4 Zoning

It is requested that the subject site be rezoned R4 High Density Residential zone to permit with consent residential apartment buildings. A proposed zoning map extract is provided below at **Figure 10**.

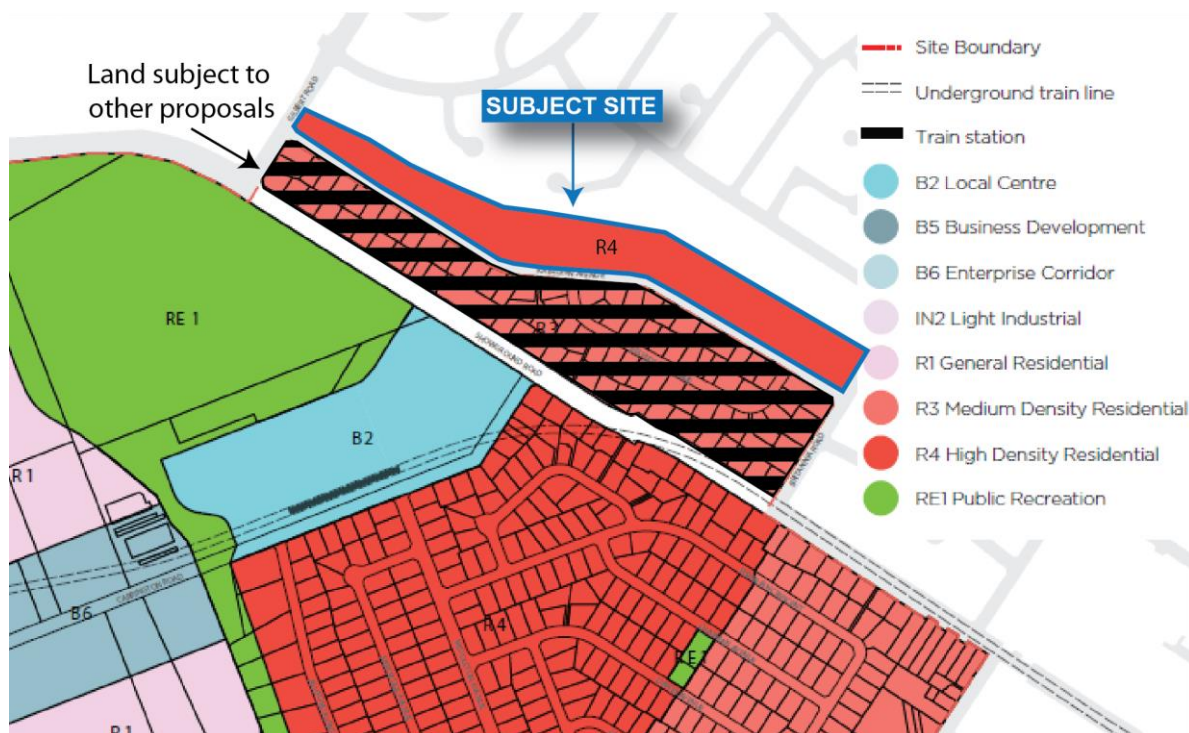


Figure 10: Proposed zoning map extract

4.5 Building Heights

The concept plan prepared by Shed Architects at **Attachment 2** of this submission has indicated a maximum height of 6 storeys. 6 storey buildings would require a height limit of approximately 20 metres. The proposed building height map is provided below at **Figure 11**.

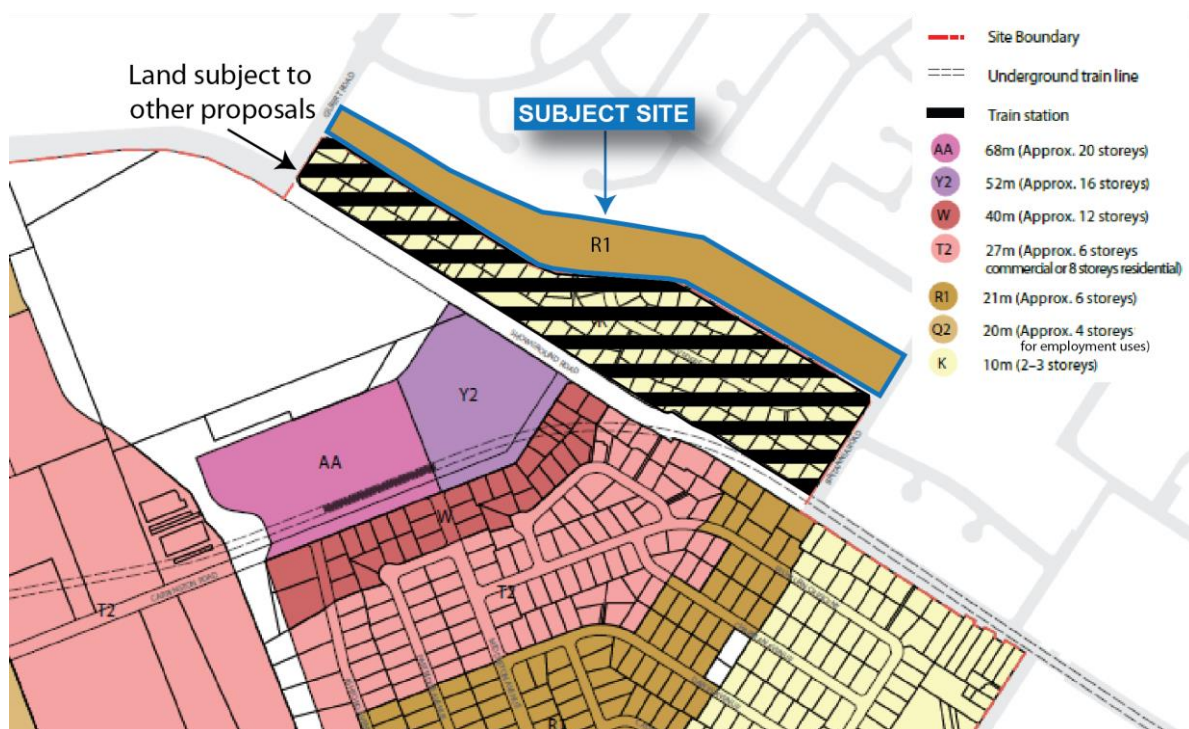


Figure 11: Proposed height map extract

4.6 Floor Space Ratio

The concept Masterplan prepared by Shed has a floor space ratio of 2:1. The ultimate floor space ratio will be a function of the heights provided for the site reflecting the necessary height transitions from the station through the Showground Road/Belvedere Avenue/Kathleen Precinct. The proposed floor space ratio map is provided below at **Figure 12**.

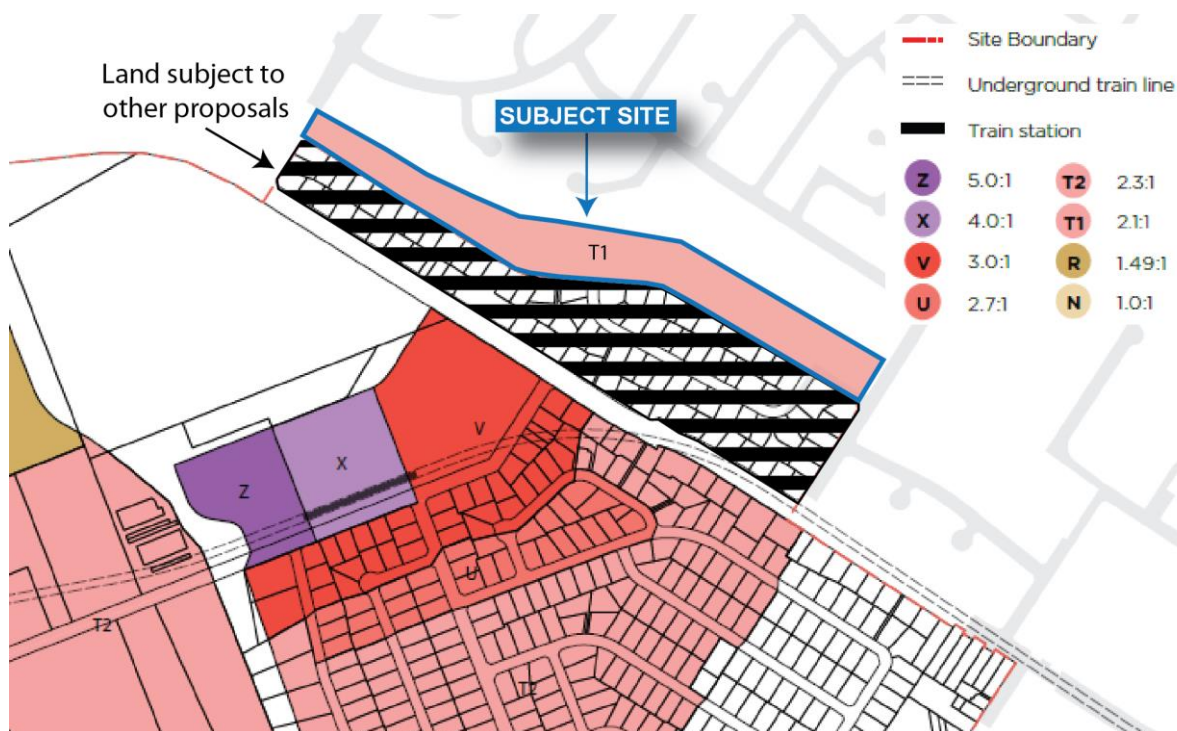


Figure 12: Proposed FSR map extract

4.7 Total Dwelling Yields of the Showground Precinct

DFP recognise that including this parcel of land within the Precinct will increase the development yield for the entire Precinct. Given the subject sites proximity to the railway station and the existing residential nature of this Precinct, we are of the opinion that this Precinct is suitable for high density residential apartment buildings. DFP questions the exhibited plan that proposes to zone on land to the west of Cattai Creek in what is now employment land as R1, General Residential, allowing shop-top development with residential levels up to 7 storeys above. Introducing residential apartments into the employment land precinct introduces the potential for land use conflict between the new residential occupiers, existing light industrial uses and future employment uses.

Potential land use conflicts between residents and business operators can reduce the investment in employment generating business and lead to higher rates of vacancies. It is our opinion that the subject site and Showground/Belvedere/Kathleen Precinct represents a superior location for residential apartment buildings as it will not result in any land use conflict, will not affect the amount of employment generating land and will provide residential land within a 10 minute walk of the railway station. Retention of the employment lands provides greater opportunities for the new residential population to find employment close to their homes.

5.0 Conclusion

This submission prepared by DFP Planning for Invoke Property Group contains a flora and fauna assessment prepared by Biosis at **Attachment 1** which demonstrates that there are no

flora and fauna constraints that would prevent the Precinct boundary being extended to the properties on the northern side of Kathleen Avenue and rezoning the site R4 High Density Residential to permit residential apartment buildings. The Masterplan prepared by Shed at **Attachment 2** of this submission demonstrates that a residential apartment building development on the site would occupy approximately 32% of the site area providing extensive areas of open space, both within the site and along the proposed riparian corridor.

Extending the Precinct boundary to the north provides a logical Precinct boundary as the riparian corridor will provide a significant landscaped buffer between the higher density residential area of the Showground Precinct and the existing low density residential development on the northern side of the watercourse. This buffer can be augmented with additional landscape treatment. Furthermore, including the subject site in the Precinct provides the opportunities for a riparian corridor to be established that will remove weeds and significantly enhance the riparian area of the tributary of Cattai Creek. Included in the riparian area is a publicly accessible boardwalk that would provide pedestrian and cycle access from the pocket park adjacent to the Castle Hill RSL at Britannia Road through to Gilbert Road adjacent to Fred Caterson Reserve.

The petition submitted under separate cover to this submission demonstrates that there is significant public support for the Showground Road / Belvedere Avenue / Britannia Avenue / Kathleen Avenue Precinct being rezoned to permit residential apartment buildings. Should the DoPE allow residential apartment building in this Precinct, the ultimate height and floor space ratio for the subject site will be function of other building heights in the precinct. It is the opinion of DFP that a height transition should be provided down to the watercourse to assist in reducing visual impacts on the low density area to the north. All building heights should be lower than the existing tree canopy to adequately screen the higher density residential area from the low density area to the north.

It is requested that a meeting be held with the DoPE of Planning officers, a representative of each of the resident groups within the Showground Road / Belvedere Avenue / Britannia Road / Kathleen Avenue Precinct and their planning consultants to discuss the future planning of this Precinct.

DFP trusts that the information contained in this submission provides the DoPE with the information it requires to ensure that this Precinct is redeveloped to a high standard which reflects the investment in this Precinct.

Should there be any further queries, please do not hesitate to contact Warwick Gosling on 9980 6933.

Yours faithfully
DFP PLANNING PTY LIMITED



WARWICK GOSLING
DIRECTOR

wgosling@dfplanning.com.au

Reviewed: _____

A stylized, handwritten signature in black ink, appearing to be 'JH' or similar, written over a horizontal line.

Encl. 1. Flora and Fauna Report prepared by Biosis
2. Architectural masterplan prepared By Shed.