Reference to: Independent Pricing and Regulatory Tribunal (IPART)

Assessment of Contributions Plan 17 – Castle Hill North Precinct, The Hills Shire Council Draft Report Local Government September 2019

Privacy request: Please do not release my name or contact details in future documents.

This submission will focus on open space and proposed playing fields to supplement the expansion of future populations into the North Castle Hill Precinct referenced by *The Assessment of Contributions Plan 17 Castle Hill Precinct, The Hills Shire Council (IPART Cp17)*

The following sections from the IPART/Cp17 report will be referenced:

Section IPART 6.1.2: District Open Spaces.

Proposed open space and playing fields for North Castle Hill Precinct. Cp17

Relationship between the planning and development between the North Castle Hill Precinct and the Dural Precinct (including Glenhaven) – the Dural Precinct should not be over utilised to accommodate the needs of the North Castle Hill Precinct. North Castle Hill Precinct has always been a centre for development and higher density local amenities including shopping, schools, housing, medical facilities etc with open space adjacent to key amenities such as the Castle Hill Showground and the Arthur Whitling Reserve and War Memorial. In comparison, the Dural Precinct has been characterised by open space, rural space, lower density housing and in the past 15 years local shops at Glenhaven and upscaling of the Dural shops. The two precincts have coexisted side-by-side offering varying diversity and transect of higher to lower density and development from Caste Hill to Dural and beyond.

Lose of amenity in the North Castle Hill Precinct.

Since the proposal for the North West Rail link was announced a substantial amount of local amenity has been lost to major development. Arthur Whitling Reserve together with the War Memorial was the social heart of Castle Hill. Sadly, the Castle Hill Rail station has now absorbed the Reserve while proposed associated major developments will overshadow the site. The Castle Hill Precinct now resembles a heartless mash of ad hoc developments without the concern for Public Health. There appears to be a rush to embellish alternative pocket reserves which were established in the past to service the needs of the then population.

Population forecasts for the North Castle Hill Precinct, I feel, will not be accommodated at the remaining reserves namely Maurice Hughes, Larool Crescent and Eric Felton Reserves. Total areas as quoted by Council would limit use by expected residential influx.

Outside the North Precinct the Showground Precinct predicts a better outcome for future habitation. The Fred Catersen Reserve located on Gilbert Road and the current Showground (if developed to cater for

recreational use) located on Showground Road would also have a limited use as per habitation predictions. Both sites would serve current and future residents both inside and outside discussed Precincts. Council has now faced a dilemma in providing more open space to accommodate future population predicted to inhabit the Precinct.

With reference to Cp17 - Playing Fields – (Ipart 6. Open Spaces refers).

Gilmore Close.

Council's approach to playing fields as documented under Ordinary meeting of Council 25 July 2017 page 118/121 inclusive (Open Space and Recreation Facilities) figure 2/p119 outlines Council's preferred site for new playing fields to accommodate future residents within the North Castle Hill Precinct. Page 120 further consolidates Council's preference for 7-13 Glenhaven Road 1 Kyle Avenue and 3 Gilmore Close, Glenhaven (total area 10.013ha) together with costs associated with occupancy of future residents.

Page 121 further quotes "Gilmore Close site is approximately 4km from the Precinct, it is generally considered to be within the Precinct Catchment and presents fewer constraints and greater opportunity for increasing the capacity of Council's active open space network. Accordingly, a clearer **Nexus** argument can be established for levying development for this facility".

Furthermore, additional documentation under ITEM - 5 page 14 "Development Control Plan, Contributions Plan and Public Domain Plan for Castle Hill North (FP38 and 16/2016/PLP) – Council Ordinary Meeting 25 July 2017 under 372 resolution item 1. 2. and 3. Reinforces Council's resolve to proceed with playing field development at the above site.

Item 3. In particular states "Council commence consultation with land owners with respect to the proposed district open space facility in Glenhaven". Voting for the motion indicated 8 Councillors voted in favour with nil objections and 2 absent.

Council's Ordinary Meeting 27th November 2018 page 50/51 item D. Playing Fields.

"Council received 28 submissions commenting on the proposed Gilmore Close playing fields. Key issues raised within the submissions received included the following:

Consideration of Alternative Sites.

Lack of Consultation.

Proximity to Castle Hill.

Traffic Congestion and Parking (including Safety).

Concern regarding Acquisition Value (availability of funds).

Relationship with the North Glenhaven Precinct.

Impact on Rural Lifestyle and Amenity (Lights and Noise)

Impact on Property Values.

Impact on Glenhaven Rural Fire Service.

Antisocial Behaviour and

Topography and Slope.

Council meeting 11 September 2018 - Council considered a report on Planning Proposal (3/2018PLP) which sought to rezone land for Gilmore site but instead resolved not to proceed with the land required to accommodate the Gilmore playing fields and matter referred to the Minister for Planning to determine that Planning Proposal (3/2018PLP) not proceed.

HOLLAND RESERVE. Cp17

Ordinary Meeting of Council 25th July 2017 Page 120/121 documents Council's possible site at Holland Reserve with 2-3 playing fields to be located on the Bannerman Road side of the Reserve and one additional field to be located on the Holland Road side, "without substantial removal of vegetation, it would involve the relocation of the Equestrian Centre to an alternative location". Site distance measurements from Holland Reserve Bannerman Road site to Castle Hill Precinct and Cherrybrook Precinct quote 6.4km and 6.7km are included.

Page 53 25th July 2017 Ordinary Meeting of Council further states "Holland Reserve is located around 4.5km from the Castle Hill Precinct and as such is outside of the typical rule of thumb catchment for playing fields, which is approximately 2km from the source of the demand " "(source: Recreation and Open Space Planning Guidelines for Local Government)".

Referencing Ordinary Meeting of Council 26th March 2019 page 61 under heading Report 2. Submission Summary indicates a total of 25 submissions were received together with 1 public authority submission from RMS with reference to the Holland Road Reserve proposal. Resident's submissions raise issues for Holland Road Reserve runs parallel to issues lodged referencing the now defunct Gilmore site.

Council's Ordinary Meeting 26th March 2019, Pages 63 through to 71 inclusive, addresses issues raised in residents submissions together with Council's extensive comments to justify their resolve to develop Holland Reserve.

IPART Item 6 Open Spaces item 6.1 Overview of open space in CP17 in parts quotes "Holland Reserve is Crown Land, but the council has responsibility for its upkeep and management - (69) "Under recent changes to the Crown Land Management Act 2016.

Crown lands such as Holland Reserve are to be manage under the Local Government Act 1993 as they are community land under the Local Government Act 1993. (Information from The Hills Shire Council, 19 June Q6). How does Holland Reserve serve the needs of the community as a whole?

Glenhaven Playing Field. Omitted from inclusion within CP17.

Council's CP17 fails to forecast the future use for our long standing recreational playing field facility on Glenhaven Road, located between the Community Centre and local retail outlets. This site would substantially improve local amenity when and if included in Council's program of embellishment. Council has to document their intentions for this facility.

Transport. IPART item 6/CP 17 page 95.

Data supplied covers extensive road improvements to assist traffic flow throughout the North Castle Hill Precinct with the intention of catering for projected vehicle movements. The NSW State Governments proposal was to reduce road usage by the introduction of the Metro Rail network to the North West of the Metropolitan Area, whereas, both Council and IPART documents have devoted little space to promote usage to reduce reliance on motor vehicles.

Many established and on-demand bus services have been cancelled by Hills Bus putting outlaying residents who daily rely on these services to access local and regional facilities. In particular, disable, aged and frail residents totally rely on a continuous service for their needs. These individuals would find it extremely difficult to access Holland Reserve for recreational purposes. The Glenhaven bus service (Hills Bus 603 – Parramatta/Rouse Hill via Castle Hill/Glenhaven and return) has been rerouted to service Living Choice Retirement Village located in Old Glenhaven Road and Stewart Foundation of Christian Brethren Glenhaven Gardens Retirement/Age Care facility located in Mills Road Glenhaven.

This rerouting has now omitted coverage of a section of Glenhaven Road between Old Glenhaven Road and Mills Road whereby deleting Holland Road coverage. This does not service the needs of people who do not possess or have access to private vehicles. The need to establish a bus service to Holland Reserve is foremost

The North West Metro Rail system now provides a service which can be utilised by Castle Hill/Cherrybrook Precinct residents to access a more convenient destination for sport and recreation purposes along the rail network.

The distance from the North Castle Hill Precinct is required to be no greater than 2kms to open space and Recreational Facilities (Open Space Planning Guidelines for Local Government) whereas Council plans to apply a "rule of thumb" well beyond 2kms to achieve an outcome. Gilmore, Holland and Bannerman Road sites are all outside distance requirements.

New South Wales Government Guidelines are formulated to protect the local amenity and I strongly argue this point, as past, present and future Development Applicants could also apply the same "criteria" to mount a challenge to achieve and equal outcome.

Biodiversity and Ecological Impacts. IPART/page 50 Box 6.1/cp17 page 66 (d)

Several local Development Applications have been refused by Council based on Biodiversity issues.

Glenhaven Gardens Retirement Village – DA 64/2018/HC refused under Section 4.15(1)(a)(i)/(ii)/(b)/(d)/(e) of the Environmental Planning Act 1979. Loss of local Rural Amenity and not consistent with surrounding rural properties together with other environmental issues listed.

Living Choice Retirement Village Glenhaven - refused due to large scale sensitive vegetation clearing. hillsshiretimes Tuesday June 11 2019 quotes in part – "The Sydney Central City Planning Panel quotes "has not demonstrated the site is suitable for more intensive development. The application has not

demonstrated the proposed development is compatible with the surrounding environment and land uses," the panel's acting chair Paul Mitchell said. "a significant portion of the site contains native vegetation which is part of a bushland corridor. The panel considers this corridor, including the native vegetation on the site, to be environmentally valuable."

The Hills Shire Council also raised concerns around a series of issues with the proposed expansion, including traffic generation, bushfire threat and a lack of services to cater for increases in population. Living Choice Glenhaven's facility is located opposite the proposed Holland Road Reserve redevelopment with their Western boundary fronting Holland Road.

Acare Aged Care facility also abuts Living Choice Retirement Village on Holland Road with frontage to Glenhaven Road has at present no Development Applications before Council, but possible future predictions places their facility in a not so perfect position.

Place of Worship Larapinta Place Glenhaven – Application Number 1867/2018/JP and Council's letter 19 September 2019 refers - refused by Council on many issues including environmental and ecological matters. Council documents demonstrate support for similar issues raised in residents submissions for Holland Road Reserve.

Council's proposal to clear 3ha of bushland for 3 additional playing fields ignores The Sydney Central City Planning Panel's refusal/report which does not support Living Choice's application.

Council has relied upon reports referencing Holland Road Reserve authored by private contractors to evaluate both Biodiversity and Ecological issues, sadly, the contents of these reports are unsighted in public exhibited documents. Council's proposal to clear 3ha of bushland does not preserve the Rural Amenity.

Forest clearing, loss of habitation and the extinction of spices, has become a worldwide epidemic now being covered by a wide range of media outlets. Preservation of the Rural Amenity is paramount as I have witnessed the demise of the Bio Ecological System, being a resident for the past 35 years.

Council has indicated 2.1 million dollars to purchase Bio Offset Credits for the removal of forest and ground undergrowth required for the development of Holland Reserve (Ordinary Meeting of Council 26 March 2019 page 66 - item (d) loss of biodiversity). Based on subsequent Biodiversity reports this amount has now been reduced based on IPART recommendation showing a figure of (table 6.5 page 56 Biodiversity offset) 845,257 dollars. These amounts are based on Biodiversity Assessment Method (BAM) stage 1 and 2 with further investigations to achieve a final figure. A draft Biodiversity Development Assessment Report prepared by UBM Ecological Consultants) contain comments based on suppositions and cannot form a basis for accurate submissions. Council earlier stated that no critically endangered species will be affected at Holland Reserve.

Referencing Council's supplied attached vegetation mapping and index identifying species type for Holland Reserve. This mapping indicates Shale Sandstone Transition Forest listed as Critically Endangered Ecological Community, (joining the Western and Northern boundaries of existing field) and Sandstone Ridgetop Woodland and Sandstone Heath containing, yet to be identified, possible endangered species. As stated these reports are not final and should be read accordingly.

Transparency of exhibition process. Cp17.

Appendix a: (Council's Ordinary Meeting Guiding 26th March 2019 attachment) Principles for Councils under the Act page 313/314/315 sets out guidelines to establish transparency when Council engages in decision-making that will impact residents.

Having those principles at hand I wish to refer back to the Gilmore Close/Holland Road Reserve redevelopment and Council's call for submissions from affected residents.

Documented evidence for the deletion of the Gilmore Close site inclusive of resident's submissions and discussions with affected land holders have been unsighted in Council print documents. In retrospect, Council has allocated extensive documented negativity towards resident's submissions when defending the Holland Road Reserve development, which can only be interpreted as justification for "best decision from a bad situation".

Traffic control signals for the proposed upgrade to Glenhaven Road/Holland Road has only now been documented (page 63/Council Comments paragraphs 3,4 and 5 Ordinary Council Meeting 26th March 2019) surprised residents that I have contacted, referencing IPART's request for interested parties to lodge submissions.

Ordinary Meeting of Council 25 July 2017 page121 Council outlines the Bannerman Road site of Holland Road as being suitable to carry two playing fields, but is currently occupied by the Dural Pony Club. The Castle Hill Pony Club situated adjacent to Fred Catersen Reserve on Gilbert Road Castle Hill was also being investigated for 2-3 playing fields within the Showground Precinct.

Council further suggested these two Clubs could amalgamate and be offered an alternative suitable site. When submissions were invited via Council's letter (8/12/2018 Council Ref FP251) the Pony Club situation was omitted but the Gilmore site was being deleted and the inclusion of a 3 field expansion at Holland Reserve in Glenhaven was gazetted.

My letter (18th February 2019) of objection to Council non-referencing the deletion from Council minutes of the Pony Club's amalgamation and relocation put resident's submissions at a disadvantage.

Council's letter (19th February 2019) acknowledging my correspondence made no mention of the matter, only suggesting the matter would be passed on for consideration. 19th march 2019, a further letter received from Council inviting me to attend Council's meeting scheduled for Tuesday 26th March 2019 further inviting me to speak at the meeting – no mention of Pony Club's position in Council's determination.

To gain an understanding of the Pony Club's situation on Sunday 24th March 2019, I attended the Dural Pony Club's facility at the Bannerman Road site on Holland Reserve and spoke to a group of Members. It was my intention to assess the Club's response to possible relocation and the establishment of a proposal for 2 playing fields. A spokesman for the Club advised they had secured a further ten year lease of the site and had established a purpose built new building on site. I also noted that several members resided outside of the Shire.

Speaking at the 26th March 2919 meeting I raised this issue, whereby, the only response I received was from a North Ward Councillor challenging me to name an alternative suitable site for playing fields. Leaving the meeting I was approached by a Councillor who enquired as to how I found out about the Pony Clubs'

leasing agreement, whereby, I informed him that I had attended a Club gathering on the Sunday before this Council meeting.

Further enquiries with Council I obtained a part copy of Councils Minutes or Ordinary Meeting of 9th September 2014 – page 19 Item-9 Pony clubs – Licence agreements – Item 542 Resolution

Six points are listed for Item-9/542 Resolution re leasing agreements for the Dural and Glenorie Pony Clubs for 10 years with a 10 year option.

Referencing hillsshiretimes.co.au Thursday, February 12, 2019 Page7 appears a published article regarding the Hills District Pony Club (Showground Precinct) and the clash with Council's proposal to relocate them and possible amalgamation with the Dural Pony Club so as to release land for 2 playing fields at the Castle Hill proposed site.

The Hills Shire Times further reports in part with respects to Council's defence of the proposal "A report by the council's forward planning co-ordinator said the Industry Department identified the site as "underutilised", saying it could be used to meet "greater community demand for recreational facilities". "This will enable the delivery of new playing fields to support future population growth within the recently rezoned Showground Precinct," the council representative said. It was reported later that the Hills Council has taken a managerial role of the site which appears to protect the Hills District Pony Club's long term agreement.

Tuesday 2nd April 2019, hillsshiretimes.co.au page 15 – reports that a Hills Shire Councillor said "council was forced to make the best decision in a bad situation (Holland Road Reserve) after NSW Government guidelines enforced the need for more playing fields in growing development Precincts like Castle Hill". hillsshiretimes Tuesday April 2nd further reports the Councillor as saying "Holland Rd Reserve development would result in minimal noise, lighting and traffic impacts for the wider community".

It was interesting to read that IPART had a viewing of the North Castle Hill Precinct and at that time did IPART consult with affected residents within the Holland Road Reserve redevelopment area and gauge their level of support for Council's proposals.

Council's failure to expand and publish reasons for accepting resident's submissions together with details of negotiations with land holders within the affected local area of Gilmore Close negated material to assist further resident's submissions for Holland Reserve.

Traffic light installation at the Holland and Glenhaven Roads intersection only came to print after submission had been received from affected residents. Following a short time frame, Holland Road Reserve became the preferred site as if all recommendations had already been formulated, whereby, resident's submissions for Holland Reserve served no purpose as recorded on Ordinary Meeting of Council 26 March 2019 pages 62/69 inclusive.

Local traffic.

Council predicts 300 vehicles per day at peak demands for Holland Reserve and states parking for future user's upto 230 spaces but omits traffic movement predictions for Glenhaven Road. Currently council has requested Tenders for concept design of Glenhaven Road from Old Northern Road to Green Road – T20-13 refers.

The current Glenhaven Road two lane concrete bridge was installed to replace the one lane wooden structure with the purpose to cater for the future predicted traffic movements.

Glenhaven Road is a rural road with only two lanes now servicing the ongoing developments in the North West of the Shire. Currently from Mills Road through to North Kellyville/Kellyville (Green Road) to the West and return pedestrians and cyclists wishing to travel along Glenhaven/Bannerman roads suffer from no infrastructure access to the Holland Road intersection.

The Holland Road Reserve location will encourage residents from the Shire's North West developments to utilise this facility due to minimal distance and convenience in comparison to the North Castle Hill Precinct expansion. Several other nearby areas will also impact this location encouraging motor vehicle participation.

Many thanks for reading this document.



