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Date: 1 September 2015
Our Ref: PR129091
Via: Electronic submission lodgement

Mr Paul Robilliard, Director
Housing Land Release
Department of Planning and Environment
GPO Box 39, Sydney NSW 2001

Attn: Evelyn Ivinson, Team Leader

Dear Paul,

Draft Riverstone East Precinct Plan: 172 Tallawong Road, Rouse Hill

We are writing to object to the proposed rezoning which is currently on public exhibition for our client's property located in the Riverstone East precinct. The client has owned the property since 1971 and has been actively trying to see the site for the past 6 years. The property at 172 Tallawong Road, Rouse Hill, being Lot 53 in DP 30186 (The Site), is proposed under the draft Precinct Plan to be split between Stages 1 and 3 of the Precinct development. Hence only part of the lot is proposed to be rezoned for urban development. This splitting of the site will make selling the site even more difficult.

I request an alternative approach which will better meet the objective of orderly and economic development of the land.

1. The site

The site has a total area of 2.1ha and is rectangular in shape with an 85m frontage to Tallawong Road on its western boundary and a depth of 240m. One block of similar dimensions separates the site from Guntawong Road to the north. There are a number of existing structures on site including a residential dwelling fronting Tallawong Road, and behind this are two sheds. There is a farm dam at the rear of the lot.

- The lot does not contain any 'Existing Native Vegetation', nor is it within a 'Native Vegetation Retention Area' as shown on the Draft North West Growth Centre Native Vegetation Protection Map.
- The lot does not contain any 'Flood Prone' and 'Major Creeks' land as shown on the Draft North West Growth Centre Development Control Map.
- The lot is not within the 'Riparian Protection Area' as shown on the Draft North West Growth Centre Riparian Protection Area Map.

- There are no 'Heritage Items' or 'Heritage Conservation Areas' identified on the lot on the Draft North West Growth Centre Heritage Map.

The site is shown on the draft Zoning Map and Indicative Layout Plan in Figures 1 and 2 below.

2. The draft Precinct Plan

The draft amendment to rezone part of the Riverstone East precinct for urban development proposes only partial rezoning of the lot. The draft Zoning Map proposes:

- the western half of the site fronting Tallawong Road as R3 - Medium Density Residential zone,
- a narrow strip across the middle of the lot as R2 – Low Density Residential zone, and
- the remaining eastern half of the lot to remain zoned as RU4 – Primary Production Small Lots under Blacktown LEP 2015, awaiting a future stage of land release in the precinct.



Figure 1 Extract from Draft Riverstone East Zoning Map



Figure 2 Extract from Draft Riverstone East Indicative Layout Plan (web version)

3. Sewer and Water Servicing Staging

The zoning boundary appears to be reflective of the indicative servicing stages indicated in the Land Use and Infrastructure Delivery Plan, which is based on the *Infrastructure Precinct Planning Report Riverstone East* (Mott MacDonald), as shown in Figure 3 below.

Figure 3.1: Sydney Water Ultimate Servicing Strategy – Potable Water

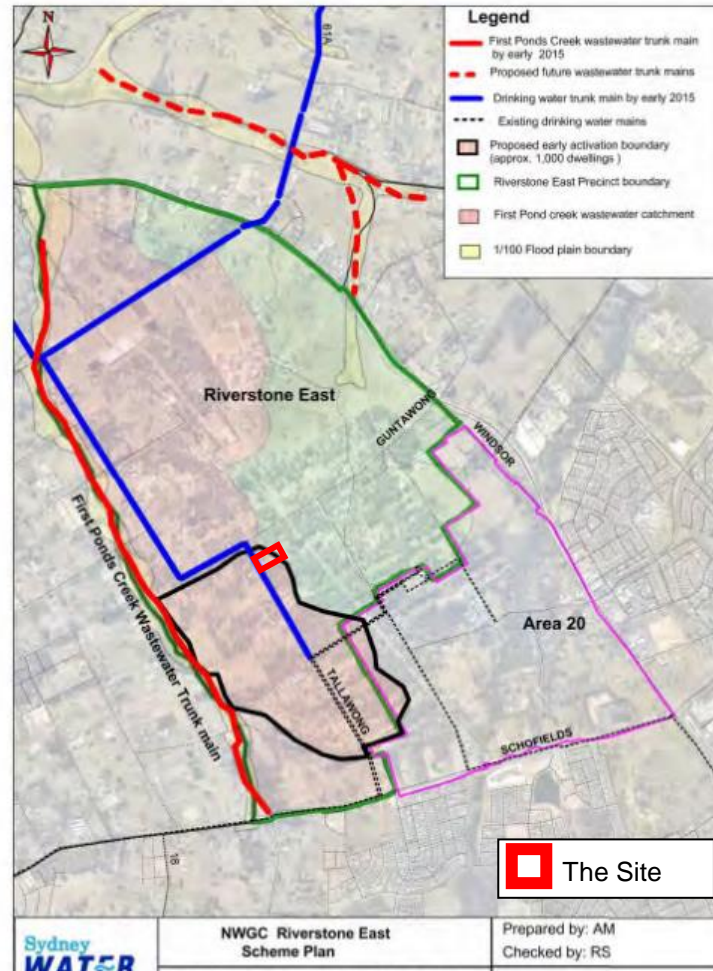


Figure 3 Extract from Mott Macdonald Report – Sydney Water ultimate sewer and water servicing strategy

However, the boundary of stage 1 cuts across the lot. This is very evidently in contrast to the boundary of Stage 1 extending to encompass the whole lot for lots of the same dimensions to the south of the site.

The reason for this unusual boundary location appears at first to be a response to the identification on a Precinct Constraints Map of an apparent ridgeline running north to south across the centre of the lot. This would create a logical physical boundary for land uses and potentially to servicing sequencing. The servicing staging boundary aligns more or less with this apparent ridgeline. Figure 4 below shows the identification of the apparent ridgeline in a Precinct Constraints map.

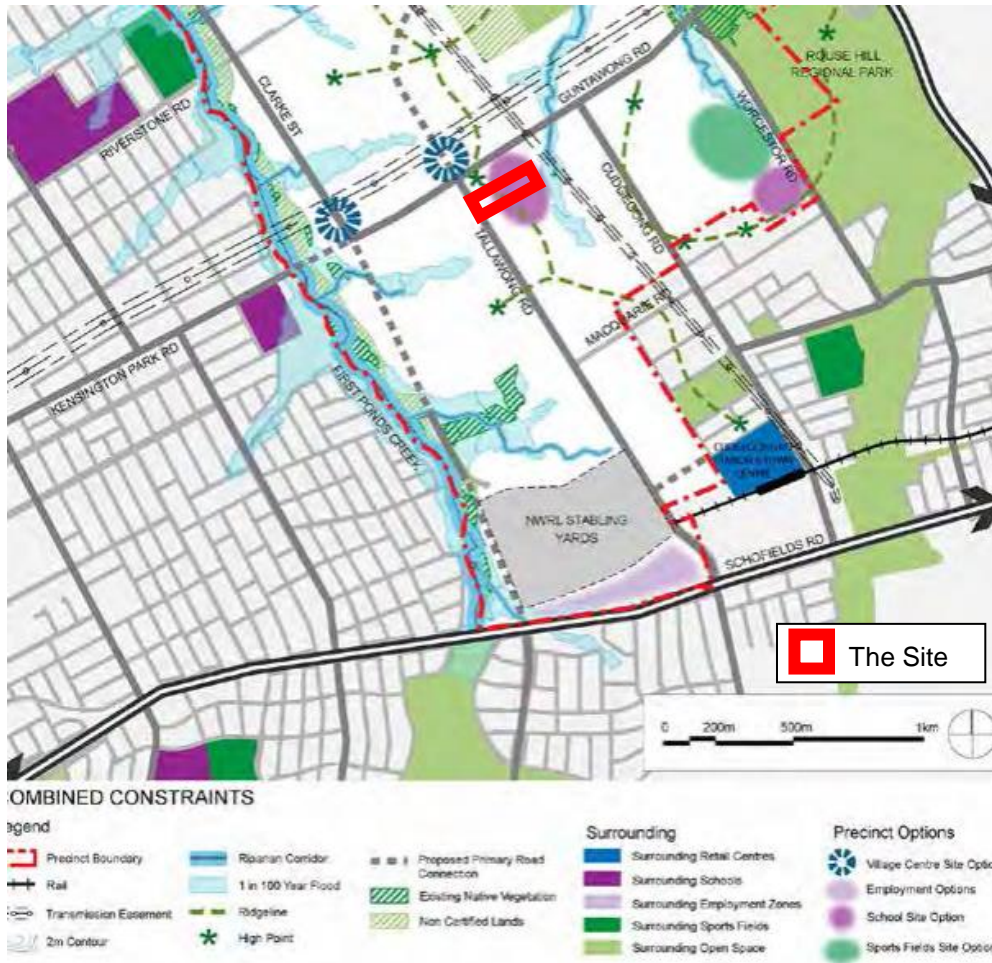


Figure 5 Site Constraints and Opportunities (Discussion Paper, June 2014)

Figure 4 Extract from Riverstone East Infrastructure Delivery Plan – Combined Constraints Map from 2014 Community Consultation

In reality there is no ridgeline through the lot, with only a gentle slope evident.

The same constraints map identifies the eastern half of the lot as a “school site option” (indicated by the purple dot on the map). It appears that it is in fact the proposed school location that is driving the servicing and zoning boundary maps. It would appear that the Government’s inability to commit to the school site at this stage has resulted in our client’s site being unfairly sterilised for an unknown period.

4. Summary of concerns with the draft precinct plan

- a. The ridgeline indicated as a site constraint on the subject lot does not exist in reality.
- b. The servicing strategy boundary which aligns with this ridgeline is not based on any logical barrier or limit to water, sewer or electricity servicing capacity.
- c. The subject lot and its neighbour to the north are the only two small lots in the precinct to be bisected by two servicing and rezoning stages.

- d. The staging boundary appears to be based on excluding the potential school site rather than reflecting the servicing staging.
- e. Sliver of R2 land unnecessary and adjacent to RE1 land.

5. Why is this problematic for the landholder and for development in the precinct?

The site is bisected by the precinct rezoning boundary. This imposition reduces the ability for the orderly and economic development of the land.

The partial urban zoning will force the landholder to subdivide his lot before he can sell on for redevelopment, as a developer will have no interest in the unknown future of the rear half of the lot. The landholder is then left with the residue lot with no frontage unfairly limited landuse opportunities. Excising an access way to the rear of the block will unnecessarily constrain the development potential of the site merely as an interim solution.

The landowner is then left with a parcel of rural land which is landlocked, has limited development potential as its urban rezoning is imminent, but which is earmarked as the likely school location to be acquired. There will be no market demand for this land and no commitment as to when, if or by whom it may be acquired.

The lot is not identified for acquisition on the Draft North West Growth Centre Land Reservation Acquisition Map however the school site is indicated on the public Constraints Map. This will sterilise the resale value of the site.

The small sliver of R2 zoned land along the Precinct Boundary is unnecessary and may result in future development difficulties. The intentions across the Growth Centres are to incorporate higher densities on land in close proximity to open space and business/commercial centres. The sliver of R2 is inconsistent with this approach and the entire site is therefore suggested to be included in the R3 zone.

6. Requested alternative approach

It is acknowledged that the school site may not be required in this vicinity until Stage 3 development creates demand. However there are two alternative approaches which can respond to this situation without penalising landowners in the Precinct. An amendment to the exhibited draft precinct is requested to:

1. zone the entire subject site for medium density residential development now; and either
 - a. identify the school site for acquisition now, or
 - b. relocate the indicative potential school site to another location within Stage 3, to be zoned and identified for acquisition at a later stage.

Figure 5 below illustrates the area recommended to be amended.

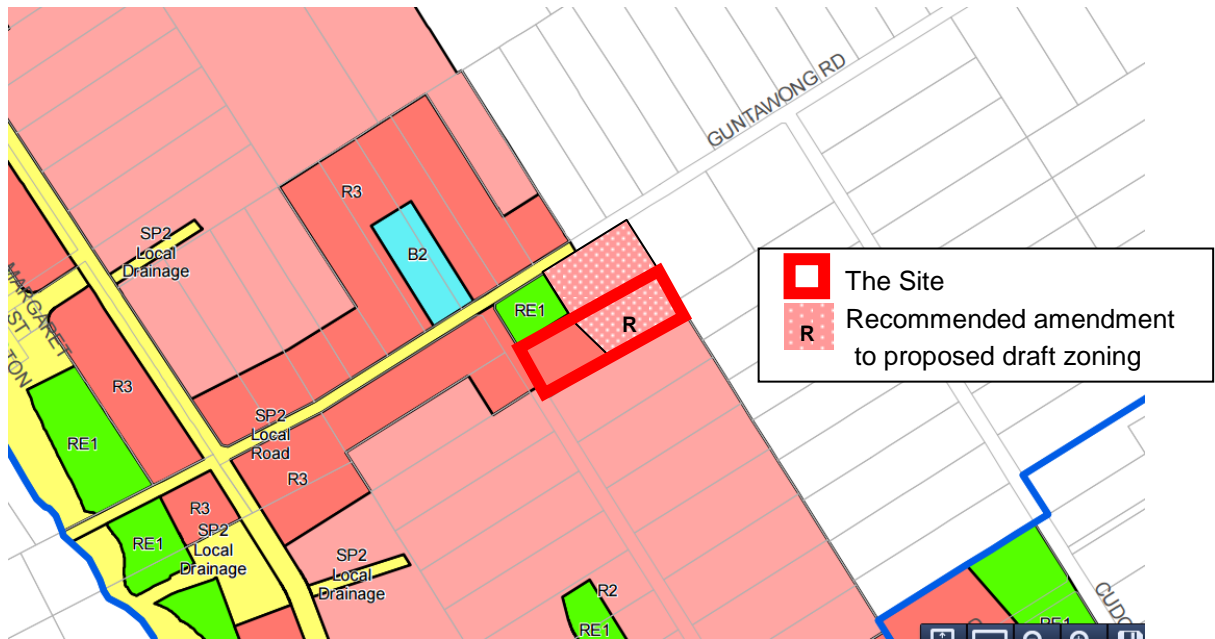


Figure 5 Proposed Alternative zoning

This small amendment will:

- Align staging and zoning boundaries with the existing cadastral boundaries to bring the subject lot into a fair and equitable position in relation to other small landowners in the precinct.
- Facilitate the early development of the western portion of the site at medium Density Residential adjacent to open space as it can be sold to one developer.
- Clarify for the community the intended location of the school – or if this cannot be achieved, remove the constraint from the landowner whose site will otherwise be effectively sterilised from development for an unknown period of time.

Please do not hesitate to contact me on (02) 9248 9800 or by email liz.coker@rpsgroup.com.au if you require any further details or to discuss this submission.

Yours sincerely

RPS



Liz Coker
Principal Planner