

Reference: 2015-080

17 September 2015

The Department of Planning and Environment,
Land Release
GPO Box 39
SYDNEY NSW 2001

Dear Sir,

**SUBMISSION TO THE DEPARTMENT OF PLANNING & ENVIRONMENT
RE: DRAFT RIVERSTONE EAST PRIORITY PRECINCT PLAN
BLACKTOWN LOCAL GOVERNEMENT AREA**

Hamptons Property Services Pty Ltd (Hamptons) has been retained by the owners of No.175 Tallawong Road, Rouse Hill, to prepare a submission in response to the draft Riverstone East Priority Precinct Plan (the Draft Plan), imposed under State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (the SEPP), to determine the impact of this draft instrument on the subject site and establish whether the proposed changes are acceptable from a planning perspective.

In response to this request, Hamptons has undertaken the following:

- examination of the Draft Plan and supporting documentation on the DPE website;
- examination of the Draft East Riverstone Development Control Plan (the Draft DCP);
- phone discussion with Department of Planning & Environment (DPE) Customer Service upon this matter, specifically the zone boundary which deviates around the subject site;
- consideration of the planning instrument and the proposed built form upon the site and the immediately surrounding properties.
- forecasting of any likely impacts arising from the intended development at completion.

The analysis demonstrates that the site will be detrimentally affected by the proposed split zoning and corresponding draft development controls. The proposed inclusion of R2 low density residential development on this site will be incongruous with the surrounding built environment, and is likely to result in homes burdened by detrimental amenity impacts. The site has the capacity for a greater development potential than that suggested by the draft plan, due to its

proximate location to public transport and local services, without adverse impacts. As such, the draft LEP should be amended to include the entire site in the R3 zone, consistent with its surroundings.

The Site

As stated above, Hamptons has been asked to consider the site known as 175 Tallawong Road, Rouse Hill, which is legally described as **Lot 45** in **Deposited Plan 30186**.

The site is rectangular in shape and has a site area of approximately 2 hectares. The site has a frontage to Tallawong Road of approximately 72 metres and a depth of approximately 285 metres. The site has a general east to west orientation (Figure 1).

Figure 1: Site Map



Source: www.maps.six.nsw.gov.au

The site is currently occupied by a single dwelling house with various outbuildings. (See Photographs 1 to 3). The building is setback approximately 67 metres from Tallawong Road frontage, and some 187 metres from the rear (western) boundary. The land is generally clear of trees.

Figure 2: Aerial Map



Source: www.maps.six.nsw.gov.au

Photograph 1: Subject property from northern side boundary driveway off Tallawong Road



Photograph 2: View from within subject property looking towards the rear (western) boundary



Photograph 3: View from centre of subject land looking towards Tallawong Road



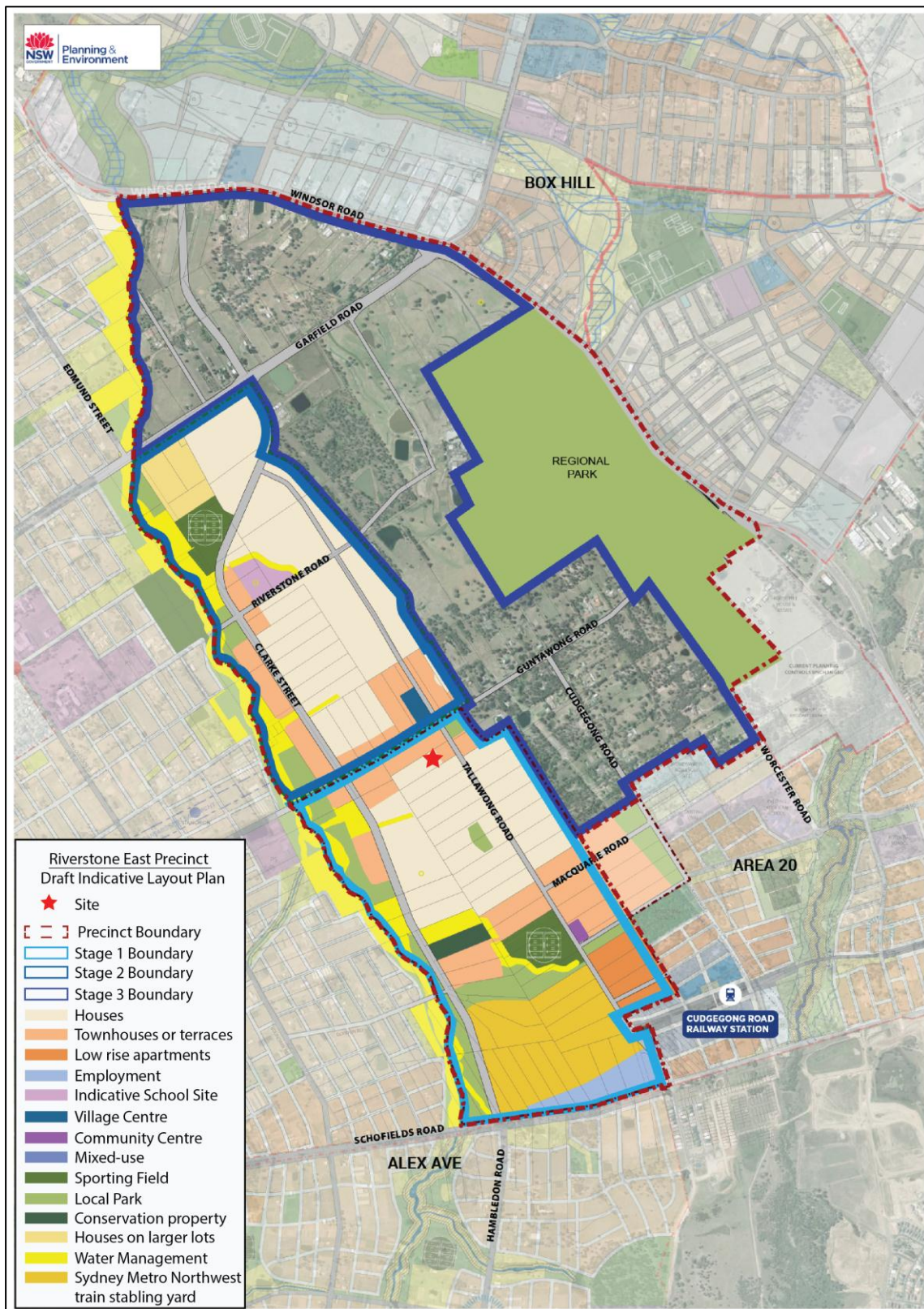
The Surrounding Locality and Context

The site lies within Rouse Hill, on the eastern border of the Blacktown local government area, approximately 35km northwest of the Sydney CBD. Rouse Hill is currently zoned for rural purposes and is subdivided into small rural allotments, similar to the subject site in size (2 hectares). However, Rouse Hill is bordered to the south by Quakers Hill (zoned for residential use) and to the southeast by The Ponds and Kellyville (also residential suburbs), such that the subject locality now forms part of the next precinct on Sydney's fringe to be released for residential growth. This precinct is known as 'Riverstone East'. The site lies within Stage 1 of the precinct plan.

The site is accessed by Tallawong Road along the eastern boundary, which forms a junction with Guntawong Road, north of the neighbouring property. In the road hierarchy, Tallawong and Guntawong Roads are currently only a Local Roads. However, under the Draft Plan, Tallawong Road will become a Sub-Arterial Road and Guntawong Road will become a Collector Road. Reflecting this increase in traffic, the intersection of these roads, together with land to the northwest of the junction that is proposed to be commercially zoned for local shops and the like, is designated to create a 'Village Centre'. The *Riverstone East – Land Use and Infrastructure Delivery Plan*, prepared by DPE, also identifies for Stage 1 that *"Public transport will be serviced via the proposed higher-order road network, primarily Guntawong Road, Tallawong Road, Rouse Road and the sub-arterial road"*. In this regard the subject property is going to be proximate to both local shops and services, and public transport routes.

As a result, the Draft Plan will not only rezone most of the precinct for residential use, allowing an increased density, but for properties bordering these roads, that are also proximate to the village centre, multi-dwelling housing forms, such as townhouse developments, will also be permissible (Figure 3).

Figure 3: Riverstone East Draft Indicative Layout Plan



Source: www.planning.nsw.gov.au

The Draft Plan and how it will affect the Subject Site

The Draft Plan indicates the subject site will be zoned R3 Medium Density Residential at the eastern portion facing Tallawong Road, and R2 Low Density Residential for the remaining portion. Draft development controls reflect these zonings in that the maximum building height for the R3 portion would be 12 metres with an expected residential density of 25 dwellings per hectare; whereas the R2 portion would have a maximum building height of only 9 metres and an expected residential density of 15 dwellings per hectare.

Figure 4: Draft Riverstone East Land Zoning Map (under the SEPP)



Source: www.planning.nsw.gov.au

Figure 5: Draft Riverstone East Height of Building Map (under the SEPP)



Source: www.planning.nsw.gov.au

Figure 6: Draft Riverstone East Residential Density Map (under the SEPP)



Source: www.planning.nsw.gov.au

Review of the supporting documentation reveals thorough research into the quantity of housing both needed and able to be accommodated, given market demands. There has also been extensive research into the environmental qualities of the land to identify flora and fauna and habitats to be protected and managed within the precinct, bushfire threat, aboriginal and non-aboriginal heritage assets, salinity, water cycle management, and these studies are not exhaustive. Our cursory review of these reports, however, did not identify a specific reason for the change in zoning across the subject site; that is, we did not identify any environmental limitation on the western portion of the site, such that it could not support medium density residential development.

Discussion with customer service officers from the DPE confirmed that the split zoning of the site was not due to any direct environmental limitation but rather a possible arrangement that would achieve the desired residential densities in locations that provide proximate access to public transport and local facilities.

Our Submission

Our submission upon this Draft Plan is that, although the indicative layout reflects the various study outcomes on a holistic level, this particular zone boundary, dividing the subject site between two zones, should be revised to deliver a better and more sustainable built environment outcome.

The proposed split zoning on the subject site will not maximise achievement of the aims of the SEPP, having detrimental impact upon local amenity due to the intended arrangement of low density development surrounded by medium density development. The subject land is ideally located for access to public transport and the facilities offered by the planned 'village centre'. It is therefore suited to a higher and more intense use to maximise this proximate location.

Aims of the SEPP

Clause 2 of the SEPP provides the following aims of the Plan:

- (a) to co-ordinate the release of land for residential, employment and other urban development in the North West and South West growth centres of the Sydney Region,*
- (b) to enable the Minister from time to time to designate land in those growth centres as ready for release for development,*
- (c) to provide for comprehensive planning for those growth centres,*
- (d) to enable the establishment of vibrant, sustainable and liveable neighbourhoods that provide for community well-being and high quality local amenity,*
- (e) to provide controls for the sustainability of land in those growth centres that has conservation value,*
- (f) to provide for the orderly and economic provision of infrastructure in and to those growth centres,*
- (g) to provide development controls in order to protect the health of the waterways in those growth centres,*
- (h) to protect and enhance land with natural and cultural heritage value,*
- (i) to provide land use and development controls that will contribute to the conservation of biodiversity.*

It is acknowledged that the preparation of the Draft Plan, as a whole, appears to have upheld aims (a) through to (c) and (e) to (g); however, it is aim (d) which has been poorly met by the proposed Draft Plan, in relation to the subject property specifically.

The intended built form for the subject property is most clearly illustrated by the *Residential Structure Plan* (Figure 4-1) on page 22 of the Draft Riverstone East Precinct Development Control Plan. The subject land is intended to be subdivided to form part of a medium density

development with the neighbouring land in the eastern portion, which will face Tallawong Road with a rear lane behind; as well as a complete street block of low density housing, with a local road running along the entire southern boundary and across the rear western boundary.

Figure 7: Residential Structure Plan (under the Draft DCP)



Source: www.planning.nsw.gov.au

Given the width dimension of the land is approximately 72 metres, and the southern local road (under the DCP controls) would require allocation of 16 metres in width, the remaining width of this street block would be approximately 56 metres. Considering then, the expected residential density for the low density residential zone, provided under the Draft Plan, which is 15 dwellings per hectare (equating to roughly 650m² per allotment), it may be seen that this street block is insufficient in dimension to accommodate properties facing both north and south, that have a regular shape. It is therefore understood that the intention is to have this block accommodate a single row of dwellings, all addressing the southern local road, such that the northern local road would be a shared Rear Lane. Page 25 of the Draft DCP explains that a Rear Lane is necessary to service medium-density developments which face busier (arterial) roads, as is Guntawong Road.

Sharing such a rear lane between medium density development on one side and low density development on the other side is considered a sub-optimal outcome. Whilst good design may provide solutions to the friction caused by these two forms of development existing side by side, it makes better planning sense for two medium density residential developments to share a lane, given their likely similarities in the scale of development, driveway sizes, frequency of car

trips, garbage storage quantities and receptacle arrangements. There is a propensity for this arrangement, whereby a taller medium density development opposes low density development, to result in detrimental noise impacts and overlooking/privacy impacts for any ground level rear private open spaces and living areas belonging to the smaller development. These impacts will reduce the sustainability of this design, deplete the livable nature of these properties, and will generally limit the quality of the local amenity. Therefore, the zoning and associated controls would be better suited to a higher density outcome.

Upholding the DCP Vision

Finally, Section 3.1 of the Draft DCP provides a 'Vision' for the Riverstone East precinct and includes: *"to optimise convenient living near retail, community facilities, schools, recreational facilities and public transport."*

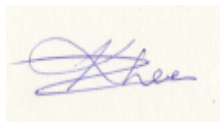
The subject land is one such parcel which provides an opportunity to accommodate residential living within walking distance of good public transport connections, the planned village centre and close to nearby schools and open space. It may be seen from the maps that the proximity of this land is clearly no further distance from Tallawong Road or Guntawong Road transport routes than the surrounding R3 land, and is in fact, much closer to the village centre located at the junction of these two roads. It is therefore considered incongruous that the zone boundary should deviate in this manner to allow a further street block of low density living. This land is more suited to medium-density development to maximise the viability of the village centre and to provide a greater number of homes in this optimal location.

Conclusion

It is considered that extending the R3 zoning to include the whole of the subject site, such that the zone boundary runs straight along the southern property boundary, will alleviate these resulting impacts, and will better establish a vibrant, sustainable and liveable neighbourhood that provides for community well-being and high quality local amenity, as is required under aim (d) of the SEPP. Similarly, continuing this higher density zoning across this proximate site will maximise the benefits of the land in terms of access to local services, facilities and transport.

Should you have any further queries, please do not hesitate to contact the undersigned.

Yours sincerely,



Kristy Lee
Director



Melissa MacGregor
Senior Planner