

1st October 2015
GMA Ref: 174/2015

NSW Department of Planning & Environment
Level 5, 10 Valentine Avenue
PARRAMATTA 2150

Dear Sir/Madam

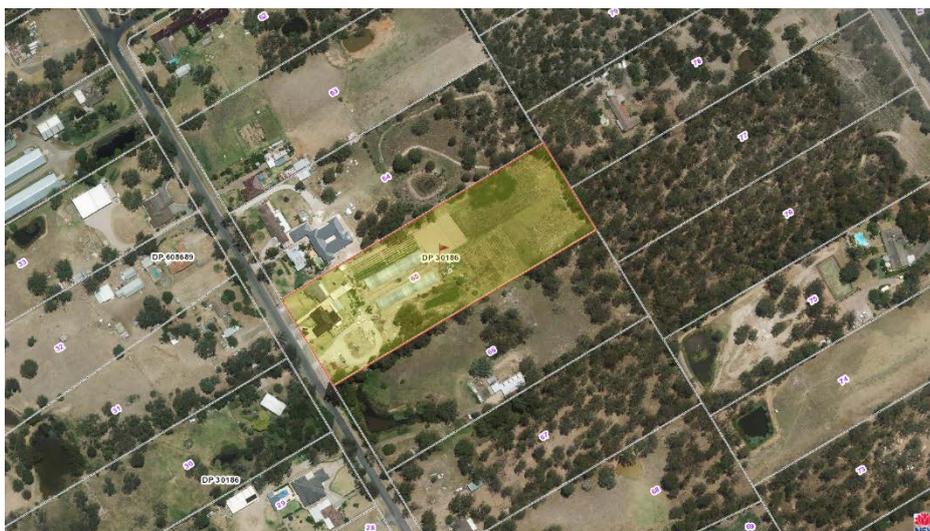
SUBMISSION IN RESPONSE TO THE EXHIBITION OF THE RIVERSTONE EAST DRAFT PRECINCT PLAN 72 TALLAWONG ROAD, ROUSE HILL

On behalf of Mr & Mrs Tolj, the owners of land at 72 Tallawong Road, Rouse Hill we hereby wish to make a submission in response to the Riverstone East Draft Precinct Plan. It is noted that Mr & Mrs Tolj were granted an extension via email communication dated 16th September 2015 for the submission of this correspondence up until the 2nd October 2015.

The Site

The subject property is identified as Lot 65 in DP 30186 and is known as 72 Tallawong Road, Rouse Hill. The property is located on the north eastern side of Tallawong Road, approximately 320m to the south east of its intersection with Macquarie Road.

The property has a frontage to Tallawong Road of approximately 82m and an approximate depth of 247m. The site has a total site area of 2.02ha.



An aerial view of the subject and surrounding sites

The property is considered to be constraint free having previously been cleared and utilised for the purpose of agriculture.

Existing improvements located upon the site include two dwelling houses located within the front western corner of the site, two greenhouse structures and a number of outbuildings.

A small dam is located midway along the south eastern side boundary.

The site does not support any significant vegetation of note. It is advised that the line of trees which run adjacent to the south eastern side boundary are actually located upon the adjoining property and are not located upon the site.

The subject site is gently sloping land having a diagonal cross fall from the rear north eastern corner through to the front south western corner.

The Proposed Controls

The following extracts detail the indicative layout and land uses proposed for the subject site.



Extract from Indicative Layout Plan



Extract from Proposed Zoning Map

Having regard to the above it is noted that the site is proposed to be utilised in the following manner:

- 50% of the site comprising the south eastern half of the allotment is to be zoned RE1 – Public Recreation and utilised as a park.
- 25% of the site and comprising of a strip of land running parallel with the RE1 land has been identified for use as a local road.
- 6% of the site area comprising an area located within the front north western corner of the site is to be zoned SP2 – Infrastructure and is identified for use as a Community Centre.
- 19% of the site area and which comprises the remainder of the site is to be zoned R3 – Medium Density Residential.

The following information identified on the SEPP Maps is also considered to be relevant to the land:

- Both the SP2 & RE1 zoned land are identified as lands proposed for acquisition.
- The proposed road is understood to be land which is in effect required to be dedicated.
- The land is not identified as being heritage significant or located within the vicinity of heritage significant land.
- The land is not identified as comprising of flood prone land or supporting of a major creek.
- The site does not contain an area identified as a riparian protection area.
- The site does not contain an area identified as Existing Native Vegetation Area or Native Vegetation Retention Area.

In relation to the proposed R3 zoned land it is noted that the following specific controls are proposed:

- Minimum Lot Size – Nil
- Dwelling Density – T – 25 dwellings per hectare
- Building Height – M - 12m
- Floor Space Ratio - Nil

Context

The following matters relating to the existing and proposed context of the site are considered to be relevant to this submission:

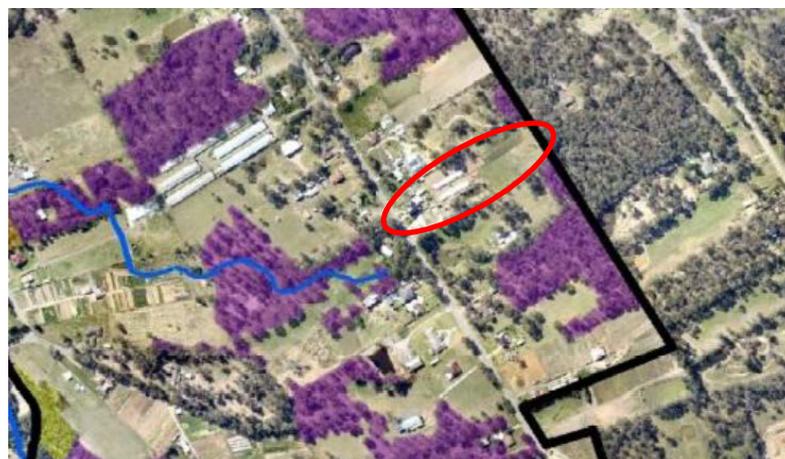
1. **Proximity to Transport** – The subject site is located within 500m walking distance of the proposed Cudgegong Light Rail Station and as such is considered to be highly accessible to public transport.

2. **Watercourses and Drainage Lines** – The subject site is located generally to the north by approximately 50m-100m of an existing sag/drainage line as evidenced from the following extract from Figure 8: Riverstone East Precinct Drainage Lines Map as contained within the Biodiversity and Riparian Corridors Assessment Report prepared by Eco Logical Australia P/L.



Extract from Existing Drainage Line Map

3. **Vegetation/Biodiversity Corriors** – The subject site does not contain any significant vegetation and does not provide any existing linkages or connectivity between existing vegetation communities or the like. The site is however located approximately 80m to the north west of an area of land which does support native vegetation identified at Figure 3: TSC Act Field Validated Vegetation Communities and Condition Classes and Location of Hollow Bearing Trees as contained within the Biodiversity and Riparian Corridors Assessment Report prepared by Eco Logical Australia P/L as containing Cumberland Plain Woodland of Good condition. This area corresponds with and is an extension of the drainage line identified above.



Extract from Vegetation Communities Map

Objection to Proposed Controls

On behalf of the owners of the subject site the following amendments are requested to the above proposed controls:

1. Deletion of the proposed SP2 – Infrastructure zoning and its replacement with R3 – Medium Density Residential zoning.
2. Deletion of the proposed RE1 – Public Recreation zoning and its replacement with R3 – Medium Density Residential zoning.
3. Modification of the proposed Dwelling Density from T – 25 dwellings/hectare to X – 45 dwellings/hectare.
4. Modification of the proposed Building Height from M – 12m to O – 16m.

In support of the above variations the following submissions are made:

Deletion of the proposed SP2 – Infrastructure zoning and its replacement with R3 – Medium Density Residential zoning

The Indicative Layout Plan indicates that the proposed SP2 – Infrastructure zoning are for the purposes of a Community Centre.

It is submitted that this is not an appropriate use for the land as well as not being an appropriate location for a Community Centre. In support of this position reference is made to the Social Infrastructure Assessment Report prepared for the Riverstone East Precinct by Elton Consulting on behalf of the Department of Planning & Environment dated 24 April 2015 and which at page 46 states that:

It is understood that a site for the recommended community hub within the Area 20 town centre has been considered by Blacktown City Council and relevant NSW Government landowners in the period that this study was being finalised. No agreement on a site has been reached and instead, Blacktown City Council has proposed that the community hub now be located within the Riverstone East Precinct, on Tallawong Road, as indicated in the Draft Indicative Layout Plan. This location is not supported by this study, as it does not meet Council's location criteria or other leading practice criteria for the location of community facilities, which include:

- » *Clustering community centres with other facilities that generate activity and where people already have cause to congregate, such as shops and schools, in order to create a focal point for the community. While located opposite sporting fields, these will not provide an activated focal point for community activity across most of the week, leaving the community centre standing alone in the midst of a residential area.*

- » *Locations adjoining open space, to allow for children's play activities, spillover use and outdoor community and cultural events associated with use of the community centre. While there is open space adjacent to two sides of the community centre site, this is separated from the site by roads, thereby precluding the indoor / outdoor flow that would help enhance the appeal and utilisation of the facility.*

It should be noted that capacity to levy Section 94 contributions towards the building of both the primary community hub in Riverstone and secondary community hub in Area 20 is dependent upon reforms to the development contribution system, linked to broader reforms to the planning system. Under current provisions, there is no capacity to levy contributions to fund the building of either of the recommended community hubs. Inability to provide the recommended community facilities will, in the longer term, threaten the achievement of government objectives for the creation of liveable and socially sustainable communities within the Growth Centre. This issue is considered further in Section 6.5 below.

Having regard to the above it would appear that the proposed zoning of the land SP2 and the intention to site a Community Centre upon the land is contrary to the recommendations of Elton Consulting and as such should not proceed.

It is our opinion having regard to the proximity of the site to the proposed Cudgegong Light Rail Station (less than 500m) that the site would be more appropriately be used for the purpose of housing.

In this regard it is requested that the portion of the site proposed to be zoned SP2 – Infrastructure be changed to R3 – Medium Density Residential.

Deletion of the proposed RE1 – Public Recreation zoning and its replacement with R3 – Medium Density Residential zoning

As previously identified the south eastern half of the existing allotment is proposed to be zoned RE1 – Public Recreation.

I have undertaken a detailed review of the supporting documentation and I have been unable to locate any documentation or reports which support or recommend such a classification.

The subject RE1 land if it were to proceed would have a width of approximately 40m and a length of approximately 247m and would be based upon the interpretations contained within the Social Infrastructure Assessment Report for the Riverstone East Precinct as prepared by Elton Consulting would have the characteristics of a Green Corridor.

It appears although not specifically stated (based upon information that we have identified) that one of the objectives for this green corridor is to provide for connectivity between the identified Riparian protection Area and Native Vegetation Areas located on the south western side of Tallawong Road, to the south west of the site and the Cudgewong Conservation Area located within Area 20 and which is to the east of the site.

It is considered that should such a connection be deemed necessary that it is inappropriately located upon the subject site and would be more appropriately located having regard to the existing drainage line and Cumberland plain woodland located to the south east of the site.

Having regard to the above and to our comments above concerning the proximity of the site to public transport it is our opinion that the portion of the site proposed to be zoned RE1 - Public Recreation should be changed to R3 – Medium Density Residential.

Modification of the proposed Dwelling Density from T – 25 dwellings/hectare to X – 45 dwellings/hectare

In relation to the Dwelling Density proposed for the site it is our opinion having regard to the proximity of the site to the proposed Cudgewong Light Rail Station (less than 500m) that the site would be more appropriately permitted to support a greater dwelling density.

It is considered that the current controls do not appropriately recognise the sites proximity to proposed public transport and do not maximise housing opportunities.

It is therefore requested that the proposed Dwelling Density applicable to the site be increased from T – 25 dwellings/hectare to X – 45 dwellings/hectare.

Modification of the proposed Building Height from M – 12m to O – 16m

Consistent with the discussion above it is recommended that in order to achieve the additional dwelling density described above, whilst maintaining an appropriate amount of spatial separation and landscaping upon the site, that the permissible building height be increased.

It is therefore requested that the proposed Building Height applicable to the site be increased from M – 12m to O – 16m.

Summary

In summary and on behalf of the owners of the subject site the following amendments are requested to be made to the Riverstone East Draft Precinct Plan:

1. Deletion of the proposed SP2 – Infrastructure zoning and its replacement with R3 – Medium Density Residential zoning.
2. Deletion of the proposed RE1 – Public Recreation zoning and its replacement with R3 – Medium Density Residential zoning.
3. Modification of the proposed Dwelling Density from T – 25 dwellings/hectare to X – 45 dwellings/hectare.
4. Modification of the proposed Building Height from M – 12m to O – 16m.

It is considered that for the reasons as outlined within this submission that the above modifications are well founded and are worthy of support.

We accordingly look forward to your favourable consideration of this submission and request that should you have any queries that you do not hesitate to contact me to discuss.

To this end we would appreciate if a time could be arranged when staff from the Department could meet with us on-site to discuss and view the matters raised within this submission.

Yours Sincerely

Andrew Minto
DIRECTOR