

Appendix A

Explanation of Intended Effect

Bella Vista Station Precinct



Planning &
Environment

Explanation of Intended Effect

Proposed amendment to The Hills Local Environmental Plan 2012 and State Environmental Planning Policy (State and Regional Development) 2011

It is proposed to rezone the Bella Vista Station Precinct by way of a State Environmental Planning Policy (“the proposed SEPP”) that amends *The Hills Local Environment Plan 2012* (“The Hills LEP”). No amendments to the *Blacktown Local Environmental Plan 2015* are proposed.

It is also proposed to amend Schedule 2 of the *State Environmental Planning Policy (State and Regional Development) 2011* (State and Regional Development SEPP) to list a portion of the Bella Vista Station Precinct as an identified site.

Bella Vista Station Precinct

This Explanation of Intended Effect describes the proposed amendments to lands known as the Bella Vista Station Precinct (“the precinct”). Explanations of Intended Effect have also been prepared separately for the Showground Station and Kellyville Station Precincts.

The proposed SEPP will establish land use zones, maximum height of buildings, and maximum floor space ratios for the land known as the Bella Vista Station Precinct. The proposed instrument will amend The Hills LEP instrument and planning maps.

The proposed rezoning is supported by a detailed planning report, supporting specialist studies covering issues such as traffic and transport, economic feasibility, open space and community facilities and heritage, as well as extensive community engagement and 3D visualisation of the proposed outcomes for the precinct.

The Department also seeks to:

- insert clauses and a map relating to minimum lot sizes for development; and
- identify that the consent authority for development is The Hills Shire Council.

Objectives or intended outcomes

In August 2014 the NSW Government announced the Bella Vista Station Precinct, along with the Showground Station and Kellyville Station Precincts as Priority Precincts. The precinct and its potential redevelopment is regionally significant as it will support the Sydney Metro Northwest and provide new homes and jobs to meet growing demand.

The key outcome of the proposed planning instrument is for the provision of a mix of housing and employment within the precinct, supported by open space and community uses. It is expected around 4,200 new dwellings and 9,400 new jobs could be provided for by 2036.

All comments received during the exhibition of the precinct proposal, including the rezoning proposal and this statement, will be duly considered in the drafting of the proposed SEPP.

The proposed SEPP will not depart from any current Government policy and will aid in the delivery of housing and employment targets set out in the NSW Government’s *A Plan for Growing Sydney*.

The Environmental Planning and Assessment Act 1979 (the Act) requires that the proposed SEPP be made by the Governor. Section 37(2) of the Act provides that the Governor may make a SEPP in respect of any matter, which in the opinion of the Minister, is of State or regional environmental planning significance.

Explanation of provisions

This section provides an explanation of the proposed zoning and development controls to be

introduced into The Hills LEP by the proposed SEPP. Terms used in this description have the same meaning as in the *Environmental Planning and Assessment Act 1979* ('EP&A Act') and the *Standard Instrument Local Environmental Plan*.

Draft Zoning Maps, Height of Building Maps, and Floor Space Ratio Maps for the precinct are attached to this Statement of Intended Effect to illustrate the changes under the proposed SEPP.

Land use table and zones

A mix of land uses is proposed for the precinct to provide for the following:

- a range of housing, employment and retail services close to public transport, regional road network and high quality open space;
- a new local centre around the station, to provide a mix of uses including shops, cafes, restaurants and town square;
- new and expanded public open space areas;
- delivery of more homes close to the station to meet growing demand and increase housing choice to reflect changing household sizes and lifestyles;
- business zones around the station and in the southern part of the precinct, enhancing the role of the Norwest Business Park
- management of impacts on the natural environment.

The following land use zones are proposed to apply to the precinct:

- B2 Local Centre
- B7 Business Park
- R1 General Residential
- R2 Low Density Residential
- R3 Medium Density Residential
- R4 High Density Residential
- RE1 Public Recreation
- SP1 Special Activities
- SP2 Infrastructure

Principal development controls

The proposed instrument will introduce amended principal development standards for heights of buildings, floor space ratio and minimum allotment size controls into The Hills LEP 2012.

Heights of Buildings

The proposed building height controls for the Bella Vista Precinct seek to:

- increase housing supply and housing choice in areas in close proximity to transport, shops and services
- define the precinct's key activity centre around the station with taller buildings;
- transition heights down as buildings are further from the station, whilst still providing for additional housing supply, housing choice and commercial uses in Norwest Business Park.

Floor Space Ratio Controls

The proposed floor space ratio (FSR) controls for the precinct seek to:

- complement the proposed building height controls by providing for more homes and employment close to the station
- represent a balance between optimising access to transport infrastructure, facilitating financially viable development and achieving quality built form; and
- transition to lower densities further from the centre whilst also providing for additional housing supply and choice

While the potential location of new roads and open space has been identified in the draft Precinct Plan, the final location of new roads and open space will be determined through the development approval process. Therefore, the FSR controls are inclusive of the area required for new roads and open space. Consequently, the final FSR for individual lots will be higher once the area required for local infrastructure such as roads, open space and drainage is excluded.

It is proposed that a new clause will be added to The Hills LEP to allow certain land with the Bella Vista Station Precinct to exceed the maximum FSR but only when land has been dedicated to Council for a public purpose, including roads, drainage or open space, and the additional floor space does not exceed the site area of land dedicated to Council.

Minimum subdivision size and minimum lot size

The proposed minimum lot sizes seek to ensure new residential development in the precinct is viable, is able to achieve good design, and provide sufficient amenity for residents and neighbours.

Provisions for minimum lot sizes for different housing types are proposed to be added to Clauses 4.1A and 4.1B of The Hills LEP.

For residential flat buildings (apartments), a minimum lot size of 1,500m² is proposed. This is considered to be sufficient to provide for the smaller apartment developments in the precinct. Larger development would by default need larger sites to also meet relevant controls for setback, landscaping and building separation requirements as recommended in *The Hills Development Control Plan 2012*.

For dual occupancy, a minimum lot size of 600m² is proposed, and for multi unit housing, a minimum lot size of 1,500m² is proposed.

Provisions for minimum subdivision lot size in the land proposed to be rezoned R3 adjoining Fairway Drive are to be added to Clauses 4.1A of The Hills LEP. This will permit lots to be no less than 240m², for detached dwellings, semi attached dwellings and attached dwellings. This is the same minimum lot size for a single development application made for subdivision, and the erection of an attached dwelling or a dwelling house on each lot resulting from the subdivision, under Clause 4.1B (3) of The Hills LEP.

A map will be referenced in The Hills LEP to show the areas that these provisions will apply to.

In summary, the minimum lot size requirements are to ensure that future redevelopment:

- responds to the proposed vision and future character of the area, its subdivision pattern and street structure; and
- can facilitate good design with appropriate building footprints and built form;
- has lot sizes and dimensions that are appropriate for the scale and character of the precinct;

- respects and minimises impact on the privacy and amenity of neighbouring properties.

Additional Permitted Uses

It is proposed to allow additional retail uses within selected areas within the B7 Business Park zone and in close proximity to the new Metro Station to ensure activation of the new station, and convenience shopping close to public transport.

Explanation of provisions – State and Regional Development SEPP

This section provides an explanation of the proposed amendment to Schedule 2 of the State and Regional Development SEPP. Terms used in this description have the same meaning as in the *Environmental Planning and Assessment Act 1979* ('EP&A Act') and the *Standard Instrument Local Environmental Plan*.

The State and Regional Development SEPP identifies State significant development where the Minister for Planning is the consent authority under Part 4 of the EP&A Act. State significant development is either categorised in Schedule 1 or listed in "identified sites" in Schedule 2. It is proposed that areas adjacent to the new Bella Vista Metro Station and within Government ownership would be listed in Schedule 2 of the State and Regional Development SEPP as an identified site. To facilitate the delivery of infrastructure to support new homes and jobs, it is proposed that the following development be identified as State significant development under this listing:

- a principal subdivision establishing major lots or public domain areas, or
- the creation of new roadways and associated works.

Attached draft maps

The following draft maps have been prepared to support the proposed amendments to The Hills LEP:

- Rezoning, maximum building height and floor space ratio control controls
- Minimum lot size control areas
- Additional permitted use area
- State and Regional Development SEPP sites











