



15 July 2016
Our Ref: 0064A.1JM

Director Urban Renewal
NSW Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

By Email: information@planning.nsw.gov.au

Dear Sir or Madam,

- 1. Proposed Amendment to The Hills Local Environmental Plan 2012 (THLEP 2012) and State Environmental Planning Policy (State and Regional Development) 2011 (SEPP SRD 2011); and**
- 2. Request for R4 High Density Residential Zone with 21 metre (m) Height and 3.0:1 Floor Space Ratio (FSR) at Nos. 17, 19, 21, 23 and 25 Bimbadgen Place, Bella Vista.**

State Planning Services Pty Limited (**SPS**) has been commissioned by Everland DMS (**our client**) to provide an independent town planning review of the proposed amendments to THLEP 2012 and SEPP SRD 2011 in relation to Nos. 17, 19, 21, 23 and 25 Bimbadgen Place, Bella Vista (**subject site**).

In summary, SPS has identified that an opportunity exists for more appropriate development standards to apply to the subject site (**site**) under THLEP 2012.

In particular, the site is located within 400m of the Sydney Metro Northwest rail station at Bella Vista and is able to support higher density residential development commensurate with an R4 High Density Residential Zone with 21m height and 3.0:1 FSR controls that would be consistent with '*A Plan for Growing Sydney*', the NSW Government's vision for Sydney's future.

Recommendations and associated justification supporting the above request is outlined herein.

1. Subject Site

The site is located within The Hills Local Government Area (**LGA**) within 400m of the Sydney Metro Northwest rail station at Bella Vista and includes Nos. 17, 19, 21, 23 and 25 Bimbadgen Place, Bella Vista comprising of five (5) predominantly two (2) storey detached residential dwellings.

The site contains an area of approximately 3,476m² that is located adjacent to Elizabeth Macarthur Creek and is accessible from nearby Old Windsor Road via Edgewater Drive, Brighton Drive and Celebration Drive (**Figures 1 and 2**).

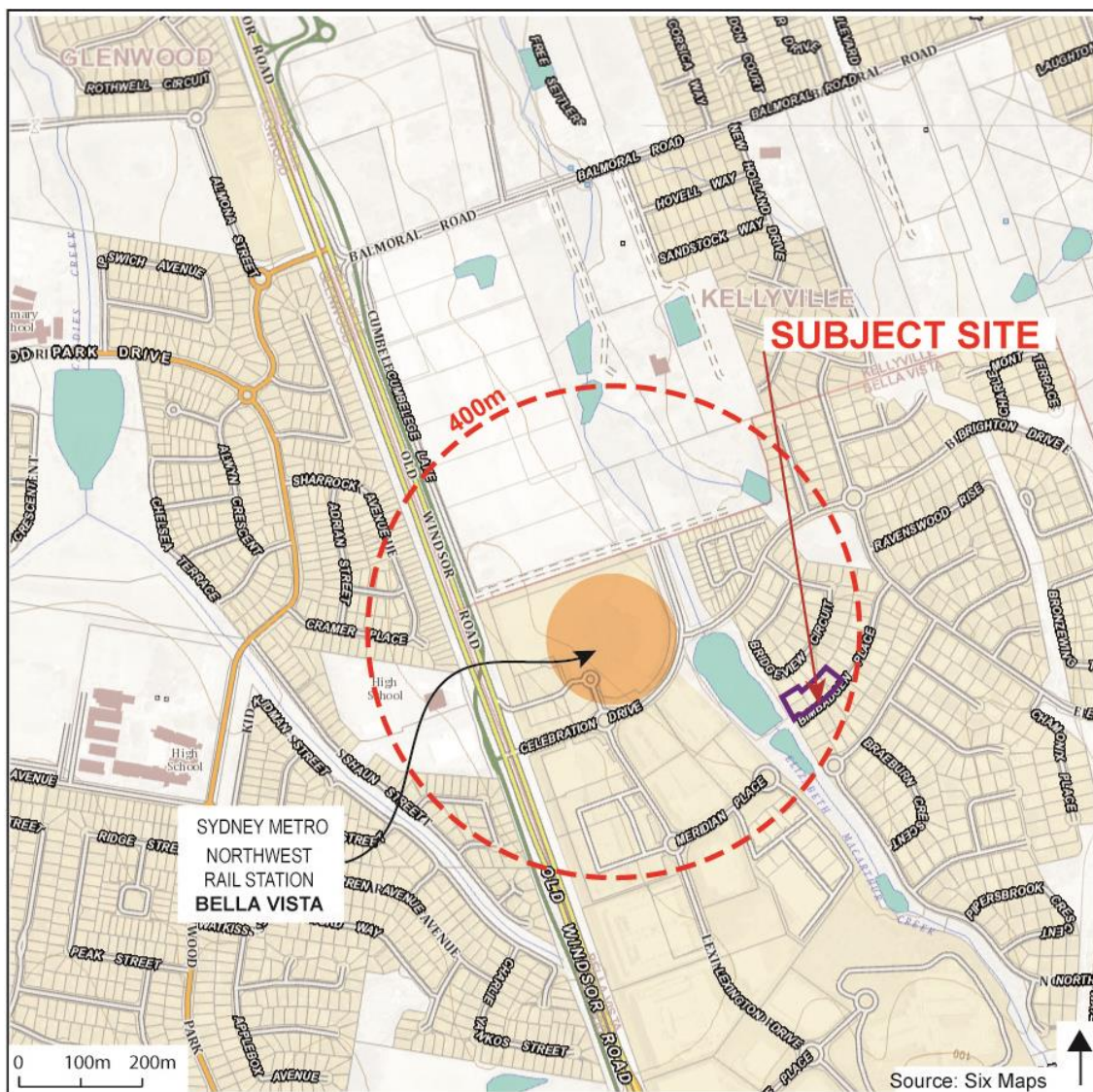


Figure 1 Location of Subject Site within 400m of Sydney Metro Northwest Rail Station at Bella Vista

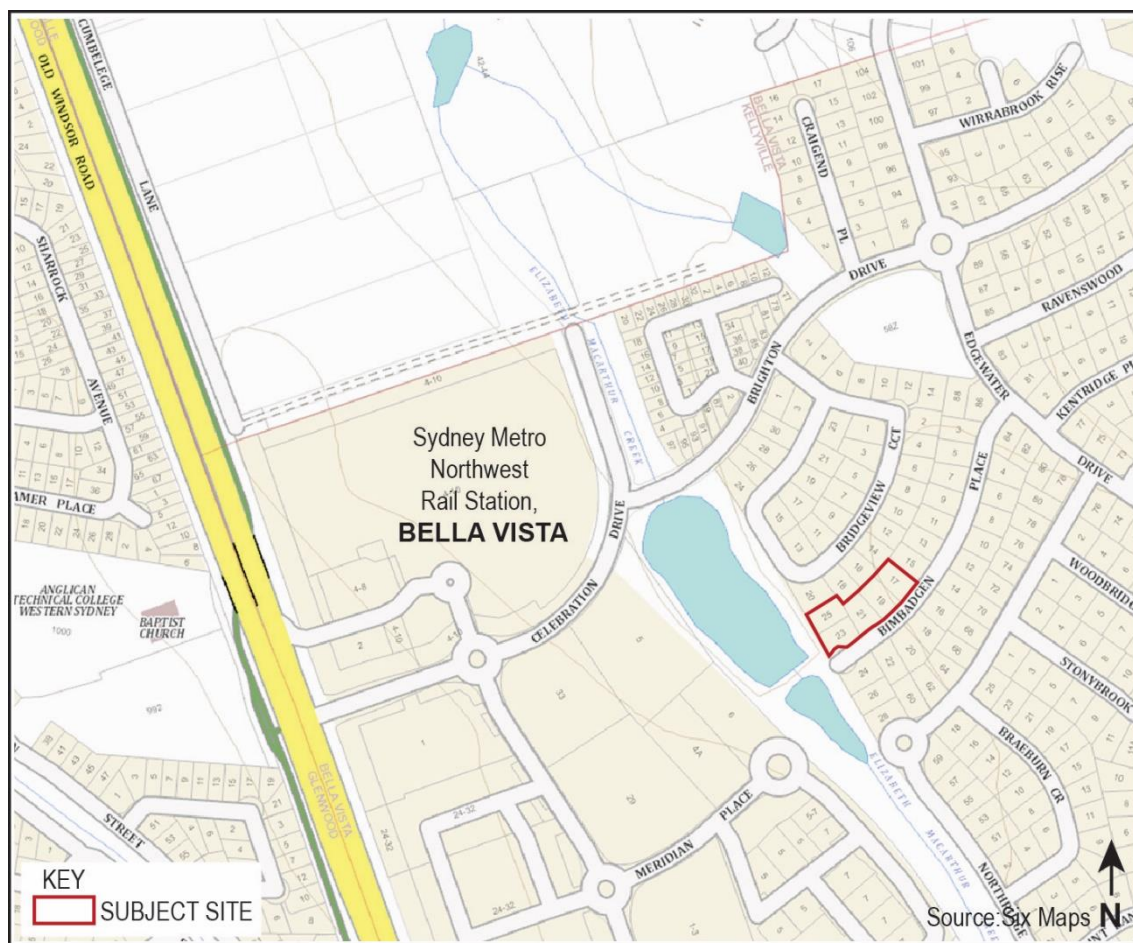


Figure 2 Locality / Cadastral Plan

Exhibition documents accompanying the proposed amendments to THLEP 2012 include the site within an R3 Medium Density Residential Zone with a maximum height control of 10 metres and no applicable FSR (**Figures 3, 4 and 5**).

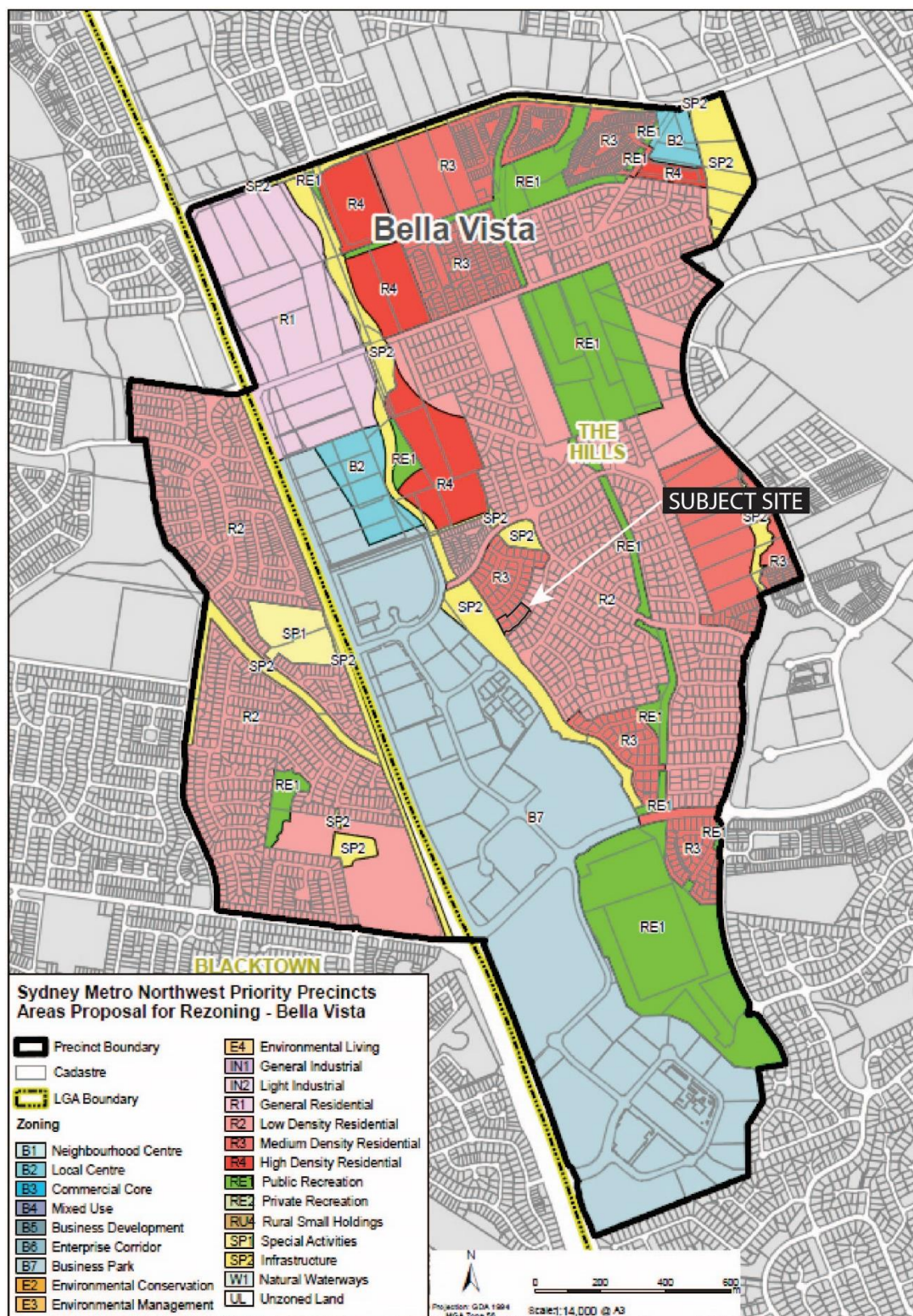


Figure 3 Proposed R3 Medium Density Residential Zone under THLEP 2012

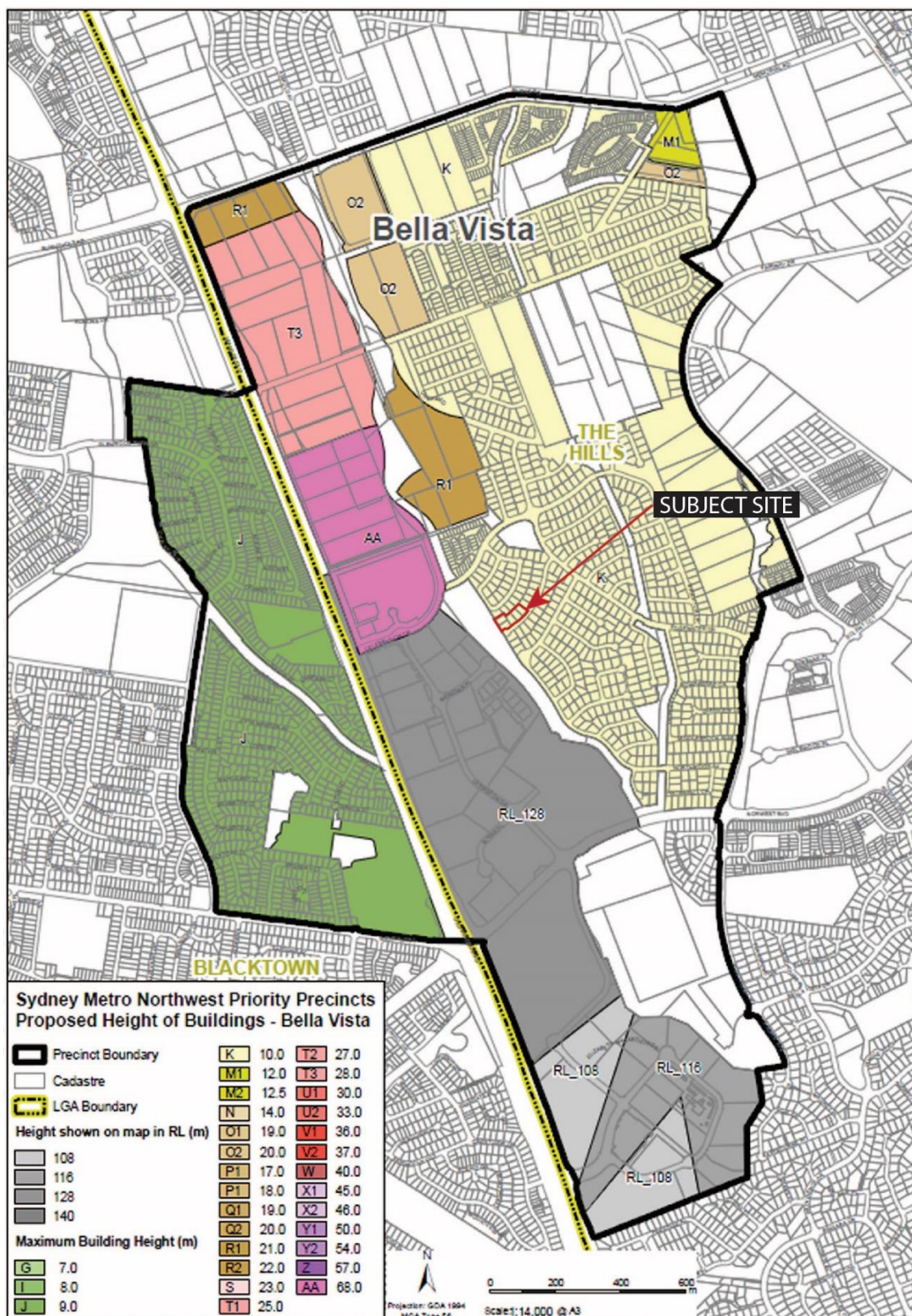


Figure 4 Proposed Maximum 10m Building Height under THLEP 2012

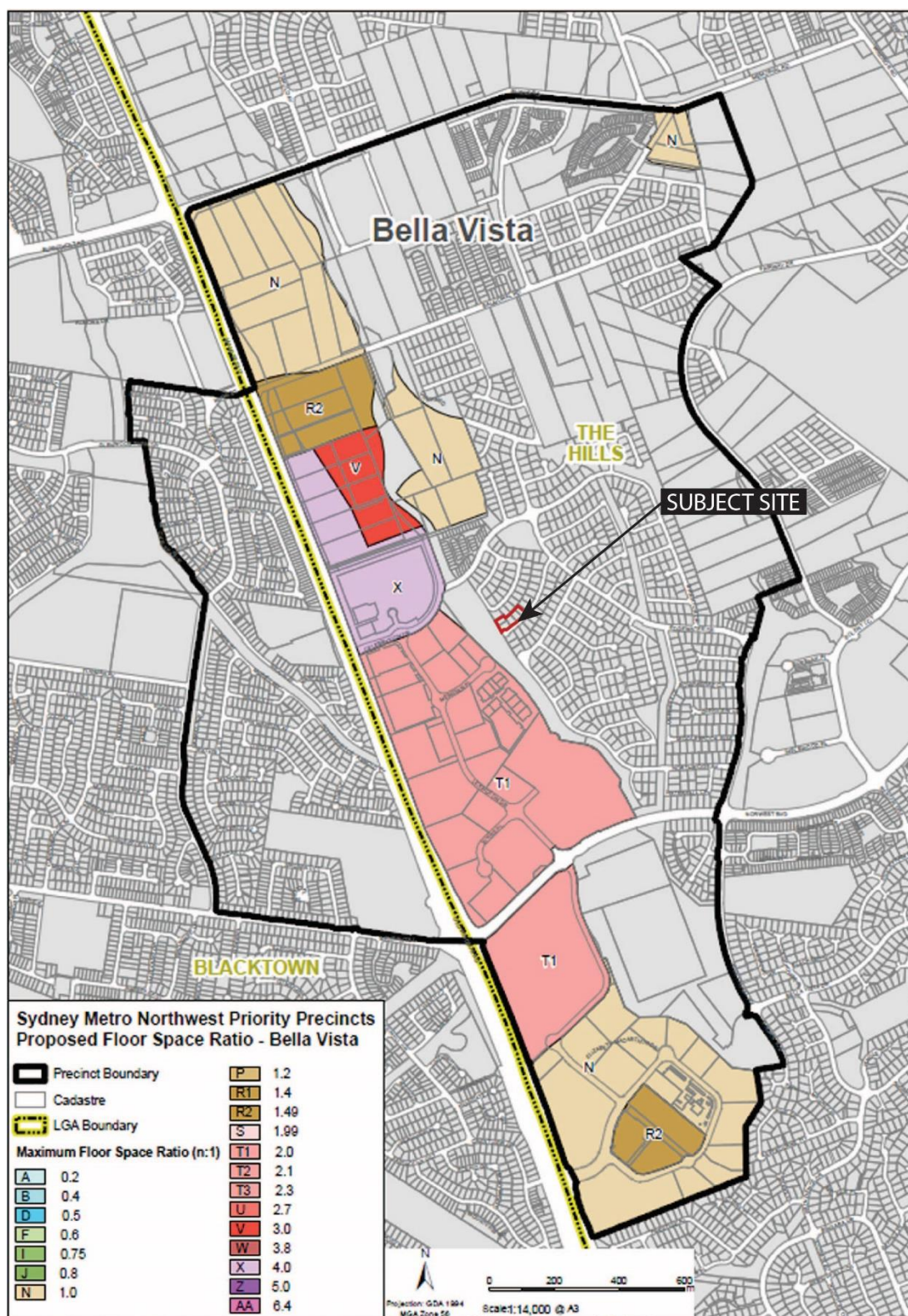


Figure 5 Proposed FSR under THLEP 2012

The proposed amendments to THLEP 2012 (as exhibited) do not reflect planning controls that would assist with the efficient and effective implementation of 'A Plan for Growing Sydney', the NSW Government's vision for Sydney's future. This locality does not have any significant site constraints and is the focus of local business and employment with future projected job and business growth.

2. Recommendations and Justification for Improved Planning Outcome

The site has the potential to provide higher density residential development that would improve the vibrancy and operation of the nearby Sydney Metro Northwest rail station at Bella Vista whilst allowing reduced dependence on private motor vehicle transport for nearby residents.

The proposed increase in density would be associated with a built environment that would enable a transition between higher density residential and commercial development associated with the rail corridor and surrounding low density development beyond the 400m radius surrounding Bella Vista station.

The site already adjoins development to the west that is seven (7) storeys in height and therefore the current 10 metre height control is considered to be restrictive as development within a 400m radius of Bella Vista station should not be providing a transition in light of its convenient access to transport and employment for future residents (**Figure 6**).



Figure 6 Existing 7 Storey Development to the West of the Site Adjacent Elizabeth Macarthur Creek (Photo: SPS)

Areas beyond the 400m radius of Bella Vista station would be more suitable for the purposes of providing a transition both in terms of zoning/permmissibility and also development standards, such as height and FSR. However, the concept of a transition between R4 High Density Residential and R2 Low Density Residential has not been consistently applied to the Bella Vista Station Precinct.

In any event, the proposed R3 Medium Density Residential Zone on the site would not achieve the objects contained within Section 5 of the Environmental Planning and Assessment Act 1979 (**EP&A Act**) with respect to economic and orderly development.

The key recommendations for the site in terms of zoning, height and FSR are outlined below:

(a) R4 High Density Residential Zone (Figure 7)

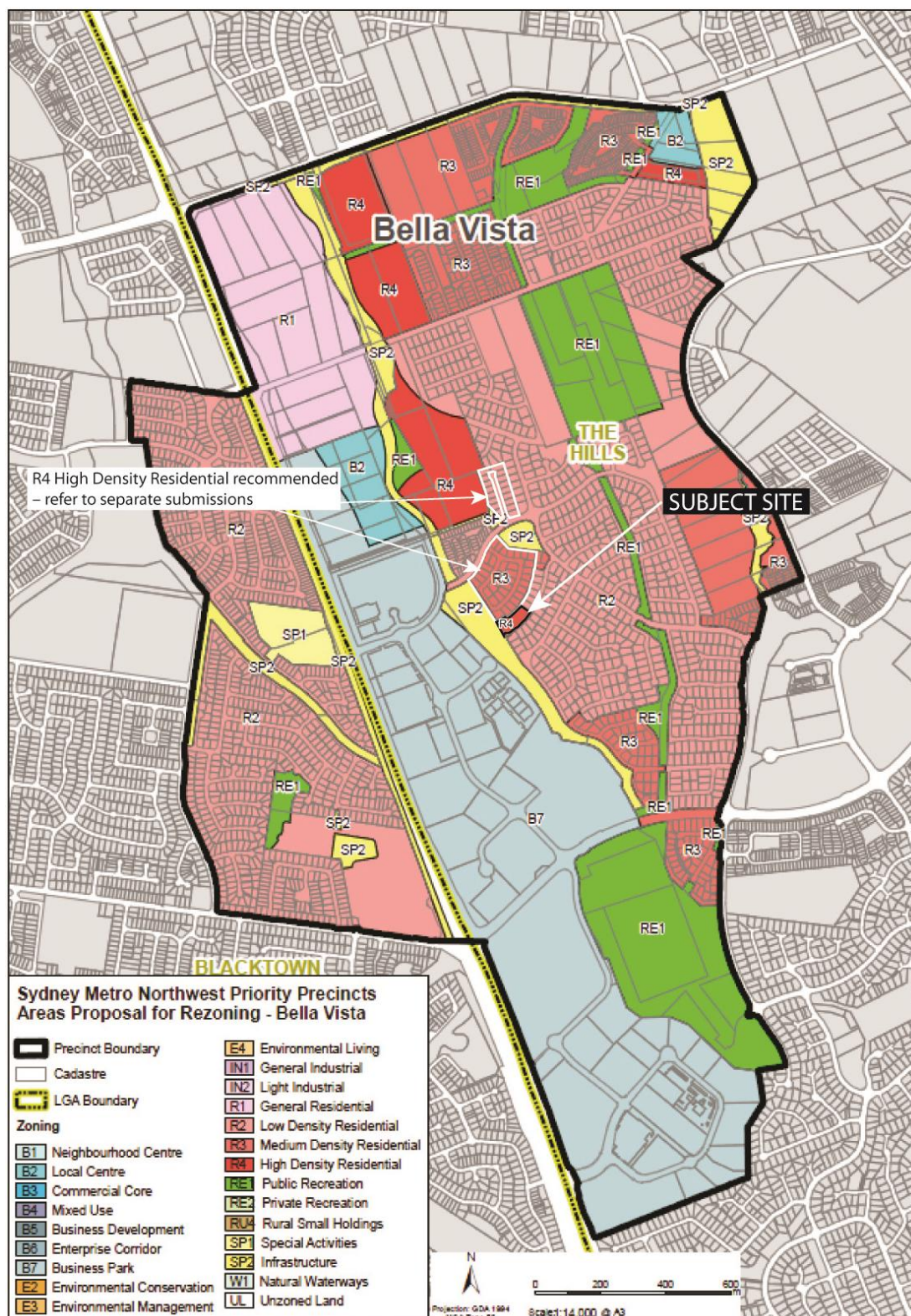


Figure 7 Proposed R4 High Density Residential Zone

An R4 High Density Residential Zone is recommended on the site in order to permit *inter-alia* 'residential flat buildings' with consent under THLEP 2012. This type of zone would allow development that is consistent with other support sites located adjacent to the rail corridor.

(b) Maximum Building Height – “R1”/21m (Figure 8)

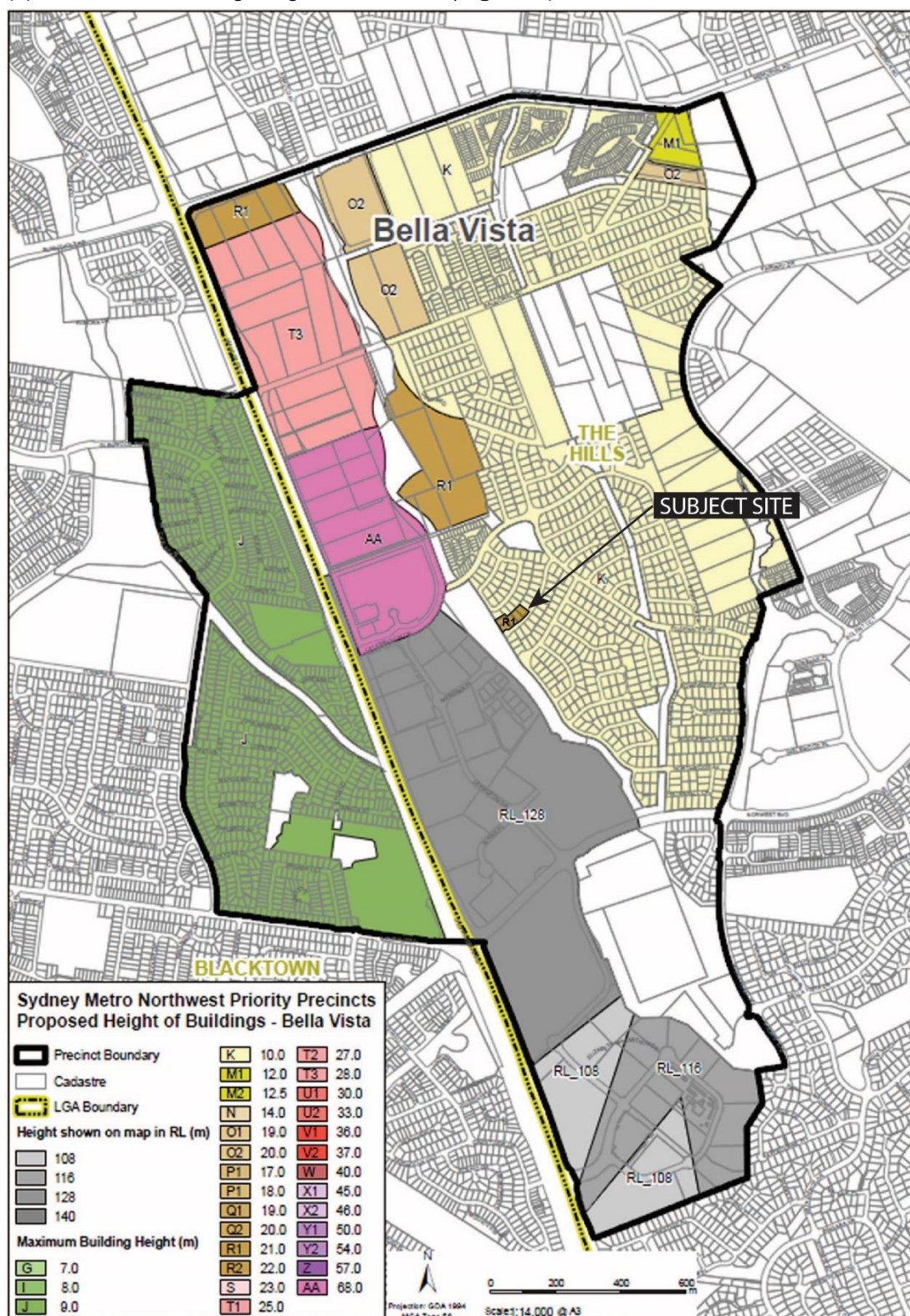


Figure 8 Proposed R4 High Density Residential Zone

A 21m height control would allow for residential flat buildings to achieve an approximate height of 7 storeys (allowing for a floor-to-ceiling height of +/- 3m) consistent with existing development within the precinct located to the west of the site. Sensitive architectural design could also be incorporated to ensure that future development on the site does not create any significant adverse overshadowing impact on adjoining development to the south during the winter solstice.

(c) Floor Space Ratio – “V”/3.0:1 (Figure 9)

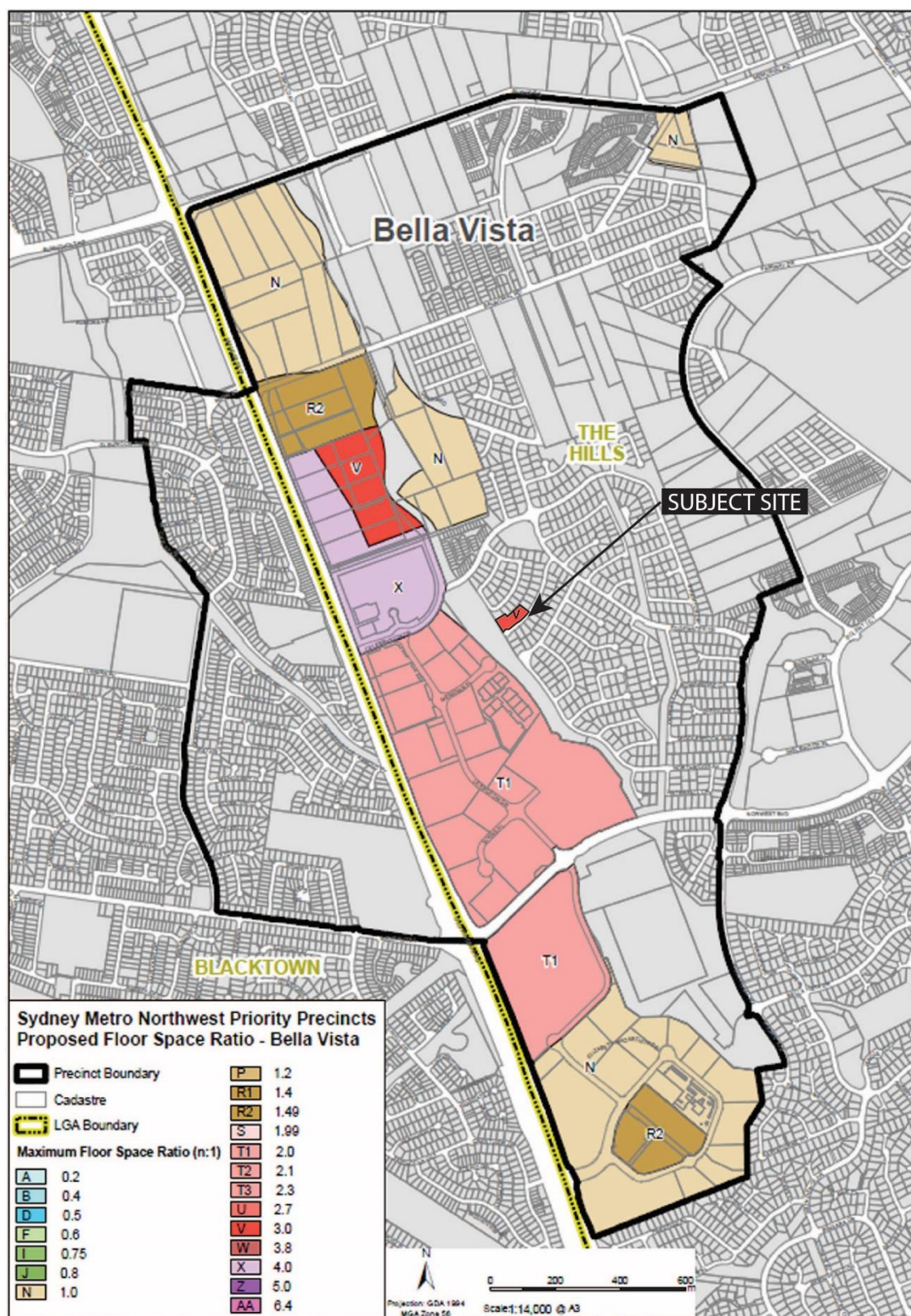


Figure 9 Proposed 3.0:1 FSR

A 3.0:1 FSR would allow for residential flat buildings on the site to achieve a level of bulk and scale that is consistent with the streetscape presentation and desired future character of the area whilst respecting the provisions of State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development (**SEPP 65**).

Accordingly, it is considered that an improved planning outcome for the site could be achieved by adopting more appropriate development standards as part of any future amendment to THLEP 2012. This would be consistent with other land within the Bella Vista Station Precinct that supports higher density development above the station (coloured purple in **Figure 10**).



Source: Base extract from Bella Vista Station Precinct January Newsletter 2016 (page 2).

Figure 10 Surrounding Support Sites (Indicatively Coloured Purple) with R4 zone and 21m Height Controls

Figure 10 indicates that other R4 High Density Residential land to the north of the site with a maximum height of 21m is positioned adjacent to the Sydney Northwest Metro link without a transition between R4 High Density Residential land and R2 Low Density Residential land.

An R4 High Density Residential Zone on the site with a maximum height of 21m and maximum FSR of 3.0:1 would contribute towards meeting the growing demand associated with the precinct's anticipated 4,200 new dwellings and help to support the 9,400 new jobs that will be aligned with this growth.

Consistency with Overarching Strategic Plans:

The aim of the state government planning around Bella Vista is: *'More homes and jobs along the Sydney Metro North West'*. The vision is to create *'The Hills' premier living and business precinct'*. The station 'precinct' that is under consideration includes land within an 800m radius of Bella Vista Station.

(a) A Plan for Growing Sydney

Sydney's metropolitan strategy *'A Plan for Growing Sydney'* (**strategy**) was released in December 2014 and is the NSW Government's plan for the future of the Sydney metropolitan area over the next 20 years. It is noted that the strategy provides key directions and actions to guide Sydney's productivity, environmental management, and liveability – including the delivery of housing, employment, infrastructure and open space.

The strategy is guided by the following three (3) planning principles:

- *Principle 1: Increasing housing choice around all centres through urban renewal in established areas*
- *Principle 2: Stronger economic development in strategic centres and transport gateways*
- *Principle 3: Connecting centres with a networked transport system.*

The recommended R4 High Density Residential Zoning, 21m height control and 3.0:1 FSR on the site is consistent with planning principles contained within 'A Plan for Growing Sydney' as it is noted that accelerating urban renewal across Sydney at train stations and providing homes closer to jobs is an example of one of the steps that is being taken in order to deliver the strategy.

Direction 2.2 of the strategy aims to accelerate renewal along transport corridors and create well-designed housing to stimulate communities within 800m around transport nodes.

Direction 2.3.3 indicates that local councils will be required to consider affordable housing in their housing strategies to ensure delivery. It is also noted that the Government has committed to urban renewal activities that boost housing along the North West Rail Link corridor as well as other transport networks.

The Hills is located within the West Central Subregion and is affected by West Central Subregional Strategy (**subregional strategy**).

The subregional strategy aims to 'accelerate housing supply, choice and affordability and build great places to live'. To achieve this, the NSW Department of Planning and Environment will need to work with councils to identify suitable locations for housing and employment growth coordinated with infrastructure delivery (urban renewal) around priority precincts, both established and new centres and along key public transport corridors including the North West Rail Link (**NWRL**).

The subregional strategy aims for continued housing delivery in the North West Growth Centre with planning focused on infrastructure delivery, housing choice, affordability and sustainability.

The R4 High Density Residential Zone housing typology provides for homes close to jobs in line with the subregional strategy. It provides housing choice for smaller households and an accessible housing format for the ageing population. Additional R4 High Density Residential Zone land is considered to be an effective balance given the predominance of R2 and R3 land for townhouses and small lot housing in the surrounding area with smaller housing types also likely to promote affordability.

(b) NSW 2021 State Plan

The NSW 2021 State Plan 'aims to increase patronage on public transport, improve efficiency of the road network, restore accountability to the NSW government, achieve environmental and economic benefits, build liveable centres, and involve the community in decision making on government policy, services and projects'.

The recommended R4 High Density Residential Zoning, 21m height control and 3.0:1 FSR is consistent with the NSW 2021 State Plan as these controls will increase population density around a major transport node, thereby reducing the dependence on private motor vehicles for daily transport.

(c) NSW Long Term Transport Master Plan

The NSW Long Term Transport Master Plan identifies objectives which focus on improving liveability and supporting economic growth and productivity. These objectives will be facilitated by 'the provision of a transport network which reduces journey times, improves connectivity,

increases efficiency and provides services that support job growth in centres close to where people live’.

It is noted that one of the challenges facing the Bella Vista Station Precinct over the next 20 years is the high proportion (80%) of residents who commute to work by car which leads to congestion on arterial and local roads as well as increased travel times.

The recommended R4 High Density Residential Zoning, 21m height control and 3.0:1 FSR is consistent with the NSW Long Term Transport Master Plan as these controls will increase population density around a major transport node, thereby reducing the dependence on private motor vehicles for daily transport.

(d) NSW State Infrastructure Strategy

The NSW State Infrastructure Strategy *‘focuses on the need for infill development within local and strategic centres to mitigate and manage infrastructure costs associated with greenfield residential growth’.*

The recommended R4 High Density Residential Zoning, 21m height control and 3.0:1 FSR is consistent with the NSW State Infrastructure Strategy as the increased population density associated with infill development around a major transport node and reduced dependence on private motor vehicles for daily transport will make good utilisation of an area that is already well serviced in terms of utilities and infrastructure.

(e) The Hills Corridor Strategy

The Hills Corridor Strategy was adopted by the Hills Shire Council on 24 November 2015 and recognises that *‘as a direct result of the North West Rail Link, more than 50,000 new residents will move to The Hills over the next 20 years – over and above the 100,000 expected under the State Government’s Metropolitan Strategy’.*

The strategy allows for additional housing over and beyond the State Government’s plans for the area, but encourages quality design and good built form as well as considering the critical roads, parks and services that additional residents need. There is an emphasis on dwelling densities per hectare rather than height and FSR.

Consequently, the recommended R4 High Density Residential Zoning, 21m height control and 3.0:1 FSR is consistent with The Hills Corridor Strategy as the site benefits from being well serviced and able to meet the needs of an incoming population based on sustainable ecological development principals.

Based on the rationale adopted by the strategy, a speculative dwelling density between 400 – 440 dwellings per hectare could be achieved on the site which supports The Hills Corridor Strategy.

(f) The Hills Residential Direction

The Hills Residential Direction was developed in June 2008 and recognised the metropolitan target of providing homes within 30 minutes of work, with only 59% of the then North West Subregion meeting this parameter.

The strategy focused on achieving sustainability in housing/density and boosting housing around public transport to assist in meeting the above objective. The need to increase the type of housing is supported by smaller family sizes and the need to reduce the predominance of car travel by Hills residents. This strategy identified that housing affordability, types and sustainability should be considered in future planning.

This site would provide the opportunity to create a high quality apartment design in line with SEPP 65 guidelines. Apartment buildings create the opportunity for a range of housing types to achieve a balance with surrounding formats.

The recommended R4 High Density Residential Zone, 21m height control and 3.0:1 FSR is consistent with The Hills Residential Direction as the site benefits from being well serviced and is able to meet the needs of an incoming population.

(g) Bella Vista Station Precinct – Planning Report

The Bella Vista Station Precinct Planning Report (**report**) recognises the need to consider density close to transport and to provide a range of housing types. The report identifies that people are comfortable with a 10 minute walk to the station (around 800m), so density should be provided within this catchment.

Section 2.2 of the report recommends that apartments are considered in *‘centres with jobs, shops, services and transport especially from the growth of single and couple only households’* (Page 6).

The report also identifies that 4,200 new dwellings are required in Bella Vista over the next 20 years (above the yield anticipated for the Balmoral Road Release Area) and that housing is required to support around 9,400 new jobs.

Higher scale development is proposed close to the station (up to 20 storeys). The site is located next to other sites that are also conducive to being included in the R4 High Density Residential Zone and is considered to provide a logical extension of the proposed R4 High Density Residential Zone. This easily amalgamated site would provide an additional opportunity to provide a high quality apartment development.

The site is within a reasonable walking catchment of Bella Vista station and a greater density on the site would promote sustainable development, a reduction in car use and Transit Oriented Development (**TOD**).

The report identifies the area east of Elizabeth Macarthur Creek as being suitable for the highest apartments outside of the local centre (Page 21). In addition, a new town square is proposed between the station and the Elizabeth Macarthur Creek Corridor. *“The design is intended to include shops along one side of outdoor seating, grassed area and planting, seating, public art/water feature and other elements for people to have lunch, gather, and meet up”* (Page 24).

The current proposal for an R3 Medium Density Residential zone on the site along the Elizabeth Macarthur Creek Corridor within such close proximity to Bella Vista Station will not provide economic and orderly development in accordance with Section 5 of the EP&A Act. Furthermore, it is noted that a portion of land east of Elizabeth Macarthur Creek is planned to feature most of the new housing for the Bella Vista Station Precinct. In particular, it is noted that *‘Building heights will be lower than buildings in the town centre, ranging from 6 storeys to 8 storeys’* (Page 37).

The report also makes provision for a new local road bridge across Elizabeth MacArthur Creek which will substantially improve pedestrian access to the Bella Vista Station from the site (Page 64). Even though this improvement is not a requirement to support an R4 High Density Residential Zoning, 21m height control and 3.0:1 FSR on the site, it will improve the amenity of the locality for both existing and future residents.

Consequently, the recommended R4 High Density Residential Zoning, 21m height control and 3.0:1 FSR is consistent with The Bella Vista Station Precinct Planning Report and we respectfully request that the Department of Planning and Environment re-exhibit the precinct planning controls inclusive of appropriate zoning and development standards for the site that have been outlined herein.

(h) Section 117 Ministerial Directions for Plan Making

Section 117 of the EP&A Act pertains to directions by the minister and the following directions are relevant in the consideration of amendments to the zoning of the site:

Direction 3.1 Residential Zones

The objectives of this direction are:

- (a) *to encourage a variety and choice of housing types to provide for existing and future housing needs,*
- (b) *to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and*
- (c) *to minimise the impact of residential development on the environment and resource lands.*

There are significant zones for low and medium density housing in Bella Vista and around Norwest. These housing formats do not always cater for a wide variety of family sizes. High-density residential apartment developments that are typically found in an R4 High Density Residential Zone provide the opportunity for larger numbers of one and two bedroom dwellings to cater for single and couple households together with ageing households. This also allows for different affordability levels.

An R4 High Density Residential zone on the site would make efficient use of the opportunity provided by the incoming rail infrastructure plus the services provided around the Norwest business areas.

Using land more efficiently and consolidating around centres and transport reduces the pressure on environmental and resource lands. The proposal is consistent with urban consolidation objectives. Furthermore, the site is appropriately serviced and the proposed amendment does not reduce the residential density of the land, consistent with this direction.

Direction 3.4 Integrating Land Use and Transport

The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives:

- (a) *improving access to housing, jobs and services by walking, cycling and public transport, and*
- (b) *increasing the choice of available transport and reducing dependence on cars, and*
- (c) *reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and*
- (d) *supporting the efficient and viable operation of public transport services, and*
- (e) *providing for the efficient movement of freight.*

The recommended R4 High Density Residential Zone, 21m height control and 3.0:1 FSR is considered to be consistent with this direction in improving access to housing, jobs and transport. The concentration of density around transport will increase the opportunity to use non-car transport (walking, cycling and public transport) and will support the viable operation of the new public transport.

Direction 5.9 North West Rail Link Corridor Strategy

The objectives of this direction are to:

- (a) *promote transit-oriented development and manage growth around the eight train stations of the North West Rail Link (NWRL)*
- (b) *ensure development within the NWRL corridor is consistent with the proposals set out in the NWRL Corridor Strategy and precinct Structure Plans.*

This Direction applies to the Hills Shire and the direction applies when a relevant planning authority prepares a Planning Proposal which affects the NWRL Corridor.

As discussed, the recommended R4 High Density Residential Zoning, 21m height control and 3.0:1 FSR is considered to be consistent with this direction in improving access to housing, jobs and transport.

Increasing residential densities and housing types around transport stations achieves TOD which is the creation of compact, walkable, mixed-use communities focussed around train systems. Urban renewal which follows TOD makes it possible to create lower-stress without dependence on a car for mobility. This also creates environmental, time and financial cost savings. TOD creates environmentally sustainable cities.

Increasing residential densities and choices around public transport services and jobs is consistent with *A Plan for Growing Sydney* which seeks to utilise infrastructure, plan for environmental sustainability and use land efficiently.

Direction 7.1 Implementation of A Plan for Growing Sydney

The objective of this direction is to give legal effect to the planning principles, directions, and priorities for subregions, strategic centres and transport gateways contained in *A Plan for Growing Sydney*.

As detailed in this submission, the proposed inclusion of the site in an R4 High Density Residential Zone will deliver on the strategic objectives of the plan.

The site contains an area in excess of 1,500m² (which is the suggested lot size for apartment developments) and forms a logical contiguous arc with the other sites that are considered by SPS to be suitable for R4 High Density Residential development within close proximity to the Bella Vista Station and B5 (Business Development)/B7 (Business Park) zones to the south west and B7 (Business Park)/B2 (Local Centre) zones to the south east of the site along Norwest Boulevard.

3. Conclusion

State Planning Services has undertaken an independent town planning review of the proposed amendment to THLEP 2012 and SEPP SRD 2011 having regard to Nos. 17, 19, 21, 23 and 25 Bimbadgen Place, Bella Vista on behalf of Everland DMS and owners of the site.

A significant opportunity exists for more appropriate development standards to apply to the site under THLEP 2012 as recommended and justified herein.

In particular, the site is located within 400m of the Sydney Metro Northwest rail station at Bella Vista and is able to support higher density residential development commensurate with an R4 High Density Residential Zone with 21m height and 3.0:1 FSR controls that would be consistent with 'A Plan for Growing Sydney', the NSW Government's vision for Sydney's future.

We look forward to an opportunity to work with the Department of Planning and Environment and The Hills Shire Council in order to give effect to the above improved planning outcome that is recommended for this site. Please keep our office informed of progress in this regard.

Should you require clarification or wish to discuss this request, please contact the writer.

Yours sincerely,

STATE PLANNING SERVICES PTY LIMITED



**JOHN MCFADDEN
MANAGING DIRECTOR**

jmcfadden@stateplanningservices.com.au

Attachment 1: Owners of Nos. 17, 19, 21, 23 and 25 Bimbadgen Place, Bella Vista in support of this submission.

Cc:

1. The General Manager
The Hills Shire Council
By Email: council@thehills.nsw.gov.au
2. Owners of the site
C/- Mr Brian Kim
Everland DMS
By Email: briankim@everlanddms.com.au

Attachment 1

13/07/2016

5 Houses at 17-25 Bimbadgen Place Bella Vista
Request for R4 High Density zone and 3:1 FSR

Street #	First Name	Last Name	Mobile	Email	Support R4 High Density (Signature)
17	DEVANG	RAI	0434825448	devang_rai@hotmail.com	Dev Rai
19	PANKHURST	TERENCE	0418 418 952	TERRY PANKHURST @hotmail.com	T Pankhurst
21	CRAIG	POWELL	0418 292 614	powells@zoho.com	Craig Powell
23	KANDIAH	THANABALASINGAM	0419511939	THANABALOO 2 HOTMAIL.COM	Thanabala
25	BISMARCK	AHENKAN	0424498488	VIPBIZIL@hotmail.com	Bismarck Ahenkan