

Bella Vista Waters residents against R4 submissions

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4 August 2016

Ref: *BVW-0408-02*

Anne-Maree Carruthers  
Director Urban Renewal  
NSW Department of Planning and Environment  
GPO Box 39  
SYDNEY NSW 2001

By Email: [information@planning.nsw.gov.au](mailto:information@planning.nsw.gov.au)

Dear Anne-Marie,

**RE: BELLA VISTA STATION PRECINCT PROPOSAL**

This submission is further to the interim correspondence submitted dated 15 July 2016 (*reference BVW-1507-01*) and is in response to the following submissions to the Bella Vista Station Precinct Proposal by NSW Department of Planning and Environment (DP&E):

- State Planning Services (their reference: 0040A.1JM) dated 28 February 2016 in which they request consideration by DP&E for rezoning of Nos. 1-14 **Millhouse Place** and Nos. 1 – 30 **Bridgeview Circuit**, Bella Vista to R4 High Density Residential Zone with 21 metre height and 3.0:1 Floor Space Ratio,
- **Waterstone Estate**, Bella Vista (no reference, no date) in which they request consideration by DP&E for R4 zoning,
- State Planning Services (their reference: 0062A.1JM) dated 14 July 2016 in which they request consideration by DP&E for rezoning of Nos. 1-17 **Craigend Place**, Bella Vista to R4 High Density Residential Zone with 21 metre height and 3.0:1 Floor Space Ratio,
- State Planning Services (their reference: 0064A.1JM) dated 15 July 2016 in which they request consideration by DP&E for rezoning of 5 properties in **Bimbadgen Place**, Bella Vista to R4 High Density Residential Zone with 21 metre height and 3.0:1 Floor Space Ratio,
- **Ravenswood Place**, Bella Vista (not yet published, but brought to our attention) in which they request consideration by DP&E for R4 zoning, and
- Any other similar submission made requesting R4 rezoning in Bella Vista Waters Estate.

We do understand that this is late, as are submissions listed above, but the residents of the estate are strongly aligned that this objection needs to be lodged against these submissions. We call on DP&E to appreciate our position of objection and accept this submission.

The areas referenced above are part of the Bella Vista Waters Estate (BVW) which is a well-considered, master-planned community. This exclusive estate was developed by Norwest Land (now Mulpha FKP) in conjunction with the Hills Council to produce a high quality community under very strict covenants with clear understanding that only master built and architect designed homes would be accepted. The residents of this unique estate have invested in their families to a lifestyle important to them. These proposals for rezoning, if accepted, will negatively impact that vision for the estate and the amenity that it and the residents have cultivated. Rezoning any part of Bella Vista Waters to R4 would be to desecrate the estate.

You will find attached a petition signed by residents of all streets within Bella Vista Waters that have not submitted an R4 rezoning request, representing 80% of the total estate aligned against the detrimental impact re-zoning to high density will have on the current amenity and quality of life experienced within the estate.



*Figure 1: New house yet to be completed adjacent to Millhouse / Bridgeview area (House on the right is in the Millhouse / Bridgeview proposal).*

There are four main areas of concern for the residents:

1. Increase in Traffic
2. Loss of Amenity
3. Loss of Property Value
4. Reduced Quality of life

#### **Increase in Traffic**

Access in and out of this estate is constrained at Norwest Boulevard via Edgewater Drive and Celebration Drive via Brighton Drive, both only local roads. There are three rezoning proposals which fall on Brighton Drive. With the anticipated traffic volume increases that would come with additional housing in the estate we would experience untenable traffic pressures at that access point. The streets are just not suitable for the traffic increase that would come from such an increase in housing capacity.

We are already seeing Edgewater Drive being used as a rat run to Lexington Drive / Celebration Drive with some workers parking in the our estate so they don't get trapped in the grid lock of Lexington Drive when they leave in the afternoon. There are many stories of intolerable traffic situations where BVW residents cannot get out of the estate now.

The purchase price people will demand of developers to purchase their properties in BVW will result in relatively high asking prices for the apartments. This will mean the people purchasing these new apartments (whilst utilising the rail and bus network) will be professional people commanding a similar lifestyle which will include greater than average motor vehicle ownership.

So whilst the Government consider the development into an area of high density living will result in a modal shift of transportation habits reducing the use of cars, the area in question will see professional residents who will still own motor vehicles adding to the traffic woes of the estate in particular. Car ownership analysis at other railway stations which resulted in car ownership of one (1) car per household will never apply to BVW estate.

The railway being close to BVW will have no influence on the existing residents in reducing the number of vehicles they are currently afforded and as such this needs to be considered in the traffic studies. The people living within the BVW estate will not be changing their way of life and shifting to train use as their major mode of transport. So again the congestion within our estate will not be solved and will only worsen. We ask if the *Sydney Metro Northwest Transport Study and Plan* is complete and whether it addresses the impacts within the Bella Vista Waters Estate.



The traffic scenarios within Lexington Drive / Celebration Drive will undoubtedly be well considered and addressed with the new Precinct however this will not elevate any traffic issues within our estate with an increase due to higher density areas. With Edgewater Drive extended to the new estate north going through to Balmoral Road, additional traffic now cuts through every morning and evening peak. The road was always planned as access for the residents only, but now it serves many cars a day who do not even reside in the estate.

We refer to the *Bella Vista Station Planning Report and Precinct Recommended Control Plan Amendments – The Hills, December 2015* which propose future considered road links from Lexington Drive into the Bella Vista Waters estate. Again the roads in the estate should only cater for estate traffic which is already being challenged by current usage and will not cope with additional through traffic these links will promote.



*Figure 2: 1 Millhouse Place - A recently completed executive residence a part of the Millhouse / Bridgeview proposal to be torn down.*

### **Loss of Amenity**

Should this rezoning be adopted allowing high density housing in BVW, there will be none of the covenants, controls or constraints (that we all had to satisfy to build our homes) placed on the builders of these

apartments. This high density construction will be based on dollar (\$) cost per square metre for a maximum rate of return yield. Some of the elite residences within this area in question have just been completed and would be valued in excess of \$2.5 million.

We can only see sub-standard quality construction occurring as the developers and builders try to counteract the high purchasing costs associated with initially buying the properties within BVW demanded by the property owners. We can see from *The hills Corridor Strategy* (page 19) that a Design Excellence clause is being considered for the Council's LEP for residential development over 25metres which would not apply to these R4 zoning proposals. This sub-standard build quality may only show in years to come with apartment buildings having accelerated dilapidation.

Applying the hierarchical approach with the R4 zoning as proposed by the submissions (to which we are responding) will see no transition from high-density to medium-density on to low-density zoning. Whereas the DP&E proposal for the Precinct allows the green space at the Elizabeth Macarthur Creek to act as a transition into the BVW estate. It must be noted that when we refer to medium density we refer to the Hills Shire terminology as townhouses, villas and terrace homes. The open spaces within Bella Vista Waters are sufficient only for the housing densities as it stands, not for increasing population through high density living otherwise the recreational opportunities of the existing population will diminish.

Again we reinforce that we were restricted to building in the estate under stringent covenants which has resulted in the high-quality living that the estate currently provides. This would all be lost with adjacent high rise apartments. We would have high rise apartments built directly adjacent to low residential living which are all high quality exclusive homes.



Figures 3 & 4: House under construction on Edgewater Drive adjacent to Craigend Place





Figure 5: Recently completed houses on Edgewater Drive adjacent to Craigend Place

### **Loss of Property Value**

We note that DP&E has considered the area of BVW as *“construction completed”* and the *built form strategy* developed identified *“... minimising impacts on existing residential areas not planned to change....”* as important considerations. Furthermore, both DP&E and the Hills Shire Council have achieved the desired projected housing numbers for the Precinct without introducing R4 zoning into BVW. Both have taken the position that the Bella Vista Waters area has been recently developed and the fabric of the area is attractive based on the exclusive living next to the business park, the original intent of the Norwest development. It can be seen by both strategies of DP&E and the Hills Council that this area should not be R4.





*Figure 6: Elite Houses on Bimbadgen Place that would be directly affected by the proposed high-rise apartments.*

We do not understand the rezoning that occurred in the LEP 2012 for selected areas of the estate to be R3 zoned. Whilst the Waterstone Estate was built as villas/townhouses initially, these other areas are newly-constructed single large executive dwellings with some just being completed. This R3 zoning has not considered the use of the land and seems to be applied as an exercise to achieve the transition from the Station to the R2 of Bella Vista Waters without understanding the status of the houses of that area.

The applicable definition of R3 needs to be clearly communicated as well because the R3 zoning of these areas of BVW was based on the council definition meaning townhouse or villa, not four level flat buildings by government definition. This requires clarification. On saying this, there is no other area of the estate that would suit a rezoning to R3 should the R4 zoning be implemented.

The current value of the properties in the estate is based upon a unique and exclusive estate. The future value of the properties within the estate should be based on a unique and exclusive estate in close proximity to a railway station. This is what all residents of BVW should have the right to attain. Should the estate be partially



rezoned to R4 then the sections of the estate neighbouring those at R4 will most likely be subject to loss of property value. The financial benefit to a few with such rezoning should not overshadow the loss of amenity, wellbeing and financial situation of the rest of this estate's community.



*Figure 7: Brand new exclusive residence on corner of Edgewater Drive and Bimbadgen Place that would be impacted by the high rise.*

### **Quality of life**

The estate collectively is already concerned with the changing landscape of BVW with the station and town centre being so close. It will be changed forever. We do not need to live with more change to our quality of life (that we have built collectively within Bella Vista Waters) due to high rise apartments within the estate.

Uncertainty within the residents of the estate is evident with the recent submissions for R4 zoning considerations which are an emotional response to that submitted for Millhouse/Bridgeview.



**Request for consideration**

We re-iterate the words of DP&E:

*".....Protection of the natural environment and minimising impacts on existing residential areas not planned to change were also important considerations."*

*"The Built environment, which includes the road network and open space must be correct to ensure precincts are permeable and comfortable to get around"*

They are not.

Rezoning part of Bella Vista Waters to R4 would desecrate this special master-planned estate. We, as the Bella Vista Waters community, are seeking DP&E to maintain the integrity of the original intended quality, form, character and fabric of Bella Vista Waters Estate as they have in their Precinct Strategy and reject these and any other rezoning proposals within BVW.

Should DP&E consider there is an impetus in changing any of the zoning in BVW to R4 high density then the impact that this partial rezoning will cause on the remainder of the estate requires thorough consideration. The 800m radius rule of thumb captures over half of the 575 properties in BVW. If it were applied and this part of BVW was rezoned to R4, then rezoning the remaining Bella Vista Waters to R3 will not practically achieve the necessary transition as the area is already developed as low density single dwellings. If this were done you would be subjecting these houses to be directly adjacent to high density apartments.

With such an impact, any change in use consideration needs to be across the estate in its entirety with any such zoning change to R4 adopted throughout the estate; not just 400m or 800m radius from the railway station, but the whole estate, as per the map below:



The petition attached has captured over 85% of the owners and residents that would be impacted should the rezoning to R4 as requested by submissions be implemented, with over 97% signing in support of this objection. Should R4 re-zoning in BVW be adopted then we consider this change to be of significance sufficient to necessitate re-displaying the Precinct Proposal before Determination, due to the impact it will have on this community.



Should you wish to discuss any matters of this submission please contact Adrian Pearse on 0407 467 736 or [adrian.pearse@lendlease.com](mailto:adrian.pearse@lendlease.com).

Best Regards



**Adrian Pearse,**

on behalf of Bella Vista Waters residents against rezoning within the BVW Estate.

**CC:**

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