

[REDACTED]  
Bella Vista NSW 2153  
28 October 2016

**Director, Urban Renewal**  
NSW Department of Planning and Environment  
GPO Box 39 Sydney NSW 2001

Attention: Ann-Maree Carruthers  
ann-maree.carruthers@planning.nsw.gov.au ; information@planning.nsw.gov.au ;  
urbanrenewal@planning.nsw.gov.au

Dear Madam,

**RE: (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) within Brighton Drive, Edgewater Drive and Wirrabrook Rise, Bella Vista, NSW 2153 (Subject Site).**

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## INTRODUCTION

This request is written for and on behalf of the following land owners of Brighton Drive and Wirrabrook Rise, Bella Vista (herein collectively referred to as 'The Residents of Brighton Drive, Edgewater Drive and Wirrabrook Rise'):

61 Brighton Drive, Bella Vista  
63 Brighton Drive, Bella Vista  
65 Brighton Drive, Bella Vista  
67 Brighton Drive, Bella Vista  
95 Edgewater Drive, Bella Vista  
3 Wirrabrook Rise, Bella Vista  
9 Wirrabrook Rise, Bella Vista

The Residents of Brighton Drive, Edgewater Drive and Wirrabrook Rise (listed above) have provided their full Consent to this written request for R4 High Density Residential Zone with 21 metre (m) Height and 3:0:1 Floor Space Ratio (FSR) within 53-67 Brighton Drive, 91-93 Edgewater Drive and 3-13 Wirrabrook Rise, Bella Vista, NSW 2153 (herein referred to as the 'Subject Site').

The Subject Site consists of 17 properties. Of these 17;

Six (6) are vacant blocks (53 and 57 Brighton Drive, 93 Edgewater Drive, 3,5 and 13 Wirrabrook Rise). We were unable to contact the owners of five of these blocks. We would assume however those as these blocks are currently vacant, a zoning change is more likely to result in a positive impact rather than a negative one.

The owners of one of the vacant blocks (3 Wirrabrook Rise) have endorsed this proposal

One of the properties (91 Edgewater drive) is an investment property and is currently tenanted. We would assume however that as this property is not currently owner occupied, a zoning change is more likely to result in a positive impact rather than a negative one

Three properties (55 & 59 Brighton Drive and 7 Wirrabrook Rise) we were unable to contact the owners. 11 Wirrabrook Rise was still in the process of completion when this proposal was written and therefore the owner could not be contacted

Owners of the remaining 6 properties have endorsed this proposal.

Therefore of the 17 sites, we have endorsement from 7 owners, one is an investment property, five are vacant blocks, one is in the final stages of completion and three were unable to be contacted.

Appendix 1 highlights the Subject Site.

Appendix 2 is a copy of Register of Consent containing name and contact details of The Residents of Brighton Drive, Edgewater Drive and Wirrabrook Rise (original has been retained and is available upon request).

## **RECOMMENDATIONS**

The Residents of Brighton Drive, Edgewater Drive and Wirrabrook Rise have identified that an opportunity exists for more appropriate development standards to apply to the Subject Site under THLEP 2012. In particular, the Subject Site is located within 800m of the Sydney Metro Northwest Rail Station at Bella Vista and is able to support higher density residential commensurate with R4 High Density Residential Zoning with 21m height and 3:0:1 FSR controls that would be consistent with “*A Plan For Growing Sydney*” which is the NSW Government’s vision for the future of Sydney. In fact, it was recommended that zoning of the Subject Site should be changed to Medium Density in previous studies and recommendations due to the proximity to the station and that the area was the least developed part of the Bella Vista Waters Estate (Refer to the Bella Vista Structure Plan, 2013 – Appendix 1)

Recommendations and justification supporting this request are outline below.

### **1. Accessibility**

The Subject Site is located within The Hills Local Government Area (LGA) well within 800m of the Sydney Metro Northwest Rail Station at Bella Vista. The Subject Site, 53-67 Brighton Drive, 91-95 Edgewater Drive and 3-13 Wirrabrook Rise, Bella Vista comprises predominantly of two (2) storey detached residential dwellings and vacant land. Over one third of the properties within the site are vacant, making redevelopment easier and with less impact than in many other parts of the Bella Vista Waters estate.

The Subject Site is easily accessible via motor vehicle transport from two main artery roads, namely Old Windsor Road via Celebration Drive through to Brighton Drive (part of the Subject Site) and Edgewater Drive and Norwest Boulevard via Edgewater Drive (also part of the Subject Site).

It is submitted that this request upholds the goals and objectives of the Bella Vista Transport Plan – December 2015.

## **2. Walkability**

The Subject Site has the potential to provide high density residential development that would improve the vibrancy and operation of the nearby Sydney Metro Northwest Rail Station at Bella Vista whilst allowing reduced dependency on private motor vehicle transport for local residents.

The Bella Vista Precinct Proposal – December 2015 (prepared by NSW Department Planning and Environment), states the following:

*“A major consideration for Priority Precincts is walking distance to public transport, shops and services. Most people are comfortable with a ten-minute walk to public transport and shops and services, which is about a distance of 800 metres.”*

It is submitted that The Subject Site a very short walk to Bella Vista (approximately 5-10 minutes) as it sits within the 400m - 800m radius of Bella Vista Station (the primary catchment).

Furthermore, The Subject Site is in a favourable position as it actually sits on the main passage way through to Bella Vista Station accessible via Celebration Drive. In fact it even sits on the same side of Celebration Drive as the station, meaning residents would not need to cross any main roads to arrive at the station. This enables the residents living within the Subject Site to walk safely and with great ease directly to Bella Vista Station within approximately 5 – 10 minutes.

It is further submitted that this request is within the spirit of Sydney’s Walking Future initiative which identifies that walk only trips are an ideal mode for trips of two kilometres or less and integrate communities, improve health and wellbeing, and deliver environmental benefits compared with other trip modes (Source: Bella Vista Station Precinct Transport Plan – December 2015, at page 15).

## **3. Reduced ownership and dependency on motor vehicle transport**

Currently, households in the railway corridor within The Hills Shire, have a car ownership rate of 2.03 cars per household with only 2.4% of households not owning a car (Source: Hills Corridor Strategy – September 2015).

The Hills Corridor Strategy, at page 12, acknowledges the following:

*An analysis of households within 800m of other established transit centres at Hornsby, St Leonards, Chatswood, Hurstville and Meadowbank-West Ryde indicate an average car ownership rate of one (1) car per household with around 23% of households not owning a car and around 57% of households only owning 1 car. There is also a lower proportion of households owning 2 or more cars reflecting the centres’ access to public transport services.*

It is submitted that the request to rezone the Subject Site to high Density R4 will have the effect of reducing ownership and dependency on motor vehicle transport thereby having a positive impact on the environment.

## **4. Transit orientated Development**

This request promotes transit oriented development by seeking to accommodate population growth through increase in housing density close to Bella Vista Station that will facilitate walkability and increase pedestrian connectivity. This is in line with the key principles underlying Council's planning work as articulated at page 64 of The Hills Shire Council – Exhibition of Showground, Bella Vista and Kellyville Station Priority Precincts dated 26 February 2016.

### **5. Pedestrian Connectivity**

This request will increase pedestrian connectivity and help to promote and encourage residents to walk and/or cycle to Bella Vista station, including shops, recreation and other facilities. This is in line with the principles and vision of the Bella Vista Station Precinct as outlined in the Bella Vista Station Precinct Recommended Development Control Plan Amendments – The Hills, December 2015 and supports the framework set by the NSW Government through The NSW Long Term Transport Master Plan and Bella Vista Transport Plan – December 2016.

### **6. Balance High & Low Density Housing**

The proposed increase in density would be associated with a built environment that would enable transition between proposed higher density residential development (currently under review by Department of Planning and Environment) and surrounded by green space and low density development beyond 800m radius (catchment) surrounding Bella Vista rail Station.

It is submitted that the proposed R2 Low Density Residential Zone currently planned for the Subject Site would not achieve the objects contained with Section 5 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) with respect to, *inter alia*, economic and orderly development.

It is further submitted that the requested R4 High Density Residential Zone pertaining to the Subject Site, will ensure economic and orderly development and a Smooth Transition between high and low density housing and fulfil the aims of both THLEP 2012 as contained under Part 1, Section 1.2 of THLEP and Section 5 of the EP&A Act.

### **7. Compliance with The Hills Corridor Strategy**

It is important to note that one of the main guiding principles underpinning The Hills Corridor Strategy (adopted on 24 November 2015) is the balance between high and lower density housing. The Hills Corridor Strategy (at page 12) clearly addresses this issue stating:

*“It is generally accepted in planning terms that higher density residential development be located within 800m of well integrated transport networks and major services being a 5-10 minute walking distance... The area beyond the primary catchment provides the opportunity for a transition to medium and lower density housing types...”*

The Residents of Brighton Drive, Edgewater Drive and Wirrabrook Rise respectfully submit that as the Subject Site falls within the primary catchment (i.e. 800m of Sydney Metro Northwest rail Station at Bella Vista) then the rezoning of the Subject Site to R4 High Density Residential Zone with 21 metre (m) Height and 3:0:1 Floor Space Ratio (FSR) is in direct compliance with The Hills Corridor Strategy endorsed by councillors on Tuesday 24 November 2015 and also accords with the State Government’s North West Rail Link Corridor Strategy of September 2013.

### **8. Further Recommendations in support of R4 High Density Residential Zone**

(a) An R4 High Density Residential Zone is recommended on the Subject 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 proposed higher density residential development (under review by NSW Department of Planning and Environment).

(b) 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 neighbouring development(s) within the precinct adjacent to the Subject Site (See for example, Submissions in support of request for R4 High Density Residential Zone with 21 meter (m) Height and 3:0:1 Floor Space Ratio (FSR) at Nos. 1 - 14 Millhouse Place and Nos. 1 - 30 Bridgeview Circuit, Bella Vista, dated 28 February 2016, 1 - 20 Ravenswood Rise, Bella Vista, dated 25 July 2016 and 40-56 Brighton Drive, Bella Vista dated 18 August 2016.

(c) 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.

(d) 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 9SEPP65).

(e) 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 precincts anticipated new dwellings and help to support the new jobs that will be aligned with this growth.

It is submitted that this written request takes into consideration all relevant planning instruments including, but not limited to, the following:

- ☐ NSW 2021 State Plan
- ☐ Bella Vista Transport Plan
- ☐ The Hills Corridor Strategy
- ☐ A Plan for Growing Sydney
- ☐ Bella Vista Precinct Proposal
- ☐ NSW State Infrastructure Strategy

- ☐ North West Rail Link Corridor Strategy
- ☐ NSW Long Term Transport Master Plan
- ☐ Bella Vista Station Precinct – Planning Report
- ☐ Bella Vista Precinct Recommended Development Control Plan Amendments
- ☐ The Hills Shire Council – Exhibition of Showground, Bella Vista and Kellyville Station Priority Precincts dated 26 February 2016.

## CONCLUSIONS

After careful review and consideration given to all material referred to herein including a review of relevant provisions contained in THLEP 2012 and SEPP SRD 2011, The Residents of Brighton Drive, Edgewater Drive and Wirrabrook Rise, for those reasons set forth above, strongly believe that a significant opportunity exists for more appropriate development standards to apply to the Subject Site under THLEP 2012 as recommended above, in particular, the site is located well within 800m of the Sydney Metro Northwest rail Station at Bella Vista (5 – 10 minute walk) and is able to support higher 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 and in compliance with The Hills Corridor Strategy (adopted on 24 November 2015) and in line with the State Government's North West Rail Link Corridor Strategy of September 2013.

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 the Subject Site.

Should you require any further information or wish to discuss any aspect of this request, please contact [REDACTED] [REDACTED] [REDACTED]

Yours Sincerely,

[REDACTED] – For and on behalf of The Residents of Brighton Drive, Edgewater Drive and Wirrabrook Rise