

**THE HILLS SHIRE COUNCIL**

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ABN No. 25 034 494 656

7 March 2017

Housing Land Release  
NSW Department of Planning and Environment  
Level 5, 1 Valentine Avenue  
PARRAMATTA NSW 2150

Our Ref: FP85

Dear Mrs Ivinson

**Submission on Precinct Planning for Vineyard (Stage 1) Public Exhibition**

I am writing to make a formal submission on the Vineyard Precinct (Stage 1) package currently on exhibition. The Hills Shire Council shares a boundary with the Vineyard Precinct and appreciates the opportunity to comment on the precinct planning package including the draft SEPP (Sydney Region Growth Centres), draft DCP, Indicative Layout, Planning Report and associated Technical Studies. Following a review of the exhibited documents, the following comments are provided for the Department's consideration.

**Open Space Provision**

The planned provision of open space appears to be sufficient to satisfy the anticipated future population of the Vineyard Precinct and satisfies the Department of Planning and Environment's open space benchmark of 2.83ha per 1,000 people. While the planned area of active open space is slightly below the benchmark rate of 1.21ha per 1,000, it is considered that the proposal to provide four (4) new playing fields would be sufficient to service a population of 7,412 people.

**Indoor Recreation Facilities**

The Department of Planning and Environment's precinct planning for the Box Hill Precinct identified a need for an indoor recreation centre to service Box Hill and the surrounding area. However, this item was subsequently removed from Contributions Plan No. 15 – Box Hill Precinct as an outcome of the review of the plan by the Independent Pricing and Regulatory Tribunal ('IPART') and the Department of Planning and Environment.

The Elton Consulting Social Infrastructure Assessment for the Vineyard Precinct proposal indicates that there is a substantial growth in indoor sport and recreation and identifies a likely need or demand for indoor spaces for sport and recreation in the Vineyard Precinct. Currently, indoor recreation facilities cannot be provided under contributions plans as they are not considered, by the Department of Planning and Environment, to be "essential works".

Given the identified need within the Vineyard Precinct (as well as the need identified, but not met through the Contributions Plan, within the Box Hill Precinct), the Department should ensure that indoor recreation facilities to service the population of both areas can be delivered through the applicable planning framework. It may be appropriate for Hawkesbury and The Hills Shire Council's to mutually agree upon a specific location for a shared facility which will service the future population of not only the Vineyard Precinct, but also the Box Hill and Box Hill North Precinct. It would then be necessary for the Department to include such facilities as "essential works" which can be funded through Section 94 contributions plans.

Alternatively, if there is no intention to allow such facilities to be funded under the relevant contributions plans, this should be made clear in the upfront planning to ensure the community and stakeholders are aware that this identified recreational need will not be met within the Vineyard Precinct.

#### Infrastructure Delivery and Contributions Plan

Concern is raised that no draft Section 94 Contributions Plan for the Vineyard Precinct was exhibited with the draft precinct planning package. Accordingly, while the associated technical studies identify the local infrastructure required to support the development of the precinct, a draft contributions plan is a critical element of the planning framework required to ensure this required local infrastructure can actually be delivered.

The Hills Council's experience with respect to the funding and delivery of local infrastructure within the Box Hill Precinct is summarised below and is of particular relevance to the precinct planning for the Vineyard Precinct:

- Local infrastructure required to support the anticipated growth within the Box Hill Precinct was identified by the Department within the precinct planning package;
- In April 2013, the precinct was rezoned/released for urban development prior to the preparation of an associated Contributions Plan which secured funding and delivery of the necessary local infrastructure;
- Contributions Plan No. 15 – Box Hill Precinct was adopted by Council in July 2014 (more than 12 months following the rezoning of the Box Hill Precinct) and submitted to IPART for review. The contributions plan facilitates the delivery of the local infrastructure identified within the Precinct Planning Package finalised by the Department;
- IPART completed a review of Contributions Plan No. 15 – Box Hill Precinct in April 2016. Critically, IPART recommended the removal of a number of local infrastructure items which were identified within the Precinct Planning Package finalised by the Department and approved by the Minister – this included an indoor recreation facility, water management works and large areas of planned open space (zoned RE1 Public Recreation). IPART's recommendation directly contradict the outcomes of the precinct planning process by the Department and hinder Council's ability to achieve the development outcomes approved by the Minister;
- In April 2016, IPART provided the Department with its final assessment in order for the Department and Minister to consider the recommendations of the review and advise Council which amendments must be made to the Contributions Plan, in order for it to be approved by the Minister and eligible for 'contribution gap funding' (which would be necessary to fund the required local infrastructure); and
- As of February 2017, Council is yet to receive formal advice from the Department or Minister and as such, Council still does not have an approved Contributions Plan applicable to the Box Hill Precinct, nearly 4 years after its release.

As detailed above, nearly 4 years after the release of the Box Hill Precinct, Council still does not have an endorsed and approved Contributions Plan and neither Council nor the community have certainty that the required local infrastructure can be funded or delivered in accordance with the Department's precinct planning package for the Box Hill Precinct.

Similarly, until such time as a draft contributions plan for the Vineyard Precinct is prepared, publicly exhibited, reviewed by IPART (if necessary) and subsequently approved by the Minister, there can be no guarantee that the required local infrastructure can be adequately funded and delivered and no guarantee that the precinct planning outcomes currently on exhibition will be deliverable.

It is critical for this work to be completed upfront (as part of the precinct planning process) and in consultation with Hawkesbury Council, the Department and IPART, in order to ensure the development and local infrastructure outcomes outlined within the Precinct Planning Package can actually be delivered through the planning framework. Further, it is critical to ensure that the required local infrastructure can be delivered by

Hawkesbury Council, to avoid over-taxing existing and planned infrastructure facilities in adjoining areas of The Hills Shire, such as those planned within the Box Hill Precinct.

#### Traffic

Concern is raised about the proposed road network within the Vineyard Precinct as it relates to the Box Hill Precinct and in particular, Boundary Road. Specifically, it is noted that:

- A number of proposed intersections with Boundary Road (in particular, Commercial Road) do not line up with planned intersections along Boundary Road within the Box Hill Precinct. This will unnecessarily increase the number of intersections along Boundary Road. It is recommended that where possible, the planned road network for the Vineyard Precinct should be amended to ensure intersections along Boundary Road align with those already planned within Box Hill;
- Given the ability to do so at this strategic planning stage, it is requested that all intersections be designed to achieve 90 degree angles and remove acute turns. This will reduce complexity and complications during the design, approval and construction of these intersections. Roads within the Box Hill Precinct have been planned to ensure 90 degree intersections and it is requested that this same arrangement also be reflected within the Vineyard Precinct road network;
- As the Department is aware, Council has commenced the preparation of detailed designs for the upgrade of Boundary Road to a 4-lane sub-arterial road, consistent with the outcomes of the precinct planning for the Box Hill Precinct (including the Strategic Concept for the upgrade of Boundary Road commissioned by the Department and The Hills Council), the Box Hill Precinct Indicative Layout Plan and DCP and Contributions Plan No. 15 – Box Hill Precinct. Given the extent of strategic works and detailed investigations completed to date, as well as the role of Boundary Road in the context of Box Hill and Box Hill North, Council firmly opposes any proposal to downgrade or reclassify any portion of Boundary Road between Windsor Road and Menin Road. It is critical that Boundary Road be retained as a sub-arterial road, consistent with the suite of strategic planning work and investigations which have already been completed to date;
- While the identification of Boundary Road as a sub-arterial road does not necessarily prevent the planned upgrade of Menin Road, it is considered that the need for this additional connection has not been adequately justified (especially given Menin Road does not form part of the future M9 Corridor) and the ability for future development within the Vineyard Precinct to fund the full cost of this proposed upgrade (including substantial land acquisition) is questionable. Further consideration should be given to how limited contribution funds from development within the locality can be used most efficiently and it is considered that this would be achieved by through sharing the cost of the upgrade of Boundary Road between future development within the Vineyard, Box Hill and Box Hill North Precinct (which can be completed for a substantially lower cost than the Menin Road upgrade given the ability to accommodate a 4-lane sub-arterial road within the existing road reservation); and
- It is noted that all intersections along Windsor Road should be funded by RMS.

#### Drainage

Council supports the proposed SP2 zoning of creek corridors. However, certainty is needed with respect to funding and acquisition by Sydney Water.

#### Timing and Delivery

While the Box Hill Precinct was rezoned for urban development in April 2013, Sydney Water will not complete connections to southern areas of the Box Hill Precinct until 2018. It is important that Sydney Water continue to progress the servicing of the Box Hill Precinct and it is considered that any rezoning of more land for urban development within this locality should not occur until Sydney Water has completed servicing of the Box Hill Precinct.

The release of the Vineyard Precinct is not opposed, however the timing of release of the precinct should not impact on planned servicing and delivery of critical infrastructure

within the Box Hill Precinct by Government Agencies such as Sydney Water, Transport for NSW and Roads and Maritime Services.

Should you wish to discuss this matter further, or if you require any further clarification regarding the above, please contact Piers Hemphill, Strategic Planning Coordinator on 9843 0511 or by emailing him at [phemphill@thehills.nsw.gov.au](mailto:phemphill@thehills.nsw.gov.au).

Yours faithfully

A handwritten signature in cursive script, reading "Stewart Seale".

**Stewart Seale**  
**MANAGER FORWARD PLANNING**