



North West Priority Growth Area

SUBMISSION: DRAFT STATE
ENVIRONMENTAL PLANNING
POLICY (SYDNEY REGION
GROWTH CENTRES) 2006
3 JULY 2017



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INTRODUCTION AND BACKGROUND

This submission has been prepared by Think Planners on behalf of various land owners located in the North West Priority Growth Area.

The Submission comprises two parts –

Discussion – on the proposed planning controls; concerns with the introduction of the amendments; analysis of the mismatch in planning controls through the sector and review of the implications for the precincts urban design merit and the commercial viability of projects and parties.

Appendices – that make comment on our clients particular sites and provide tangible illustrations of the way in which the draft controls prejudice our clients landholdings and investments.

The existing landowners are very concerned about the extent of changes proposed as part of the mapping amendments and associated exhibited changes to the North West Growth Centre SEPP and the abrupt and sudden changes to the density controls.

There are persuasive planning reasons, as they relate to the above sites, to object to the proposed draft amendments to the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 and to recognise this in an updated version of this document.

These reasons are presented in the discussion below with a summary of suggested actions presented at the end of this discussion. Actions recommended include –

- The delaying of the commencement date of the revised SEPP controls or the redrafting of the Savings Provision to provide a more equitable opportunity for parties who have acquired land based on the existing controls, or who have owned land in anticipation of lodging an application based on the existing controls, are given fair and reasonable opportunity to prepare and lodge a Development Application; and
- Consider placing a moratorium on development in key areas where there are infrastructure constraints identified, until such time as solutions to infrastructure constraints are investigated, designed and costed. The North West Priority Growth Area is a housing opportunity for the Sydney basin that needs to be properly appreciated, as such planning and housing opportunities are limited in the basin. To waste the opportunity, and significantly reduce potential housing supply, based on inadequate infrastructure should be avoided, and improved infrastructure provision robustly investigated.

DISCUSSION ON ANTICIPATED CHANGES

The owners of the land identified in attachments to this submission have plans to develop their land based on the current planning controls.

These draft amendments seek to place undesirable restrictions on future development which will effectively sterilise development opportunities around key transport nodes which is in direct conflict with all NSW State Government policy including the Plan for Growing Sydney, draft amendments to the Plan for Growing Sydney and the draft West District Plan.

The proposed amendments to the SEPP will prevent delivery of an appropriate density of residential development around public transport infrastructure effectively sterilising this land for the coming 20-30 years. This will in turn place more pressure on land throughout NSW which does not have access to public transport and an existing town centre and is clearly a short-sited reactive response to funding gaps for infrastructure servicing.

Concern is expressed in relation to the manner in which the amendments have been introduced, without any apparent regard to the significant economic impacts of the amendments. This is particularly the case where land has been acquired on the basis of existing planning controls and prior to the lodgement of a Development Application that would be covered by the savings clause.

This report summarises key issues arising from our review of the draft amendments proposed to State Environmental Planning Policy (Sydney Region Growth Centres) 2006 – for North West Priority Growth Area as it relates to the land in the North West Priority Growth Area, including the need to promote a higher density of residential development in locations that are well serviced by public transport infrastructure due to the unique set of circumstances listed below:

1. Inconsistent planning controls.
2. Urban Design Analysis.
3. Commercial Equity for Developers.
4. Location and 30-minute City.
5. Environmental constraints.
6. Community benefit.
7. How did this happen? Is there a better solution?

Each of these topics is discussed in detail in turn.

INCONSISTENT PLANNING CONTROLS

The detailed background information provided with the proposed changes to the SEPP (Sydney Regional Growth Centres) 2006, identifies that the proposed changes have come about due to pressure on essential infrastructure including sewer, water and electricity. Detailed background studies to justify this position are provided in the Land Use Infrastructure Plan (LUIP) and supporting studies.

However, the proposed changes bring about significant concerns relating to the inconsistency between the existing floor space ratio controls published in the SEPP.

Example - 22 Advance Street SCHOFIELDS

On a site at 22 Advance Street Schofields, the cap will effectively place a dwelling restriction of approximately 3 dwellings as the land parcel is around 900m². Under the current controls with a 900m² site, the development could deliver a potential 15 dwellings. The difference in density is vast and a significant step change in planning policy with is inconsistent with the overarching strategic planning documents in place under the Plan for Growing Sydney (including draft changes) and the draft West District Plan. ✓

The proposed dwelling density cap is also at odds with the current zoning of the land which (in this example) is R3 Medium Density Residential. ✓

The current zoning permits residential flat buildings which is inconsistent with the new dwelling density cap and inconsistent with the objectives of this zone which include:

- *To provide for the housing needs of the community within a **medium density residential environment**.*
- *To provide a **variety of housing types** within a medium density residential environment.*

The proposed dwellings density cap changes the entire vision set out for this location, where small scale residential flat buildings (up to 3 storeys) were envisaged to becoming akin to a lower density residential zone facilitating the delivery of dual occupancy and town house style development.

There are also various inconsistencies that can be identified with the current Development Control Plan (Blacktown City Council Precincts) for this land and the established vision that has been set in place for many years.

Primarily, the DCP sets forward the objective of delivering a mix of housing types and appropriate locations for certain housing types and to establish the desired character of the residential areas and to promote housing diversity and affordability. The proposed dwelling cap is inconsistent with this vision in that it stifles development, will create a highly disjointed and disconnected community with the developments that are

already consented to being interspersed with land that effectively becomes sterilised by the draft proposed planning controls.

The draft controls also inhibit the ability to deliver housing diversity and affordability as discussed in further detail below.

Example – 51 Terry Road ROUSE HILL

On a site at 51 Terry Road Rouse Hill the draft amendments propose a dwelling cap of 25-35 dwgs/Ha and a FSR control of 1.75:1.

The FSR control indicates a yield on the property of over 600 dwellings. The draft SEPP controls indicates a yield of approximately 130 dwellings. A Development Application submitted for the site proposes 309 dwellings, due to the height of building controls limiting the ability to achieve the FSR.

The controls (existing and draft) for the site are uncoordinated, lack planning rationale and provide no clarity for the sites vision or assist in design development.

Centres within the North West Priority Growth Area are envisioned to become villages with a vibrant mix of new housing, affordable housing and housing choice, linked by a much-improved network of streets and attractive new parks and public spaces. This laudable vision will simply not be realised under the draft new planning controls and specifically the cap on dwelling density as demonstrated throughout this submission.

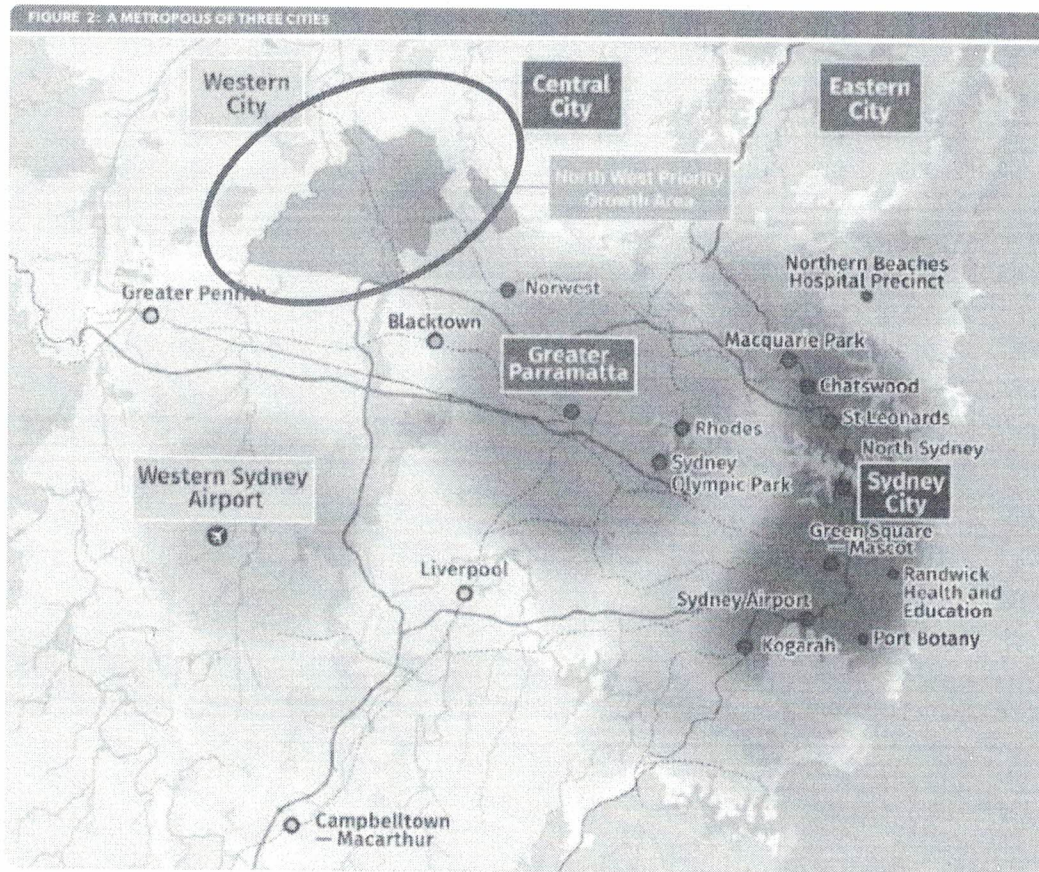
URBAN DESIGN ANALYSIS

The proposed amendments to the dwelling density cap brings to the fore a significant concern about the overall outcome for precincts and centres where some sites already benefit from development consent for much higher density development where the “left-over” lands will remain dormant with land that has become sterilised by the new controls. The Government’s vision of creating revitalised and vibrant communities will be lost with this form of impromptu and ad hoc planning.

The mismatch that will occur between the sites that already benefit from consent and the remaining land that can (under the draft amendments) only be developed for more dual occupancy or town house style development, will generate a disconnected community which will take many decades to recover.

The urban design outcome of the draft planning controls is that parts of the north west growth sector will have a character of dual occupancy, town houses and residential flat buildings co-located in an ad hoc mismatched manner. This represents a significant retrograde outcome for planning policy and urban design outcome, the like of which Think Planners has not seen before.

Figure 1: Extract showing Metropolis of Three Cities and the North West Priority Growth Area



The land within the centres of the North West Priority Growth Area are in ideal locations to deliver housing as they are highly accessible to public transport infrastructure and exiting local centres. Most of this land has exceptional access to public transport infrastructure which are serviced by key train lines being the T1 Western line, the T5 Cumberland line and the (future) Sydney North West Metro line trains.

These train lines link the subject land to several strategic centres throughout Sydney, including: Liverpool, Parramatta, Blacktown, Penrith and Richmond.

Over the past 5 years, additional funding has been allocated to enhance railway infrastructure and encourage higher density development where public transport infrastructure exists. The proposed cap on dwelling density, opposes investment in infrastructure and will effectively sterilise prime development land or even worse, the land will be developed at an inappropriate lower density meaning vast swathes of land that will not be ready for renewal for another 2 or 3 decades.

By maintaining the current planning controls this will enable the most appropriate development capacity to be delivered at Schofields thus reducing car dependency and traffic congestion. Retaining the current planning controls, facilitates development that can encourage sustainable forms of travel.

30 MINUTE CITY

The Greater Sydney Commission recently announced that future planning for Greater Sydney will be focused on developing three Cities, the Eastern City (Sydney CBD) Central City (Greater Parramatta) and the Western City (Western Sydney Airport). This approach is driven by the need to stimulate economic activity closer to where people live or where they can reasonably access within 30 minutes from home – a “30 minute city”.

The NSW Government’s new formula of district planning advocates strong support for the growth of Greater Parramatta as the new central CBD for Sydney. This directly relates to the land within the North West Priority Growth Area which is generally within a 30-minute train journey from Parramatta. Parramatta which was previously envisioned as Sydney’s Second CBD has been raised in profile to Sydney’s Central City. Parramatta will continue to be Sydney’s Central City and a focus for jobs growth and services delivery in Sydney’s west. A growing and prosperous Greater Parramatta will be supported by a network of centres providing jobs and services closer to home for many of the subregion’s residents.

The population of surrounding centres and key transport nodes should be optimised to support the growth of residents to support these business uses. This supports the need to retain the current planning controls and to delete or consider further studies to truly understand the impact of such a cap and its appropriateness.

ENVIRONMENTAL CONSTRAINTS

The land within the North West Priority Growth Area presents a once in a lifetime opportunity to redevelop land which has fantastic public transport infrastructure with minimal environmental constraints restricting redevelopment. Largely this land has already been identified by the NSW Government as being capable and ready for redevelopment for higher density residential development in the form of small scale residential flat development and some sites have already gained approval for this form of development. The land has largely been used for urban purposes therefore most of the land is void of any natural vegetation or the like.

The existing uses within the North West Priority Growth Area are dominated by single storey older style cottages which are on large parcels of land making it prime for redevelopment.

The majority of land within the North West Priority Growth Area has limited environmental constraints that would preclude the redevelopment and renewal of the area. There are several large sites that can be effectively amalgamated to deliver significant site area that will be enable great flexibility in the built form of high quality medium to high density development.

COMMUNITY BENEFITS

Under the current planning controls, there are development proposals that can offer the opportunity to increase the amount of housing, urban renewal and the creation of vibrant communities. Redevelopment facilitates liveability of our cities and the environmental sustainability agenda however, reducing the redevelopment opportunities down to the scale proposed under these draft controls goes in the direct opposite direction of the current planning policy agenda of the NSW Government.

The redevelopment of land within the North West Priority Growth Area also offers the opportunity to deliver on new affordable housing targets when these are development by Government. Reducing the dwelling density down to a scale where residential flat buildings cannot be delivered means the likelihood of more affordable housing typologies being delivered decreases dramatically. This represents another lost opportunity which again flies in the face of current NSW Government's planning policy platform.

HOW DID THIS HAPPEN? IS THERE A BETTER SOLUTION?

Think Planners is perplexed as to how the infrastructure calculations, projections and designs for the North West Growth Sector could have been so significantly miscalculated. To the point that a recent Land Use Infrastructure Plan has been necessary, which has resulting in recommendations for radical changes to the planning controls.

As discussed above, the North West Growth Sector is a one off opportunity to develop a vast area consistent with the principles of the 30 minutes city and contemporary planning principles and practices. Yet the Sectors potential to provide housing in the Sydney basin is to be radically reduced due to inadequate infrastructure. The engineering solutions for the provision of potable and waste water, electricity infrastructure, etc must be further evaluated and considered, before any knee jerk and radical reduction in planning controls is enforced. Think Planners would understand the need for a moratorium on development until infrastructure capacity solutions are identified.

ACTIONS

Recommended amendments:

- Remove the proposed dwelling density cap controls.
- Study the urban design outcomes in more detail of the proposed dwelling density caps and what this means in terms of consents that have already been granted and land that will effectively become sterilised for redevelopment because of the proposed controls. Evaluate the urban design outcomes of higher density projects immediately adjacent low-density developments.
- Facilitate and encourage the opportunity for increased density of development where studies can demonstrate the precinct or site exhibits the locational, environmental and urban design characteristics that are suitable for additional density.
- Re-visit government funding opportunities to provide the necessary water, sewer and electricity infrastructure needed. A temporary moratorium on development until infrastructure solutions are found would be a better outcome that would not see the wasted opportunity for housing and the development of urban villages in this significant corridor.
- Work with land holders to collaboratively generate the vision and planning controls for the land within the North West Priority Growth Area.
- Delaying the Commencement Date of the new provisions or the reworking of the Savings Provision that would give opportunity for people who have acquired sites, or who have land banked sites, to prepare a development application and have it lodged, within a certain timeframe. An appropriate timeframe would be lodgement of development applications in 2017 to be assessed and determined under the existing planning controls contained in the SEPP. This would introduce a commercially equitable transition arrangement to the introduction of the draft SEPP controls.

CONCLUSION

There are significant benefits to the local community that can be gained from the removing the proposed dwelling cap:

- Provision of high quality residential accommodation in high demand areas close to transport, shops and other amenities, and within the North West Growth Corridor, which represents a one in a generation opportunity.
- Creation of a vibrant and engaging active streetscape through the provision of improved public spaces and active street frontages.
- Encouraging sustainable development by incorporating the principles of transport orientated development.

We would be happy to meet with the Department of Planning and Environment to discuss these matters in future detail. Please do not hesitate to contact us at your earliest convenience.

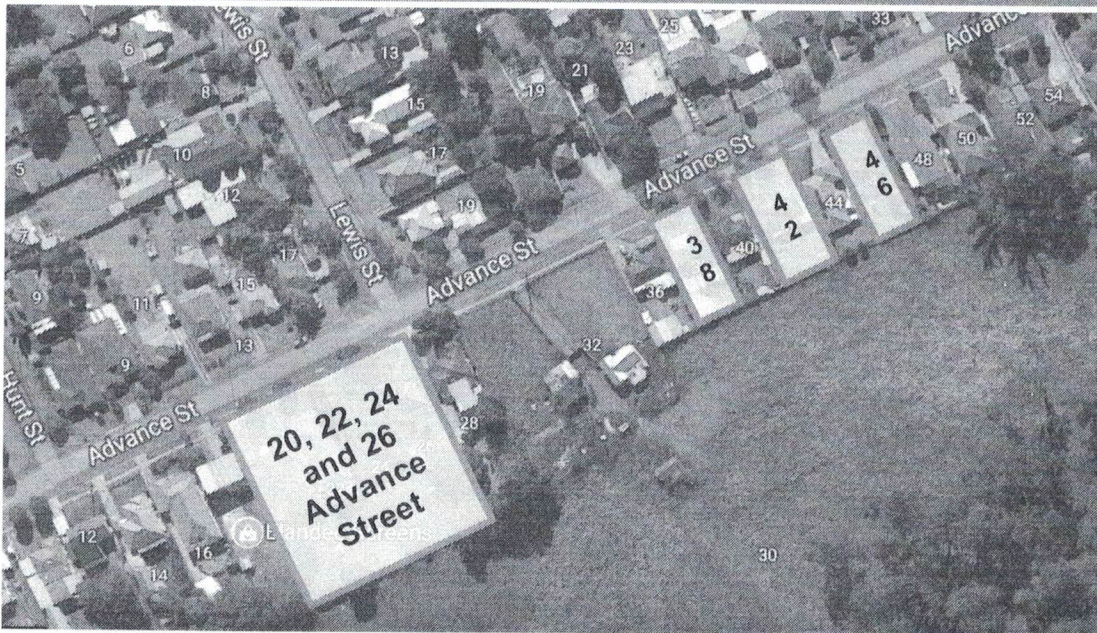
ATTACHMENT A – ADVANCE STREET SCHOFIELDS

Think Planners represents the following property owners in Advance Street Schofields:

- 20 Advance Street Schofields
- 22 Advance Street Schofields
- 24 Advance Street Schofields
- 26 Advance Street Schofields
- 38 Advance Street Schofields
- 42 Advance Street Schofields
- 46 Advance Street Schofields.

The subject land is identified in Figure 2 below.

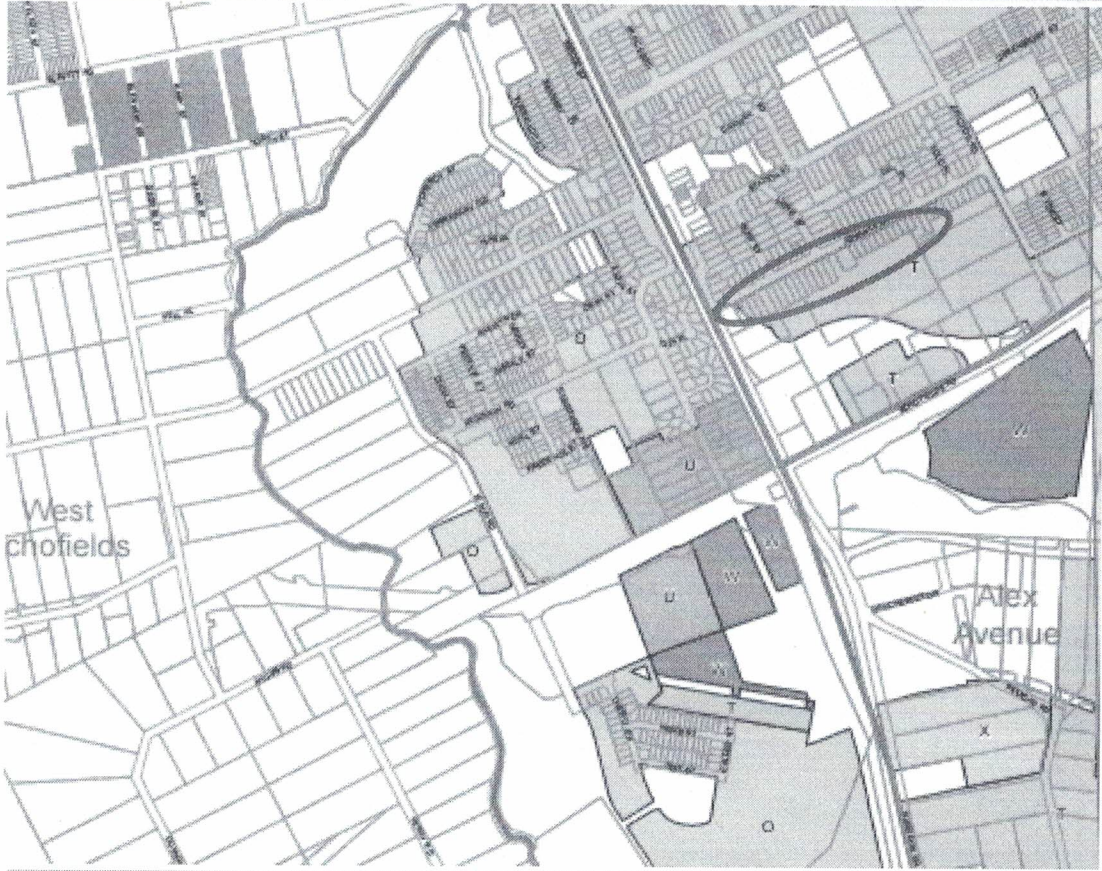
Figure 2: Landholdings in Advance Street Schofields (Googlemaps 2017)



CURRENT AND PROPOSED PLANNING CONTROLS

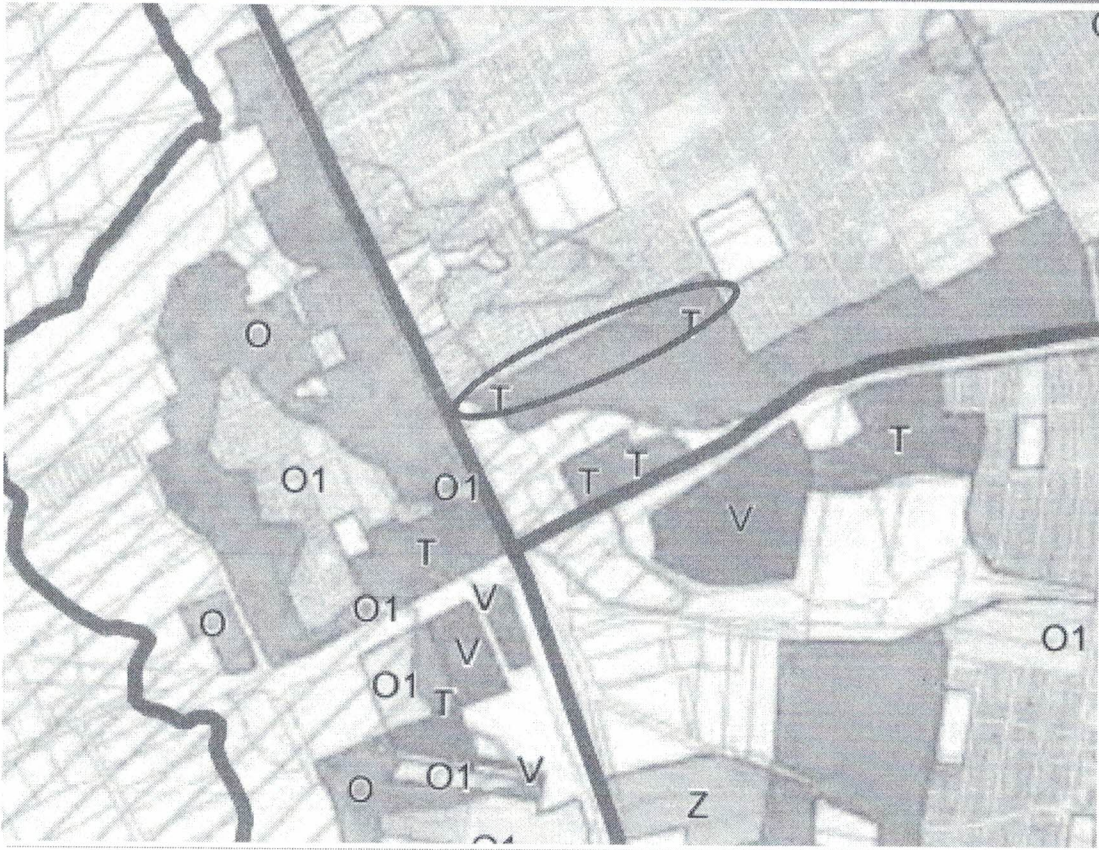
The subject land is currently located in an area where the **minimum** dwellings per hectare to be delivered is 25, as illustrated in the extract below.

Figure 3: Current Planning Controls in Advance Street Schofields



The proposed amendments to State Environmental Planning Policy (Sydney Region Growth Centres) 2006 seek to amend this current minimum density control to put in place a cap on dwelling density. The proposed control is shown in the extract of maps overleaf.

Figure 4: Proposed Planning Controls in Advance Street Schofields



The subject land is included in land shown as "T" where the dwelling density must be within the range of 25 – 35 proposed dwellings per hectare. Thus, there is a significant change in key planning policy which now places a cap of the number of dwellings to a **maximum of 35 dwellings per hectare.**

Figure 5: Existing FSR Controls in Advance Street Schofields



Further to the general discussion points above the following key issues relate specifically to this subject land:

- The proposed dwelling cap is inconsistent with the provision of the current zoning under the R3 zone which aims to deliver a variety of housing within a medium density environment. The dwelling cap is more akin to delivering a limited variety of housing which will likely be in the form of dual occupancy or townhouse development in a low-density environment.
- The proposed dwelling cap is misaligned with the maximum floor space ratio provisions which enable development for small scale residential flat development however the dwelling cap would not permit this form of development.
- The land is within 1km walking distance of Schofields train station which affords the residents exceptional access to public transport with 2 main train lines servicing Schofields resulting in a high frequency of trains.

ATTACHMENT B – 22 WORCESTER ROAD ROUSE HILL

Think Planners represents the following property owner:

- 22 Worcester Road Rouse Hill.

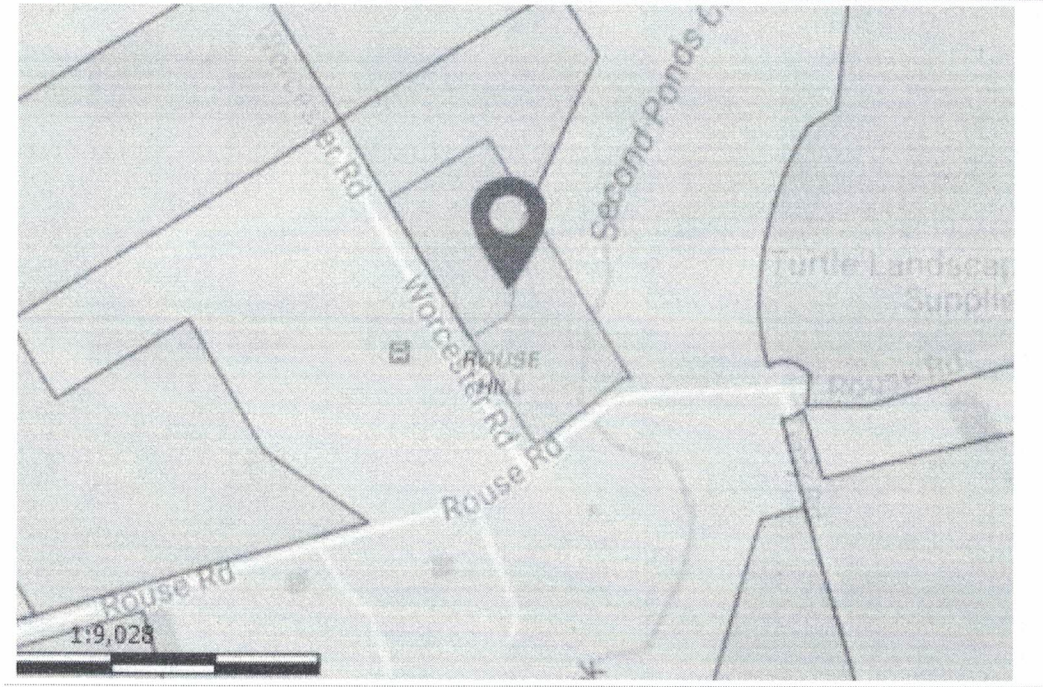
The subject land is identified in Figure 6 below.



CURRENT AND PROPOSED PLANNING CONTROLS

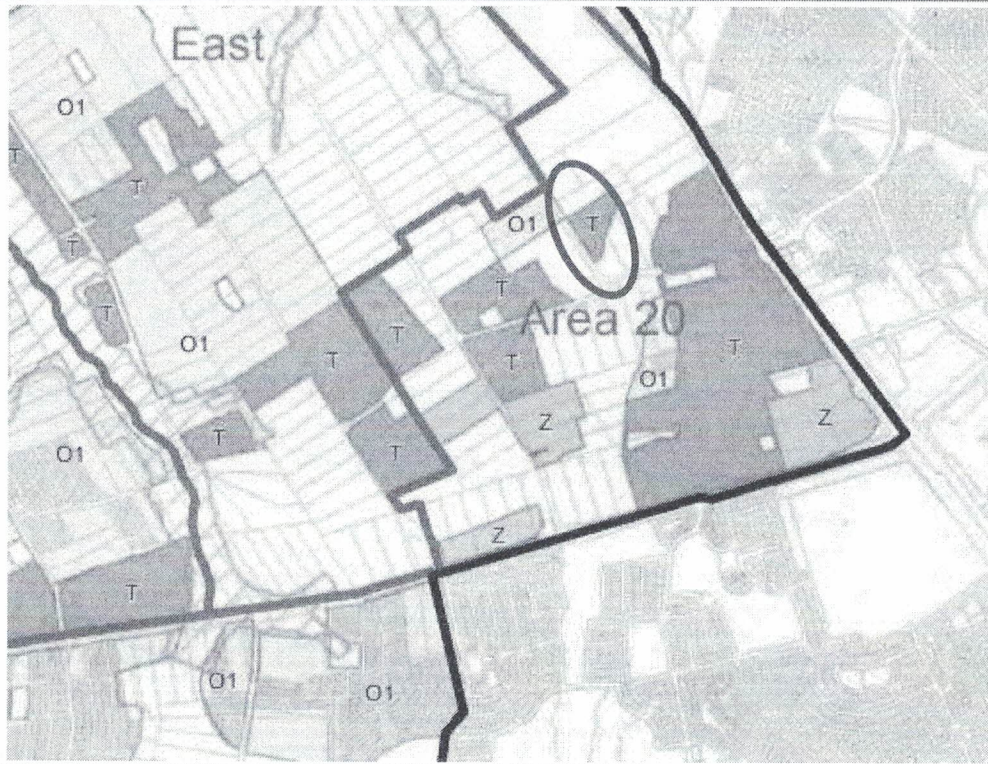
The subject land is currently located in an area where the **minimum** dwellings per hectare to be delivered is 25, as illustrated in the extract below.

Figure 7: Current Planning Controls in Worcester Road Rouse Hill



The proposed amendments to State Environmental Planning Policy (Sydney Region Growth Centres) 2006 seek to amend this current minimum density control to put in place a cap on dwelling density. The proposed control is shown in the extract of maps overleaf.

Figure 8: Proposed Planning Controls in Worcester Road Rouse Hill



The subject land is included in land shown as "T" where the dwelling density must be within the range of 25 – 35 proposed dwellings per hectare. Thus, there is a significant change in key planning policy which now places a cap of the number of dwellings to a **maximum of 35 dwellings per hectare.**

Figure 9: Existing FSR Controls in Worcester Road Rouse Hill



Further to the general discussion points above the following key issues relate specifically to this subject land:

- The proposed dwelling cap is inconsistent with the provision of the current zoning under the R3 zone which aims to deliver a variety of housing within a medium density environment. The dwelling cap is more akin to delivering a limited variety of housing which will likely be in the form of dual occupancy or townhouse development in a low-density environment.
- The proposed dwelling cap is misaligned with the maximum floor space ratio provisions which enable development for small scale residential flat development however the dwelling cap would not permit this form of development.
- The land is within 800m walking distance of Cudgegong Road (future) train station which affords the residents exceptional access to public transport. The land is also 1.2km from the Rouse Hill Town Centre and 600m from Rouse Hill Village Centre sewer line on the adjoining property.
- The land is held in family ownership for some 40 years and has been the subject of a Pre DA meeting with Council in 2014 and early design development of a proposal consistent with the existing SEPP controls. The lodgement of a DA was postponed as the 90 year old landowner and her son dealt with health