



**THE HILLS**  
Sydney's Garden Shire

**THE HILLS SHIRE COUNCIL**  
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21 August 2020

Mr Russell Hand  
NSW Planning, Industry & Environment  
4 Parramatta Square, 12 Darcy Street  
Parramatta NSW 2150

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Our Ref: FP215  
Your Ref: SSD 10344  
SSD 10343

Dear Mr Hand

## **RESPONSE TO SUBMISSIONS – BELLA VISTA AND KELLYVILLE STATE SIGNIFICANT DEVELOPMENT APPLICATIONS**

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Thank you for the opportunity to provide advice on Landcom's Response to Submission (RTS) documents for the above SSDAs. It is noted that Council made a detailed submission on the SSDAs in November 2019. In a number of instances, the RTS's do not adequately address the concerns raised in this submission. The comments provided below highlight areas of particular concern and reiterate Council's position on each of these matters.

Further, given the relatively short timeframe in which to provide comments and the technical detail involved in reviewing water management matters, an extension until 28 August 2020 is requested to provide comments on this matter.

### Approval Pathway for Development Applications

The comment raised within Council's submission that future built form applications should not be State Significant Development is maintained. Furthermore, clarification is requested on the role of Council's Design Review Panel as part of the assessment of future built form applications that follow a State significant Development pathway. Council's Design Review Panel comprises independent experts with extensive knowledge and understanding of the issues facing the Hills Shire.

### Delivery Mechanism

It is noted that Landcom has submitted an initial letter of offer to Council. No approval should be granted prior to a mechanism being established between Landcom and Council. In-principle support from Council should be via a resolution of Council.

### Bella Vista Community Facility

The identification of potential for a community facility at this location is supported, subject to Council's further consideration in association with Landcom's VPA offer. It would be beneficial for preliminary urban design analysis to be prepared to demonstrate the extent of GFA which might be accommodated on this land, including a general site context, indicative site plan, potential built form/treatment and indicative floor plates.

### Creek Crossings

The pedestrian bridge crossing from Decora Drive to Wenden Avenue and the vehicular bridge connection to Colonial Street are supported. However, an additional creek crossing is required over Elizabeth MacArthur Creek near Byles Place/ Celebration Drive Intersection. Redevelopment of this corridor relies on a connected open space corridor, and pedestrian crossings form an integral component of this network. Other bridges within the corridor are also required. However these could potentially be funded via alternative sources.

### Urban Plaza

The future Voluntary Planning Agreement with Council will need to address public access requirements or the transfer of land to Council for any open space or urban plazas. This would include approval processes and responsibilities for embellishment.

### Schools

The Social Infrastructure Assessment prepared by Elton Consulting notes that NSW Department of Education has identified 'some' capacity in existing high schools to 'help' accommodate the demand from the proposed development. Council's original submission commented that *'these statements do not provide sufficient comfort or certainty that the future population can be adequately serviced by existing high schools in the area'*.

The RTS document notes that the Department of Education has advised that a new high school is not required as 'existing' high schools within the vicinity of the precinct have capacity to absorb additional students and therefore one has not been provided in this concept SSDA. Furthermore the RTS document for Kellyville mentions that the additional demand for high school places can be accommodated within Glenwood High School, Rouse Hill High School, Crestwood High School and Kellyville High School.

It is noted that the Social Infrastructure Assessment projects that only 3% of the population within the corridor will be high school students. This projection is considered to be too low and underestimates the number of high school aged children within the Precinct. It is considered that when assessing growth within the corridor more broadly, a new secondary school will likely be required within the vicinity of the Precinct. It is recommended that the Department undertake further consultation with the Department of Education to confirm this position.

### Master Plan and Urban Design Guidelines

Some of Landcom's responses indicate that certain controls are not required in the Design Guidelines as the final built form will be subject to future detailed design and development applications. However, future built form applications will be assessed against the Design Guidelines approved as part of these SSDAs. Additionally, if future applications follow the State Significant Development pathway, Council's DCP would not apply.

It is therefore necessary to include an appropriate level of detail in the Design Guidelines equivalent to what would be expected within a Development Control Plan. In this regard, the Design Guidelines should include further detail on site coverage, minimum side and rear setbacks, solar access and apartment size and mix.

Inclusion of apartment size and mix requirements is considered important to ensure the housing provided is appropriate for Hills residents and that sufficient residential amenity is provided. It will also ensure a consistent approach across the Sydney Metro Northwest Corridor. Provision of at least 20% of the total number of dwellings as 3 bedroom dwellings is of particular importance to cater for the Shire's existing and future family demographic.

It is important that the Design Guidelines do not pre-empt the outcomes of the VPA negotiations with Landcom. The Design Guidelines refer to 'public' open spaces and plazas in locations which Council has not currently formally accepted ownership. Alternatively the Guidelines could refer to these locations as 'publicly accessible'.

Amendments should also be made to respond to Council's previous comments on building envelopes, laneways and street tree planting.

### Street Setbacks

The comments raised within Council's submission are maintained. Applying standard building setbacks for high density residential development of 2m (Bella Vista Precinct) and 3m (Kellyville Precinct) is not supported. In order to facilitate adequate landscaping and building separation within high density residential areas outside of a town centre core, buildings should be setback around 5m from the property boundary. As mentioned within Council's submission, consideration may be given to reduced setbacks where a terrace edge is provided.

### Mix of Housing Typologies

Council's submission identified '*whilst the proposed GFA ranges will go some way to securing the provision of medium density forms such as terraces, it is considered this could be further secured by specifying a minimum percentage of terrace style housing for certain sites*'. In response to this submission for the Bella Vista Precinct a 5% terrace requirement has been applied to sites A2.0, A2.1 and A2.2.

This would equate to around 40 dwellings based on the maximum dwelling projections. With respect to the Kellyville Precinct, no minimum terrace requirement has been identified. It is considered that given the corridor is being master planned, with most of the corridor being developable Government land, there is significant capacity for Landcom to require a mix of housing typologies and to specify a minimum provision of medium density/ terrace dwellings.

### Building Length

The RTS document for Kellyville identifies that the maximum building length will be 70m for residential flat buildings in the residential core. This is not supported. The comment raised in Council's submission that building lengths should be restricted to no more than 65m is maintained. Even buildings of this length are considered to be excessive.

### Car Parking

The approach being pursued for car parking is not supported. The comments raised within Council's submission are maintained.

### Subdivision

The mechanism for the embellishment of open spaces (timing, responsibility and treatment) will need to be clearly articulated within a future Voluntary Planning Agreement which is being prepared as a parallel process to the assessment of the SSDA.

### Water Management

As noted above, further time is requested to enable Council to adequately assess the additional information which has been submitted to ensure that it addresses the comments raised within the original submission on the SSDA. These comments will be submitted to the Department separately.

### Intersection

It is strongly recommended that the following intersection treatments be identified in the plans as they are likely to be required as the precinct develops:

- Single lane roundabout on new precinct road and Colonial Street Bridge;
- Single lane roundabout north of the proposed District Park; and
- Signalisation of Balmoral Road/ Marsden Avenue.

Road reservation widths should be sufficient to accommodate the above treatments.

Thank you for the opportunity to provide the above comments. If you have any questions in relation to this matter, please contact Yee Lian, Town Planner on 9843 0264.

Yours faithfully

A handwritten signature in black ink, appearing to read 'nyct', written in a cursive style.

**Nicholas Carlton**  
**MANAGER – FORWARD PLANNING**