

*North Kellyville City Council  
Draft SEPP (Sydney Region Growth  
Centres) 2006 (Amendment No 3)*

*Planning report*



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# 1. Summary

The Minister for Planning announced on 29<sup>th</sup> May 2008 that he would publicly exhibit a draft amendment to State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Amendment No 3), to rezone the North Kellyville Precinct to facilitate urban development.

The package of exhibited documents included the amendment to the Growth Centres SEPP to include rezoning provisions which will ultimately be transferred to The Hills Shire Council' comprehensive Local Environmental Plan; Development Control Plan to guide the assessment of subdivision and development applications; and Section 94 Contributions Plans prepared by The Hills Shire Council.

The suite of documents will:

- rezone and establish development standards for the North Kellyville Precinct;
- include controls to meet residential density targets and improve design quality outcomes;
- simplify the complying development process and broaden the range of residential development which will be able to use this process; and
- identify local infrastructure to support future residents.

Following public exhibition of the draft plan and associated planning documents, the Growth Centres Commission in close collaboration with The Hills Shire Council has undertaken an extensive review process to finalise the documents.

This report documents the public consultation process, summarises the issues raised both in submissions and during further discussion with state agencies and other stakeholders, and reports on how they have been addressed in the finalisation of the precinct plan.

Summary statistics	North Kellyville Precinct
Gross Area	706.2ha
Net Developable Area (NDA)	470.3ha
Residential Lots	5,185
Average Residential Density (Net)	11 dwellings per hectare
Population	15,563
Retail Gross Floor Area (GFA)	19,000m <sup>2</sup> (15,000 Local Centre + 2 x Neighbourhood Centres)
Employment Land	NA
Commercial (Office) Gross Floor Area (GFA)	Est 3,000m <sup>2</sup> (not prescribed)
Local Open Space (incl drainage)	51ha
Riparian Protection Areas	132ha
Jobs	729
Regional Infrastructure in accordance with the SIC Practice Note	Proposed upgrades to Commercial Road between Withers Road and Caddies Creek (instead of Mile End Road), land for 1 public primary schools and fare box subsidy for public transport services.

## 2. Exhibition Details

### 3.1 Exhibited Materials

- Draft State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Amendment No 3) (SEPP)
- Draft Development Control Plan (DCP) for the North Kellyville Precinct
- Draft Indicative Layout Plan (ILP) for the North Kellyville Precinct
- Draft Precinct Planning Report (ILP Summary Report)
- Background Reports
- Draft Section 94 Contributions Plan for the North Kellyville Precinct
- Draft Amended North West Structure Plan map
- Draft Amended North West Development Control Plan map

A Guide to the exhibition and three Fact Sheets were also available to explain the exhibition material.

### 3.2 Exhibition Period

The draft SEPP and associated exhibition documentation was publicly exhibited for four weeks from 30 May 2008 to 4 July 2008.

### 3.3 Exhibition Venues

- Growth Centres Commission, Level 5, 10 Valentine Avenue, Parramatta
- Department of Planning, 23 - 33 Bridge St, Sydney
- Hills Shire Council, 129 Showground Road, Castle Hill
- Castle Hill Library, Cnr Castle & Pennant Streets, Castle Hill
- Vinegar Hill Memorial Library, 29 Main Street, Rouse Hill Town Centre
- Growth Centres Commission web site
- Link to GCC website from The Hills Shire Council website

### 3.4 Public Notice

Advertisements were placed in the following newspapers:

Media	Appearance Dates	Placement
Sydney Morning Herald	30/05/2008	Early General News
	4/06/2008	Government Noticeboard
Daily Telegraph	30/05/2008	Early General News
	4/06/2008	Government Noticeboard
Hills News	3/06/2008	Early General News
Hills Shire Times	3/06/2008	Early General News
Northern News	3/06/2008	Early General News
Rouse Hill Times	4/06/2008	Early General News
National Indigenous Times	12/06/2008	Early General News
Koori Mail	4/06/2008	Early General News
Sydney Morning Herald	30/05/2008	Early General News

### *3.5 Notification of Landholders*

The Growth Centres Commission wrote to 282 landholders on 29 May 2008 advising of the public exhibition. This notification also included properties that directly adjoin the Precinct.

### *3.6 Notification of Key Stakeholders*

The Growth Centres Commission wrote to 88 other key stakeholders on 2 June 2008 advising of the public exhibition and enclosing a full copy of the exhibition documentation on CD. These stakeholders included the Local Councils, Sydney Water and other State Agencies, and environmental and development industry interest groups, as listed at Appendix B.

### *3.7 Landowner Briefing Sessions*

Regular meetings have been held with landowners within the Precinct throughout the development of the Precinct Plan. No meetings were held during the exhibition period, however individual site meetings were attended on request.

### 3. Submissions Summary

#### 3.8 Number of submissions

A total of 108 submissions were received. Submissions were accepted by mail and email. All submissions are listed and summarised at Appendix A: Summary of Submissions.

*Table 1: Group submissions received from:*

<b>Received From</b>	<b>No. of Submissions</b>
State Government Agencies	10
Local Government	1
Landowners	85
Utilities	3
Industry Groups	3
Environmental Groups	1
Landowner Groups	5
<b>TOTAL:</b>	<b>108</b>

#### 3.9 Late Submissions

While the formal closing date for submissions was the close of public exhibition on 04 July 2008, submissions received up to 27 August were able to be considered. No formal extensions were granted.

#### 3.10 Response to Submissions

All submissions have received a letter of acknowledgement. A further response will be sent to advise of the Minister's decision and to advise in general terms of how matters raised have been responded to.



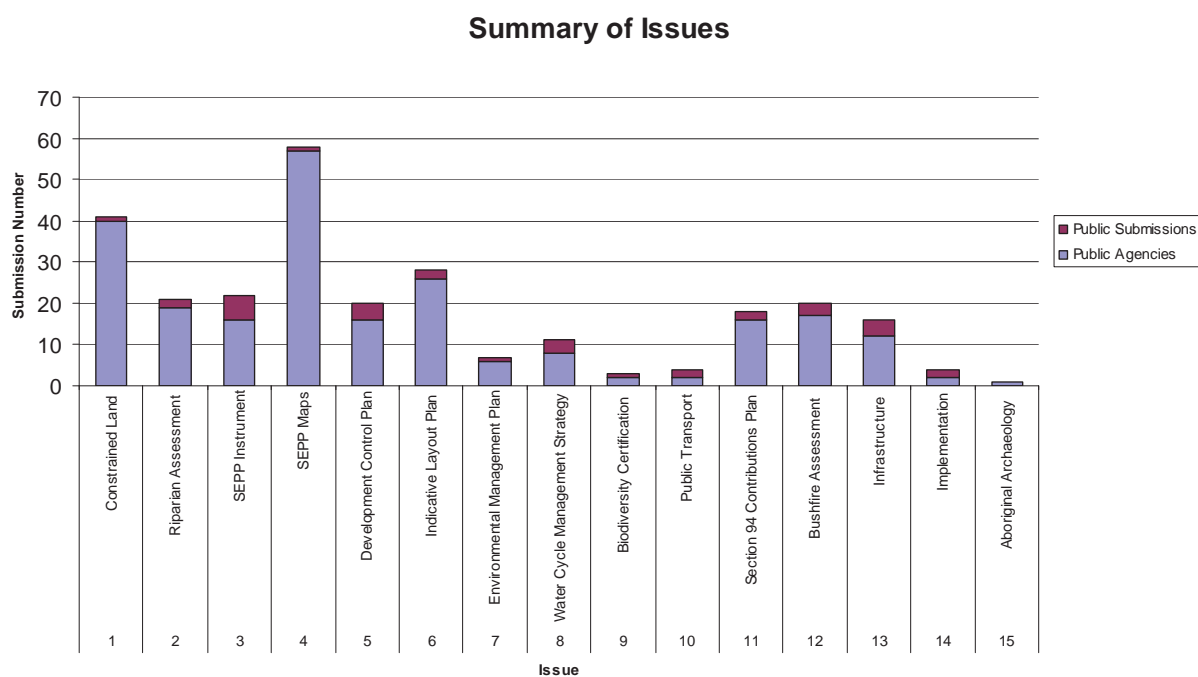
### 3.11 Summary of Submissions

Submissions from landowners and stakeholders on the Precinct Planning Package were generally positive as reflected in the UDIA's submission which commented on "the pragmatic approach taken by the Growth Centres Commission to delivering a balanced outcome for North Kellyville".

A majority of submissions received related to development on environmentally sensitive land where large lot subdivision is proposed. The keys issues in relation to environmentally sensitive land included the feasibility of 4,000sq.m lots, accuracy of steep land and vegetation mapping, support for the public acquisition of all riparian corridors and concern regarding the identification of bushfire risk.

Provided in Figure 1 is a summary of issues raised in submissions. A detailed response to key issues is addressed in detail below.

Figure 1: Summary of issues



## Consideration of Issues

This section identifies the issues raised in submissions, and also those raised in ongoing discussions with state agencies and key stakeholder groups. The GCC has formed a position in relation to these issues by balancing a range of competing views, in the context of state planning policies and guidelines, and informed where necessary by additional specialist advice.

### 3.12 Constrained Land

The exhibited Indicative Layout Plan has been amended to delete the constrained land layer. Constrained land was defined in the ILP Summary Report as land identified in both the Steep Land Map and Retained Native Vegetation Map. Submission authors raised concern regarding the relative complexity and accuracy of defining a constraint based on two separate mapping layers.

Clause 6.2 and 6.3 of the exhibited SEPP gave effect the mapping of constrained land. Based on proposed amendments to the SEPP as detailed in 3.1.5, the term “constrained land” is no longer referenced in the Indicative Layout Plan.

### 3.13 Riparian Assessment issues

In order to streamline development approval processes, it is the intention of Growth Centres Commission to achieve an exemption from the requirement to obtain a “Controlled Activity Approval” under the Water Management (General) Regulation (2000). To support this outcome, a riparian assessment report was commissioned by the GCC to inform the preparation of the Riparian Protection Map, consistent with the approach applied in the Oran Park Turner Road Precincts.

The Department of Water and Energy (DWE) has proposed the preparation of a Waterfront Land Strategy to be gazetted pursuant to the Water Management (General) Regulation (2004) which will form the basis of an exemption from the requirement to hold controlled activity approvals. It is intended that the Waterfront Land Strategy will apply to the Growth Centres and become effective in each precinct upon the completion of Precinct Planning.

It is intended that the gazettal of the Waterfront Land Strategy for North Kellyville will enable activities within or adjoining riparian corridors to be approved by Council without referral to the NSW Department of Water and Energy provided it meets the requirements of the Strategy. This approach achieves the global approval required by Growth Centres Commission and an appropriate level of control over activities in riparian corridors.

The DWE maintains that Category 1 and 2 watercourses are to be retained, protected and enhanced for the purposes of natural environmental protection irrespective of the land use zoning and the associated permissible uses. To support this view, the DWE have produced a stream classification map that applies to the North West Growth Centre to benchmark future detailed assessments undertaken during precinct planning. The classification map is based on the Riparian Corridor Objective Setting (RCOS) stream categorisation method which is detailed within the Growth Centres Development Code.

The exhibited Riparian Protection Area Map has been amended to reflect the requirements of RCOS stream classification method. Based on consultation with DWE, variations to the RCOS method have been agreed in areas to ensure that stream corridor widths do not pose a bushfire risk in areas where perimeter housing is planned. In such cases, adjoining road corridors will include a 10m Managed Ecological Zone to achieve the function of a vegetated buffer with the objective of achieving ecological protection, stormwater management and asset protection. Details relating to the location and assessment criteria applicable to Managed Ecological Zones are provided in the North Kellyville DCP and will be addressed in the Waterfront Land Strategy under preparation for North Kellyville.

In summary, the area of land subject to riparian corridor protection has increased from 69ha to 132ha to ensure consistency with the DWE RCOS method.

### 3.14 SEPP Instrument

The SEPP Amendment has been prepared in a format consistent with the Department of Planning's Standard Instrument for Local Environmental Plans ("LEP Template"). Although a SEPP is not legally required to be in this format, this will facilitate the eventual integration of the North Kellyville Precinct provisions into The Hills Shire Council's comprehensive Local Environmental Plan, which is currently being reviewed in light of the LEP Template.

Key issues relating to the SEPP are outlined below:

#### 3.1.1. Land Use

The Land Use Table has been updated to ensure that where possible group terms are used based on the land use matrix provided by the Department of Planning. In addition, Secondary Dwellings have been added to the permissible use list within the R2 Low Density Residential Zone with a minimum lot size provision of 550m<sup>2</sup> under Clause 4.1A.

#### 3.1.2. Environmentally sensitive areas excluded

As implemented in Oran Park and Turner Road Precincts, the North Kellyville DCP identifies that dwellings created on lots at least 450m<sup>2</sup> with a frontage of at least 15m are capable of accommodating complying residential development. An anticipated 50% of detached residential lots may ultimately be able to meet these requirements, which is expected to result in a significant reduction in development applications needing to be assessed by Council.

The exhibited draft SEPP did not exclude exempt or complying development on land identified as bushfire prone under Section 146 of the EP&A Act. Sections 79BA of the EP&A Act and Section 100B of the Rural Fires Act requires concurrence from the NSW Rural Fire Service for development on bushfire prone land. Accordingly, Clause 3.3 (Environmentally sensitive areas excluded) of the SEPP has been updated to reference bushfire prone land.

#### 3.1.3. Height of Buildings

The exhibited SEPP Amendment made provision under Clause 4.3(2A) for the consent authority to grant development consent for nominated residential uses that exceed the 9m building height control if located on a prominent street corner, adjacent to a commercial centre or was located on land exceeding 15% slope.

It is proposed to extend the operation of this clause to apply to land zoned R2 Low Density Residential and to also include schools and places of public in worship that are commonly provided within residential areas. Council is currently is pre development application consultant with a proponent who is proposing a school that cannot meet the exhibited building height controls. It is considered that the proposed amendment allows Council sufficient scope to undertake a merit assessment of the proposal.

#### 3.1.4. Vegetation Controls

To address Condition 10 of the Order granting biodiversity certification to the Growth Centres SEPP, the North Kellyville Precinct Plan requires appropriate vegetation controls for proposals to clear land shown as non-certified in the Order. To ensure that the current vegetation controls under Part 6 of the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 are carried over into The Hills Shire Council's Local Environmental Plan 2005, it is proposed to exclude the operation of this part to the North Kellyville Precinct. Instead, controls for the clearing of vegetation will be inserted within Appendix 2 of the SEPP with additional provisions to address the offset requirements of the Biodiversity Certification Order.

This process will ensure that the North Kellyville Precinct Plan provides sufficient guidance to The Hills Shire Council and land owners regarding the requirements of the Order.

### *3.1.5. Development on land in Zone E4 Environmental Living*

The exhibited SEPP included provisions that prohibited the clearing of vegetation and construction of driveways on land shown on the Steep Land Map and Retained Native Vegetation Map. The DECC considered this approach to be unnecessarily complex and recommended that the SEPP be simplified to clearly identify protected vegetation. Furthermore, public submissions contended that the total prohibition on clearing of protected vegetation and development on steep land exceeded the existing provisions of the SEPP and Biodiversity Certification Order.

To address these valid concerns, Clause 6.3 of the exhibited SEPP and Steep Land Map has been deleted. Matters associated with geotechnical stability and stabilisation works will instead be addressed by the North Kellyville DCP and relevant Australian standards for construction on steep land.

### *3.1.6. Community Title Subdivision*

The draft SEPP amendment included provisions (Clause 6.4) to permit community title subdivision of land in Zone E4 Environmental Living for no more than 7.5 dwellings per hectare and a minimum lot size of no less than 600m<sup>2</sup>. Clause 6.4 specifically excluded land identified within the Riparian Protection Area Map, Retained Native Vegetation Map or Steep Land Map.

The exhibited SEPP has been amended to allow the inclusion of riparian and protected vegetation within the area calculation for community title subdivision. The purpose of this amendment is to attribute development value to environmentally sensitive lands to promote site amalgamation and preparation of environmental management plans for their ongoing maintenance.

To support this development outcome, the North Kellyville DCP has been amended to include a section on community title subdivision with development objectives and controls considered necessary to promote good urban outcomes.

## **3.15 SEPP Maps**

### *3.1.7. Minimum Lot Size*

A key issue arising from exhibition related to the minimum lot size on land Zoned E4 Environmental Living which varies between 2,000 sq.m and 4,000 sq.m depending on location. Landowners generally accepted 2,000 sq.m lots, however concern was raised regarding the potential market and cost of selling 4,000 sq.m lots with equivalent properties selling for \$1.4 million in adjoining suburbs.

Due to environmental constraints, the GCC maintain that 4,000 sq.m lots are appropriate for North Kellyville. As detailed in 4.3.4 above, amendments to the community title subdivision provisions of the SEPP reward this form of development which has the potential generate appropriate development and environmental outcomes.

### *3.1.8. Height of Buildings Map*

The exhibited Height of Buildings Map identified that development within the R3 Medium Density Residential Zone and B2 Local Centre Zone not exceed 14m. To ensure consistency with The Hills Shire Council's future Template LEP, it is proposed to permit 16m development which throughout The Hills Shire has achieved high quality four storey development.

An additional amendment is proposed to permit 16m development within and adjacent to the southern neighbourhood centre. The draft DCP includes a master plan for this centre with opportunity for mixed use or apartment building development. This amendment will ensure consistency with the exhibited DCP.

### *3.1.9. Retained Native Vegetation Map*

The exhibited Retained Native Vegetation Map has been renamed and amended to address implementation of vegetation management controls associated with the Growth Centres

Biodiversity Certification Order (the Order). The exhibited plan mapped the extent of vegetation to be protected by the SEPP which generally correlated on land with a slope greater than 20%. The Retained Native Vegetation Map has been renamed "Native Vegetation Protection Map" and now includes the identification of existing native vegetation identified under the Growth Centres Biodiversity Certification Order (the Order).

### 3.16 Indicative Layout Plan

The exhibited indicative layout plan has been amended to address the outcome of more detailed investigation and response to issues raised in submissions. Key amendments include the deletion of the Constrained Land layer and amendment to the "Medium Density Residential" layer to ensure consistency with the Land Use Zoning SEPP Map.

Roads adjoining public open space have been adjusted in line with Council's requirement for developers to be responsible for the full width of road construction adjoining open space.

### 3.17 Water Cycle Management Strategy

The North Kellyville Water Cycle Management Strategy (WCMS) has been prepared to demonstrate compliance with DECC targets for water quality and quantity. The WCMS implements a treatment train approach with an emphasis on source control. The strategy makes provision for rainwater tanks on all residential dwellings to service domestic hot water uses.

Council has since raised concerns about potential contaminants entering the rainwater tanks, and the storage temperatures required to neutralise such contaminants. Ultimately, Council considered the storage temperatures to be excessively high and flagged the potential impacts of scalding residents.

The strategy has since been amended to permit harvested rainwater to service domestic washing machines. Discussion with the NSW Department of Health in regards to using harvested rainwater has identified that health issues arising from using rainwater to wash clothes as being minimal and low risk subject to compliance with their requirements as detailed within 'Rainwater Tanks' (NSW Health), and 'Guidance on Use of Rainwater Tanks' (enHealth Council).

The provision of rainwater tanks in North Kellyville represents a significant infrastructure cost saving of approximately \$10,000 per dwelling.

### 3.18 Biodiversity Certification

Part 7 of Schedule 7 of the TSC Act refers to "relevant biodiversity measures" non-compliance with which gives the Minister for Climate Change, Environment and Water the discretion to suspend or revoke the biodiversity certification of the Growth Centres SEPP.

In accordance with Condition 35 of the "relevant biodiversity measures", a consistency report titled "Report on Consistency of Proposed North Kellyville Precinct Plan with the Biodiversity Certification Order" (**the Consistency Report**) was exhibited with the SEPP.

In order to meet the "relevant biodiversity measures", at least 34 hectares of existing native vegetation as defined by the "relevant biodiversity measures" should be retained within in the North Kellyville Precinct. In addition, adequate protection must be provided for several threatened flora species recorded within and adjacent to the Heath Road remnant.

The DECC assessment of the Consistency Report concluded that the following additional actions were required prior to gazettal of the SEPP:-

- Submission of an expanded rationale recommending that the Minister for the Environmental and Climate Change uses condition three of the "relevant biodiversity measures" to delete the transitional lands development control overlay, amend the certified and non-certified boundary.

- Improved mapping to show the location of existing native vegetation to be protected or cleared. The location of these areas and the methodology used to classify the vegetation would need to be verified by DECC.

The GCC has made amendments to the SEPP and Compliance Report to address the DECC's requirements. In summary, 30ha of the required 34ha hectares of existing native vegetation will be protected within non-certified land. The shortfall of 4ha will be offset by 5.06 hectares of certified existing native vegetation within the North Kellyville Precinct.

Amendments arising from this review impact the exhibited Indicative Layout Plan and SEPP with some land previously identified as urban now requiring an Environmental Living Zone and protection of vegetation.

### *3.19 Bushfire Risk*

It is the intention of the GCC to pursue an amendment to the Rural Fires Act to permit Precinct level approval under the EP&A Act and Rural Fires Act. As an interim measure, the NSW Rural Fire service has suggested that the Baulkham Hills Bushfire Prone Land Map be amended to only reflect protected vegetation identified in the North Kellyville Native Vegetation Protection Area Map.

This approach would ultimately remove referral requirements for a majority of land capable of conventional subdivision within North Kellyville and will be pursued following gazettal of the SEPP Amendment.

### *3.20 Growth Centre and Precinct boundaries*

The Precinct and Growth Centres boundaries remain as exhibited. The precinct planning process resulted in the minor adjustment to the North Kellyville Precinct / Growth Centre boundary. The amendment has arisen from detailed ground-truthing of streams and alignment with the existing Baulkham Hills Local Environmental Plan 2005 to avoid the creation of un-zoned land. The proposed boundary adjustment has no impact on the development yield within the North Kellyville Precinct or adjoining areas.

### *3.21 Structure Plan*

Base on detailed precinct planning, the Transitional Lands mapping layer has been deleted from the North West Growth Centre Structure Plan Map. This layer will be replaced by the Native Vegetation Protection Area Map which identifies protected vegetation based on more detailed ground-truthing.

The amendment to the North West Structure Plan Map to remove the Transitional Lands layer in North Kellyville inadvertently also deleted Transitional Lands in the Marsden Park Precinct. This map has been amended to reinstate this layer.

### *3.22 Development Control Plan Issues*

An extensive and detailed review of the draft Development Control Plans has been undertaken since the exhibition period ended. All submissions relating to the DCP have been reviewed by the GCC in close consultation with The Hills Shire Council and relevant stakeholders.

### 3.1.10. Residential Subdivision Controls

#### (i) Riparian perimeter roads

To support agreed outcomes with the Department of Water and Environment, the road section plan for public roads adjoining nominated riparian corridors has been amended to include a 10m buffer area known as a managed ecological zone (MEZ). The purpose of an MEZ is to facilitate ecological protection, stormwater management and asset protection adjoining riparian corridors that have not been allocated a vegetated buffer required under the DWE Riparian Corridor Objective Setting (RCOS) method.

This approach benefits landowner and developers by permitting the bushfire asset protection zone within the MEZ which is to be managed as open woodland. This approach differs from DWE's current position of prohibiting asset protection zones within outer protection zones of riparian corridors.

Whilst the DCP has been amended to give effect this process, the Waterfront Land Strategy for North Kellyville will address the detailed requirements needed to achieve an exemption from the requirement to obtain a "Controlled Activity Approval" under the Water Management (General) Regulation (2000)

#### (ii) Street Design

To support the orderly development of North Kellyville, temporary road and partial width construction controls have been included in the DCP. Due to the topography, design and drainage requirements, half road width construction may not always be feasible in North Kellyville. Accordingly, to support the merit assessment of development applications, appropriate development controls have been included in the DCP.

#### (iii) Community title subdivision

To support the objectives of the Growth Centres SEPP (Amendment No.3), controls to support Community title subdivision have been included in the DCP. The controls seek to encourage the sustainable development of community lots on land zoned E4 Environmental Living. The amended DCP stipulates the minimum no of lots required and obligations with respect to managing land as shown on the Native Vegetation Management Plan and Riparian Protection Area Map. Illustrative examples have been included to support the development controls which seek to achieve street oriented and accessible subdivision designs.

#### (iv) Stormwater Management

To address the requirements of the DECC, the DCP has been amended to provide integrated stormwater management controls that implement the recommendations of the North Kellyville Water Cycle Management Strategy (WCMS). The North Kellyville WCMS has been prepared to comply with the *Environmental Stormwater Objectives in the Western Sydney Growth Centres – Stormwater Guidance for Precinct Planning (2006, Managing Urban Stormwater: Stormwater Planning (DECC) and Australian Runoff Quality (Engineers Australia)*.

### 3.1.11. Complying Development

#### (i) Floor to ceiling heights

Controls for detached dwellings as complying development previously developed for Oran Park and Turner Road Precincts are included in the North Kellyville DCP with amendments to suit local residential design controls. A key difference between the North Kellyville and Oran Park Turner Road complying development provisions is the omission of a floor to ceiling height controls. Instead, the DCP will rely on the Building Code of Australia to prescribe ceiling height controls. The purpose of this amendment is to address concerns from the development industry with respect to BCA requirements and development costs and is consistent with the Department of Planning's Housing Code (under review).

#### (ii) Stormwater management controls

The DCP requires residential dwellings to include rainwater tanks and rain gardens to address the stormwater attenuation targets of the DCP. To ensure that complying dwellings meet the

required stormwater attenuation targets, the Section 88B instrument for the parent subdivision will identify the required stormwater management measures to be met.

### 3.23 Section 94 Contributions Plan Issues

The Hills Shire Council exhibited their North Kellyville Precinct S94 Contributions Plan No.13 concurrently with the North Kellyville Precinct Plan.

At the time of exhibition, the Section 94 Plans provided the following contribution rates by type of dwelling:

<b>DEVELOPMENT TYPE</b>	<b>\$: RATE PER DWELLING</b>
Subdivision, Dwelling Houses and Dual Occupancies	50,702.04
Integrated Housing,	40,263.38
<b>Multi Unit Development</b>	
4 Bedroom	45,841.59
3 Bedroom	36,487.39
2 Bedroom	23,653.39
1 Bedroom	13,513.04

The above rates are primarily influenced by land values which are significantly higher in the Hills Shire Local Government Area than the South West Growth Centre. Land acquisition represents 51.2% of the total plan and is based on the assessment of values obtained from a qualified valuer. The assessment of values has regard to any recent sales activity, general market conditions and draft planning controls associated with the North Kellyville Precinct Plan.

The Contributions Plan identifies facilities and services required for the expected development and resulting population in North Kellyville. The costs of facilities contained within the Contributions Plan were independently prepared and subject to review following exhibition. Revised costs for road construction are 94% greater than the exhibited costs. Prior to adoption of the Contributions Plan, Council will seek independent review of the cost methodology.

Since exhibition, the GCC and The Hills Shire Council have amended the plan to include commercial / retail and senior living development. Further amendments are also proposed to address the form and structure of the plan, nexus, apportionment and indexation considerations.

The North Kellyville Precinct Plan provides for a total of 19,000sq.m of commercial floorspace contained within one Local Centre (15,000sq.m) and two small neighbourhood centres (4,000sq.m). The requirement to seek contributions from commercial/ retail development is considered appropriate on the basis that demand for traffic and water management facilities will be generated from the three planned commercial centres.

As the Growth Centres Special Infrastructure Levy does not require payment of contributions from commercial / retail development, contribution towards local facilities is considered appropriate and will be considered in future release precincts by the GCC.

The amended contribution rates as prepared since exhibition are:

<b>RESIDENTIAL DEVELOPMENT TYPE</b>	<b>\$: RATE PER DWELLING</b>
Subdivision, Dwelling Houses and Dual Occupancies	\$48,711.20
Integrated Housing,	\$38,682.28
Senior Housing	\$18,624.80
<b>Multi Housing Dwellings</b>	
4 Bedroom	\$44,041.44



3 Bedroom	\$35,054.57
2 Bedroom	\$23,883.09
1 Bedroom	\$13,644.27

COMMERCIAL DEVELOPMENT TYPE	\$: RATE PER M <sup>2</sup> OF GLA
Supermarket and Grocery Store	\$961.10
Specialty Retailing	\$1403.49
Non Retail Commercial	\$1373.00

The amended Contributions Plan provides a contribution rate per dwelling of less than \$50,000 which is considered reasonable in to context of the land market in the North West Growth Centre.

The GCC has recently written to the Director General of the Department of Planning in respect to transitional arrangements for implementation of the new contributions system for the state. The GCC has sought that Contributions Plans currently operation or under preparation (Ie North Kellyville) are to be saved under the current plan making process under the existing EP&A Act.

The Ministerial Direction with respect to the preparation of Contributions Plans within the Growth Centres (January 2008) is also sought to be saved for North Kellyville as Council is likely to adopt the Contributions Plan before the new legislative framework coming into force. As Council has committed to an annual review and re-exhibition of the North Kellyville Contributions Plan, Council will revise the plan to conform to the new framework mid 2010.

### 3.24 Bus Services

Many submissions identified the need for buses to service new residents to maximise opportunities to reduce car dependency. The Hills Shire Council submits that an implementation program is required to promote changes in travel behaviour as the precinct develops.

The Growth Centres Special Infrastructure Contribution includes the provision of funds to subsidise fare box revenue for the first 5 years of operation on each route. The GCC is working closely with the Ministry of Transport with the view to ensuring adequate budget allocations for a viable service commensurate with the progressive development of the North Kellyville Precinct.

### 3.25 Agency infrastructure requirements

#### *Regional Roads*

The Road and Traffic Authority have identified that longer term traffic growth as a result of the North Kellyville Precinct will place additional traffic pressure on key roads such as Samantha Riley Drive, Commercial Road and Withers Road which serve as key link roads between North Kellyville Precinct and Windsor Road. The RTA has requested that the North Kellyville Contributions Plan include provision for the upgrading of the following local / State Road intersections:

- Old Northern Road / Glenhaven Road (\$4 million)
- Showground Road / Green Road (\$0.6 million)
- Windsor Road / Samantha Riley Drive (\$0.4 million)

The RTA and Council have agreed for some time on the necessity to upgrade the above intersections to safely accommodate growth in traffic generated by the North Kellyville Precinct and now form part of the amended Contributions Plan.

### *Local Roads*

The RTA has expressed concern over the proposed signalisation of four key intersections within the North Kellyville Precinct on the grounds that insufficient information exists to warrant signalisation.

Additional modelling has been requested to demonstrate and explain how each intersection would meet the appropriate traffic signal warrants. The RTA maintain that funding for treatment of these intersection should not be resolved until the RTA has reviewed this modelling to determine their design requirements.

The layout and design of the Local Centre and bypass road assumes traffic signal treatment with funding to be collected through S94 Contributions. Notwithstanding the RTA's concerns, the proposed signalised intersections would operate at an acceptable level of service with a roundabout treatment and may be resolved at the development stage.

Roundabout treatment of the disputed intersections is not favoured as this would limit pedestrian mobility and be inconsistent with the State Government's objective of providing walkable neighbourhoods.

### *Water services*

Sydney Water will deliver water, waste water and recycled water services progressively to North Kellyville from late 2009. Sydney Water have previously exhibited an Environmental Assessment during February 2008 – April 2008 with project approval from the Department of Planning imminent.

### *Integral Energy*

Integral Energy is proposing to construct the new Mungerie Park Zone Substation (ZS) located on Commercial Road, and commission it in late 2009. When commissioned, this will eliminate the Load Risk for the Kellyville ZS and allow it to supply the North Kellyville Precinct. Mungerie Park ZS is currently at the detailed design stage and Integral Energy does not foresee any delays to this delivery date.

As part of Integral Energy's long term strategy, the Kellyville ZS will be augmented to a 132kV. The timing for augmentation of the Kellyville ZS is not certain at this stage and is dependant on growth in demand in both the North Kellyville Precinct and those areas services by the Mungerie Park SZ. Based on current forecasts, Integral Energy envisages that the augmented Kellyville SZ may be required by 2013. As this stage, Integral Energy are comfortable that they will be able to augment their network to service the anticipated staging of development as indicated by the GCC and Sydney Water.

### *Schools*

The GCC and The Hills Shire Council have worked closely throughout the planning process with NSW Department of Education and Training to identify an appropriate site for one primary schools which satisfies the Department's requirements in terms of site size, location, street frontage and viable catchment area.

The NSW Department of Education has notified the GCC that site acquisition and construction of the primary school identified in the North Kellyville Precinct Plan has been included in the Department of Education and Trainings draft ten year TAM Plan submitted to Treasury. Under this plan, site acquisition and construction is scheduled early in the development of North Kellyville.

### *Emergency Services*

No emergency services are proposed within the North Kellyville Precinct. NSW Rural Fire Service has requested that the 94 funds provide for additional fire fighting resources. Section 94

Contributions cannot be applied to recurrent expenditure and therefore will not form part of the plan.

### 3.26 Planning Process issues

#### *(i) Relationships with key stakeholders*

Regular and comprehensive stakeholder engagement has been a feature of the planning process for the North Kellyville Precinct.

The Hills Shire Council has been actively and positively involved throughout the precinct planning process, and contributed to the day to day project management of the precinct planning process in close consultation with the GCC. Council remains committed to an ongoing relationship with GCC as the precinct proceeds, including infrastructure delivery. Council's key issues of concern remain with respect to public transport and the objection from the Roads and Traffic Authority to the provision of traffic signals within the precinct.

North Kellyville comprises 282 separate land holdings with an existing population of 765 persons. The landowners have been actively involved in the precinct planning process through two consultation sessions held with local residents during February and August 2007 with excellent attendance recorded. Additional meetings have also been conducted with the three rezoning associations active within the precinct. These groups publish newsletters for their members and have provided a valuable mechanism for public engagement. Landowners have generally been supportive of the consultation process, and the method and level of consultation.

Government agencies have been extensively involved in briefings and issue resolution. Without exception, there has been a high degree of cooperation, underpinned by a recognition of the broader strategic framework established by the structure plan and the SIC. A clear and consistent approach by GCC since the project inception has seen agencies displaying a greater recognition of the need to balance single issue perspectives. Ongoing co-operation will be necessary to secure on-time infrastructure delivery and to secure precinct-wide approvals.

Industry organisations have generally been positive in their commentary. Development industry commentary has been led by the UDIA. UDIA has supported the process, particularly in terms of the pragmatic approach taken by the GCC to deliver a balanced planning outcome. The Urban Taskforce was more critical of infrastructure levies and their impact on development feasibility.

#### *(ii) Precinct level approvals*

The development industry is supportive of the GCC's continuing efforts to achieve precinct level state agency signoffs, as this will provide greater certainty for agencies, landowners and developers.

#### *(iii) Regulation under the Water Management Act*

The GCC is seeking a Regulation under the Water Management Act that would exempt the need for Controlled Activity Approvals in relation to works within 40m of watercourses in the Precinct (an alternative to the RFI Order under the previous legislative framework). The Department of Water and Environment has provided extensive advice regarding their requirements and work is well advanced to develop Watercourse and Riparian Corridor Strategies that will form the basis for the request for the Regulations.

#### *(iv) Rural Fires Act*

Significant areas of remnant vegetation exist within the North Kellyville Precinct and together with the proposed revegetation of the riparian corridors will create a potential bushfire risk. Areas of low, medium and high bushfire risk have been mapped across the Precinct to assist land use planning decision making.

The GCC is in discussion with the Rural Fire Service to develop a mechanism for a strategic whole of precinct level approval which will negate the need for a s100B authority under the Rural Fires Act 1997. The authorities are required for subdivision of bush fire prone land for residential purposes, or development of bush fire prone land for a special fire protection purpose (such as school, hospital, child care centre).

*(v) Aboriginal Heritage*

Based on experience in the South West Growth Centre, the feasibility of achieving a Precinct wide Section 90 Consent to Destroy permit is limited due to the fragmented ownership and requirement to achieve landowner consent.

The Growth Centres Commission has prepared an Aboriginal Cultural Heritage Assessment Report in consultation with the Aboriginal Community. The findings of this report are reflected within the North Kellyville Development Control Plan which will require the preparation of Aboriginal Archaeological Management Plans for nominated sites.

*(vi) Threatened Species Conservation Act*

An order to confer Biodiversity Certification on the Growth Centres SEPP was made on 11 December 2007 on the basis of the exhibited Draft Conservation Plan. Biodiversity Certification effectively 'turns off' the Threatened Species Conservation Act thereby removing the need to undertake Species Impact Statements and offset losses of biodiversity values on a site by site basis. These measures will become effective for the North Kellyville Precinct on gazettal of the SEPP Amendment.

As required by the Order, a consistency report was exhibited concurrently with the Precinct Plan. Based on DECC comments, amendments to the SEPP are proposed as detailed in Section 3.18 of this report. An updated copy of the compliance report will be made publicly available pursuant to Condition 4 of the Order.

### *3.27 Planning policy matters resolved following exhibition*

The draft planning documents were exhibited acknowledging that a number of planning issues required further assessment. For those issues requiring resolution prior to rezoning, such as riparian corridor planning and biodiversity certification, further work has been undertaken and sufficient resolution has been reached to enable the rezoning to proceed.

For those issues which are usually resolved prior to development taking place, such as contamination and odour, appropriate controls have been included in the DCP, providing certainty for land owners, developers and the community.

## 4. Consistency with State Policies

### 4.1. Growth Centres Structure Plan

The proposed plans are generally consistent with the North West Growth Centres Structure Plan. With the exception of transitional lands, no further changes are proposed to the exhibited Structure Plan, which included the following amendments:

- Precinct and Growth Centres boundary changes, as discussed at Section 3.20
- Amendment to the hierarchy of the central neighbourhood centre to local centre
- Adjustment of the Local Centre location
- Updated mapping of the flood liable land
- Identification of northern bridge connection to Annangrove Road via Edwards Road

The proposed layout of the North Kellyville Precinct provides for walkable neighbourhoods focussed around local parks and community facilities, ensuring a high level of access and amenity to all future residents of the precinct.

The original residential yield 'guiding element' for the North Kellyville Precinct under the Structure Plan Explanatory Notes was 4,500 dwellings and 12,600 persons. Detailed precinct planning identified the opportunity to slightly exceed this target with 5,185 dwellings and 15,563 persons proposed. An average density potential of 11 dwellings per hectare has been achieved. Whilst relatively low, the high proportion (14%) of large lot subdivision lowers the overall density by 2.06ha.

Dwelling density and diversity varies slightly from the explanatory notes based on detailed demographic and development analysis of five similar release areas within the The Hills Shire LGA as detailed below:

Dwelling Type	NW Growth Centre Structure Plan – Explanatory Note	North Kellyville S94 Contributions Plan
Apartments	8%	2.8%
Town Houses	15%	4.7%
Semi detached and detached <450m2	24%	13.7%
Detached medium < or around 450m2	25%	NA*
Detached large < 600	22%	61.4%
Detached 1000 - 2000	6%	14.4%

The assumed dwelling diversity rates in North Kellyville are considered appropriate based on the Precinct's environmentally sensitive areas, connectivity to existing suburbs and bus only public transport. North Kellyville is also in close proximity to the Rouse Hill Town Centre which provides a mix of apartment and smaller detached / attached housing appropriately located next to employment and services with regional public transport services.

### 4.2. Growth Centres Development Code

The precinct planning process undertaken for North Kellyville, and the resultant SEPP amendment and DCP are generally consistent with the guidance provided in the Growth Centres Development Code. The Code explicitly provides for its ongoing review to reflect the practical lessons learned from detailed precinct planning process, and minor departures from the detailed provisions in the Code in the following areas will form part of that review:

#### *Road Cross-Sections*

Detailed road cross sections have been developed for the entire road hierarchy from sub-arterial through to local streets and laneways. These cross sections are incorporated into the DCP. While based on the Development Code, they do differ in a number of respects. These

differences largely relate to the sub-arterial and collector road network and are considered appropriate.

Street Type	Typical Requirements	Development Code Requirements	North Kellyville DCP
<b>Sub Arterial</b>	Street Reserve: travel lanes each way Lane width Median width On street cycle Outer separator	35m 2 3.5m 7.2m 1.8m 5m	23m 2 3.5m 1.5m NA 5m (includes shared path)
<b>Collector Streets</b>	Street Reserve: travel lanes each way Lane width if located on bus route	18 1 3.5m	20 1 3.5 NA
<b>Local Streets</b>	Lane width	3m	3m
<b>Minor Streets</b>	Lane width to be determined at DCP stage	NA	3m
<b>Town Centre Streets</b>	Street Reserve Carriageway width Travel-way: Lane width if on bus route Parking On street cycle	24.9m 14.4 3.5m 2.5m 1.7m	25m 15.4m 3.5m 2.5m 1.7m

In most cases, the proposed road sections are larger than those in the Development Code. A strong emphasis on landscaping and integration of street trees, cycle paths and pedestrian paths will ensure that the objectives of the Code are achieved. In particular, the road cross sections achieve a balance between quality urban design outcomes and efficient use of land. The sections have also been prepared in light of detailed traffic modelling and urban design for the precinct.

A detailed summary of the requirements of the Growth Centres Development Code and the proposed precinct plan's response to this is at Appendix C.

#### 4.3. Other relevant SEPPs and REPs

Relevant Plan	Consistency
Draft SEPP 66 – Integrating Land Use and Transport	The proposed SEPP is consistent with these SEPPs to the extent they are relevant at this stage. Most relate to the development application stage.
SEPP 55 – Remediation	
SEPP 11 – Traffic Generating Development	
SEPP 19 – Bushland in Urban Areas	
REP 20(2) – Hawkesbury-Nepean River	Smalls Creek and Cattai Creek are tributaries and the restoration of these creeks under the Riparian Strategy will see REP 20 objectives met.

#### 4.4. Section 117(2) Directions

A SEPP is not required to conform to s117(2) Directions, which are issued by the Minister under the Environmental Planning and Assessment Act, 1979 as policy guidance for Local Environmental Plans (LEPs). However as the provisions relating to the North Kellyville Precinct Plan will ultimately be transferred from the SEPP to Baulkham Hill's comprehensive LEP, the SEPP has been assessed for consistency with the s117(2) Directions (as issued on 17 July 2007) or with respect to the following:

- 08 Aug 08 - Revocation of Direction 5.6 and Direction 5.7. Amendment of Direction 5.1
- 09 May 08 - Direction 1.2 - Rural zones
- 09 May 08 - Direction 2.1 - Environment protection zones

Relevant Direction	Relevant Requirement	Consistency
1.2 Rural Zones	A draft LEP which rezones land from rural to urban uses must be justified by a strategy approved by the D-G of the Department of Planning, or in accordance with the relevant Regional or Sub-Regional Strategy.	✓ The land is within the North West Growth Centre which is identified as a land release area in the Metropolitan Strategy "City of Cities".
<b>2. Environment and Heritage</b> 2.1 Environmental Protection Zones	A draft LEP shall include provisions that facilitate the protection and conservation of environmentally sensitive areas.	✓
2.3 Heritage Conservation	A draft LEP shall contain provisions that facilitate the conservation of environmental or Aboriginal heritage significance.	✓
<b>3. Housing, Infrastructure and Urban Development</b> 3.1 Residential Zones	A draft LEP shall include provisions that encourage the provision of housing that will broaden choice; make more efficient use of existing infrastructure and services; and reduce the consumption of land; and be of good design. Draft LEPs shall contain a requirement that residential development is not permitted until arrangements are made for land to be adequately serviced.	✓
3.3 Home Occupations	Draft LEPs shall permit home occupations to be carried out in dwelling houses without the need for development consent.	✓
3.4 Integrating Land Use and Transport	Draft LEPs shall locate zones and include provisions that give effect to and are consistent with the aims, objectives and principles of: (a) <i>Improving Transport Choice – Guidelines for planning and development</i> (DUAP 2001), and (b) <i>The Right Place for Business and Services – Planning Policy</i> (DUAP	✓

Relevant Direction	Relevant Requirement	Consistency
	2001).	
<b>4. Hazard and Risk</b> 4.1 Acid Sulfate Soils	<p>Applies where land has a probability of containing acid sulfate soils, as shown on Acid Sulfate Soils Planning Maps held by the Department of Planning.</p> <p>Council shall consider the Department's Acid Sulfate Soils Planning Guidelines and provisions shall be consistent with the Acid Sulfate Soils Model LEP.</p> <p>A draft LEP that proposes an intensification of land uses on land identified as having a probability of containing acid sulfate soils on the Acid Sulfate Soils Planning Maps unless the council has considered an acid sulfate soils study.</p>	<p>✓</p> <p>The subject land is not identified on the Acid Sulfate Soils Planning maps.</p>
4.2 Mine Subsidence	<p>Applies when a draft LEP permits development on land that is within a mine subsidence district, or has been identified as unstable. Council shall consult the Mine Subsidence Board and incorporate required provisions. A draft LEP shall not permit development on identified unstable land.</p>	<p>✓</p> <p>The subject land is not in a declared mine subsidence area.</p>
4.3 Flood Prone Land	<p>Draft LEPs shall include provisions that give effect to and are consistent with the NSW Flood Prone Land Policy and the principles of the <i>Floodplain Development Manual 2005</i>.</p>	<p>✓</p>
4.4 Planning for Bushfire Protection	<p>Draft LEPs shall have regard to <i>Planning for Bushfire Protection 2006</i> and avoid placing inappropriate developments in hazardous areas, and ensure that bushfire hazard reduction is not prohibited within the APZ. Draft LEP shall, as appropriate provide an APZ incorporating minimum requirements.</p>	<p>✓</p> <p>Land uses and development controls in North Kellyville have been determined with respect to APZ requirements.</p>
<b>6. Local Plan Making</b> 6.1 Approval and Referral Requirements	<p>Draft LEPs shall minimise concurrence, consultation or referral and not identify designated development without the D-G's approval.</p>	<p>✓</p> <p>The SEPP incorporates the LEP Standard Instrument provisions requiring the concurrence of the Director-General in relation to the Exceptions to Development Standards clause; and consultation with the Heritage Council in relation to demolition of items of state significance. No designated development is identified.</p>
6.2 Reserving Land for Public Purposes	<p>Draft LEPs shall not create, alter or reduce existing zonings or reservations of land for public purposes without the approval of the relevant public authority and the D-G of the Department of Planning.</p>	<p>✓</p> <p>A small area of land adjoining Cattai Creek zoned Open Space 6(a) (Existing and Proposed Public Recreation Zone) Zone will</p>



Relevant Direction	Relevant Requirement	Consistency
	Planning.	<p>be rezoned Environmental Living E4 under the Amendment No.3.</p> <p>The property known as Lot 7001 DP 752020 is owned by the Crown and under the care control and management of The Hills Shire Council. No objection to the rezoning was received by Council or the Department of Lands.</p> <p>The property is considered unsuitable for future open space on the grounds that public access cannot be provided to the site.</p>



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## Appendix A: Summary of Submissions

Issues raised in submissions have been categorised as identified in the 'Issues' column below, and the GCC's response to key issues is addressed in detail in the body of the report at Section 3.

### Key Issues:

Constrained Land  
Riparian Assessment  
SEPP Instrument  
SEPP Maps  
Development Control Plan  
Indicative Layout Plan  
Environmental Management Plan  
Water Cycle Management Strategy  
Biodiversity Certification

Public Transport  
Section 94 Contributions Plan  
Bushfire Assessment  
Infrastructure  
Implementation  
Aboriginal Archaeology

## 1. State Agencies

	Author	Issue No.	Issue	Summary
16	Department of Education and Training Sydney Catchment Authority	13	Infrastructure	- Ten year Department of Education and Training TAM is to be adjusted to align with GCC Indicative Infrastructure Delivery Plan.
17	Sydney Catchment Authority	8	Water Cycle Management Strategy	- No objection as North Kellyville is not located within Sydney's drinking water catchments.
18	Department of Environment and Climate Change	9	Biodiversity Certification	- Condition 6 – The location of the proposed 7.09ha of non-certified Existing Native Vegetation (ENV) (to be cleared), 7.04ha of certified ENV (to be protected) and 13.72ha of Shale Sandstone Transition Forest should be mapped (note, however, that a review of the certified and non-certified boundaries may change the location and quantity of the vegetation referred to above). The location of these areas and the methodology used to classify the vegetation would also need to be verified by DECC Officer(s).  - If a review of the boundaries referred to above shows that offsetting is required, it would be best to demonstrate that this would be done through the protection of an equal or greater area of

Author	Issue No.	Issue	Summary
			<p>existing native vegetation elsewhere in the Growth Centres (refer condition 8 (a)). This would remove the need to demonstrate compliance with the requirements of condition 8 (b) of which the following are the most relevant:</p> <ul style="list-style-type: none"> <li>- Condition 8 (b) (i) – provision of an assessment to confirm that the proposed clearing of Existing Native Vegetation within the non-certified area will not affect the capacity to achieve an overall improvement or maintenance of biodiversity values for threatened species, populations and ecological communities and their habitats. The assessment would need to take into account the definition of persistence of species that is referred to on pages 44 and 53 of the draft Growth Centres Conservation Plan 2007.</li> <li>- Condition 8(b)(ii) – mapping of any revegetated and/ or restored areas that would be protected by this condition (on the same map referred to in dot point 1 above) i.e. the vegetation protected in the E3 Environmental Management Zone and the E4 Environmental Living Zone.</li> </ul> <p>For the current version of the SEPP this includes vegetation on:</p> <ol style="list-style-type: none"> <li>(1) Land shown on the Retained Native Vegetation Map if the land is within the E3 Environmental Management Zone,</li> <li>(2) Land shown on the Retained Native Vegetation Map and the Steep Land Map if the Land is within the E4 Environmental Living Zone, and</li> <li>(3) Land shown on the Retained Native Vegetation Map and the Riparian Protection Area Map if the land is within the E4 Environmental Living Zone.</li> </ol> <ul style="list-style-type: none"> <li>- However, note that the DECC has requested that the relevant provisions in clauses 6.2 and 6.3 of the draft SEPP Amendment be simplified and that the information referred to above be provided on one map. This may of course affect the mapping that is required.</li> <li>- Condition 8 (b) (iv) - An assessment to confirm whether or not the areas subject to revegetation / restoration would have a suitable boundary configuration and design (e.g. perimeter to edge ratio) to support long term management.</li> <li>- Condition 17 - To demonstrate compliance with Condition 17, a survey report that identifies the methodology applied for confirming the presence of the nominated species is required. The report should also address and justify the level of protection for the species.</li> <li>- The structure of the consistency report should specifically respond to each relevant condition of the Order - clearly and separately;</li> <li>- The consistency report should summarise the outcomes of detailed survey and provide expanded rationale for Conditions 3, 6, 8 and 17.</li> </ul>

	<b>Author</b>	<b>Issue No.</b>	<b>Issue</b>	<b>Summary</b>
				<ul style="list-style-type: none"> <li>- Updated mapping to clearly identify the location of the vegetation referred to in Condition 6 (above) should be prepared.</li> </ul>
		4	SEPP Maps	<ul style="list-style-type: none"> <li>- The Retained Vegetation Map should be updated to ensure consistency with the previously endorsed extent in the vicinity of the former Heath Road Reserve.</li> <li>- The relationship between the Retained Native Vegetation Map and the Steep Land Map should be clarified. It is not clear that all areas of Retained Native Vegetation can not be cleared as a result on Clauses 6.2 and 6.3. The relevant maps should be simplified to support this outcome.</li> </ul>
		3	SEPP Instrument	<ul style="list-style-type: none"> <li>- Clause 6.2(2) should be amended by adding the following sub-clause to provide greater certainty that environmentally sensitive areas are appropriately protected. "Will require the owner to enter into a covenant which requires that the maintenance and management of vegetation within Constrained Land is undertaken in accordance with the requirements of the North Kellyville Precinct Environmental Management Plan.</li> <li>- The term constrained land should be defined in the draft SEPP.</li> </ul>
		5	Development Control Plan	<p><i>Biodiversity Certification Order</i></p> <ul style="list-style-type: none"> <li>- The DCP should be updated to require on land adjoining areas with threatened species populations that occur on land Zoned Environmental Management: temporary fencing on the boundary of development areas</li> <li>- Permanent fencing on the perimeter of all public areas (ie road perimeters).</li> <li>- The Draft DCP should be amended to as a consequence of the proposal to require covenants under the SEPP Amendment, rather than through the draft DCP.</li> <li>- The requirement for a landscape plan and bond should also apply to land zone E3 Environmental Management.</li> <li>- There should be a requirement for a plan of management prepared for each development site that demonstrates: <ul style="list-style-type: none"> <li>i. How the requirements of the draft North Kellyville Precinct Environmental Management Plan will be implemented; and</li> <li>ii. How threatened species population will be managed on the E3 Zoned land as a requirement of the Biodiversity Certification Order.</li> </ul> </li> </ul>

	<b>Author</b>	<b>Issue No.</b>	<b>Issue</b>	<b>Summary</b>
				<p><i>Aboriginal Archaeology</i></p> <ul style="list-style-type: none"> <li>- Areas that would be subject to Aboriginal archaeology conservation should be identified in the draft DCP.</li> <li>- An Aboriginal Archaeology Management Plan should be also be developed for the Precinct based on the Aboriginal Cultural Assessment.</li> <li>- Curtillages will need to be identified and clearly marked around the sites for areas where there will be no impacts and where impacts will occur but known archaeology to be avoided.</li> <li>- Permits would be required under Section 87 and 90 of the National Parks and Wildlife Act 1974 where impacts to Aboriginal archaeological sites are unavoidable.</li> <li>- Page 125 of the draft DCP should be updated to correct reference to the National Parks and Wildlife Act 1974 instead of the Heritage Act 1977.</li> </ul> <p><i>Water Cycle Management Plan</i></p> <ul style="list-style-type: none"> <li>- The DCP should be consistent with the draft Managing Urban Stormwater: Stormwater Planning (DECC) and Australian Runoff Quality (Engineers Australia). As this document will not be published as a stand alone document, the paragraphs 8 and 9 of the DCP should be amended to : <ul style="list-style-type: none"> <li>8. <i>The WSUD Strategy Shall Demonstrate how the stormwater quality targets set by the Department of Environment and Climate Change (DECC) (Table 20) will be achieved.</i></li> <li>9. <i>Compliance with the targets at Table 20 is to be determined through stormwater quality modelling in accordance with parameters outlined in the Western Sydney Growth Centres - Stormwater Guidance for Precinct Planning (prepared by DEC, November 2006) which includes "Technical Note: Interim Recommended Parameters for Stormwater Modelling – North West and South West Growth Centres".</i></li> </ul> </li> <li>- Other stormwater related provisions in the DCP will also need to be redrafted to ensure that catchments draining to Smalls Creek and Cattai Creek comply with the Environmental Stormwater Objectives referred to above.</li> </ul>
		7	Environmental Management Plan	<ul style="list-style-type: none"> <li>- The EMP should be amended as requirements for landowners rather than recommendations to the Growth Centres Commission. This should include specific requirements relating to the preparation of EMPs, implementation, payment of bonds and reporting.</li> <li>- DECC note that the total cost for regenerating and maintaining a two hectare lot over five years as referred to in the draft EMP appears high.</li> </ul>

Author	Issue No.	Issue	Summary
	8	Water Cycle Management Strategy	<ul style="list-style-type: none"> <li>- Any development should be in accordance with the State Government's Flood Prone Land Policy as outlined in the Floodplain Development Manual 2005 and should have regard to the Section 117 Directions (4.3 Flood Prone Land).</li> <li>- The long term effectiveness of stormwater treatment measures is strongly dependant on effective maintenance by either Council or a body corporate.</li> <li>- The DECC understands that The Hills Shire Council have requested amendments to the floodplain and watercycle management related provisions in the DCP. The DECC would like to be consulted with in relation to the proposed changes.</li> </ul>
19	6	Sydney West Area Health Service	<ul style="list-style-type: none"> <li>- Commends inclusion of cycleways, walking routes, grid street pattern which encourages walkable neighbourhoods, co-location of services and facilities, delivery of public transport and higher density housing.</li> <li>- Recommends the provision of off-road and parallel-to-road cycleways where possible to encourage cycling.</li> </ul>
	11	Section 94 Contributions Plan	<ul style="list-style-type: none"> <li>- Recommends that provision of community facilities take into account future demographic change (i.e. ageing of population) and requirements to redesign/reconfigure facilities.</li> </ul>
	2	Riparian Assessment	<ul style="list-style-type: none"> <li>- Notes that it is unclear how the riparian corridor on the western side of Smalls Creek (outside of the Precinct) will be managed, if at all.</li> </ul>
20	13	Sydney Water	<ul style="list-style-type: none"> <li>- North Kellyville will be supplied with recycled water from the Kellyville recycled water elevated reservoir. All new development will be required to connect to the recycled water system. No cross connections will be permitted between the drinking and recycled water networks.</li> <li>- Although development may be able to utilise existing capacity within the existing drinking water supply system, this will be dependant on further investigation.</li> <li>- Sydney water does not support the construction of multiple temporary sewage pumping stations as identified in Figure 5.29 of the NWGC – First Release Areas Primary Utilities Strategy and Delivery Plan.</li> <li>- The timing of infrastructure in the NWGC – First Release Areas Primary Utilities Strategy and Delivery Plan is generally correct, however Sydney Water will only be delivering potable and recycled water mains along Hezlett and Barry Road, Samantha Riley Drive, the connection to Rogans Hill reservoir and Geewan Avenue. All other water related infrastructure will be delivered by developers.</li> </ul>
34	13	Integral Energy	<ul style="list-style-type: none"> <li>- New Mungerie Park ZS to be commissioned around middle of 2009.</li> <li>- There is no firm completion date for the augmentation of Kellyville ZS. Under current planning, it is not required to be augmented until 2015/16, dependant on power demands and constraints on the existing network. Additional easements for transmission lines may be required to and from the augmented Kellyville ZS.</li> </ul>
59	3	NSW Department	<ul style="list-style-type: none"> <li>- Integral Energy has no plans to underground existing overhead power lines.</li> <li>- In order to promote housing choice and affordability in North Kellyville, Clause 4.1B of the draft</li> </ul>

	Author	Issue No.	Issue	Summary
	of Housing			<p>SEPP Amendment should be rigorously implemented, particularly as 'the achievement of residential yield targets has been contentious in the past.</p> <ul style="list-style-type: none"> <li>- There are no specific strategies to promote and protect affordable housing. DOH requests the GCC and DOP consider the provision of a proportion of affordable housing under the SIC provisions.</li> </ul>
63	NSW Rural Fire Service - Hills Shire FCC	12	Bushfire Assessment	<ul style="list-style-type: none"> <li>- As riparian streams will be restored to an open forest vegetation community, adequate asset protection zones should be provided. Asset protection zones should be taken from the edge of the anticipated buffer for Category 1 and 2 Streams.</li> <li>- The Bushfire Assessment Report incorrectly cites that the Rural Fire Service can fund bushfire fuel management plans for private land. Funding assistance may be sourced through the Natural Disasters Mitigation Programme (NDMP) which is a notional grant scheme. The report should be updated to reflect this reference.</li> <li>- The illustration on page 23 of the Bushfire Assessment Report with respect to urban land is misleading. As it is unlikely that the fire source would be privately owned, who will manage the APZ. It is unlikely that Council will nominate to manage all road side vegetation so that private land owners can achieve their asset protection zone.</li> <li>- The Appendix to the Bushfire Assessment Report titled "Options for fuel management treatments" should be amended to provide options relevant to the North Kellyville Precinct. It is likely that the majority of fuel within the urban properties can be managed by way of the green disposal bins provided by Council. On land zoned Environmental Living where large lots are proposed, fuel (leaf litter) may be disposed of by means of pile burning. Complete fuel removal or land clearing is not encouraged.</li> </ul>
105	Department of Water and Energy	2	Riparian Assessment	<ul style="list-style-type: none"> <li>- Once finalised, the Oran Park Waterfront Land Strategy is intended to set the precedent for riparian outcomes in remaining precincts including North Kellyville.</li> <li>- The Department will agree to some limited uses such as walking and cycling tracks within the vegetated buffer so long as the use does not exceed 40%.</li> <li>- All future Precincts however, should locate all pathways, recreational open space outside of the core riparian zone and vegetated buffer as a matter of policy.</li> <li>- The riparian assessment report should be updated to reflect DWE's detailed comments to assist further assessment.</li> <li>- The department requires the Core Riparian Zones to be fully vegetated with local native tree, shrub and groundcover species at a density that would naturally occur. The vegetated buffers should also be fully vegetated with the exception of limited uses identified by DWE.</li> <li>- The Department's preference to managing Category 1 and 2 watercourses is to retain them in public ownership due to the difficulty of numerous land owners managing different sections of riparian corridors.</li> <li>- For riparian corridors in private ownership, a requirement for ongoing maintenance should be set through the provision of a positive covenant such as the use of a S88B Instrument.</li> </ul>

	Author	Issue No.	Issue	Summary
		3	SEPP Instrument	<ul style="list-style-type: none"> <li>- The Departments preference is for all riparian corridors to be zoned Environmental Conservation E2 as the uses permitted with consent under the E3, E4, RE1 and SP2 zones are inappropriate within riparian corridors.</li> <li>- It is recommended that the objectives of the E3, E4, RE1 and SP2 zoned are updated to reflect DWEs detailed comments to support the protection and rehabilitation of riparian corridors.</li> <li>- Further details are required to ensure that zoning boundaries along watercourses / riparian corridors coincide with actual and agreed riparian corridor boundaries.</li> </ul>
		5	Development Control Plan	<ul style="list-style-type: none"> <li>- The DDCP needs to outline the purpose and scope of the waterfront land strategy and give effect to this strategy.</li> <li>- The DDCP needs to be consistent with the Water Front Land Strategy and provide consistent objectives and controls to ensure that riparian corridors are protected within the Precinct.</li> </ul>
104	Hills Shire Council	1	Constrained Land	<ul style="list-style-type: none"> <li>- The GCC review the mapping of constrained land within the E4 – Environmental Living zone to ensure that land which is constrained has been accurately mapped, particularly land which has been identified as steep.</li> <li>- A review of the mapping of constrained land may facilitate a reconsideration of the zoning of land where it is found that a site is capable of supporting a higher intensity of development. Further, it is recommended that applicants be given the opportunity to provide evidence at development application stage that land identified as constrained is capable of development, subject to detailed investigation and ground-truthing.</li> </ul>
		5	Development Control Plan	<ul style="list-style-type: none"> <li>- Controls should be developed to enable the appropriate construction of temporary public access roads.</li> <li>- Controls should be developed to enable appropriate partial road construction.</li> <li>- Council supports a global sign off of the Precinct in terms of bushfire and APZ mapping. However in the absence of an appropriate legislative framework to facilitate the process, as well as administrative difficulties which are likely to arise as a result of ongoing management of APZ mapping, it is recommended that the APZ maps be removed from the DCP and the controls which rely on those maps be revised accordingly.</li> <li>- The maximum site coverage for semi-detached, attached and multi dwelling housing should be reduced to 60% to ensure that development will be able to meet the objectives for site coverage and landscape area, in particular the requirement for development to enhance the landscape character of the North Kellyville Precinct.</li> <li>- In order to ensure that units within residential flat buildings are of a suitable size to enable them to meet the needs of residents and achieve a high level of residential amenity, controls should be included in the DCP which regulate the internal floor area for units. Consideration should be given to the adoption of Council's existing DCP controls for Apartment Buildings under Part C Section 7 – Apartment Building.</li> <li>- The GCC work with Council to review the exempt development controls to improve the clarity of the controls, including the definition of ancillary development, the intention of the controls for a change of use for social and sporting club premises, as well as the maximum site area and</li> </ul>



	Author	Issue No.	Issue	Summary
				<ul style="list-style-type: none"> <li>- nature of temporary signs. The GCC review the complying development standards for bed and breakfast accommodation to specify a maximum stay of 30 days and to prohibit the provision of meals to non-guests.</li> </ul>
		14	Implementation	<ul style="list-style-type: none"> <li>- Prior to gazettal of the SEPP Amendment, the GCC should provide guidance as to how Council can provide zoning information for the Precinct on s149 certificates prior to incorporation of the Growth Centres SEPP into Council's comprehensive LEP</li> <li>- Prior to gazettal of the SEPP Amendment, the GCC should provide guidance as to the process for integration of the North Kellyville Precinct Plan with Council's existing or future comprehensive LEP.</li> </ul>
		8	Water Cycle Management Strategy	<ul style="list-style-type: none"> <li>- Section 6.1 of the draft DCP, "Floodplain and Watercycle Management" be reviewed and updated where necessary to ensure that the modelled results described in the Water Cycle Management Strategy have been accurately translated into draft DCP provisions while having regard to Council's existing provisions, together with the aims and objectives of Council's Waterways Direction.</li> </ul>
		12	Bushfire Assessment	<ul style="list-style-type: none"> <li>- The provision of APZs on land or roads which are in public ownership should be clarified to ensure they can be provided in accordance with the requirements of both Council and the RFS.</li> </ul>
		3	SEPP Instrument	<ul style="list-style-type: none"> <li>- The GCC should include provisions in the draft SEPP Amendment and/or DCP relating to the assessment and remediation of land identified and mapped as being of environmental concern in the DCP.</li> </ul>
		12	Infrastructure	<ul style="list-style-type: none"> <li>- The bridge and road connection from the Annangrove Road Light Industrial Area to the northern most section of the North Kellyville Precinct at Barry Road should be designated as bus only in order to avoid creating an undesirable through road for industrial traffic.</li> <li>- Prior to gazettal of the SEPP Amendment, the GCC should liaise closely with the RTA to ensure that they have no objections to the signalisation of intersections as identified in the draft plan.</li> <li>- The GCC work with Council to resolve any inconsistencies with the proposed DCP controls for North Kellyville and Council's Specification for the Construction of Footpath and Gutter Crossings, Design Guidelines for Subdivision and DCP controls with respect to the design of roads, driveways and car parking areas.</li> <li>- The GCC review the need for infrastructure related to public transport within the Precinct.</li> <li>- The GCC review the need for provision of traffic measures outside the Precinct that are required as a result of the increased population, such as the signalisation of the intersection of Glenhaven and Old Northern Roads.</li> <li>- The GCC prepare an implementation program for the provision of public transport within the Precinct that will promote changes in travel behaviour and patterns as the Precinct development. This program should aim to provide public transport and related infrastructure before the Precinct is fully developed.</li> </ul>
98	Head Office, NSW	3	SEPP Instrument	<ul style="list-style-type: none"> <li>- As discussed with the GCC the RFS is unable to dispense with the requirement for a referral</li> </ul>

	<b>Author</b>	<b>Issue No.</b>	<b>Issue</b>	<b>Summary</b>
	Rural Fire Service, Granville, NSW, 2142			<p>under the EP&amp;A Act 1971. The RFS has no in principle objection to the rationale behind streamlining the development assessment process, however current statutory obligations under the EP&amp;A Act and Rural Fires Act 1997 prevent the sign off at a Precinct Level.</p> <ul style="list-style-type: none"> <li>- The SEPP should make provision for bushfire protection measures or stipulate compliance with <i>Planning for Bushfire Protection 2006</i>.</li> <li>- Concern regarding the Clause 2.6(2)(b) of the SEPP Amendment No.3 which permits the minor realignment of boundaries without the need for subdivision consent. This provision conflicts with Section 100B of the Rural Fires Act 1997, which for subdivision requires the issue of a Bush Fire Safety Authority. This exemption may result in non complying APZs or result in APZs not being contained wholly within subdivided boundaries.</li> <li>- Clause 3.3(2) does not include bush fire prone lands as being excluded from exempt or complying development and may have the potential to increase bush fire risk.</li> <li>- Concern that asset protection zone (APZ) calculated on steep land are underestimated in some areas. The Bushfire Assessment Report does not provide any justification for the slope range assessed for APZ.</li> <li>- The ILP will need to address interface issues associated with existing conditions and future development. As development occurs, Bushfire Prone Land Maps should be amended as development occurs.</li> <li>- Section 4.0 <i>Residential Development</i> of the DDCP does not articulate the requirements for buildings on bush fire prone land to comply with PBP2006 and AS3959-1999 as should be updated.</li> <li>- Concern that proposed minor and riparian street road cross sections do not comply with PBP2006. These roads will provide the bulk of the perimeter access and should meet the design requirements to accommodate safe access for fire fighters.</li> <li>- The subdivision controls for subdivision of R1, R2 and R3 zoned land do not address the requirement for the provision of permanent or temporary APZs and should be updated.</li> <li>- The checklist in Appendix D (Complying lot Provisions) should include the complying asset protection zone provisions of Planning for Bushfire Protection 2006 so that latter development applications can meet the acceptable solutions provisions of PBP2006 and support complying development applications for dwellings.</li> </ul>
12		Bushfire Assessment		
6		Indicative Layout Plan		
5		Development Control Plan		
10	Ministry of Transport	Public Transport		<ul style="list-style-type: none"> <li>- The Ministry supports the proposed precinct plan as exhibited as it provides for a good walkable and easy to understand suburb layout, and the indicative densities and proposed land uses are consistent with encouraging public transport use throughout the precinct.</li> <li>- The Ministry strongly supports the northern connection from Ross Place to Mile End Rd / Edwards Rd, as it allows for better public transport servicing.</li> <li>- Further analysis may be required to identify appropriate bus priority measures, if necessary, at the intersection of Hezlett Road and Samantha Riley Drive.</li> <li>- The hierarchy of major and collector roads appears suitable for bus, servicing and indicative bus</li> </ul>

	<b>Author</b>	<b>Issue No.</b>	<b>Issue</b>	<b>Summary</b>
108	Roads and Traffic Authority	11	Section 94 Contributions Plan	<p>stop locations appear reasonable (ie 300-400m distance between each stop). Bus stops located within proposed commercial areas should be as close to the centre as possible.</p> <p>The North Kellyville Precinct will generate over 5000 peak hour vehicle trips (two way) which will necessitate major road work improvements to along key future sub-arterial roads such as Samantha Riley Drive, Withers Road and Hezlett Road.</p> <p>The RTA has previously written to the Department of Planning requesting the departments support for the North Kellyville Contributions Plan to include the cost of upgrading the following intersections:</p> <p>Old Northern Road / Glenhaven Road (\$4 million)  Showground Road / Green Road (\$0.6 million)  Windsor Road / Samantha Riley Drive (\$0.4 million)</p> <p>The RTA and Council have agreed for some time on the necessity of the above intersection upgrades to accommodate safely the growth in traffic from the Precinct.</p> <p>Insufficient information has been provided to the RTA to support the proposed signalisation of the four key intersections within the Precinct. Further information should be submitted which clearly explains how each intersection would meet the appropriate traffic signal warrants. This information should compare the operation of proposed traffic signals against roundabout treatment.</p> <p>The level of funding the intersections identified for signals should not be resolved until the RTA has reviewed and commented on further studies as this will govern the scope of works required.</p> <p>The curbside lanes of Samantha Riley Drive should be widened to accommodate busses.</p>
		10	Public Transport	<p>Should the RTA agree to the provision of traffic signals, then appropriate provision for bus priority should be considered in the design.</p> <p>Mid block bus stops are less accessible for passengers and can lead to increased travel time for people who live in streets away from a bus route.</p>
		14	Implementation	<p>Where the RTA has not agreed to signalisation, then any future subdivision which occurs in the vicinity of the four intersections will need to make appropriate allowance for alternate treatments such as roundabouts.</p>
		3	SEPP Instrument	<p>For safety reasons, child care centres should be prohibited were such properties have a direct frontage to an unclassified regional road and proposed classified road.</p> <p>The draft SEPP amendment should permit "Roads" to be permitted without consent within the SP2 – Infrastructure Zone.</p> <p>The draft SEPP should ensure that "Roads" are permitted within consent in all other zones.</p>

	Author	Issue No.	Issue	Summary
				<ul style="list-style-type: none"> <li>- The objectives of the Neighbourhood Centre zone should include cycling and public transport.</li> </ul>

## 2. Public Submissions

	Author	Issue No.	Issue	Summary
1	John & Josephine Frasca 42 Withers Road Kellyville	4	SEPP Maps	<ul style="list-style-type: none"> <li>- E4 zoning is inequitable as land is level, cleared and does not pose a bushfire risk. Should be zoned R2 as per land at corner of Celia Road and Ross Place.</li> <li>- Smaller lots should be permitted on this site.</li> </ul>
		6	Indicative Layout Plan	<ul style="list-style-type: none"> <li>- Proposed road over existing dwelling should be relocated to allow retention of the dwelling.</li> </ul>
2	John & Josephine Frasca Michael & Aurora Lombardo	13	Infrastructure	<ul style="list-style-type: none"> <li>- Sydney Water acquisition renders remainder of land undevelopable.</li> <li>- Remainder of land should be zoned medium density to compensate for loss of potential and hence investment return due to Sydney Water acquisition.</li> </ul>
		4	SEPP Maps	<ul style="list-style-type: none"> <li>- Remainder of land should be zoned medium density to compensate for loss of potential and hence investment return due to Sydney Water acquisition.</li> </ul>
3	J & J Saliba 51-61 President Road Kellyville	12	Bushfire Assessment	<ul style="list-style-type: none"> <li>- Bushfire risk identified in DCP is incorrect as vegetation on site is not worthy of retention and can be cleared to eliminate bushfire risk.</li> </ul>
4	Kevin & Ruth Keene 11 Hezlett Road Kellyville	6	Indicative Layout Plan	<ul style="list-style-type: none"> <li>- Too many feeder roads onto Hezlett Road (8 on eastern side and 11 on western side).</li> <li>- Proposed roads transect house on 11 Hezlett.</li> </ul>
		13	Infrastructure	<ul style="list-style-type: none"> <li>- Power lines on Hezlett Road will pose a traffic hazard in future.</li> <li>- Substation is unsightly and will not provide an attractive entrance to the Precinct.</li> </ul>
		11	Section 94 Contributions Plan	<ul style="list-style-type: none"> <li>- Land acquisition on western boundary of 11 Hezlett is not necessary unless power poles are to be removed.</li> <li>- Section 94 Contributions and State Infrastructure Levy are excessive given the small minimum size of lots proposed for the Precinct.</li> </ul>
5	Giugliano & Simonetta Vaccari 43 Oxford Road Strathfield	6	Indicative Layout Plan	<ul style="list-style-type: none"> <li>- Inconsistent representation of medium density residential land on ILP and Zoning map.</li> </ul>
		4	SEPP Maps	<ul style="list-style-type: none"> <li>- Medium density potential of 12 Barry Road should be considered due to proximity to the proposed North Kellyville Local Centre, primary school, sporting fields, access to proposed bus stop, as well as it's flat topography, lack of vegetation, bushfire constraints, riparian/watercourse constraints and areas zoned to R1 and R3 accordingly.</li> </ul>
		13	Infrastructure	<ul style="list-style-type: none"> <li>- Sydney Water should provide water services to the Barry Road area earlier to open up more land for development sooner to facilitate competition between developers.</li> </ul>
		11	Section 94 Contributions Plan	<ul style="list-style-type: none"> <li>- Section 94 Contributions are unreasonable and will inflate the price of land, or lead to non-development of land, affecting housing affordability and worsening the housing crisis. Council should review the plan and consider funding the infrastructure in North Kellyville using it's reserves of money.</li> </ul>

	Author	Issue No.	Issue	Summary
6	Robert and Alice Balzarolo 13 Hillview Road Kellyville	6	Indicative Layout Plan	<ul style="list-style-type: none"> <li>- Cost of s94 fees in 8-10 years time (when development commences in the Barry Road area) should be included in the plan.</li> <li>- The identification of land to rear of property is an error as it does not display characteristics pertaining to a flood prone area and will cause land devaluation.</li> </ul>
7	Carolyn Kershaw	15	Water Cycle Management Strategy	<ul style="list-style-type: none"> <li>- The identification of land to rear of property is an error as it does not display characteristics pertaining to a flood prone area and will cause land devaluation.</li> </ul>
		10	Public Transport	<ul style="list-style-type: none"> <li>- Lack of public transport provision in the draft plans. As a result, increased air pollution will occur as a result of associated reliance on motor vehicles.</li> </ul>
		8	Water Cycle Management Strategy	<ul style="list-style-type: none"> <li>- Raises concern about the water quality impacts of increased runoff and associated degradation of biodiversity values.</li> </ul>
		3	SEPP Instrument	<ul style="list-style-type: none"> <li>- Premise behind the accelerated release of land to provide affordable housing is not applicable to the North Kellyville area.</li> <li>- North Kellyville is not well located in terms of access to employment.</li> <li>- North Kellyville should retain existing rural zoning as other areas in Sydney (e.g. Riverstone, Schofields and SW Sydney) are better suited to provide affordable housing close to public transport.</li> </ul>
8	Robert and Primrose Fox 24 Foxall Road Kellyville	11	Section 94 Contributions Plan	<ul style="list-style-type: none"> <li>- Confirms conversation with Council's Property Manager regarding valuation of land zoned open space identified for acquisition.</li> </ul>
9	Bill & Brenda Clasquin 151 Glenhaven Road Glenhaven	11	Section 94 Contributions Plan	<ul style="list-style-type: none"> <li>- Requests plan include signalisation of intersection at the corner of Glenhaven Road and Old Northern Road.</li> </ul>
10	David Sarson Suites 211 & 212, 5 Alexander Street Crows Nest	11	Section 94 Contributions Plan	<ul style="list-style-type: none"> <li>- Requests plan include signalisation of intersection at the corner of Glenhaven Road and Old Northern Road.</li> </ul>
11	Richard & Monique Martinuzzo 23 Stringer Road Kellyville	6	Indicative Layout Plan	<ul style="list-style-type: none"> <li>- Requests review of the boundary of constrained land to allow removal of vegetation and hence improve the subdivision potential of 23 Stringer Road.</li> </ul>
		4	SEPP Maps	<ul style="list-style-type: none"> <li>- Minimum lot size in E4 zone should be reduced to 1,000m<sup>2</sup> or 2,000m<sup>2</sup> instead of proposed 4,000m<sup>2</sup>.</li> </ul>

	<b>Author</b>	<b>Issue No.</b>	<b>Issue</b>	<b>Summary</b>
12	Anthony Vasta 76 Redden Drive Kellyville	12	Bushfire Assessment	- Mapping incorrectly identifies 6-8 Foxall Road as affected by bushfire risk. The SEPP proposes and R2 Residential zone and the vegetation on the property is certified.
13	Ian and Sandra Puddicombe 24 Withers Road Kellyville (submission relates to 18 Barry Road)	6	Indicative Layout Plan	- Review location of constrained land and riparian corridor so that it reflects actual location of watercourse
14	F & M Gillies 8 Gum Nut Close Kellyville	2	Riparian Assessment	- Requests a review location/extent of land zoned for water management to extend zone to northern boundary of the site so that access to the E4 land at the rear of the property is not isolated from development
15	Glenhaven Residents Association	6	Indicative Layout Plan	- Proposed roads are located through existing dwellings on their property which they intend to continue living in. ILP should be amended to relocate the roads so as to avoid the dwellings.
21	Urbis on behalf of Joseph Polito 2-4 Barry Road Kellyville	4	SEPP Maps	- Minimum lot sizes should be more flexible to allow realisation of the full development potential of property.
		11	Section 94 Contributions Plan	- Consideration of traffic impacts on Glenhaven Road are required.
		4	SEPP Maps	- Requests plan include signalisation of intersection at corner of Glenhaven Road and Old Northern Road.
		3	SEPP Instrument /	- Requests that portion of the site zoned R1 be zoned R3 as all other residential land adjacent to the Local Centre is zoned R3
		6	Indicative Layout Plan	- Clause 4.5A of the SEPP should not restrict commercial, retail and office uses to 15,000sq.m, rather this maximum should apply only to retail uses.
		11	Section 94 Contributions Plan	- The current controls may result in the maximum 15,000sq.m of uses within the Centre being developed on one side of Withers Road only. Therefore controls should be included in the DCP to ensure that there is a spread of development within the Local Centre on both sides of Withers Road. It is suggested that this may be achieved by restricting two-thirds of the FSR to the north of Withers Road and one-third to the south.
22	Susan Skalla 25 Withers Road	6	Indicative Layout Plan	- Road extension of Hezlett Road should be located wholly on 2-4 Barry Road, as opposed to shared between 2-4 Barry and 7 Withers Road to avoid difficulties in developing this key Local Centre road.
		11	Section 94 Contributions Plan	- Extension of Hezlett Road should be included in Council's Section 94 Works Program for the North Kellyville Precinct.
		1	Constrained Land	- Requests the review of land identified as constrained as it is not vegetated or steep.
		8	Water Cycle Management Strategy	- Category 2 and 3 streams identified on site are not watercourse. One is runoff from a dam and the other does not exist. Requests that these be reviewed with the view that they can be piped.
23	Stuart and Margaret	4	SEPP Maps	- Minimum lot size is too large and should be reduced to 2,000sq.m or 600sq.m.
		12	Bushfire	- Constrained land should be reviewed. The category 3 stream on Nos. 57 and 59 Foxall Road

Author	Issue No.	Issue	Summary
Yeend 53 Foxall Road Kellyville		Assessment	should be piped to allow a reduction in the extent of the constrained land and an increase in the land zoned R2.
	4	SEPP Maps	- Minimum lot size is too large and should be reduced to 2,000sq.m adjoining the R2 zone. A minimum of 4,000sq.m should apply adjacent to the constrained land.
	1	Constrained Land	- Constrained land should be reviewed. The category 3 stream on Nos, 57 and 59 Foxall Road should be piped to allow a reduction in the extent of the constrained land and an increase in the land zoned R2.
24 Durre and Qamar Khan 15 Withers Road Kellyville	4	SEPP Maps	- Seeks confirmation that the building height in land zoned R3 is four storeys.
	3	SEPP Instrument	- Seeks confirmation that home offices, medical consulting rooms and child care centres will be permissible in the R2 and R3 zones.
25 Adam Wright and Trevor Young 5 Barry Road Kellyville	6	Indicative Layout Plan	- Requests realignment of the proposed road to the rear of 5 Barry Road.
	14	Section 94 Contributions Plan	- Concern raised as to timing of land acquisition and road construction and associated uncertainty. - Concern raised as to acquisition of land to accommodate road construction as the remaining land would be undevelopable/unusable.
26 Philip and Lee Kime 6 Ross Place Kellyville	12	Bushfire Assessment	- APZ mapping is inaccurate.
	1	Constrained Land	- Constrained land has not been correctly mapped as land is not steep.
	4	SEPP Maps	- 4,000sq.m in E4 should be reduced to 2,000sq.m. - Area zoned R2 should be extended to behind existing house as land is flat.
28 Geoffrey Morgans 4 Kendall Place Kellyville	12	Bushfire Assessment	- 'Exclusion zone' for development based on bushfire risk does not take into account the natural safety barriers from fire of the natural large cliff face; the southern aspect away from dangerous westerly or southerly fanned fires.
	1	Constrained Land	- Constrained land east and southeast of Kendall Place is excessive. It has been incorrectly mapped and should be reviewed to reflect the 20 degree slope line and accordingly be reduced.
	4	SEPP Maps	- Minimum lot size in E4 be reduced to 2,000sq.m because there is a natural cliff line at the rear of Kendall Place. This cliff like minimises risk from fire and other naturally occurring hazards, as well as creating two separate platforms. This would cause financial hardship in that the favourable upper platform would be quickly taken leaving the larger blocks at the creek region difficult to sell. A 2000sq.m allocation would double the ability to sell these unfavourable blocks as you could include some of the sought after upper platform area.
24 Durre and Qamar Khan 15 Withers Road Kellyville	6	Indicative Layout Plan	- The proposal will have an adverse effect on ecology. - The proposal will result in the loss of the rural residential lifestyle enjoyed in the area. - Separation of the block into two zones.



	Author	Issue No.	Issue	Summary
29	Gavin Sultana 15 Curtis Road Kellyville and 3 Barry Road, Kellyville.	6	Indicative Layout Plan	<ul style="list-style-type: none"> <li>- Creation of a long arcing road which would encourage excessive speeding around a persistent corner. The curving road should be replaced by a straighter, squarer road 80-100m east with the land to the west of that road being zoned for medium density residential. This would allow us to position our current home better over two to three housing blocks and would allow us to have the option of remaining here, which the current plan would prohibit thus exposing us to hardship.</li> </ul>
		5	Development Control Plan	<ul style="list-style-type: none"> <li>- The proposed road which runs north-south along the boundary of 15 Curtis should be realigned to correspond with the development opportunity provided to the properties immediately to the north of our property, The land which would be located to the east of this new road position should then be zoned R3 as opposed to E4.</li> <li>- The density targets for E4 land when developed under community title should be 12-14 to reflect the density targets of the DOP under their 1995 document 'Cities for the 21<sup>st</sup> Century, and current market practice. This would provide flexibility and allow development outcomes to be justified at the DA stage, it would also encourage larger/super lot developments which would be required to provide for viable community title development given the relatively 'thin' strip of E4 land bordering Small's Creek.</li> <li>- Lots created in E4 should have a minimum width of 20m, not 30m to provide for a better development yield based on the road patterns in the North Kellyville precinct.</li> </ul>
		1	Constrained Land	<ul style="list-style-type: none"> <li>- Constrained land including riparian land should be included in the density calculations for community title developments to provide for an appropriate offset value for the obligation that the community association will have to manage this land in the future on behalf of the wider community.</li> </ul>
		12	Bushfire Assessment	<ul style="list-style-type: none"> <li>- The APZs on Category 3 watercourses should be reduced as it is unrealistic and unfair to expect the revegetation of this category of watercourse.</li> </ul>
		4	SEPP Maps	<ul style="list-style-type: none"> <li>- The minimum lot size for land zoned E4 to the north of Withers Road should be 2,000 sq.m to provide sufficient yield and encourage development of E4 land.</li> </ul>
		1	Constrained Land	<ul style="list-style-type: none"> <li>- 3 Barry Road has been incorrectly classified as constrained land as it is not steep. Once this classification is changed then the proposed road can be realigned to facilitate medium density development consistent with the mapping on the southern side of Withers Road. This outcome would optimise the development opportunities for 3 Barry Road and provide a better yield to existing land holders and the GCC, encouraging timely development.</li> <li>- Steep land classification is incorrect as land is not consistently steep and the 14 degree steepness was artificially created by man made levelling of land and hence should not be included in the calculation of steep land.</li> </ul>

Author	Issue No.	Issue	Summary
	8	Water Cycle Management Strategy	<ul style="list-style-type: none"> <li>- The category 3 watercourse on 3 Barry Road should be reduced in length as it does not carry water.</li> </ul>
	5	Development Control Plan	<ul style="list-style-type: none"> <li>- The density targets for E4 land when developed under community title should be 12-14 to reflect the density targets of the DOP under their 1995 document 'Cities for the 21st Century, and current market practice. This would provide flexibility and allow development outcomes to be justified at the DA stage, it would also encourage larger/super lot developments which would be required to provide for viable community title development given the relatively 'thin' strip of E4 land bordering Small's Creek.</li> <li>- Lots created in E4 should have a minimum width of 20m, not 30m to provide for a better development yield based on the road patterns in the North Kellyville precinct.</li> <li>- Constrained and riparian land should be included in the density calculations for community title developments to provide for an appropriate offset value for the obligation that the community association will have to manage this land in the future on behalf of the wider community.</li> </ul>
30	1	Constrained Land	<ul style="list-style-type: none"> <li>- This property has been incorrectly identified as steep and thus should not be considered constrained land. Further, the vegetation on the block is sparse and of poor quality, being comprised of natives and exotics. This error has likely occurred due to a lack of ground truthing.</li> <li>- The constrained land boundary should be revised to the line of the riparian corridor to correspond with the actual steepness of the land (4-8 degrees) in line with the constrained land boundary on adjacent allotments.</li> </ul>
	4	SEPP Maps	<ul style="list-style-type: none"> <li>- The minimum lot size for the E4 zone should be reduced to 1,000sq.m or 2,000sq.m allotments.</li> </ul>
31	4	SEPP Maps	<ul style="list-style-type: none"> <li>- Raise objection to the RE1 zoning of property for sports playing fields. The sports fields should be located at the corner of Stringer Road and Bruce Place because in that location the sports field: <ul style="list-style-type: none"> <li>i. Will not disturb residents on Barry Road due to the noise, lighting, and parking associated with the fields;</li> <li>ii. Will not be located at a busy intersection of three roads;</li> <li>iii. Will be in a peaceful location;</li> <li>iv. Would be a good use of the E4 land;</li> <li>v. Will cost less to acquire;</li> <li>vi. Will make use of an existing council road (fire trail);</li> <li>vii. Will be similar to the other sports fields on Samantha Riley near the creek</li> </ul> </li> <li>- It is illogical to use land considered prime enough for high density housing for playing fields and should be used as intended in order to generate revenue through council rates. The aim of rezoning is to address the shortage of housing and this is not achieved by zoning this land for</li> </ul>

	Author	Issue No.	Issue	Summary
				<ul style="list-style-type: none"> <li>- playing fields.</li> <li>- The properties on the highest plateau on the ridge in North Kellyville should be used for high density housing or neighbourhood shopping centre because infrastructure will be installed here.</li> <li>- Environmental living land should be used for playing fields because it is less valuable and can be levelled for this purpose.</li> </ul>
32	Murray and Linda Friend 167 Glenhaven Road Kellyville	1	Constrained Land	- Object to the constrained land classification on the basis that it restricts development of the land and thus reduces the value of the property.
		7	Environmental Management Plan	- Object to the requirement for maintenance of constrained land by landowners as it is unfair and costly.
		12	Bushfire Assessment	- While the topography of 167 Glenhaven Road is similar to that of the Duncraig Estate, it is identified as constrained with associated APZs while the Estate does not have the same development restrictions. This is discriminatory, unfair and unreasonable.
33	George and Maria Papallo 21-27 Barry Road Kellyville	1	Constrained Land	- Report commissioned by owners has identified the vegetation on the sites as Sydney Sandstone Ridgetop Woodland which is not a threatened or endangered ecological community. Further, the site is heavily weed infested. Accordingly, the constrained land should be reduced and E4 extended towards the creek by 50 -100m.
		4	SEPP Maps	- Minimum allotment sizes for this property should be 1,000sq.m.
35	Pupo family 41-43 Hezlett Road Kellyville	4	SEPP Maps	- The extent of the proposed height restriction on 41-43 Hezlett Road is excessive in that it requires a future dwelling located up to 200m from the heritage item at No. 45 Hezlett to be single storey in height. Further, this height restriction does not apply to the primary school site.
		6	Indicative Layout Plan	- The proposed Park Street which follows the western and northern boundaries of 41-43 Hezlett Road should be amended to travel behind the heritage item on No. 45. It is located wholly on No. 43 and this is unreasonable and inequitable as it reduces the development potential of this site, which reduces the value of the land. Further, this road cannot be justified on heritage grounds.
36	Francesco and Lena Napoli 55 Foxall Road Kellyville	3	SEPP Instrument	- Discrepancy between minimum lot size mapping (minimum 4,000sq.m) and density controls (7.5 dwellings per hectare) in the E4 zone. Suggest removal of any reference to minimum lot sizes and to rely on the density controls to control lot sizes. This will allow for greater flexibility and variability of lot sizes.
		8	Water Cycle Management Strategy	- Category 3 watercourses should not be protected as they are only low lying land which can be dealt with using drainage systems. They also create excessive APZs. Further, the requirement to protect category 3 watercourses is inconsistent with the controls in the Oran Park/Turner Road Growth Centres.
		12	Bushfire Assessment	- APZs should only apply to land adjacent to Category 1 watercourses.
		7	Environmental	- The EMP imposes unnecessary costs on landowners to revegetate and maintain bushland on

	Author	Issue No.	Issue	Summary
			Management Plan	their properties. This cost burden should not be imposed.
37	Larry and Jan Morrison 7 Ross Place Kellyville	6	Indicative Layout Plan	- The proposed road located to the front of this property is not well located and should be removed to allow a developer to locate it appropriately.
		5	Development Control Plan	- Minimum lot width of 30m in E4 zone is excessive and should be reduced to 15-20m consistent with areas of Castle Hill and Glenhaven.
		4	SEPP Maps	- All lots within the E4 zone should have a minimum size of 2,000sq.m to allow for flexibility in that site constraints may dictate larger lot sizes in some instances.
38	David and Eva Want 6 Kendall Place Kellyville	4	SEPP Maps	- Minimum lot sizes on E4 zoned land should be reduced to 2,000sq.m or less depending on the topography of the land.
		1	Constrained land	- Constrained land boundary should be moved further east.
		6	Indicative Layout Plan	- Proposed road layout should be amended to better utilise land that can be easily developed.
39	Vasiliki Djurovic 25 Barry Road Kellyville	4	SEPP Maps	- Agree with R2 zoning. However suggest that it should be expanded to the west in a single row along the most westerly proposed road.
				- Lot size in E4 zone is too large and would not be economical to develop, thus reducing the value of this property.
				- Request that the minimum lot size be reduced to 1,000sq.m or that community title subdivision be mandated.
40	Ron and Caroline Taylor 45 Hezlett Road Kellyville	4	SEPP Maps	- Consider the treatment of Yalta, including the curtilage, height restrictions, design controls and proposed location of the primary school and town centre open space to be highly commendable
41	Peter Drury 27-35 Samantha Riley Drive Kellyville	14	Section 94 Contributions Plan	- Timing of land acquisition is unclear. Will land required for open space and road widening be purchased concurrently? - Methodology for the valuation of land to be acquired for road widening is unclear.
		4	SEPP Maps	- It is unclear as to the difference in the minimum lot sizes for land zoned E4 within the Precinct..
42	Leslie and Dianna Mitchell 4 Bruce Place Kellyville	13	Infrastructure	- Requests that all land be sewerred, whether it is developed or not.
		8	Water Cycle Management Strategy	- Development of land opposite this property for housing is likely to increase stormwater runoff and adversely affect other properties in Bruce Place. Accordingly requests that lot sizes in the R2 zone be increased to provide for a better transition between the R2 and E4 zoned properties in Bruce Place.
		5	Development Control Plan	- Existing allotment shape means that with a 30m allotment width this property cannot be developed for 4,000sq.m allotments.
				- DCP requirement for the provision of a building platform clear of restrictions (e.g. APZs) means that subdivision of this property is not possible.
		7	Environmental	- Amount of, and reason for, payment of a 5 year bond for EMP works is unclear.

Author	Issue No.	Issue	Summary
		Management Plan	<ul style="list-style-type: none"> <li>- It is unclear who is responsible for paying for bush regeneration and management.</li> <li>- Residents who own properties on land zoned E4 are to pay for maintenance of land for the benefit of everyone.</li> </ul>
	3	SEPP Instrument	<ul style="list-style-type: none"> <li>- All constrained land should be purchased by a public authority or retain the existing zoning and provide sewer and gas servicing.</li> </ul>
43	13	Infrastructure	<ul style="list-style-type: none"> <li>- Provision of essential water infrastructure by Sydney Water in 2012/13 is much later than originally indicated (2009/10) and will prevent development from occurring in the near future.</li> <li>- SIC levy should be scrapped and State infrastructure funded by GST revenue.</li> </ul>
	11	Section 94 Contributions Plan	<ul style="list-style-type: none"> <li>- Council's s94 plan indicates that development will be slower than expected and equates to a production rate of 10 hectares per annum. This is unacceptable and is likely to be below policy expectations.</li> <li>- Infrastructure provision timetable under s94 plan should be provided to residents.</li> <li>- Financial modelling and assumptions used in s94 plan should be made publicly available to demonstrate how the levies were calculated.</li> </ul>
	4	SEPP Maps	<ul style="list-style-type: none"> <li>- Maximum lot size in E4 should be 2,000sq.m as opposed to 4,000sq.m.</li> </ul>
	1	Constrained land	<ul style="list-style-type: none"> <li>- Vegetation in many areas along Foxall and Barry Roads is not of high conservation values and is weed infested.</li> </ul>
	6	Indicative Layout Plan	<ul style="list-style-type: none"> <li>- Requests that areas which indicate medium density housing on the ILP be reconciled with those identified in the SEPP maps.</li> </ul>
	114	Implementation	<ul style="list-style-type: none"> <li>- Requests that the name for North Kellyville reflect it's individuality and accordingly separate it from adjoining development such as Rouse Hill and Kellyville.</li> </ul>
44	1	Constrained Land	<ul style="list-style-type: none"> <li>- Generally agrees with constrained land location however requests review of constrained land boundary on the western boundary of 9 Ross Place.</li> </ul>
	4	SEPP Maps	<ul style="list-style-type: none"> <li>- Minimum lot size in E4 zone should be 2,000sq.m regardless of the location of the land.</li> </ul>
	5	Development Control Plan	<ul style="list-style-type: none"> <li>- Minimum lot width of 30m is excessive and should be more like Glenhaven and Castle Hill (i.e, 15-20m).</li> </ul>
45	14	Implementation	<ul style="list-style-type: none"> <li>- Rugby NSW intends to establish a new club in Kellyville and wish to utilise the new sports fields in the future, preferably with a dedicated rugby field or perhaps sharing a field with rugby league and soccer teams. Indicated the need for good lighting at the fields to enable teams to play games and train at night. Requests that Council work with NSW Rugby through future planning.</li> </ul>
46	3	SEPP Instrument	<ul style="list-style-type: none"> <li>- Proposed zoning to RE1 will mean that existing use for a nursery is no longer permissible and land has effectively been sterilised.</li> </ul>
	11	Section 94 Contributions Plan	<ul style="list-style-type: none"> <li>- Proposed zoning to RE1 will mean that existing use for a nursery is no longer permissible and land has effectively been sterilised.</li> <li>- There is no acquisition clause which enables the acquisition of this property due to the above issue.</li> <li>- There is no timetable for the acquisition of the land for open space and this has implications for</li> </ul>

	<b>Author</b>	<b>Issue No.</b>	<b>Issue</b>	<b>Summary</b>
				<ul style="list-style-type: none"> <li>- the ongoing viability of the lease of the site for the purposes of a nursery. Land cannot be sold as it is zoned for open space and owner will suffer economic hardship as a result. Owner will be applying to have land acquired by Council under the owner-initiated acquisition provisions of the <i>Land Acquisition (Just Terms Compensation) Act 1991</i>.</li> </ul>
47	John and Denise Noppert 69 Foxall Road Kellyville	13	Infrastructure	<ul style="list-style-type: none"> <li>- Provision of essential water infrastructure by Sydney Water in 2012/13 is much later than originally indicated (2009/10) and will prevent development from occurring in the near future. SIC levy should be scrapped and State infrastructure funded by GST revenue.</li> </ul>
		11	Section 94 Contributions Plan	<ul style="list-style-type: none"> <li>- Provision of essential water infrastructure by Sydney Water in 2012/13 is much later than originally indicated (2009/10) and will prevent development from occurring in the near future.</li> </ul>
		4	SEPP Maps	<ul style="list-style-type: none"> <li>- Infrastructure provision timetable under s94 plan should be provided to residents.</li> <li>- Maximum lot size in E4 should be 2,000sq.m as opposed to 4,000sq.m.</li> </ul>
		12	Bushfire Assessment	<ul style="list-style-type: none"> <li>- APZ mapping is inaccurate and should not be identified as such.</li> </ul>
48	Martin Hanrahan 6 Withers Road Kellyville	4	SEPP Maps	<ul style="list-style-type: none"> <li>- R1 or R3 zone would be more appropriate given the location of this property.</li> <li>- Request reconsideration of the location of the school and clarification of the special or unique qualities of this particular property which lead to it being identified for the school site. Consider it to be better suited to housing due to characteristics of the site.</li> </ul>
49	Joe and Judith Bacic 45-49 Foxall Road Kellyville	1	Constrained Land	<ul style="list-style-type: none"> <li>- Constrained land and E4 zoning is the equivalent to the Carr government policy's Green Rural Lifestyle Zone.</li> </ul>
		4	SEPP Maps	<ul style="list-style-type: none"> <li>- This property cannot be built on due to the identification of constrained land and minimum lot sizes.</li> </ul>
		2	Riparian Assessment	<ul style="list-style-type: none"> <li>- Extent of riparian corridor has changed over time through the different iterations of the plan. Landholders were not notified of the identification of the riparian corridor, nor its' impacts.</li> <li>- Requests review of the site constraints to hopefully improve the development potential of the site.</li> </ul>
50	Laurence and Janice Williams 4 Ross Place Kellyville	4	SEPP Maps	<ul style="list-style-type: none"> <li>- Lot size in E4 zone should be reduced from 4,000sq.m to 2,000sq.m</li> </ul>
		1	Constrained Land	<ul style="list-style-type: none"> <li>- Constrained land should be reduced to the rear boundary fence</li> </ul>
		13	Infrastructure	<ul style="list-style-type: none"> <li>- Will electricity easement be purchased by the relevant authority or remain in their ownership?</li> </ul>
51	A Buda 27 Barry Road Kellyville	1	Constrained land	<ul style="list-style-type: none"> <li>- Identification of constrained land fails to consider actual topography and vegetation cover.</li> <li>- Constrained land should be reduced by 50-100m accordingly. Flora and fauna assessment indicates that the site has low biodiversity.</li> </ul>
		4	SEPP Maps	<ul style="list-style-type: none"> <li>- Maximum lot size in E4 zone should be 2000sq.m</li> </ul>

	<b>Author</b>	<b>Issue No.</b>	<b>Issue</b>	<b>Summary</b>
52	Raymond and Catherine Galea 31 Barry Road Kellyville	4	SEPP Maps	<ul style="list-style-type: none"> <li>- Zoning and identification of constrained land fails to consider actual topography and vegetation cover.</li> <li>- E4 zoning is unwarranted as land is flat and cleared of vegetation, should be zoned for low density housing. 1000sq.m and 2000sq.m blocks would be expensive and difficult to sell.</li> </ul>
		2	Riparian Assessment	<ul style="list-style-type: none"> <li>- Riparian corridor is excessive as land is flat and does not flood.</li> </ul>
		12	Bushfire Assessment	<ul style="list-style-type: none"> <li>- The APZ is incorrectly mapped as there is little vegetation on the site and is not providing a buffer from a vegetated area.</li> </ul>
54	Lynda Morris 163 Glenhaven Road Glenhaven	1	Constrained Land	<ul style="list-style-type: none"> <li>- Land identified as constrained is not heavily vegetated and should not be identified as such</li> </ul>
55	Telstra, Wireless Operations	13	Infrastructure	<ul style="list-style-type: none"> <li>- Plans do not make provision for the provision of wireless telephone infrastructure. Wireless telephone infrastructure should be considered in the same way as traditional infrastructure. Suggest that controls should be included which refer to the need to provide for and accommodate mobile phone telecommunications infrastructure.</li> <li>- Mobile phone telecommunications infrastructure should be permissible in every land use zone.</li> </ul>
56	Pascoe Planning on behalf of owners of 22-26 Barry Road Kellyville	1	Constrained Land	<ul style="list-style-type: none"> <li>- The steep land classification at the rear of Nos. 22 and 24 Barry Road be reviewed, particularly around the category 3 stream.</li> <li>- The constrained land designation and associated retention and management raises issues of equity and compensation, therefore all constrained land which is required for biodiversity/natural ecosystem function and water management purposes should be acquired by the relevant land acquisition authority.</li> </ul>
		2	Riparian Assessment	<ul style="list-style-type: none"> <li>- The riparian area beyond the category 2 stream should be removed from all plans.</li> </ul>
		4	SEPP Maps	<ul style="list-style-type: none"> <li>- A uniform minimum area requirement of 2000 square metres be introduced for the proposed Environmental Living Zone.</li> <li>- An additional low density housing precinct be integrated into the ILP for Nos. 22, 24 and 26 Barry Road as shown in appendix to submission.</li> </ul>
57	Jan Schroder Carinda Drive Glenhaven	11	Section 94 Contributions Plan	<ul style="list-style-type: none"> <li>- Supports installation of traffic lights at Old Northern and Glenhaven Roads.</li> </ul>
58	Geoffrey Morgans 4 Kendall Place Kellyville	6	Indicative Layout Plan	<ul style="list-style-type: none"> <li>- The proposed large sweeping road on the easterly front of Kendall Place cuts an entire block in two and that block is already ringed by roads. The curved road on 4 Kendall Place be replaced by a straighter road which is located further east and to extend it further to the south with the land that lies west of that road being zoned middle density residential.</li> </ul>
		4	SEPP Maps	<ul style="list-style-type: none"> <li>- Requests that the whole of the property be zoned for medium density.</li> </ul>

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		1	Constrained Land	<ul style="list-style-type: none"> <li>- The position of the constrained land boundary appears to be plotted inaccurately and needs to be amended to reflect the 20% line. The constrained land east and southeast of Kendall Place should be reduced. The constrained land does not appear to take into account the protective nature of the cliff and the low risk southerly location of the houses.</li> </ul>
60	Chalk and Fitzgerald on behalf of Deerubbin Local Aboriginal Land Council	9	Biodiversity Certification	<ul style="list-style-type: none"> <li>- The Deerubbin Local Aboriginal Land Council (LALC) (have been treated unfairly with respect to Biodiversity Certification and offset package which relates primarily to Cumberland Plain Vegetation. Deerubbin land is one of the few examples of sandstone transition geology / soil type within the Growth Centres. Whilst this geology / soil type is common outside of the Growth Centres, it is unlikely to be found within the lands selected as offsets for impacts on Cumberland Plain. For this reason, flora populations on Deerubbin land require physical protection.</li> <li>- Deerubbin LALC have demonstrated the availability of lands outside of the Growth Centres which could be secured to offset the impacts on the biodiversity values of the Deerubbin Land.</li> <li>- The determination that populations of threatened flora species were unable to be external offset is unfair, particularly as different threatened flora species were present on other privately owned lands which were given the benefit of the offsetting regime.</li> <li>- Further, whereas other lands within the Growth Centres that are required to be protected are likely to be acquired with Special Infrastructure Levy funding. Currently, there is no requirement in the Growth Centres SEPP or the biodiversity certification, or any other instrument, that Deerubbin will be compensated at all.</li> <li>- There should be included in lands to be secured as external offsets, land to support populations of <i>Hibbertia superans</i>, <i>Epacris purpurascens</i>, <i>Eucalyptus Sp. Cattai</i> and if necessary, <i>Darwinia biflora</i>. Deerubbin have separately demonstrated to the GCC and DECC that it owns suitable lands that could be secured for offsets.</li> <li>- This would provide a basis for the extension of biodiversity certification to all of the Deerubbin land, to support development on that part of property suited to development based on ordinary planning principles.</li> </ul>
		1	Constrained Land	<ul style="list-style-type: none"> <li>- Because the assessment of biodiversity significance conducted prior to certification did not regard the Deerubbin land as being or containing a patch of existing native vegetation of high management viability, it is not subject to the measures in Cl 6 – 13 of the Certification Order that require the retention of 2000 hectares of existing native vegetation across the Growth Centres.</li> <li>- It appears that the Commission now consider it desirable that some of the protected lands mapped with existing native vegetation should now be developed. In order to achieve this result, the draft precinct planning documents propose that the Deerubbin land be redesignated as “retained vegetation” so that the 34 hectares of retained native vegetation required for biodiversity certification can be achieved. This applied another layer of biodiversity significance that applies a new form of restriction not required by the current biodiversity certification.</li> <li>- Other privately owned lands have been identified as being required for internal offsets and will be purchased or otherwise secured using SIC funding. Deerubbin LALC’s land is to be</li> </ul>



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		4	SEPP Maps	<p>protected as an offset for development on other lands with funding and is required to take action to protect the biodiversity values at its own expense without compensation.</p>
		7	Environmental Management Plan	<ul style="list-style-type: none"> <li>- The North Western portion of Deerubbin's land which is not classified as being constrained should be zoned Environmental Living to support block sizes of 4000 square metres. Although this area has been found to contain some specimens of <i>Eucalyptus Sp. Cattai</i> and <i>Darwinia biflora</i>, it is doubtful that these populations would be sustainable adjacent to an urban area and larger populations of these species would be protected elsewhere on Deerubbin land.</li> <li>- The area of land adjacent to proposed Residential R2 which is not subject to the retained native vegetation layer be zoned Environmental Living E4 rather than Environmental Management E4.</li> <li>- To the extent that Deerubbin' land is to be actively managed for environmental protection, it is unfair that this should be at Deerubbin's expense. As this benefits all land owners in the precinct and forms part of the rationale for the proposed pattern of development, Deerubbin LALC should be compensated accordingly.</li> </ul>
61	Nature Conservation Council of NSW	3	SEPP Instrument	<ul style="list-style-type: none"> <li>- The Precinct Plan does not go far enough with respect to addressing sustainable communities in terms of water conservation, public transport and energy efficiency.</li> </ul>
		7	Environmental Management Plan	<ul style="list-style-type: none"> <li>- Whilst the water management strategy provides for water tanks on all residential lots, the Draft SEPP Amendment No.3 requires that consent must be granted for the installation of rain tanks in Zone R2 Low Density residential land. This barrier to installation is considered unnecessary.</li> <li>- A requirement of all new development must be to facilitate the capture and re-use of water.</li> </ul>
		10	Public Transport	<ul style="list-style-type: none"> <li>- The upgrade of Samantha Riley Drive, Hezlett Rod and Withers Road must allow for dedicated bus lanes to facilitate increased public transport use.</li> </ul>
		5	Development Control Plan	<ul style="list-style-type: none"> <li>- The DCP and complying development controls should require that all swimming pools be covered with a secure "pool blanket" or similar device when not in use to prevent evaporation and reduce energy use in heated pools.</li> <li>- Given the challenge to reduce societies carbon footprint, it is expected that future building energy efficiency standards, currently controlled through BASIX will need to be improved. Whilst the DCP addresses sustainability controls for residential development through BASIX, it should also include sustainable design principles for all non residential development and infrastructure. Opportunities for promoting energy efficiency and the supply of electricity via cogeneration should be encouraged for all large developments.</li> <li>- The DCP relies on current building standards for sustainability such as BASIX and fails to recognise best practice sustainability principles.</li> </ul>
62	Sandra Wilson, 18	4	SEPP Maps	<ul style="list-style-type: none"> <li>- Concern regarding the marketability of large lot environmental living that adjoins residential lots</li> </ul>

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	Stringer Road, Kellyville.	6	Indicative Layout Plan	<ul style="list-style-type: none"> <li>- The draft ILP limits the subdivision potential of my property unless developed jointly with neighbouring properties. As there is no guarantee of cooperation or intent to subdivide, my property has been devalued by the Draft Precinct Plan. Solutions could include 1000 – 2000m<sup>2</sup> lot sizes and a redesign of the road layout.</li> </ul>
64	PGH Environmental Planning on behalf of Nos. 3, 4 and 6 Celia Road, Kellyville	1	Constrained Land	<ul style="list-style-type: none"> <li>- Further review of the subject properties is required to determine the correct identification of slope and vegetation.</li> </ul>
		4	SEPP Maps	<ul style="list-style-type: none"> <li>- A single comprehensive plan that represents the true picture of the various mapping layers should be provided.</li> <li>- The minimum lot size should be changed from 4000m<sup>2</sup> to 2000m<sup>2</sup>. The maximum yield will still be controlled, yet will provide flexibility in subdivision design of “constrained land”.</li> </ul>
		3	SEPP Instrument	<ul style="list-style-type: none"> <li>- Suitably drafted notation should be included within the SEPP and DCP that gives the Retained Native Vegetation Map and Steep Land Map the status of indicative boundaries to be the subject of more detailed investigation at the development application stage. This approach would enable a merit assessment of each affected development site.</li> </ul>
		5	Development Control Plan	<ul style="list-style-type: none"> <li>- The prohibition of dwellings within the nominated asset protection zones is inconsistent with the Planning for Bushfire Protection Guidelines 2006 and AS3959. The DCP should be amended to correct this inconsistency.</li> </ul>
65	PGH Environmental Planning on behalf of No. 32 Withers Road, Kellyville	1	Constrained Land	<ul style="list-style-type: none"> <li>- Further review of the subject properties is required to determine the correct identification of slope and vegetation.</li> </ul>
		4	SEPP Maps	<ul style="list-style-type: none"> <li>- A single comprehensive plan that represents the true picture of the various mapping layers should be provided.</li> <li>- The subject property should be zoned for residential or medium density purpose as opposed to the current Environmental Living E4 Zoning.</li> </ul>

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	3	SEPP Instrument	<ul style="list-style-type: none"> <li>- Suitably drafted notation should be included within the SEPP and DCP that gives the Retained Native Vegetation Map and Steep Land Map the status of indicative boundaries to be the subject of more detailed investigation at the development application stage. This approach would enable a merit assessment of each affected development site.</li> </ul>
	5	Development Control Plan	<ul style="list-style-type: none"> <li>- The prohibition of dwellings within the nominated asset protection zones is inconsistent with the Planning for Bushfire Protection Guidelines 2006 and AS3959. The DCP should be amended to correct this inconsistency.</li> </ul>
66	1	Constrained Land	<ul style="list-style-type: none"> <li>- Further review of the subject properties is required to determine the correct identification of slope and vegetation.</li> </ul>
	4	SEPP Maps	<ul style="list-style-type: none"> <li>- A single comprehensive plan that represents the true picture of the various mapping layers should be provided.</li> <li>- The minimum lot size should be changed from 4000m<sup>2</sup> to 2000m<sup>2</sup>. The maximum yield will still be controlled, yet will provide flexibility in subdivision design of "constrained land".</li> </ul>
	3	SEPP Instrument	<ul style="list-style-type: none"> <li>- Suitably drafted notation should be included within the SEPP and DCP that gives the Retained Native Vegetation Map and Steep Land Map the status of indicative boundaries to be the subject of more detailed investigation at the development application stage. This approach would enable a merit assessment of each affected development site.</li> </ul>
	5	Development Control Plan	<ul style="list-style-type: none"> <li>- The prohibition of dwellings within the nominated asset protection zones is inconsistent with the Planning for Bushfire Protection Guidelines 2006 and AS3959. The DCP should be amended to correct this inconsistency.</li> </ul>
67	4	SEPP Maps	<ul style="list-style-type: none"> <li>- Subdivision within the Environment Living E4 Zone should permit 1500 square metre lots.</li> </ul>
68	11	Section 94 Contributions Plan	<ul style="list-style-type: none"> <li>- The nomination of the subject property for local park is unsuitable on the basis that the park is adjacent to Hezlett Road which is planned as a sub-arterial road. Traffic on this road will threaten the safety of children using the park.</li> <li>- The location of the local park is likely to attract inappropriate activities from youth who will congregate at night.</li> <li>- Disturbances from the park would be a problem from local police and Council.</li> <li>- There are sufficient parks in the North Kellyville Precinct located in quieter streets.</li> </ul>

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69	Grech Partner Solicitors on behalf of Mr Apap, 4 Foxall Road, Kellyville.	12	Bushfire Assessment	- The subject property is used as a market garden and is totally clear of bushland. The nomination of bushfire asset protection zones within the property is incorrect and should be updated to remove this constraint.
70	Mr and Mrs Liao, 59 Foxall Road, Kellyville, NSW, 2155	1	Constrained Land	- The nomination of constrained land on our property will result in 5 out of 6 hectares being unsuitable for development. The value of the property has been significantly impacted by the current proposal.
		2	Riparian Assessment	- The Steep Land Map identifies a majority of the subject property as too steep to develop. The mapping appears incorrect as there are two levels separated by a 3m slope.
				- The Precinct Plan identifies that the creek as having environmental importance. It is noted that this creek has been subject to filling to permit development.
				- It is excessive to declare five acres of land as unsuitable for development due to the creek which only occupies a small proportion of our property.
				- The mapping of constraints that affect our property should be reviewed to permit development.
71	PGH Environmental Planning on behalf of Jenny, Katherine and Rachel Colosimo - No. 25 Stringer Road, Kellyville.	1	Constrained Land	- Further review of the subject properties is required to determine the correct identification of slope and vegetation.
		4	SEPP Maps	- A single comprehensive plan that represents the true picture of the various mapping layers should be provided.
				- The prohibition of dwellings within the nominated asset protection zones is inconsistent with the Planning for Bushfire Protection Guidelines 2006 and AS3959. The DCP should be amended to correct this inconsistency.
		3	SEPP Instrument	- Suitably drafted notation should be included within the SEPP and DCP that gives the Retained Native Vegetation Map and Steep Land Map the status of indicative boundaries to be the subject of more detailed investigation at the development application stage. This approach would enable a merit assessment of each affected development site
		4	SEPP Maps	- The minimum lot size should be changed from 4000m <sup>2</sup> to 2000m <sup>2</sup> . The maximum yield will still be controlled, yet will provide flexibility in subdivision design of "constrained land".
72	Don Fox Planning on behalf of Moran Health Care Group. 71 – 83 Samantha Riley Drive, Kellyville.	3	SEPP Instrument	- The Low Density Residential R2 Zone should be amended to include "Seniors housing" as a permissible use.
		6	Indicative Layout Plan	- The proposed roads should be relocated entirely external to the subject property in recognition of the proposed development and existing approved development on the eastern adjoining land.
		5	Development Control Plan	- The draft DCP should allow greater flexibility for vehicular access to Samantha Riley Drive, where it can be demonstrated that such access will not adversely impact on the flow of traffic or road safety.
		11	Section 94 Contributions Plan	- If the Contributions Plan is to be revised to include contributions for senior housing, those contributions should be based on reasonable occupancy rates and reflect the relative self sufficiency of residential care facilities in regard to facilities and services.
				- Occupancy rates for each sub-category of multi unit housing dwellings should be specified in the

	Author	Issue No.	Issue	Summary
				<p>CP.</p> <ul style="list-style-type: none"> <li>- Provision should be included in the CP to specifically allow a Planning Agreement to be proposed by applicants to encourage early infrastructure provision.</li> <li>- Total monetary contributions should be reviewed as together with current state levies, a single dwelling house would attract a contribution of \$73,000, which is considered excessive, unsustainable and unlikely to promote housing affordability.</li> </ul>
73	Mr and Mrs King, 24 Barry Road, Kellyville, NSW, 2155.	4	SEPP Maps	<ul style="list-style-type: none"> <li>- The subject property is suited for additional low density housing on the basis that maximising the urban development area will fulfil the need for more affordable housing.</li> <li>- The property is within walking distance of shops, infant and primary school and sporting fields.</li> <li>- Decreasing the reliance on cars is an objective of the North Kellyville Precinct Plan. Maximising the use of land along a major bus route would support this objective.</li> </ul>
74	Pascoe Planning Solutions on behalf of Mr and Mrs Bellomo, No. 8 Hillview Road and Mr and Mrs Davys, No. 10 Hillview Road.	1	Constrained Land	<ul style="list-style-type: none"> <li>- The classification of Lot 8 as constrained land on the basis of steepness be removed upslope from the riparian zone.</li> <li>- The requirement for a 10 metre buffer beyond the core riparian corridor be deleted or at least subject to flexible management arrangements including an outer bushfire protection buffer.</li> <li>- The Retained Native Vegetation layer be amended to only classify vegetation within the Smalls Creek riparian corridor for lot Nos. 8 and 10 based on the flora survey conducted on the site.</li> <li>- All constrained land required for biodiversity / natural ecosystems be acquired by the relevant responsible authority at an appropriate value.</li> </ul>
		4	SEPP Maps	<ul style="list-style-type: none"> <li>- Based on the review of constraints as recommended, that the Low Density Residential R2 Zone be extended on lots 8 and 10.</li> <li>- A uniform minimum area requirement of 2000 square metres be introduced for the proposed Environmental Living Zone.</li> </ul>
75	Sigrid Kirk, 61 Foxall Road, Kellyville, NSW, 2155	5	Development Control Plan	<ul style="list-style-type: none"> <li>- The prohibition of dwellings within the nominated asset protection zones is inconsistent with the Planning for Bushfire Protection Guidelines 2006 and AS3959. The DCP should be amended to correct this inconsistency.</li> </ul>
		12	Bushfire Assessment	<ul style="list-style-type: none"> <li>- Due to limitation in consultants surveying all properties, studies such as the Bushfire Assessment Report have not considered site specific works that would result in reduced hazard mapping.</li> </ul>
		6	Constrained Land	<ul style="list-style-type: none"> <li>- The constrained land boundary is incorrectly identifies steep land on the subject property and should be amended to reflect actual topography.</li> </ul>
		2	Riparian Assessment	<ul style="list-style-type: none"> <li>- The minor Category 3 Stream (north south orientation) identified to the rear of out property is incorrectly identified and should be removed from the Precinct Plan.</li> </ul>
		3	SEPP Instrument	<ul style="list-style-type: none"> <li>- The SEPP allows flexibility in R1 and R2 boundaries, with tolerance for on ground adjustment. The same flexibility should be applied to the Environmental Living E4 Zone.</li> </ul>
		4	SEPP Maps	<ul style="list-style-type: none"> <li>- The treatment of Environmental Living E4 Zone land with respect to lot size is inconsistent. Some land can be subdivided to 2000 square metre blocks and others 4000 square metres.</li> </ul>

	<b>Author</b>	<b>Issue No.</b>	<b>Issue</b>	<b>Summary</b>
				<p>Based on the suitability of the site, a density control of 7.5 dwellings per hectare should be applied instead of the minimum lot size control.</p> <ul style="list-style-type: none"> <li>- A single comprehensive plan that represents the true picture of the various mapping layers should be provided.</li> <li>- Suitably drafted notation should be included within the SEPP and DCP that gives the Retained Native Vegetation Map and Steep Land Map the status of indicative boundaries to be the subject of more detailed investigation at the development application stage. This approach would enable a merit assessment of each affected development site.</li> <li>- Further review of the subject properties is required to determine the correct identification of slope and vegetation.</li> <li>- The prohibition of dwellings within the nominated asset protection zones is inconsistent with the Planning for Bushfire Protection Guidelines 2006 and AS3959. The DCP should be amended to correct this inconsistency.</li> </ul>
76	Mr C and M Attard, No.8 White Gum Place, Kellyville, NSW, 2155 and No.23 Withers Road, Kellyville, NSW, 2155.	1  4	Constrained Land  SEPP Maps	<ul style="list-style-type: none"> <li>- A review of the mapping layers that comprise constrained land reveals adjustments are needed to accurately reflect actual constraints.</li> <li>- The provision for 2000 and 4000 square metre lots appears based on the steepness of catchments. Although this distinction is considered valid, in some instances 2000 square metre lots would be suitable in areas currently designated for 4000 square metre lots.</li> <li>- The minimum lot size for the Environmental Living E4 Zone should be 2000 square metres.</li> <li>- The subject property has similar characteristics to adjoining land zoned for low and medium density residential housing. The north eastern area of 23 Withers Road should be designated for low density residential as a minimum.</li> </ul>
77	Mr Allan and Mrs Hillary Farrington. 5 Bruce Place, Kellyville, NSW, 2155,	1  12	Constrained Land  Bushfire Assessment	<ul style="list-style-type: none"> <li>- The constrained land boundary does not reflect on-ground conditions as a majority of the property is flat or gently slopes towards Cattai Creek.</li> <li>- Strong objection to the mapping of bushfire hazard which incorporates the entire property.</li> <li>- The main fire hazard is not from the mature trees but from the build up of undergrowth which Council has not adequately maintained.</li> <li>- It appears that Council will have responsibility for the management more land under the draft plan.</li> <li>- If property owners maintained bushland under strict guidelines, it would be in their interest to keep the bushland in good condition. This would also reduce the ongoing management cost to Council.</li> </ul>
78	Mr Andrew and Mrs Margaret Salvestro. 22 Stringer Road,	1	Constrained Land	<ul style="list-style-type: none"> <li>- The Growth Centres Commission should review the "arrow-head" area of land with respect to slope and vegetation with a view to removing the constrained land classification.</li> </ul>

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	Kellyville, NSW, 2155.	4	SEPP Maps	<ul style="list-style-type: none"> <li>- The Growth Centres explore the prospects of low density residential development on areas aligning with Stringer Road and immediate slopes.</li> <li>- The Growth Centres Commission adopt a uniform 2000 square metre minimum lot size provision for the E4 Environmental Living Zone, together with the current community title provision.</li> </ul>
		12	Bushfire Assessment	<ul style="list-style-type: none"> <li>- The Growth Centres Commission review the Bushfire Assessment as it relates to our holding by detailed individual assessment.</li> </ul>
79	Mr Malikit Banwait 87 – 89 Samantha Riley Drive, Kellyville, NSW, 2155	4	SEPP Maps	<ul style="list-style-type: none"> <li>- Due to the proximity of the property to the southern neighbourhood centre, it should be zoned General Residential R1 rather than Low Density Residential R2 to permit 240 square metre lots.</li> </ul>
80	Don Fox Planning on behalf of the Australasian Conference Association of the Seventh Day Adventist Church.	4	SEPP Maps	<ul style="list-style-type: none"> <li>- The Low Density Residential R2 Zone should be amended to include places of public worship and educational facilities as permissible uses.</li> </ul>
		4	SEPP Instrument	<ul style="list-style-type: none"> <li>- Clause 4.3 (2A) should be amended to include places of public worship and educational establishments within the R1 and R2 zones where the site and proposed development comply with the provisions of parts (a) and (b) of sub clause 2A to enable the establishment of appropriate land mark buildings.</li> </ul>
81	Mr Bernie Moriarty, 5 Kendall Place, Kellyville, NSW, 2155.	1	Constrained Land	<ul style="list-style-type: none"> <li>- The location of the constrained land boundary shown on the Indicative Layout Plan is incorrect. It is requested that the boundary be redrafted in a manner consistent with the attached sketch which identifies the 20% slope boundary.</li> </ul>
		4	SEPP Maps	<ul style="list-style-type: none"> <li>- The minimum lot size requirement of 4000 square metres for Environmental Living E4 Zoned land near Cattai Creek should be reduced to 2000 square metres. The requirement for land owners to maintain the bushland of such large blocks would be cost prohibitive and potentially make such blocks unsaleable.</li> </ul>
		6	Indicative Layout Plan	<ul style="list-style-type: none"> <li>- The review of the constrained land boundary would provide an opportunity to vary the ILP. The road layout should be positioned further east towards Cattai Creek to permit more Low Density Residential R2 Zoned land.</li> </ul>
		5	Development Control Plan	<ul style="list-style-type: none"> <li>- The exhibition material states that no dwellings are to be constructed within the asset protection zone (APZ) . It is understood dwelling construction is permitted within the APZ subject to meeting the requirements of Planning for Bushfire Protection Guidelines (2006). It is therefore requested that the final Development Control Plan correct this error.</li> </ul>
82	Robert Moore and Associates on behalf of Mrs Camille Kelly, 33 Foxall Road,	6	Indicative Layout Plan	<ul style="list-style-type: none"> <li>- The road layout as it relates the subject property should align the proposed road equally on existing boundaries as illustrated on the attached plan.</li> <li>- The nominated amendment would remove a potential trapped low point for stormwater management and would permit the extension of the Low Density Residential R2 Zone.</li> </ul>

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	Kellyville, NSW, 2155.			
83	Darug Custodian Aboriginal Corporation	15	Aboriginal Archaeology	<ul style="list-style-type: none"> <li>- There is an abundance of Cultural Heritage in the North Kellyville Precinct including shelters with art ad deposit, grinding grove sites, scarred trees, artefact scatters and more.</li> <li>- Darug are concerned that only limited access to a very small area was available.</li> <li>- There are many sites that should be protected/ conserved due to the diversity of landscapes which is a very important area for Darug.</li> </ul>
84	Robert Moore and Associates on behalf of Mr Denis and Mrs Lucia Low and Waycross Pty Ltd. 34 Hezlett Road, Kellyville, NSW, 2155.	6	Indicative Layout Plan	<ul style="list-style-type: none"> <li>- Objection to the proposed road layout and location of water course extending into the subject property.</li> <li>- It is recommended that the road running parallel with the creek be redrafted to remove the dog leg and identify the road with its centreline along the boundary allowing regular allotments fronting open space.</li> <li>- The road layout in the vicinity of Gum Nut Close should also be amended to permit an effective boundary adjustment between owners to achieve sustainable and orderly development of the subject property.</li> </ul>
85	Urban Development Institute of Australia (UDIA).	13	Infrastructure	<ul style="list-style-type: none"> <li>- The UDIA recommends that the Growth Centres Commission promote the economic provision of natural gas infrastructure to the North Kellyville Precinct by advocating the use of shared trenches and where relevant encouraging the use of natural gas for domestic purposes.</li> <li>- The Indicative Layout Plan identifies a northern bridge connection from Ross Place to Edwards Road, link to Annangrove Road. The delivery of Box Hill and Box Hill Industrial Precinct will significantly increase traffic volumes which may lead to this route facilitating rat runs through the Precinct. It is recommended that this access provision be abandoned or heavily constrained to provide for emergency access only.</li> <li>- Further consideration should be given to the creation of an east-west access from Withers Road to Annangrove Road to alleviate demand on Hezlett Road.</li> </ul>
		5	Development Control Plan	<ul style="list-style-type: none"> <li>- A number of built form controls in the DCP may constrain the ability of developers and builders to distinguish their product from that of their competitor.</li> <li>- The minimum ceiling height requirement of 2.7m is contrary to BCA requirements and can add approximately \$5,000 per storey to the cost of producing a single dwelling.</li> <li>- The UDIA recommend that the Growth Centres Commission revise the draft DCP to provide greater flexibility for the development industry to meet market demands by removing minimum floor to ceiling heights by deferring to the current industry and BCA standard.</li> </ul>
		2	Riparian Assessment	<ul style="list-style-type: none"> <li>- It is the experience of UDIA members that creek corridors rarely evolve into pristine natural systems and are expensive to construct, manage and adequately maintain in the long term.</li> <li>- The UDIA recommend that the GCC take an active role in ensuring that the balance between providing new housing and achieving conservation outcomes is maintained.</li> <li>- It is recommended that the GCC recognise the significant economic challenge of embellishing and maintaining riparian corridors in private ownership by ensuring that land use planning reflects the need to provide viable development.</li> </ul>



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86	Mepstead and Associates on behalf of MR and Mrs Pitt. 36 Hezlett Road, Kellyville, NSW, 2155.	2	Riparian Assessment	<ul style="list-style-type: none"> <li>- The extent of the proposed riparian corridor is in our opinion, excessive and unsustainable as a riparian corridor.</li> <li>- The small park (80m x 20m) is not of sufficient size and is unlikely to be maintained as Council does not have the resources to maintain existing bushland.</li> <li>- The catchment area is of insufficient size to warrant a riparian corridor of this length and there is no concentrated stormwater being naturally drained towards the subject property. Stormwater flows to the proposed riparian corridor will only occur by adjoining owners wanting to use the corridor.</li> <li>- It is recommended that proposed length of the riparian corridor be reduced by 55% to provide an incentive for development to occur in a logical and coordinated manner.</li> </ul>
87	Mepstead and Associates on behalf of Mr and Mrs Schwebel, 11 Hillview Road, Kellyville, NSW, 2155 and Mr and Mrs Crozier of 7 Hillview Road, Kellyville, NSW, 2155.	2	Riparian Assessment	<ul style="list-style-type: none"> <li>- The proposed watercourse on the subject property is a mown area that can be traversed in all weather conditions.</li> <li>- The depression does not contain water flows on a regular basis and only major storms generate sufficient run off from the catchment for any flow to be generated. The 1 in 10 year storm could be piped</li> <li>- The proposed riparian corridor will create a difficult development regime because it will isolate the rear section of the property from vehicular access.</li> <li>- The proposed riparian corridor is not connected to any other feature other than stormwater from upstream properties.</li> <li>- There will be no sub-surface flows to support the riparian corridor because the planned roads adjacent to the corridor will cut off all sub-surface flows.</li> <li>- It is recommended that the depression be used as a conventional drainage system with a road in the low point, drainage below the road and overland flow provided by the road.</li> <li>- The riparian area should be restricted to the special infrastructure land associated with creek line No.10.</li> </ul>
88	Mr A and Mrs C Crozier of 7 Hillview Road, Kellyville, NSW, 2155.	2	Riparian Assessment	<ul style="list-style-type: none"> <li>- The proposed watercourse has no channel, does not hold water and only has run-off after rain. Therefore it does not fit the criteria of a watercourse and should not attract a riparian zone classification.</li> <li>- Water could be piped and connected to the main at the bottom of the hill, as shown in the Sydney Water preferred option, Proposed Carrier line 3 – 4.</li> <li>- The classification of the subject land devalues our property and then at a later date will be piped, after subdivision.</li> <li>- A flora and fauna report commissioned in 2007 identifies no vegetation of any conservation value.</li> <li>- Riparian corridors provided in nearby areas are overgrown with weeds and littered with rubbish. This land should be available for parks which are well maintained or developed into larger</li> </ul>

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89	Pascoe Planning on behalf of Mr and Mrs Pope, 1 Ceilia Road, North Kellyville, NSW, 2155.	1	Constrained Land	<ul style="list-style-type: none"> <li>- building blocks.</li> <li>- The constrained land western boundary be reviewed to permit the placement of building envelopes associated with regeneration and management plan initiatives.</li> <li>- All constrained land required for biodiversity / natural ecosystem function and water management purposes be acquired by the relevant public authority at an appropriate value.</li> </ul>
		2	Riparian Assessment	- The requirement for a 10 metre buffer beyond the core riparian 40 metre corridor be deleted or subject to flexible management arrangements such as APZ buffer area.
		4	SEPP Maps	- A uniform minimum area requirement of 2,000 square metres be introduced for the proposed Environmental Living E4 Zone.
				- Based on the review of constrained land, additional low density housing be integrated into the ILP for the subject property.
90	Pascoe Planning on behalf of Mr and Mrs Hogan, 37 Stringer Road, Kellyville, NSW, 2155.	1	Constrained Land	<ul style="list-style-type: none"> <li>- The Steep Land Map should be reviewed in light of a detailed slope analysis of the subject land.</li> <li>- The constrained land boundary and Retained Native Vegetation Map be modified to align with the riparian zone.</li> <li>- All constrained land required for biodiversity / natural ecosystem function and water management purposes be acquired by the relevant responsible public authority at an appropriate value.</li> </ul>
		2	Riparian Assessment	- The requirement for a 10 metre buffer beyond the core riparian 40 metre corridor be deleted or subject to flexible management arrangements such as APZ buffer area.
		4	SEPP Maps	- A uniform minimum area requirement of 2,000 square metres be introduced for the proposed Environmental Living E4 Zone.
91	Pascoe Planning on behalf of Mr and Mrs Larsen, 28 Barry Road, Kellyville. Mr and Mrs Caruso, 30 Barry Road, Kellyville and Mr and Mrs Martin, 32 Barry Road, Kellyville, NSW, 2155.	2	Riparian Assessment	- The riparian designation beyond the Category 3 classification as illustrated in the submission be removed from the ILP, the SEPP Riparian Protection Area Map and other related planning documents. This stream was not recorded in the Travers Environmental Riparian Assessment Report.
		1	Constrained Land	<ul style="list-style-type: none"> <li>- It is noted that the Retained Native Vegetation Map corresponds to areas of moderate to good quality vegetation. However, the fringing vegetation and related APZ are foreshadowed for review at the development application stage.</li> <li>- All constrained land required for biodiversity / natural ecosystem function and water management purposes be acquired by the relevant responsible public authority at an appropriate value.</li> </ul>
		4	SEPP Maps	- A uniform minimum area requirement of 2,000 square metres be introduced for the proposed Environmental Living E4 Zone.
				- Base on the recommended amendments to the Riparian Protection Area Map that additional low density housing be considered for the subject properties.
92	Pascoe Planning on	1	Constrained Land	- The classification of the subject property as constrained land on the basis of steepness be

	<b>Author</b>	<b>Issue No.</b>	<b>Issue</b>	<b>Summary</b>
	behalf of Mr and Mrs Robson, 17 Barry Road, Kellyville, NSW, 2155.			<p>removed from the subject property on the basis of the majority of the relevant areas are below the required threshold for steep land classification.</p> <ul style="list-style-type: none"> <li>- The Retained Native Vegetation Map should be amended to only classify vegetation aligning with the Smalls Creek riparian corridor on the basis that there are no endangered ecological communities on the site as confirmed by survey.</li> <li>- All constrained land required for biodiversity / natural ecosystem function and water management purposes be acquired by the relevant responsible public authority at an appropriate value.</li> </ul>
		2	Riparian Assessment	The requirement for a 10 metre buffer beyond the core riparian 40 metre corridor be deleted or subject to flexible management arrangements such as APZ buffer area.
		4	SEPP Maps	<ul style="list-style-type: none"> <li>- A uniform minimum area requirement of 2,000 square metres be introduced for the proposed Environmental Living E4 Zone.</li> <li>- Based on the recommended amendments to the Steep Land Map and Retained Native Vegetation Map, the low density residential zone should be extended towards Smalls Creek as illustrated within the submission.</li> </ul>
93	Grech Partners Solicitors on behalf of Mr and Mrs Apap, 4 Foxall Road, Kellyville. Mr Buhner, 17 Hillview Road, Kellyville. Mr and Mrs Bacic, 45-49 Foxall Road, Kellyville. Mrs Kirk, 61 Foxall Road, Kellyville. Mr Sultana, 3 Barry Road, Kellyville and Mr and Mrs Grech, 63 Foxall Road, Kellyville, NSW, 2155.	1	Constrained Land	<ul style="list-style-type: none"> <li>- The mapping of "steep land" is incorrect in many areas considered easily developed. Detailed survey as part of the development process will ultimately determine areas suitable for development and provision should be made within the SEPP to permit adjustments to the constrained land boundary. Should this not be achieved, land owners should have the opportunity to carry out detailed survey prior to Precinct Planning finalisation.</li> <li>- There are errors in the mapping of retained native vegetation which require further ground truthing and adjustment. Similar to steep land mapping, re-establishment of the constrained development line based on detailed survey at the development stage should be permitted by the SEPP.</li> <li>- Recommended amendments to the steep land and retained native vegetation are illustrated in the submission.</li> </ul>
		2	Riparian Assessment	<ul style="list-style-type: none"> <li>- Historically, the financial obligation to retain and restore riparian lands was based on all land owners equitably managed via S94 with maintenance funded by all ratepayers.</li> <li>- The current Precinct Plan generates the inequitable scenario of owners not burdened by riparian zones with a reduced S94 charge. Land owners with riparian corridors wear the cost which will reduce the development viability of parcels with riparian land.</li> </ul>
		12	Bushfire Assessment	<ul style="list-style-type: none"> <li>- The bushfire assessment presumes "deemed to comply" standards and is based on existing vegetation, misinterpretation of slope and new vegetation resulting from riparian restoration. It is presumed that specific analysis and development will modify the bushfire plan. Greater explanation is required to detail how this process will occur.</li> </ul>
		3	SEPP Instrument	<ul style="list-style-type: none"> <li>- The DDCP and SEPP Amendment appear to have conflicting objectives with respect to the permissible density of Environmental Living E4 Zoned land.</li> <li>- There is a conflict between the SEPP Amendment which provides for a maximum density of 7.5</li> </ul>

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			<ul style="list-style-type: none"> <li>- dwellings per hectare and the minimum lot size of 4000 square metres.</li> <li>- No explanation is provided as why Environmental Living land generally adjoining Cattai Creek could not also be developed for 2000 square metre lots.</li> <li>- The simplistic subdivision examples provided within the ILP Summary Report propose inefficient development examples. Several more efficient scenarios exist and should be considered to review the minimum subdivision standards proposed.</li> </ul>
	8	Watercycle Management Strategy	<ul style="list-style-type: none"> <li>- The ILP Summary report identifies that rainwater harvesting on residential lots. It is noted that North Kellyville will have recycled water supply provide by Sydney Water and will achieve the BASIX requirements.</li> <li>- Large allotments may choose to install water tanks to help water large gardens. Small allotments will experience difficulty in locating water tanks above ground and the burden of installing them.</li> </ul>
	6	Indicative Layout Plan	<ul style="list-style-type: none"> <li>- There is scope to move the road proposed at the end of Hillview Road to be extended to the riparian and special infrastructure zone to create a larger areas of land zoned for low density housing. A perimeter road would also assist in the provision of fire fighting access to the creek corridor.</li> </ul>
94	8	Water Cycle Management Strategy	<ul style="list-style-type: none"> <li>- Based on expert opinion, there is no justification for the mapping of 1 in 100 year flood area on the subject property.</li> <li>- Run off from surrounding property should be piped under a roadway and the entire block used for housing.</li> <li>- Should the classification remain, the land should be considered as parkland and not a drainage or riparian corridor as this will devalue the land.</li> </ul>
95	6	Indicative Layout Plan	<ul style="list-style-type: none"> <li>- Objection to the proposed road on the northern side of the property which is wholly within the subject lot.</li> <li>- The cost of this road should be shared with the adjoining lot and therefore the draft ILP should be amended to locate the proposed road on the northern boundary.</li> </ul>
96	4	SEPP Maps	<ul style="list-style-type: none"> <li>- The proposed lot sizes within the low and medium density housing zones are too small and make little provision for sufficient back yards for children to play.</li> <li>- The Environmental Living E4 Zoned blocks should have a minimum subdivision size of 2000 square metres. Half acre blocks would achieve the environmental outcomes sought. Dwelling yield achieved by this amendment could be offset by low density block sizes of 600 – 750 square metre blocks, not the small 380 square metre blocks and proposed.</li> </ul>
	2	Riparian Assessment	<ul style="list-style-type: none"> <li>- Will developers be required to purchase riparian areas and who will be responsible for them?</li> <li>- The state government should purchase these areas if they are concerned about their protection.</li> </ul>
	1	Constrained Land	<ul style="list-style-type: none"> <li>- Why aren't the provisions contained within the SEPP with respect to constrained land made more obvious. These provisions have a significant impact especially with respect to bushfire asset protection zones.</li> </ul>
	13	Infrastructure	<ul style="list-style-type: none"> <li>- Rolled curbs lead to narrower and more dangerous streets and should not be provided.</li> </ul>

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				<ul style="list-style-type: none"> <li>- There are no new roads into or out of the area except for the northern connection to Box Hill.</li> <li>- Provision should be made for a connection to Colbran Avenue connecting to Annangrove Road as provided in old plans for the area.</li> <li>- The S94 Contributions Plan should provide for the upgrade of Foxall Road which is classified as a collector road.</li> </ul>
		6	Indicative Layout Plan	<ul style="list-style-type: none"> <li>- What sense is there in making the shopping centre on both sides of Withers Road which is a main road?</li> </ul>
		5	Development Control Plan	<ul style="list-style-type: none"> <li>- Objection to the identification of a service station as being suitable in the southern neighbourhood centre. Most countries require service stations to be provided outside of residential areas.</li> </ul>
97	Mr and Mrs Barber, 6 White Gum Place, Kellyville, NSW, 2155.	6	Indicative Layout Plan	<ul style="list-style-type: none"> <li>- The proposed road layout should be amended to permit the retention of the existing dwelling as illustrated in the submission.</li> </ul>
		1	Constrained Land	<ul style="list-style-type: none"> <li>- The identification of constrained land on the subject property should be reviewed to reflect actual conditions with respect to topography.</li> </ul>
		4	SEPP Maps	<ul style="list-style-type: none"> <li>- The minimum lot size should be 2000 square metres on land zoned Environmental Living E4.</li> </ul>
99	Pascoe Planning on behalf of The North Kellyville Rezoning Association Action Group	1	Constrained Land	<ul style="list-style-type: none"> <li>- That the constrained land boundary and related maps (Steep Land Map and Retained Native Vegetation Map) be amended where evidence has been submitted identifying land to have a slope of less than 20%.</li> <li>- Place a notification on all relevant maps that final determination of slope and retained native vegetation is subject to detailed analysis and foreshadow that detailed analysis at a subsequent planning or development application stage may demonstrate that land currently designated as “steep land” or “retained native vegetation” as capable of development.</li> <li>- Reinforce that land embodying areas exceeding 20% are capable of development provided that a suitable building envelope of less than 20% slope are contained on any allotment created and reasonable access is afforded.</li> <li>- All constrained land required for biodiversity / natural ecosystems be acquired by the relevant responsible authority at an appropriate value.</li> </ul>
		2	Riparian Assessment	<ul style="list-style-type: none"> <li>- Nominated riparian corridors should be amended where evidence has been submitted identifying land not to fulfil riparian conservation qualities.</li> <li>- Place a notation on all relevant maps that final lower order riparian zones are subject to detailed analysis and foreshadow that detailed analysis at a subsequent planning or development application stage may demonstrate that land currently designated as riparian to be capable of development in accordance with contemporary Water Sensitive Urban Design Strategies.</li> <li>- The 10 metre riparian area is (beyond the core) is challenged as a constraint and should be subject to flexible management in conjunction with Asset Protection Zone functions.</li> </ul>

	Author	Issue No.	Issue	Summary
		5	Development Control Plan	- The DCP should acknowledge the limitations of the Asset Protection Zone mapping and foreshadow the acceptance of more detailed and potentially accurate assessments at the development application stage.
		4	SEPP Maps	- A uniform minimum area requirement of 2,000 square metres be introduced for the proposed Environmental Living E4 Zone.
		3	SEPP Instrument	- Development yield should be based on the total holding including constrained land and be reinforced in the relevant planning documents. - The GCC should explore further opportunities for low and medium development that meet the established precinct planning principles.
100	Mrs O'Flaherty, 34 Barry Road, Kellyville, NSW, 2155	4	SEPP Maps	- The low density residential zone should be extended towards the east to reflect the development opportunity.
101	Mr and Mrs Pillars, 171 – 177 Samantha Riley Drive, Kellyville, NSW, 2155.	2	Riparian Assessment	- Landowners who are required to sacrifice potential financial gains from the efficient subdivision of their land should be compensated for the protection of riparian areas as the immediate neighbours have no such impost. Compensation should be made by direct payment or via reduction in development related fees. - Financial or practical assistance should be provided for the restoration and maintenance of riparian corridors.
		4	SEPP Maps	- The minimum subdivision size of 2000 square metres is considered inequitable and the same land owners are also subject to the cost of riparian corridor restoration. - A greater proportion should be zoned for small lot subdivision to reflect the light tree cover that currently exists.
102	Mr and Mrs Hogan, 57 Foxall Road, Kellyville, NSW, 2155.	1	Constrained Land	- The constrained land layer should be amended to reflect actual conditions with respect to steep land. - Land which exceeds 20% slope should be capable of development provided there is a suitable building area on the block which is under 20% slope.
		2	Riparian Assessment	- Restrictions on category three streams should be removed to be consistent with Oran Park and Turner Road. - Land adjoining Cattai Creek should be purchased as per the plan for Smalls Creek. Developer levies should be increased to enable the acquisition of this land for the benefit of future residents.
		12	Bushfire Assessment	- The asset protection zones identified in the Bushfire Assessment Report are excessive. Land owners should have the opportunity to undertake a detailed study at development application stage.

	Author	Issue No.	Issue	Summary
		5	Development Control Plan	- The minimum lot width control of 30m within the Environmental Living Zone should be reduced to 25 metres to reflect the existing width of existing lots.
		4	SEPP Maps	- To compensate for loss of density on land adjoining Cattai Creek, land owners should be permitted to have medium to high density dwellings on land adjoining Foxall Road. - The minimum lot size within the Environmental Living Zone should be 2000 square metres.
		7	Environmental Management Plan	- The proposed cost of \$518,562.67 over the first five years to restore and maintain constrained land is excessive and should be removed from the plan.
		9	Biodiversity Certification	- The amount of conservation land required to meet the Certification Order was 34ha of Existing Native Vegetation. The provision for another 154.5ha of vegetation is considered excess and land owners should be compensated.
103	Robert Moore and Associates and North West Property Legal on behalf of Mr and Mrs Fahd, 161 Glenhaven Road, Kellyville, NSW, 2155.	1	Constrained Land	- An effective slope of 20% is not considered too steep to develop. If identification of 25% slope is acceptable it is requested that the Steep Land Map be further adjusted on receipt of survey. - A proposed limit to what is considered steep land is provided in the submission.
		12	Bushfire Assessment	- The asset protection zones as identified in the Bushfire Assessment Report will prevent any form of development or subdivision. - The land owner should have the opportunity to prepare a ground truth assessment of the proposed APZ as the basis for adjustment.
106	Mr and Mrs Maxwell, 2 Stringer Road, Kellyville, NSW, 2155	6	Indicative Layout Plan	- Concern regarding alignment of internal local road which impacts on existing dwelling and suggest that the road be deleted or aligned with their western property boundary. - Concern regarding the intersection of Bruce Place and Stringer Road as there have been several dangerous accidents as is likely to become more dangerous in future due to increased local traffic.
107	Urban Taskforce	11	Section 94 Contribution Plan	- There is a chronic shortage of land for urban development which is making existing land for residential development more expensive. - If the charges on the developer included in the infrastructure plans increase the selling price of each lot beyond the market value of land, no new lots will be produced. - There must be an element of market reality when determining developer charges, particularly with Section 94 Contributions Plans. - The exhibited rate of \$50,702 per lot (>450m <sup>2</sup> ) lot is considered exorbitant when added to the high acquisition cost which will result in the cost of lots exceeding market value. - The GCC must rely on the experience in the South West Growth Centre and seek a reduction in the S94 Contribution Plan. If \$47,000 per lot was too high in 2007, \$50,700 is excessive in 2008, even for the Hills Shire Council local government area.

## Appendix B: Key Stakeholders notified by mail of the public exhibition

Action for Public Transport  
Association of Accredited Certifiers (AAC)  
Australian Conservation Foundation (ACF)  
Australian Institute of Building Surveyors NSW (AIBS)  
Australian Institute of Landscape Architects (NSW Group)  
Australian Institute of Urban Studies  
Hills Shire Council  
Bicycle NSW  
Blacktown City Council  
Building Designers Association of NSW  
Department of Education  
Department of Environment and Climate Change  
Department of Housing  
Department of Lands  
Department of Local Government  
Department of Planning  
Department of Planning  
Department of State and Regional Development  
Department of Water and Energy  
Greater Western Sydney Economic Development Board (GWSEDB)  
Greening Australia  
Growth Areas Authority  
Hawkesbury City Council  
Housing Industry Association (HIA)  
Integral Energy  
Land Development Agency  
Landcom  
Local Government and Shires Association  
Master Builders Association  
Member for Mulgoa  
Member for Riverstone  
National Parks Association  
National Trust of Australia (NSW)  
Nature Conservation Council of NSW (NCC)  
NCOSS  
NSW Business Chamber  
NSW Fire Brigades  
NSW Heritage Office  
Ministry of Transport  
NSW Rural Fire Service  
NSW Treasury  
NSW Urban Taskforce  
Office of the Coordinator General  
Office of the Minister for Western Sydney  
Office of Urban Management  
Planning Institute of Australia (PIA)  
Property Council of Australia (PCA)  
RailCorp  
Real Estate Institute of NSW  
Roads and Traffic Authority (RTA)  
Royal Australian Institute of Architects (RAIA)  
Shelter NSW  
Sydney Catchment Authority  
Sydney Chamber of Commerce  
Sydney Water

Total Environment Centre (TEC)  
Tourism and Transport Forum (TTF) Australia  
Transport Infrastructure Development Corporation (TIDC)  
Unions NSW  
University of NSW  
University of Sydney  
University of Technology, Sydney  
University of Western Sydney  
Urban Development Institute of Australia (UDIA)  
Western Sydney Community Forum  
WSROC  
Rouse Hill Infrastructure Consortium  
NSW Health  
Sydney West Area Health Service  
Premier's Council for Active Living  
Department of Premier and Cabinet  
Hills Chamber of Commerce  
Western Sydney Business Connection  
Department of Premier and Cabinet  
Member for Hawkesbury  
Member for Castle Hill



## Appendix C: Compliance with Growth Centres Development Code

Issues	Development Code objective or requirement	Response
Landscape and Visual Character	<ul style="list-style-type: none"> <li>• Create town centres and neighbourhoods that respond to the existing physical and natural conditions of the site.</li> </ul>	<p>The Precinct Plan outcome complies with the requirements of the SEPP and Development code.</p> <ul style="list-style-type: none"> <li>• An assessment of landscape and cultural values of the Precinct was undertaken.</li> <li>• Areas of significant vegetation within riparian corridors are to be protected from clearing.</li> <li>• Low density development within large lots will surround the environmentally sensitive areas, thereby minimising visual impacts, providing a buffer and increasing the level of vegetation surrounding the homestead.</li> </ul>
Land Capability	<ul style="list-style-type: none"> <li>• Determine to what extent the land is suitable for, as well as capable of, urban development.</li> <li>• Minimise disturbance to existing topography, stability, site features, drainage patterns etc as a result of cut and fill.</li> <li>• Identify soils within the proposed development and understand their capacity and limitations in regard to urban development.</li> <li>• Mitigate adverse effects of development on soil quality such as erosion, compaction, structure decline, salinisation, acidification and pollution.</li> <li>• Manage impacts on groundwater and salinity.</li> <li>• Protect human health and environment against exposure to contaminated land.</li> </ul>	<p>The Precinct Plan outcome complies with the requirements of the Development code.</p> <ul style="list-style-type: none"> <li>• An environmental assessment of the Precinct was undertaken to identify geology, erosion potential, slope stability, soil sodicity, soil aggressivity, soil salinity, groundwater quality and potential contamination.</li> <li>• The DCP requires further investigation and detailed analysis within these areas before development can proceed. Appropriate engineering works will be required to achieve acceptable levels of risk.</li> <li>• In the case of potentially contaminated lands, further investigation is to be carried out to demonstrate that the land can be made safe prior to occupation.</li> </ul>
Stormwater Management	<ul style="list-style-type: none"> <li>• Minimise the impacts of stormwater on the environment by maximising stormwater harvesting and reuse opportunities.</li> <li>• Mitigate the impacts of urban development on stormwater quality.</li> <li>• Protect or enhance the ecosystem health of local waterways, creeks and rivers and minimise the erosion of local creeks and waterways.</li> <li>• Provide a balance of useable and accessible open space with neighbourhood and district stormwater management.</li> </ul>	<p>The Precinct Plan outcome complies with the requirements of the SEPP and Development Code.</p> <ul style="list-style-type: none"> <li>• Stormwater within the Precinct was modelled to determine the likely levels of stormwater in the developed scenario.</li> <li>• A Water Cycle Management Strategy, compliant with DECC standards, was developed for the precinct to manage stormwater quantity and quality and protect the ecosystem health of local creeks and waterways.</li> <li>• The Water Cycle Management Strategy, incorporated in the draft Indicative Layout Plan, implements a treatment train approach with an emphasis on source control.</li> <li>• The DCP provides specific controls for site stormwater management.</li> <li>• Riparian corridors are to be protected through a Riparian Protection Area hatching on the SEPP Maps.</li> <li>• The existing SEPP development control to provide recycled water to development on land serviced by water recycling plant will continue to apply.</li> <li>• The SEPP will continue to require that recycled water be provided to development on land serviced, or to be serviced by a water recycling plant or water recycling or conservation system approved by the Minister.</li> <li>• The Water Cycle Management Strategy includes the use of rainwater tanks. Specific approval for this approach was sought with the GCC and Sydney Water.</li> </ul>
Flood Prone Land	<ul style="list-style-type: none"> <li>• Enable the effective utilisation of flood-prone land.</li> <li>• Marry the activity and development in the flood zone in a manner that is appropriate to the identified type of flood risk.</li> </ul>	<ul style="list-style-type: none"> <li>• The Precinct Plan outcome generally complies with the requirements of the SEPP and Development Code.</li> <li>• Existing flood levels were identified.</li> <li>• All flood prone land is subject to the SEPP development controls for flood impact assessment.</li> <li>• The SEPP and DCP require flood behaviour, flood impact and flood hazard to be considered before consenting to development on flood prone and major</li> </ul>

Issues	Development Code objective or requirement	Response
		<p>creeks land.</p> <ul style="list-style-type: none"> <li>• All land identified as being suitable for residential development is located above the post-development 100 year ARI level.</li> <li>• The DCP requires habitable floor levels to be located above the nominated flood planning level.</li> <li>• Land within the 100 year ARI level that is zoned for urban purposes may be filled only if the requirements of the SEPP relating to flood impact assessment are satisfied. Only recreation uses are proposed for land in these circumstances.</li> </ul>
Biodiversity	<ul style="list-style-type: none"> <li>• Ensure protection of biodiversity values within areas identified by the Growth Centres SEPP.</li> <li>• Retain and enhance as much existing vegetation as practical within the development precinct.</li> <li>• Ensure that precinct planning is consistent with the terms of the Biodiversity Certification Order</li> </ul>	<ul style="list-style-type: none"> <li>• The Precinct Plan outcome complies with the requirements of the SEPP and Development Code.</li> <li>• A survey of existing bio-diversity was carried out and areas of high conservation value were identified and are to be protected.</li> <li>• Due to the sandstone / shale geology and steeply incised creeklines, North Kellyville is heavily constrained, particularly on the western perimeter.</li> <li>• The DCP requires tree surveys to be undertaken with subdivision applications to identify trees with potential to provide habitat and biodiversity linkage across the Precinct.</li> <li>• For vegetation identified in the Native Vegetation Protection Area map, Vegetation Management Plans are required that address regeneration, weed removal, native species replanting and ongoing maintenance.</li> <li>• The majority of significant vegetation is protected within the Riparian Protection Areas.</li> <li>• Protected vegetation as identified by the Growth Centres Commission Conservation Plan is protected and identified within the written instrument and Native Vegetation Protection Area Map.</li> <li>• The SEPP amendment will control clearing within the Riparian Protection Areas and Native Vegetation Protection Areas.</li> <li>• The SEPP will continue to require the consideration of the clearing of native vegetation as outline by Clause 23 by incorporating these provisions within the North Kellyville Precinct Plan (SEPP Amendment)</li> <li>• The GCC has exhibited a report on the consistency of the Precinct Plan with the requirements of the Biodiversity Certification Order. Post exhibition amendments have been made to this report and will be made publicly available in the GCC website following gazettal.</li> </ul>
Protection of Riparian Corridors	<ul style="list-style-type: none"> <li>• Enable riparian corridors to function according to their Category.</li> <li>• Integrate riparian corridors with floodplain processes.</li> <li>• Provide and protect extensive natural habitat.</li> </ul>	<ul style="list-style-type: none"> <li>• The Precinct Plan outcome generally complies with the requirements of the SEPP and Development Code.</li> <li>• Core Riparian Zones (CRZs) have been categorised and buffers for each category of stream have been incorporated into the Indicative Layout Plan.</li> <li>• Riparian corridors are to be managed as Riparian Protection Areas and revegetated to increase their biodiversity value.</li> <li>• Development controls in the SEPP ensure the protection of vegetation within the Riparian Protection Areas.</li> <li>• Controls are included in the Precinct DCP to manage riparian corridors and restrict development within the riparian CRZs.</li> <li>• Substantial negotiations with DWE have been undertaken and necessary amendments made to the ILP for the North Kellyville Precinct.</li> </ul>
Bushfire	<ul style="list-style-type: none"> <li>• Reduce the risk of bushfire to property and the community.</li> <li>• Prevent the spread of fire from the hazard to the habitable structure.</li> <li>• Enable the safe and appropriate planning and management of vegetation in relation to bushfire.</li> </ul>	<ul style="list-style-type: none"> <li>• The Precinct Plan outcome generally complies with the requirements of the Development Code.</li> <li>• An assessment of bushfire risk was undertaken and management measures identified.</li> <li>• Preparation of the SEPP Amendment and ILP have regard to asset protection zones.</li> <li>• The DCP requires that development is in accordance</li> </ul>

Issues	Development Code objective or requirement	Response
		<p>with the requirements of Planning for Bushfire Protection 2006.</p> <ul style="list-style-type: none"> <li>• Further work is being undertaken to ensure that Council's Bushfire Prone Land Map is adjusted to reflect the detailed analysis undertaken as part of precinct planning. This outcome is support by the NSW Rural Fire Service.</li> </ul>
Indigenous Cultural Heritage	<ul style="list-style-type: none"> <li>• Recognise and protect Indigenous cultural heritage and involve Aboriginal people in all stages of the planning and assessment process.</li> <li>• Ensure Indigenous cultural heritage values are identified early in the planning process and that aboriginal outcomes are secured at the precinct level.</li> <li>• Incorporate areas of Indigenous cultural heritage value into the open space network as one means for protection and conservation.</li> </ul>	<ul style="list-style-type: none"> <li>• The Precinct Plan outcome complies with the requirements of the SEPP and Development Code.</li> <li>• The process for engagement of Aboriginal Stakeholders group broadly followed the protocols established by the GCC.</li> <li>• Properties with areas of potential significance have been identified and mapped with the involvement of the local aboriginal communities.</li> <li>• The DCP requires the preparation of a Conservation Strategy for identified properties which will identify areas to be conserved and areas which will be subject to archaeological salvage requirements.</li> <li>• Conservation areas have been incorporated into the Native Vegetation Protection Areas and riparian networks where possible.</li> </ul>
Non-Indigenous cultural Heritage	<ul style="list-style-type: none"> <li>• Identify items of non-indigenous cultural heritage and protect their significance.</li> </ul>	<ul style="list-style-type: none"> <li>• The Precinct Plan outcome complies with the requirements of the SEPP and Development Code.</li> <li>• A heritage assessment of the precinct was undertaken to identify items of significance or potential significance.</li> <li>• The draft SEPP will remove the heritage listing of three local items under the BHLEP 2005 and carry over listing of the Yalta homestead.</li> <li>• Controls have been included in the DCP to protect the heritage values of the Yalta homestead.</li> </ul>
Odour	<ul style="list-style-type: none"> <li>• Protect future development from odour impacts.</li> </ul>	<ul style="list-style-type: none"> <li>• An odour study was not prepared for North Kellyville and is not considered necessary.</li> </ul>
Noise	<ul style="list-style-type: none"> <li>• Provide for adequate acoustic privacy in residential developments and associated private open space.</li> </ul>	<ul style="list-style-type: none"> <li>• The Precinct Plan outcome complies with the requirements of the Development Code.</li> <li>• The DCP requires noise mitigation measures be incorporated into building design involving a combination of setback distance, architectural treatment and internal dwelling layout.</li> </ul>
Public Transport	<ul style="list-style-type: none"> <li>• Maximise the use of public transport and an interconnected public transport network that services the Precinct as well as the regional context.</li> </ul>	<ul style="list-style-type: none"> <li>• The Precinct Plan outcome complies with the requirements of the SEPP and Development Code.</li> <li>• Bus route will integrate with the existing public transport framework and that proposed for the future population of the North West Growth Centre.</li> <li>• In the short term, busses will connect to existing facilities at Castle Hill and Rouse Hill Town Centre, with access to the North West Transitway.</li> <li>• In the long term, busses will connect to Parramatta/Macquarie to the south and Box Hill release area to the north.</li> <li>• A bridge connection from Ross Place to Annangrove Road via Edwards Road is proposed and supported by the Ministry of Transport.</li> <li>• Significant investment will also be made in pedestrian and cycle networks in North Kellyville.</li> </ul>
Street Pattern	<ul style="list-style-type: none"> <li>• Fix the location of the major streets linking the main components of the centre.</li> <li>• Establish streets and lanes as shared spaces, provide for the needs of pedestrian cyclists and vehicles and to provide walkable neighbourhoods.</li> </ul>	<ul style="list-style-type: none"> <li>• The Precinct Plan outcome complies with the requirements of the SEPP and Development Code.</li> <li>• The road layout reflects the existing subdivision pattern where possible to enable the location of roads on property boundaries.</li> <li>• Fixed roads are identified in areas adjoining public open space or key destinations.</li> <li>• The DCP identifies opportunity to vary the road layout subject to achieving performance based requirements.</li> <li>• A pedestrian and cycle network has been developed which will encourage sustainable forms of transport within the precinct.</li> </ul>

Issues	Development Code objective or requirement	Response
Employment and Retail	<ul style="list-style-type: none"> <li>• Provide employment in retail and office based service industries and other such business.</li> <li>• Within a hierarchy defined in the structure plans, determine a suitable floorspace range through detailed planning.</li> <li>• Group services in centres to reinforce them as community nodes.</li> <li>• Integrate employment opportunities with public transport nodes and conversely a land use mix to support the public transport services.</li> </ul>	<ul style="list-style-type: none"> <li>• The Precinct Plan outcomes comply with the requirements of the SEPP and Development Code.</li> <li>• One small Local Centre and two neighbourhood centres proposed in accordance with the Retail Assessment undertaken for North Kellyville.</li> <li>• A supermarket based Local Centre located at the intersection of Withers Road and Hezlett Road will avoid unnecessary trip generation to the nearby Rouse Hill Town Centre.</li> <li>• Retail / Commercial lands are positioned on higher order roads to facilitate accessibility.</li> <li>• Community facilities and a primary school are clustered around the Local Centre.</li> </ul>
Block Size and Lot Layout	<ul style="list-style-type: none"> <li>• Provide a street/block layout that accommodates dwellings yield target set by the GCC.</li> </ul>	<ul style="list-style-type: none"> <li>• The Precinct Plan outcome generally complies with the requirements of the Development Code.</li> <li>• The street layout has been developed to accommodate a block layout to meet the target dwelling yield for the Precinct.</li> <li>• A variety of dwelling types are proposed thereby creating choice and a mixed community.</li> <li>• The required yield of 4500 dwellings is expected to be met without prescribing strict density targets.</li> </ul>
Community Facilities & community Development	<ul style="list-style-type: none"> <li>• Provide a wide range of social and community facilities catering for different social groups and age groups which meet the needs of the future population and are within walking distance of residential neighbourhoods and transport nodes.</li> </ul>	<ul style="list-style-type: none"> <li>• The Precinct Plan outcome generally complies with the requirements of the SEPP and Development Code.</li> <li>• The future needs of the community have been identified based on the projected population of the Precinct.</li> <li>• A comprehensive section 94 plan has been prepared for the precinct to address local infrastructure needs while keeping the overall section 94 contribution rate to reasonable level.</li> </ul>
Open Space & Recreational Facilities	<ul style="list-style-type: none"> <li>• Integrate public open space into the urban structure and maximise land efficiency by co-locating resources.</li> <li>• Provide a diverse mix of open spaces and community facilities designed to cater for a large range of use and activities.</li> <li>• Avoid pressure on existing open space systems in surrounding areas.</li> </ul>	<ul style="list-style-type: none"> <li>• The Precinct Plan generally complies with the requirements of the SEPP and Development Code.</li> <li>• The future local space needs have been identified based on the projected population of the precinct.</li> <li>• The section 94 plan for North Kellyville provides for open space and recreational facilities.</li> </ul>