

Kellyville Station Precinct

Finalisation Report

November 2017



Planning &
Environment

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Department of Planning and Environment

Printed November 2017

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Glossary

Act	Environmental Planning and Assessment Act
CBD	Central Business District
DCP	Development Control Plan
Department	Department of Planning and Environment
FSR	floor space ratio
ha	hectare
LEP	Local Environmental Plan
LGA	local government area
Minister	Minister for Planning
OEH	Office of Environment and Heritage
RMS	Roads and Maritime Services
SIC	Special Infrastructure Contribution
SEPP	State Environmental Planning Policy
TfNSW	Transport for New South Wales

Executive summary

This Finalisation Report provides an overview of the Kellyville Station Precinct and details the planning amendments that are proposed by *State Environmental Planning Policy Amendment (Bella Vista Station and Kellyville Precincts) 2017*. The Finalisation Report summarises the public consultation undertaken, and responds to issues raised in the submissions.

The Kellyville Station Precinct is one of eight station precincts along the Sydney Metro Northwest corridor. The \$20 billion Metro project is Australia's largest transport infrastructure project under construction and a priority rail project for the NSW Government. The *North West Rail Link Corridor Strategy*, which included Structure Plans for each station precinct, was finalised in 2013 to guide and coordinate future planning for the corridor.

The Kellyville Station Precinct, along with the Bella Vista and Showground Station Precincts, were announced as Priority Precincts by the NSW Government in August 2014, following a unanimous decision by The Hills Shire Council to nominate these precincts.

The new Metro will be the catalyst for urban transformation in Sydney's northwest, opening up new connections and economic benefits for the region, and providing opportunities for new attractive and vibrant town centres around the stations. A focus on place-making has underpinned the planning for the Kellyville Station precinct for the creation of a healthy, safe and sustainable community. Kellyville is expected to remain predominantly residential in character, with a greater range of housing options available to increase housing choice and variety.

The Final Proposal

The Kellyville Station Precinct proposal comprises a rezoning plan to establish new planning controls for the precinct. It is proposed that 33.85 hectares of land, or 7.7% of the 437 hectare precinct, be rezoned for increased urban development (see Figure 1). This includes 32 hectares of NSW Government owned land adjacent to the new Kellyville Station and Metro line. A further 10 hectares of land will be rezoned as public open space.

The combined Kellyville and Bella Vista precincts will provide up to 8,400 new homes over the next twenty years. This dwelling number, which is capped through a clause in the Hills Council Local Environmental Plan to align with the local and state infrastructure that has been planned to support the precincts' growth, is consistent with the level of growth forecast during public exhibition of the draft plans. Kellyville will specifically provide 1,000 jobs and with the additional population will, transform the area around Kellyville Station into a vibrant local centre.

This will be achieved by amending *The Hills Local Environmental Plan 2012* through a State Environmental Planning Policy (SEPP). The SEPP will establish the statutory controls for the precinct, including land use zones, maximum building heights, maximum floor space ratios, minimum lot sizes, and other related controls to support the rezoning of the precinct.

A development control plan will also be made following the rezoning to provide more detailed planning and design controls to guide future development in the precinct.

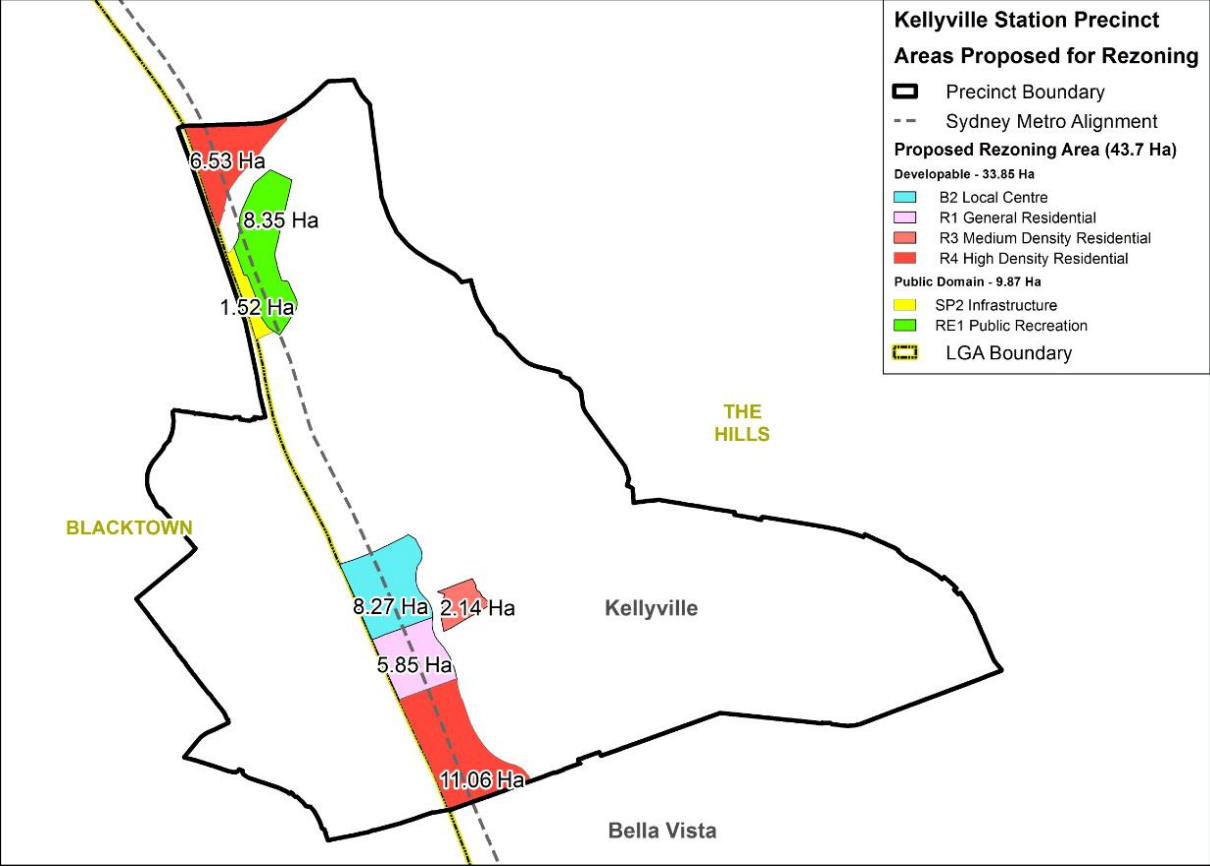


Figure 1 Areas proposed to be rezoned in the Kellyville Station Precinct

A comprehensive infrastructure schedule identifying the regional and local infrastructure to support the growth in the precinct has been prepared to support the proposal (see Section 8).

The Hills Shire Council will also have access to up to \$10 million of Precinct Support Scheme funding to be shared across the Bella Vista and Kellyville Station Precincts to enhance the amenity of the area. \$5 million of funding will also be allocated to the Showground precinct subject to rezoning. This funding will be used to accelerate the delivery of local infrastructure improvements for the precincts.

Public Exhibition

The draft plans for the precinct were informed by extensive consultation with the community. The Hills Shire Council, Blacktown City Council and other stakeholders were consulted throughout 2014, 2015 and early 2016. The draft plans were exhibited from 7 December 2015 to 28 February 2016. Community and stakeholder engagement activities that were undertaken during the exhibition period for the Kellyville Station Precinct included:

- notification letters sent to 2,900 property owners. The Hills Shire Council, Blacktown City Council and 10 NSW Government agencies were also notified;
- an advertisement was placed in The Hills Shire Times;
- a precinct newsletter was hand delivered to 2,600 properties in February 2016;

- two community drop in sessions were held on Saturday 30 January 2016 and Thursday 11 February 2016 at the Novatel Sydney Norwest for both the Kellyville and Bella Vista Station Precincts;
- a stakeholder briefing session was held on 2 February 2016 for community and business representatives;
- a meeting was held with representatives from the Department and the Member for Riverstone, Mr Kevin Conolly MP and members of the Eastbourne Community Association about the proposed rezoning of the Newbury Estate in Stanhope Gardens; and
- an online survey was made available to obtain community feedback about potential local improvements that could be funded by the Precinct Support Scheme.

Submissions

A total of 366 public, council and agency submissions were received during the exhibition period. The key issues raised in submissions were:

- requests for higher density rezoning to permit apartments in the Elizabeth Macarthur Estate;
- concerns about traffic and/or parking impacts;
- perceptions that crime would increase;
- support for the draft plans;
- mixture of support and opposition to the proposed rezoning of the Newbury Estate, Stanhope Gardens;
- opposition to the proposed high density zoning at the Hickson Avenue site;
- support but only if the property owner's land is rezoned to permit apartments;
- requests for more height and/or floor space ratio to that proposed;
- quantity and/or quality of open space; and
- oppose or mostly oppose the draft plans.

Online Survey

As part of the exhibition of the draft plans for the Kellyville, Bella Vista and Showground Station Precincts, an online survey was available on the precinct websites to obtain feedback from the community about how the \$15 million in precinct support scheme funding, available across the three precincts, should be spent.

There were 121 respondents to the survey, with 80% living in one of the three precincts. The most popular options selected by the respondents for the allocation of funding in the Kellyville Station Precinct were for funding walking and cycling paths along existing streets, and along creek corridors.

The Department will continue to work with The Hills Shire Council following the rezoning to identify the works to be funded by the Precinct Support Scheme in the Kellyville Station Precinct.

Key changes to the plans

Following the review of submissions, several recommended changes have been made to the draft plans:

- a new provision has been introduced that ensures that no more than 8,400 new dwellings can be delivered on the Government owned lands in the Bella Vista and Kellyville Station Precincts. The proposed rezoning of the Newbury Estate, within Stanhope Gardens, has been deferred to allow

for more detailed studies to be undertaken to assess potential impacts, including traffic and parking;

- The proposed rezoning of land east of Elizabeth Macarthur Creek adjoining Hickson Avenue, has been changed from R4 High Density Residential to R3 Medium Density Residential, permitting attached dwellings/terraces, to better relate to adjoining development and the character of the surrounding area;
- minor changes to the extent of SP2 Infrastructure zoned land within Elizabeth Macarthur Creek, and associated changes to zones on adjoining land;
- new local provisions including transfer of floor space ratio, minimum front setbacks, and active street frontages;
- changes to minimum allotment sizes including a minimum allotments size of 1,500m² for apartments 21m in height or less, and 3,600m² for all other apartment buildings;
- a design excellence clause to be introduced for parts of the precinct, which includes the provision for a design review panel to review proposed developments over 21m in height, or 6 storeys (or both) to ensure a high standard of architecture and urban design is achieved; and
- correction of errors in the exhibited draft plans where no changes to land use zones are proposed.

The Department's assessment of the issues raised in submissions, and recommended changes to the exhibited maps and controls for the precinct, are detailed in this Finalisation Report.

Next Steps

If the rezoning of the Kellyville Station Precinct is approved by the Minister, the Department will finalise the draft development control plan for the precinct. This will enable development consent to be granted for proposed development on land that has been rezoned.

The Department will also complete its review of the Western Sydney Growth Area Special Infrastructure Contributions (SIC) Plan to determine whether funds collected within the Precinct could be used to fund part of the additional regional infrastructure required to support the planned growth.

The Department will also work with infrastructure agencies and stakeholders to refine the key infrastructure items that could be partly funded by the SIC, the estimated cost and timing for delivery of this infrastructure and whether any changes to the existing SIC rate will be required. This will also involve working with Council to implement a local infrastructure contributions plan for the rezoned land.

Upon rezoning, up to \$5million would become available to Council for public domain and community infrastructure works associated with the Kellyville Precinct. The Department would advance the discussions with Council for projects that may be suitable for this Precinct Support Scheme funding.

The Department would also continue to work with Transport for NSW (TfNSW), Landcom, Council and other stakeholders to ensure the orderly development of government lands in the Kellyville Station Precinct through the state significant development process, which meets NSW Government objectives, achieves best practice transit oriented development outcomes and provides certainty of development.

1 Introduction

1.1 The Sydney Metro Northwest and Corridor Strategy

The \$20 billion Sydney Metro (formerly known as the North West Rail Link) is Australia’s largest public transport infrastructure project currently under construction and a priority rail project for the NSW Government. The Sydney Metro Northwest will be transformative for The Hills. When the Metro opens in the first half of 2019, this part of Sydney will for the first time be directly connected by high frequency trains to the major employment, retail and education centres in the region. These include the Rouse Hill and Castle Hill retail centres, Norwest Business Park, Macquarie University, Macquarie Park and Chatswood.

The second stage Sydney Metro City and Southwest, scheduled to open in 2024, will extend the Metro line from Chatswood to Bankstown, including a new crossing beneath Sydney Harbour, new stations in the lower North Shore and CBD, and the upgrade and conversion of the line between Sydenham and Bankstown.

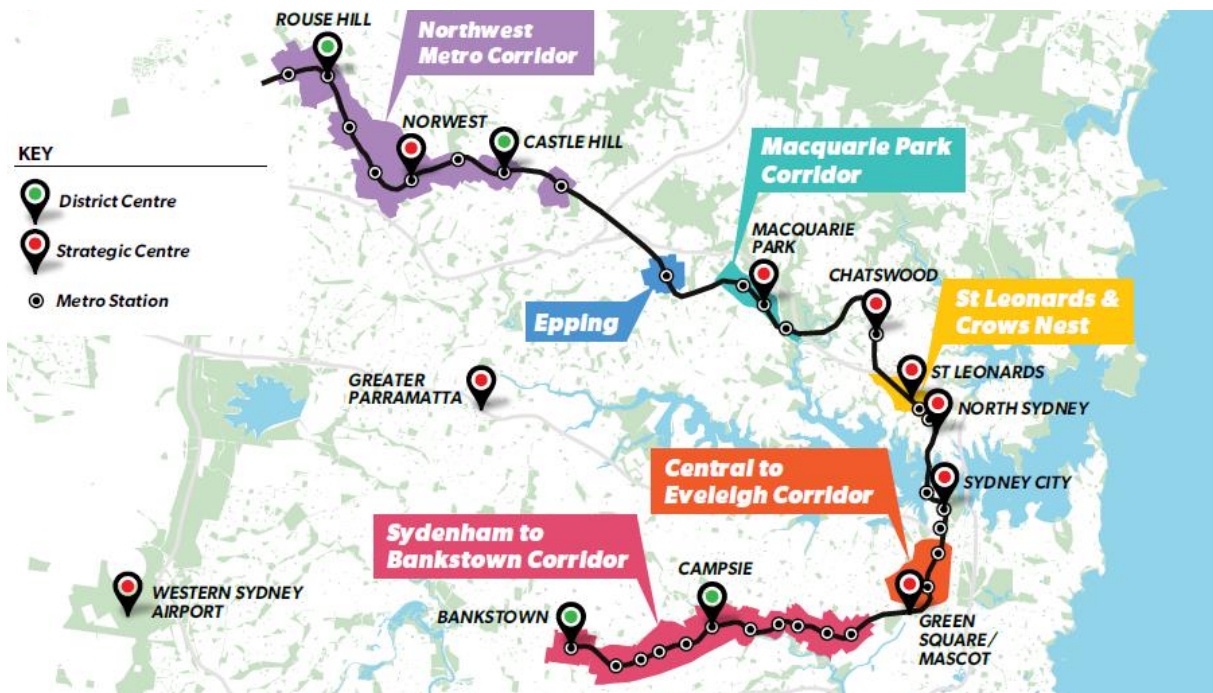


Figure 2 Sydney Metro Northwest and Sydney Metro City and Southwest map

The Department of Planning and Environment and TfNSW, in consultation with relevant local councils, State government agencies and the community, finalised the *North Rail Link Corridor Strategy* in September 2013. The Corridor Strategy, which included Structure Plans for the eight new station precincts, was prepared to integrate land use and transport planning to meet current and emerging challenges associated with future growth in the North West region.

The Corridor Strategy identified the potential for around 28,000 new homes and 40,000 new jobs within the Sydney Metro Northwest corridor, and:

- identified future visions for the precincts surrounding the new stations;
- projected housing and jobs growth for each precinct and the corridor as a whole; and

- established a framework for managing future land use change.

The Corridor Strategy identified that the Kellyville Station Precinct would evolve to become a transit oriented, predominantly residential area. A new local centre with neighbourhood shops would adjoin the station to provide a new focal point for the community, including neighbourhood shops. A variety of housing types would be provided, with the tallest building closest to the station and local centre, reducing in height further beyond. New links through the precinct and improved public domain were also identified as being key to the success of the precinct.

1.2 The Priority Precincts program

The Priority Precincts program is a NSW Government initiative which aims to:

- provide for new housing and jobs in centres with good existing or planned transport services;
- coordinate the delivery of infrastructure to support growth; and
- make these centres attractive places to live, work and play.

Following the finalisation of the Corridor Strategy, The Hills Shire Council unanimously voted to nominate the Kellyville Station Precinct, along with the Bella Vista Station and Showground Station Precincts, as Priority Precincts. These precincts were announced by the NSW Government in August 2014 as a means of implementing the Corridor Strategy. The decision to endorse these precincts as Priority Precincts was based on a number of factors, including that the precincts:

- would maximise the use of the Sydney Metro Northwest and other public transport infrastructure;
- would provide more jobs closer to home and promote public transport to employment areas, reducing the need for private vehicle trips;
- respond to strong current demand, and projected future demand for additional jobs and housing; and
- incorporate significant government landholdings with potential for master planning and coordinated redevelopment potential.

1.3 Planning for the Kellyville Station Precinct

Following the NSW Government's Priority Precincts announcement, detailed planning for the Kellyville Station Precinct commenced. Specialist studies were prepared to inform the draft rezoning plans, covering urban design, traffic and transport, economic feasibility, flooding, ecology, heritage, open space and community facilities.

The vision for the Kellyville Station Precinct to 2036 is for a vibrant, green and connected community, which is guided by the following principles:

- provision for a range of housing, employment and retail services close to public transport, the regional road network and high quality open space;
- creation of an attractive and convenient local centre around the station, providing shops, cafes, restaurants, and a central town square;
- provision of a high quality, pleasant network of public open space areas, including new sports fields; local parks and enhanced riparian corridors.

- delivery of more homes close to Kellyville Station to meet growing demand and increase housing choice to reflect changing household sizes and lifestyles;
- improving access and connections to the station and through the precinct by providing new local streets, improved bus services, new and improved pedestrian and bicycle paths, and new vehicle and pedestrian crossings over the creek corridor; and
- managing impacts on the natural environment including protection of remnant ecological communities in the creek corridors running through the precinct.

The draft rezoning plans were exhibited from 7 December 2015 to 28 February 2016, and proposed:

- zoning for a mixed use local centre around the station to facilitate a compact, walkable town centre providing a variety of shops, services and apartments;
- areas designated as parks and open space;
- building heights to transition down from the town centre to stand-alone housing areas beyond, providing for a range of housing types to meet demand for greater housing choice;
- recommended precinct specific controls for inclusion in a Development Control Plan (DCP), including environmental management and building design controls to provide high levels of amenity for residents and for people using the surrounding public domain and open space areas.

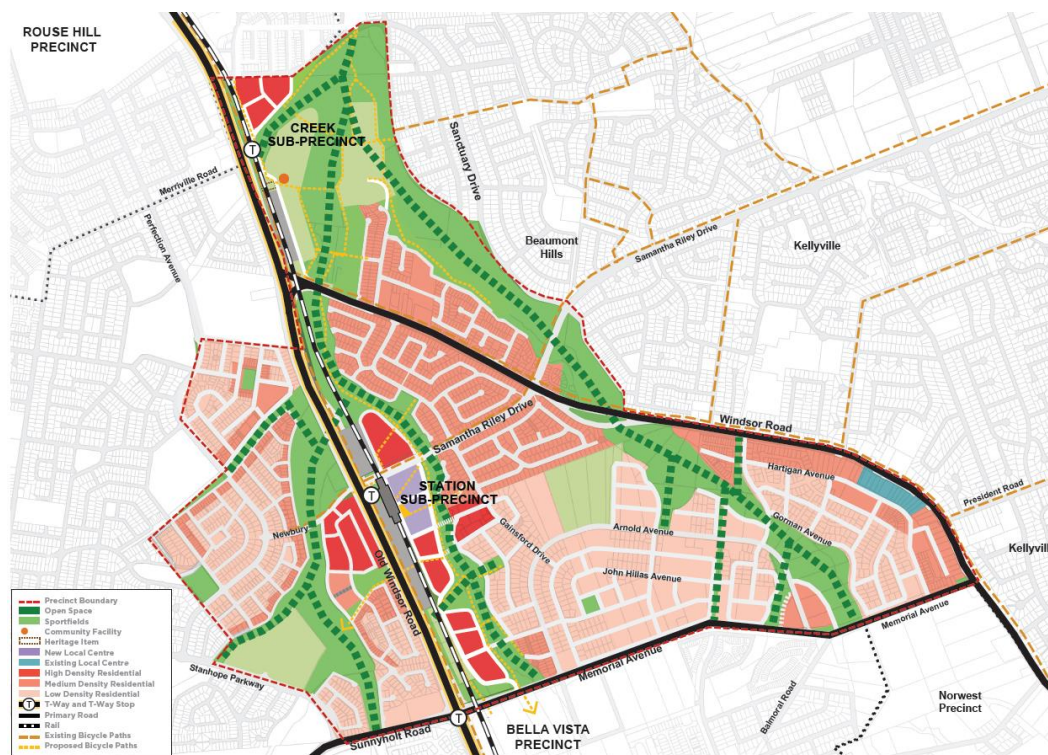


Figure 3 Draft Kellyville Station Precinct Plan as exhibited

2 Consultation summary

The Department engaged in an extensive program of consultation for the Kellyville, Bella Vista and Showground Station Priority Precincts. Consultation activities which were relevant to the Kellyville Station Precinct are summarised below.



500

Telephone survey participants



2,600

Newsletters delivered to Kellyville Precinct properties



2

Ads in local paper



5

Information stalls at community events



280

Community values survey respondents



5

Media releases



2,870

Exhibition notification letters to Kellyville Precinct landowners



~400

People attended two drop in sessions for Kellyville and Bella Vista Precincts



3

Stakeholder briefing sessions



366

Written submissions about the Kellyville Precinct



121

Precinct Support Scheme Survey respondents



1,291

Notification letters about Stanhope Gardens

2.1 Preliminary community consultation

The community consultation undertaken following the announcement of the Kellyville Station as a Priority Precinct in August 2014 included:

- information stalls at five community events;

- an online community values survey covering the Kellyville, Bella Vista and Showground Precincts, with 280 respondents;
- a newsletter delivered to approximately 6,250 residents in the three precincts; and
- a series of stakeholder briefing sessions for community and business representatives across the three precincts.

Further details about this preliminary consultation are provided in the Kellyville Station Precinct Planning Report that was prepared as part of the exhibition material.

2.2 Public exhibition of the draft plans

The draft plans for the Kellyville, Bella Vista and Showground Station Precincts were exhibited for 12 weeks from 7 December 2015 to 28 February 2016. The websites for each precinct were updated with all the exhibition material available to download. Hard copies of the exhibition material could also be viewed at The Department's Bridge Street office, The Hills Shire and Blacktown City Council's offices, and at the Castle Hill and Vinegar Hill Memorial libraries. An advertisement notifying the community about the exhibition was also placed in The Hills Shire Times.

Letters to Property Owners

A total of 1,578 letters were sent to property owners in, and adjoining The Hills Shire Council portion of the Kellyville Station Precinct, and 1,292 letters were sent to property owners in and adjoining the Blacktown City Council portion of the precinct (combined with the Bella Vista precinct), notifying them of the exhibition. A further 12 letters were sent to The Hills Shire Council, Blacktown City Council and relevant NSW Government agencies.

Community Drop in Sessions

Two community drop in sessions were held for the Bella Vista and Kellyville Station Precincts at the Novatel Norwest. These were held on:

- Saturday 30 January 2016, 10am to 1pm; and
- Thursday 11 February 2016, 4:30pm to 8:00pm.

These sessions allowed members of the community to view the exhibition material, and to talk to Department staff who were available to answer questions about the proposal. Approximately 200 people attended each session.

Newsletter

A Kellyville Station Precinct newsletter was hand delivered to approximately 2,600 properties in the precinct in early February 2016 and available at the community drop in sessions, to keep the community informed about the exhibition and community consultation activities.

Stakeholder Briefing Session

A stakeholder briefing session was held on Tuesday 2 February 2016 for community and business representatives. This was a combined session for all three Sydney Metro Northwest Priority Precincts.

The session provided an overview of the Department's draft plans on exhibition, and sought to obtain feedback on the draft plans. Issues relating to the Kellyville Station Precinct included potential

flooding impacts, the type of retail uses to be provided in the town centre, and connections to the station from Stanhope Gardens.

Online Survey – Precinct Support Scheme

An online survey was available from 7 December 2015 until 15 May 2016 on the precinct website, and publicised on all communications material during the exhibition period. The survey sought feedback from the community about what sort of local infrastructure projects could be funded with the \$15 million in Precinct Support Scheme funding available across the three precincts, upon rezoning.

A total of 121 respondents completed the survey, with 32% of respondents living in the Kellyville Station Precinct. A copy of the survey report is appended to this report.

2.3 Public submissions

A total of 359 submissions were received by the Department from the community in response to the exhibition of the draft plans for the Kellyville Station Precinct. Multiple submissions made by the one person have been counted as a single submission. Separate, but similar submissions were also received from three different Community Associations in Stanhope Gardens.

A petition was also received from the Elizabeth Macarthur Estate Action Group, with 159 signatures, although this did include residents and owners who had made separate individual submissions, many raising similar issues to that in the petition, or attached a copy of the petition sheet to their submission.

Of the submissions received, 96% were from residents identified as residents or owners of properties within the Kellyville Station Precinct, or were acting on behalf of these residents.

The most common issues raised in submissions were:

- requests for higher density rezoning to permit apartments in the Elizabeth Macarthur Estate;
- concerns about traffic and/or parking impacts;
- perceptions that crime would increase;
- support for the draft plans;
- mixture of support and opposition to the proposed of the rezoning of the Newbury Estate, Stanhope Gardens;
- oppose the increased zoning at the Hickson Road site;
- support but only if their property is rezoned to permit apartments;
- requests for more height and/or floor space ratio to that proposed;
- quantity and quality of open space; and
- oppose or mostly oppose the draft plans.

Most submissions raised a number of issues. The range of issues raised in submissions, and the number of specific comments on each issue are summarised in the graph at Figure 4. A discussion of these issues, as well as other issues raised less frequently, and a detailed response is provided in Section 3 of this report.

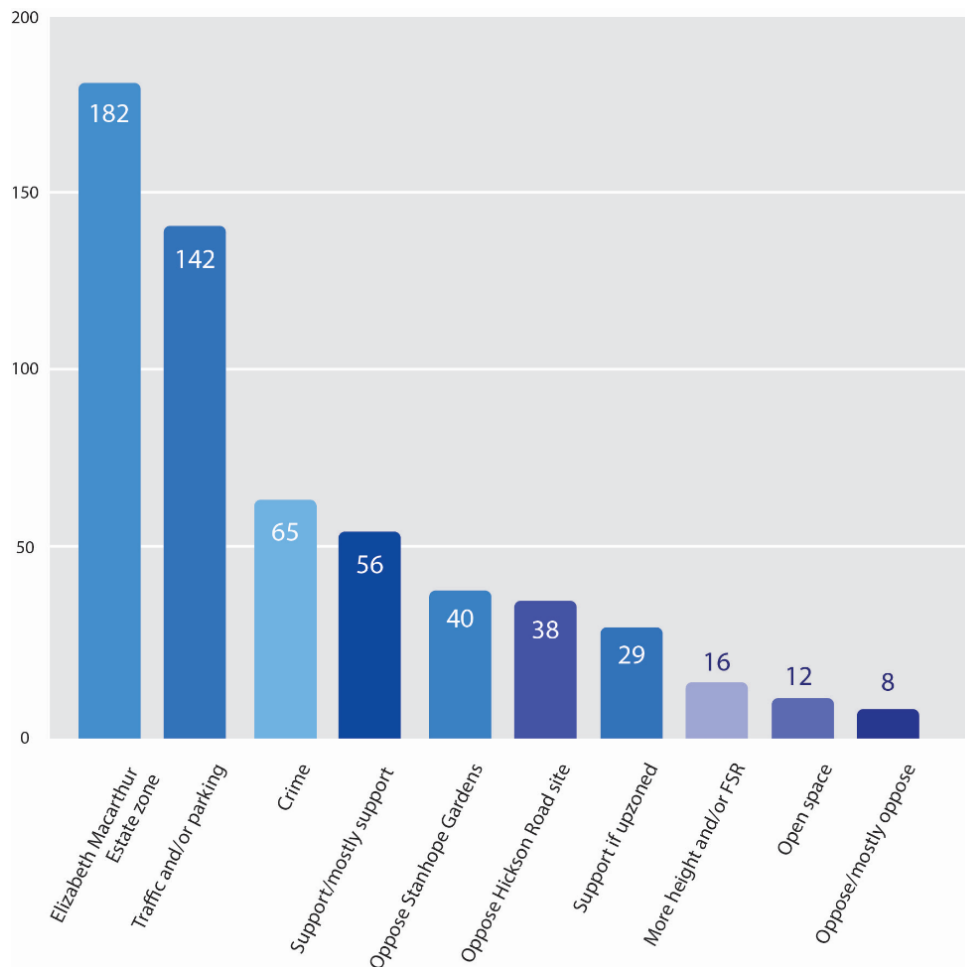


Figure 4 Most common issues raised in submissions received

2.4 Council and Agency submissions

Submissions were received from The Hills Shire Council, Blacktown City Council and five State Government agencies. Key issues raised included:

The Hills Shire Council

- Governance framework for the NSW Government owned land;
- The relationship of the draft controls with The Hills Shire planning framework;
- Dwelling yields and floor space ratio controls;
- Transfer of floor space ratio;
- Concerns about proposed lot sizes and setback controls;
- Need for design excellence provisions;
- Concerns about traffic and transport impacts;
- Open space; and
- Community facilities.

Blacktown City Council

- Advised that a staged approach to the rezoning of the Kellyville Station Precinct should be adopted, that excludes the rezoning of land in Stanhope Gardens in the short to medium term.

Office of Environment and Heritage

- Raised issues including potential impacts on threatened species, ecology, climate change, flood risk management and Aboriginal cultural heritage.

Sydney Water

- Advised that an integrated water and wastewater servicing strategy was being prepared for the Elizabeth Macarthur Creek corridor, and provided advice on stormwater controls.

Department of Education and Communities

- Advised that the possibility of locating a high school in the corridor was being considered, including the option of co-locating a facility with public open space and/or community facilities to benefit the community.

NSW Rural Fire Service

- Advised that Planning for Bushfire Protection and Asset Protection Zones should be considered, as well as the design of roads for safe access for firefighting activities.

Endeavour Energy

- Advised that future developers would need to apply to Endeavour Energy to finalise connections.

A discussion and response to these issues is provided in Sections 4, 5 and 6 of this report.

3 Issues raised in public submissions

3.1 Requests for changes to zonings and controls to increase density

Requests for changes to the proposed zones came from 6 main parcels of land, which are discussed below.

Elizabeth Macarthur Estate

The most common issue raised in submissions related to the proposed controls for land in the Elizabeth Macarthur Estate. This is a residential estate bounded by Samantha Riley Drive, Windsor Road and the Elizabeth Macarthur Creek Corridor. It contains around 320 properties and is around 23ha in size.

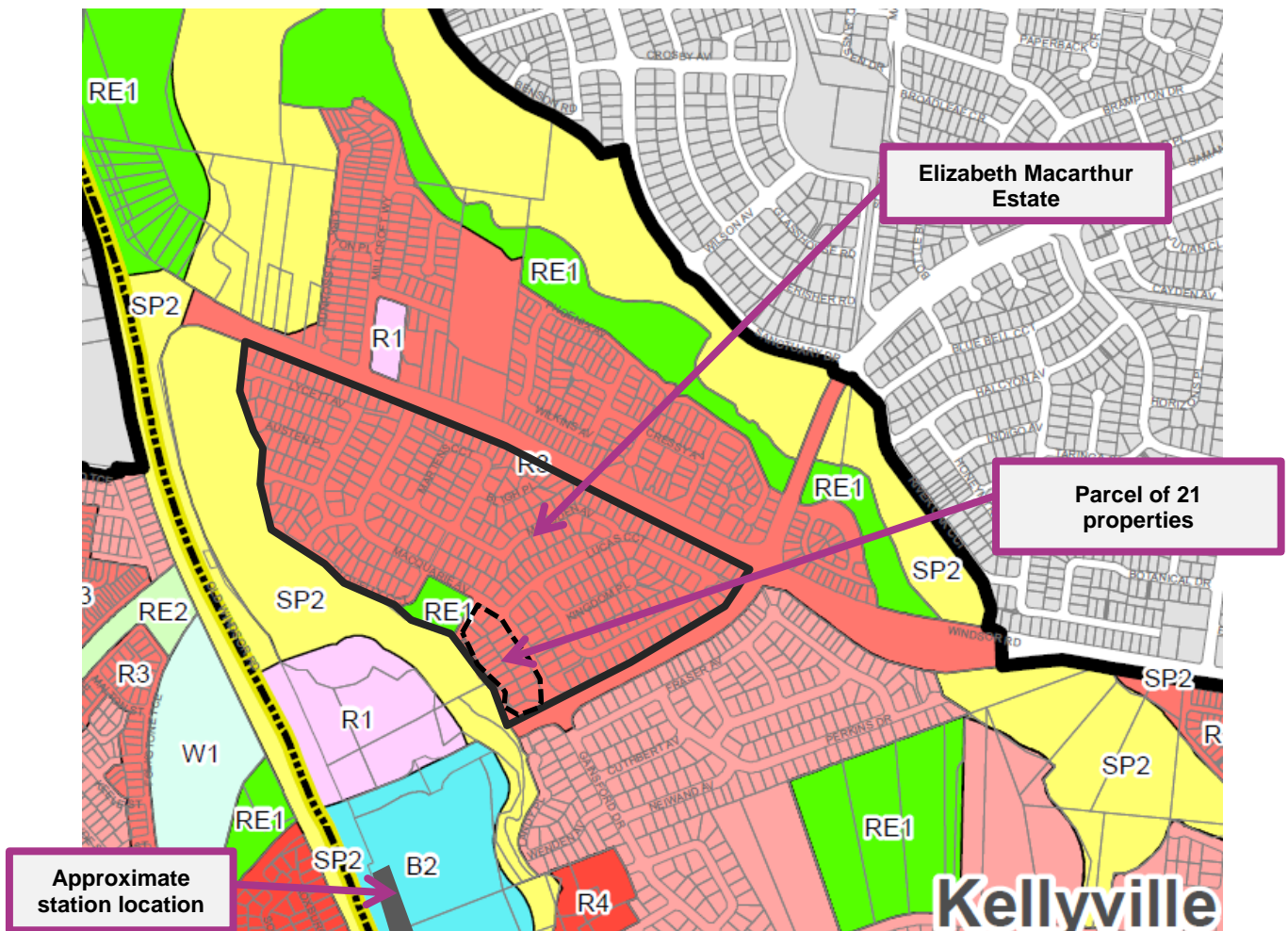


Figure 5 Elizabeth Macarthur Creek Estate and the exhibited proposal

Approximately 180 submissions were received from properties in the estate, requesting that their properties be rezoned from the existing R3 Medium Density Residential zone to R4 High Density Residential, to permit apartments. A petition was also received with 159 signatories with several of these residents having also made individual submissions.

The reasons put forward for the change to the existing zoning controls were varied but generally included one or more of the following:

- the proximity to the new station justifies an increase in the density of this part of the precinct;
- there will be impacts on the amenity of existing homes resulting from the new developments such as overshadowing;
- the area will suffer from increased traffic congestion, on street parking and crime arising from the new apartment developments closer to the station; and
- it is not financially viable to relocate to a similar home elsewhere in the area without the financial benefit from the higher zoning.

Around 30 of the submissions, as well as the petition, requested that the entire estate be rezoned at the same time, rather than in fragments to prevent new developments being dispersed with existing dwellings.

A submission was also received on behalf of a group of 21 properties within the Elizabeth Macarthur Estate bounded by Macquarie Avenue, Brigitte Place and Samantha Riley Drive. The submission requested:

- that the parcel be rezoned from the existing R3 Medium Density Residential zone to R4 High Density Residential;
- retail uses be permitted on some of the ground floor of buildings; and
- increases to the height and floor space ratio controls, with three different options suggested:
 - FSR of 3.6:1 (for residential only) or 3.8:1 (mixed use), and between 6 and 20 storeys;
 - FSR of 3.2:1, and between 6 and 15 storeys; and
 - FSR of 2:1 and 6 storeys.

Comment

The strategic planning framework for the Kellyville Precinct seeks to concentrate initial growth and activity in the area closest to the new metro station. This will help activate the new station, stimulate development of the new town centre and help transform the area into an attractive and lively precinct with people living, working, shopping and socialising close to the station.

This initial rezoning area is consistent with the planning framework for the precinct that was established in the *North West Rail Link Corridor Strategy*. The Corridor Strategy identified sites more suitable for redevelopment in the short term, primarily undeveloped government land adjoining the rail line and the then relatively undeveloped Balmoral Road Release Area.

Although the government land is relatively unencumbered, it is still expected to take around 10-15 years for the forecast apartment developments to be completed. Fragmented land that has already been developed for housing outside this area, including the Elizabeth Macarthur Estate, would be expected to develop slower. This is a key reason the Corridor Strategy identified the Elizabeth Macarthur Estate as more suitable for development in the longer term (refer to Figure 6).

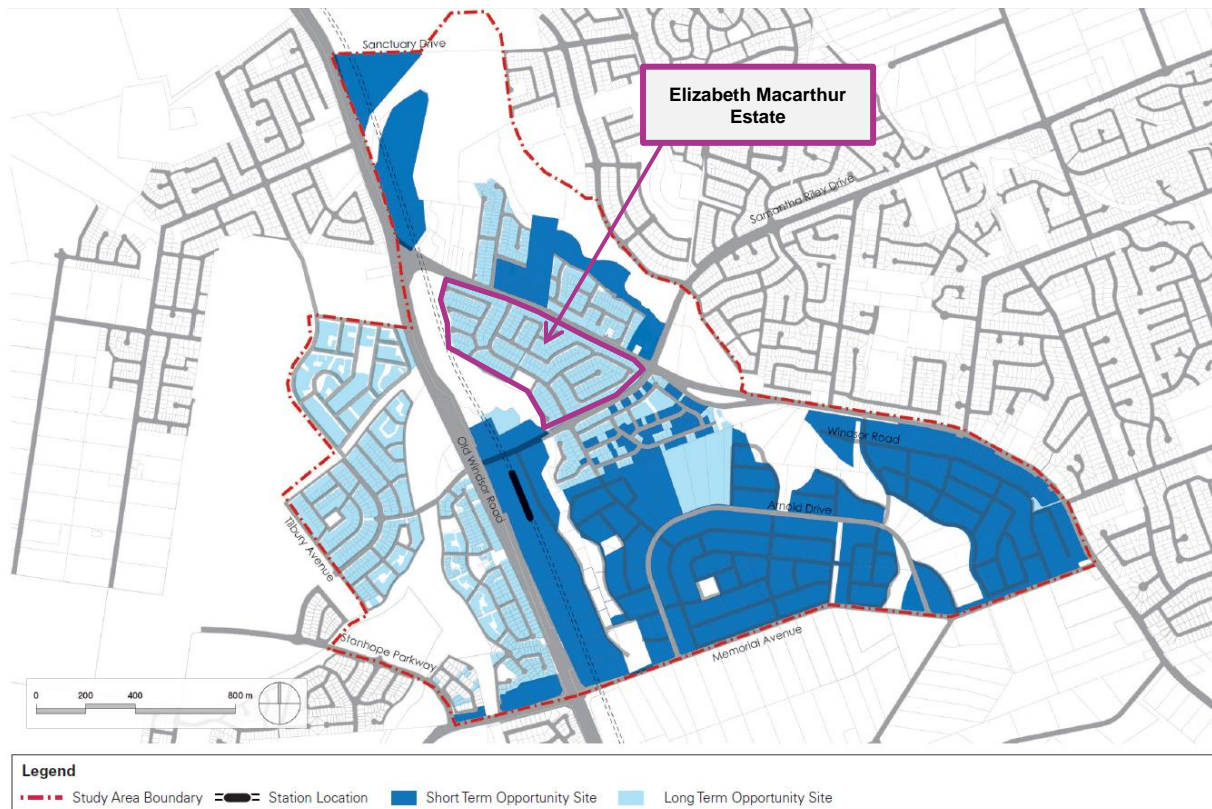


Figure 6 Opportunity Sites for the Kellyville Station Precinct (2013 North West Rail Link Corridor Strategy)

As a result of these considerations, it is recommended that the rezoning proposal not include the Elizabeth Macarthur Estate, or other sites that were not identified in the Corridor Strategy for additional growth in the short term.

However, an annual review of the precinct will be undertaken by the Department to monitor development activity. As the area around the station develops over the next 10-15 years, further strategic planning investigations will be undertaken to consider whether other areas of the precinct are suitable for renewal, such as Elizabeth Macarthur Estate.

In the interim, planning proposals could still be lodged with the relevant council. Additional infrastructure may be required to support further growth and planning proposals would need to demonstrate how proposed developments would contribute to the provision of that infrastructure.

The new development planned for the NSW Government owned land will be south of the Elizabeth Macarthur Estate and therefore will not overshadow properties in the estate. The new development will also be physically separated from the Elizabeth Macarthur Estate by Samantha Riley Drive, which is a four lane road with a highly vegetated median strip along part of its length, and the Elizabeth Macarthur Creek Corridor, which is also highly vegetated and will provide a substantial visual buffer to the new development.

Concerns about traffic and parking impacts are discussed in Section 3.2 of this report.

Hickson Avenue site

The draft plans proposed the rezoning of this vacant site to enable around 130 apartments in buildings from 3 to 6 storeys.

This site adjoins the eastern side of Elizabeth Macarthur Creek. It has an area of approximately 1.8ha and is located between 220m to 360m (in a straight line) from the closest entrance of the new Kellyville Station.

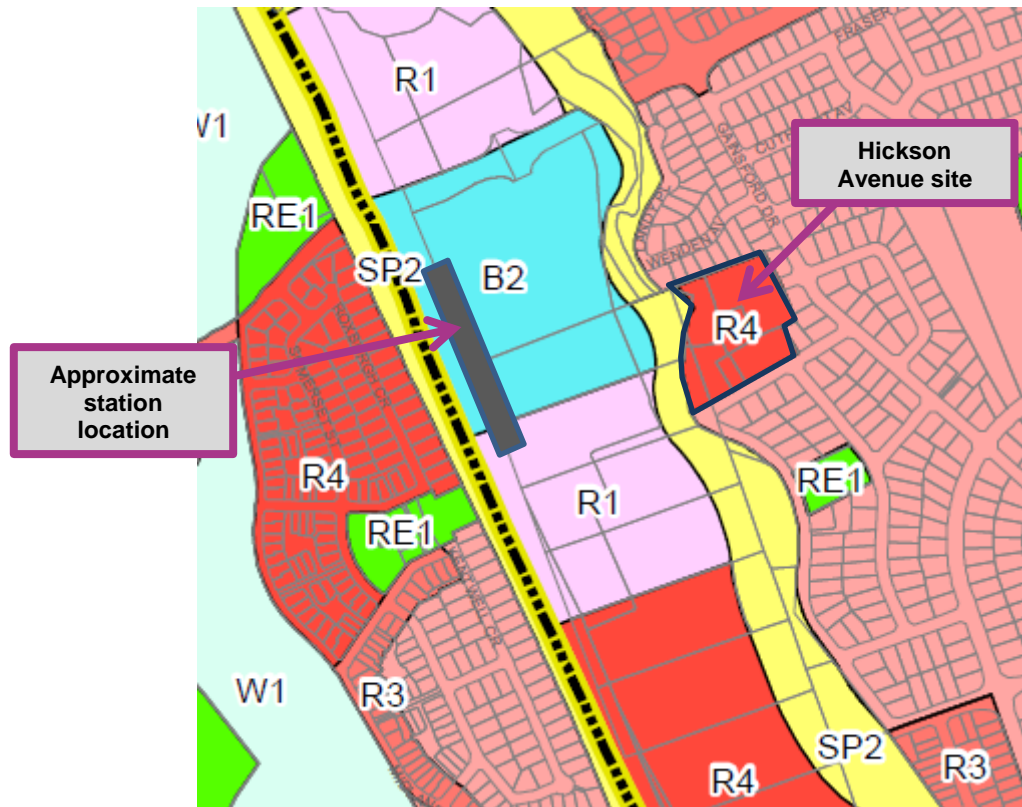


Figure 7 Hickson Avenue site and the exhibited proposal

A submission received from the owners of this site proposed a further increase in density due to its close proximity to the station, that it is undeveloped, and it is in single ownership.

There were 38 submissions from properties adjoining this site, or in the vicinity, that did not support the rezoning of the site for apartments. Another 7 submissions requested that their properties also be rezoned to R4 High Density Residential should the rezoning of the Hickson Road site proceed.

Comment

The Department acknowledges that there are some strategic benefits from rezoning this site for higher density development, given its close proximity to the station, and it is an undeveloped site in single ownership. The Department exhibited a plan for three storey apartments around the perimeter adjoining existing residential properties, and up to six storeys for the remainder of the site to get feedback from Council and adjoining residents about this proposal.

There were concerns raised about the impacts that the proposed height and scale of development on the adjoining properties, and that the scale of development would be significantly out of context with the character of the surrounding development on this side of Elizabeth Macarthur Creek, which is predominantly large, detached dwellings.

To address these concerns, it is recommended that the site be rezoned R3 Medium Density Residential to permit semi-detached and attached dwellings up to 10 metres (2-3 storeys) in height. This scale of development is more compatible with the two storey detached homes immediately adjoining this site, whilst providing for some increased density and housing choice. This also enables Lewis Jones Drive to be constructed as previously proposed as part of this land release by Council.

The extent of the R3 zone boundary will also be expanded to include the properties between the site and both Gainsford Drive and Seath Street so this zone boundary aligns with the street.

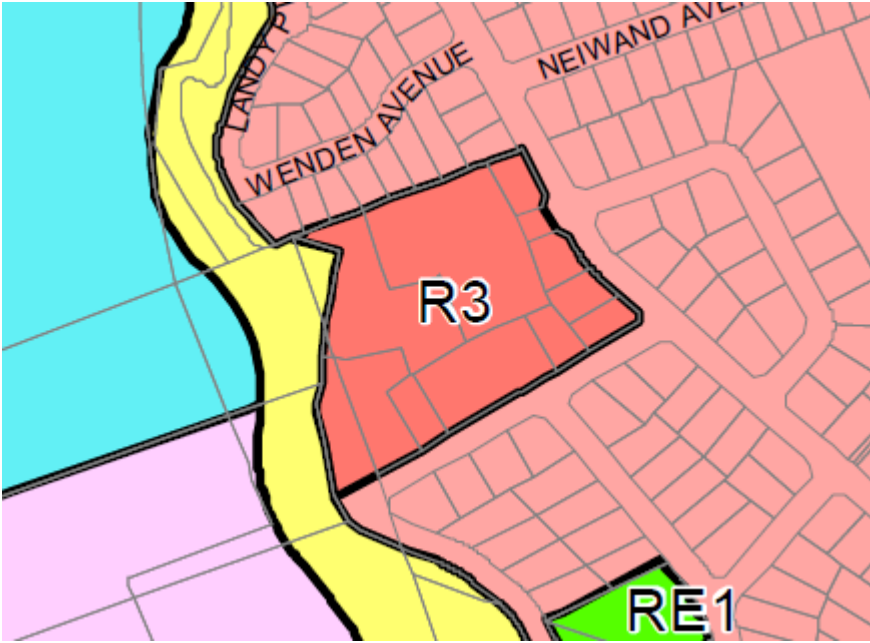


Figure 8 Recommended zoning of the Hickson Road site

As previously discussed, an annual review of the precinct will be undertaken by the Department to monitor completions and review the need for additional land to be rezoned in the future.

43 Memorial Avenue

This site is on the northern side of Memorial Avenue, adjoining the western side of Elizabeth Macarthur Creek and NSW Government owned land being used for the construction of the Sydney Metro Northwest.

The property is proposed to be rezoned to R4 High Density Residential, with a maximum building height of 21m (6 storeys) and an FSR of 1.2:1. The owner requested a number of changes to the proposed development controls including:

- increase maximum height from 21m to 40m;
- increase the maximum permissible FSR from 1.2:1 to 3:1; and
- relocate the planned access road from Memorial Avenue to ensure there is sufficient development potential on this site.

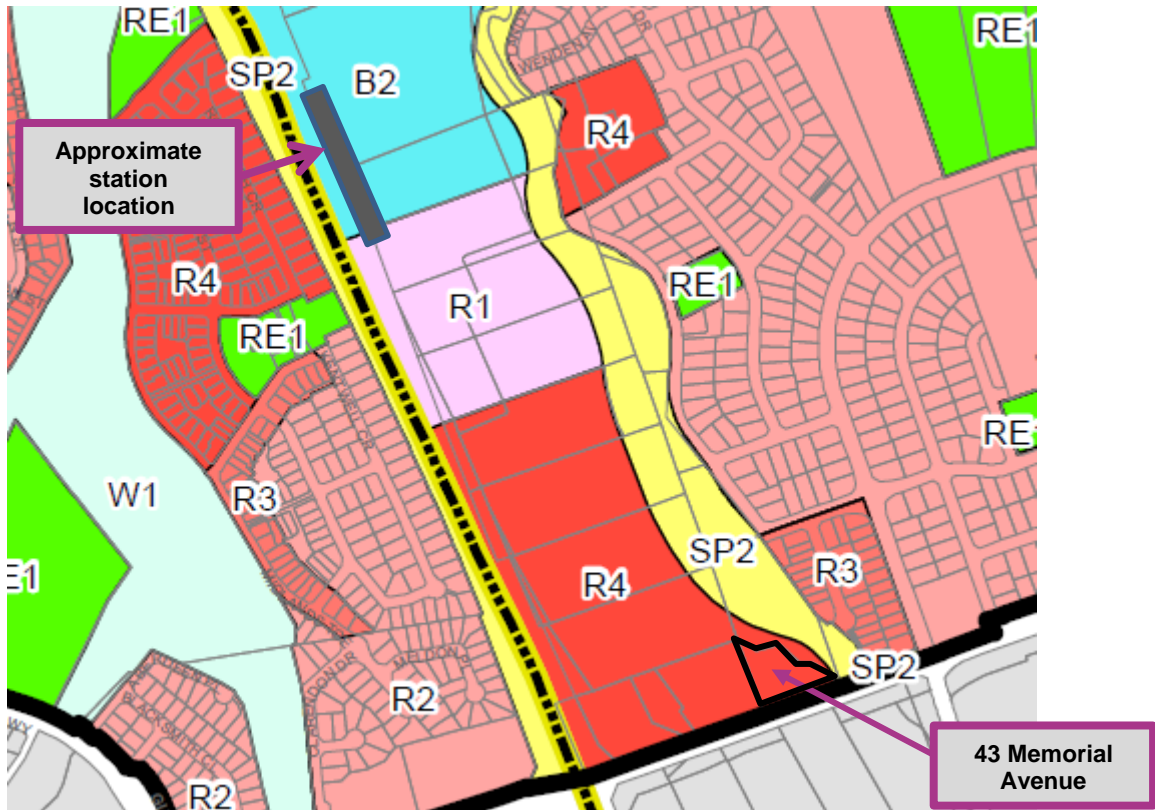


Figure 9 43 Memorial Avenue and the exhibited proposal

Comment

The Department is recommending lower building heights adjoining the Elizabeth Macarthur Creek corridor where these developments are further away from the new town centre. This is intended to result in the highest buildings in the precinct being concentrated in a small area closest to the station, and to reduce the visual impacts and scale of the developments adjoining the creek corridor.

Access into the precinct off Memorial Avenue will be coordinated by TfNSW and Roads and Maritime Services (RMS) as part of RMS’s future upgrade of Memorial Avenue. The Department will continue to work with RMS, TfNSW and Council following rezoning to coordinate the design and construction timeframes for those works.

31 Memorial Avenue

This site is located on the northern side of Memorial Avenue, and is located approximately 800m (in a straight line distance) from the nearest entrance to the new Kellyville Station. The owner requested that the site be rezoned from R2 Low Density Residential to R3 Medium Density Residential to provide for smaller lot housing. This would increase the dwelling yield from 21 lots (on minimum 700m² lots), to between 34 to 38 lots, while still maintaining a detached housing character of this part of the precinct.

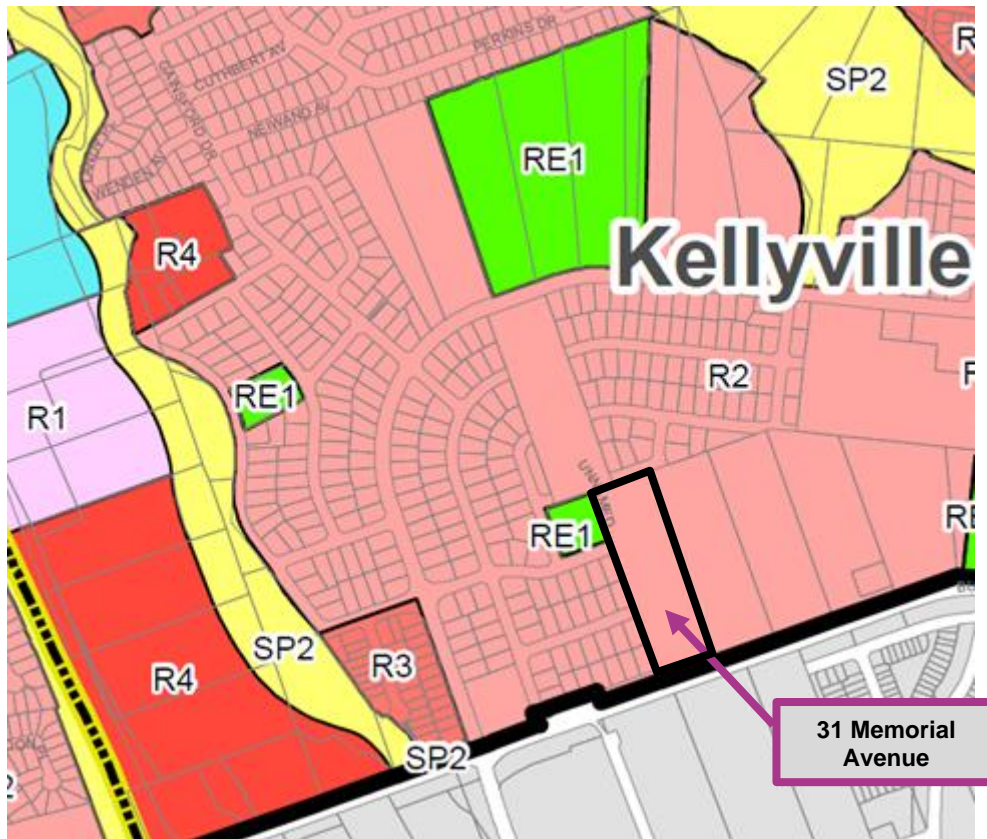


Figure 10 31 Memorial Avenue and the exhibited proposal

Comment

The site is at least 800m from the nearest entrance to the new Kellyville Station, and is bounded by properties zoned for low density housing. The site is also within the Balmoral Road Release Area, where The Hills Shire Council have undertaken extensive strategic planning. The Department considers that the existing controls are appropriate for this site, and any proposed changes should be undertaken by The Hills Shire Council as part of any broader review of the Balmoral Road Release Area.

301 Samantha Riley Drive

This site was rezoned by The Hills Shire Council in 2014 to R1 General Residential, with detailed development controls to allow approximately 660 dwellings and 75 retail jobs to be delivered at the 2.2ha site, ranging in heights from 3 storeys to 15 storeys.

The site was rezoned on the basis that a significant boundary adjustment would subsequently be undertaken involving the transfer of land between TfNSW and the landowner, and also between Sydney Water and the landowner.

This land transfer would then allow for the landowner’s construction of a local ring road that would provide vehicular access to the site, deliver improved urban design outcomes and promote better local traffic circulation for the area, including for vehicles accessing the Kellyville Station commuter car park.

This land transfer has not been undertaken, and the landowner has been unable to progress the lodgement of a development application to construct the development contemplated at the time of rezoning. Accordingly, the submission sought to:

- amend the site’s existing planning controls to contain development wholly within the site, without the need for any land transfer to be undertaken by the landowner with TfNSW and/or Sydney Water; and
- increase the permissible building heights from a maximum 46m (14 to 15 storeys) to a maximum of 55m (17 to 18 storeys), without increasing the site’s net developable area and floor space ratio controls.

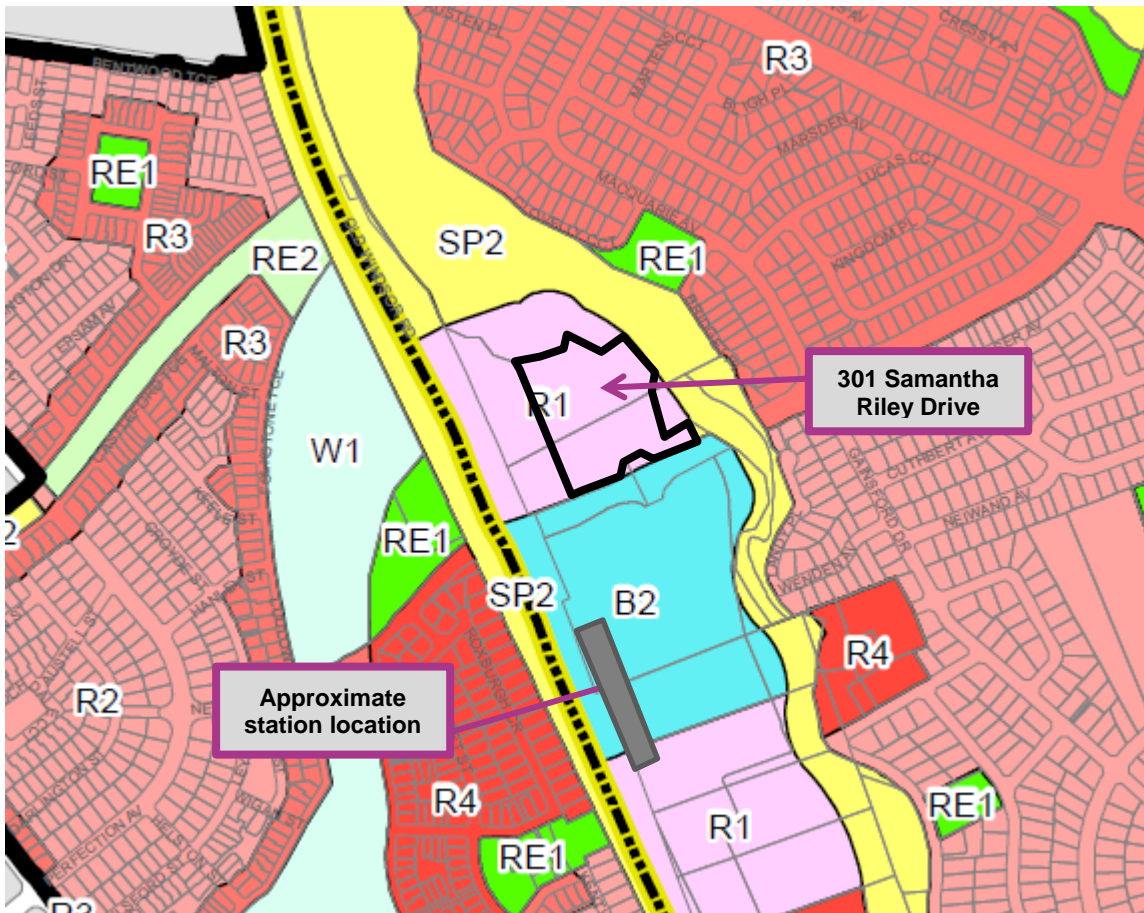


Figure 11 301 Samantha Riley Drive and the exhibited proposal

Comment

The site’s rezoning in 2014 introduced a detailed suite of planning controls to deliver a particular built form outcome that was contingent on a subsequent boundary adjustment involving two government agencies and the landowner.

The Department was not involved in these land transfer negotiations and has been liaising with TfNSW, Sydney Water, Council and the landowner to help facilitate a resolution of this outstanding issue so the development potential at the site to be realised.

It is noted Council does not support the changes requested by the landowner in its submission, as this would result in a poorer urban design outcome and negative traffic impact in the absence of the local ring road.

The Department also does not support increasing the maximum permissible height on the site. The current heights on the site are consistent with the tallest buildings proposed closest to Kellyville Station. Allowing taller buildings further from the station would not be consistent with the Department’s objective of reducing the bulk and scale of buildings as development transitions to the surrounding lower density residential areas further from the station.

The Department will facilitate further discussions between the relevant stakeholders to progress issues relating to access and land arrangements. It is recommended that any proposed changes to the existing controls be progressed by Council, as the local planning authority.

Stanhope Gardens/Newbury Estate

The Newbury Estate is a master-planned housing estate released in the 1990s, within the suburb of Stanhope Gardens, on the western side of the Metro and Old Windsor Road. It is located within the Blacktown City Council area.

The draft plans proposed to rezone the northern part of the estate generally within a 400m of the new station, to permit apartments ranging in height from 5 to 14 storeys, with the potential for around 1,000 new homes within a 5 to 10 minute walk of the station.

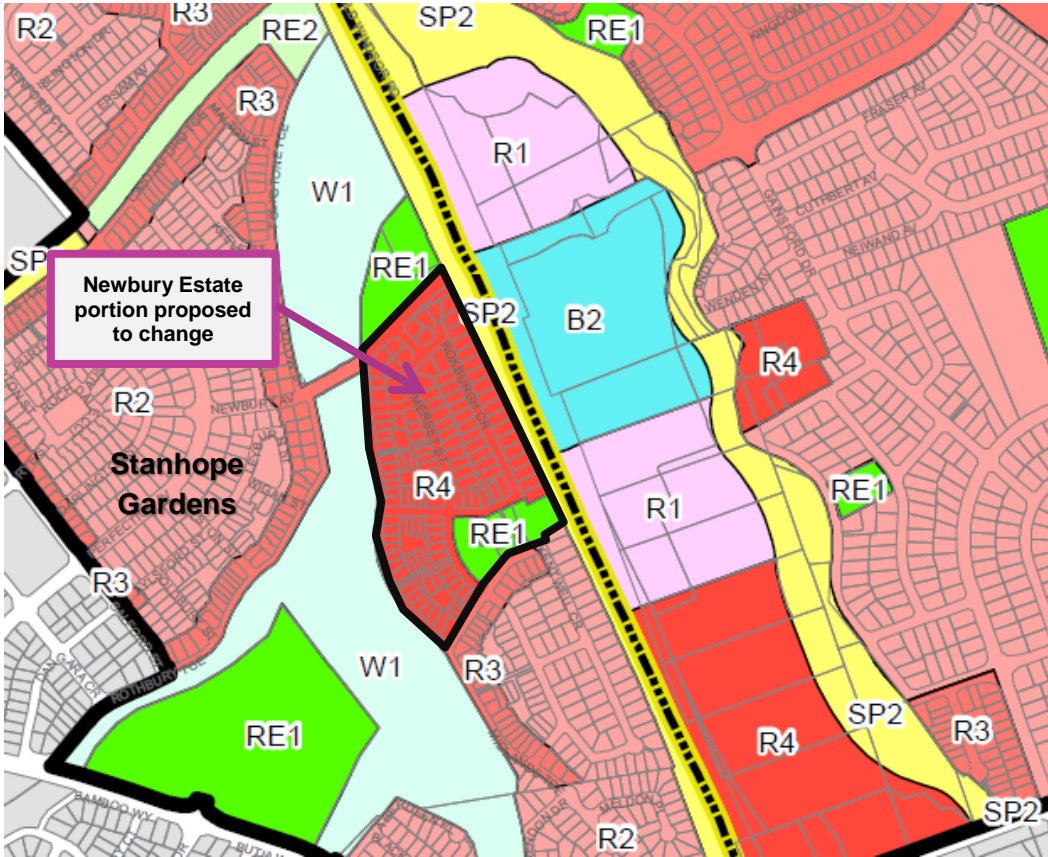


Figure 12 Newbury Estate in Stanhope Gardens, and the exhibited proposal

The Department received around 110 submissions about the draft plans for Stanhope Gardens, which included:

- general support for the rezoning proposal, largely from those living in the area proposed to be rezoned (39 submissions),
- some residents also requested that maximum height and floor space ratios should be increased in the area to be rezoned R4 High Density Residential (9 submissions);
- objection to the proposed rezoning of Stanhope Gardens, largely from those outside the proposed rezoning area (40 submissions); and
- requests from residents in the southern part of the Newbury Estate to be included in the proposed rezoning area should the rezoning of the proposed R4 zone proceed (22 submissions).

Concerns were also raised about traffic and parking impacts, including increased congestion on Newbury Avenue and how the rezoning could occur as the estate is under Community Title.

Comment

The area proposed to be rezoned has strategic planning merit as it is within 400m of the new station, with direct station access via a new footbridge proposed by TfNSW over Old Windsor Road. The Caddies Creek corridor also provides a buffer between this site and most of the remainder of Stanhope Gardens. However, the Department acknowledges that more detailed studies are required to be undertaken to assess potential impacts, including traffic and open space.

Therefore, the proposal to rezone part of Stanhope Gardens will not progress as part of the Kellyville Station Precinct proposal. The Department will continue to engage with the community and Blacktown City Council about the long term opportunities for Stanhope Gardens and no decision will be made without comprehensive community consultation.

3.2 Traffic and parking impacts

The Department received 142 submissions raising concerns that the proposed increase in apartments around the station would increase traffic congestion, and/or increase on street car parking.

Comment

Traffic

TfNSW prepared a Transport Plan that was publicly exhibited to describe the transport network that is recommended to support the Kellyville Station Precinct proposal. The Transport Plan recognises that the Sydney Metro Northwest will be a transformative project, and along with other transport improvements, will achieve a significant shift in the way residents, workers and visitors travel to, from and within the precinct.

High density development is being focussed around the station so that new residents will be in walking distance of the station and adjoining shops, services and open space areas. Journey to work data collected by the NSW Transport Performance and Analytics unit demonstrate higher use of public transport, walking and cycling to get to work in centres around rail stations. This approach to transit oriented development seeks to improve the productivity and efficiency of the city by providing more people with alternative transport options.

TfNSW is anticipating a modal shift in the centres around the new Metro stations as rail travel becomes an option for the first time in this part of Sydney, which has some of the highest car ownership levels per household in Australia. Table 1 shows transport modes used to travel to work in The Hills Local Government Area (LGA) compared to centres serviced by rail.

Table 1 Journey to Work Modes

Centre	Public Transport, Walking and Cycling	Car (Driver or Passenger)	Other/Not stated
The Hills LGA	18%	80%	2%
Hornsby	47%	52%	1%
Waverton	56%	40%	4%
Artarmon	54%	43%	3%
Rhodes	48%	50%	2%
Waitara	50%	49%	1%
St Leonards	69%	29%	2%
Wolli Creek	60%	38%	2%

Source: NSW Transport Performance and Analytics unit

By planning for more buses to service the station, this would also make it easier for people in areas greater than 10 minute walk to access the stations without having to drive. Along with the improved bicycle and pedestrian infrastructure planned, this should reduce the need to travel so much by car, reducing pressure on the road network.

Parking

One of the benefits of living near rail stations, especially those that also have mixed use town centres, is that residents are not as reliant on cars to get to work, do the shopping, drop children at child care, visit a park, or go out for coffee or dinner. It also makes not owning a car for some a viable and attractive option. Owning fewer cars per household, or even foregoing a car altogether can save households many thousands of dollars per year.

Evidence from other transit oriented centres around rail stations shows that car ownership tends to be lower as owning a car, or more than one car is not necessary or desirable. Table 2 provide examples of car ownership in centres around stations, compared to the suburb of Kellyville:

Table 2 Households with one or no vehicle

Centre/Suburb	1 vehicle	No vehicles	Total
Kellyville	19%	2%	21%
Hornsby	51%	16%	67%
Artarmon	55%	15%	70%

Rhodes	58%	15%	73%
Waitara	60%	19%	79%
St Leonards	54%	30%	84%

Source: 2011 Census

The *Apartment Design Guide* sets out requirements for car parking on sites within 800m of a railway station in the Sydney Metropolitan Area, with the rate prescribed by the RMS Guide to Traffic Generating Development, or rate prescribed by the relevant Council, whichever is less. This rate would apply to rezoned land within 800m of Kellyville Station. For land outside this distance, the parking rates will be covered by the precinct specific development control plan.

Car share schemes should also be considered for the Kellyville Station Precinct, which further reduce the need for individual ownership of cars. Two car share vehicles are already available in Bella Vista, with much greater numbers in areas around rail station and transport nodes at St Leonards (at least 7), Rhodes (at least 7) and Manly (at least 13). In the City of Sydney Council area, almost 26,000 residents and businesses have joined one of the 2 car share schemes that operate. The City of Sydney reports that a single car share vehicle can replace up to 12 private vehicles that would otherwise compete for local parking spaces.

In addition to the new transport interchange at the station, improved pedestrian and cycle connection and an improved bus network, a customer car park is being provided adjacent to the station to provide 1,200 parking spaces.

With regard to concerns about on street parking by commuters or apartment residents in surrounding areas, the DCP to be prepared for the precinct could include a requirement for a parking management strategy to be prepared for the area of the precinct to be rezoned. The strategy would coordinate on-street parking in the precinct and include measures to address potential spillover into surrounding areas.

Development applications for apartment developments may also be required to be accompanied by a further traffic and transport assessment that demonstrates how the development proposes to accommodate car share schemes and reduce private car use.

The Hills Shire Council also has the option of adopting parking restrictions in streets surrounding stations if on-street parking becomes a significant issue. Examples of restrictions that could be applied include restrictions for parking in the morning (preventing all-day commuters from parking in the morning, but leaving these spaces available for the rest of the day), and resident exempt parking schemes. On-street parking restrictions are found in centres throughout metropolitan Sydney which are serviced by rail, including Gordon, Waverton, and Lindfield.

More detail about the transport upgrades planned for the precinct, including upgrades identified, is addressed in Section 4.8 of this report.

3.3 Perceptions of crime increasing

The Department received 65 submissions which raised concerns that crime would increase in the area as a result of new apartment developments.

Comment

There is no evidence that people who choose to live in apartments participate in more illegal activity than those living in detached houses.

Professor Peter Newman, of Curtin University wrote in the journal *Sustainability* (2014) that there is no evidence that social problems like crime are greater in high density areas. Rather, crime is more related to poverty. This is supported in the data available on the NSW Crime Tool website <http://crimetool.bocsar.nsw.gov.au/bocsar/> which shows that crime such as assault, robbery and drug offences tend to be higher in lower socioeconomic areas than higher socioeconomic areas, such as The Hills Shire.

Crime Prevention through Environmental Design (CPTED) is a crime prevention strategy that focuses on the planning, design and structure of neighbourhoods to reduce opportunities for crime. This includes the Safety by Design program used in NSW, and have been used to inform the planning for the precinct.

Public spaces which are highly used, enjoyed and revisited, and where passive surveillance, or “eyes on the street” is high, increases a sense of safety and deters crime. This can be achieved in a number of ways including having shops directly fronting streets, especially when used for cafés and restaurants after dusk, and having zero or small building setbacks from the street, so there are less ‘empty’ or inactive spaces between footpaths and buildings, especially for pedestrian and cyclists using these streets in the evening. Orientating apartments to face parks and other areas of open space also results in greater passive surveillance of these areas, discouraging anti-social behaviour.

The use of lighting, appropriate planting, and clear and accessible paths and sight lines also make people feel safer.

Providing a high quality public domain and making areas safe for seniors and families encourages greater use of these areas, leading to others feeling safe and welcome, as is the case for the popular Rouse Hill Town Centre.

It is recommended that these principles be included in the draft DCP to be finalised for the precinct.

3.4 Support for the draft plans

The Department received 55 submissions which either supported the draft plans, or key aspects of the plans. Most were residents in Stanhope Gardens supporting the rezoning of their properties (see section 3.2 of this report), but also supported the overall proposal for reasons including:

- supportive of development close to rail stations and a new town centre;
- improved connections through the precinct and to the station; and
- more housing choice for different life stages, such as when children grow up and move out, they can stay in the area if they wish.

Some submissions supported certain aspects of the plans over others, such as support for the improved creek corridor and more walking and cycling paths, but not be as supportive of the extent of the height of the buildings proposed.

Comment

The responses are noted, and demonstrate the importance of incorporating high quality urban design, accessible and attractive public domain and greater housing choice as part of the rezoning proposal.

3.5 Quantity and/or quality of open space

The Department received 12 submissions which raised issues about open space including:

- the need for sufficient open space to be provided for the existing and new population;
- open space areas should include a range of equipment and facilities; and
- support for upgrades to Elizabeth Macarthur Creek corridor.

Comment

A range of quality and accessible public open space areas are proposed as part of the proposal to meet the needs of the existing and new population. These open space areas include:

- around 10 hectares is proposed to be rezoned RE1 Public Recreation in the north of the precinct to expand the Caddies Creek sports fields planned by The Hills Shire Council, which will serve as a district sporting facility;
- a number of new open space areas including at least 14,000m² for new neighbourhood parks and around 13,000m² for small courts under the skytrain have been proposed. The location of the new open space areas will be identified through the master planning process for the government owned land, to be coordinated by Landcom following the rezoning.
- a proposed new urban plaza is planned adjacent to Kellyville Station in the town centre, to provide high amenity public space for the community which could include features such as seating, planting, grassed areas or water features, and areas for outdoor events. The delivery of the plaza will be coordinated by Landcom as part of the master planning process; and
- Sydney Water is proposing to upgrade the Elizabeth Macarthur drainage corridor to improve the environmental quality of this corridor. There are opportunities for new and upgraded pedestrian and walking paths to both increase access through the precinct and provide for more recreation activities.

These new open spaces are planned to incorporate a range of facilities such as children's play equipment, fitness stations, seating, barbeque areas and other facilities to make these places enjoyable for all generations and fitness levels. The future design of open spaces will be subject to separate development applications to allow for community input.

Apartment sites will also be required by the *Apartment Design Guide* to provide landscaped setback areas and shared private open space available for residents of these buildings.

Open space issues for the precinct are also discussed in Section 4.9 of this report, in response to The Hills Shire Council's concerns about this issue.

3.6 Opposition to the draft plans

Eight submissions were received which either opposed or mostly opposed the proposed development around the new Kellyville Station and how it would impact on the overall character of the area. The reasons raised included:

- the proposal will change the existing low density character of the area;
- buildings will be too high and unattractive;
- the proposal will destroy parks and green spaces; and
- the proposal will increase risk for children and pedestrians.

Comment

Change in character of the area, and height of buildings

The Sydney Metro Northwest will be transformative for The Hills, which will be served by the most frequent rail service in Australia. The areas recommended for higher density development to benefit from this new connection will be focused in a small area, closest to the station, representing only 7.7% of the precinct.

One of the key goals for the precinct is for new development and the public domain to have high standards of urban design. A design excellence clause is recommended to be included in Council's local environmental plan to apply to the rezoned land, to ensure high quality design for future buildings.

Data from the 2016 Census shows that only 5.5% of all private dwellings in The Hills were apartments, well below the Sydney average of 27.6%. This shows a low level of housing diversity in The Hills, whereas the rezoning proposal is seeking to provide greater housing choice in a way which encourages high quality urban design outcomes.

As stated in the Draft Greater Sydney Region Plan *Our Greater Sydney 2056: A Metropolis of three cities- connecting people* (page 6), which is the NSW Government's vision for Sydney:

“Residents will have quick and easy access to jobs and essential services, housing will be more affordable and the environment and precious resources will be protected. Importantly, infrastructure will be sequenced to support growth and delivered concurrently with new homes and jobs.”

The strategy recognises the inevitability of change that comes with major catalyst transport infrastructure and therefore seeks to manage the change in an orderly way, with appropriate upgrades to local and regional infrastructure to compliment the new homes and jobs to be provided.

Parks and green spaces

With regard to public open spaces, including parks and other green spaces, controls for the public domain area also recommended to be included in the precinct DCP, to provide an extensive area of accessible green and urban public spaces, and a well-connected network of pedestrian and cycle paths to provide safe and attractive access. Street tree planting is also recommended to be provided to increase tree cover in the precinct.

Risks to children and pedestrians

The draft plans are seeking to make it safe for pedestrians and children to live and move around in the precinct, providing more pedestrian and cycle paths, providing safer streets, and more accessible and connected green spaces for families to use.

Traffic and parking issues are addressed in Section 3.2 of this report.

3.7 Other issues raised less frequently

These issues were raised in 7 or fewer submissions included:

- renaming of the suburb of Kellyville;
- provision for more schools;
- utilities;
- community and emergency services;

- compulsory acquisition;
- construction impacts;
- consideration of other precincts; and
- affordable housing.

Renaming of the suburb of Kellyville

This was a proposal that The Hills Shire Council made to the Geographical Names Board to change the name of part of Kellyville to Balmoral Hills. The proposed was placed on exhibition by The Hills Shire Council from 9 February to 25 March 2016.

At the meeting of 23 August 2016, Council resolved not to proceed with the proposed renaming.

Schools

The Department of Education (DOE) is planning for schools in the Sydney Metro Northwest corridor. The new North Kellyville Primary School will open in 2019 and accommodate 500 students. An additional 500 students will be added in 2020. The new Bella Vista Primary School will also open in 2019 and accommodate 1,000 students. The potential for a new high school adjacent to the new district park is also being considered. DOE are also looking at other opportunities for schools in the precinct, including shared facilities for the community to use. This is discussed in more detail in Section 6 of this report.

Utilities

Utility providers, such as electricity, gas and water authorities were notified of both the 2013 *North West Rail Link Corridor Strategy* and the Kellyville Station Precinct proposal. The dwelling and jobs forecasts will assist with the planning and scheduling required upgrades for these services. This issue will need to be addressed at the development application stage.

Community and Emergency Services

The Hills Shire Council provide a range of community services such as libraries and community facilities. Child care is provided by private providers, and child care centres will be permissible with consent in all the areas proposed to be rezoned.

Emergency service providers for health and bushfire were advised of the draft precinct plans to assist with their planning in the precinct. The Corridor Strategy will also assist other government departments with any plans for future expansion of services.

Compulsory acquisition

Some submissions were concerned that their properties may be compulsory acquired, however this is not the case. The only land identified for compulsory acquisition is open space which is identified in the Acquisition Map that has been prepared to support the rezoning. In the Kellyville Station Precinct, no existing residential dwellings have been identified for acquisition.

Affordable Housing

The NSW Government is committed to delivering more opportunities for affordable housing across Sydney. Objective 11, Strategy 11.2 of the Draft Greater Sydney Region Plan: *A metropolis of three cities* outlines that 'State agencies, when disposing or developing surplus land for residential or

mixed use projects include, where viable, a range of initiatives to address housing diversity and/or affordable housing’.

Action 16 of the revised draft Central City District Plan builds on the Draft Greater Sydney Region Plan Objective 11, by requiring that ‘Affordable Rental Target schemes are to be prepared by Councils and other planning authorities to deliver affordable housing’. . The draft District Plan reaffirms across Greater Sydney targets generally in the range of 5% to 10% of new floor space. The implementation of this priority will be further developed by Landcom for the Kellyville Station Precinct following rezoning. Landcom has been tasked by the government to take the lead role in improving the supply, diversity and affordability of new housing.

A control is recommended to be included in the Development Control Plan for the precinct, requiring an affordable housing strategy to be prepared with the first development application for subdivision on the NSW Government owned land. This plan is to be developed in consultation with Housing NSW and community service providers, and provide an implementation framework for the delivery of affordable housing.

4 Issues raised by The Hills Shire Council

The Hills Shire Council raised a number of issues in their response to the draft plans, which are discussed in this section. The Department has met with Council staff on several occasions following the exhibition period to work through their concerns.

4.1 Governance framework for government owned land

Council recommended a joint venture model be applied to the NSW Government owned land in the precinct, consistent with the framework used for the development of the Rouse Hill Regional Centre. Council is seeking the replication of this model to inform appropriate maximum building heights, floor space ratios and minimum lot sizes for the NSW Government owned land, rather than adopting the draft statutory development controls for this land.

Comment

The Rouse Hill Town Centre was delivered by a joint venture between Lend Lease and The GPT Group, in partnership with Landcom and the NSW Department of Planning.

TfNSW, as owner of the government land, has not indicated its support for the Rouse Hill model. Landcom will oversee the detailed master planning and divestment of the government lands in a planned and co-ordinated manner that is anticipated to extend to 2027. This will include the delivery of new infrastructure including new local roads, local parks, and other key public domain upgrades within the precinct.

It is recommended the Minister for Planning be the consent authority for state significant development application(s) on the government owned lands that will establish this master planning framework. Development application(s) for principle subdivisions, including major lots and public domain areas, the distribution of development yields, the creation of new roadways and associated works on government owned land would be listed as State Significant Development under *State Environmental Planning Policy (State and Regional Development) 2011*.

This government led process will ensure orderly development in the Kellyville Station Precinct, which meets NSW Government objectives, achieves best practice transit oriented development outcomes and provides certainty of development.

This approach has been informed by the governance framework that has been used for the North Ryde Station Precinct rezoned in 2013, including the successful master planning and staged delivery model has been used for the North Ryde Station Priority Precinct (Lachlan's Line).

4.2 The Hills Shire planning framework

Council raised the following concerns about this issue:

- the draft plans incorporate inappropriate State policies into Council's Local Environmental Plan (LEP) (i.e. *State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development* (SEPP 65), *The Apartment Design Guide* and *State Environmental Planning Policy (Sydney Regional Growth Centres) 2006*), which is not supported by Council; and
- Council has particular concern with proposed lot size controls, communal open space, setbacks and landscaped open space for the precinct.

Comment

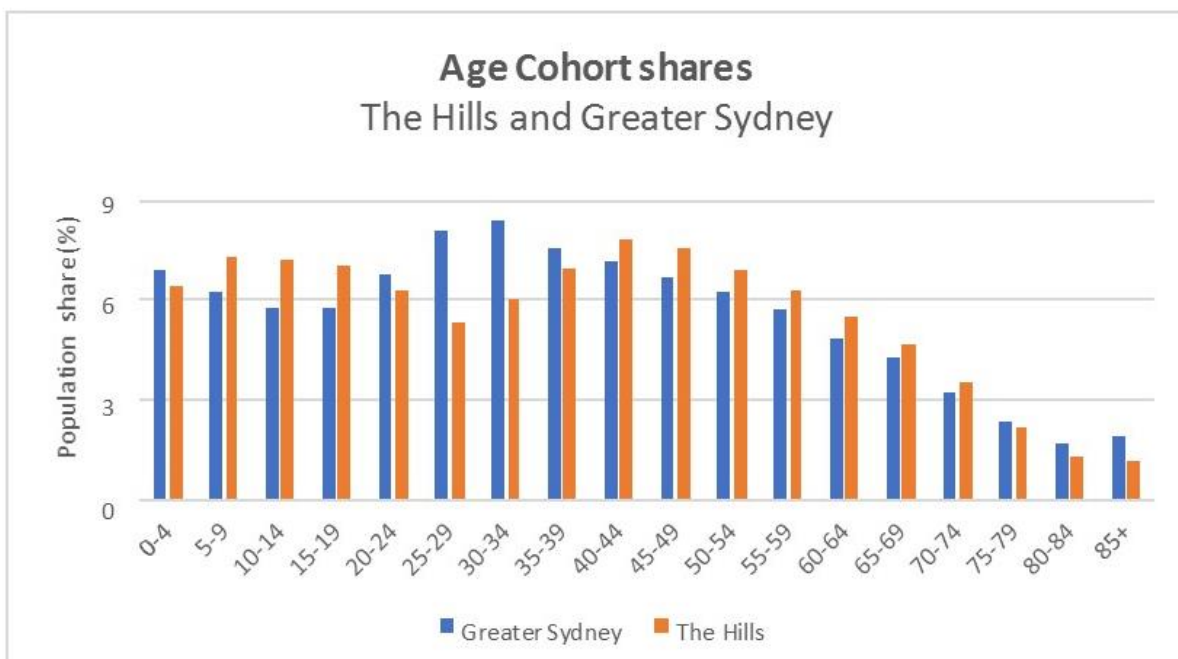
SEPP 65 applies across New South Wales. Under the *Environmental Planning and Assessment Act 1979*, where there is an inconsistency between a SEPP and a council’s LEP, the SEPP takes precedence.

Following more than a decade of operation, a review of SEPP 65 and the *Residential Flat Design Code* took place. The review included extensive community and stakeholder consultation and resulted in a number of changes to the policy, including the overhaul of the *Residential Flat Design Code* into the *Apartment Design Guide* to support further improvements in apartment design, and to help improve housing affordability and supply.

The *Apartment Design Guide* came into effect on 17 July 2015 and provides consistent planning and design standards across NSW. This includes standards relating to minimum sizes of apartments, building separation, communal open space areas and minimum landscaped areas. Developers can still provide apartments that exceed the minimum requirements if there is enough demand for this type of product.

Based on data from the 2016 Census, only 5% of all private dwellings in The Hills LGA are apartments, compared to 28% for Sydney as a whole. One bedroom and studio apartments represents approximately 1% of all dwellings in The Hills. Homes with 4 or more bedrooms represent over 68% of all dwellings.

The level of housing diversity in The Hills may be a reason why the proportion of residents aged 20-39 in The Hills is lower than the Greater Sydney average (refer to Figure 13). Providing greater housing choice, especially for younger singles and couples in the 20-39 age bracket, could deliver a number of benefits to the local area, including encouraging families to stay closer together no matter what their life stage, and fostering more younger entrepreneurs and business owners to live and run their business in the local area.



Source: ABS

Figure 13 Population distribution in The Hills LGA (red) and Greater Sydney (blue), 2016

To encourage high quality design of apartment buildings, the Department has recommended that the SEPP includes a design excellence clause to apply to buildings proposed on most of the land to be rezoned in the precinct, and this is discussed in Section 4.7 of this report.

4.3 Dwelling yields/floor space ratio controls

Council requested that the floor space ratio maps be amended so that the total yield available does not exceed the dwelling forecasts in the *North West Rail Link Corridor Strategy*.

Comment

The dwelling forecasts in the *North West Rail Link Corridor Strategy* were forecasts based on assumptions of available sites likely to be redeveloped over a 20 year period. These forecasts were developed to inform service delivery authorities, such as NSW Government infrastructure providers, and utility providers to help in the planning for growth in the corridor over a 20 year period. Actual growth rates are always subject to a variety of influences and this always needs to be factored into infrastructure planning. The strategy forecast 4,400 additional dwellings in the precinct to 2036.

The exhibited plans provided for 4,200 dwellings for the Kellyville precinct. To ensure this yield is not exceeded the Department has recommended that a clause be introduced into the Hills Council LEP to cap the yield to 8,400 dwellings across the Kellyville and Bella Vista precincts.

Within the area underneath the skytrain, floor space ratio controls have been removed and maximum building heights have been reduced, restricting development that may occur under the Skytrain.

An annual review process is to be established by the Department to monitor growth in the precinct over time, including dwelling construction rates, to coordinate infrastructure delivery and to assist Council in meeting the needs of the new population.

4.4 Transfer of floor space ratio clause

Council raised concerns about the proposal to transfer the floor space ratio (FSR) allowance for roads and open space to developable sites. It was requested the phrase 'at no cost' be included in the local provision to clarify that any dedication to Council would be made gratis, and to ensure landowners do not also seek offsets for local infrastructure contributions.

Comment

The recommended clause seeks to encourage the provision of new roads, public open space and drainage works dedicated to Council, by allowing the transfer of FSR for the land to be dedicated for these works.

The clause has been proposed because the location and areas of the roads, open space and drainage works have not yet been finalised, and therefore a degree of flexibility with the distribution of maximum gross floor area to future development lots across the precinct is required.

This approach is consistent with the North Ryde Station precinct that was also characterised by unencumbered government owned land, and where a similar local clause was adopted.

The inclusion of the term 'at no cost' in the local provision would be beyond power, as the clause would not satisfy the local infrastructure contributions requirements of Division 6 of Part 4 of the *Environmental Planning and Assessment Act 1979* (the Act). See *Fairfield City Council v N&S Oliveri Pty Ltd [2003] NSWCA 41* and *Fitch v Shoalhaven City Council (1987) 67 LGRA 165*.

Section 94(6) of the Act requires a consent authority, when proposing to include a condition to a development consent under section 94 of the Act, to take into consideration any land, money or other material benefit that the proponent has elsewhere dedicated or provided free of cost within the area. This includes any adjoining area of land or funding previously paid to the consent authority. Therefore a proponent who has already received additional floor space because it has, or will be dedicated part of its land to Council, would not be able to require the Council to offset the value of this land or work from developer contributions.

Detailed analysis of the operation of similar provisions in other local environmental plans, including for the North Ryde Station Priority Precinct, and within the City of Sydney, confirmed that consent authorities require landowners to dedicate open space, roads or other public infrastructure 'at no cost' as a matter of course, where bonus floor space is awarded. This can also be mandated as a condition of development consent.

4.5 Lot sizes

Council prefers that the minimum lot size for developments are consistent with the controls in The Hills LEP 2012. These include:

- a minimum lot size of 1,800m² for multi-unit dwellings and 4,000m² for apartments (although revised down to 3,600m²); and
- a minimum lot size of 700m² for development in the R3 Medium Density Residential zone, although lots can be as small as 240m² if dwelling and subdivision proposals are subject to the one development application.

Comment

For NSW Government land adjoining the Kellyville station and Metro line, there is a significant opportunity to provide a new urban centre with high quality place making principles.

The Department recommends that the minimum lot size for apartments in the government owned land that are up to 6 storeys in height (21m) is 1,500m² to provide for a range of apartment buildings, including small boutique blocks. It is noted that this is a minimum, and compliance with the controls in SEPP 65 and the *Apartment Design Guide* will still be required, and this may require larger lots for development as a result. For buildings 21m or higher, the minimum lot size will be 3,600m².

As the NSW Government owned land is a contiguous large, unencumbered site in single ownership, the opportunity to achieve master planned outcomes can be achieved without mandating larger minimum lot size controls at this stage.

4.6 Setbacks

Council requested that setbacks for apartments in the R4 High Density Residential be as follows:

- 10m front setback;
- 8m rear setback; and
- 6m side setback.

Comment

The proposed setback controls reflect the urban town centre characteristics consistent with the Metro station location, and are also intended to create more active and safer streets with less vacant spaces and more passive surveillance, which is particularly beneficial after dark.

Following discussions with Council, a statutory control has been included specifying the minimum front setbacks for certain development in the precinct. For land being rezoned in the Kellyville Station Precinct, it is recommended that the setback controls should be:

- Buildings in Zone R1 General Residential or Zone R4 High Density Residential – 5 metres
- Residential apartment buildings in Zone B2 Local Centre – 5 metres

For remaining areas of the precinct that are not proposed to be rezoned R4 High Density Residential, Council's existing DCP controls will continue to apply.

4.7 Design excellence

Council requested a clause for design excellence for buildings more than 25m in height be included in the SEPP.

Comment

Design excellence seeks to deliver the highest standard of architectural and urban design. It not only considers how a building looks, but also how a building relates to its surrounding environment, the internal amenity for residents, and its level of sustainability. A design excellence clause is currently included in The Hills LEP 2012, but only applies to a specific area in the LGA, and requires a design competition where the building is higher than 45m or 13 storeys (or both, and the value of the work is more than \$5 million.

Following discussions with The Hills Shire Council and a detailed review of Council's existing and proposed design excellence clause by the NSW Government Architect, an amended design excellence a clause has been recommended to be included in the SEPP.

The clause is to apply to the government owned lands in the Kellyville and Bella Vista Station Precincts, although Council could consider applying this clause to the entire LGA. The clause requires design excellence to be considered for all buildings subject to a development application or staged development application.

The clause includes the provision for applications for buildings 21m or more, or 6 storeys or more in the precinct to be endorsed by an independent review panel endorsed by the NSW Government Architect.

4.8 Traffic and transport

Council submitted that the precinct rezoning should not occur until a traffic and transport model has been completed by TfNSW to demonstrate that projected yields and traffic volumes will not have an unacceptable impact on road networks.

Council also requested that further details of proposed intersection upgrades be prepared to enable these to be included in a Section 94 local contributions plan where possible.

Comment

As discussed in section 3.2, TfNSW prepared a transport plan to describe the transport network that is required to support the draft plans for the Kellyville Station Precinct. The transport plan recognises

that the Sydney Metro Northwest will be a transformative project, and along with other transport improvements, will achieve a significant shift in the way residents, workers and visitors travel to, from and within the precinct.

The transport plan notes that NSW Government funds are limited, and that transport planning for the precinct must seek to maximise the benefits (social, economic, and others) of investments such as the Sydney Metro project.

The transport plan states that currently the majority of trips to and from the precinct are made by private vehicles, and that a mode share goal of 53% for public and active transport for trips made both to and from the precinct over time is a realistic goal. In addition to the new metro line, ways to achieve this goal include:

- all Sydney Metro stations have been planned with bus interchange facilities according to anticipated future service levels. Stations such as Kellyville and Rouse Hill (to the north) will have higher capacity interchange facilities, as they offer direct interchange between Sydney Metro and high-frequency bus services;
- facilitating a network of bus corridors that connect the Kellyville Station Precinct to surrounding centres outside the rail corridor, and facilitating connection to the T-Way station in the precinct;
- significantly improving walking connectivity and amenity in the precinct;
- providing improved cycling links and facilities; and
- focused investment in the road network including:
 - upgrade of Memorial Ave from a two lane road to a four lane divided carriageway between Old Windsor Road and Windsor Road;
 - widening of Samantha Riley Drive to provide turning lane into Kellyville station precinct;
 - removal of existing roundabout on Samantha Riley Drive;
 - new traffic signals at Samantha Riley Drive and new street accessing Kellyville Station Precinct; and
 - new streets providing access to new Kellyville Station from Samantha Riley Drive.

Funding for the regional transport network improvements would be provided by the State government via TfNSW or the RMS.

The transport plan states that monitoring transport system performance will occur over time as detailed development applications are prepared and development proceeds. Ongoing collaboration with Council and TfNSW will also be undertaken to ensure urban renewal objectives are achieved and transport needs are accommodated. These measures are considered by the Department to be appropriate to address concerns about transport in the precinct.

The Department will also continue to work with Council and TfNSW to identify costs of upgrades and new transport infrastructure to inform a new Section 94 development contributions plan for the area.

4.9 Open space

The Hills Shire Council requested that all land proposed to be public open space should be zoned RE1 Public Recreation to provide certainty with regard to their location and size. Council does not support public plazas being included as public open space.

Concerns were raised about local parks identified in the Elizabeth Macarthur Creek drainage corridor and whether this would impact on their usability, and whether Sydney Water, as owner of the land, would allow access for the construction of facilities such as bike paths.

Council was also concerned that insufficient areas of land have been proposed for playing fields, and requested that the Department work with Council to investigate whether Rouse Hill Regional Park could be expanded to accommodate this demand.

Comment

The Department is recommending that a 10 hectare parcel of NSW Government owned land in the north of the precinct be rezoned to RE1 Public Recreation. This is 19%, or nearly one-fifth of all land proposed to be rezoned in the precinct. This land would be provided to Council to expand the planned Caddies Creek sporting fields.

An area under the skytrain has also been identified to be provided with several small courts for activities such as informal games or 5-a-side football.

The remaining areas of public open space identified in the draft plans are not proposed to be rezoned at this stage as their exact location and dimensions will not be finalised until the road layout and subdivision pattern has been established. This will occur following the lodgement of development applications for the super-lot subdivision and enabling works on the NSW Government owned land. The preferred location and size of these areas of open space, as well as their functions, were included in the draft DCP for the precinct. Once these open space areas have been confirmed, they could then be zoned RE1 Public Recreation to be acquired or dedicated to Council. It is noted that public plazas are considered to be open space.

The land to be rezoned around the station will become a new transit oriented, urban town centre with a different built form to the largely low density suburban built form elsewhere in The Hills. This will influence the likely population structure in this area, as well as the available opportunities for open space where competition for land uses around the station, and resultant land costs, will be high. Open space planning therefore needs to respond to these circumstances, with more innovative and efficient approaches to provision of public open space.

Sydney Water is planning to upgrade the drainage function and environmental quality of Elizabeth Macarthur Creek, and this could include opportunities to provide for pedestrian and cycling paths and publicly accessible open space alongside the creek to benefit the local community. The Department has recommended that environmental facilities and recreation areas be permitted as additional permitted uses in this creek corridor.

The benefits of new and upgraded walking and cycling paths through the precinct reflect the findings in The Baulkham Hills Shire Council Recreation Strategy, which was published in 2007 found that the most popular recreational activities for adults across Australia were walking (37.3% of all respondents, and the fastest growing activity since 2001), aerobic/fitness, swimming, cycling, tennis and running. Walking is also the most popular choice of physical activity in The Hills.

Shortages of playing fields is a common issue across Sydney, not just for The Hills. This has been documented in the *NSW Legislative Assembly Standing Committee on Public Works – Inquiry into Sportsground Management in NSW* (2006).

To address the shortages of land for playing fields, councils across Sydney have been installing synthetic fields, and in some cases also installing lighting. These councils include Warringah, Hornsby

and Sutherland Shire Councils, which have high demand for sporting fields from their residents. The benefits that these councils have identified from using synthetic turf include achieving use levels two to three times that of grassed fields, their availability for use in wet weather, and reduced maintenance costs. Examples are listed in Table 4 below:

Table 3 Use of synthetic sports fields in Council areas across Sydney

Council	Sports field	Comment
Hornsby Shire Council	Pennant Hill Park	The Council laid a synthetic field on Oval No 3, and installed floodlighting for a reported \$1.3 million to meet demand for playing fields.
Warringah Council	Forestville War Memorial and Melwood Playing Fields	Opened in August 2015, and provides two synthetic fields, one full sized natural field and three mini fields. A range of sports are provided for including soccer, Rugby Union, AFL and cricket.
	Cromer Park	Includes a synthetic pitch (Cromer No.1) and competition grade lighting.
Sutherland Shire Council	Kareela Oval	Two synthetic fields and floodlights were opened in 2015.
	Greenhills Parklands, and Lilli Pilli Oval.	The Council is also planning for another two synthetic fields at Greenhills Parklands, and Lilli Pilli Oval.
Ku-ring-gai Council	Charles Bean Sports field	Opened in 2013, a new synthetic field was installed.
Ryde City Council	Christie Park	Two full size synthetic fields are being planned to begin construction in 2017.

The Department understands that The Hills Shire Council are considering a range of options to address the need for more sports fields in the local government area. This may include forming an agreement with Department of Education and Communities to share school facilities and the conversion of fields to synthetic turf. The Department is supportive of this approach.

The Rouse Hill Regional Park is a significant regional asset nearby that could also provide for additional sporting fields in the future if even more land is need for sports fields. The Department will progress discussions with the Office and Environment and Heritage about this issue.

4.10 Community facilities

Council requested that a new multi-purpose community facility be provided in either the Kellyville or Bella Vista Station Precinct, with an area of around 3,335m². This should be ground floor accessible, with reasonable parking provided, close to open space, but preferably not within retail developments.

Comment

The new town centres will be the heart of these precincts, where most activities will occur. Most homes will also be within walking distance of the stations and surrounding centres, so locating a community centre to support these residents within a walkable distance would have benefits for

both access and reducing traffic and parking impacts. If a new community centre is located near the station, people elsewhere in the rail corridor could also access the centre by public transport. There are areas of planned open space that these would also be nearby.

The exhibited draft plans only recommended one community facility in either the Kellyville or Bella Vista Precinct. The Department has carefully considered Council's submission and recommends an additional control be included in the precinct DCP to require a new community facility in both precincts.

The size of each facility should be subject to further discussion with Landcom and the Council to determine the exact location, size and functions that should be provided in the community centres.

4.11 Local Incentive Clause

Following the close of the exhibition period, Council and the Department have been in negotiations regarding the potential application of a 'local incentive clause' proposed by Council that would require a mandated mix of larger apartment sizes and types, in exchange for 'bonus' floor space.

In October 2016, the NSW Government Chief Planner wrote to Council advising of the agreed approach to densities and yields for planning proposals for residential development within the North West Rail Link Corridor precincts, with the exception of land within the Showground, Bella Vista and Kellyville Station Precincts.

The Department has carefully analysed the potential application of a 'local incentive clause' for the area proposed to be rezoned in the Kellyville Station Precinct, including consultation with key government stakeholders of TfNSW and Landcom .

While the Department has not recommended the inclusion of a local incentive clause for the Kellyville and Bella Vista precincts, the Department recognises a range of dwelling types and sizes will be needed into the future. The Department recommends that a new Development Control Plan objective be included to require future development applications to address the need for a mix of dwelling types and size.

It is also recommended Landcom consider working with Council, by offering some early development sites to the market based on an anticipated dwelling mix that matches Council's preference.

This would enable Landcom to evaluate the true costs or risks associated with delivering a larger apartment mix and to consider whether to continue to apply the policy over the 15-20 year development period of the Government lands.

The Department notes the above recommendation does not need to be legislated, and can be addressed through negotiations between Landcom and Council following rezoning.

The Department is confident the State Significant development approval pathway will establish a comprehensive master planning framework to inform the subsequent development of a broad mix of housing types throughout the precinct.

5 Issues raised by Blacktown City Council

Comments from Blacktown City Council were primarily concerned with the proposed rezoning of the Newbury Estate in Stanhope Gardens. Council advised that a staged approach to the rezoning of the Kellyville Station Precinct should be adopted, that excludes the rezoning of land in Stanhope Gardens in the short to medium term. Blacktown City Council also raised concerns regarding the planned pedestrian bridge across Old Windsor Road and potential on-street parking impacts.

Comment

As discussed at section 3.1 of this report, The Department has recommended that the proposed rezoning of land within Stanhope Gardens be deferred, and will be subject to further studies to address concerns such as traffic and parking, and the operation of the Community Title arrangements.

TfNSW is proposing to construct a pedestrian bridge across Old Windsor Road, to enable residents in Stanhope Gardens to be able to walk to access the station in a safe and convenient way. It is anticipated the proposed 1360 parking space commuter car park adjacent to Kellyville station will accommodate park and ride related trips for people that drive to Kellyville station.

However, Blacktown City Council has the option of adopting parking restrictions in streets surrounding stations if on-street parking becomes significant issue. Examples of restrictions that could be applied include restrictions for parking in the morning (preventing all-day commuters from parking in the morning, but leaving these spaces available for the rest of the day), and resident exempt parking schemes. On-street parking restrictions are found in centres throughout metropolitan Sydney which are serviced by rail, including Gordon, Waverton, and Lindfield.

6 Issues raised by State Government agencies

A number of submissions were received from State government agencies, which are discussed below.

Office of Environment and Heritage

Section 34A of the Act requires that before an environmental planning instrument is made, the relevant authority must consult with the Office of Environment and Heritage (OEH) if threatened species or their habitats will or may be adversely affected by the proposed instrument.

The Department consulted with OEH as the redevelopment of the precinct may impact on the Critically Endangered Cumberland Plain Woodland Ecological Community.

OEH advised the following:

- OEH supports the use of the E2 Environmental Conservation zone for areas of high ecological constraint that are to be retained, and the requirement that offsets will need to be found outside the precinct for any impacts that cannot be suitably offset within the precinct;
- water sensitive urban design principles should be applied to help protect downstream environments and riparian corridors should be restored and maintained by applying identified design and maintenance principles;
- a flood management strategy should be prepared for flood affected land; and
- specific flood emergency measures may be required to be incorporated into the design of the precinct to mitigate impacts on extreme flood events.

Comment

The Department notes that most of the precinct's mapped ecological communities and where previous sightings of threatened species have occurred are located in riparian corridors that will retain their existing RE1 Public Recreation or SP2 Infrastructure classifications.

The lands containing *Cumberland Plain Woodland* are predominately owned by the State Government, and it will be a matter for either Landcom, as the NSW Government's development body, or TfNSW, as the landowner, to secure any required offsets strategy prior to development.

Potential impacts on the precinct's *Cumberland Plain Woodland* will also need to be minimised. More detailed environmental assessments will be undertaken at the development application stage, when the ecological footprint of proposed activities would be quantified. Conditions of consent may also require any potential ecological impacts from proposed developments to be mitigated, where appropriate.

The Department recommends that the DCP for the precinct incorporates a provision to ensure vegetation impacts throughout the precinct are minimised and mitigated. This would require a comprehensive vegetation management plan to be prepared to ensure vegetation areas are adequately protected, rehabilitated and regenerated.

All future development applications within the precinct would also need to comply with any requirements for the preservation of trees, water sensitive urban design and landscaping controls in the relevant DCP.

Sydney Water

Sydney Water advised:

- an integrated water and wastewater servicing strategy for the Sydney Metro Northwest corridor is being undertaken. This is due for completion in Mid-2017, and will be used for the servicing of future development within the corridor; and
- trunk drainage and stormwater management is being considered, with significant investment identified for the Elizabeth Macarthur Creek corridor for the provision of trunk drainage services to facilitate development within the Bella Vista and Kellyville Station Precincts.

Comment

Sydney Water is undertaking strategic investigations into an integrated servicing strategy for the Sydney Metro Northwest corridor.

The Elizabeth Macarthur Creek Corridor is proposed to be restored and enhanced as a drainage facility but also to improve its environmental values and benefits to the community. Sydney Water has been working with the Department, TfNSW, Landcom and The Hills Shire Council to determine the best planning outcome as part of the rezoning proposals for both the Bella Vista and Kellyville Station Precincts.

Land required for the drainage corridor is to be zoned SP2 Infrastructure. Bridge crossings, flood design and water sensitive urban design (WSUD) options have been progressed through ongoing discussions with these stakeholders. The precinct DCP will be updated accordingly to incorporate any required design issues.

Department of Education

Issues raised in the submission include:

- the need for a new high school should be reviewed when considering the three Priority Precincts to determine the most suitable location;
- consideration should be given to increase the sharing of facilities such sports fields and halls with the community, to both increase the efficient use of these facilities, and foster improved community relations; and
- Voluntary Planning Agreements could be entered into to have land dedications where necessary for new school sites.

Comment

The Department has been consulting with Department of Educations (DOE), as well as TfNSW, Landcom (who will be responsible for the delivery of development on government owned lands) and Council to investigate options for schools planning in the area.

The proposed rezoning of the Kellyville, Bella Vista and Showground Station Precincts do not preclude any new schools being established in these precincts. Under *State Environmental Planning Policy (Infrastructure) 2007*, schools are permissible on a range of zones, including B2 Local Centre, B7 Business Park, R4 High Density Residential and R3 Medium Density Residential.

Kellyville Primary School will open in 2019 and accommodate 500 students. An additional 500 students will be added in 2020. The new Bella Vista Primary School will also open in 2019 and accommodate 1,000 students. A new high school may be needed in the metro corridor, however DOE will need to determine the best site for this as the precincts develop. The potential for a new high school adjacent to the new district park is part of this consideration. The North West Priority Growth Area SIC is being revised and will include contribution towards primary and secondary schools.

Schools planning in the precincts will be an ongoing task for the Department of Education, with negotiations with NSW Government agencies and councils expected to continue as the need for schools evolves.

NSW Rural Fire Service

The NSW Rural Fire Service advised that Asset Protection Zones (APZs) may need to be provided to protect property from bushfire risk from vegetation in open space areas. This could be achieved by limiting the size of the open space corridor, through the design of the road network and/or provision of formal maintained parklands as buffers around the edges of natural areas of open space.

Comment

Council's Bushfire Prone Land Maps may need to be updated following the rezoning of the precinct, however the areas proposed to be rezoned in the Kellyville Precinct are generally not identified as Bushfire Prone Land, with the exception of a small part of the area in the northernmost part of the precinct proposed to be rezoned R4 High Density Residential. Planning for bushfire risk will be considered at the development application stage, as the risk will be dependent on what is planned to be built on the site.

New roads are planned through the precinct, including a number of roads along the Elizabeth Macathur Creek corridor which could act as APZs and provide emergency access for fire fighters should bushfires occur in this corridor.

Endeavour Energy

Endeavour Energy is a NSW Government owned electricity distributor, responsible for delivery of electricity to properties in the region. Endeavour Energy advised that future developers of land will need to apply to Endeavour Energy for connections. This would also include addressing supply through distribution network assets.

Comment

This issues are noted, and will be addressed at the Development Application stage, where developers will need to apply to Endeavour Energy, as the local electricity supplier, to confirm connections are available.

7 Recommended changes

The rezoning of the Kellyville Station Precinct will be achieved by amending *The Hills Local Environmental Plan 2012* through a State Environmental Planning Policy (SEPP). The SEPP will establish the statutory controls for the precinct, including land use zones, maximum building heights, maximum floor space ratios, minimum allotments sizes, and other statutory controls and other statutory controls to support the rezoning of the precinct.

A Development Control Plan will also be made following the rezoning of the precinct and provide supplementary development controls. The DCP will be informed by the draft DCP that was exhibited with the rezoning proposal.

Changes to the draft plans and statutory controls for the precinct have been recommended in response to the review of community, council and State government agency submissions. These changes are summarised in Table 5 below.

Table 4 Summary of recommended changes to the Kellyville Station Precinct

Recommended changes	Comment
Yield	
The exhibited plans provided for 4,200 dwellings for the Kellyville precinct.	To ensure this yield is not exceeded the Department has recommended that a clause be introduced into the Hills Council LEP to cap the yield to 8,400 dwellings across the Kellyville and Bella Vista precincts
Land use zones and development standards	
Land at Hickson Road, east of Elizabeth Macathur Creek to be rezoned R3 Medium Density Development instead of R4 High Density Residential.	Due to concerns about impacts of apartments on this site on adjoining low density, detached homes it is recommended that the site be rezoned R3 Medium Density Residential to permit semi-detached and attached dwellings up to 10 metres in height.
Remove the proposed rezoning changes to land at Stanhope Gardens.	The proposed rezoning of land within Stanhope Gardens will be subject to further studies to address concerns such as traffic and parking, and the operation of the Community Title arrangements.
Minor changes to the extent of SP2 zone along Elizabeth Macathur Creek.	Sydney Water is proposing to restore and enhance the creek as a drainage facility and improve its environmental values and benefits to the community. The changes to the SP2 zone

Recommended changes	Comment
	reflect the extent of this corridor required by Sydney Water.
Remove 1.52 ha of land owned by RMS in the north of the precinct from the area to be rezoned RE1. The land will be retained zone SP2 zone for road widening.	This land is owned and identified by RMS for potential road widening.
Additional Local Provisions	
Include a design excellence clause to apply to the parts of the precinct to be rezoned to B2 Local Centre, R1 General Residential and R4 High Density Residential.	The proposed clause has been informed by discussions with Council and the NSW Government Architect. The control has been recommended to ensure a high design standard is achieved for new development.
Include a statutory control for transfer of floor space ratio control.	This control has been recommended for the government owned land where new roads, open space and drainage infrastructure are to be provided, and dedicated to Council. The clause enables FSR on land to be dedicated to Council to the remainder of the development site.
Include an active frontage control based on clause 6.5 of the Area 20 Precinct Plan in the Growth Centres SEPP.	This has been recommended to ensure that active frontages are achieved in key locations within the Kellyville Station town centre.
Include statutory controls minimum front setbacks.	This has been recommended to provide certainty for the setbacks of buildings in key parts of the precinct.
Minimum lot sizes have been included for different dwelling types.	For apartment buildings, including shop top housing 21m (6 storeys) or higher, a minimum lot size of 3,600m ² is required. For apartment and shop top buildings less than 21m, minimum lot sizes of 1,500m ² are required to provide for a range of housing products.
Allow temporary uses on the NSW Government owned land, for a maximum of 3 years.	This has been recommended so that opportunities for early precinct activation around the station are maximised given that it may take up to 10 years for the employment land to be developed.

Recommended changes	Comment
<p>Additional permitted uses in certain land zoned SP2 Infrastructure and certain land zoned R1 and R4.</p>	<p>This has been recommended to allow environmental facilities and recreation areas within the Elizabeth Macarthur Creek corridor, and on certain land identified for road widening, and to permit exhibition villages and recreation facilities in land zoned R1 General Residential and R4 High Density Residential on land to be rezoned near the station.</p>

8 Infrastructure Schedule

Special Infrastructure Contributions

Upgrades to regional infrastructure identified include upgrades to the regional road network, bus network and potentially increasing capacity of local schools. In light of the growth anticipated in the precincts and other priority growth areas, the State government is investigating the application of a Special Infrastructure Contribution (SIC) to assist in funding regional upgrades.

The SIC is a levy that developers will be required to pay to contribute to the cost of providing regional infrastructure upgrades. The infrastructure schedule below (Table 6) identifies regional items that could be funded by the SIC.

The Department is currently reviewing the Balmoral Road portion of the existing Western Sydney Growth Areas Special Infrastructure Contributions (SIC) Plan, which applies to most of the area recommended to be rezoned, and will investigate whether funds collected within the Kellyville and Bella Vista Station Precincts could be used to fund part of the additional regional infrastructure required to support the growth in these precincts. An extension to the SIC area to cover additional land being rezoned is also being considered.

The Department will work with infrastructure agencies and stakeholders to refine the key infrastructure items that could be partly funded by the SIC and the estimated cost and timing for delivery of this infrastructure. Any changes to the existing SIC rate will be determined through an analysis of the precincts' growth patterns, infrastructure needs and costs, and development feasibility to ensure any change does not impact on the development feasibility. The infrastructure list and SIC rate will be publicly exhibited prior to being established.

Table 5 Infrastructure Schedule for the Kellyville Station Precinct

Item	Measure	Who	Process
Regional & strategic transport planning measures			
1.	Construction of the Sydney Metro Northwest (formerly the North West Rail Link) including: <ul style="list-style-type: none"> • New metro station, station plaza and public domain • Bus, taxi, cycle and kiss and ride interchange facilities • Customer car park with 1360 spaces • New pedestrian / cycle bridge over Old Windsor Road south of Newbury Ave/Samantha Riley Drive • New and upgraded station precinct access streets, including: <ul style="list-style-type: none"> • New precinct access streets linking Samantha Riley Drive with the new Kellyville Station and car park • Upgrade of Samantha Riley Drive adjacent to the new Kellyville station, including replacement of existing roundabout with new signalised intersection adjacent to Elizabeth Macarthur Creek • Shared pedestrian / cycle path between Rouse Hill and Memorial Ave (Kellyville) 	TfNSW	Sydney Metro Northwest to be completed in 2019

Item	Measure	Who	Process
2.	Memorial Avenue upgrade between Old Windsor Road and Windsor Road including improved pedestrian and cycle access across Memorial Ave and intersection upgrades	RMS	Contribution to be in the revised SIC
3.	New upgraded intersection with potential signals on Memorial Avenue at new access road between Old Windsor Road and Free Settlers Drive.	Relevant road authority / developer	To be confirmed as precinct develops
4.	Intersection upgrades at Samantha Riley Drive and: <ul style="list-style-type: none"> • Old Windsor Road • Windsor Road 	RMS	To be confirmed as precinct develops
5.	Bus network: <ul style="list-style-type: none"> • Improvements to the rapid bus and suburban bus network to create a more connected system that complements the Sydney Metro Northwest • Continued review of local bus services, including to service new development areas 	TfNSW/ relevant road authority / developer	To be investigated as precinct develops
6.	Potential new bus-only connection between Northwest T-way and local street network/Newbury Ave	TfNSW	To be confirmed as precinct develops
Local transport measures – potential road upgrades			
7.	New streets as development occurs	Relevant road authority / developer	To be confirmed as precinct develops
8.	New access road connecting the proposed residential development precinct west of Elizabeth Macarthur Creek to Memorial Ave (between Old Windsor Road and Arnold Ave)	Relevant road authority / developer	Delivery as part of a Section 94 Plan and potential other funding sources
9.	New road bridges, with pedestrian cycle paths, over Elizabeth Macathur Drive: <ul style="list-style-type: none"> • Connecting to Colonial Street • Connecting to Lewis Jones Drive (if demand necessitates this) 	Relevant road authority/ Sydney Water/ developer	
Local transport measures - Pedestrian and Bicycle Network			
10.	Pedestrian network: <ul style="list-style-type: none"> • Footpaths on both sides of all streets within precinct • Installation of new pedestrian crossings on new and existing streets where required to accommodate increased pedestrian activity. • Footpaths on both sides of Samantha Riley Drive, Memorial Ave, Arnold Ave, Wenden Ave and Gainsford Drive. • Pedestrian crossings on all legs at new signalled intersections. 	Relevant road authority / developer	Delivery as part of a Section 94 Plan and potential other funding sources

Item	Measure	Who	Process
11.	Separated/shared paths: <ul style="list-style-type: none"> • Along the Elizabeth Macarthur Creek corridor, connecting through to Rouse Hill and Bella Vista station; • Along Windsor Road, between Old Windsor Road and Memorial Ave; • Along Samantha Riley Drive, between Old Windsor Road and Windsor Road; • Along Memorial Ave between Old Windsor Road and Windsor Road; and • Along Arnold Ave, to and from Memorial Ave. 	Relevant road authority / developer	Delivery as part of a Section 94 Plan and potential other funding sources
12.	Pedestrian and cyclist bridge over Memorial Ave, adjacent to Pellizzer Boulevard	Hills Shire Council	To be confirmed as precinct develops
13.	New pedestrian and cycle bridge over Elizabeth Macarthur Creek, connecting to Wendon Avenue	Council/ Sydney Water	Delivery as part of a Section 94 Plan and potential other funding sources
14.	Revitalisation of Elizabeth Macarthur Creek Corridor Drainage works	Sydney Water	To be confirmed as precinct develops
Education			
15.	Expansion of existing primary schools (and out of school hours facilities where possible). New schools as required.	Department of Education	School Cluster Asset Plan Contribution in SIC
Local infrastructure measures			
16.	10 ha of land to be rezoned RE1 Public Recreation adjacent to the planned Caddies Creek Sporting Complex, to expand the sport fields and for associated access road to connect the site to Sanctuary Drive.	The Hills Shire Council/ developer	Land costs to be included in revised SIC. Embellishment to be delivered through s94 Plan.
17.	Land available under the skytrain, approximately 1.3ha, for recreational facilities including small sport courts.	The Hills Shire Council/ developer	Delivery as part of a Section 94 Plan. TfNSW to provide access and management rights to Council with embellishment in s94 Plan.
18.	Provision of 1.4 ha of land for local neighbourhood park(s).	The Hills Shire Council/ developer	Delivery as part of a Section 94 Plan
19.	Town square, located to the east of Kellyville Station	The Hills Shire Council/not for profit or private sector	Delivery as part of a Section 94 Plan/ private sector
20.	Multipurpose community centre at either Bella Vista or Kellyville Station Precinct	The Hills Shire Council	Delivery as part of a Section 94 Plan

Precinct Support Scheme

Through the Precinct Support Scheme, the NSW Government has allocated approximately \$15 million of additional funds for local infrastructure upgrades across the Kellyville, Bella Vista and Showground Station Priority Precincts. The intention of the funding is to enable Council to provide local infrastructure that will directly benefit the community. The funding is additional to development contributions (that is Section 94 development contributions), and could be used by Council to develop new local parks, upgrade existing open space, improve the local streetscape or provide additional community facilities, amongst other things.

Precinct support scheme projects need to satisfy a number of criteria including the project:

- can be delivered in a short timeframe;
- will provide direct benefits to the community; and
- has not already been funded by other means.

As part of the exhibition of the draft plans for the Kellyville, Bella Vista and Showground Station Precincts, an online survey was available on the precinct websites to obtain feedback from the community about how funding can be spent. The most popular options selected by the respondents for the allocation of funding in the Kellyville Station Precinct were for funding walking and cycling paths along existing streets, and along creek corridors.

Following the rezoning of the Kellyville Station Precinct, The Hills Shire Council and the Department will work together to review the shortlisted projects and reach agreement on the recommended project(s) to receive Precinct Support Scheme funding. The Department and council would then enter into a funding agreement to detail the works to be delivered, the projects costs, project completion milestones and payment arrangements.

9 Monitoring and reporting

To provide a valuable evidence base to inform service and infrastructure delivery as the precinct redevelops over time, the Department will monitor and report annually on the:

- number of housing approvals, construction commencements and completions for all housing types within the Precinct;
- pipeline for additional housing throughout north west Sydney;
- performance of The Hills and Blacktown Councils' development processing times.

The Department will also monitor population, household and dwelling projections for north-western Sydney, The Hills and Blacktown LGAs.

This will include ensuring that total new housing within the Kellyville and Bella Vista Precincts does not exceed 8,400 dwellings.

Employment Lands

The Department's Employment Lands Development Program will continue to monitor and audit the supply of employment lands throughout the precinct and surrounding area to inform policy development, infrastructure co-ordination and future planning for employment lands.

Infrastructure Delivery

The Department will also work with infrastructure agencies and stakeholders to co-ordinate the infrastructure required to support integrated land use planning throughout the precinct and broader corridor.

Appendix A Precinct Support Scheme on-line survey report
