

Department of Planning, Housing and Infrastructure

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Explanation of Intended Effect

Kellyville and Bella Vista Transport Oriented Development Precincts

July 2024



Acknowledgement of Country

The Department of Planning, Housing and Infrastructure acknowledges that it stands on Aboriginal land. We acknowledge the Traditional Custodians of the land, and we show our respect for Elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.

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1 Introduction

1.1 Purpose

Housing is a key priority for the NSW Government. Currently, there is a shortage of diverse and affordable homes in well-located areas, close to where people live and work and close to transport and other amenities.

This Explanation of Intended Effect (EIE) sets out proposed planning controls to deliver more housing within areas identified for accelerated rezoning in the Kellyville and Bella Vista Precincts (the Precincts) (see **Figure 1**). The EIE also presents potential opportunities for new and improved infrastructure, such as parks and pathways, that would support the projected population growth. The proposed planning controls will enable the delivery of 20,771 new homes, on top of 22,077 dwellings already permitted under current planning controls, with 12,709 dwellings estimated to be delivered by 2041. These dwellings will be across four sub-precincts – Bella Vista, Kellyville, Stanhope Gardens and Glenwood.

It is proposed the controls will be implemented through a self-repealing State Environmental Planning Policy (SEPP) made under the *Environmental Planning and Assessment Act 1979* (EP&A Act) that will amend controls for the precinct area within the *Blacktown Local Environmental Plan 2015* (Blacktown LEP 2015) and *The Hills Local Environmental Plan 2019* (The Hills LEP 2019).

The EIE is being exhibited in accordance with section 3.30 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) to allow the public to make submissions that will be considered as part of the finalisation of the draft planning controls.

The public are invited to comment on all matters in this EIE and supporting documentation. The EIE and supporting technical studies and documentation can be viewed on the NSW Planning Portal.

The objectives of the State-led Rezoning Proposal for the Precincts, led by Department of Planning, Housing and Infrastructure (the Department) builds on the past 10 years of consultation with the community and seeks to:

- focus new development on land closest to the stations to maximise the number of residents and workers within an easy walk of the stations and shops;
- locate the highest buildings around the stations;
- provide for taller buildings with smaller footprints so that a better public domain, more parks and landscaping can be delivered;
- transition heights down to areas with stand-alone houses; and

- plan for a mix of building heights to provide variety and interest and increase housing choice.

The TOD rezoning respects these objectives while recommending opportunities to bolster future housing supply.

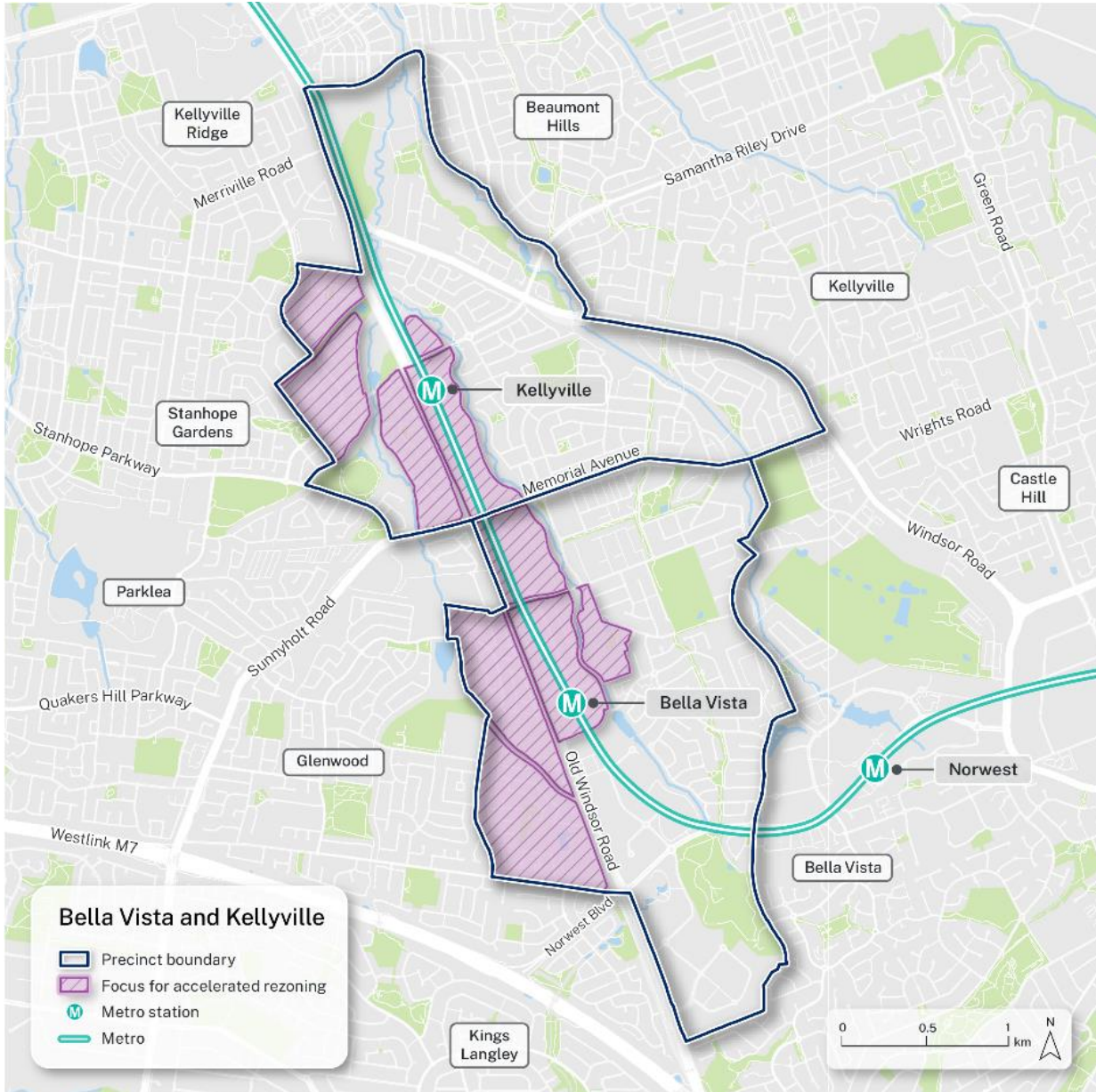


Figure 1: Kellyville and Bella Vista focus for accelerated rezoning

1.2 Transport Oriented Development Program

On 7 December 2023, the NSW Government announced the Transport Oriented Development (TOD) Program to create more well-located homes close to transport, jobs and services. As part of the TOD Program, the NSW Government identified eight Sydney transport hubs (tier one precincts) for state-led accelerated rezoning to deliver up to 47,800 new, well-located, high and mid-rise homes over the next 15 years.

The TOD Program has stemmed from the National Housing Accord announced by the Commonwealth Government in October 2022 as part of the Federal Budget to address the supply and affordability of housing. The Accord includes an initial aspirational target to build 1.2 million new well-located homes over five years from mid-2024. NSW has been tasked to provide 377,000 new homes by 2029.

The Precincts are included in Tier 1 of the TOD program. Tier 1 projects are expected to be finalised by end of 2024.

1.3 The Precincts' Boundary

A revised structure plan (see Figure 2) has been prepared to ensure new planning controls complement existing and planned development within the Precincts. Additional housing opportunities are focused within the immediate vicinity of the Metro stations where people will be able to live within walking distance of supermarkets, restaurants and open space and be near good public transport to get them where they need to go.

Areas not recommended for accelerated rezoning at this time include land:

- beyond 1,200m from the Kellyville and Bella Vista Metro stations;
- constrained by natural hazards including bushfire and high-risk flooding*; and
- subject to recent development with low likelihood of redevelopment.

*Further flood assessment is being carried out to understand the full range of events and ensure compatibility of proposed development with flood behaviour (see [‘Stormwater and Drainage’](#)). Areas subject to rezoning may be amended in accordance with the flood assessment’s recommendations.

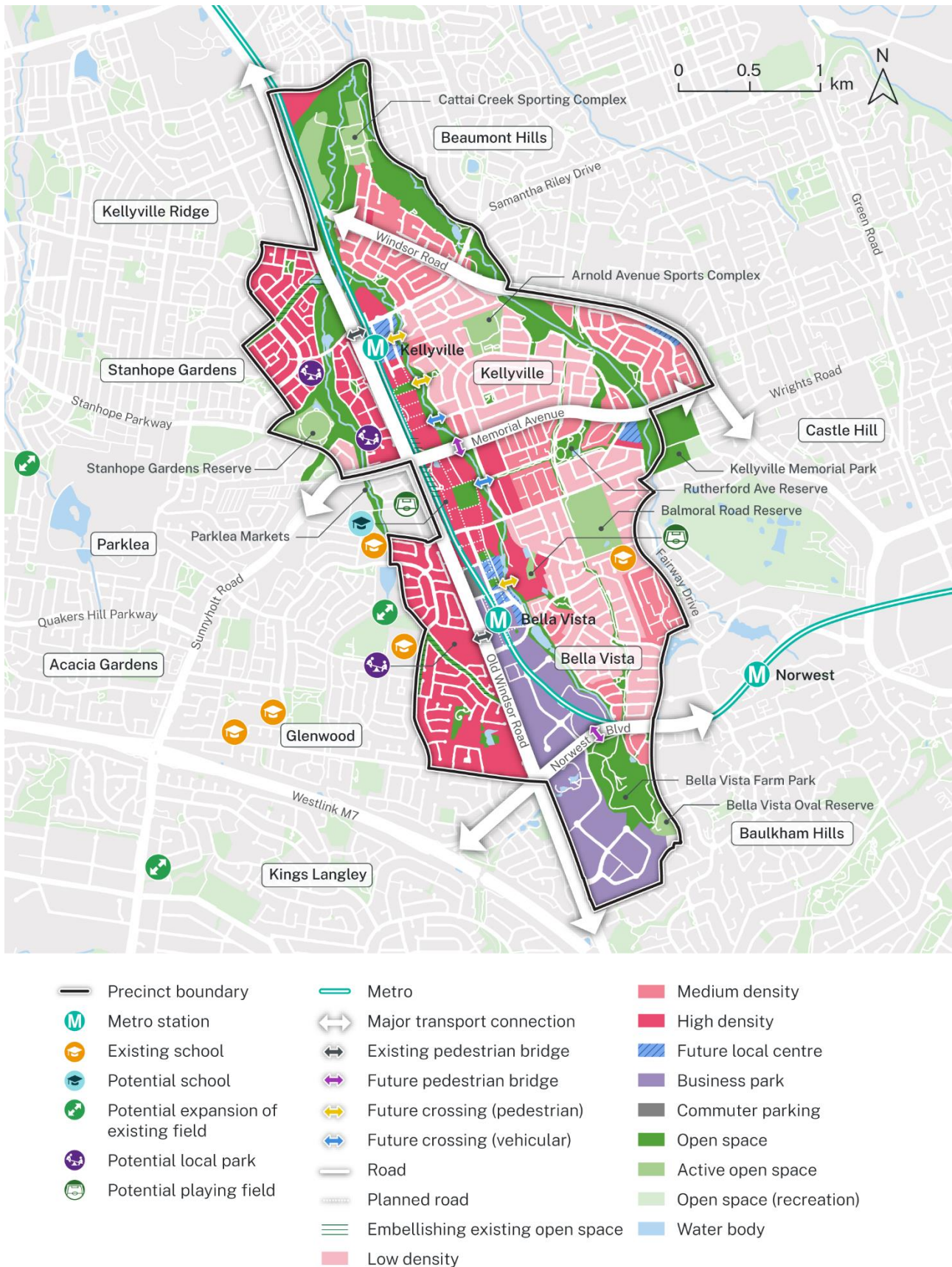
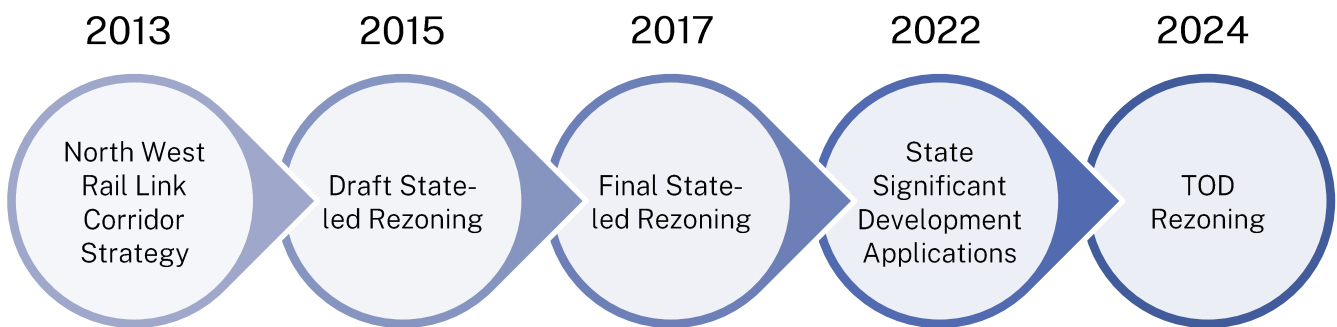


Figure 2: Kellyville and Bella Vista Transport Oriented Development Precincts Structure Plan. N.B. this map is indicative and subject to refinement prior to finalising the rezoning.

1.4 Strategic Context



1.4.1 North West Rail Link Corridor Strategy (2013)

The NSW Government prepared the North West Rail Link Corridor Strategy (Corridor Strategy), including Structure Plans for Kellyville and Bella Vista stations and their surrounds. The Corridor Strategy was prepared to engage with stakeholders, establish frameworks for managing land use change, and allow infrastructure agencies to identify, prioritise and co-ordinate the delivery of infrastructure upgrades in accordance with each precinct's long term growth potential.



Figure 3: North West Rail Link | Kellyville Station Structure Plan (left) and Bella Vista Station Structure Plan (right)

Following finalisation of the Corridor Strategy, The Hills Shire Council unanimously voted to nominate the Kellyville Station and Bella Vista Station Precincts as Priority Precincts. These precincts were announced by the NSW Government in August 2014 as a means of implementing the Corridor Strategy.

1.4.2 Previous State-led Rezoningings (2015-2017)

Specialist studies were prepared to inform draft rezoning plans, covering urban design, traffic and transport, economic feasibility, flooding, ecology, heritage, open space, and community facilities. The draft rezoning plans were exhibited from 7 December 2015 to 28 February 2016.

The then Minister for Planning approved finalisation of the Rezoning Proposals in 2017. The final Proposals rezoned part of the Precincts (see Figure 4) enabling:

- new mixed use local centres around each station to facilitate compact, walkable town centres providing a variety of shops, services, and apartments;
- areas designated as parks and open space, including 10 hectares of land was rezoned as public open space at Caddies Creek in Kellyville;
- employment zones around Bella Vista Station, enhancing the role of the Norwest Business Park;
- building heights that transition down from each town centre to stand-alone housing areas beyond, providing for a range of housing types and greater housing choice; and
- environmental management and building design that creates high levels of amenity for residents and for people using the surrounding public domain and open space areas.

The combined Kellyville and Bella Vista Precincts provided for up to 8,400 new homes. This dwelling number was capped through a clause in The Hills LEP 2019 to align with the local and state infrastructure available to support the precincts' growth at the time (see [‘Maximum Number of Dwellings’](#)).

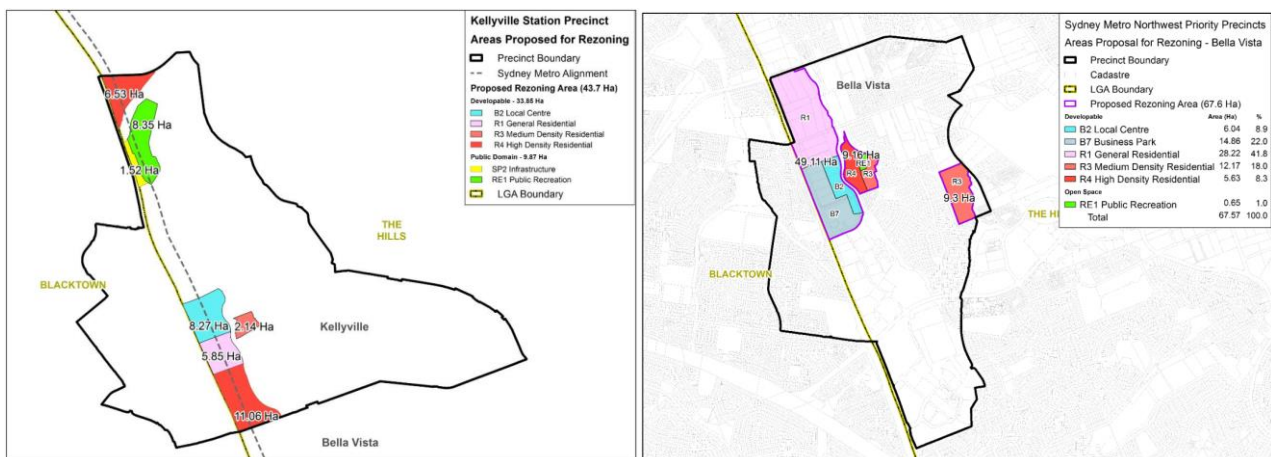


Figure 4: Final State-led Rezoning | Kellyville Station Precinct (left) and Bella Vista Station Precinct (right)

1.4.3 State Significant Development Applications (2022)

In 2019, concept State Significant Development (SSD) applications were submitted by Landcom, on behalf of Sydney Metro, for NSW Government-owned land adjacent to the Kellyville and Bella Vista stations. The SSD applications were approved by the then Minister for Planning in December 2022 providing a combined:

- 5,700 homes, including a minimum of 5% Affordable Housing for very low, low and middle income earners;
- 25,700m² of retail gross floor area;
- 151,000m² commercial gross floor area
- 15,000m² of community gross floor area, including a new community facility and new school site
- 85,500m² of public open space including new parks, plazas, and pedestrian and cycling connections.

2 Proposed planning control amendments

Key planning controls for land use, height of buildings and floor space ratio are presented in the following sub-precincts (see Figure 5):

- Kellyville
- Bella Vista
- Glenwood
- Stanhope Gardens

Other controls applying across all areas subject to the rezoning are provided under 'Additional Provisions'.

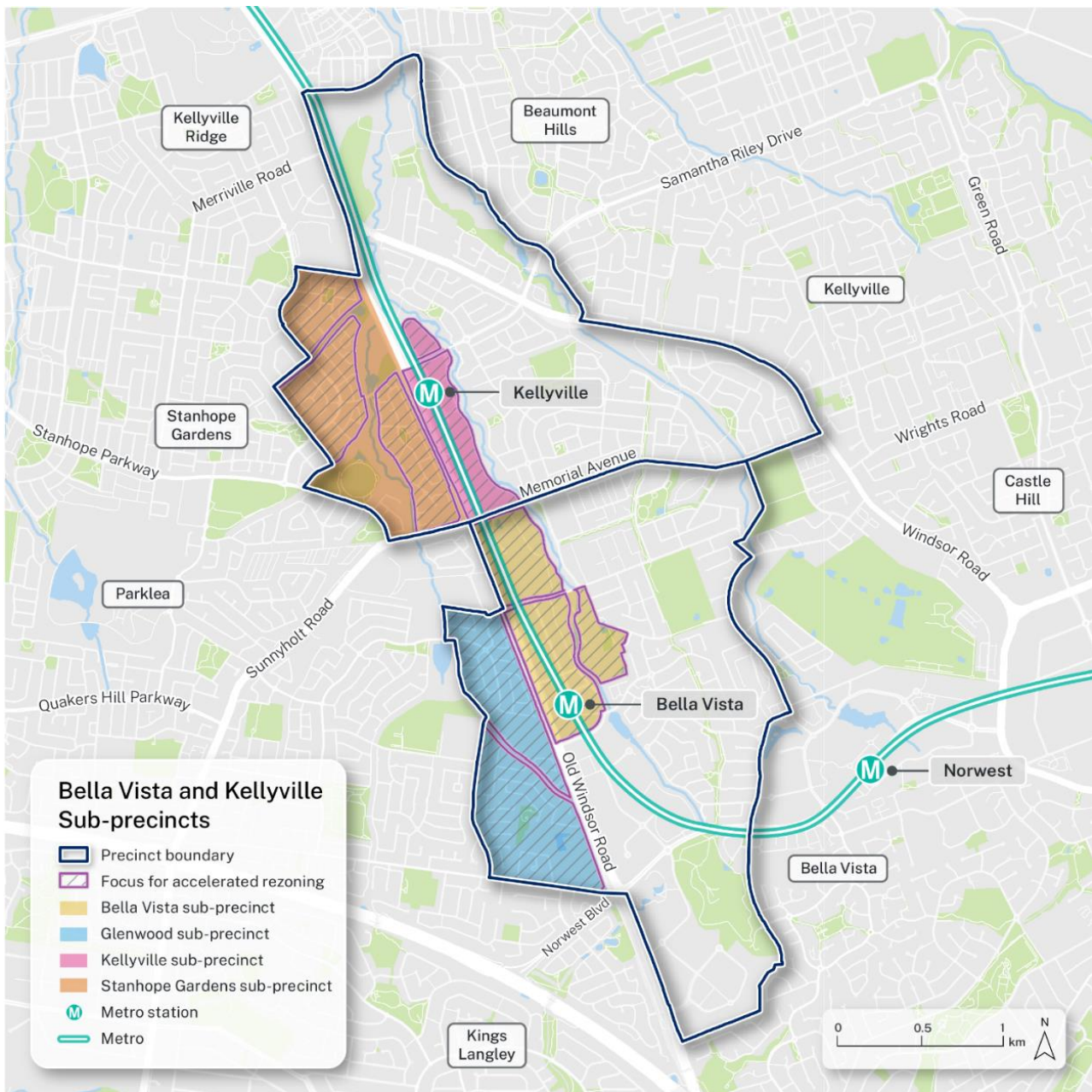
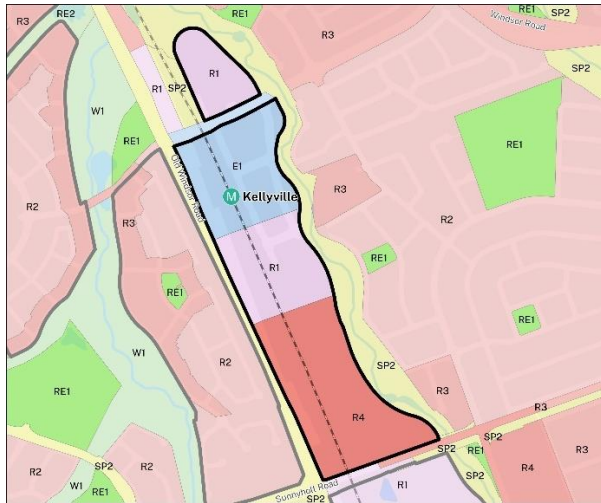
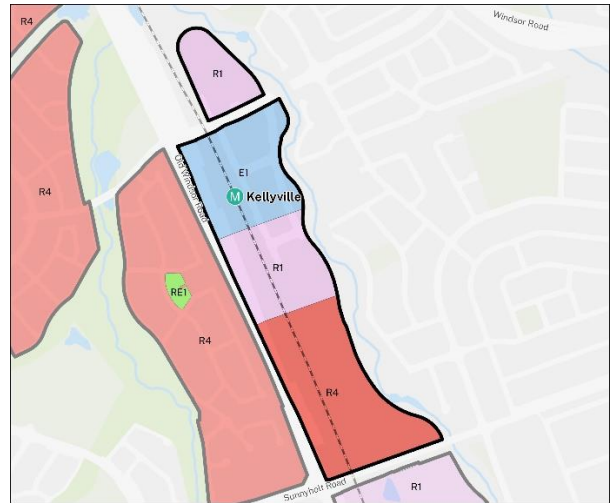


Figure 5: Sub-precincts

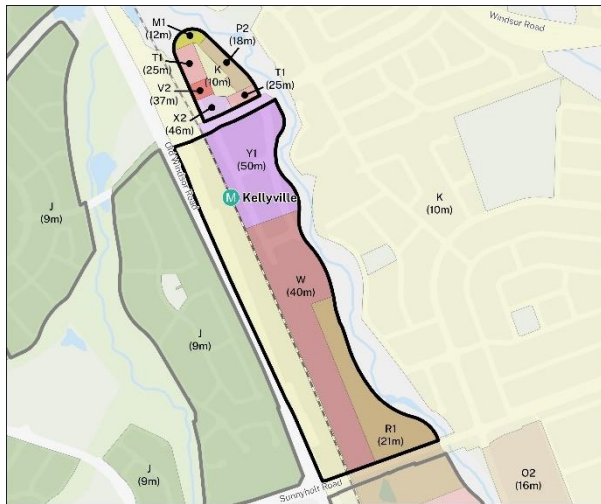
2.1 Kellyville



Current land use zones



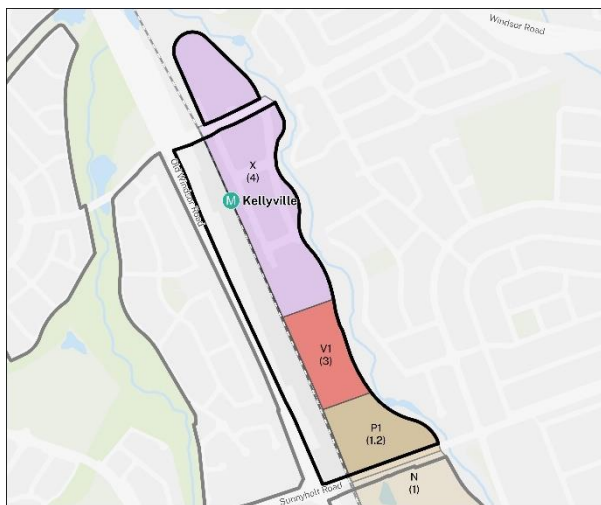
Proposed land use zones



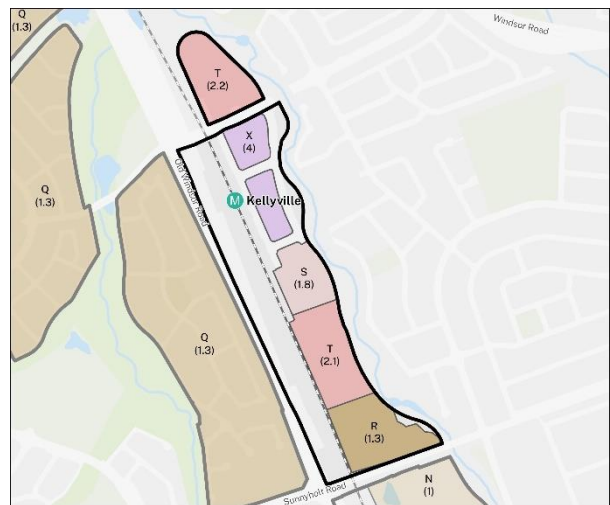
Current height of buildings



Proposed height of buildings



Current floor space ratio



Proposed floor space ratio

Kellyville will be focused around a vibrant and attractive centre that contains a range of uses including retail, commercial and homes that are near the Metro station.

Buildings will be between 6 to 20 storeys in accordance with the established strategic planning framework. Some buildings up to 30 storeys are considered appropriate in the immediate vicinity of the Metro station where they adjoin Old Windsor Road and overshadowing impacts can be managed.

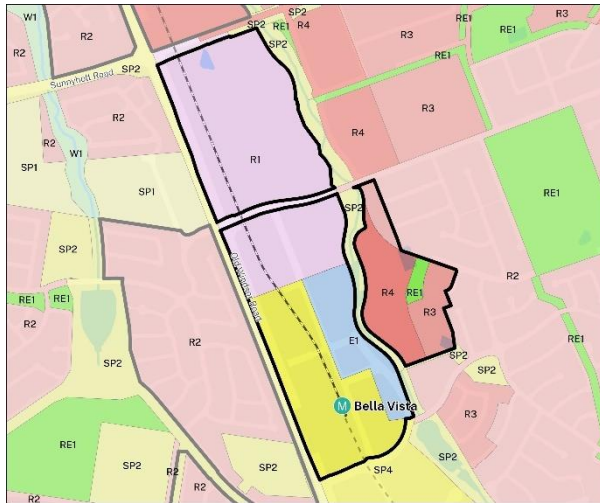
A proposed local park adjoining the Metro station will be retained and there is opportunity for an additional linear park including outdoor courts adjacent to the skytrain at the intersection of Old Windsor Road and Memorial Avenue (see [‘Open Space and Recreation’](#)).

If fully developed, the existing planning controls have capacity for 8,894 dwellings. It is anticipated that the proposed rezoning will increase capacity by 1,007 homes, bringing the total to approximately 9,901 potential dwellings. Of these, it is anticipated that 4,569 homes will be delivered by 2041.

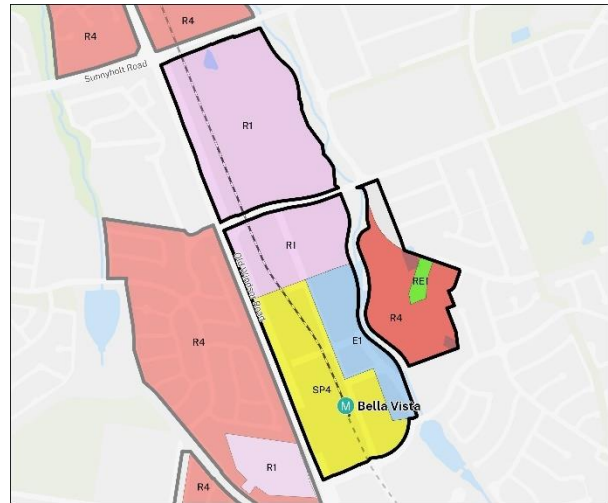
2.1.1 Intended Provisions

- Amend The Hills LEP 2019 Height of Buildings Map to increase the height of buildings:
 - From 10, 12, 18, 25, 37 and 46 m to 67.5 m (20 storeys) for land north of Samantha Riley Drive.
 - 50 m to 99.5 m (30 storeys) at Kellyville Station.
 - 40 m to 67.5 m (20 storeys) for land immediately south of Kellyville Metro Station.
 - 21 m to 29 m (8 storeys) for land adjoining Memorial Avenue.
- Amend The Hills LEP 2019 Floor Space Ratio Map to change the floor space ratio:
 - From 4:1 to 2.2:1 for land north of Samantha Riley Drive.
 - From 4:1 to 1.8:1 for land immediately south of Kellyville Metro Station.
 - 3:1 to 2.1:1 for land further south of Kellyville Metro Station.
 - 1.2:1 to 1.3:1 for land adjoining Memorial Avenue.

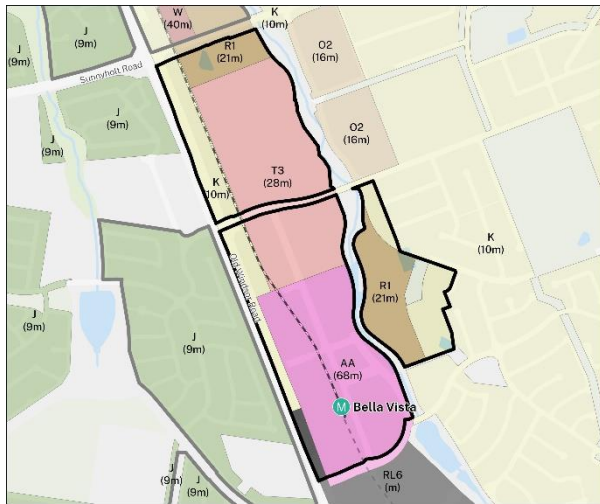
2.2 Bella Vista



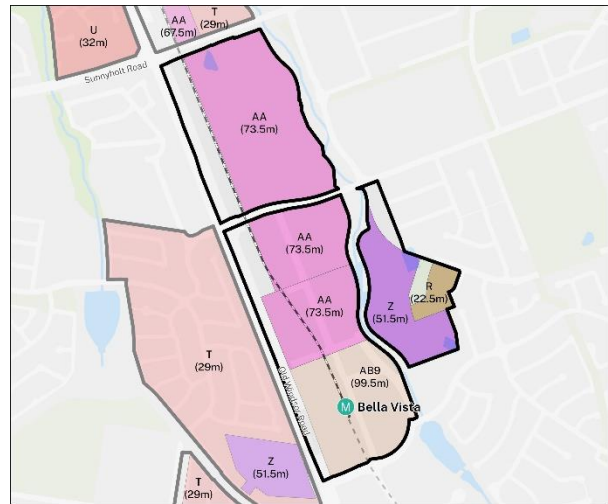
Current land use zones



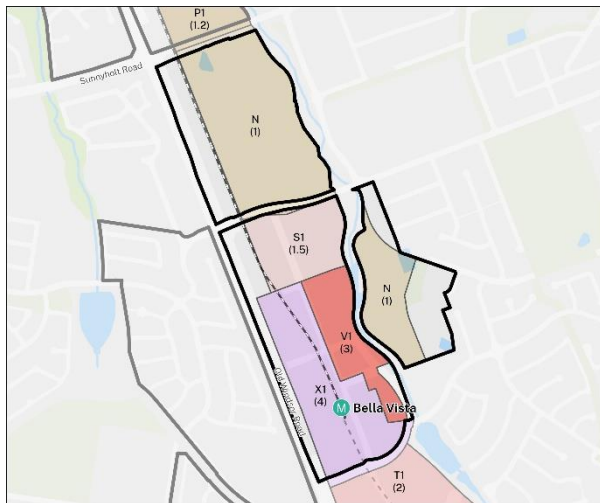
Proposed land use zones



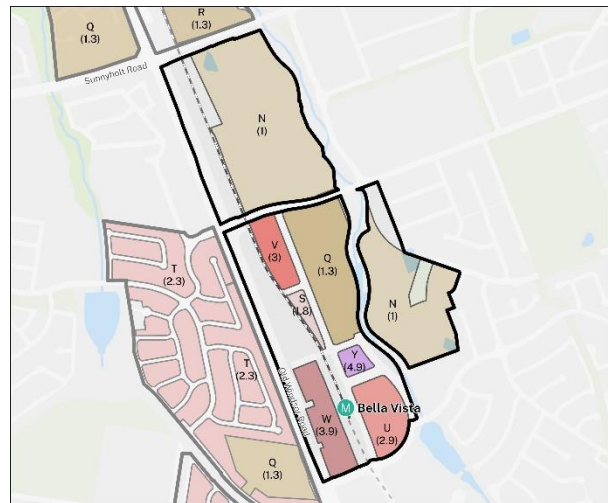
Current height of buildings



Proposed height of buildings



Current floor space ratio



Proposed floor space ratio

Bella Vista will be The Hills' premier living and business district and fulfil its role as a place of innovation within the Norwest strategic centre. The current permissible floorspace for commercial development will be retained, ensuring Bella Vista retains its employment focus.

Buildings will be up to 30 storeys in the immediate vicinity of the Metro station where they form part of the future town centre. Heights reduce to a maximum of 15 storeys near Memorial Ave. East of Elizabeth Macarthur Creek, heights will average 7 storeys with taller buildings up to 15 storeys adjoining the creek corridor where overshadowing can be managed.

Existing plans to deliver a new primary school north of the Metro station and new open spaces may be enhanced by additional playing fields east of Elizabeth Macarthur Creek, subject to further investigation (see '[Open Space and Recreation](#)'). New walking and cycling paths over Elizabeth Macarthur Creek will connect places of residence, employment and education to green spaces and ensure Bella Vista is a great place to live, work, learn and play.

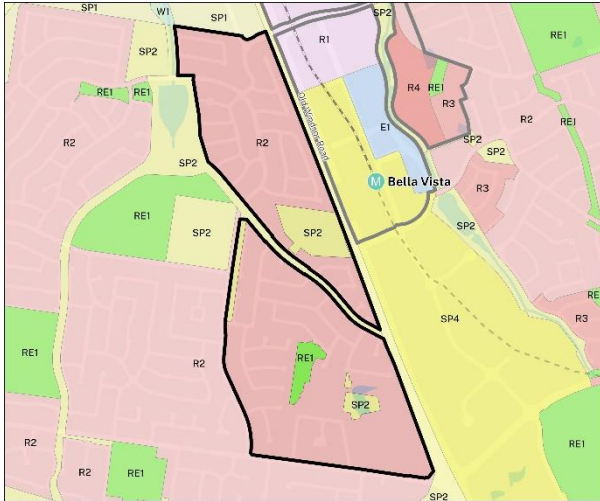
If fully developed, the existing planning controls have capacity for 9,250 dwellings. It is anticipated the proposed rezoning will increase capacity by 1,556, bringing the total to approximately 10,806 potential dwellings. Of these, it is anticipated that 5,985 homes will be delivered by 2041.

2.2.1 Intended Provisions

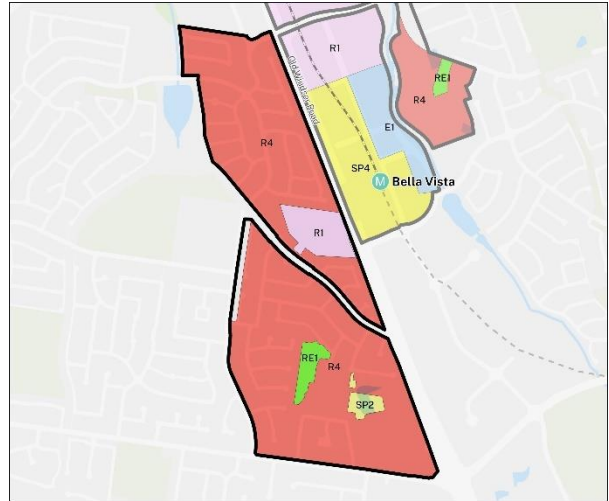
- Amend The Hills LEP 2019 Land Zoning Map to rezone land from R3 Medium Density Residential to R4 High Density Residential for part of the land east of Elizabeth Macarthur Creek.
- Amend Schedule 1 of The Hills LEP 2019 to permit residential accommodation with consent on land currently zoned SP4 Enterprise (mapped on the Additional Permitted Uses Map).
- Amend The Hills LEP 2019 Height of Buildings Map to increase the height of buildings:
 - From 68 m to 99.5 m (30 storeys) surrounding the Bella Vista Metro Station.
 - From 21, 28, and 68 m to 73.5 m (22 storeys) north of Bella Vista Metro Station.
 - From 10 and 21 m to 22.5 m (6 storeys) and 51.5 m (15 storeys) for land east of Elizabeth Macarthur Creek.
 - Remove the height of 10m along Old Windsor Road.
- Amend The Hills LEP 2019 Floor Space Ratio Map to change the floor space ratio:
 - From part 3:1 and 4:1 to part 2.9:1, 3.9:1 and 4.9:1 for land at the Metro Station.
 - From part 1.5:1, 3:1 and 4:1 to part 1.3:1, 1.8:1 and 3:1 for land north of the Metro Station.
 - To extend application of the current 1:1 for land east of Elizabeth Macarthur Creek.

A new clause in The Hills LEP 2019 may be required to offer exceptions from the height of building and/or floor space ratio controls where development proposes to include playing fields east of Elizabeth Macarthur Creek (see '[Open Space and Recreation](#)').

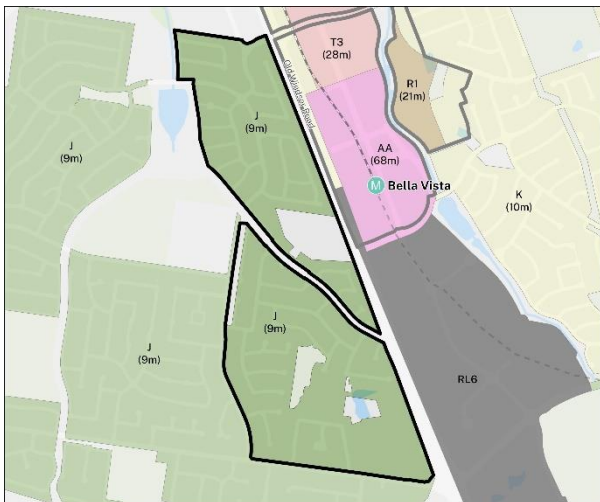
2.3 Glenwood



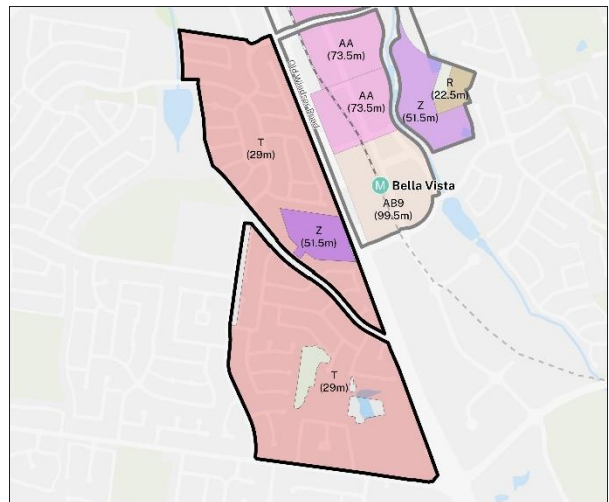
Current land use zones



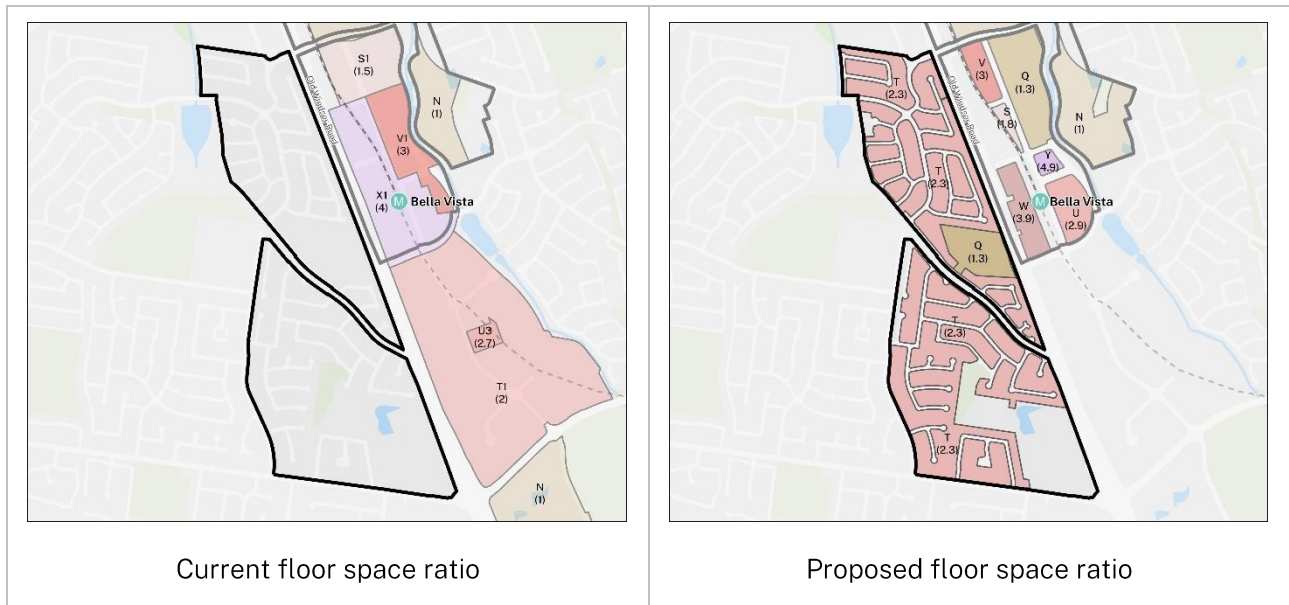
Proposed land use zones



Current height of buildings



Proposed height of buildings



Glenwood will evolve to include apartment buildings, carefully master planned around open spaces, particularly where sites are an appropriate size to deliver a high level of amenity for residents. Buildings up to 8 storeys with 4 storey podiums will transition to existing development. Higher tower forms, up to 15 storeys, may be considered near the pedestrian bridge providing access to Bella Vista Metro Station.

New housing will be supported by more open space. Opportunities include a new local park near the pedestrian bridge over Old Windsor Road and embellishments to existing open space on Glenwood Park Drive and at Glenwood Reserve (see '[Open Space and Recreation](#)'). New pathways will connect residents to open spaces and the Metro Station, including a potential shared path along Caddies Creek complementing east-west paths connecting to Elizabeth Macarthur Creek (see '[Transport](#)').

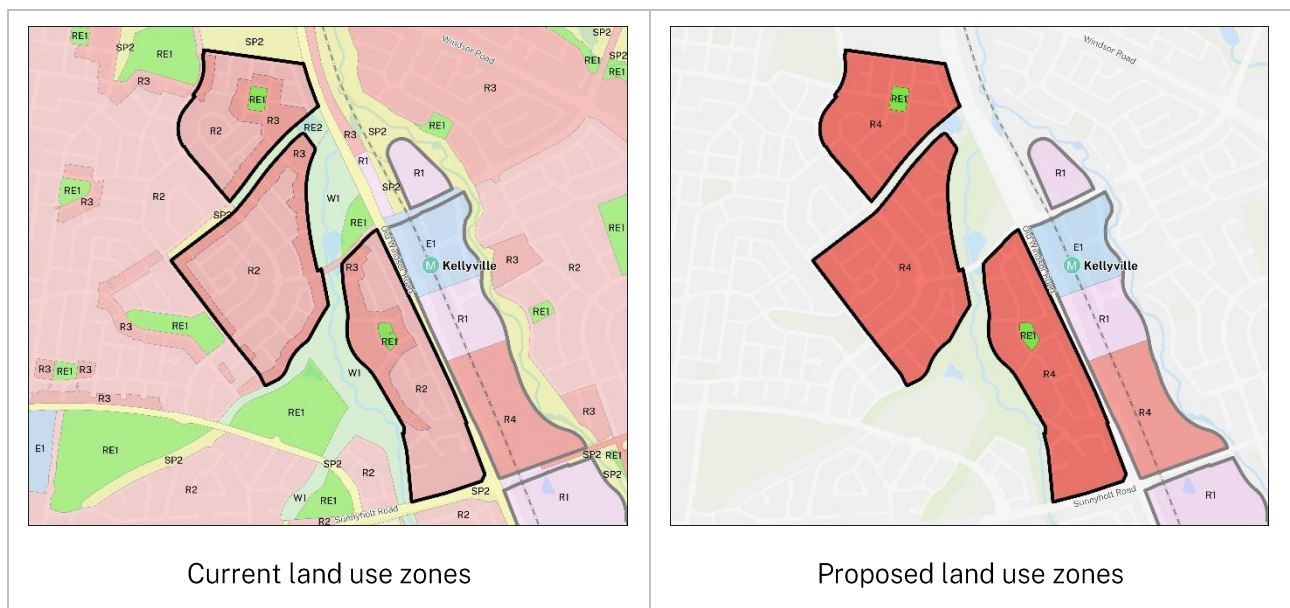
If fully developed, the existing planning controls have capacity for 1,872 dwellings. It is anticipated the proposed rezoning will increase capacity by 10,731, bringing the total to approximately 12,603 potential dwellings. Of these, it is anticipated that 1,791 homes will be delivered by 2041.

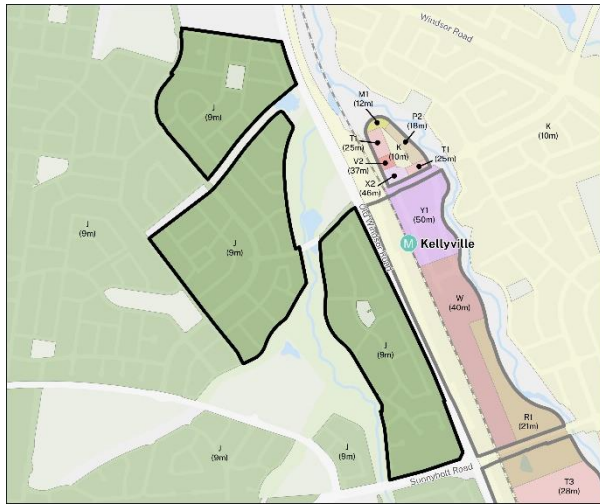
Parklea Markets is not included in the TOD boundary because it is outside a 1,200m walking radius from the Metro Stations. The site may have potential for new housing given its proximity to planned development in Glenwood and Stanhope Gardens. Any future planning investigations for the site (outside this rezoning) should consider potential impacts from flooding, traffic, any additional infrastructure implications and opportunities to deliver new public open space, such as playing fields, to support the continued transformation of the area.

2.3.1 Intended Provisions

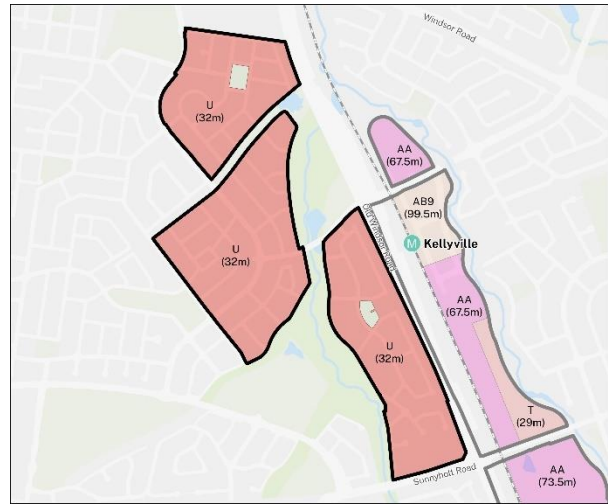
- Amend Blacktown LEP 2015 Land Zoning Map to rezone land:
 - From R2 Low Density Residential to R4 High Density Residential.
 - From SP2 Educational Establishment & Place of Worship to R1 General Residential.
- Amend Blacktown LEP 2015 Height of Buildings Map to increase building heights:
 - From 9 m to 29 m (8 storeys) for land proposed to be zoned R4.
 - From no control to 51.5 m (15 storeys) for land proposed to be zoned R1.
- Amend Blacktown LEP 2015 Floor Space Ratio Map to change the floor space ratio:
 - From no control to 2.3:1 for land proposed to be zoned to R4 High Density Residential.
 - From no control to 1.3:1 for land proposed to be rezoned to R1 General Residential.
- A new clause in the Blacktown LEP 2015 may be required to offer exceptions from the height of building and/or floor space ratio controls where development proposes to include a new local park at Old Windsor Road, Glenwood (see [‘Open Space and Recreation’](#)).

2.4 Stanhope Gardens

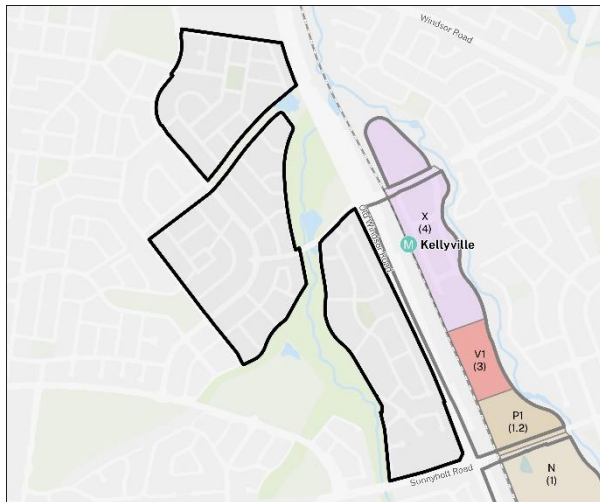




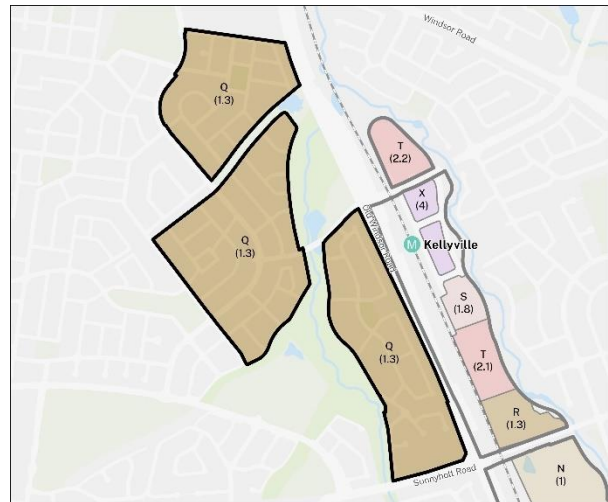
Current height of buildings



Proposed height of buildings



Current floor space ratio



Proposed floor space ratio

Stanhope Gardens contains several Community Title schemes which offer a mix of detached dwellings and townhouses. Redevelopment is currently constrained by these ownership arrangements as well as traffic, parking and narrow road widths.

Resolution of these constraints could lead to the introduction of apartment buildings around communal open spaces where sites are an appropriate size to deliver a high level of amenity for residents.

Building heights are likely to vary however will generally be 9 storeys in key development areas. Higher tower forms, such as those proposed in a previous rezoning plan, may be considered near the pedestrian bridge providing access to Kellyville Metro Station.

New housing will be supported by the improved provision of open space. Opportunities include new local parks adjoining Caddies Creek and embellishing existing open space near Perfection Avenue (see [‘Open Space and Recreation’](#)).

If fully developed, the existing planning controls have capacity for 2,061 dwellings. It is anticipated that the proposed rezoning will increase capacity by 7,477, bringing the total to approximately 9,538 potential dwellings. Of these, it is anticipated that 364 homes will be delivered by 2041.

2.4.1 Intended Provisions

Where land is not subject to a Community Title Scheme:

- Amend Blacktown LEP 2015 Land Zoning Map to rezone land from R2 Low Density Residential and R3 Medium Density Residential to R4 High Density Residential.
- Amend Blacktown LEP 2015 Height of Buildings Map to increase height of buildings from 9 m to 32 m (9 storeys).
- Amend Blacktown LEP 2015 Floor Space Ratio Map to apply the ratio of 1.3:1 to land that does not currently have a maximum floor space ratio.

Where land is subject to a Community Title Scheme:

- The preferred mechanism to enable redevelopment may be to identify each eligible Community Title Scheme on a 'Key Sites' map. A minimum site area requirement equal to an entire Community Title area would be introduced to ensure the amalgamation of all land subject to each scheme when any subdivision is proposed for the land (i.e., 100% of owners in a scheme would need to consent to redevelopment). The proposed height of building and floor space ratio controls will only be available if sites within the Community Title Schemes are amalgamated so to achieve the minimum site area.

A new clause in the Blacktown LEP 2015 may be required to offer exceptions from the height of building and/or floor space ratio controls where development proposes to include a new local park (see 'Open Space and Recreation').

2.5 Additional Provisions

Currently, Part 8 of The Hills LEP 2019 contains additional provisions that apply to development within the 'Bella Vista Station Precinct or the Kellyville Station Precinct' (see Figure 6). An amendment to the Blacktown LEP 2015 will be required to expand these provisions to land within Blacktown City Local Government Area subject to the proposed rezoning.

Amendments to existing provisions may be required to ensure alignment with the intended outcomes of the final rezoning.



Figure 6: Existing and proposed land application of 'Bella Vista Station Precinct or the Kellyville Station Precinct' provisions

2.5.1 Affordable Housing

It is proposed to amend the Blacktown and The Hills LEPs to include a clause that will require all new residential development, including local and State significant development applications, within the Precincts, to contribute to the provision of affordable housing.

Affordable housing contributions of 3-8 percent, to be held in perpetuity and to be managed by a registered Community Housing Provider (CHP) are being proposed as mandatory for all new residential development within the Precincts.

The contribution rate has been considered in the development of the Urban Design Framework to ensure maximum public benefits can be achieved without creating adverse urban design outcomes. Therefore, no additional affordable housing incentives are available within the Precinct, including the infill affordable housing floor space ratio and height of building bonuses under Chapter 2, Part 2, Division 1 of the State Environmental Planning Policy (Housing) 2021 (Housing SEPP).

Implementation of the affordable housing contribution is proposed to coincide with finalisation of the rezoning in November 2024. This approach removes the need for councils to prepare Affordable Housing Contributions Schemes in accordance with the Department's [Guideline for Developing an Affordable Housing Contribution Scheme](#) and ensures that development enabled by the TOD program will immediately contribute toward the provision of affordable rental housing.

The proposed clause will enable the relevant authority to impose an affordable housing levy when granting development consent and provided the requirements of section 7.32 of the EP&A Act are met.

2.5.2 Car Parking

The Precincts have been identified for their growth potential given the high level of service offered by the Metro stations and access to the Northwest T-Way along Old Windsor Road. Despite this, reliance on the motor vehicle in Sydney's Northwest is still relatively high compared to other areas of Sydney.

While many trips, particularly work, are expected to be catered for by public transport, the Department acknowledges the need for a balanced approach that ensures new development does not have a negative impact on surrounding streets and localities but is also feasible and caters for trips that will continue to be taken by cars (e.g., weekend sport, grocery shopping).

Transport for NSW guidelines encourage a context specific approach to establishing car parking rates for development. The Department has proposed car parking rates for new residential development based on site specific feasibility analysis and transport and traffic planning advice (see Table 1). The proposed rates are higher than the minimum rates specified

in Transport for NSW's guidelines, however they are proposed as maximum rates and lower provision of parking may be delivered where feasible. The Department's proposed rates are generally consistent with The Hills Shire development control plan and the rates proposed in the State Significant Development Applications approved for the Kellyville Station and Bella Vista Station precincts.

Table 1: Recommended maximum car parking rates

Type	Department recommendation for Kellyville and Bella Vista TOD (Max rates)	Transport for NSW recommendation from <i>Guide to Traffic Generating Development</i> (Min rates)
For each studio or 1 bedroom dwelling	1 car parking spaces	0.6 car parking spaces
For each 2 bedroom dwelling	1 car parking spaces	0.9 car parking spaces
For each 3 or more bedroom dwelling	1.5 car parking spaces	1.4 car parking spaces
Visitor parking, in addition to the car parking spaces required for each dwelling	1 car parking spaces for every 5 dwellings	1 car parking spaces for every 10 dwellings

Options to implement the maximum car parking rates include:

1. Design guide.
2. Updates to the Blacktown City Council and The Hills Shire Council's Development Control Plans (DCP).
3. Additional provision within the Blacktown LEP 2015 and The Hills LEP 2019.

2.5.3 Development Control Plan / Design Guide

Several development control plans have been adopted by The Hills Shire Council to guide development within areas covered by the TOD rezoning, previously rezoned in 2017 (see Figure 7). However, Blacktown City Council has not adopted any site-specific development control plans applying to the TOD rezoning area. This is because previous rezoning plans did not include changes to Stanhope Gardens and Glenwood,

Following exhibition, the Department will use community feedback and work with both councils to prepare and / or update DCPs, as appropriate. If necessary, the Department may prepare an interim design guide (currently does not exist), ensuring appropriate guidance for development resulting from the TOD rezoning, until the councils have updated their development control plans.

The intent is that the consent authority would be required under The Hills LEP 2019 and Blacktown LEP 2015, to be satisfied that any proposed development application is consistent with DCPs or interim design guide, before granting development consent.

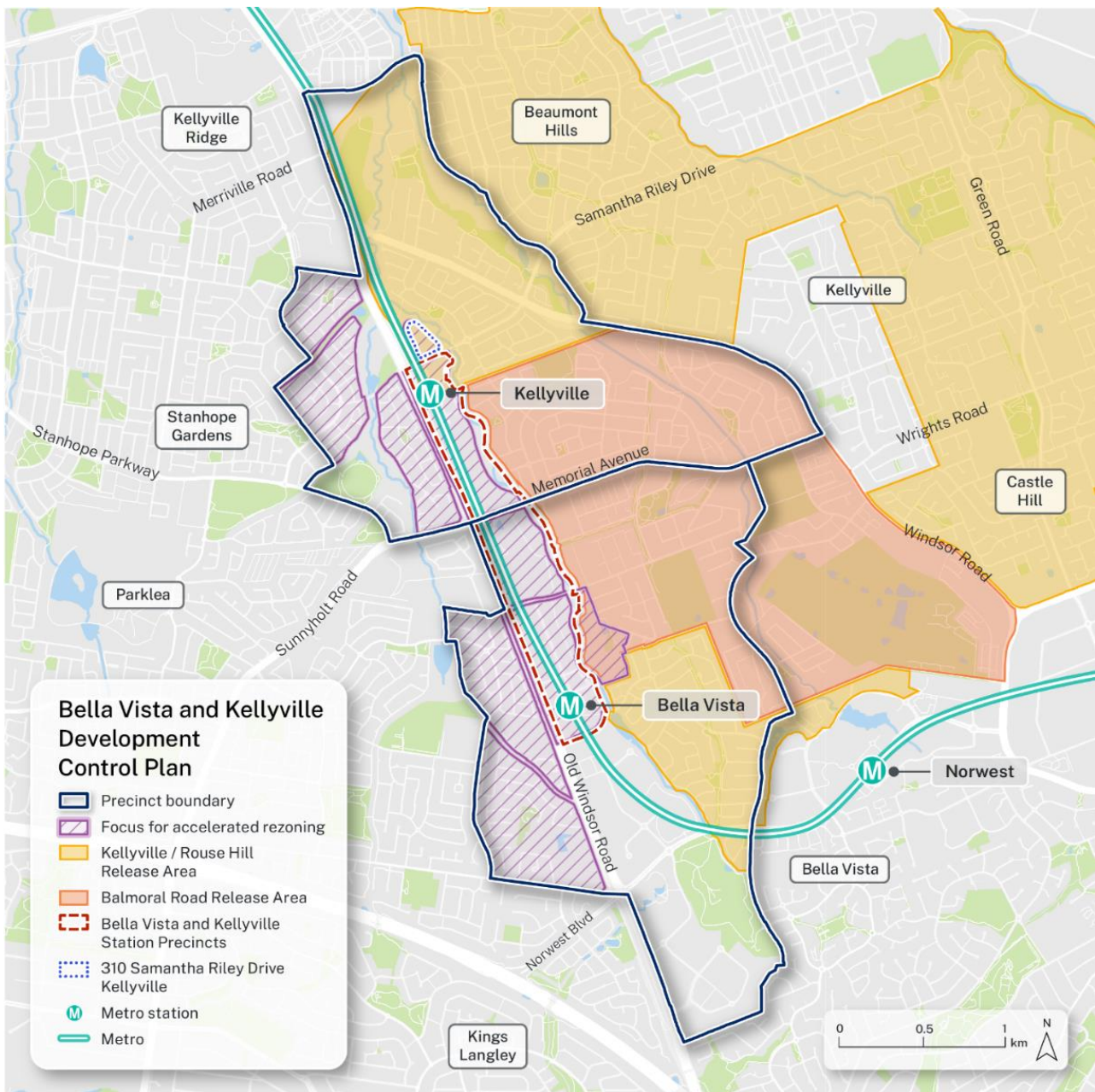


Figure 7: Existing (site-specific) development control plan areas

2.5.4 Maximum Number of Dwellings

Clause 8.9 of The Hills LEP 2019 was introduced in 2017 to cap growth at 8,400 new dwellings in the Bella Vista and Kellyville Station Precincts. The cap was intended to ensure adequate arrangements had been made for key infrastructure before enabling additional growth. Since 2017, the NSW Government has:

- opened the Sydney Metro North West Line, including extension into the Sydney CBD proposed to open in 2024;
- progressed plans for a new primary school with capacity for up to 1,000 students in the Bella Vista Metro Station Precinct and a new high school with capacity for 2,000 students in Norwest;
- commenced construction on the upgrade of Matthew Pearce Public School, Baulkham Hills with completion expected in 2025;
- released the masterplan and committed \$700 million to build a new Rouse Hill hospital with capacity for 300 beds;
- commenced construction of the Memorial Avenue, Kellyville upgrade to a four-lane road with completion expected in 2024; and
- supported The Hills Shire Council to release plans for the expansion of the Caddies Creek Sports Complex.

Given the progress made to ensure sufficient infrastructure is provided, it is proposed to remove the dwelling cap. Further detail on existing and planned infrastructure upgrades are included in the following [‘Infrastructure Provision and Funding’](#) section.

3 Infrastructure funding and delivery

The NSW Government is committed to delivering vital community infrastructure ensuring that people moving into a new home are also moving into a well-connected community. The efficient and timely delivery of this infrastructure is critical to the success of the Precincts.

3.1.1 Local Contributions

Sections 7.11 and 7.12 of the EP&A Act enables councils to require developers to pay contributions towards the provision of new or expanded local infrastructure identified in their local infrastructure contributions plans. Blacktown City Council and The Hills Shire Council have adopted local infrastructure contribution plans to help fund new local infrastructure for already planned growth (see Figure 8).

Following exhibition, the Department will work with both councils to ensure the additional growth resulting from the TOD rezoning is supported by updated contributions plans for the delivery of local infrastructure such as roads, parks, footpaths, cycleways, and community facilities to service incoming residents and workers.

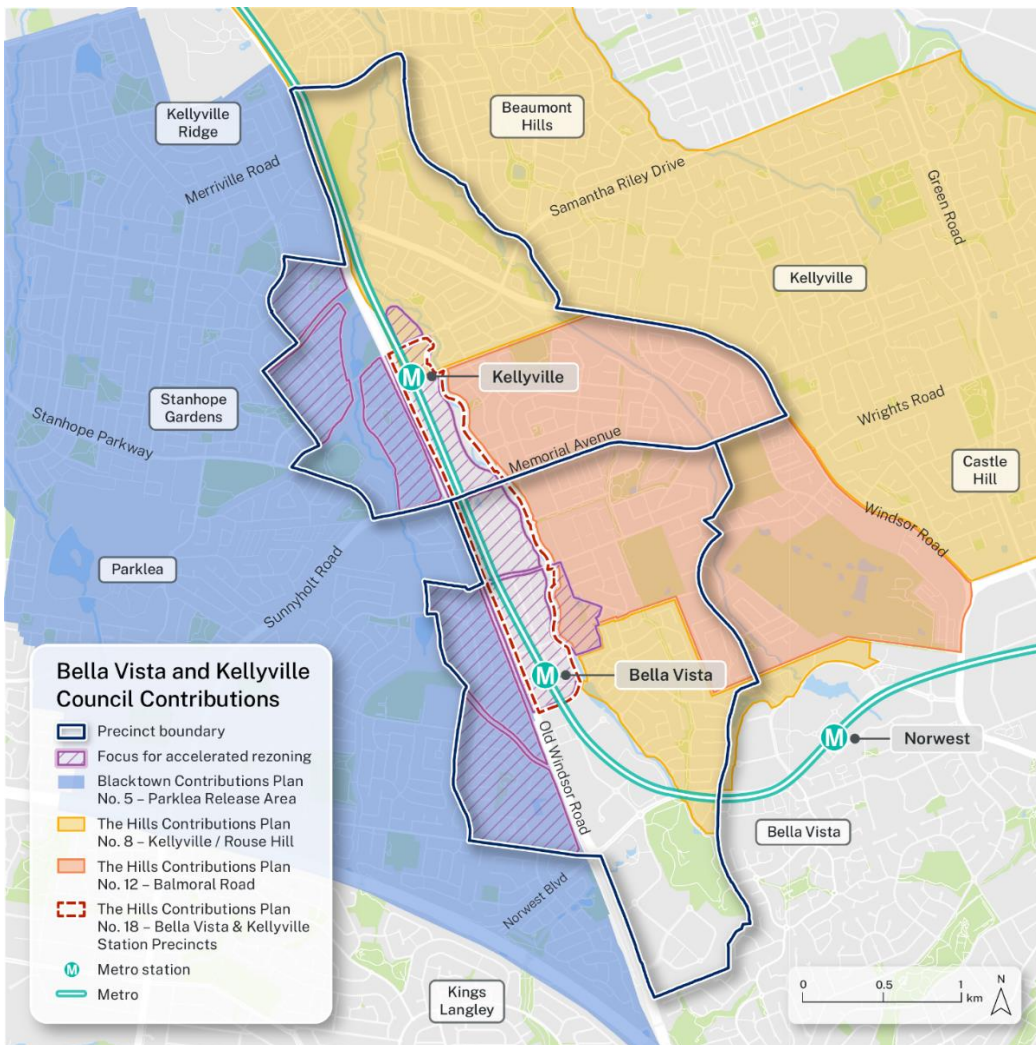


Figure 8: Existing local infrastructure contribution plan areas

3.1.2 State Contributions

Development in the Precincts will be required to pay a housing and productivity contribution, which funds State and regional infrastructure in Greater Sydney. The NSW Government has committed \$520 million from the Housing and Productivity Fund to be spent on community infrastructure in the TOD precincts. This will provide upgrades to critical transport and active transport infrastructure and new open spaces to support housing in both the Kellyville and Bella Vista precincts.

The Department is developing program guidelines for the allocation of these funds between the TOD precincts and the process for allocating them to projects. For the purposes of distributing the \$520M, the Blacktown and The Hills LGAs will be treated distinctly (i.e., LGAs will receive equitable share of the funding).

Other funding sources could grow the \$520 million to maximise the community benefit of the program, like council co-contributions or other grant and funding programs. The infrastructure

prioritisation for the Housing and Productivity Fund could also recommend additional expenditure on infrastructure in these precincts beyond transport and open space.

3.1.3 Local Infrastructure

Transport

The Precincts have been included in the TOD Program for accelerated rezoning due to their high level of transport accessibility. The Hills Shire and Blacktown communities benefit from access to the Eastern Harbour City within 60 minutes via the Sydney Metro and the Central River City within 30 minutes via frequent buses on the T-way.

Given these public transport connections, previous planning for the Precincts has focused on improving movement and access within the Precincts. Existing commitments include upgrades to intersections and widening of key roads such as Memorial Avenue, Kellyville (see attached 'Precinct Transport Statement'). These improvements will continue to be delivered as the Precincts develop.

The additional growth anticipated because of the TOD Rezoning will not significantly alter existing transport improvements that have been planned by Transport for NSW and The Hills Shire Council.

However, given the increased scale of development proposed in Stanhope Gardens and Glenwood, opportunities for new walking and cycling connections have been identified to connect residents to key destinations within the Precincts including the Metro stations, town centres, schools, and open spaces (see **Figure 9**).

The Department is seeking community and landowner feedback on these potential active transport opportunities. The feedback will be used, along with detailed site investigations and testing, to inform the final rezoning.

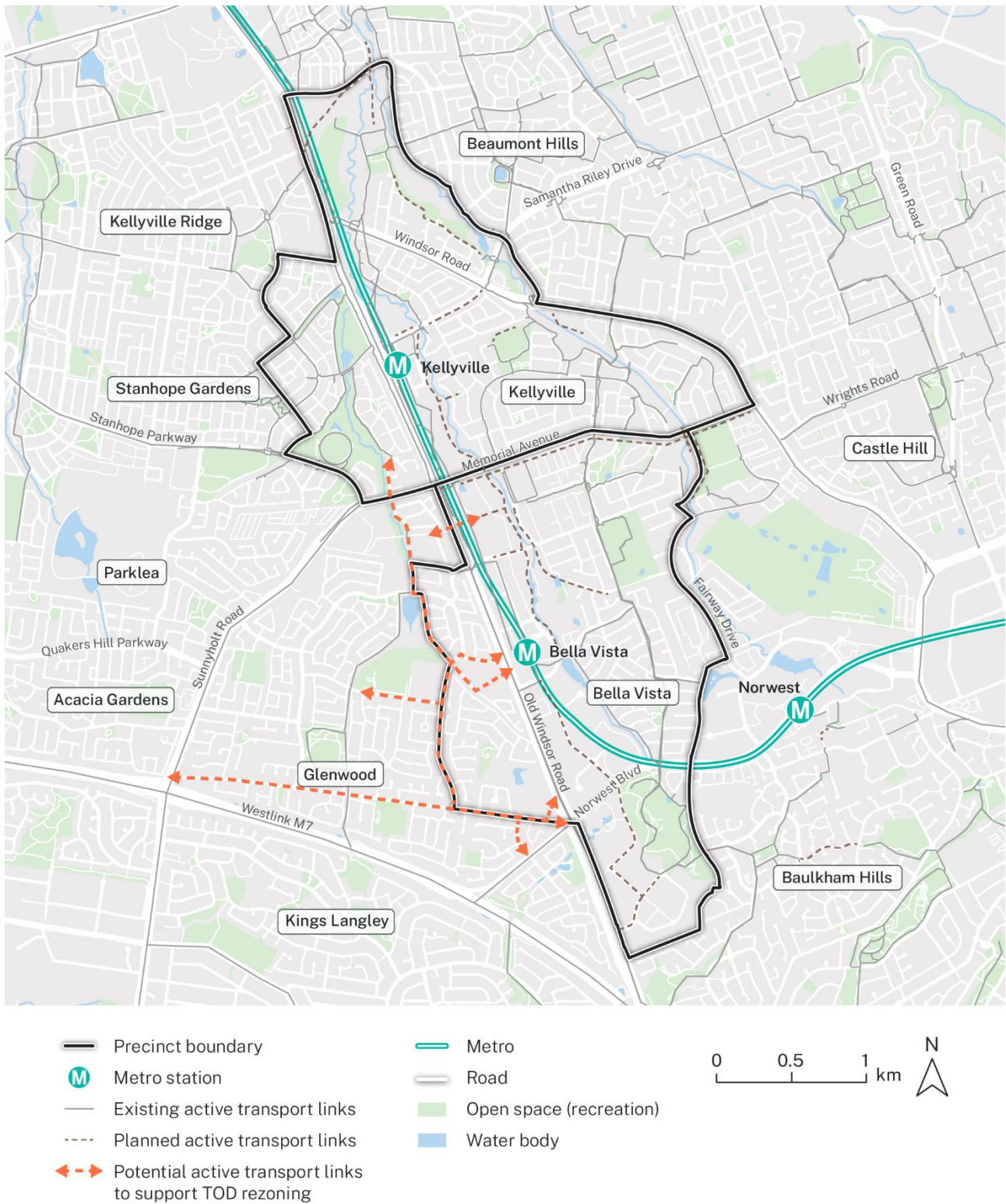


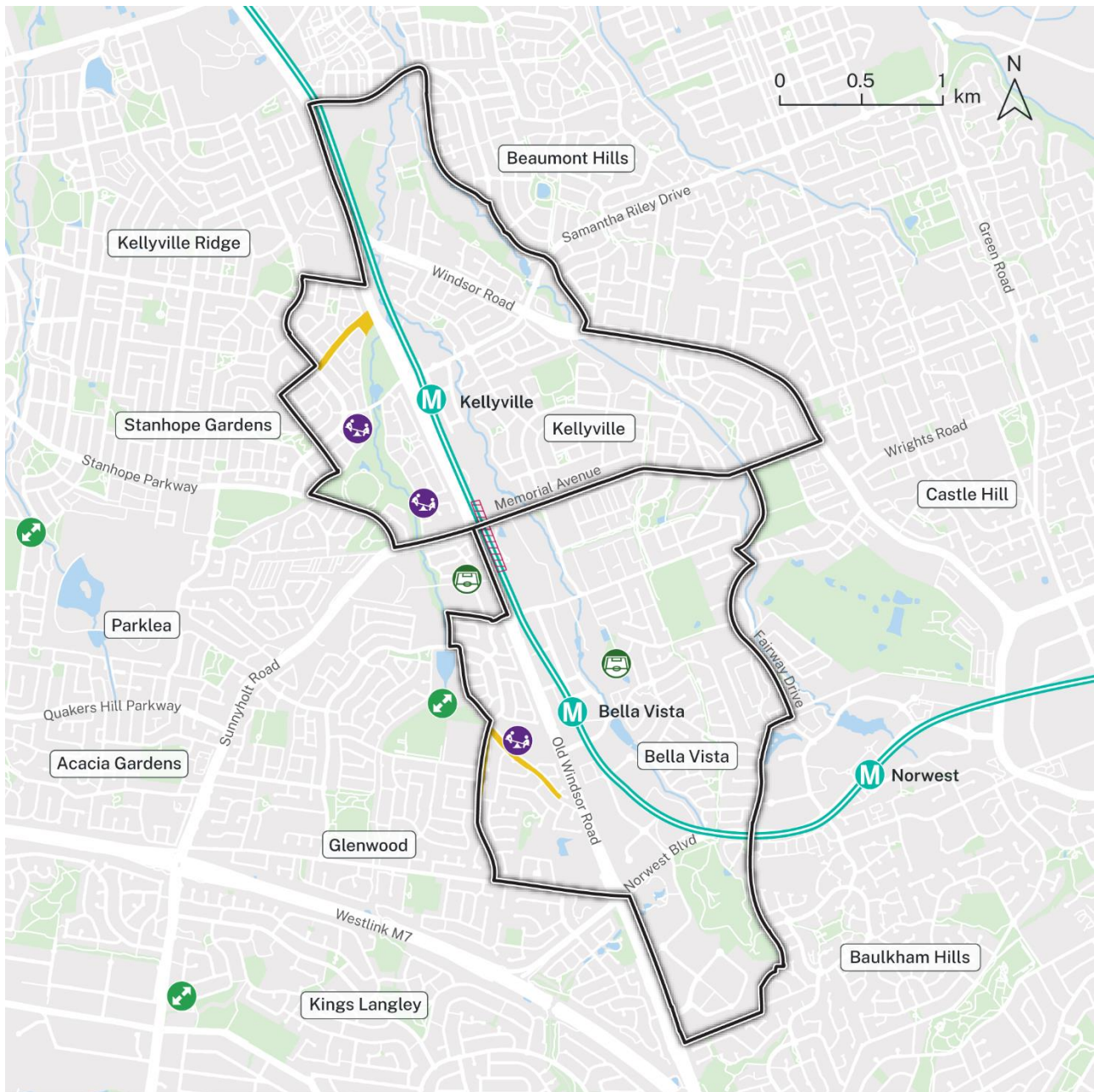
Figure 9: Potential active transport opportunities subject to community consultation. N.B. this map is indicative and subject to refinement prior to finalising the rezoning.

Open Space and Recreation

An extensive network of public open spaces has been planned for the Precincts since 2013. This includes proposals for a variety of new green open spaces along creek corridors, expansion of Caddies Creek Sports Complex, neighbourhood parks with apartment buildings, town squares opposite each station and playing courts under the elevated rail line (skytrain). These spaces are being progressively delivered as the Precincts develop.

The TOD rezoning will result in more people that will use these open spaces. To ensure equitable access for existing and future residents, an Open Space Needs Analysis has recommended potential new open space opportunities within and near the Precincts (see **Figure 10** and attached 'Open Space Needs Assessment'). The opportunities align with the areas for accelerated growth under the TOD Program (see **Figure 1**).

The Department is seeking community and landowner feedback on these potential open space opportunities. The feedback will be used, along with detailed site investigations and testing, to inform the final rezoning.



- | | |
|---------------------------------------|----------------------------------|
| Precinct boundary | Metro |
| Metro station | Road |
| Potential expansion of existing field | Embellishing existing open space |
| Potential local park | New linear park / outdoor court |
| Potential playing field | Open space (recreation) |
| | Water body |

Figure 10: Potential new open space opportunities subject to community consultation. N.B. this map is indicative and subject to refinement prior to finalising the rezoning.

Community Facilities

Previous planning for the Precincts has recommended a multipurpose community centre to be delivered at either Kellyville or Bella Vista. Since the previous State-led rezoning, Sydney Metro / Landcom and The Hills Shire Council have progressed plans to deliver a community centre and library within the Bella Vista Station Precinct.

Funding of the centre will be from a combination of *The Hills Contributions Plan No. 18 – Bella Vista and Kellyville Station Precincts* (land component) and the NSW Government's Precinct Support Scheme.

Stormwater and Drainage

The Precincts form part of the Elizabeth Macarthur Creek, Strangers Creek, and Caddies Creek drainage catchments. Previous studies have been prepared to understand the area's stormwater, drainage and flooding management needs. The draft rezoning has been informed by a flood assessment prepared on behalf of Sydney Water Corporation for the Rouse Hill development area in 1998.

In accordance with the NSW Government's updated Flood Prone Land Policy, the Department is currently preparing a revised flood impact and risk assessment to understand the full range of flood events within the Precincts.

The assessment will inform the final rezoning by proposing management measures that minimise any impacts of flooding to development and minimise risks on the existing and future community.

3.1.4 State Infrastructure

Water and Wastewater

Sydney Water has planned upgrades to its wastewater and water reticulation systems by 2027 and 2028 respectively. The timing of these upgrades coincides with the delivery of development expected from the TOD rezoning, particularly on government-owned land around the Metro stations.

Following exhibition, the Department will work with Sydney Water to ensure the appropriate timing of infrastructure upgrades align with the projected growth of the Precincts.

Schools

In the near term, in line with the findings of the enrolment growth audit, the NSW Government is delivering major upgrades to take pressure off existing schools in the region, including at

The Ponds and Rouse Hill high schools and the recently completed Glenwood High School. Five new primary and high schools are in planning for Tallawong and Box Hill. These include:

1. Primary School in Box Hill
2. High School in Box Hill
3. Primary School in Gables
4. Primary School in Tallawong
5. High School in Schofields and Tallawong

In the future, as developments in the area are delivered, additional school capacity is being planned in collaboration with the Education Department.

Health

Residents within the Precincts are currently serviced by the Blacktown and Mt Druitt Hospitals. Blacktown Hospital has recently been upgraded to a major metropolitan hospital servicing Western Sydney, while Mount Druitt Hospital has also been upgraded to include new and increased services.

The Ministry of Health has also progressed plans and committed \$700 million to deliver a new hospital at Rouse Hill. The new hospital will have capacity for 300 beds and be within a ten minute drive of the Precincts.

Utilities, Emergency Services and Justice

Previous planning for the Precincts has not identified any constraints for the provision of utilities including telecommunications, gas and electricity. Similarly, no additional facilities relating to emergency services or justice have been recommended.

The Department will consult with relevant state agencies and public authorities during public exhibition to confirm that no improvements to existing systems and facilities are required.

4 Consultation

The Department has worked with The Hills Shire Council, Blacktown City Council and key state agencies including Transport for NSW, Department of Education, Department of Climate Change, Energy, the Environment and Water, and Sydney Water to oversee the preparation of technical studies for the Precincts.

The Department established a governance framework that included a Project Working Group and Executive Advisory Group. These forums were held regularly to guide the planning work and incorporate the advice of stakeholders, including the local knowledge of the councils.

Given the accelerated nature of State-led rezonings under the TOD program, the Department has been unable to engage with individual landowners within the Precincts prior to exhibition. The Department strongly encourages all landowners to make submissions during public exhibition to ensure feedback can be taken into consideration in finalising rezoning of the Precincts.

5 Amendments to other SEPPs

5.1 The ‘planning pathway changes to support transport oriented development and residential housing supply’ EIE

The ‘planning pathway changes to support transport oriented development and residential housing supply’ EIE has been publicly exhibited alongside this EIE. The EIE proposes the following reforms that will apply within the Precincts:

- A new temporary State Significant Development (SSD) category for residential development that is valued above \$60 million. This threshold is proposed to be implemented where not already captured by existing SSD thresholds that apply to the Precincts.
- Removing the need for concurrence and referral requirements that are not high risk.
- Where a local environment plan requires a design competition introducing Offering an alternative design excellence pathway to be developed by the Government Architect NSW for any design competitions required by The Hills LEP 2019 or Blacktown LEP 2015.
- ‘Switching off’ the infill affordable housing pathway.

The Department is also progressing proposed low- and mid-rise reforms that were subject to consultation between 15 December 2023 and 23 February 2024. The reforms will work in tandem with the Transport Oriented Development program to achieve good urban form through appropriate density transition around centres. The reforms proposed under the Transit Oriented Development program are generally more permissive than the low- and mid-rise reforms and therefore will prevail over the low- and mid-rise controls, where areas overlap.

The Department’s Rezoning Proposal aims to provide for streamlined and accelerated development assessment pathways in the TOD precincts to achieve the National Housing Accord targets.

For more details and to provide feedback see the ‘planning pathways changes to support transport oriented development and residential housing supply’ EIE on the NSW Planning Portal.

5.2 Special Entertainment Precincts

A Special Entertainment Precinct (SEP) is an area where regulatory provisions encourage live performance, incentivise later trading at licenced and unlicensed premises that host live entertainment trading hours and sound from venues. Councils can set localised sound limits for amplified music in a Precinct Management Plan (PMP) and dedicated live music venues are allowed extended trading hours.

The NSW Government supports the establishment of SEPs in the TOD precincts to encourage a mix of housing, jobs, transport connections and vibrant night time economies. The *Local Government Act 1993* (LG Act) enables a council to establish a precinct either by identifying the area in a LEP or by requesting the Planning Minister identify a precinct in a SEPP. The Department will work closely with both councils to identify the areas within the TOD precincts to establish a SEP, if appropriate. The operation of the SEP will commence once Council has adopted and published on their website a precinct plan of management which will regulate noise from amplified music from premises in the SEP.

6 Next Steps

Following public exhibition, the Department will consider all matters raised in submissions.

The final proposed changes will be forwarded to the Minister for Planning and Public Spaces for further consideration and determination. If the amendments are approved, they will come into force to enable the future development of Kellyville and Bella Vista TOD Precinct. The Rezoning Proposal is expected to be finalised by the end of 2024.

The Department will prepare a submissions report that summarises the issues raised during public exhibition and how they have been addressed.