



# Scoping Report

## Early Works Industry Specific SEARs Request

301 & 301B Samantha Riley Drive, Kellyville

Submitted to the Housing Delivery Authority  
on behalf of Kellyville Developments No.1 Pty Ltd



**'Gura Bulga'**

Liz Belanjee Cameron

'Gura Bulga' – translates to Warm Green Country. Representing New South Wales.



**'Dagura Buumarri'**

Liz Belanjee Cameron

'Dagura Buumarri' – translates to Cold Brown Country. Representing Victoria.



**'Gadalung Djarri'**

Liz Belanjee Cameron

'Gadalung Djarri' – translates to Hot Red Country. Representing Queensland.

Colliers Urban Planning acknowledges the Traditional Custodians of Country throughout Australia and recognises their continuing connection to land, waters and culture.



We pay our respects to their Elders past and present.

In supporting the Uluru Statement from the Heart, we walk with Aboriginal and Torres Strait Islander people in a movement of the Australian people for a better future.

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<b>This document has been prepared by</b>		<b>This document has been reviewed by</b>	
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# Contents

1.0	Introduction .....	5
1.1	Applicant Details.....	5
2.0	The Site .....	6
3.0	Proposed Development.....	8
3.1	Concurrent Main Works Application.....	8
3.2	Concurrent Subdivision Development Application .....	10
3.3	Overview of Alternatives .....	11
4.0	Strategic Merit.....	12
4.1	Project Justification .....	12
4.2	State and Commonwealth Interests .....	14
4.3	Cumulative Impacts .....	14
4.4	Agreements with Other Parties .....	14
5.0	Statutory Planning Considerations.....	15
5.1	The Hills Local Environmental Plan 2019 .....	16
6.0	Engagement.....	19
6.1	Aboriginal Community Consultation.....	19
6.2	Government Architect NSW .....	19
6.3	Other Agencies and Stakeholders.....	19
6.4	Proposed Community Consultation Actions.....	20
7.0	Proposed Assessment of Impacts .....	21
7.1	Matters Requiring Further Assessment in EIS .....	21
7.2	Matters Not Requiring Further Assessment in EIS.....	22
8.0	Conclusion.....	23

## Figures

Figure 1	Site Aerial Map.....	7
Figure 2	Proposed massing envelope (from the north) .....	9
Figure 4	Ground Floor Plan.....	9
Figure 5	Draft Plan of Stage 2 (amalgamation).....	10
Figure 6	NSW Housing Strategy Key Pillars .....	12

## Tables

Table 1	Applicant Details.....	5
Table 2	Site Description .....	6
Table 3	Overview of Alternatives .....	11
Table 4	Summary of Alignment with Key Strategic Plans .....	12
Table 5	Statutory Planning Considerations .....	15
Table 6	Assessment against The Hills LEP .....	16
Table 7	Matters considered to be addressed within SEARs .....	21
Table 8	Matters considered to be not required to be addressed within SEARs.....	22

## Appendices

Appendix	Author
A. Scoping Design Report	<i>Turner</i>
B. Survey Plan	<i>Axiom Spatial Surveyors</i>

# 1.0 Introduction

The Scoping Report has been prepared by Colliers Urban Planning on behalf of Kellyville Developments No.1 Pty Ltd (the Applicant) to request industry-specific Secretary's Environmental Assessment Requirements (SEARs) from the Department of Planning, Housing and Infrastructure (DPHI).

Industry-specific SEARs are requested to enable and guide the preparation of an Environmental Impact Statement (EIS) for an Early Works State Significant Development Application (SSDA) at 301 & 301B Samantha Riley Drive Kellyville.

The site was nominated as State Significant Development (SSD) by Ministerial Planning Order dated 30 June 2025 (amended 21 August 2025 to include adjoining lots), for development specified in the Housing Delivery Authority EOI application No. 233967 dated 24 January 2025. This letter provides a description of the site, the proposed development and statutory planning considerations, including eligibility for the State Significant Development (SSD) and industry-specific SEARs pathways. The planning approval pathway will involve an Early Works SSDA, Main Works SSDA and Concurrent Rezoning (this SEARs Request) pursuant to section 4.36(3) of the Environmental Planning and Assessment Act 1979 (EP&A Act).

This Scoping Report has been prepared in accordance with the DPHI's *State Significant Development Guidelines* (2022). It is supported by preliminary supporting information (see **Appendices**).

## 1.1 Applicant Details

The Applicant's details are presented in **Table 1** below.

*Table 1 Applicant Details*

<b>Applicant:</b>	<b>Kellyville Developments No.1 Pty Ltd</b>
Address:	102 Bonds Road, Riverwood NSW 2210
ABN:	34 675 639 219

## 2.0 The Site

An overview of the key components of the site are described in **Table 2** below.

**Table 2** Site Description

Component	Description
Site Address	301 & 301B Samantha Riley Drive Kellyville
Legal Description	Lot 3 and 4 in DP1253073 and part Lot 1 DP1028391 and part Lot 192 DP1249550
Land Ownership	Kellyville Developments No.1 Pty Ltd
Zoning	R1 General Residential
Site Area	21,038m <sup>2</sup>
Street Frontages	160m to Samantha Riley Drive
Existing Development	The site is currently vacant with some vegetated land, which is generally overgrown with weeds and ground covers
Surrounding Development	<p>The Site is surrounded by a mix of vegetated land, 1-2 storey low density dwellings, industrial land and transport infrastructure. The surrounding development is described as follows:</p> <ul style="list-style-type: none"> <li>• <b>North:</b> Immediately north of the Site is bounded by Sydney Water land, which is sparsely vegetated. Within Sydney Water's land is Elizabeth Macarthur Creek and Caddies Creek, which are approximately 50m and 190m north of the Site boundary, respectively. Further north is the Macquarie Avenue Reserve and a mix of 1 and 2-storey lower-density dwellings.</li> <li>• <b>East:</b> Immediately east of the Site is bounded by Sydney Water land and Elizabeth Macarthur Creek, which are sparsely vegetated. Further to the east is a mix of 1 and 2-storey detached dwellings.</li> <li>• <b>South:</b> Immediately south of the Site is bounded by Transport for New South Wales (TfNSW) land and Samantha Riley Drive. Across the road is outdoor parking, and less than 400m south is the Kellyville Metro Station. A mix of 1-2 storey low/medium density dwellings can be found to the south of the Site.</li> <li>• <b>West:</b> Immediately west of the Site is bounded by TfNSW land and outdoor carparking that services the Metro. Further west is the northwest transitway and Old Windsor Road (A2), and across this road is more vegetated land and a mix of 1-2 storey lower-density dwellings.</li> </ul>
Easements and Access	<p>An easement is currently located in the centre of the southern portion of the site to facilitate access to the northern lot. This easement is proposed to be removed in the concurrent subdivision Development Application as identified in Section 3.2 below.</p> <p>Additional easements are proposed within the concurrent subdivision Development Application which will be located over the western portion of the proposed ring road as identified within the Bella Vista and Kellyville Design Guide to provide a right of way to the Sydney Water Corporation land to the north.</p>
Flooding	<p>The Site is located in a flood planning area, however, the development site does not fall within the 1% AEP flood extent. Buildings will be located above the FPL (1% AEP flood level + 500mm freeboard) and roads located above the 1% AEP flood level.</p> <p>The proposed ring road will also be required to be above the 100-year ARI flood level which will require a retaining wall or similar on the adjoining Sydney Water Corporation land, which will require Owners Consent from Sydney Water.</p>



*Figure 1 Site Aerial Map*

Source: Ethos Urban / Nearmap

## 3.0 Proposed Development

This application for Early Works is being made to gain efficiencies in the planning approval pathway and development program. As the entire development is nominated as SSD, this would seek approval for:

- Site establishment
- Shoring and installation of capping beam to stabilise excavation
- Bulk excavation works in accordance with the extent and depth defined by the concurrent Main Works SSD
- Ancillary works including temporary retaining walls
- Servicing and infrastructure work, including augmentation and connections to existing networks

The early works application will be submitted separately from the main building application. Although both applications are expected to be lodged and assessed at the same time, the early works application can be processed more quickly, allowing construction to commence sooner.

### 3.1 Concurrent Main Works Application

A separate application for Main Works is being made to gain efficiencies in the planning approval pathway and development program. The proposed development under the Main Works Application is shown within the Urban Design report by Turner at **Appendix A**, and generally summarised as:

- Additional excavation and enabling works.
- Construction of mixed used development including a 5-storey podium and 4 residential buildings ranging from 21 to 38 storeys, comprising:
  - 1,208 dwellings including approximately 10% affordable housing and a variety of dwelling types including 1, 2 and 3-bedroom apartments and 3 townhouses.
  - 9,122m<sup>2</sup> of non-residential floor space including an at grade neighbourhood supermarket, retail, food and beverage, and a centre-based childcare centre facility.
  - Basement level, incorporating carparking.
- Public domain and landscaping improvements, including:
  - Internal access network featuring roads and pedestrian paths.
  - New purpose built communal and private open space and associated landscaping and stormwater management.
- Utility and stormwater connections.

The proposal is shown in **Figure 2** and **Figure 3** below:



Figure 2 Proposed massing envelope (from the north)

Source: Turner

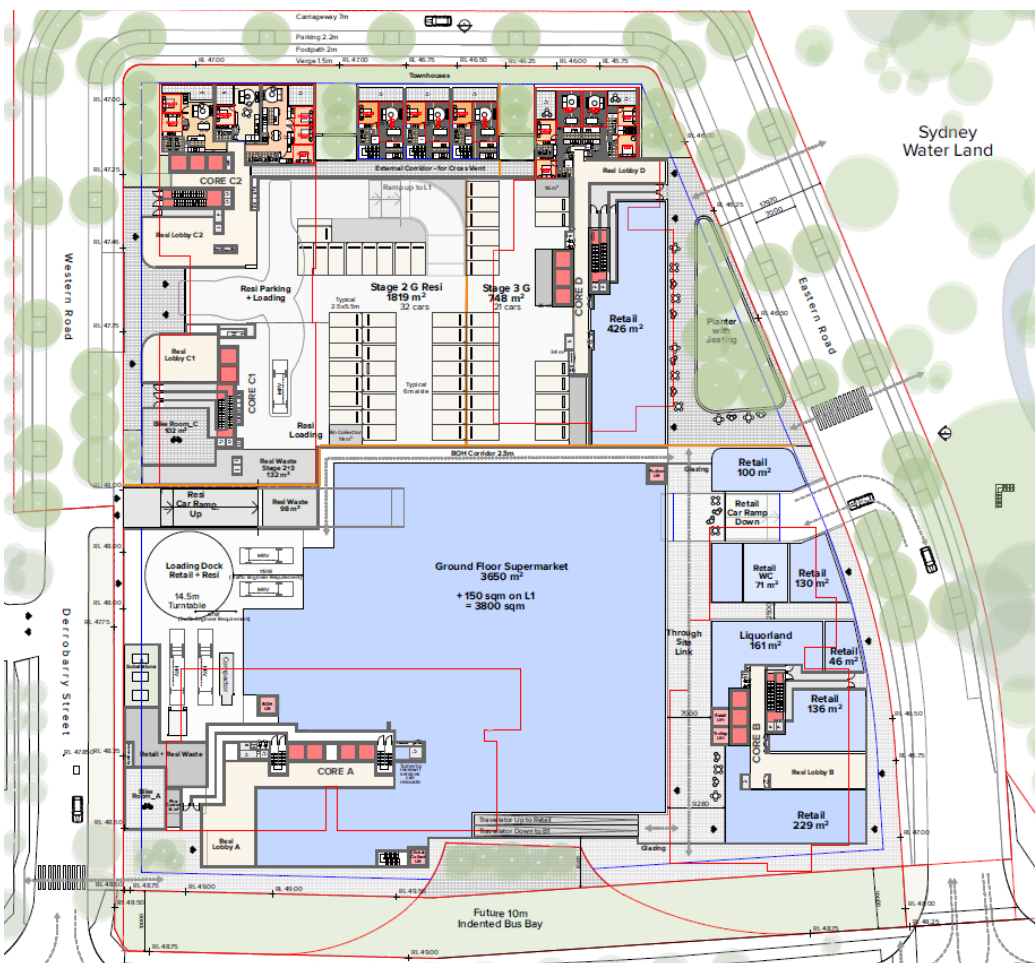


Figure 3 Ground Floor Plan

Source: Turner

### 3.2 Concurrent Subdivision Development Application

Of note, a Development Application for the subdivision and amalgamation of the site and portions of the adjoining Sydney Water Corporation land is currently being undertaken. The DA specifically seeks consent for the subdivision of Lot 3 and Lot 4 DP1253073, part Lot 1 DP1028391 and part Lot 192 DP1249550 into eleven (11) lots to facilitate an equitable transfer of land between the two applicants: Sydney Water Corporation and Kellyville Developments No.1 Pty Ltd.

A condition of consent will likely be in place to facilitate the amalgamation of the lots to create a refined subdivision layout that consolidates smaller landholdings into two (2) super lots owned by the two Applicants. This stage also proposes to remove the easements burdening Lot 3 and Lot 4 DP1253073 and subsequently instate an easement on proposed Lot 101 in DP1253073 for the purposes of a right of carriageway. This outcome is shown in **Figure 4**.

The proposed subdivision redefines the layout of the existing lots to enable the equitable land transfer agreed by the Applicants to support the future built form and public domain outcomes sought for the Precinct resulting in a higher standard of urban design and amenity. It also defines the Precinct’s boundaries to enable the future orderly development of the Site consistent with strategic objectives for the Precinct proposed within the recent state-led rezoning for Bella Vista and Kellyville.

It is noted that this application is for the paper subdivision of the Site only, with no physical works proposed to facilitate the development.

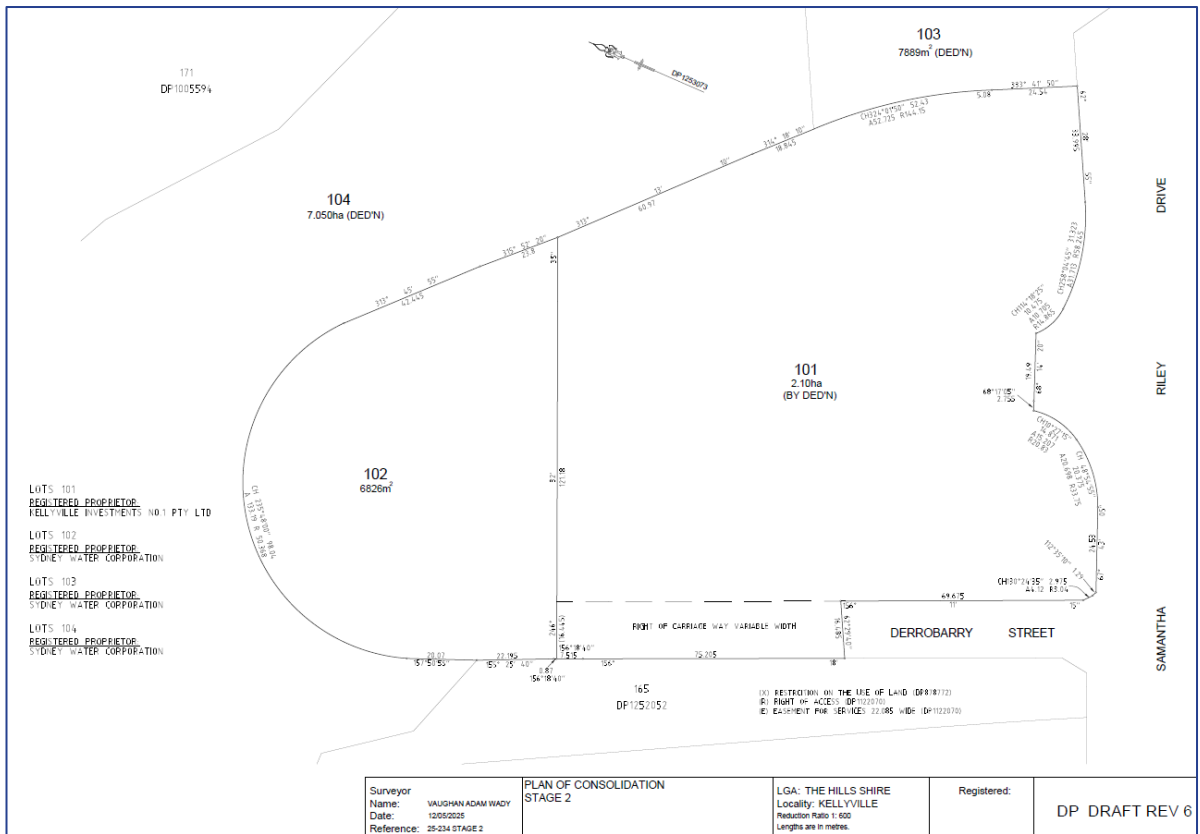


Figure 4 Draft Plan of Stage 2 (amalgamation)

Source: Vaughan Adam Wady

### 3.3 Overview of Alternatives

In deciding whether the appropriate path for the proposed development, a number of options and alternatives were presented and considered. The development of the project was driven by the focus to provide the most appropriate design response to the environmental opportunities and constraints of the site.

An overview of alternatives considered is provided in **Table 3** below.

**Table 3** *Overview of Alternatives*

Alternative	Consideration
'Do Nothing'	Leave the site as it currently exists, where the buildings are under-utilised and do not contribute to the strategic vision of the area and will continue to detract from the public domain. This would not achieve the strategic objectives for the site as set out in the strategic planning framework.
Delaying the Development	Considering the current demand for housing in areas close to centres and high frequency public transport, delaying the development is contrary to housing delivery objectives of the state and federal governments.
Not Undertaking an Early Works Application	Not undertaking the Early Works Application would delay the development, which is contrary to housing delivery objectives of the state and federal governments.
Bella Vista and Kellyville Transport Oriented Development State Led Rezoning	This would miss the opportunity to best utilise the one of the largest sites with single ownership in Kellyville and would result in less homes being delivered at the site.
HDA SSDA	The proposed development represents the most suitable and appropriate pathway to achieve the strategic objectives and statutory controls for the site, particularly DPHI's Bella Vista and Kellyville Transport Oriented Development Precinct Masterplan. The proposal will integrate retail and commercial uses as part of the residential development which will strengthen Kellyville as a commercial and town centre in addition to providing required housing.

# 4.0 Strategic Merit

This section sets out the strategic context that is relevant to the project justification and evaluation. It is noted that these matters will be investigated in more detail in the EIS.

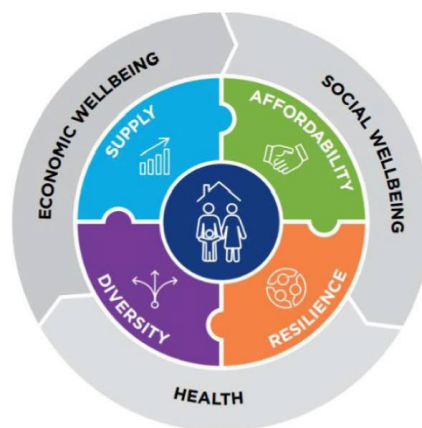
## 4.1 Project Justification

This proposed development demonstrates high strategic merit. The development will enable the construction of approximately 1,200 dwellings within a well located area near to transport, other residential development and outdoor recreational spaces. This aligns with key strategic documents for the state and local government area through responding to liveability and the focus to provide greater housing in proximity to transport and infrastructure.

A summary of the key strategic plans that identify the strategic context of the project is provided in **Table 4** below.

**Table 4** Summary of Alignment with Key Strategic Plans

Strategic Plan / Strategy	Analysis
<b>NSW Housing Strategy: Housing 2041</b>	The NSW Housing Strategy supports the provision of new housing stock in NSW. Within the Strategy, in-fill affordable housing is identified as a housing typology to support the diversity and affordability of the rental market. This helps to meet two of the four key pillars of the NSW housing system, demonstrated in <b>Figure 5</b> below:



**Figure 5** NSW Housing Strategy Key Pillars

Source: Housing 2041, NSW Government.

### National Housing Accord 2022

The Federal Government announced the National Housing Accord in October 2022, which committed to delivering 1.2 million houses in well-located areas in 5 years starting from July 2024. The Accord lays the groundwork to improving affordability by addressing Australia's housing supply challenges and enabling the delivery of more social and affordable housing. The Housing Accord includes:

- an initial, aspirational national target of delivering a total of one million new, well located homes over 5 years from 2024, and
- immediate and longer-term actions for all parties to support the delivery of more affordable homes.

The proposed development is aligned with the National Housing Accord as it seeks to enable additional housing in a well-served location.

### NSW Housing Targets

The NSW Government has recently released 5-year housing completion targets for 43 councils across Greater Sydney, Illawarra-Shoalhaven, Central Coast, Lower Hunter and Greater Newcastle and 1 target for regional NSW.

These targets replace outdated targets reflect NSW's commitment to deliver 377,000 new homes across the state by 2029 under the National Housing Accord. A 5-year target of 23,300 new dwellings has been identified for The Hills LGA, the achievement of which will be assisted by this proposal.

## Greater Sydney Region Plan - A Metropolis of Three Cities

The Greater Sydney Region Plan establishes a 40-year vision to 2056 for Greater Sydney to be a metropolis of three cities, enabling most people in Greater Sydney to get to their nearest strategic centre within 30 minutes by public transport. The Region Plan is supported by five district plans that guide the implementation of the Region Plan at a district level and act as a bridge between regional and local planning. The site is located within the Central District and is included in the Central District Plan.

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## Central City District Plan

The Central City District Plan (**District Plan**) builds upon the Regional Plan's vision, objectives and strategies to provide a 20-year plan to manage growth in the Central City District. The proposed development is consistent with a number of the priorities of the District Plan, including:

- **Infrastructure and collaboration:** The Site is adequately serviced (subject to augmentation of utilities) and is in close proximity to public transport and road infrastructure, making it suitable for new homes and apartments. The proposal's delivery and success will be achieved through the collaborative efforts of multiple stakeholders.
- **Liveability:** The proposal will deliver approximately 1,200 new homes in an area with an evolving mixed use residential character that is well-connected to transport and local amenities and provides additional pedestrian connections and communal facilities to promote active lifestyles.
- **Productivity:** The additional supply of residential dwellings will support the ongoing growth of Kellyville, enabling workers, students and families to live close to where they work or study.
- **Sustainability:** Embedding ESD principles into the building design and providing landscaping throughout the Site will enhance the character of the development.

Specifically, Priority C5 identifies the need to provide housing supply and choice with access to jobs, services and public transport. The proposed development will enable the delivery of housing within close proximity to infrastructure and public transport that allows for a better quality of life.

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## Future Transport Strategy 2056

The Future Transport Strategy 2056 sets the vision and direction for NSW transport investment by providing a comprehensive plan that emphasises the creation of connected 30-minute cities and convenient 15-minute neighbourhoods. It includes a movement and place framework to ensure that transport supports the increased accessibility and reduced travel time for residents whilst enhancing the character of the places and communities. The key guiding principles for future transport that are relevant to the site, include:

- **Successful places:** The liveability, amenity and economic success of communities and places should be enhanced by transport.
- **Accessible services:** Transport should enable everyone to get the most out of life, wherever they live and whatever their age, ability or personal circumstances.

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## The Hills Future 2036 (Local Strategic Planning Statement)

The Hills Future 2036, The Hills Shire Council's Local Strategic Planning Statement (**LSPS**), outlines the direction for future land use planning, population, housing and economic growth in The Hills LGA.

The Site is within the Bella Vista / Kellyville Station Precinct area, an area expected to grow by an additional 2,000 dwellings to 2036.

The proposed development is consistent with a number of the Priorities within the LSPS, including:

- **Planning Priority 6:** Plan for new housing to support Greater Sydney's growing population, which identifies a need for housing growth connected to or within reach of transport and other urban services, such as the Sydney Metro Station Precincts.
- **Planning Priority 8: Plan for a diversity of housing**, which aims to facilitate an increased number of apartments, including over 30% suitable for larger families.

It is noted that The Hills LSPS was prepared prior to the housing targets established by the State Government under the National Housing Accord.

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## The Hills Housing Strategy (2019)

The Hills Housing Strategy identifies the proposed mix of housing that will be located throughout the LGA, to contribute to the required 38,000 dwellings from 2016 to 2036.

It is identified that most new housing will be in greenfield areas and station precincts, such as Kellyville. The Station Precincts are best places to accommodate higher density residential development due to access to public transport, active transport and employment and leisure

opportunities. It is also identified that a diverse mix of housing typologies are required to suit the needs of a changing population, which include a range of apartment sizes and types.

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#### **The Hills Integrated Transport and Land Use Strategy**

This Integrated Transport and Land Use Strategy 2019 aims to address issues in the current transport network, and plan for a sustainable future where housing is well connected where people need to go.

The Strategy identifies that station precincts will focus on connectivity, locating higher density housing in areas that have the greatest potential for change, in easy walking distance to retail centres and stations. This Site represents a critical location for increased density within 800m of the Kellyville Station, in a highly walkable area close to current and future growth and amenity.

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## 4.2 State and Commonwealth Interests

As part of the Council planning proposal that has previously been progressed, consultation with relevant State agencies has already been undertaken insofar as it relates to that proposal. The site will be subject to all the necessary referrals through the assessment process.

## 4.3 Cumulative Impacts

In accordance with the *Cumulative Impact Assessment Guidelines for State Significant Projects* document dated October 2022 by the DPHI, cumulative impacts can be caused by the compounding effects of multiple projects in an area.

The Bella Vista and Kellyville Transport Oriented Development Precincts outlines DPHI's vision for the two Precincts, which is largely characterised by high density mixed-use podium and tower development. The proposed development aligns with the Planning Proposal which considered the cumulative impacts of redeveloping the precincts.

The future SSDA will consider the impacts of surrounding projects in terms of construction and operational impacts.

## 4.4 Agreements with Other Parties

An agreement is in the process of being made with the landowner to the north to provide vehicular access and servicing to the northern portion of the site. This will be encapsulated in the Concurrent Subdivision Development Application as shown in **Section 3.2**.

A Voluntary Planning Agreement may be agreed upon with Council prior to the approval of the SSDA. The Applicant is committed to delivering a high-quality outcome on the site and believe that the delivery of housing diversity, including affordable housing, and community focused commercial uses will ensure that a sense of place and community is able to be delivered on the site.

The Applicant is open to enter into discussions with DPHI/Council on a Planning Agreement regarding affordable housing, and delivery of the internal road network, infrastructure, or alternatively credits to developer contributions.

# 5.0 Statutory Planning Considerations

A summary of the relevant statutory requirements for the project, including eligibility for the SSD and industry-specific SEARs pathways are outlined in **Table 5** below.

**Table 5** Statutory Planning Considerations

Component	Assessment
Power to Grant Consent	<p>Development consent will be sought under ‘Division 4.7 - Stage Significant Development’ of the EP&amp;A Act. Section 4.36(3) of the EP&amp;A Act states that:</p> <p><i>The Minister may, by a Ministerial planning order, declare specified development on specified land to be State significant development, but only if the Minister has obtained and made publicly available advice from the Independent Planning Commission about the State or regional planning significance of the development.</i></p> <p>The Ministerial Planning Order <i>State Significant Development Declaration Order 2025 (No. 10)</i> published the 30<sup>h</sup> of June 2025 lists development that is declared SSD. Part 2 Declaration of State Significant Development states:</p> <p><i>(t) development specified in EOI application 233967 dated 24 January 2025 including development for the purpose of shop top housing with provision of affordable housing and centre-based child care facility and public benefit offering at 301 &amp; 301B Samantha Riley Drive, Kellyville being Lot 3/DP1253073, Lot 4/DP1253073,</i></p> <p>The order was amended to include additional lots in Ministerial Planning Order <i>State Significant Development Declaration Order 2025 (No. 12)</i> dated 21<sup>st</sup> of August 2025 as follows:</p> <p><i>Omit "301 &amp; 301B Samantha Riley Drive, Kellyville being Lot 3/DP1253073, Lot 4/DP1253073". Instead insert "301 &amp; 301B Samantha Riley Drive, Kellyville being Lot 3/DP1253073, Lot 4/DP1253073, Part Lot 1/DP1028391, Part Lot 192/DP1249550 as legally described as at the date of this Order."</i></p> <p>As the proposed development is for the purposes of the relevant use, it is declared SSD. Before SSD can be determined, it is subject to a comprehensive assessment under the EP&amp;A Act.</p> <p>Section 4.5 of the EP&amp;A Act and Section 2.7 of <i>State Environmental Planning Policy (Planning Systems) 2021</i> stipulate that the consent authority is the Minister for Planning and Public Spaces (or the DPHI as their delegate) unless the development triggers the matter set out in Section 2.7(1) in which case the consent authority will be the Independent Planning Commission.</p>
Permissibility	<p>Development for the purpose of a residential flat building, shop top housing, centre-based child care facility, retail and neighbourhood supermarket is permissible with development consent in the R1 zone under the Hills Local Environmental Plan 2019.</p>
Eligibility for Industry-Specific SEARs	<p>Industry-specific SEARs only apply to SSD applications other than those that:</p> <ul style="list-style-type: none"> <li>would be designated development but for the Act, section 4.10(2), or</li> <li>are partly prohibited by an environmental planning instrument (EPI), or</li> <li>are wholly prohibited by an EPI, to the extent permitted by the Act, section 4.38(5), or</li> <li>are a concept DA for SSD.</li> </ul> <p>None of the above will apply to the proposed development, hence the preparation of this industry-specific SEARs request.</p>
Other Approvals	<p>Approvals not required for SSD, otherwise required</p> <ul style="list-style-type: none"> <li>Fisheries Management Act 1994 – No</li> <li>Heritage Act 1977 – No</li> <li>National Parks and Wildlife Act 1974 – No</li> <li>Rural Fires Act 1997 – No</li> <li>Water Management Act 2000 – Yes</li> </ul> <p>Consistent Approvals</p> <ul style="list-style-type: none"> <li>An approval under Section 138 of the Roads Act 1993 is required for the construction of the roads that are included as part of the Proposal.</li> </ul>

	<p>EPBC Act Approval</p> <ul style="list-style-type: none"> <li>The Project is not likely to impact a matter of National Environmental Significance. Therefore, the Project is not required to be referred to the Federal Department of the Environment to determine if it constitutes a controlled action and the bilateral agreement applies.</li> </ul>
Pre-conditions to Exercise the Power to Grant Consent	<p>The following sections of the relevant legislation are expected to be relevant to the assessment of the EIS:</p> <ul style="list-style-type: none"> <li><i>The Hills Local Environmental Plan 2019</i></li> <li><i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i> – Section 2.48, – Section 2.119, Section 2.120, Section 2.121, and Section 2.122, Schedule 3</li> <li><i>State Environmental Planning Policy (Resilience and Hazards) 2021</i> – Chapter 4</li> <li><i>State Environmental Planning Policy (Housing) 2021</i> – Chapter 2</li> <li><i>State Environmental Planning Policy (Sustainable Buildings) 2022</i></li> </ul>
Mandatory Matters for Consideration	<p>The following mandatory matters for consideration are expected to be relevant to the assessment of the EIS:</p> <ul style="list-style-type: none"> <li><i>Environmental Planning &amp; Assessment Act 1979</i> – Section 1.3, Section 4.15</li> <li><i>Biodiversity Conservation Act 2016</i> – Section 7.9</li> <li><i>State Environmental Planning Policy (Resilience and Hazards) 2021</i> – Chapter 4</li> <li><i>State Environmental Planning Policy (Housing) 2021</i> – Chapter 2, Chapter 4</li> <li><i>State Environmental Planning Policy (Sustainable Buildings) 2022</i></li> <li><i>The Hills Local Environmental Plan 2019</i></li> </ul>

## 5.1 The Hills Local Environmental Plan 2019

A preliminary assessment of consistency with The Hills LEP clauses is provided in **Table 6** below.

**Table 6** *Assessment against The Hills LEP*

Clause	Provision/standard	Comment
Land Use Table	<p><b>Part R1 General Residential</b></p> <p><b>1 Objectives of zone</b></p> <ul style="list-style-type: none"> <li>To provide for the housing needs of the community.</li> <li>To provide for a variety of housing types and densities.</li> <li>To enable other land uses that provide facilities or services to meet the day to day needs of residents.</li> <li>To enable other land uses that support the adjoining or nearby commercial centres and protect the amenity of the adjoining or nearby residential areas.</li> </ul> <p><b>2 Permitted without consent</b></p> <p>Home businesses; Home occupations</p> <p><b>3 Permitted with consent</b></p> <p>Attached dwellings; Bed and breakfast accommodation; Boarding houses; Building identification signs; Business identification signs; Business premises; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Group homes; Home-based child care; Hostels; Hotel or motel accommodation; Multi dwelling housing; Neighbourhood shops; Office premises; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Residential flat buildings; Respite day care centres; Restaurants or cafes; Roads; Semi-detached dwellings; Seniors housing; Shop top housing; Tank-based aquaculture; Any other development not specified in item 2 or 4</p> <p><b>4 Prohibited</b></p> <p>Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Commercial premises; Correctional</p>	<p>The proposed development relates to the main purpose of a residential flat building, shop top housing, centre-based child care facility, retail and neighbourhood supermarket is permissible with development consent in the R1 zone.</p>

centres; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Entertainment facilities; Environmental facilities; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Function centres; Heavy industrial storage establishments; Helipads; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Information and education facilities; Jetties; Local distribution premises; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Passenger transport facilities; Port facilities; Public administration buildings; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Research stations; Residential accommodation; Resource recovery facilities; Restricted premises; Rural industries; Service stations; Sewerage systems; Sex services premises; Signage; Storage premises; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Warehouse or distribution centres; Waste disposal facilities; Water recreation structures; Water supply systems; Wharf or boating facilities; Wholesale supplies

### Zone SP2 Infrastructure

#### 1 Objectives of zone

- To provide for infrastructure and related uses.
- To prevent development that is not compatible with or that may detract from the provision of infrastructure.

#### 2 Permitted without consent

Roads

#### 3 Permitted with consent

Aquaculture; The purpose shown on the Land Zoning Map, including any development that is ordinarily incidental or ancillary to development for that purpose

#### 4 Prohibited

Any development not specified in item 2 or 3

Clause 4.1 Minimum subdivision lot size	Minimum of 1,800m <sup>2</sup>	No subdivision is proposed. The resulting amalgamation from the Subdivision DA will result in lots larger than 1,800m <sup>2</sup> .
Clause 4.1A Minimum lot sizes for dual occupancies, dwelling houses, manor houses, multi dwelling housing and residential flat buildings	Minimum of 4,000m <sup>2</sup>	The resulting amalgamation from the Subdivision DA will amalgamate lots to provide for a combined site area of 21,038m <sup>2</sup> which exceeds the minimum requirement.
Clause 4.3 height of buildings	Maximum of 10m, 18m, 25m, 37m, 46m	Not relevant to Early Works.
Clause 4.4 Floor space ratio	Maximum of 4:1	Not relevant to Early Works.
Clause 5.10 Heritage conservation	(2) Development consent is required for any of the following— (a) demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance)— i. a heritage item,	The site is not identified as a heritage item or within a heritage conservation area.

	<ul style="list-style-type: none"> <li>ii. an Aboriginal object,</li> <li>iii. a building, work, relic or tree within a heritage conservation area, altering a heritage item that is a building by making structural changes to its interior or by making changes to anything inside the item that is specified in Schedule 5 in relation to the item,</li> </ul>	
Clause 5.21 Flood Planning	<p>(2) Development consent must not be granted to development on land the consent authority considers to be within the flood planning area unless the consent authority is satisfied the development—</p> <ul style="list-style-type: none"> <li>(a) is compatible with the flood function and behaviour on the land, and</li> <li>(b) will not adversely affect flood behaviour in a way that results in detrimental increases in the potential flood affectation of other development or properties, and</li> <li>(c) will not adversely affect the safe occupation and efficient evacuation of people or exceed the capacity of existing evacuation routes for the surrounding area in the event of a flood, and</li> <li>(d) incorporates appropriate measures to manage risk to life in the event of a flood, and</li> </ul> <p>will not adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of riverbanks or watercourses.</p>	A Flood Impact and Risk Assessment will be prepared for the site, which confirms that the site is flood free during all events up to an including the 1% AEP event in both existing and post-redevelopment conditions. This confirms the site's suitability for high density residential development. Further details will be included in the EIS.
Clause 6.3 Public utility infrastructure	<p>(1) Development consent must not be granted for development on land in an urban release area unless the Council is satisfied that any public utility infrastructure that is essential for the proposed development is available or that adequate arrangements have been made to make that infrastructure available when it is required.</p> <p>(2) This clause does not apply to development for the purpose of providing, extending, augmenting, maintaining or repairing any public utility infrastructure.</p>	Arrangements will be made to ensure that all public utility infrastructure that is essential for the proposed development is available when it is required.
Clause 7.2 Earthworks	<p>(2) Development consent is required for earthworks and associated construction dewatering unless—</p> <ul style="list-style-type: none"> <li>(a) the earthworks are exempt development under this Plan or another applicable environmental planning instrument, or</li> <li>(b) the earthworks are ancillary to other development for which development consent has been given.</li> </ul>	The Early Works SSDA will seek consent for bulk earthworks at the site.
Clause 7.7 Design excellence	<p>(2) This clause applies to development involving the erection of a new building or external alterations to an existing building if the building has a height of 25 metres or more.</p> <p>(3) Development consent must not be granted to development to which this clause applies unless the consent authority considers that the development exhibits design excellence.</p> <p>(4) This clause does not apply to development on land within the Bella Vista Station Precinct, Kellyville Station Precinct or Showground Station Precinct.</p>	The proponent will consider design excellence as part of the SSDA.
Clause 7.27 Bella Vista and Kellyville Transport Oriented Development Precincts Design Guide	<p>(1) This clause applies to land identified as "Area 3" on the Clause Application Map.</p> <p>(2) Development consent must not be granted for development on land to which this clause applies unless the consent authority has considered the Bella Vista and Kellyville Transport Oriented Development Precincts Design Guide.</p>	Pursuant to Section 2.10 of the Planning Systems SEPP Development Control Plans and by extension Design Guides do not apply to State Significant Development. Nonetheless, the proposed development has considered and will reasonably comply with the intended outcome of the Design Guide.

# 6.0 Engagement

Engagement is proposed to be carried out through the preparation of the EIS prior to submission in accordance with the DPHI's *Undertaking Engagement Guidelines for State Significant Development*. This includes adopting the following community participation objectives provided in the Guideline:

*"Engagement is to be:*

- *open and inclusive,*
- *easy to access,*
- *relevant,*
- *timely, and*
- *meaningful."*

The applicant will engage with the following organisations and community members:

## 6.1 Aboriginal Community Consultation

The project team will engage a Connecting with Country consultant to undertake formal engagement with locals. This activity will enrich the project team's knowledge on invaluable knowledge from the Dharug people who will use this information to inform the overall design. Consultation will continue to occur with locals and knowledge holders throughout the evolution of the project.

## 6.2 Government Architect NSW

Attendance at the State Design Review Panel may be required subject to advice from the Government Architect NSW. The applicant is committed to delivering design excellence for the site.

## 6.3 Other Agencies and Stakeholders

Consultation is anticipated with the following government and industry stakeholders (as well as the local community):

- Local Community including:
  - Local Schools,
  - Immediate and wider neighbours, and
  - Community Action Groups and Residents' Associations
- Government agencies, including:
  - Department of Planning, Housing and Infrastructure,
  - The Hills Shire Council and elected officials;
  - Transport for NSW & Sydney Trains,
  - NSW Police,
  - Environment, Energy and Science Group;
  - NSW Fire and Rescue, and
  - Service providers such as Ausgrid and Sydney Water.
- Local Aboriginal Community, including
  - Registered Aboriginal Parties,
  - Metropolitan Local Aboriginal Land Council,
  - Knowledge Holders and Elders
- Media and Interest Groups.

The formal public exhibition process which the proposal will be subjected to will provide further opportunity for agencies and members of the public to provide comment and submissions on the project.

## 6.4 Proposed Community Consultation Actions

Engagement will and has been undertaken to inform the preparation of the EIS and on an ongoing basis throughout the life of the project, and details of how issues raised have been responded to will be documented in the Consultation Outcomes Report, which will accompany the EIS.

The Proponent will continue to engage with community stakeholders following the determination of the DA to provide information and seek feedback on the design process and project delivery phases. The Outcomes Report will also include details of strategies to monitor, review and adapt engagement methodologies over the course of the project. This engagement will be complementary to and independent of Department-led consultation during their assessment of the DA.

The engagement techniques adopted during the preparation of the EIS may include letterbox drops, agency and stakeholder briefings and the maintenance of a project email and phone number.

# 7.0 Proposed Assessment of Impacts

This section provides an overview of the key matters requiring and not requiring further assessment in the EIS and the proposed approach to assessing each of these matters. The purpose of considering these factors at this stage is to inform the preparation of the SEARs which will guide the preparation of the EIS.

We have requested industry specific SEARs for Housing. However, we note that there are a number of matters that do not generally apply to Early Works Applications. This is described in **Section 7.2** below.

## 7.1 Matters Requiring Further Assessment in EIS

The following items provide a high-level overview of the relevant matters and impacts which will be addressed in detail within the EIS. It outlines the matters and impacts of particular concern to the community and other stakeholders and will be supplemented in the detailed report to be submitted to DPHI.

### 7.1.1 Noise and Vibration

A Noise and Vibration Assessment will be undertaken to assess the main noise and vibration generating sources during construction and their impacts upon any sensitive noise receivers, particularly adjacent low density residential receivers.

Additionally, the assessment will consider the site's proximity to the metro line, which will require further consideration in terms of potential vibration impacts. Attenuation measures will be investigated to ensure the appropriate mitigation of such impacts.

### 7.1.2 Flooding, Water, Stormwater, and Groundwater Management

The proposed development will need to consider how drainage and stormwater management will be effectively provisioned across the site with increased density. Specifically, an integrated water management plan will be prepared as part of the EIS to demonstrate how the development meets council's drainage requirements and proposed stormwater treatments for the site.

The proposed development will be required to consider the relationship between flood prone areas below the FPL and the impacts resulting from development. The site is an identified flood prone lot but is above the FPL.

### 7.1.3 Other matters

The following matters will be addressed by industry-specific SEARs requirements:

**Table 7** *Matters considered to be addressed within SEARs*

Matter	Assessment	Anticipated Deliverable/s
Non-Indigenous Heritage	The site is not identified as a heritage item nor is it within a heritage conservation area on the Hills LEP Heritage Map. However, the site is proximate to a heritage items listed within the Hills LEP Heritage Map.	<ul style="list-style-type: none"><li>• Archaeological Assessment</li><li>• Statement of Heritage Impacts</li></ul>
Transport	While the development will not result in any additional carparking, the development may create increased traffic considerations during construction.	<ul style="list-style-type: none"><li>• Construction Traffic Management Plan</li></ul>
Indigenous Heritage	The development will require aboriginal heritage assessment to ensure that aboriginal heritage is protected if it exists on the site.	<ul style="list-style-type: none"><li>• ACHAR</li></ul>
Contamination	In accordance with Chapter 4 of the State Environmental Planning Policy (Resilience and Hazards) 2021, the proposed site must demonstrate it is suitable for the development by assessing and quantifying any soil and groundwater contamination. A PSI has been undertaken that identifies that a DSI is required to be undertaken.	<ul style="list-style-type: none"><li>• Preliminary Site Investigation Report</li><li>• Detailed Site Investigation Report</li></ul>

Trees and Landscaping	An Arboricultural Impact assessment will be provided that assesses the number, location, condition and significance of trees to be removed and retained	<ul style="list-style-type: none"> <li>Arboricultural Impact Assessment</li> </ul>
Waste Management	Throughout the site's construction waste will be produced that will require appropriate measures to be managed, reused, and disposed of.	<ul style="list-style-type: none"> <li>Construction Waste Management Plan</li> </ul>
Social Impact	The development will result in social impacts and therefore must deliver a clear and consistent approach to the social impacts that may result from the project.	<ul style="list-style-type: none"> <li>High level study in EIS</li> </ul>

## 7.2 Matters Not Requiring Further Assessment in EIS

The following items are not relevant to an Early Works Application and as such are recommended to be excluded from the SEARs:

**Table 8** *Matters considered to be not required to be addressed within SEARs*

Matter	Assessment
Contributions and Public Benefit	The proposed development will not require the dedication of land or works in kind agreement. No VPA is proposed.
Design Quality	The proposed development relates to bulk excavation and ancillary works and will not result in buildings. As such, the requirements for design excellence are not required.
Built Form and Urban Design	The proposed development relates to bulk excavation and ancillary works and will not result in buildings. A design report, schedule of materials, colours and finishes, and a design verification statement is not required. Nonetheless, Architectural drawing and a survey plan will be provided.
Environmental Amenity	The proposed development relates to bulk excavation and ancillary works and will not result in buildings. As such, consideration of surrounding environmental amenity including solar access, visual privacy, view loss and view sharing, as well as wind, lighting and reflectivity impacts is not required,
Visual Impact	The proposed development relates to bulk excavation and ancillary works and will not result in buildings. The proposed development is unlikely to result in significant permanent visual impact.
Transport	The proposed development relates to bulk excavation and ancillary works and will not result in buildings. As such, the requirements of a Transport Impact Assessment are not required. A Preliminary Construction Traffic Management Plan will be provided.
Trees and Landscaping	The proposed development relates to bulk excavation and ancillary works and will not result in buildings or landscape embellishments and as such a Landscape Plan is not required. An Arboricultural Impact Assessment will be provided to facilitate the proposed works.
Ecologically Sustainable Development (ESD)	The proposed development relates to bulk excavation and ancillary works and will not result in buildings. As such a BASIX or ESD Report is not required.
Waste Management	The proposed development relates to bulk excavation and ancillary works and will not result in buildings. As such, the requirements of an Operational Waste Management Plan are not required.
Bush Fire Risk	The proposed development relates to bulk excavation and ancillary works and will not result in buildings. The site is not identified as bushfire prone.
Public Space	The proposed development relates to bulk excavation and ancillary works and will not result in buildings or landscape embellishments.
Hazards and Risks	There are no above ground dangerous goods storages from the surrounding developments and/or underground high-pressure dangerous goods pipelines in the vicinity of proposal location

## 8.0 Conclusion

This Scoping Report has been prepared by Colliers Urban Planning on behalf of Kellyville Developments No.1 Pty Ltd in support of the proposed Early Works development providing for a new mixed use development comprising approximately 1,200 apartments over thirty-eight (38) storeys located on land at 301 & 301B Samantha Riley Drive Kellyville. It seeks to inform the DPHI to enable the issuing of industry-specific SEARs to enable the preparation of an EIS that will accompany a SSDA. It has outlined preliminary information regarding project including the site, the proposed development, the relevant strategic and statutory context and planned stakeholder engagement. The scoping of the proposed assessment of impacts within the EIS for the proposal will enable the DPHI with input from other government agencies to prepare and issue industry-specific SEARs for project.



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