

## Appendix I Design Guide Compliance Table

The Bella Vista and Kellyville Transport Oriented Development Precincts Design Guide (November 2024) guides development outcomes within the Bella Vista and Kellyville Transport Oriented Development Precincts under The Hills Shire Council. The following is a comprehensive compliance assessment against the development.

Bella Vista and Kellyville Transport Oriented Development Precincts Design Guide Assessment Table			
Clause	Provisions	Comments	Complies
<b>1 Introduction</b>			
1.2 Land to which this Design Guide Applies	<p>This Design Guide applies to the land identified in Figure 1: Land Application Map.</p> <p>This land is also referred to as the Bella Vista and Kellyville Transport Oriented Development (TOD) Precincts, or the Precincts.</p>	The site is located within the area identified in Figure 1 and falls within the Bella Vista and Kellyville Transport Oriented Development (TOD) Precincts (the TOD Precinct). As such, the provisions of this Design Guide apply to the proposed development.	Yes
1.5 Purpose and Application of this Guide	<p>The purpose of the Design Guide is to supplement the provisions of The Hills Local Environmental Plan 2019 (THLEP 2019) and The Hills Development Control Plan 2012 (THDCP 2012) by providing more detailed provisions to guide development. It is given effect by reference in Part 7 Additional local provisions of THLEP 2019. This Design Guide replaces the relevant provisions of THDCP 2012 in so far as they apply to the Bella Vista and Kellyville TOD Precincts.</p> <p>The sections of this Design Guide inform the preparation, assessment and determination of Development Applications as follows:</p> <ul style="list-style-type: none"> <li>Section 1 sets out the land to which the Design Guide applies, administrative matters and the relationship to other elements of the planning framework that apply to the Bella Vista and Kellyville TOD Precincts.</li> <li>Section 2 contains the Desired Future Character and Principles for the Bella Vista and Kellyville TOD Precincts, which have informed the planning framework (including this Design Guide and relevant provisions of THLEP 2019). The Desired Future Character and Principles are to be considered when assessing whether a Development Application will deliver the intended outcomes for the Precincts.</li> <li>Section 3 contains general provisions and design guidance for development applications in the Precincts. Each subsection in Section 3 contains: <ul style="list-style-type: none"> <li>Objectives that describe the intent of provisions and the anticipated outcomes; and</li> <li>Provisions that specify numeric or performance-based considerations to guide detailed design of development within the Precincts.</li> </ul> </li> </ul>	The proposed development has been designed in accordance with the Design Guide and the statutory planning framework. The proposal aligns with the vision and intended planning and design outcomes for the precinct.	Yes

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Clause	Provisions	Comments	Complies
	<ul style="list-style-type: none"> <li>Section 4 contains objectives and provisions that relate to specific sub-precincts of the broader Bella Vista and Kellyville TOD Precincts.</li> <li>Section 5 contains amendment notes.</li> </ul>		
<b>2 Desired Future Character and Principles</b>			
2.1 Vision for the Precincts	<p>Transformed by Metro and unified by Elizabeth Macarthur Creek, the Bella Vista and Kellyville Precincts will become vibrant, green, and connected communities where people can live, work, and play amid the bushland setting of north-west Sydney.</p> <p>New homes will be located within easy walking distance to the Metro stations, providing a diverse range of housing to meet growing demand and reflect changing household sizes and needs. New apartments will prioritise convenience, lifestyle, and amenity – supporting liveable and walkable neighbourhoods.</p> <p>The Precincts will be shaped by a range of housing, employment, and retail services, close to transport connections and high-quality open space.</p> <p>Improved connections to the Metro stations, creek crossings and new walking paths will create attractive, convenient, and walkable neighbourhoods where people choose to walk, cycle, or catch public transport for daily trips.</p> <p>Elizabeth Macarthur Creek will emerge as an important and highly valued green corridor allowing for walking, cycling and passive recreation along the creek corridor. Intersected with new and expanded public open space areas, enhanced tree canopy and landscaping, the riparian corridor will become the centrepiece of the Precincts – a critical element of the public domain connecting north-south along the Precincts.</p>	<p>The proposal is consistent with the overarching vision for the TOD Precinct. The site’s proximity to the Bella Vista Metro Station ensures that future residents will benefit from high levels of public transport accessibility, supporting the delivery of a walkable, transit-oriented community.</p> <p>The scheme integrates a mix of residential typologies comprising apartments and townhouses with a strong emphasis on family friendly apartments and high amenity open space areas.</p> <p>The development enhances Elizabeth Macarthur Creek by incorporating cycle paths, landscaped open space, and nature play areas, all of which contribute to a liveable and connected Precinct. This landscape-led approach reinforces the precinct’s identity and strengthens its role as a key urban node.</p>	Yes
2.2 Principles	<ul style="list-style-type: none"> <li>Leverage the strategic location of the Precincts to optimise the number of new homes and deliver diverse housing supply, including affordable housing, within walking distance to public transport, open space, and services.</li> </ul>	<p>The proposal aligns with the principles set out in this clause. The proposed development aims to deliver a high-quality built environment that leverages the strategic location of the site by concentrating density within walking distance to public transport, while providing a balanced housing mix that supports demographic diversity.</p>	Yes

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<b>Clause</b>	<b>Provisions</b>	<b>Comments</b>	<b>Complies</b>
	<ul style="list-style-type: none"> <li>Encourage walking, cycling and public transport as the primary modes of transport by concentrating the highest density and greatest number of homes within 5-10 minutes' walk of Metro stations.</li> <li>Deliver the highest quality building design, streetscape, and landscape design, consistent with the vision for a green and connected Precincts.</li> <li>Deliver new and improved walking connections, through site links, green streets, and enhanced tree canopy to enhance pedestrian amenity and improve permeability and legibility throughout the Precincts.</li> <li>Provide transition in form, scale, and character between sub-precincts and within each sub-precinct to ensure new development integrates with existing development as the Precincts develop over time.</li> <li>Enhance and improve access to existing green space and open space assets through new connections, tree canopy and landscaping.</li> <li>Carefully consider the interface to Elizabeth Macarthur Creek to ensure new development is designed and located to manage impacts and enhance the landscape setting of the Precincts.</li> <li>Encourage water sensitive urban design and regeneration of the natural assets of the Precincts, including Elizabeth Macarthur Creek.</li> </ul>	<p>The design promotes pedestrian and cyclist movement through through-site links and shared streetscapes that are shaded, legible, and integrated with green infrastructure.</p> <p>A considered transition in building form and scale ensures that the development responds appropriately to surrounding context and topography. The interface with Elizabeth Macarthur Creek is sensitively treated to preserve ecological values and enhance visual and physical connections to the landscape.</p> <p>Furthermore, water sensitive urban design measures, tree canopy targets, and native vegetation contributes to improved environmental outcomes and reinforces a place-based design response.</p>	
2.3 Desired Future Character	<p>There are distinct character areas within the Precincts, as shown in Figure 2. Development is to respond to the Desired Future Character for each area identified in Figure 2 and described in the following sections.</p> <p>Figure 2. Sub-Precincts of the Bella Vista and Kellyville Transport Oriented Development Precincts</p>	<p>The site is located within the Metro Fringe Sub-Precinct, and the proposal has been assessed against the Desired Future Character outlined for this sub-precinct, as detailed in Section 4.3 of this assessment.</p>	Yes
2.3.3 Metro Fringe Sub- Precinct	<p>The Metro Fringe Sub-Precinct applies to the lands that are not part of the Town Centres Sub Precinct (which are subject of approved State Significant Development applications) but fall within the land marked as 'Bella Vista Station</p>	<p>The site is located within the Metro Fringe Sub-Precinct. The proposal responds appropriately to its intended role by delivering a well-scaled development within walking distance of excellent public transport opportunities.</p>	Yes

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	<p>Precinct' or 'Kellyville Station Precinct' on the Sydney Metro Northwest Map in the THLEP 2019.</p> <p>The Metro Fringe sub-precinct optimises development on key interface and edge sites, while ensuring new development integrates with and enhances the outcomes that have been established for the adjoining Town Centres Sub Precinct.</p> <p>Sensitively integrated with the Elizabeth Macarthur Creek corridor and adjacent Town Centres Sub Precinct development sites, the Metro Fringe areas are the missing piece that promote improved public domain outcomes, an enhanced interface to the riparian corridor, and prioritise transit orientated development and the opportunity to deliver more homes within 5- 10 minutes' walk of the Metro Stations.</p> <p>The Metro Fringe areas provide a transition in scale, and variety of building heights and built form that will complement and support the intended development outcomes for the adjacent Town Centres Sub Precinct sites.</p>	<p>The design provides a transition in built form to the adjacent town centre precinct, established urban areas beyond the TOD precinct, and integrates sensitively with the Elizabeth Macarthur Creek corridor.</p> <p>The proposal contributes positively to the public domain through enhanced physical and visual permeability, open space connections, and streetscape outcomes.</p>	
2.4 Structure Plan	Development in the Precincts will be generally in accordance with the Structure Plan illustrated in Figure 3.	In accordance with the Structure Plan, the site is suited for high-density development. The proposal will deliver a high-density residential development aligning with the planned urban structure for the precinct. Vehicular access is provided across the creek corridor in accordance with the Plan and will be facilitated under an existing planning approval.	Yes
3 Precinct-Wide Design Guidelines			
3.1 Designing with Country - Provisions	<p>1. Development applications are to include a Designing with Country statement that details how the applicant has responded to the principles below and all the provisions in this section (as relevant to that specific development). Preparation of this could include partnering with local Aboriginal organisations to bring connection and knowledge into the development.</p> <p>a. Principle 1: Generational Care - Integrate local environmental aesthetics and Indigenous cultural elements into community design to nurture harmony, education, and preservation. This should respond to community need with evidence to ensure genuine inclusion that supports community.</p>	<p>1. In support of the application is a Connecting with Country report prepared by Artefact which is provided at <b>Appendix DD</b>. It addresses the key principles of Generational Care, Community Nurture, and Non-Human Kin Habitat, showing how Aboriginal cultural values have been considered and integrated into the design in line with the GANSW Connecting with Country Framework (2023)</p> <p>2. Artefact Heritage and Environment, with a team of Aboriginal cultural heritage experts and Dharug knowledge holders, co-led the preparation of the Connecting with</p>	Yes

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	<p>b. Principle 2: Community Nurture – Integrate cultural heritage, green spaces, and community gardens into design to foster connections, education, and communal well-being.</p> <p>c. Principle 3: Non-Human Kin Habitat – Create and maintain habitats and green spaces using endemic species, ensure safe travel routes for animals, educate about local species, foster ecosystems, and implement Water Sensitive Urban Design (WSUD) to support non-human life and manage water flows.</p> <p>2. Aboriginal people are to lead or co-lead all Indigenous design elements. This is to be undertaken consistent with the approaches in the Connecting with Country Framework (Government Architect NSW, 2023).</p> <p>3. Use signage, surface treatments, walls, and artwork to tell the story of Country and its peoples.</p> <p>4. Use Aboriginal language or implement dual naming in the built environment, including streets, public places, community facilities and wayfinding signage.</p> <p>5. Where appropriate, incorporate bold pavement design at thresholds/entrances that reference Aboriginal language, colour, and patterns.</p> <p>6. Incorporate storytelling elements into wayfinding devices, to both orientate people to Country today as well as inform them of the stories and history that came before.</p> <p>7. Provide communal and public outdoor spaces with areas to celebrate culture such as a viewing, yarning, or sitting place with references to local design. The design of these spaces and the facilities provided (for example, barbeque areas, weather protected spaces, accessibility features) should be responsive to community need.</p> <p>8. Implement Water Sensitive Urban Design (WSUD) to manage water flows, nourish non- human kin, and reduce runoff into regional waterways.</p>	<p>Country report and provided design input throughout the concept and planning stages. The process aligns with the GANSW <i>Connecting with Country Framework</i> by empowering Aboriginal voices and embedding cultural authority into project decision-making.</p> <p>3. Interpretive elements such as paving patterns, corten steel panels, and landscape features will incorporate Dharug stories, symbols, and motifs. These elements communicate cultural narratives of Country and invite users to engage with both historical and living culture. The placement of these features is inspired by the GANSW Connecting with Country Framework (2023) as mentioned in section 7.1 of Connecting with country report by Artefact.</p> <p>4 Where appropriate, public spaces, streets, and communal zones will include dual naming using Dharug language.</p> <p>5.Thresholds and entries to the site, buildings, and communal areas will incorporate bold pavement designs colours and materials from the landscape colours, patterns, and forms, visually signalling transition, welcome, and cultural depth at key points of arrival.</p> <p>6. Wayfinding elements will incorporate storytelling that reflect the site's cultural and historical layers. Design cues visible in pavement treatments, material choices, and directional signage will help orient users not just physically, but culturally, by revealing stories of place, land use, and layered occupation. The approach ensures that wayfinding devices communicate both movement and meaning, aligning with the Connecting with Country Framework by making Country visible and legible throughout the public domain.</p>	

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	<p>9. Engagement with Aboriginal communities should be thoughtful, proportionate, and focused to prevent over-consultation and consultation fatigue. The Connecting with Country Framework (Government Architect NSW, 2023), particularly Section 3.1 of the Framework should be followed.</p>	<p>7. The landscape strategy incorporates shared outdoor spaces such as gathering spaces, shaded garden areas, natural play areas integrated with the creek corridor, exercise station and garden links. These are designed in line with community needs and feedback, incorporating local materials and forms responsive to Aboriginal design guidance.</p> <p>8. The landscape and civil engineering strategy prioritises WSUD measures to manage site runoff, nourish the landscape, and maintain the ecological function of the water corridor, nourishing non-human kin.</p> <p>9. Engagement followed the Connecting with Country Framework's. Existing ACHAR work by Apex Archaeology (2023) provided cultural baseline data, allowing Artefact to build on this foundation through targeted engagement and genuine cultural collaboration as guided by Section 3.1 of the CwC Framework. (GANSW, 2023)</p>	
<p>3.2 Deep Soil, Tree Canopy Cover and Street Trees – 3.2.1 Deep Soil</p>	<p>1. Minimum deep soil dimensions and criteria using the following deep soil definition:                      Deep soil is a landscaped area connected horizontally to the soil system and local ground water system beyond and is unimpeded by any building or structure above or below ground with the exception of minor structures*. Deep soil zones with a minimum dimension of 3m allows sufficient space for the planting and healthy growth of new trees that provide canopy cover and assist with urban cooling and infiltration of rainwater to the water table. Deep soil also allows for the retention of existing trees.</p> <p>*Minor structures are defined as</p> <ol style="list-style-type: none"> <li>path, access ramp or area of paving with a maximum width up to 1.2m</li> <li>essential services infrastructure (such as stormwater pipes) with a maximum diameter up to 300mm</li> </ol>	<p>1. As the developable site area is 20,511 m<sup>2</sup> exceeding the 1,500 m<sup>2</sup> threshold, the development is required to provide a minimum of 15% deep soil area. The proposal includes 6,449 m<sup>2</sup> of deep soil, equating to circa 31.4% of the site area, therefore exceeding the minimum requirement.</p> <p>2. Deep soil areas have been strategically integrated within the site to maximise tree planting, landscape continuity with the adjoining creek corridor, and environmental performance. The proposal retains large existing trees within the southern part of the site.</p>	Yes

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	<p>c. landscape structures (such as lightweight fences, light poles or seating) requiring a footing with a maximum size of up to 300mm x 300mm in cross section.</p> <p>d. The 3m dimension in deep soil refers to 3m in every horizontal direction (length and width). This means deep soil is a minimum 9m<sup>2</sup> (3m x 3m).</p> <p>2. Create contiguous deep soil zones within and between property boundaries to maximise tree planting / consolidate deep soil areas by establishing them right up to abutting boundary walls and fence lines.</p> <p>3. Adopt the deep soil controls in Table 2.</p>			
3.2.2	Tree Canopy	<p>1. Private land should adopt the canopy cover % benchmark or tree planting rate in Table 2.</p> <p>2. Tree sizes should be aligned with Table 1.</p> <p>3. Development should retain (where possible) and regenerate established vegetation and ensure new and existing vegetation protects and enhances biodiversity.</p>	<p>1. As the site exceeds 1,500m<sup>2</sup>, the required canopy cover is 20%. The proposed development aims to exceed this requirement by targeting a 30% tree canopy cover on private land, demonstrating compliance with the design criteria.</p> <p>2. Tree sizing will adhere with the planning provision.</p> <p>3. Existing mature trees are retained within the southern part of the site according with Cumberland Plain Woodland.</p>	Yes
3.2.3	Street Trees	<p>1. Street tree planting is to be in accordance with Table 3. Development shall not reduce the amount of canopy coverage provided.</p> <p>2. Plant species are to be in accordance with the preferred species identified in The Hills Shire Council's Approved Species List.</p> <p>3. Street trees should have appropriate soil volumes, subsoil drainage and setbacks from buildings, footpaths, road/kerb and gutters and services to provide sufficient space for root and canopy development.</p> <p>4. Street trees are to be designed to be passively irrigated through the stormwater drainage system and maximise stormwater losses through evapotranspiration. The design of these passive irrigation systems are to be in</p>	<p>1. Canopy cover required within the public domain is 70% whereas the development targets 40%, which is consistent with the approach for the Urban Design Guide for the Landcom SSDA.</p> <p>2. Plant species have been selected generally accordance with the preferred species list.</p> <p>3. Complies</p> <p>4. Passive irrigation will be implemented with details provided as part of the detailed design.</p>	No, but justified

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	<p>accordance with any relevant specifications issued by the applicable Council or the Regional Stormwater Authority.</p> <p>5. Street tree planting should be provided and integrate green and blue infrastructure in accordance with the NSW Government's Movement and Place framework.</p>	5. Complies	
3.3 Urban Heat Management – 3.3.1 Public and Private Open Space	<p>1. Evaporative cooling is enabled through implementation of design initiatives and features, including through irrigation of private and public open spaces (preferably using harvested stormwater and/or recycled water) with 50% of grassed areas and 100% of trees irrigated.</p> <p>2. Where possible, pavements are used which are permeable and have high albedo, resulting in less solar absorption. When using permeable pavers, it must be demonstrated that there is no impact on the salinity or sodicity of underlying soils.</p> <p>3. Public seating has adequate shading.</p>	<p>1. The proposed development incorporates water sensitive urban design measures including 2 x 30kL rainwater tanks throughout the development for rainwater harvesting and reuse in the public domain and communal open space areas. This is in accordance with the recommendations of the supporting ESD report at <b>Appendix AA</b>.</p> <p>2. Where possible material such as crushed granite has been used in place of pavements. Where pavement is required the material colour selected comprise lighter earthier tones with a higher albedo.</p> <p>3. Public seating is provided integrated with tree planting to provide shading and amenity.</p>	Yes
3.3.2 Building Design	<p>1. Orientate buildings to take advantage of prevailing winds, natural ventilation, and solar access.</p> <p>2. Provide western and northern facades with external shading devices to shield the building from hot summer sun, while allowing direct sunlight in winter.</p> <p>3. Integrate green infrastructure into buildings, such as healthy vegetation, green walls, and irrigation in open spaces.</p> <p>4. A minimum of 50% of rooftops are to be either vegetated, light coloured or irrigated using harvested stormwater.</p> <p>5. Utilise low heat conductive materials, appropriate insulation, wider eaves on northern and western facades to reduce passive internal heating of the building.</p>	<p>1. The orientation of buildings and distribution of open space areas promotes airflow and optimise solar access. Buildings are aligned east-west, with adequate separation at the ground floor plane and tower to promote cross-ventilation, while open spaces and movement corridors support natural airflow.</p> <p>2. The design provides effective shading to both western and northern facades. The use of passive solar shading elements, including building articulation and integration of balconies, balances heat gain during summer while allowing sunlight penetration in winter. The supporting ESD report at <b>Appendix AA</b> confirms the development will achieve an average 7.4 star NatHERS rating.</p>	Yes

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	<p>6. Placement of HVAC units is to consider the impact of heat rejection on habitable rooms and communal open spaces, including those of neighbouring properties.</p> <p>7. To minimise energy use, buildings can:</p> <ul style="list-style-type: none"> <li>a. Apply green roof and green façade/wall elements to reduce heat loads on internal spaces;</li> <li>b. Use external shading on north and northwest facades;</li> <li>c. Use sub floor ventilation; and</li> <li>d. Provide outdoor clothes drying facilities.</li> </ul>	<p>3. Extensive landscaped areas, green roofs, and bush tucker gardens are proposed. Green roofs / on structure planting have been incorporated across all four (4) buildings both on-podium and at the roof top level.</p> <p>4. The development incorporates a significant amount of green roof and on-structure plantings both on-podium and at the roof-top level to the extent possible. The remaining area particularly at the roof top levels incorporates solar panel arrays and plant equipment. The development demonstrates a strong alignment with environmental sustainability principles.</p> <p>5. The supporting ESD report at <b>Appendix AA</b> includes a thermal performance NatHERS report confirming the development achieves a 7.4-star average rating. Recommendations include the required insulation levels, implementation of double-glazed windows, and openability of windows allowing for natural ventilation.</p> <p>6. Hot water plant and other equipment have been placed on the rooftop. They have been located at separate levels and setback from the building edge so as to mitigate potential impact on the rooftop terraces. There is not potential impact on adjoining properties.</p> <p>7. The proposed development adopts a variety of measures to reduce energy consumption and improve thermal comfort. Green roofs and on-structure plantings are proposed. Building orientation and distribution of the building form limits the extent of building façade with a western orientation and otherwise incorporates measures such as western facing balconies which assists in mitigating thermal impacts.</p>	

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3.4 Water Sensitive Urban Design – 3.4.1 Perviousness	<p>1. Development is to achieve the following site perviousness rates:</p> <ul style="list-style-type: none"> <li>a. Development up to an FSR of 2:1 – 35%</li> <li>b. Development over an FSR of 2:1 – 30%</li> </ul> <p>2. Achievement of this perviousness rate is calculated using the following:</p> <ul style="list-style-type: none"> <li>• Deep soil (one metre or more in depth, connected subsoil) – 100%</li> <li>• Shallow soil (less than one metre in depth, not connected to subsoil) – 75%</li> <li>• Permeable pavement – 50%</li> <li>• Hardstand – 0%</li> </ul> <p>Note: A combination of deep soil, shallow soil, and permeable pavement can be used to achieve the required site perviousness rate.</p> <p>Example: A 1,000m<sup>2</sup> site with an FSR of 3:1 would have to deliver 30%, or 300m<sup>2</sup>, as pervious land. This could be achieved by providing:</p> <ul style="list-style-type: none"> <li>• 100m<sup>2</sup> of deep soil – at a rate of 100%, this would deliver 100m<sup>2</sup> towards the perviousness rate,</li> <li>• 134m<sup>2</sup> of shallow soil (such as over a basement or on a rooftop or podium top) – at a rate of 75%, this would deliver 100.5m<sup>2</sup> towards the perviousness rate, and</li> <li>• 200m<sup>2</sup> of permeable pavement – at a rate of 50%, this delivers 100m<sup>2</sup> towards the perviousness rate.</li> </ul>	<p>The site has a developable site area of 20,511 m<sup>2</sup> and a mapped FSR of 1.9:1, which requires a 35% perviousness rate as per the clause. This equates to a required 7,179 m<sup>2</sup> of pervious land. The proposal achieves circa 7,805sqm of pervious area or 38% which complies with this requirement.</p> <p>This calculation is made up of 100% deep soil areas. If the landscaping above the basement levels within the communal open space areas were included this figure would increase.</p>	Yes
3.4.2 Erosion and Sediment Control	<p>1. During construction for all developments, the requirements of Managing Urban Stormwater: Soils and construction (Landcom, 2004), also known as the 'Blue Book', are to be applied. Where applicable, requirements in any future updates to the Blue Book are to be applied.</p> <p>2. During construction, the builder is to be responsible for undertaking regular inspections/reports of erosion and sediment control measures on site, and to identify and implement adaptive management as required.</p>	<p>1. The construction phase of the development will be managed in accordance with the requirements set out in the 'Blue Book'. A sediment and erosion control plan and detailed measures have been included in the submission as part of the civil engineering plans at <b>Appendix S</b>.</p> <p>2. This will be complied with and would form part of any required Construction Environmental Management Plan.</p>	Yes

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3.4.4 Waterway Rehabilitation	1. Planning and design of open spaces along the creek lines are to integrate waterway rehabilitation outcomes. As a minimum, waterway design and construction should follow the principles and guidelines in the Constructed Wetlands Manual (Department of Land and Water Conservation NSW, 1998) and A Rehabilitation Manual for Australian Streams (Cooperative Research Centre for Catchment Hydrology, 2000).	Sydney Water is responsible for the rehabilitation of Elizabeth Macarthur Creek. Areas containing significant biodiversity adjoining the creek corridor will be administered through a Vegetation Management Plan (VMP) within the broader mitigation framework.	Yes
3.4.5 Management of Stormwater Runoff	1. Development is designed to ensure that urban stormwater runoff reaching local waterways is maintained at or below 4.3 ML/ha/annum (existing flows) through a combination of on lot and on street measures, combined with centralised stormwater harvesting, if available.	<p>A Water Management Report prepared by EI Consulting Engineers assesses the impact of the development on the stormwater catchment and identifies the stormwater treatment and water quality management measures to be implemented to mitigate the identified impacts.</p> <p>On-site detention (OSD) and rainwater tanks for each stage are integrated within the system to manage stormwater flows to Elizabeth Macarthur Creek. The concept design has maintained the targets that were adopted for the previous DA as follows:</p> <ul style="list-style-type: none"> <li>• Stage 1 Site Storage Requirement = 1,080m<sup>3</sup>;</li> <li>• Stage 2 Site Storage Requirement = 665m<sup>3</sup>; and</li> <li>• Permissible Site Discharge = 187 l/s.</li> </ul> <p>The DRAINS analysis of the internal catchments demonstrates that the proposed stormwater drainage system will reduce the discharge with respect to the developable site area and that the existing runoff for local upstream catchment is significantly reduced.</p>	Yes
3.5 Transport and Traffic – 3.5.1 Street	1. All streets and cycleways are to be designed with reference to the NSW Government’s Movement and Place – Design of Roads and Streets Guide,	1. The proposed streets and cycleways continue to reflect the typologies established in the previously approved	Yes

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Network and Function	<p>Transport for NSW's Cycleway Design Toolbox and Walking Space Guide – Towards Pedestrian Comfort and Safety 2020.</p> <p>...</p> <p>5. For land in the Metro Fringe Sub-Precinct, the street network and typologies should be provided in line with the layout plan and provisions in Section 4.3.2.2.</p>	<p>Development Application (308/2024/JP), and the urban design guideline that forms part of the Landcom SSDA.</p> <p>5. The site is located within the Metro Fringe Sub-Precinct, and the street typologies are consistent with s4.3.2.2 and specifically the typical sections provided within the approved Bella Vista Station Precinct Design Guidelines</p>	
3.6 Access and Parking – 3.6.1 Pedestrian and Vehicular Access	<p>1. Pedestrian entrance to development is clearly identifiable and provided at or near the primary street frontage.</p> <p>2. Siting and design of driveway access is to:</p> <ol style="list-style-type: none"> <li>Minimise impacts on public domain and street trees.</li> <li>Minimise conflicts between vehicle and vulnerable road users.</li> <li>Avoid proximity to bus stops or shelters.</li> </ol> <p>3. The number of driveway access are to be consolidated to one (1) per site where amalgamation occurs. The number of driveway access may be greater than one at Council's discretion if minimal impacts to public domain is achieved.</p>	<p>1. Principal residential lobbies are located from the proposed local road network along the western frontage. Secondary lobbies are provided along the southern and eastern boundaries facilitating access from the pedestrian pathways and through to the creek corridor, maximising connectivity across the ground plane.</p> <p>2. Driveway access is proposed from the new local road along the western boundary that will provide ingress and egress via two access points. Loading and servicing will be dedicated to the northern most access.</p> <p>Access has been integrated into the overall design in a manner that minimises the impact on the public domain, reducing conflict with vulnerable road users through clear separation of pedestrian and vehicle paths.</p> <p>3. The number of access points is considered acceptable given the scale of the development.</p>	Yes
3.6.2 Car Parking	<p>1. Car parking for developments of residential flat buildings and the residential component of shop top housing is to be provided in accordance with the rates set out in Table 4. Two tiers of parking rates are provided, with the applicable tier based on the location of the development. The areas to which each of the tiers applies is set out in Figure 4.</p>	<p>1. The proposed development is located within the Tier 1 area as identified in Figure 4. The proposal complies with the requirements of Tier 1 with the provision of 504 parking spaces as detailed in the supporting Transport and Parking Assessment.</p> <p>...</p>	Yes

Bella Vista and Kellyville Transport Oriented Development Precincts Design Guide Assessment Table															
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	<p>Table 4: Car Parking Rates for Residential Flat Buildings and Residential Component of Shop Top Housing</p> <table border="1"> <thead> <tr> <th>Area</th> <th>Car Parking Type</th> <th>Maximum Provision</th> </tr> </thead> <tbody> <tr> <td rowspan="4">Tier 1</td> <td>Studio or 1 Bedroom</td> <td>0.6 space per dwelling</td> </tr> <tr> <td>2 Bedrooms</td> <td>0.9 space per dwelling</td> </tr> <tr> <td>3 or More Bedrooms</td> <td>1.4 spaces per dwelling</td> </tr> <tr> <td>Visitor</td> <td>0.1 space per dwelling</td> </tr> </tbody> </table> <p>Table 4: car Parking Rates for Residential Flat Buildings and Residential Component of Shop Top Housing ...</p> <p>4. All new developments are to comply with the relevant National Construction Code to ensure car parking areas are equipped with the necessary infrastructure to charge electric vehicles.</p>	Area	Car Parking Type	Maximum Provision	Tier 1	Studio or 1 Bedroom	0.6 space per dwelling	2 Bedrooms	0.9 space per dwelling	3 or More Bedrooms	1.4 spaces per dwelling	Visitor	0.1 space per dwelling	<p>4. The development complies with the National Construction Code (NCC) with respect charging infrastructure as detailed in the supporting ESD Report <b>Appendix AA</b>.</p>	
Area	Car Parking Type	Maximum Provision													
Tier 1	Studio or 1 Bedroom	0.6 space per dwelling													
	2 Bedrooms	0.9 space per dwelling													
	3 or More Bedrooms	1.4 spaces per dwelling													
	Visitor	0.1 space per dwelling													
3.6.3 Bicycle Parking -	<p>1. Bicycle parking is to be provided in accordance with the rates specified in Table 5.</p> <p>Table 5: Bicycle Parking Rates</p> <table border="1"> <thead> <tr> <th>Category</th> <th>Minimum Provision</th> </tr> </thead> <tbody> <tr> <td>Residential</td> <td></td> </tr> <tr> <td>Dwellings</td> <td>1 space per 3 dwellings</td> </tr> <tr> <td>Visitor</td> <td>1 space per 12 dwellings</td> </tr> </tbody> </table> <p>Table 5: Bicycle Parking Rates</p>	Category	Minimum Provision	Residential		Dwellings	1 space per 3 dwellings	Visitor	1 space per 12 dwellings	<p>The development provides for 201 bicycle parking spaces compliant with this requirement.</p>	Yes				
Category	Minimum Provision														
Residential															
Dwellings	1 space per 3 dwellings														
Visitor	1 space per 12 dwellings														
3.6.4 Loading and Servicing	<p>1. The Last Mile Toolkit by Transport for NSW should be considered in the preparation of Traffic Impact Assessment and Loading Dock Management Plans for developments which expect high demand for on-site freight and service vehicle activities.</p>	<p>A dedicated loading docks has been provided within the basement level for a heavy rigid vehicle (HRV). This accommodates both waste management and may also be utilised by service or removalist vehicles.</p>	Yes												
3.7 Air Quality Management	<p>1. Design open and spacious areas with good air flow to help disperse pollutants.</p> <p>2. Avoid creating street canyons by having buildings of different heights, open areas, and setting back upper floors of buildings along rail corridors.</p> <p>3. For development adjoining the Metro rail corridor and near main roads, implement setbacks to minimise air pollution exposure for residences. Concentrations of transport- related emissions tend to be highest directly next to</p>	<p>1. The design incorporates open and spacious communal areas with adequate ventilation and air flow both at ground level and at rooftop level.</p> <p>2. The built form avoids uniform height massing, with angled eastern façades, setbacks, and building separation.</p>	Yes												


Bella Vista and Kellyville Transport Oriented Development Precincts Design Guide Assessment Table			
Clause	Provisions	Comments	Complies
	<p>a transport corridor and decrease with distance. Even with light winds, pollutant concentrations can reduce by 65% just 10 meters away from a transport corridor.</p> <p>4. Provide non-residential building uses at lower levels and residences at higher levels to protect air quality at residences.</p> <p>5. Position sensitive land uses such as residential areas, childcare centres, schools, and aged care facilities away from busy railway lines and roads to minimise exposure to pollutants.</p> <p>6. Demonstrate alignment with and refer to relevant NSW policy for detailed guidance, including Development Near Rail Corridors and Busy Roads – Interim Guideline and NSW Child Care Planning Guideline.</p>	<p>3. The development is well setback from significant rail and road corridors. Setbacks adopted to Memorial Ave of at least 10m are considered appropriate.</p> <p>4. Appropriate facilities are provided at the ground level however there are no non-residential uses proposed.</p> <p>5. Development is designed appropriately with respect to sources of pollutants.</p> <p>6. In support of the application is an Acoustic SSDA Assessment (<b>Appendix R</b>) which has informed the design with respect to external noise sources and required mitigation measures.</p>	
3.8 Biodiversity	<p>1. As far as is possible, development is to retain trees with supporting vegetation that provide significant landscape or amenity value, are part of a Threatened Ecological Community, or provide habitat (including hollow bearing trees, dead standing trees, recruitment trees, roost trees, nest trees, or trees with any other habitat features).</p> <p>2. As far as is possible, existing canopy cover is to be retained.</p> <p>3. Development should avoid areas of existing biodiversity value, particularly native vegetation and mature trees, with conditions of consent to provide for the ongoing maintenance of the biodiversity values on the land.</p> <p>4. For all developments where landscaping is proposed, biodiversity is to be supported/reintroduced through a Landscape Plan that utilises local provenance plants, and where relevant, species representative of the threatened ecological communities of the area, with growth forms from all strata, including groundcovers, shrubs, and canopy species.</p> <p>5. Where existing vegetation is retained, development is to maintain existing soil profiles and not regrade soils and levels of soils surrounding that vegetation.</p>	<p>1. The southern portion of the site is identified on the NSW Biodiversity Values Map containing Cumberland Plain Woodland as confirmed by the supporting Biodiversity Development Assessment Report (<b>Appendix BB</b>). This part of the site will be a restricted development area and comprises a light touch with respect to any trails and proposed plantings.</p> <p>2. The proposal retains existing canopy cover where practical.</p> <p>3. The proposal avoids and minimises impacts to threatened ecological communities within the site to the extent it is practical. Where impacts cannot be avoided then management of those areas will be undertaken in accordance with a Vegetation Management Plan.</p> <p>4. The supporting landscaping scheme includes native, local provenance plants representing various growth forms</p>	Yes

Bella Vista and Kellyville Transport Oriented Development Precincts Design Guide Assessment Table			
Clause	Provisions	Comments	Complies
	<p>6. Where existing trees, vegetation, and habitat for native species are being retained, adjacent supporting ecosystem features such as trees of various class sizes, native shrubs (mid story) and ground covers, bush rock, fallen logs and branches, and water courses should also be retained to support the maintained biodiversity values.</p> <p>7. Where relevant, development applications are to undertake an analysis of the biodiversity values within the subject land and the context of the surrounding sites to determine the location and extent of biodiversity values. The results of the analysis of biodiversity values is to be used to plan for the retention and reconstruction of biodiversity values and retention or creation of buffers to biodiversity values within the precinct.</p>	<p>groundcovers, shrubs, and canopy species and will support biodiversity values.</p> <p>5. The southern part of the site is a restricted development area for which there are no bulk earthworks proposed.</p> <p>6. Land adjacent to Elizabeth MacArthur Creek and the southern part of the site with identified biodiversity values will be maintained. A substantial communal open space area is proposed along the creek corridor which will incorporate substantial plantings.</p> <p>7. In support of the application is a Biodiversity Development Assessment Report (<b>Appendix BB</b>) which has informed the understanding of the existing values and development response.</p>	
3.9 Art and Culture	<p>1. Public spaces are places of culture and community – they should incorporate features that encourage people to dwell in them and use them for a variety of purposes. The specific design and features of each public space will depend on the context of that space (for example, the features provided for a district park would be different to those provided for an urban plaza), however some general considerations for features include:</p> <ul style="list-style-type: none"> <li>a. Provision of electrical outlets to enable markets to be held, and buskers and performers to plug in equipment (where appropriate).</li> <li>b. Provision of appropriate lighting so that public spaces are safe, inviting, and useable at all times of the day and night.</li> <li>c. Public spaces are designed to be flexible and multipurpose, to support a range of uses such as group gatherings, exercise, markets and festivals, and public performances.</li> <li>d. Materials used are sustainable, durable, and low maintenance, with flooring materials being non-slip.</li> </ul>	<p>1. The development includes a network of well-designed publicly accessible and communal open spaces including a nature play area and outdoor gym along the creek corridor that will integrate with the pedestrian through link.</p> <p>Spaces are flexible and support a variety of uses such as gatherings, exercise, and passive recreation with features such as lighting, durable non-slip materials, and capacity for future services like electrical connections to support markets and performances.</p> <p>2. Public art is integrated into the landscape through interpretive panels, markers, artworks that celebrate Dharug cultural heritage.</p>	Yes

<b>Bella Vista and Kellyville Transport Oriented Development Precincts Design Guide Assessment Table</b>			
<b>Clause</b>	<b>Provisions</b>	<b>Comments</b>	<b>Complies</b>
	<p>2. Public spaces should consider the inclusion of public art and/or opportunities for cultural activities. Beyond visual amenity, the inclusion of arts and culture enriches the community's experience of their neighbourhood and generates a sense of pride and guardianship across each precinct. A multi-layered approach to the addition of arts and cultural infrastructure and activations will provide long term benefits to community and reveal insights into the diversity of the population of NSW while celebrating First Nations narratives. Public art can be presented in many forms, including murals, sculptures, installations, interactive art, pavement etchings, inserts and designs, creative lighting, and art embedded in public furniture and play spaces. Developers, councils, and other organisations delivering public spaces should refer to the NSW Government Public Art Toolkit for guidance on integrating public art into their public spaces. Public art should consider local cultural strategies (if existing) and be responsive to aspects such as the history and context of an area, local communities, and the local environment and sustainability.</p>		
<b>4 Site-Specific Design Guidelines</b>			
<b>4.3 Metro Fringe Sub Precinct</b>			
4.3.1 Applicability	<p>The objectives and provisions under Section 4.3 Metro Fringe Sub-Precinct apply to land within the Metro Fringe Sub-Precinct as shown on the map at Figure 14.</p> <p>This Section of the Design Guide is to be read in conjunction with Part D Section 26 of The Hills DCP. The provisions in this Design Guide prevail in the event of any inconsistency.</p>	<p>The site is located within the Metro Fringe Sub-Precinct, as identified in the quoted figure.</p> <p>This section has been considered in conjunction with Part D Section 26 of The Hills DCP (Bella Vista and Kellyville Station Precincts) to the extent it is relevant.</p>	Yes
4.3.2 Site Planning and Layout – 4.3.2.1 Urban Structure and Site Layout - Objectives	<p>a. To ensure that development occurs in a coordinated manner and integrates with the layout, structure, and development on the adjacent sites in the Town Centres Sub- Precinct.</p> <p>b. To ensure development sites are of sufficient size and configuration to support high quality residential development and landscaped setbacks to Elizabeth Macarthur Creek.</p> <p>c. To ensure the layout and orientation of development sites provides for a variety of building types and diversity in height across the sub-precinct.</p>	<p>a. The proposed development integrates with the broader urban structure through coordinated road connections, and shared pedestrian paths. This includes enabling initial access to this part of the precinct via Free Settlers Drive across Elizabeth MacArthur Creek. The proposed road network aligns with the required road network for the adjoining Landcom site as contemplated by the approved urban design guidelines.</p>	Yes


Bella Vista and Kellyville Transport Oriented Development Precincts Design Guide Assessment Table			
Clause	Provisions	Comments	Complies
	<p>d. To ensure the layout and structure of the sub-precinct provides an appropriate interface and edge condition to Elizabeth Macarthur Creek and integrates with the adjacent open space areas and riparian areas in the Town Centres Sub-Precinct.</p> <p>e. To ensure development within the Metro Fringe sub-precinct provides a transition to the Town Centres Sub-Precinct and delivers development and public domain outcomes that contribute to the outcomes for the adjoining Town Centres Sub-Precinct.</p> <p>f. To ensure the layout of development sites considers the relationship to the Elizabeth Macarthur Creek corridor, adjoining development sites, and the public domain.</p>	<p>b. The site has a developable site area of 20,511m<sup>2</sup> facilitating a high-quality residential development with generous communal open space areas, substantial landscaped areas and deep soil planting.</p> <p>c. The development provides a range of building types and heights ranging from 9 to 15 storeys creating architectural variety and a legible urban form across the sub-precinct.</p> <p>d. An appropriate interface is achieved with Elizabeth Macarthur Creek through integrated landscape treatment, high quality communal open space areas, and shared pedestrian and cycle paths, ensuring integration with the riparian zone and connecting to adjacent open space networks. With respect to the building form a human scale podium addresses the creek corridor with the tower components further setback.</p> <p>e. An appropriate transition is achieved between the higher-density Town Centres Sub-Precinct and surrounding lower-density areas. Public spaces such as the social hub, exercise zones, and shared gardens contribute to a cohesive public realm across both sub-precincts.</p> <p>f. The proposed development demonstrates careful consideration of the creek corridor through appropriate building form, compatible land uses, and strategically planned open space areas.</p>	
4.3.2 Site Planning and Layout – 4.3.2.1 Urban Structure and Site Layout - Provisions	1. Development should be generally in accordance with the site layouts in Figure 15 and Figure 16.	The site is located within area P1 of the Sub-Precinct, as shown in Figure 16. The proposal generally aligns with the intended layout, distributing the building form across four towers, building orientation, and its interface with the adjacent riparian corridor and open space network.	Yes

**Bella Vista and Kellyville Transport Oriented Development Precincts Design Guide Assessment Table**

Clause	Provisions	Comments	Complies
	 <p>Figure 16: Layout Plan for the Bella Vista part of the Metro Fringe Sub-Precinct (sites A1.0, A2.3, P1, and P2)</p>	<p>The development also adheres to the MSS3 and LSS3 street typologies.</p>	
<p>4.3.2.2 Street Network - Objectives</p>	<p>a. To provide new local streets and walking connections throughout the sub-precinct to enhance connectivity to the broader Precinct.</p> <p>b. To provide new streets and connections that integrate with surrounding streets and encourage passive movement along Elizabeth Macarthur Creek.</p> <p>c. To encourage slow movement and passive recreation along the Elizabeth Macarthur Creek corridor.</p>	<p>a. The proposal includes the construction of a local road network to the west and south of the site which is generally consistent with the Design Guide. An approved bridge across Elizabeth Macarthur Creek from Free Settlers Drive is consistent with the future desired connections.</p> <p>A publicly accessible east west through link is proposed through the site, enhancing connectivity within the site and the broader precinct.</p>	<p>Yes</p>


<b>Bella Vista and Kellyville Transport Oriented Development Precincts Design Guide Assessment Table</b>			
<b>Clause</b>	<b>Provisions</b>	<b>Comments</b>	<b>Complies</b>
	<p>d. To ensure new streets can accommodate a range of users including pedestrian, cyclist and vehicular movements and on-street car parking.</p> <p>e. To integrate pedestrian paths into the design of new streets.</p> <p>f. To ensure new streets provide opportunities for increased tree canopy cover and street tree plantings.</p>	<p>b. The proposed local road network aligns with access envisioned for the precinct and has been coordinated with the adjoining Landcom site. Pedestrian connections are designed to integrate with the surrounding street network and open spaces, particularly through the riparian edge and to the future district park.</p> <p>c. The proposal encourages passive recreation along the creek corridor through shared paths, nature play areas, an outdoor gym, and passive seating zones embedded within landscaped areas.</p> <p>d. The proposed road network has been designed in accordance with the approved urban design guidelines which will facilitate a range of users.</p> <p>e. Pedestrian paths are integrated into the design of new streets and open spaces. The proposal emphasises walkability and permeability, with direct connections from street frontages and building entries to the broader pedestrian network.</p> <p>f. The street design proposes significant tree plantings, targeting 40% canopy cover across all new streetscapes.</p>	
4.3.2.2 Provisions	<p>1. Provide new local streets in accordance with Figure 15 and Figure 16 and the following typologies. Streets are to be delivered by developers as development occurs.</p> <p>...</p> <p>Street marked 'LSS3' on Figure 16: To be provided in accordance with the typology set at Figure 4.2.8.3 Local Street Section 03 in the Bella Vista Stamped Urban Design Guidelines approved as part of SSD-10344.</p>	<p>1. Proposed street typologies are consistent with the layout shown in Figure 16 for Metro Fringe Sub-Precinct and delivers new local streets aligned with the LSS3 typology, as prescribed in the Bella Vista Stamped Urban Design Guidelines (SSD-10344).</p> <p>2. While not a dedicated perimeter road, the design incorporates a publicly accessible through-site link adjacent to the Elizabeth Macarthur Creek corridor. The proposed</p>	Yes

**Bella Vista and Kellyville Transport Oriented Development Precincts Design Guide Assessment Table**

Clause	Provisions	Comments	Complies
	<p><b>Section 04 - General Controls</b></p>  <p>Figure 4.2.8.3 Local Street Section 03 (Figure 4.2.8.3 Local Street Section 03 in the Bella Vista Stamped Urban Design Guidelines approved as part of SSD-10344.)</p> <ul style="list-style-type: none"> <li>Other streets in Bella Vista are as per the street typology assigned to them in the Bella Vista Stamped Urban Design Guidelines approved as part of SSD- 10344.</li> </ul> <p>2. The Riparian Corridor Perimeter Road is to be designed as a pedestrian oriented, shared street that invites the qualities of the riparian corridor into the sub-precinct.</p> <p>3. Direct vehicular access from the Riparian Corridor Perimeter Road to development fronting onto the Elizabeth Macarthur Creek corridor is prohibited.</p> <p>4. New streets are to provide sufficient landscaped areas to accommodate street tree planting.</p>	<p>local roads have incorporated footpaths in accordance with the Urban Design Guidelines.</p> <p>3. The proposal avoids direct vehicular access from the riparian edge. Buildings fronting the creek are set back with pedestrian pathways and landscaped buffers, maintaining the natural character and accessibility of the corridor.</p> <p>4. The new streets incorporate street tree planting in accordance with the 40% canopy cover target.</p> <p>5. The development ensures clear demarcation between public and private domains through building articulation, street setbacks, landscape buffers, and well-defined entry points to lobbies and communal areas.</p> <p>6 Continuous footpaths are provided along the local road network as detailed in the supporting civil plans.</p> <p>7. Landscaping is proposed along the through site link to frame and preserve view corridors towards Elizabeth Macarthur Creek and the wider landscape. Tree species and planting arrangements have been selected to balance canopy coverage with visual permeability.</p> <p>8. The planting palette includes native and riparian-appropriate species that are appropriate for the local environment, enhancing biodiversity and supporting the character of the creek corridor.</p> <p>9. The public domain design has been informed by the SSDA approved Urban Design Guidelines.</p>	

Bella Vista and Kellyville Transport Oriented Development Precincts Design Guide Assessment Table			
Clause	Provisions	Comments	Complies
	<p>5. The street network is to provide a clear definition between the public realm and development sites.</p> <p>6. New local streets should prioritise pedestrian movement and safety through the provision of continuous footpaths along both sides of the street at accessible grades.</p> <p>7. Ensure that tree planting and soft landscaping allows views to Elizabeth Macarthur Creek and clear sightlines along the viaduct.</p> <p>8. Ensure that street tree planting is appropriate for the riparian context.</p> <p>9. The layout and design of the public domain is to be consistent with the principles in The Hills Public Domain Strategy 2023.</p>		
4.3.3 Pedestrian and Bicycle Network - Objectives	<p>a. To promote walking and cycling as the primary means of moving through the sub- precinct.</p> <p>b. To provide high-quality walking and cycling connections that link open spaces, amenities, destinations and public transport.</p>	<p>(a) The proposed development provides 3.5m shared path along the creek promoting walking and cycling enhancing connections through the sub-precinct.</p> <p>(b) A 30m through-site link ensures accessibility to open spaces, amenities, cycling pathways, riparian corridor and additional connectivity to the public transport.</p>	Yes
4.3.3 Pedestrian and Bicycle Network - Provisions	<p>1. A shared cycle / pedestrian path, at least 3.5m wide, must be provided along the Elizabeth Macarthur Creek corridor. This path should be within development blocks or alternatively may weave through the riparian buffer zone to the specifications of Sydney Water. The pathway and other infrastructure should be designed so that the Elizabeth Macarthur Creek corridor is clearly identifiable as public space and encourages public use.</p> <p>3. Active transport connections are to be designed to allow for future connections to adjoining sites and allow for continuous movement along the riparian corridor and railway viaduct between Bella Vista and Kellyville.</p> <p>4. Pedestrian through-site links should be considered through larger urban blocks to improve permeability. Where these are provided, the privacy of</p>	<p>1. A 3.5m wide shared and cycle path is provided along the Elizabeth Macarthur Creek corridor, integrated into the landscape and clearly accessible to the public.</p> <p>3. Footpaths along local roads and cycle paths allow for future east-west and north-south connectivity.</p> <p>4. A publicly accessible through-site link will provide pedestrian permeability through the site, with design strategies in place to maintain privacy and amenity for ground floor dwellings.</p>	Yes

**Bella Vista and Kellyville Transport Oriented Development Precincts Design Guide Assessment Table**

Clause	Provisions	Comments	Complies
	ground floor units and functionality of communal open spaces need to be considered.		
<p>4.3.4 Design and Built Form – 4.3.4.1 Height Strategy - Provisions</p>	<p>1. Development should generally be in accordance with the maximum height in storeys shown in Figure 17 and Figure 18.</p>  <p>Figure 18: General building heights strategy for the Bella Vista part of the Metro Fringe Sub-Precinct</p> <p>Figure 18: General building heights strategy for the Bella Vista part of the Metro Fringe Sub-Precinct</p> <p>2. Taller buildings are oriented north-south to maximise amenity and outlook and minimise overshadowing impacts.</p>	<p>1. The site falls within Bella Vista part of Metro Fringe Sub-Precinct and is consistent with the maximum height in storeys as shown in Figure 18. Buildings B, C &amp; D are all 15 storeys in height. Building A measures 9 storeys which is a minor departure from the 8 storeys depicted in the plan. This is considered to be a minor departure and still achieves a lower scale building form along Memorial Ave. and a transition to the remainder of the site.</p> <p>2. Taller buildings are oriented to optimise solar access and views while minimising overshadowing, particularly to the creek corridor and the future District Park to the south.</p> <p>3. A variety of building heights are incorporated, ranging from 4 storeys as part of the podium form and increasing to 15 storeys for the tower component.</p> <p>4. The proposed development has been designed to minimise overshadowing of open space, and particularly the riparian corridor and future District Park to the south; achieved through building separation, stepped massing, and angled eastern facades.</p> <p>5. The built form transitions towards Elizabeth Macarthur Creek, creating an appropriate edge condition and minimising its visual dominance.</p>	<p>Yes</p>

Bella Vista and Kellyville Transport Oriented Development Precincts Design Guide Assessment Table			
Clause	Provisions	Comments	Complies
	<p>3. A variety of building heights are to be provided within development sites and across the sub-precinct, to maximise amenity, solar access, outlook over Elizabeth Macarthur Creek, and to provide a high-quality interface to the public domain.</p> <p>4. Taller buildings are to be designed, sited, and located to minimise overshadowing to open space (including communal open space) and Elizabeth Macarthur Creek corridor, and minimise amenity impacts to neighbours.</p> <p>5. Buildings are to provide a transition down to the riparian interface along the Elizabeth Macarthur Creek corridor.</p>		
4.3.4.2 Setbacks – Provisions	<p>1. The minimum front setback to a local street is 3m.</p> <p>3. Where proposed development is located directly adjacent to the Elizabeth Macarthur Creek corridor and no street frontage is provided, a minimum setback of 7.5m must be provided.</p> <p>5. The setback to Elizabeth Macarthur Creek must be landscaped and contribute to the landscaped character of the riparian corridor.</p> <p>6. The minimum setback from the side and rear property boundaries for residential apartment development is to comply with the requirements of the Apartment Design Guide.</p> <p>7. Basements must not extend beyond the front setback or extend within the landscaped setback to Elizabeth Macarthur Creek. Additionally, where possible basements should not extend outside the building footprint on any side.</p> <p>8. Setbacks shall be increased where necessary to ensure the required solar access to apartments and communal open space is provided, and impacts to the public domain are minimised.</p>	<p>1. A minimum 5m setback to local streets is achieved.</p> <p>3. A 7.5m setback is maintained to the creek.</p> <p>5. Setbacks to the creek corridor are well landscaped and integrate well with the natural riparian character.</p> <p>6. Remaining setbacks comply where relevant with the ADG and The Hills Development Control Plan.</p> <p>7. Basements do not extend into landscaped setbacks or front setbacks.</p> <p>8. The proposed development achieves solar access compliance for apartments and communal areas in accordance with the ADG.</p>	Yes
4.3.4.3 Street Wall Heights and Upper Level	<p>1. Street wall heights are not to exceed 4 storeys for any building, in accordance with Table 9.</p>	<p>1. A podium height of 4 storeys has been adopted for the project consistent with Table 9.</p>	Yes

Bella Vista and Kellyville Transport Oriented Development Precincts Design Guide Assessment Table																								
Clause	Provisions	Comments	Complies																					
Setbacks Provisions	<p>2. Buildings above 4 storeys in height are to be set back to create a distinct podium and tower built form.</p> <p>3. The parts of any building above street wall height should be set back from the outer edge of the street wall facade by a minimum of 3m.</p> <p>4. Setbacks above the street wall height are to be emphasised through variation in architectural features, materials, and design elements.</p> <p>Table 9: Street wall heights</p> <table border="1"> <thead> <tr> <th>Height in Storeys</th> <th>Podium/Street Wall Height</th> <th>Upper Level Setback</th> </tr> </thead> <tbody> <tr> <td>6 storeys</td> <td>4 storeys (4 + 2 upper storeys setback)</td> <td>3m</td> </tr> <tr> <td>7 storeys</td> <td>4 storeys (4 + 3 upper storeys setback)</td> <td>3m</td> </tr> <tr> <td>8 storeys</td> <td>4 storeys (4 + 4 upper storeys setback)</td> <td>3m</td> </tr> <tr> <td>12 storeys</td> <td>4 storey (4 storey podium + 8 storey tower)</td> <td>3m</td> </tr> <tr> <td>17 storeys</td> <td>4 storey (4 storey podium + 13 storey tower)</td> <td>3m</td> </tr> <tr> <td>20 storeys</td> <td>4 storey (4 storey podium + 16 storey tower)</td> <td>3m</td> </tr> </tbody> </table> <p>Table 9: Street wall Heights</p>	Height in Storeys	Podium/Street Wall Height	Upper Level Setback	6 storeys	4 storeys (4 + 2 upper storeys setback)	3m	7 storeys	4 storeys (4 + 3 upper storeys setback)	3m	8 storeys	4 storeys (4 + 4 upper storeys setback)	3m	12 storeys	4 storey (4 storey podium + 8 storey tower)	3m	17 storeys	4 storey (4 storey podium + 13 storey tower)	3m	20 storeys	4 storey (4 storey podium + 16 storey tower)	3m	<p>2. Upper level setbacks are provided to achieve the desired distinct tower form.</p> <p>3. Minimum dimensions for the upper level setbacks have been achieved to ensure there is a clear distinction in the building form.</p> <p>4. Materiality and architectural variation are utilised to emphasise the setback of the tower form as detailed in the supporting Architectural Drawings and Design Report.</p>	
Height in Storeys	Podium/Street Wall Height	Upper Level Setback																						
6 storeys	4 storeys (4 + 2 upper storeys setback)	3m																						
7 storeys	4 storeys (4 + 3 upper storeys setback)	3m																						
8 storeys	4 storeys (4 + 4 upper storeys setback)	3m																						
12 storeys	4 storey (4 storey podium + 8 storey tower)	3m																						
17 storeys	4 storey (4 storey podium + 13 storey tower)	3m																						
20 storeys	4 storey (4 storey podium + 16 storey tower)	3m																						
4.3.4.4 Land Use and Apartment Mix - Provisions	<p>1. The sub-precinct is to be developed as a predominately residential neighbourhood and integrate with the adjacent residential SSD sites.</p> <p>2. Supporting non-residential uses may be provided at ground level where appropriate, to activate key streets and the public domain.</p> <p>3. Provide a variety of housing options to cater for a range of family types and household profiles, especially affordable housing.</p> <p>4. Residential development is to provide for a mix of apartment types and sizes to meet future housing demand.</p>	<p>1. The development is a wholly residential scheme.</p> <p>2. Facilities and communal rooms are provided at the ground level. However, there are no non-residential uses proposed.</p> <p>3. A mix of housing types are provided in the form of apartments and townhouses. Liveable, adaptable and affordable housing types all form part of the proposed development.</p> <p>4. A range of apartments are provided with respect to the number of bedrooms which exceed the minimum area</p>	Yes																					

Bella Vista and Kellyville Transport Oriented Development Precincts Design Guide Assessment Table			
Clause	Provisions	Comments	Complies
		requirements. A significant portion of apartments are greater than 3-bedroom catering for families.	
4.3.4.5 Interface to Elizabeth Macarthur Creek – Provisions	<p>1. Buildings adjacent to Elizabeth Macarthur Creek are to be designed to be dual frontage, facing both the street and the creek corridor / perimeter road with residential entries, private open space, balconies, and windows to be provided along both the street and creek frontage.</p> <p>2. Ground floor apartments should be designed with front gardens and entries along the Elizabeth Creek Corridor to promote activity, accessibility, and surveillance.</p> <p>3. Ground floor apartments fronting onto Elizabeth Macarthur Creek are to have direct pedestrian access from the Perimeter Road/ riparian corridor.</p> <p>4. Apartments, balconies, and courtyards fronting the landscaped corridor of Elizabeth Macarthur Creek or public spaces should be designed to provide privacy and amenity for residents through landscaping, level changes or fencing but allow for passive surveillance and interaction.</p> <p>5. Buildings and communal open space are to be designed and oriented to open out towards Elizabeth Macarthur Creek to provide views and outlook to the riparian corridor.</p> <p>6. Buildings must be designed to ensure a clear definition between private and public areas is provided.</p> <p>7. Boundary fences or walls along the permitter road / riparian corridor should be no higher than 1.2m.</p> <p>8. Ensure that tree planting and soft landscaping allows views to Elizabeth Macarthur Creek.</p>	<p>1. Each building addresses both the creek corridor and the proposed local road through the use of ground floor terraces, residential entries, residential lobbies, podium and rooftop communal open space, balconies, and windows.</p> <p>2. Ground floor apartments feature front gardens and defined entries along the creek edge.</p> <p>3. Direct pedestrian access is provided to the riparian corridor where applicable.</p> <p>4. Privacy is managed through planting, fencing, and level changes also ensuring passive surveillance.</p> <p>5. Buildings and open spaces are oriented to maximise views to Elizabeth Macarthur Creek.</p> <p>6. Clear separation between public and private zones is established through landscape, built form design and signages.</p> <p>7. Only minor fencing is proposed as part of individual terrace areas and to provide security to the courtyard areas. Communal open space areas / open spaces areas are otherwise open in form.</p> <p>8. Planting design will retain views through to the creek corridor.</p>	Yes

Bella Vista and Kellyville Transport Oriented Development Precincts Design Guide Assessment Table			
Clause	Provisions	Comments	Complies
	9. Blank solid walls at ground level facing Elizabeth Macarthur Creek are to be avoided.	9. Solid blank walls facing the creek are avoided. Terrace areas, balconies and rooftop open space otherwise addresses the creek corridor.	
4.3.4.6 – Communal Open Space and Landscaping Provisions	<p>1. Communal open space is to be:</p> <ul style="list-style-type: none"> <li>a. Provided in accordance with the requirements of the Apartment Design Guide.</li> <li>b. located at ground level wherever possible - communal open space may be located on elevated gardens or roof tops, but only where the overall location and design will meet the needs of residents.</li> <li>c. located to maximise amenity within sites with adequate sunlight, aspect, and outlook for residents.</li> <li>d. clearly defined and separate from the public domain.</li> </ul> <p>2. Apartment developments should be surrounded by high quality landscaped gardens.</p> <p>3. A minimum of 30% of the site is to be provided as landscaped area.</p>	<p>1a. The Developable Site Area is 20,511 m<sup>2</sup>. In accordance with the Apartment Design Guide (ADG), a minimum of 25% of this area must be provided as Communal Open Space, equating to 5,127.75 m<sup>2</sup>, with at least 50% of that area receiving a minimum of 2 hours of direct solar access. The proposal exceeds this requirement by providing 26.9% of the Developable Site Area as Communal Open Space (5,526 m<sup>2</sup>), of which 50.8% (2,809 m<sup>2</sup>) receives the required 2 hours of direct sunlight.</p> <p>1b. COS are primarily at ground level, with additional terrace gardens and communal rooftops providing a variety of areas and amenity for residents.</p> <p>1c. COS has been designed to maximise amenity with respect to the features available, solar access and outlook. Compliant solar access has been achieved.</p> <p>1d. COS are clearly defined and separate from the public domain through the use of level changes, landscaping, and controlled resident-only access where appropriate.</p> <p>2. High quality landscaping is provided around the perimeter of the site and alongside ground floor terrace areas to preserve privacy and amenity.</p> <p>3. The development achieves a significant quantity of landscape area at 43% of the site.</p>	Yes