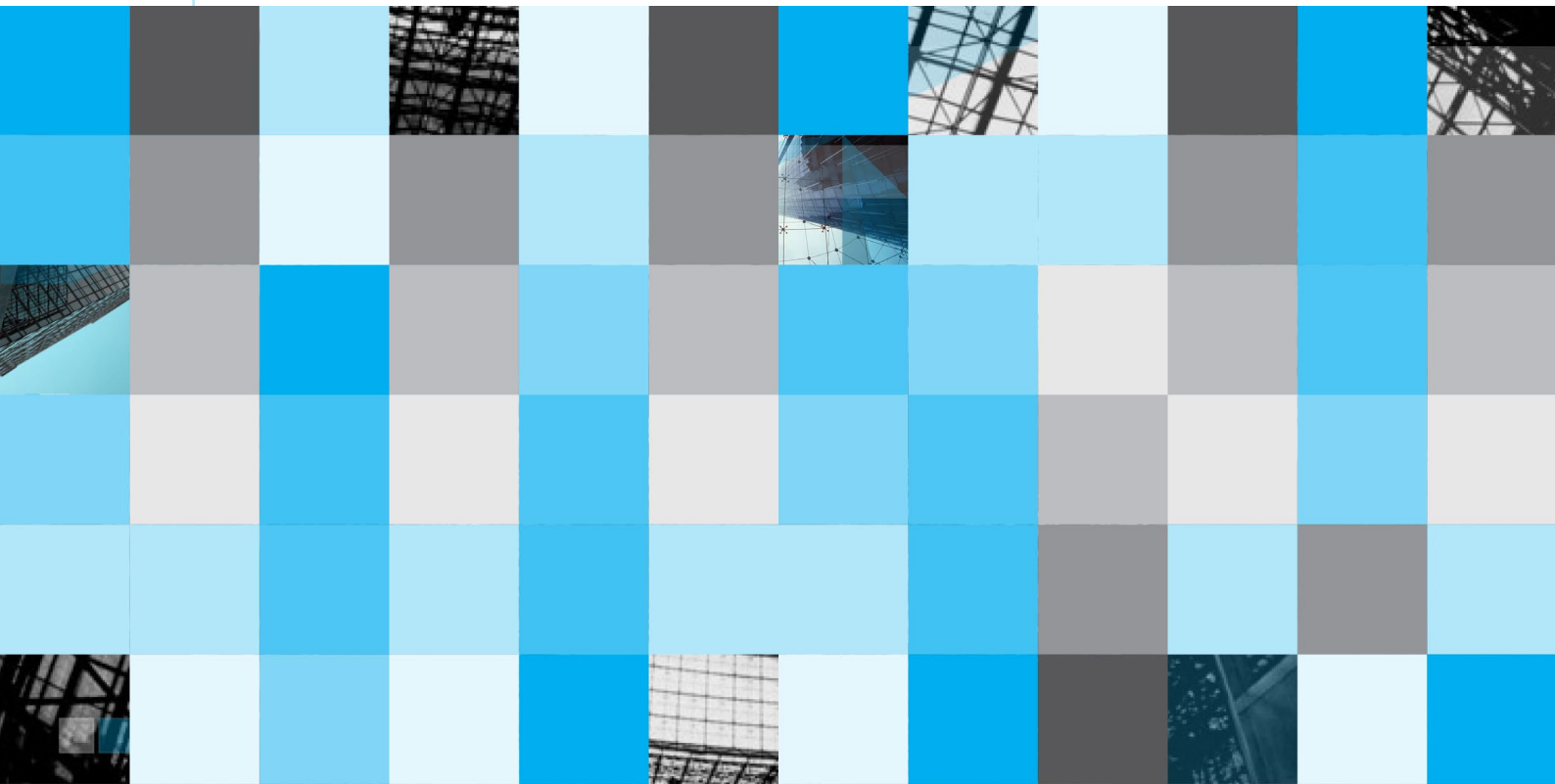




Showground Station Precinct East

Section 4.55 Planning Statement (SSD 62802207)

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SHOWGROUND STATION PRECINCT EAST

Modification to the facades of Buildings A, B and
C and basement waste and car parking
arrangements in approved residential flat
development

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1.0 INTRODUCTION

This submission has been prepared by Sutherland & Associates Planning Pty Ltd on behalf of Deicorp as supporting documentation for an application made pursuant to Section 4.55(1a) of the *Environmental Planning and Assessment Act 1979* to modify the consent for State Significant Development SSD-62802207 for the purposes of a staged residential flat development comprising residential apartments, basement car parking, landscaping, stormwater drainage works, and a publicly accessible pedestrian link, and stratum subdivision at 3 Andalusian Way, Castle Hill. (Showground Station Precinct East site).

This report has been prepared having regard to the Planning Secretary's Environmental Assessment Requirements (SEARs) issued by the NSW Department of Planning, Housing and Infrastructure (DPHI) on 29 September 2023 to the original SSD application.

The application seeks approval for various refinement to the façade design for Buildings A, B and C, as well as changes to the basement waste and car parking arrangements.

This application is supported by the following documentation:

Appendix	Document
1	Architectural Package
2	Design Verification Statement
3	Design Excellence Report
4	Design Integrity Report
5	Waste Certification
6	BASIX Consultant Memorandum
7	Wind Consultant Memorandum
8	Façade Modification Comparison Schedule
9	Owners consent
10	NSW Title
11	ASIC Search

This Statement has been prepared pursuant to Section 4.55 of the Environmental Planning and Assessment Act 1979. The Statement provides an assessment of the amended proposal having regard to the relevant legislative context, social economic and environmental impacts, potential amenity impacts of the development on the surrounding locality and the measures proposed within the application to mitigate such impacts.

The Statement details the amended proposal against applicable environmental planning instruments and development control plans including:

- State Environmental Planning Policy (Housing) 2021 – Chapter 4 – Design Quality of Residential Apartment Development and the Apartment Design Guide
- The Hills Local Environmental Plan 2019
- Concept Plan SSD 9063

Having regard to the applicable legislative framework, the proposed amendments to the approved development are such that the development retains the same fundamental characteristics and is therefore substantially the

same development. The amended development remains consistent with the aims and objectives of the relevant environmental planning instruments whilst remaining compatible with the character of the locality.

2.0 SITE DESCRIPTION AND LOCATION

2.1 Site Location

The site is located within the suburb of Castle Hill and is within The Hills Local Government Area.

The immediate area is rapidly transforming from a former established low density residential area, into a high density transport oriented precinct following the establishment of the Showground Station Priority Precinct that was announced by the NSW Government in August 2014 to maximise the use of the Sydney Metro Northwest which has been delivered as part of the North West Growth Area. The Showground Station Precinct was rezoned in December 2017 and is forecast to deliver approximately 9,000 new homes and 2,300 jobs over the next 20 years, transforming the area around Showground Station into a vibrant local centre and contributing to Castle Hill as a strategic centre.

An established employment area is located to the west of Cattai Creek that comprises a range of light industrial and business uses. The site is located in the area north of Carrington Road and east of Cattai Creek which is identified as the Showground Station Precinct.

The location of the site is identified in Figure 1.

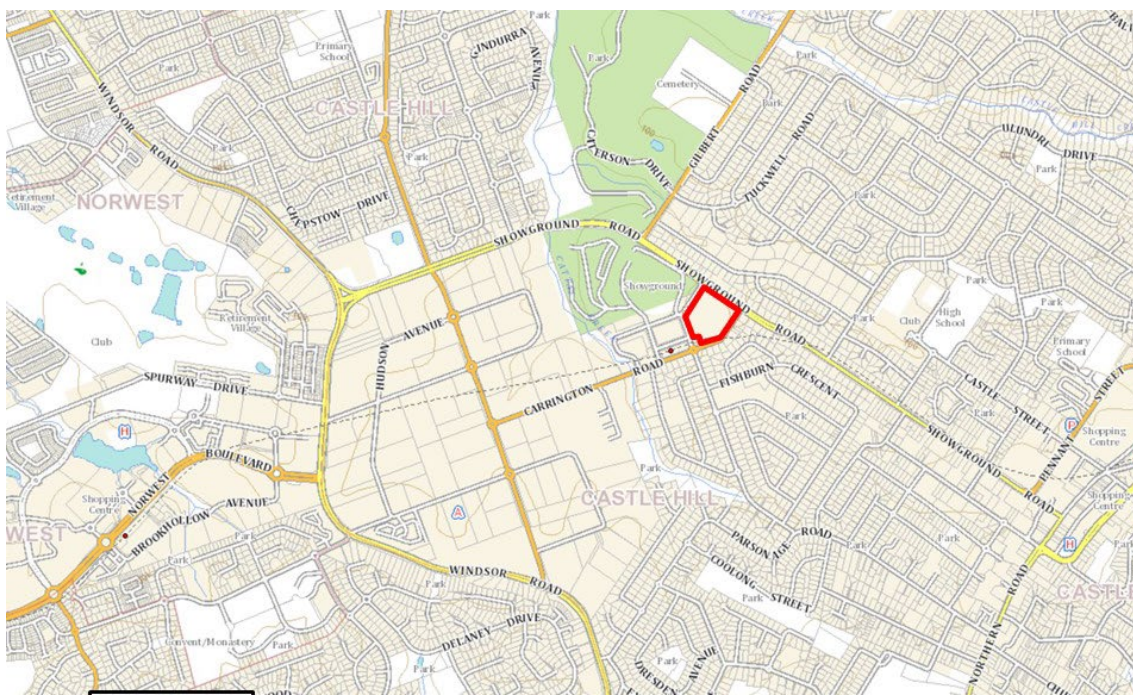


Figure 1:

Site Location (Source: Six Maps)

2.2 Site Description

The area of the site upon which Buildings A, B and C are located is known as 3 Andalusian Way, Castle Hill and is now legally described as Lots 3 and 4 in DP 1314910.

The overall site to which the approved development relates site is bound by Showground Road to the east, De Clambe Drive to the north, Andalusian Way to the west and Carrington Road to the south. The site occupies the entire street block with the exception of a small area at the south-western corner which is occupied by Sydney Metro infrastructure.

The Site was previously occupied by the former Baulkham Hills Shire Council and used as Council chambers, administrative centre and community facilities. These buildings have been demolished and construction has commenced pursuant to the approved development on the site.



Figure 2:

Subject site (Source: Near Maps)

2.3 Surrounding Development

The area to the south of Carrington Road and beyond consists of low-scale residential development, however, is the subject of a 40 metre height control and 12 storey future residential flat development. To the east of the site across Showground Road is also low-scale residential development.

To the west of the site is the recently completed Showground Station as well as the Doran Drive Plaza development which is a mixed use development comprising four residential towers up to 20 storeys above a commercial podium. That development will deliver 430 apartments and an outdoor public plaza.

To the north of the site is the Castle Hill Showground and its associated buildings and structures.

3.0 BACKGROUND

3.1 Concept Plan (SSD 9653)

On 29 January 2021, Concept Plan application (SSD 9653) for the Hills Showground Station Precinct was approved for a mixed use development around the metro station, comprising:

- Concept subdivision, road hierarchy and precinct layout which creates the following three precincts:
 - Precinct West
 - Doran Drive Precinct
 - Precinct East
- Maximum building envelopes ranging from 12 metres to 68 metres,
- Maximum gross floor area (GFA) of up to 166,486m², including:
 - 152,546m² of residential accommodation, and
 - 13,940m² of commercial premises,
- Residential development of up to 1,620 dwellings,
- Minimum 5% of all residential dwellings provided as affordable housing (for a minimum of 10 years),
- Open space and public domain areas, and
- Establish car and bicycle parking rates.

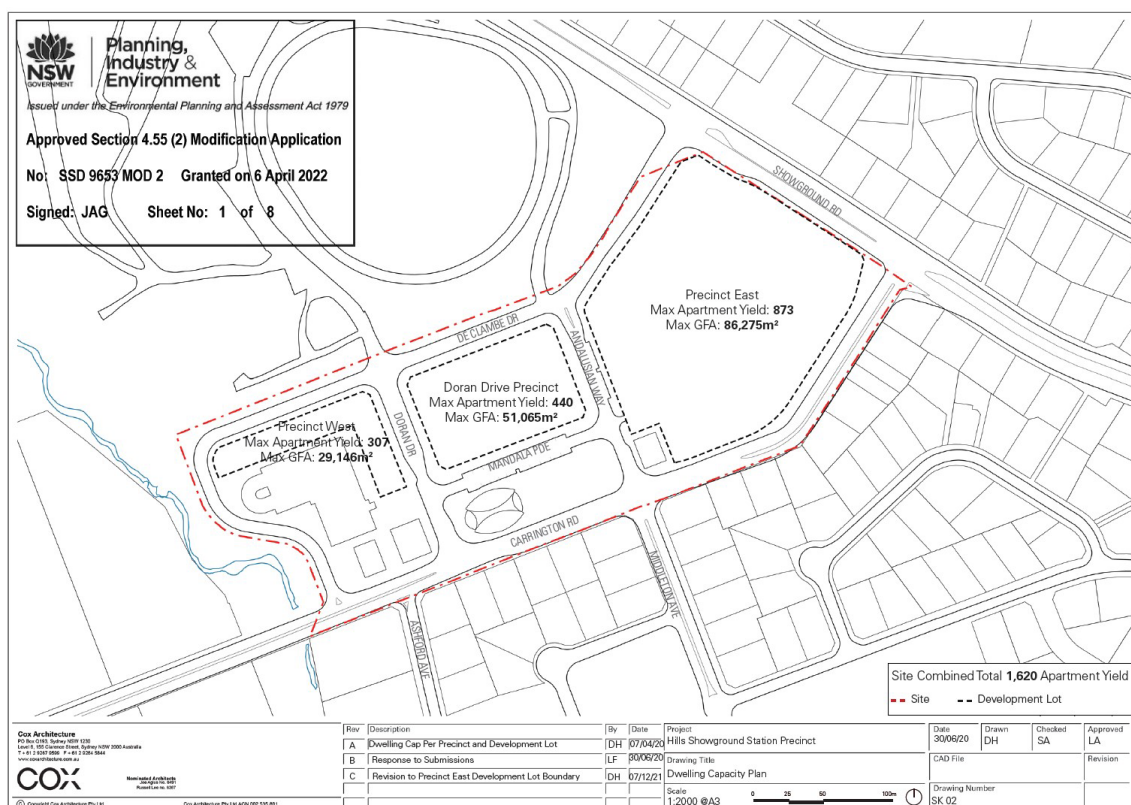


Figure 3:

Concept Plan approval

In relation to Precinct East, the Concept Plan approval provides for a new road which creates three distinct development parcels, as well as Precinct East Park. Each development parcel contains building envelopes ranging from 3 to 16 storeys in height and with a maximum GFA allocation of 86,275 square metres and maximum apartment yield of 873 apartments.

The building envelopes have subsequently been amended, as illustrated in Figure 4 below.

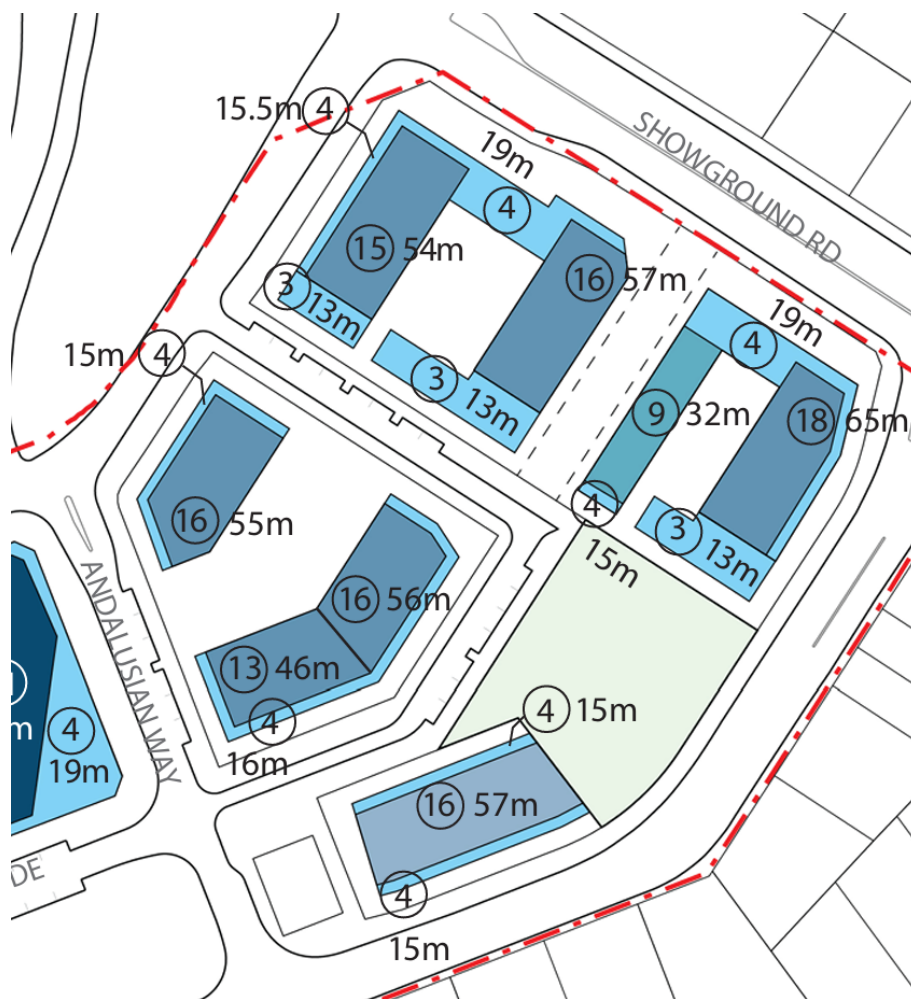


Figure 4:

Concept Plan
approved
building
envelopes for
Precinct East

3.2 Development Consent 988/2022/JPZ

On 16 September 2022, The Hills Shire Council granted consent to Development Application 988/2022/JPZ for subdivision of Precinct East creating three residential development lots, one open space lot and one residue lot relating to a future planned road including new road, demolition and the embellishment of a public park/ public domain works.

All civil works to create the development parcels are approved and will be constructed pursuant to this consent.

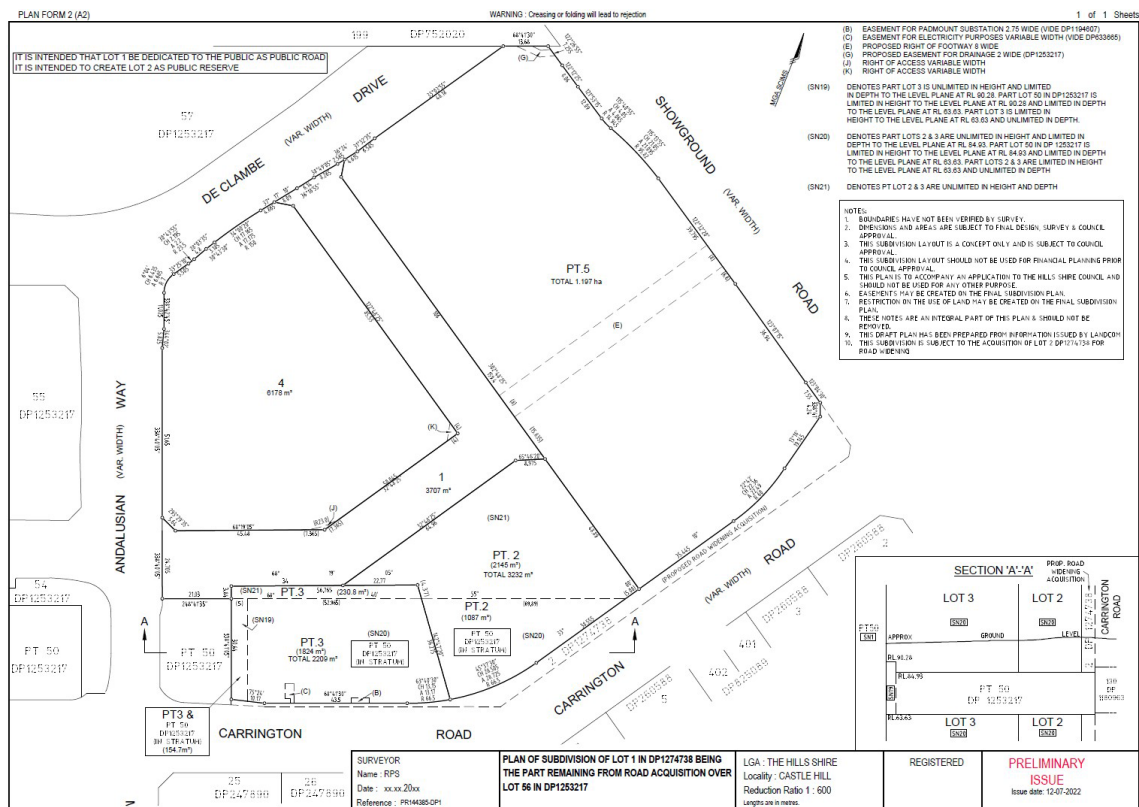


Figure 5:

Approved subdivision layout under 988/2022/JPZ

3.3 SSD-62802207

On 26 February 2025 a detailed design development application (SSD-62802207) was approved by the Department of Planning, Housing and Infrastructure for the staged construction of the site, 873 dwellings and associated basement parking, landscaping, civil and stormwater works and stratum subdivision.

3.4 SSD-62802207 – MOD 1

On 7 October 2025, MOD 1 to SSD-62802207 to amend the draft stratum subdivision drawings referenced in Condition A1 to enable the affordable housing units to be allocated on a separate stratum was approved by the Department of Planning, Housing and Infrastructure.

3.5 SSD-62802207 – MOD 2

On 31 March 2026, MOD 2 to SSD-62802207 to amend the façade design and materials of Buildings D and E was approved by the Department of Planning, Housing and Infrastructure.

4.0 PROPOSED MODIFICATIONS

4.1 General Description

The application seeks approval for various refinement to the façade design for Buildings A, B and C. These amendments arise from design complications, constructability issues, and value engineering of the project.

The application also seeks consent for changes to the basement waste and car parking arrangements.

4.2 Detailed Description

The proposed refinements to the facades of Buildings A, B and C are as follows:

- Terra cotta tiles at podium levels replaces with face brick
- Expressed slab provided to podium level to support face bricks with painted finish.
- Metal cladding/ masonry wall/ brick panels on tower replaced with compressed fibre cement (CFC) panels
- Rationalised balustrades type to either full glass balustrade or full solid balustrade
- Various façade screens are adjusted
- Lift and stair core walls changed to rendered and painted finish
- Replaced windows at level 1-3 in Building C to full height glazing
- Remove roof frame to lower the height of the building

5.0 STATUTORY CONTEXT

5.1 Environmental Planning and Assessment Act 1979

Section 4.55(1a) of the Environmental Planning and Assessment Act 1979 empowers Council to modify a development consent, as follows:

A consent authority may, on application being made by the applicant or any other person entitled to act on a consent granted by the consent authority and subject to and in accordance with the regulations, modify the consent if:

- (a) it is satisfied that the proposed modification is of minimal environmental impact, and
- (b) it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all), and
- (c) it has notified the application in accordance with:
 - (i) the regulations, if the regulations so require, or
 - (ii) a development control plan, if the consent authority is a council that has made a development control plan that requires the notification or advertising of applications for modification of a development consent, and
- (d) it has considered any submissions made concerning the proposed modification within any period prescribed by the regulations or provided by the development control plan, as the case may be.

The amended proposal retains the fundamental components of the approved layout and spatial characteristics of the development. Conceptually, the proposal remains the same and the amended proposal also retains the same envelope as the approved development. The changes to the façades retain the overall façade design intent and to the casual observer, the amended proposal would appear almost identical to the approved development. The changes to the basement are inconsequential as they do not involve any change to the approved number of car spaces.

Quantitatively, the proposed amendments do not alter any metrics of the approved development, with no change to the approved GFA or height.

In accordance with section 4.55(1A)(a) the proposed modifications are considered to result in only a minor environmental impact because there is no consequential or meaningful change to the environmental impact of the approved development.

For the same reasons, the proposal is appropriately categorised as being “substantially the same” as required by Section 4.55(1A) of the EP&A Act.

5.2 Environmental Assessment

In accordance with Section 4.55(3) of the Environmental Planning and Assessment Act 1979 in determining an application for modification of a consent under this section, the consent authority must take into consideration such of the matters referred to in section 4.15(1) as are of relevance to the development the subject of the

application. The consent authority must also take into consideration the reasons given by the consent authority for the grant of the consent that is sought to be modified.

The Environmental Impact Statement prepared by Sutherland & Associates Planning and the subsequent Response to Submissions considered during the assessment of SSD-62802207 addressed the following environmental impacts:

- Statutory Context
- Design Quality
- Built Form and Urban Design
- Environmental Amenity
- Visual Impact
- Public Space
- Trees and Landscaping
- Ecologically Sustainable Development
- Traffic, Transport and Accessibility
- Biodiversity
- Noise and Vibration
- Ground and Water Conditions
- Water Management
- Flooding Risk
- Contamination
- Waste Management
- Aboriginal Cultural Heritage
- Environmental Heritage
- Social Impact Assessment
- Utilities
- Contributions

The Secretary's Assessment report for SSD-62802207 identified the following key assessment issues:

- Built Form
- Residential Amenity
- Pedestrian Link
- Design Excellence
- Other Issues

The following assessment considers the relevant matters under Section 4.15(1) and demonstrates that the development, as proposed to be modified, does not compromise the merits of the existing approval, or result in any significant additional environmental impacts.

5.3 Statutory Context

The relevant provisions of applicable environmental planning instruments are addressed below.

5.3.1 Concept Plan (SSD-9653) and Urban Design Guidelines

The site benefits from Concept Plan application (SSD 9653) for the Hills Showground Station Precinct was approved on 29 January 2021 for a mixed use development around the metro station.

In accordance with section 4.24(2) of the *Environmental Planning and Assessment Act, 1979*, the determination of any Development Application in respect to a site that is subject to a concept development cannot be inconsistent with the original consent.

The development consent for Concept Plan 9063 contains conditions outlining the matters to be addressed as part of the future development applications. The relevant conditions of consent in relation to the proposed modification are reproduced in the table below with a response as to how the amended proposal remains consistent with Concept Plan 9653.

Condition	Response
Built Form and Urban Design	
C3. Future development applications must demonstrate that buildings are contained within the building envelopes, consistent with the plans listed in Condition A2.	There is no proposed change to the approved building envelopes, and the proposed amendment is only for the façade design of Buildings A, B and C as well as the waste and car parking arrangements in the basement.
C5. Future detailed development applications shall address compliance with: (a) the Urban Design Guidelines as endorsed by the Planning Secretary pursuant to Condition B1 (b) the Design Excellence Strategy as endorsed by the Planning Secretary pursuant to Condition B2	The proposed amendments to the facades of Buildings A, B and C retain the overall façade design intent and the amended proposal remains consistent with the Urban Design Guidelines.

5.3.1 State Environmental Planning Policy (Housing) 2021 – Chapter 4 – Design of Residential Apartment Development

Chapter 4 ‘Design of residential apartment development’ of SEPP (Housing) 2021 applies to development for the purpose of a new residential flat building, shop top housing or mixed-use development, the substantial redevelopment of one of these buildings or the conversion of an existing building into one of these types of buildings provided the building is at least 3 or more storeys and the building contains at least 4 or more dwellings.

Clause 147 of the SEPP requires any development application for residential apartment development to be assessed against the 9 principles contained in Schedule 9 of the SEPP and the matters contained in the Apartment Design Guide (ADG).

The proposed modifications maintain the same high level of amenity as that which has been approved, with no changes beyond façade refinement, and therefore maintains consistency of the development with the principles within Schedule 9 of the SEPP and the matters contained in the ADG.

5.3.2 The Hills Local Environmental Plan 2019

Design Excellence

The approved development was considered to exhibit design excellence for the following reasons:

- The proposal provides for a high density residential flat development that is consistent with the Concept Plan approval for the site as well as the Urban Design Guidelines which requires the provision high density residential development on the subject and surrounding sites as part of the Showground Station Priority Precinct.
- The impact of the proposal with respect to design and site planning is positive. The proposed distribution of built form and massing of the building across the site is the result of a considered analysis of the context of the site and the desire to deliver a positive urban design outcome which is consistent with the established built form parameters under the Concept Plan. The proposal incorporates a diversity of scale and form across the site. The proposal generates a high level of visual interest with modulation to the skyline as well as creating an engaged ground floor plane incorporating landscaping.
- The buildings exhibit a high level of environmental performance, provide a high level of amenity and an attractive contemporary architectural expression.
- The proposed materials and finishes are of a high quality and will contribute positively to the locality.
- The proposal demonstrates fine grain active frontages with the buildings architecture combined with the public domain improvements that will serve to activate and enliven the street frontages.
- The proposed development does not adversely impact view corridors from the public domain.
- The proposed development has maximised internal amenity having regard to the constraints of the site.
- The proposal achieves the principles of ecologically sustainable development.
- The proposed development will not result in any significant adverse impacts (existing or proposed) on the same site or on neighbouring sites in terms of solar access, separation, setbacks, amenity and urban form.
- The proposal will have a compatible built form relationship within surrounding development when these sites are redeveloped in accordance with the Showground Precinct Structure Plan.
- The proposal provides for cycle, vehicular and service access and is designed to comply with relevant Australian Standards in terms of circulation and access requirements.
- The redevelopment of the site will deliver substantial public benefits for the community with upgrades to the public domain including a new public park enhancing the amenity and liveability for residents, workers and visitors.
- The proposed development includes a comprehensive design for the landscaping of the site and all public domain areas surrounding the site. The proposal will result in a residential development within a suitably landscaped setting having regard to the urban context of the site. The landscaping proposed represents an integral element in ensuring the development has an appropriate contextual fit and will positively contribute to the forthcoming character of the Showground Station Precinct.
- The proposal will deliver 5% affordable housing in the Showground Station precinct and provides much needed accommodation for the community in this locality.

The proposed amendments to the façade design retain the overall façade design intent and therefore the amended proposal is considered to retain design excellence.

Remaining Provisions

The proposed amendments to the façades of Buildings A, B and C and the basement waste and car parking arrangements do not give rise to any further consideration against the provisions of the THLEP beyond those which were considered in the assessment of the original development application.

5.4 Design Quality

The approved development was the subject of design review by the State Design Review Panel (SDRP) and the proposal was commended by the SDRP in relation to a range of matters.

The proposed amendments to the façade designs for Buildings A, B and C retain the overall façade design intent and therefore the amended proposal is considered to retain design quality. The revised materials and finishes remains of a high quality and will contribute positively to the locality.

Each building retains a unique and differing architectural language and façade in order to deliver architectural diversity throughout this large precinct. The façades will be viewed from both at a distance and close up and therefore have been designed to be legible and interesting at both a micro and macro scale.

The revised façade designs have been strongly guided by the principles of sustainability, relationship to context, scale and character as detailed in the Architectural Statements prepared by Turner.

All glazing and materials used on the revised façades have a maximum normal specular reflectance of visible light of 20%, and the most reflective surface on the revised façades is the glazing, noting that reflected solar glare from concrete, brickwork, timber, etc. is negligible at less than 1% normal specular reflectance, whilst solar glare from any painted or powder-coated metallic surfaces on the exterior façade of the development is also acceptable with a normal specular reflectance of visible light in the range of 1% to 5%. Subject to the glazing not exceeding the recommended maximum normal specular reflectance of visible light of 20%, the amended building materials will not lead to hazardous, undesirable or uncomfortable glare to pedestrians, motorists or occupants of surrounding buildings.

6.0 CONCLUSION

This application seeks to modify the consent for State Significant Development SSD- 62802207 for the purposes of a staged residential flat development comprising residential apartments, basement car parking, landscaping, stormwater drainage works, and a publicly accessible pedestrian link, and stratum subdivision at 3 Andalusian Way, Castle Hill. (Showground Station Precinct East site).

The application seeks approval for various refinement to the façade design for Buildings A, B and C, as well as changes to the basement waste and car parking arrangements.

The proposed amendments are minor within the context of the approved development, and will not result in any discernible impact to nearby properties beyond those resulting from the approved development. The amended proposal retains the fundamental components of the approved overall layout and spatial characteristics of the approved development.

As detailed in this submission the proposed modifications may be made by the consent authority in accordance with Section 4.55(1a) of the Environmental Planning and Assessment Act 1979 as the proposed amendments are of minimal environmental impact, do not radically transform the proposal or alter the overarching fundamental characteristics of the original approval, and so the amended proposal is appropriately categorised as being “substantially the same” as the approved development.

The proposed amendments remain consistent with the aims and objectives of the relevant environmental planning instruments and will not result in any adverse impacts on the amenity of the locality. Accordingly, the proposed amendments are considered acceptable and warrant approval.