

2 Fishburn Crescent, Castle Hill

Environmental Impact and Rezoning  
Statement (SSD 83112728)

# Environmental Impact and Rezoning Statement (SSD 831 12728)

## 2 FISHBURN CRESCENT, CASTLE HILL

construction of a residential flat building with a total of 431 apartments, including 25 affordable dwellings, and basement car parking

**October 2025**

Prepared under instructions from  
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by

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## GLOSSARY AND ABBREVIATIONS

Abbreviation	Term
ABCHAR	Aboriginal Cultural Heritage Assessment Report
ACA	Access Design Assessment
AEP	Annual Exceedance Probability
AIA	Arboricultural Impact Assessment
BCA	Building Code of Australia
BC Act	Biodiversity Conservation Act 2016
BC Regulation	Biodiversity Conservation Regulation 2017
CPTED	Crime Prevention Through Environmental Design
DA	Development Application
DCP	Development Control Plan
EDC	Estimated Development Cost
EI&RS	Environmental Impact and Rezoning Statement
EP&A Act	Environmental Planning and Assessment Act 1979
EP&A Regulation	Environmental Planning and Assessment Regulation 2021
ESD	Ecologically Sustainable Development
FSMS	Flood and Stormwater Management Strategy
GANSW	Government Architect New South Wales
GR	Geotechnical Report
GTP	Green Travel Plan
NIA	Noise Impact Assessment
PMF	Probable Maximum Flood
PSI	Preliminary Site Investigation
QS	Quantity Surveyor
RAP	Remediation Action Plan
SEARs	Secretary's Environmental Assessment Requirements
SIA	Social Impact Assessment
SOHI	Statement of Heritage Impact
SEPP	State Environmental Planning Policy
SSD	State Significant Development
THDCP	The Hills Development Control Plan
THLEP	The Hills Local Environmental Plan 2019

Abbreviation	Term
TIA	Traffic Impact Assessment
TMP	Tree Management Plan
WSUD	Water Sensitive Urban Design

# SIGNED DECLARATION

Project details	
Project name:	Carrington Road, Castle Hill
Application number:	SSD-83112728
Land to be developed Address of the land in respect of which the development application is made:	2 Fishburn Crescent, Castle Hill Lot 1 DP 1316896
Applicant details	
Applicant name:	CFMS Pty Ltd
Applicant address:	12 Harvey Street Pyrmont NSW 2009
Details of person by whom this EI&RS was prepared	
Name:	Aaron Sutherland, Director
Address:	Sutherland & Associates Planning Pty Ltd PO Box 814 Bowral NSW 2576
Professional qualifications:	Bachelor of Town Planning (UNSW)
Declaration by Registered Environmental Assessment Practitioner	
Name:	Aaron Sutherland
Registration Number:	145648
Organisation Registered With:	Planning Institute of Australia
Declaration:	<p>The undersigned declares that this EI&amp;RS:</p> <ul style="list-style-type: none"> <li>• has been prepared in accordance with Division 5 of Part 8 of the Environmental Planning and Assessment Regulation 2021;</li> <li>• contains all available information that is relevant to the environmental assessment of the proposed development, activity and infrastructure to which the EI&amp;RS relates;</li> <li>• does not contain information that is false or misleading;</li> <li>• addresses the Planning Secretary's environmental assessment requirements (SEARs) for the project;</li> <li>• identifies and addresses the relevant statutory requirements for the project, including any relevant matters for consideration in environmental planning instruments;</li> <li>• has been prepared having regard to the Departments State Significant Development Guidelines – Preparing an Environmental Impact Statement;</li> </ul>

Project details	
	<ul style="list-style-type: none"><li>• contains a simple and easy to understand summary of the project as a whole, having regard to the economic, environmental and social impacts of the project and the principles of ecologically sustainable development;</li><li>• contains a consolidated description of the project in a single chapter of the EI&amp;RS;</li><li>• contains an accurate summary of the findings of any community engagement; and</li><li>• contains an accurate summary of the detailed technical assessment of the impact of the project as a whole.</li></ul>
Signature:	
Date:	10 October 2025

# SUMMARY

This Environmental Impact and Rezoning Statement (EI&RS) has been prepared under section 4.12(8) of the *Environmental Planning and Assessment Act 1979* (EP&A Act) on behalf of CFMS Developments Pty Ltd in support of State Significant Development (SSD) application SSD-83112728 for the purposes of the construction of a residential flat building with a total of 431 apartments, including 25 affordable dwellings, and basement car parking at 2 Fishburn Crescent, Castle Hill.

The site has since been the subject of *State Significant Declaration Order (No 4) 2025* (Order) issued on 2 April 2025, which specifies development in EOI application 235559 dated 31 January 2025, including development for the purposes of a residential flat building with provision of affordable housing at 16 Carrington Road; 18 Carrington Road; 20 Carrington Road; 2 Middleton Avenue; 4 Middleton Avenue; 6 Middleton Avenue; 8 Middleton Avenue; 10 Middleton Avenue; 12 Middleton Avenue; 4 Fishburn Crescent; 6 Fishburn Crescent; 31 Sexton Avenue; 29 Sexton Avenue, 27 Sexton Avenue; 25 Sexton Avenue Castle Hill, is SSD. The site has since been consolidated into one title and is now known as 2 Fishburn Crescent, Castle Hill.

The Order enables SSD-83112728 to be undertaken through the Housing Delivery Authority (HDA) pathway with a Concurrent Rezoning to *The Hills Local Environmental Plan 2019* (THLEP 2019). Accordingly, this Report sets out both the development sought under SSD-83112728 and the amendments sought to the THLEP 2019, and the relevant matters for consideration under Division 4.7 and Section 3.33 of the EP&A Act.

Secretary's Environmental Assessment Requirements (SEARs) for the proposal were issued on 30 April 2025. The EI&RS has been prepared in response to the SEARS and the relevant requirements in the EP&A Regulation. The EI&RS has been prepared in accordance with the *State Significant Development Guidelines November 2021*.

The EI&RS addresses the relevant mandatory considerations and preconditions to the granting of consent for the development and details the proposal's consistency with the relevant strategic planning policies, and compliance against the applicable environmental planning instruments including:

- State Environmental Planning Policy (Planning Systems) 2021
- State Environmental Planning Policy (Housing) 2021 – Chapter 4 – Design Quality of Residential Apartment Development and the Apartment Design Guide
- State Environmental Planning Policy (Transport and Infrastructure) 2021
- State Environmental Planning Policy (Resilience and Hazards) 2021
- State Environmental Planning Policy (Biodiversity and Conservation) 2021
- State Environmental Planning Policy (Sustainable Buildings) 2022
- The Hills Local Environmental Plan 2019

The proposed development the subject of this SSD application is for the following works:

- Earthworks and tree removal
- Construction of a new residential flat development with a total of 431 apartments above three basement parking levels, comprising the following buildings:
  - Building A at the north-western corner which is 20 storeys and contains 135 apartments
  - Building B at the north-eastern corner which is part 8 part 17 storeys and contains 135 apartments
  - Building C which is a u-shaped building at the southern end of the site which is part 11 part 12 storeys and contains 161 apartments
- Landscaping, civil and stormwater works
- Augmentation of, and connection to, existing utilities as required

A detailed description of the proposal is provided under Section 3.0 of this EI&RS, as well as illustrated in the Architectural Drawings prepared by Turner architects at **Appendix 5** and the Landscape Plans prepared by Arcadia at **Appendix 8**.

To facilitate the proposed built form sought under SSD-83112728, concurrent amendments are also sought to the THLEP 2019 pursuant to the Concurrent Rezoning process facilitated by the HDA planning pathway. Specifically, consent is sought to:

- Amend the Height of Buildings Map under Clause 4.3 to increase the building heights from 40 metres in Area A and 27 metres in Area B, to 72 metres for the entire site
- Amend the Floor Space Ratio Map under Clause 4.4 to increase the maximum FSR from 3.1:1 in Area A and 2.7:1 in Area B, to 4.1:1 for the entire site

The proposed development and amendments to the THLEP 2015 exhibit strategic and site-specific merit. The proposal represents a direct response to *State Significant Declaration Order (No 4) 2025* (Order) issued on 31 January 2025. It directly responds to the objectives of the HDA and National Housing Accord to build new well-located homes to alleviate the housing crisis.

This EI&RS demonstrates that the development is consistent with The Greater Sydney Region Plan, The Central Sydney District Plan, and the Hills LSPS. Having regard to the applicable legislative framework, the proposed development is also consistent with the aims and objectives of the relevant environmental planning instruments, strategies and policies and in particular the recent amendments specifically aimed to increase housing supply particularly in affordable housing.

The proposed design of the development responds positively to the emerging character of the locality and the various design objectives which apply to the site. Considerable attention has been given to developing a high-quality architectural design response that delivers a positive contribution to the local skyline, the streetscapes and the public domain and provides an appropriate transition to the surrounding properties and minimises impacts on the amenity on these properties.

A 'Connecting with Country' Strategy has been developed by Artefact in conjunction with members of the Traditional Custodians of the land through a series of ongoing consultations including a Walk on Country. A comprehensive design response to Country has been integrated into the development, with a particular focus on façade materiality inspired by Dharug colour palettes, native planting strategies drawn from the Cattai Creek corridor, and interpretive elements that embed storytelling into the public domain as recommended by the representative elders.

Community and stakeholder engagement has been undertaken which has informed and guided the development of the design. The proponent has consulted with landowners, community groups, Government authorities and service providers. In particular, the proposal has been presented to the State Design Review Panel (SDRP) which was highly supportive of the first principles design approach to the site.

This EI&RS identifies the key issues raised during the engagement process in Section 6 and **Appendix 36** and summarises how the design has been influenced by, and amended in response to, issues raised. The technical reports that accompany the application also address key issues raised.

The EI&RS provides details of the assessment of the potential impacts of the project including in relation to traffic, parking, stormwater management, waste management, heritage, geotechnical, ecological impacts, and amenity impacts such as noise and vibration, overshadowing, visual amenity, and wind. The EI&RS and the accompanying technical reports confirm that the proposed development will not result in any unreasonable

impacts on the surrounding environment, having regard to the specific design measures incorporated into the development, the implementation of construction and operational management measures and the implementation of the mitigation measures recommended in each report and summarised in this EI&RS. The required mitigation measures are clearly outlined in Section 7 and **Appendix 4**.

This EI&RS demonstrates that the application satisfies all relevant planning considerations including all relevant strategic plans and policies and statutory provisions. The EI&RS demonstrates the environmental impacts of the development have been appropriately assessed and adequate management and mitigation measures will be put in place. As such, the proposed residential flat development including 5% affordable housing at 2 Fishburn Crescent, Castle Hill can be approved, subject to appropriate conditions of consent.

## 1.0 INTRODUCTION

This section of the EI&RS identifies the applicant for the project, provides a simple description of the site project and sets out the background to the project.

### 1.1 Applicant Details

The applicant details are summarised in the following table.

**Table 1:** Applicant Details

Applicant	CFMS Dev Pty Ltd
ABN	66 670 919 034
Address	12 Harvey Street Pyrmont NSW 2009
Contact	Edward Natour
Contact Details	e.natour@arada.com

### 1.2 Site Location

The land to which the proposal relates is in the suburb of Castle Hill, which is within The Hills Shire local government area. Castle Hill is located approximately 34 kilometres north-west of the Sydney central business district. Castle Hill is a strategic centre that provides retail and community services to a large population catchment in Sydney's north-west.

The site is located within the Showground Station Precinct as shown in Figure 1. The Showground Station Precinct was rezoned in 2017 to transform the area around the Sydney Metro Showground Station (which opened in May 2019) into an urban centre which includes 2 hectares of parks and open space, community facilities, recreation areas and a mix of housing. It is anticipated the Precinct will provide up to 9,000 additional dwellings and 2,300 additional jobs by 2036. The Showground Station precinct has been designed to be an attractive and well-connected neighbourhood that achieves housing targets, creates vibrant, safe and desirable places, reinforces the garden shire character and lifestyle, and is supported by necessary infrastructure.

The site is located diagonally opposite the Hills Showground Metro Station, which is on the northern side of Carrington Road on the western side of the intersection of Carrington Road and Andalusian Way. The site is also located within 2 kilometres of Castle Towers Shopping Centre and 1.5 kilometres of the Home Co. Castle Hill shopping centre.

The location of the site is identified in Figure 1.

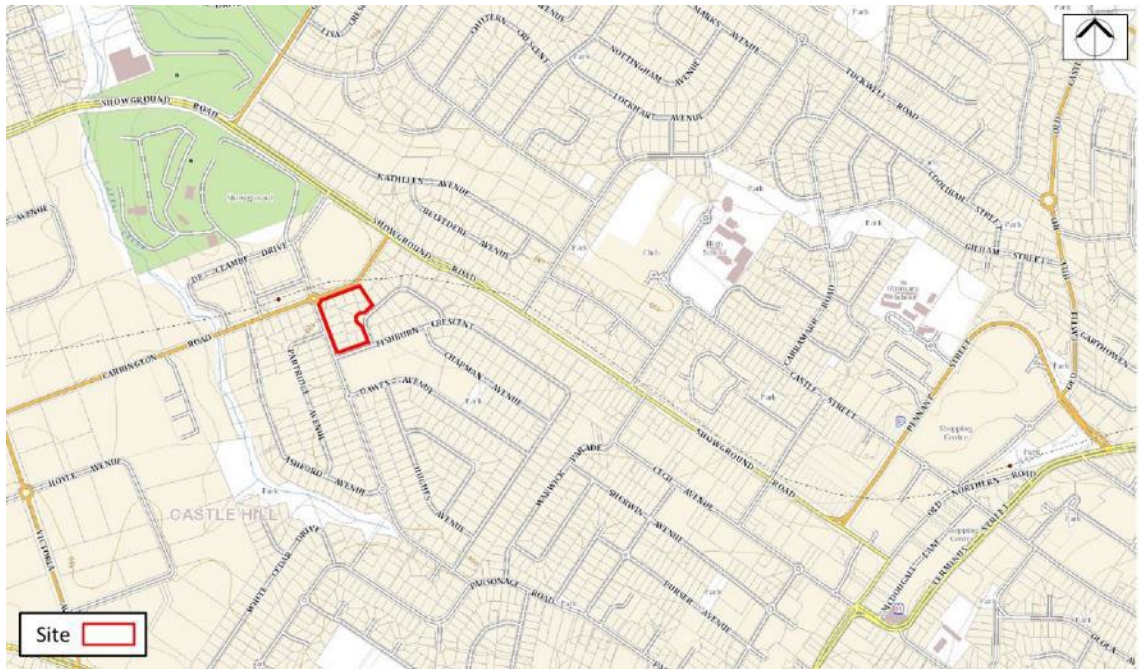


Figure 1:

Site Location: (Source: Google Maps)

### 1.3 State Significant Declaration Order (No 4) 2025

The NSW State Government has agreed to a National Housing Accord (Accord) to build 1.2 million new well-located homes over 5 years from mid-2024, with NSW targeted to deliver 377,000 new homes over five years by July 2029.

To accelerate the delivery of much needed homes the NSW Government has established the Housing Delivery Authority (HDA) to provide a pathway for large residential and mixed-use developments to be assessed as State significant development and State Significant Development with a Concurrent Rezoning.

The site has been the subject of *State Significant Declaration Order (No 4) 2025* (Order) issued on 2 April 2025, which specifies development in EOI application 235559 dated 31 January 2025, including development for the purposes of a residential flat building with provision of affordable housing at 16 Carrington Road; 18 Carrington Road; 20 Carrington Road; 2 Middleton Avenue; 4 Middleton Avenue; 6 Middleton Avenue; 8 Middleton Avenue; 10 Middleton Avenue; 12 Middleton Avenue; 4 Fishburn Crescent; 6 Fishburn Crescent; 31 Sexton Avenue; 29 Sexton Avenue, 27 Sexton Avenue; 25 Sexton Avenue Castle Hill, is SSD. The site has since been consolidated into one title and is now known as 2 Fishburn Crescent, Castle Hill.

The Order enables SSD-83112728 to be undertaken through the Housing Delivery Authority (HDA) pathway with a Concurrent Rezoning to *The Hills Local Environmental Plan 2019* (THLEP 2019). Accordingly, this Report sets out both the development sought under SSD-83112728 and the amendments sought to the THLEP 2019, and the relevant matters for consideration under Division 4.7 and Section 3.33 of the EP&A Act

## 1.4 Project Description and Rezoning

### 1.4.1 State Significant Development SSD-83112728

The proposed development the subject of this SSD application is for the following works:

- Earthworks and tree removal
- Construction of a new residential flat development with a total of 431 apartments above three basement parking levels, comprising the following buildings:
  - Building A at the north-western corner which is 20 storeys and contains 135 apartments
  - Building B at the north-eastern corner which is part 8 part 17 storeys and contains 135 apartments
  - Building C which is a u-shaped building at the southern end of the site which is part 11 part 12 storeys and contains 161 apartments
- Landscaping, civil and stormwater works
- Augmentation of, and connection to, existing utilities as required

### 1.4.2 Proposed Amendments to THLEP 2019

To facilitate the proposed built form sought under SSD-83112728, concurrent amendments are also sought to the THLEP 2019 pursuant to the Concurrent Rezoning process facilitated by the HDA planning pathway. Specifically, consent is sought to:

- Amend the Height of Buildings Map under Clause 4.3 to increase the building heights from 40 metres in Area A and 27 metres in Area B, to 72 metres for the entire site
- Amend the Floor Space Ratio Map under Clause 4.4 to increase the maximum FSR from 3.1:1 in Area A and 2.7:1 in Area B, to 4.1:1 for the entire site

## 1.5 Objectives of the development

The objectives of the development are:

- Deliver a significant number of affordable housing dwellings on the site to assist in relieving the shortfall of affordable dwellings in the local government area.
- Deliver a vibrant, high density residential precinct immediately opposite the Hills Showground Metro Station.
- Provide a high-density development which demonstrates best practice transit-oriented development as the close proximity of the site to the Hills Showground Metro Station will encourage the use of public transport and reduce the demand for private car use.
- Maximise the supply and diversity of higher density housing within proximity to Showground Station and provide a unit mix that reflects the needs of the local community.
- Achieve design excellence with a high-quality built form outcome that will contribute positively to the emerging character of the precinct and maximise the amenity for residents.

## 1.6 Key strategies adopted to avoid, minimise or offset the impacts of the project

The following key strategies have been adopted to avoid and/or minimise offset the impacts of the development:

- The design of the development has been guided by the relevant strategic plans and policies and statutory provisions.
- Engagement with the SDRP and incorporation of feedback into the design.
- Consideration of the building's appearance and visual impact at a macro and micro scale.
- Engagement with the Department of Planning, Housing and Infrastructure.
- Incorporation of ESD principles to manage environmental impacts.
- Incorporation of a 'Connection with Country' strategy.
- The mitigation measures recommended in the technical reports that accompany the application will be implemented.

## 2.0 STRATEGIC CONTEXT

### 2.1 Supporting Strategies, Policies and Plans

#### 2.1.1 Housing Delivery Authority and National Housing Accord

The NSW State Government has agreed to a National Housing Accord (Accord) with other states and territories, local government, institutional investors and the construction sector. The Accord includes an initial aspirational target agreed by all parties to build 1.2 million new well-located homes over 5 years from mid-2024. NSW has a target to deliver 377,000 new homes over five years by July 2029 under the National Housing Accord.

To accelerate the delivery of much needed homes and help meet NSW's target under the Accord, the NSW Government has established the Housing Delivery Authority (HDA). The HDA offers a clear planning pathway for large residential and mixed-use developments to be assessed as State significant development and State Significant Development with a Concurrent Rezoning. This process aims to improve consistency in planning decisions and speed up assessment, without sacrificing housing quality.

The subject site is well placed to deliver additional uplift to help achieve Accord housing goals, being a large, consolidated land holding under single ownership, with excellent public transport connections.

#### 2.1.2 NSW State Premier's Priorities

The proposed development aligns with the Premier's and State Priorities as it will deliver much needed housing supply, including affordable housing, in an ideal location immediately adjacent to a metro station. The proposal will also deliver on the priority of 'well connected communities with quality local environments' through the provision of quality open space and upgraded public domain surrounding the site.

#### 2.1.3 Greater Sydney Regional Plan 2018

In March 2018 the Greater Sydney Region Plan - A Metropolis of Three Cities was released. The Plan sets a 40-year vision to 2056 and establishes a 20-year plan to manage growth and change for Greater Sydney. The vision for Greater Sydney as a metropolis of three cities — the Western Parkland City, the Central River City and the Eastern Harbour City where most residents live within 30 minutes of their jobs, education and health facilities, services and great places.

The Plan sets out 10 Directions which set out the aspirations for the region and objectives to support the Directions. The 10 Directions are:

- A city supported by infrastructure
- A collaborative city
- A city for people
- Housing the city
- A city of great places
- A well-connected city
- Jobs and skills for the city
- A city in its landscape
- An efficient city
- A resilient city

The Plan provides 38 objectives concerning, Infrastructure and collaboration, Liveability, Productivity and Sustainability which are aimed at achieving the identified Directions.

Castle Hill is identified in the Greater Sydney Regional Plan as a metropolitan centre. Metropolitan centres are the economic focus of Greater Sydney, fundamental to growing its global competitiveness and where government actions and investment, including transport, will be focussed. The intent of these centres is to deliver very high levels of development and amenity.

Objective 10 of the Plan is 'Greater housing supply'. The Plan supports the provision of new housing in areas that are served by adequate infrastructure, or where infrastructure upgrades are planned. The Plan identifies housing targets for the Central City District of 53,500 dwellings in Years 0-5 and 207,500 dwellings between 2016-2036.

Objective 11 of the Plan is 'Housing is more diverse and affordable'. The proposed development will deliver affordable housing on the site, and will also incorporate a unit mix that includes larger dwellings designed to suit families and larger households, as encouraged by clause 9.7 of THLEP. For these reasons the proposed development is consistent with objective 11.

The proposal is consistent with the key directions, objectives and strategies outlined within the Plan. In particular, it will contribute approximately 431 new dwellings to Castle Hill on a site that is opposite the Hills Showground Metro Station. The proposal will therefore deliver housing choice in a highly accessible location and will accordingly contribute to the goal of achieving a 30-minute city and optimising infrastructure use. The development will include a significant number of affordable dwellings to assist in addressing the shortfall of affordable housing in the area.

#### **2.1.4 Central City District Plan**

The Central City District Plan was released in March 2018 and sets out a 20-year vision for the Central City District. The Central City District includes the Blacktown, Cumberland, Parramatta and The Hills local government areas.

The Central City District Plan is a 20-year plan to manage growth in the context of economic, social and environmental matters to achieve the 40-year vision of Greater Sydney. It is a guide for implementing the Greater Sydney Region Plan, A Metropolis of Three Cities, at a district level.

The Central City District Plan identifies Castle Hill as a strategic centre. The Plan notes that the Sydney Metro Northwest will facilitate housing and jobs growth around new stations at Castle Hill, Showground, Norwest, Bella Vista, Kellyville and Cudgegong Road.

Consistent with the Greater Sydney Region Plan, the Central City District Plan sets a 5-year housing target for The Hills of 8,550 dwellings. An updated housing target for The Hills has recently been released. The new target is 23,300 completed homes by 2029.

The proposed development is consistent with the planning priorities and actions of the District Plan in that it will provide new housing in a location that is served by existing infrastructure. The significant number of affordable housing dwellings within the development will contribute to the supply of affordable housing. The proposed development contributes to the diversity of housing in the district by providing a range of apartment sizes, livable apartments and affordable housing.

### 2.1.5 Showground Station Precinct Rezoning

On 15 December 2017, the then Minister for Planning approved State Environmental Planning Policy Amendment (Showground Station Precinct) 2017, which amended the State Environmental Planning Policy (State and Regional Development) 2011 and The Hills Local Environmental Plan 2012, to:

- identify the Showground Station Precinct for which specified development was declared to be State significant development in Schedule 2 of the State Environmental Planning Policy (State and Regional Development) 2011
- rezone the Precinct under The Hills Local Environmental Plan 2012 with new statutory controls, including a 5,000 cap on the maximum number of residential dwellings on land identified in the Showground Station Precinct

The NSW State government has subsequently removed the cap.

### 2.1.6 Housing 2041 – NSW Housing Strategy

Housing 2041 represents a 20-year vision for the delivery of housing as established by the NSW Government. Housing 2041 sets the framework for delivering more housing in the right locations, more diverse housing options that suit diverse demographics, as well as high amenity housing. Housing 2041 establishes four pillars to underpin the future of housing. The proposed development will closely align with each of these pillars in the following manner:

- Supply: the proposal will facilitate the delivery of a total of 431 apartments, including 25 affordable housing apartments, which is a significant boost to the supply of both rental and market accommodation
- Diversity: the proposal provides for a balanced mix between apartments for rent and apartments for sale. Moreover, a range of 1, 2, 3 and 4-bedroom apartments are proposed to appeal to a broad residential market and ensure that all types of households have a place in the development.
- Affordability: the proposal will assist in improving affordability in two primary ways, firstly by providing an increased supply of rental apartments at an affordable rate, which provides downward pressure on rents, and secondly by providing increased supply of market apartments which provides downward pressure on apartment prices.
- Resilience: ESD principles will be embedded into the buildings design and future operation.

### 2.1.7 Future Transport Strategy 2056

The Future Transport Strategy outlines the 40-year vision of the State Government in regard to the State's transport network and system. The strategy aims to place NSW at the forefront of the country with a sophisticated transport system which will harness the rapidly advancing transport technology. The strategy outlines a planned and coordinated set of actions to address challenges faced by the NSW transport system to support the State's economic and social performance over the next 40 years.

The proposed development is consistent with the relevant State-wide outcomes of the Future Transport Strategy 2056 as it:

- provides a residential use, in close proximity to Showground Station which will achieve a transformational place making outcome for the region (Outcome 1: Successful Places)

- will encourage business and individual investment in the area by contributing towards a critical mass of residential population within the precinct (Outcome 2: Strong Economy)
- encourages the use of public transport by linking residential uses to a transport node (Outcome 6: Sustainability).

### 2.1.8 NSW Planning Guidelines for Walking and Cycling

These guidelines function to improve the consideration of walking and cycling and their role in the creation of sustainable neighbourhoods and cities. The proposed development aligns with these guidelines by providing an attractive and interesting pedestrian environment that is highly connected to the surrounding public domain. The design of the pathways surrounding the site will allow for the development to connect with future public domain works.

The proposal provides a high density residential development immediately opposite the Showground Station, which means that residents will be able to walk to the station which provides connectivity to greater Sydney. In addition, the development is immediately opposite to the Doran Drive mixed use development which provides much needed convenience retailing, and a park which will be delivered as part of Precinct East, which will mean that residents within the development will be able to walk to the shops and cafes and also the park, rather than driving to access these amenities. Finally, the site is near the Castle Hill Showground which hosts events year round and which can be immediately accessed by the future residents. The location and forthcoming nearby facilities are such that the proposal will encourage walking and cycling as a viable transportation method.

### 2.1.9 Better Placed – An Integrated Design Policy for the Built Environment of NSW

Better Placed is an integrated design policy for the built environment, prepared by the Government Architect of NSW, to create a transparent approach to ensure good design outcomes are achieved to deliver desired architecture, public places and environments throughout NSW (September 2017). The policy includes seven applicable objectives:

- Objective 1 - Better fit
- Objective 2 - Better performance - sustainable, adaptable and durable
- Objective 3 - Better for the community - inclusive, connected and diverse
- Objective 4 - Better for people
- Objective 5 - Better working - functional, efficient and fit for purpose
- Objective 6 - Better value - creating and adding value
- Objective 7 - Better performance - engaging, inviting and attractive

An assessment of the proposal in relation to the Better Placed objectives is provided in the table below:

**Table 2:** Assessment against Better Placed objectives

Objective	Assessment
<p><b>Better fit - contextual, local and of its place</b></p> <p>Good design in the built environment is informed by and derived from its location, context and social setting. It is place-based and relevant to and resonant with local character,</p>	<p>The context surrounding the site is undergoing a rapid transformation into a high density residential precinct with upgraded public domain which is improving the streetscape and pedestrian environment. The proposal will</p>

Objective	Assessment
<p>heritage and communal aspirations. It also contributes to evolving and future character and setting.</p>	<p>positively contribute to the emerging character of the area as it conforms with the required deep soil front setbacks and will provide an opportunity to enhance the public domain with a coordinated landscaped extension around the perimeter of the site. The stepping and modulation of the scale of the buildings also achieves an integrated outcome with the emerging character within the area with the northern part of the development responding to the tower character opposite the site to the north, and the lower scale of buildings to the south referencing the scale of development to the south in the area.</p> <p>The proposed site layout and building footprint, setbacks, street activation and address, common open space, stormwater design, vehicular access, and loading and waste arrangements all achieve an optimised outcome which respects the context of the site to deliver a high quality place-based design outcome.</p>
<p><b>Better Performance – sustainable, adaptable and durable</b></p> <p>Environmental sustainability and responsiveness is essential to meet the highest performance standards for living and working. Sustainability is no longer an optional extra, but a fundamental aspect of functional, whole of life design.</p>	<p>The proposal for the site has responded to the site context to achieve a high level of sustainability for the project. The development has been designed to maximise solar access and natural cross ventilation, as well as dealing with differing demands for varying orientations of facades.</p> <p>The proposed development has been designed to reflect best practice sustainable building principles to improve environmental performance, in relation to energy and water efficient design, roof top gardens to reduce the urban heat island effect, and deep soil zones coupled with Water Sensitive Urban Design measures.</p> <p>The development has been designed in accordance with best practice sustainability practices, including the requirements of BASIX.</p>
<p><b>Better for Community – inclusive, connected and diverse</b></p> <p>The design of the built environment must seek to address growing economic and social disparity and inequity, by creating inclusive, welcoming and equitable environments. Incorporating diverse uses, housing types and</p>	<p>The proposal has been designed to provide opportunities for social interaction in the various communal areas.</p> <p>The proposal provides a particularly high level of open and accessible spaces throughout the development including building entry points that integrate with the adjacent streets, provide an</p>

Objective	Assessment
<p>economic frameworks will support engaging places and resilient communities.</p>	<p>opportunity for seating and communal meeting spaces.</p> <p>In addition to the above, the proposal will deliver much needed additional housing supply, and in particular affordable housing. The development has a good diversity of housing typologies and includes Livable Housing well in excess of the minimum requirements of the Apartment Design Guide, to meet the needs of the local community now and into the future.</p>
<p><b>Better for People – safe, comfortable, and liveable</b></p> <p>The built environment must be designed for people with a focus on safety, comfort and the basic requirement of using public space. The many aspects of human comfort which affect the usability of a place must be addressed to support good places for people.</p>	<p>The proposed development has been designed to contribute to a walkable and active local centre development with good access to a range of commercial and retail facilities. Active street frontages allows for a vibrant pedestrian experience within the area.</p> <p>The proposed site layout combined with the design of the buildings with a highly activated ground level interface and the landscape design have adopted good CPTED principles and practices. There will be a high level of passive surveillance achieved over the surrounding streets.</p> <p>The common open space designs, are such that they will provide important meeting places for residents and visitors.</p>
<p><b>Better Working – functional, efficient and fit for purpose</b></p> <p>Having a considered, tailored response to the program or requirements of a building or place, allows for efficiency and usability with the potential to adapt to change. Buildings and spaces which work well for their proposed use will remain valuable and well-utilised.</p>	<p>The proposed development is completely residential and so this objective is not directly relevant.</p>
<p><b>Better Value – creating and adding value</b></p> <p>Good design generates ongoing value for people and communities and minimises costs over time. Creating shared value of place in the built environment raises standards and quality of life for users, as well as adding return on investment for industry.</p>	<p>The proposed development achieves the maximum value having regard to its location opposite the Showground Station as it maximises the benefit of this new public transport for a large number of new residents. The proposal will also benefit the existing and future community by contributing to an attractive high density and sustainable urban precinct.</p>
<p><b>Better Look and Feel – engaging, inviting and attractive</b></p>	<p>The proposal has been designed to ensure that the built form and amenity of the future urban</p>

Objective	Assessment
<p>The built environment should be welcoming and aesthetically pleasing, encouraging communities to use and enjoy local places. The feel of a place, and how we use and relate to our environments is dependent upon the aesthetic quality of our places, spaces and buildings. The visual environment should contribute to its surroundings and promote positive engagement.</p>	<p>environment results in the creation of a useable, enjoyable and attractive building and public interface. The design is the culmination of a detailed assessment of the site, its relationship to its context, the objectives of transit oriented development as well as a range of other design parameters.</p> <p>The detailed design of the development has been subject to a design review process with the State Design Review Panel, where it has been demonstrated that a visually dynamic architectural outcome, with good street activation, high quality landscape, and appropriate architectural detailing and materials and finishes combine to achieve an aesthetically pleasing outcome. The project has been designed with reference to its specific location, including the generous landscape public interface around the site and built form in response to the topography of the site.</p>

#### 2.1.10 Connecting with Country Framework

The Connecting to Country Framework acts as a guide for developing connections with Country to inform the planning, design, and delivery of built environment projects in NSW. The proposal will provide a meaningful Connection with Country informed by consultation with First Nations groups to identify a range of design initiatives to be incorporated into the building and landscape design.

#### 2.1.11 Healthy Urban Development Checklist

The Healthy Urban Development Checklist was commissioned by the NSW Department of Health and Sydney South West Area Health Service. The purpose of the Healthy Urban Design Checklist is to assist in ensuring the following questions are considered and addressed at the earliest possible phases of the urban planning and development process:

1. What are the health effects of the urban development policy, plan or proposal?
2. How can it be improved to provide better health outcomes?

Chapters 7 to 16 focus on specific aspects important for healthy urban development. The most relevant chapters to the proposed development are addressed below:

**Table 3:** Assessment against Healthy Urban Development Checklist

Checklist	Comment
Physical activity	The proposed development will encourage incidental physical activity as it is located near an established business district and nearby outdoor recreational facilities.
Housing	The proposed development provides new housing, as well as affordable housing, which will improve housing affordability generally and also provides a good diversity of housing to meet the needs of the community.
Transport and physical connectivity	The proposed development is located immediately opposite the recently completed Showground Station and provides excellent transport and physical connectivity. This will reduce car dependency and encourage active transport.
Community safety and security	The design of the buildings with highly activated ground level interfaces and the landscape design have adopted good CPTED principles and practices. There will be a high level of passive surveillance achieved, and the pedestrian network layout provides direct routes to destination points on clearly established desire lines.
Public open space	The proposal will deliver housing in close proximity to a range of public open space areas within the locality, as well as the pedestrian and cycling network connecting the site with open space.
Social cohesion and social connectivity	The proposed development will enhance the opportunity for social interaction and connection amongst the community with a highly engaged ground floor plane which will promote a strong sense of community and attachment to place. In addition, the proposal provides high quality communal spaces throughout the development which will encourage social cohesion amongst residents within the development.
Environment and health	The proposed development ensures a healthy environment with Water Sensitive Urban Design measures ensuring water quality, remediation of the land during construction, and acceptable air quality.

#### 2.1.12 Hills Future 2036 Local Strategic Planning Statement

The Hills Local Strategic Planning Statement provides a land use vision for The Hills Shire to 2036.

The LSPS Planning Priorities related to housing are:

- Plan for new housing to support Greater Sydney's growing population.
- Plan for new housing in the right locations.
- Plan for a diversity of housing.
- Renew and create great places.
- Provide social infrastructure and retail services to meet residents' needs.

The LSPS acknowledges the need for affordable housing and notes that Council will encourage affordable housing in areas serviced by infrastructure.

The proposed development is entirely consistent with the vision and relevant targets of the LSPS. Specifically:

- The development provides 5% of the floor space within the development for affordable housing for 15 years.
- The proposed housing is in the right location, as it is supported by existing infrastructure. The site is located in an area that has been identified as an urban renewal area as it is opposite the Hills Showground Metro Station.
- The site is in close proximity to Castle Towers shopping centre and other retail areas.
- The site is located within close proximity of the strategic centres of Norwest and Castle Hill which provide local employment opportunities.

### 2.1.13 The Hills Housing Strategy

The Hills Shire Council Housing Strategy was adopted by Council on 22 October 2019.

The Strategy notes that the population of The Hills Shire is set to increase from approximately 162,500 people in 2016 to 290,900 people in 2036, which is an 80% increase in population. The Housing Strategy establishes the basis for strategic planning of the residential component of the Shire's urban lands to 2036.

The Housing Strategy is based on five planning priorities which are to:

- Plan for new housing to support Greater Sydney's growing population.
- Plan for new housing in the right locations.
- Plan for a diversity of housing.
- Renew and create great places.
- Provide social infrastructure and retail services to meet residents' needs.

The strategy seeks to match growth with infrastructure and notes that higher density housing must be provided in areas connected to, or with reach or, transport and other urban services.

The Housing Strategy notes that the provision of affordable housing is an issue across Greater Sydney. The Strategy states:

Approximately 6% of households in The Hills suffer rental stress and may be in need of affordable housing options. Most of these households fall within the very low, low and moderate income brackets. Within this group of renters, there is a higher degree of rental stress, as a significant proportion of the properties that are leased at rates suitable for these income brackets are occupied by those who fall within higher income brackets.

This forces residents who need to occupy these properties into rental stress, as they must seek properties that are beyond the 30 per cent threshold of their income.

As detailed above, the proposed development contributes to the supply of housing, within a significant centre that is supported by an existing rail network. The development will also contribute to the supply of affordable housing.

#### **2.1.14 Sydney Metro Underground Sections Corridor Protection Guidelines**

The Sydney Metro Underground Sections Corridor Protection Guidelines (2018) covers the specific requirements and provides technical and procedural guidelines to be followed for new developments near existing and future Sydney Metro rail at grade and elevated infrastructure during development planning, designing, construction and operating stages.

The proposed development is located near the metro line. A Sydney Metro Plan and Impact Review prepared by Arcadis is provided at **Appendix 41** in relation to how the proposal development addresses the Sydney Metro technical requirements which accompanies the subject application.

## **2.2 Key Features of Site and Surrounds**

### **2.2.1 Site Description**

At the time of lodgement of the EOI to the HDA, and subsequently the grant of SEARs, the development site comprised 15 allotments and was known as 16-20 Carrington Road, 2-12 Middleton Avenue, 4-6 Fishburn Crescent and 25-31 Sexton Avenue, Castle Hill. However, the site has subsequently been consolidated into a single title and is now known as 2 Fishburn Crescent, Castle Hill and is legally described as Lot 1 in DP 1316896. There are no covenants or easements affecting the site.

The site is an irregular shaped allotment with an area of 14219 square metres. The site has a 106.22 metre frontage to Carrington Road, a 130.54 metre frontage to Middleton Avenue, a 73.71 metre frontage to Fishburn Crescent, and an 89.575 metre combined frontage to Sexton Avenue.

All dwellings and structures across the site have been demolished. Vegetation on the site consists of scattered trees, shrubs and ground covers.



Figure 2:

Aerial view of the site – the dwellings and other structures have since been demolished (Spatial Viewer 2025)



Photograph 1:

16-18 Carrington Road  
(prior to demolition)

### Photograph 2:

18 and 20 Carrington Road and 2 Middleton Avenue, viewed from Carrington Road (prior to demolition)



### Photograph 3:

View of the site from Middleton Avenue (prior to demolition)

### Photograph 4:

View of the site from the intersection of Middleton Avenue and Fishburn Crescent (prior to demolition)





Photograph 5:

4 Fishburn Crescent  
(prior to demolition)

Photograph 6:

View of the site from the  
intersection of Fishburn  
Crescent and Sexton Avenue  
(prior to demolition)



Photograph 7:

4 Fishburn Crescent viewed  
from Sexton Avenue (prior to  
demolition)

### Photograph 8:

View of the site from Sexton Avenue (prior to demolition)



### Photograph 9:

View to the west from Sexton Avenue (prior to demolition)

### Topography

The topography of the northern portion of the site is generally characterised by a cross fall of approximately 10 metres from the south east to the north-west. The southern portion of the site falls approximately 3 metres from the east to the west. The topography of the site is summarised in the diagram prepared by Turner, that is included as Figure 3.



### Figure 3:

Generalised diagram of the topography of the site (Source: Turner)

## Flora and Fauna

A Biodiversity Development Assessment Report for the site prepared by Ecological accompanies this application at **Appendix 33**. That report found as follows:

The assessment concluded that the proposed development is not likely to have a significant impact on biodiversity values. Considering the limited native vegetation within the study area and the fact that the study area occurs within a broader context of the Hills Showground development precinct, the proposal would have a very low-level impact on habitat suitability for threatened species. There is potential for one Matter of National Environmental Significance (MNES) listed under the Commonwealth Environmental Protection and Biodiversity Conservation Act 1999 (EPBC Act) to be affected by the development; *Pteropus poliocephalus* (Grey-headed Flying-fox). Impacts may include removal of marginal foraging habitat. No impacts to camps are expected. The proposed development would not constitute a significant impact to this species.

The Biodiversity Development Assessment Report was reviewed by DPIE who was satisfied that the proposal would not result in any adverse biodiversity impacts.

A Biodiversity Assessment Development Report Waiver granted by DPIE accompanies this submission at **Appendix 34**.

## Trees

There are a range of trees on and around the site which are identified in the Arboricultural Impact Assessment (AIA) prepared by Raintree Consulting (**Appendix 21**). The assessment considered 16 trees comprising 9 trees within the Council verge and 3 trees on the neighbouring site.

The proposed development requires extensive excavation which will necessitate the removal of 3 of the 4 trees within the site. Whilst the trees proposed to be removed provide some amenity for the site, the reasonable development of the site in accordance with the new vision for the area is not possible with the retention of these trees, particularly having regard to the required excavation. Notwithstanding this, the redevelopment of the site will include a coordinated landscaping regime with more suitable tree species which will achieve a high quality landscaped treatment for the site as illustrated in the landscape plans prepared by Arcadia landscape architects which accompany this application.

## Aboriginal Cultural Heritage

An Aboriginal Cultural Heritage Assessment Report (ACHAR) prepared by Artefact accompanies this application at **Appendix 30**. The ACHAR has been prepared in accordance with the *Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in New South Wales* (OEH 2011).

The ACHAR identifies the following:

- There are no AHIMS sites within the study area or its vicinity
- The study area has been subjected to previous disturbance through the historical development impacts across the study area
- No Aboriginal objects or areas of archaeological potential were identified during an archaeological survey conducted as part of the assessment

- No specific cultural heritage values were found to be associated with the study area
- The proposed development is unlikely to result in any impacts to Aboriginal cultural heritage

On the basis of the above, the ACHAR makes the following recommendations:

- No further Aboriginal heritage assessment or investigations are required, and the proposed works can proceed with caution
- An Unexpected Finds Procedure must be prepared prior to the commencement of works;
  - To support the Unexpected Finds Procedure consultation with Registered Aboriginal Parties must be maintained
  - A Heritage Induction should be prepared and all; workers should be inducted to understand their obligations under the *National Parks and Wildlife Act 1974* in relation to Aboriginal Heritage.
- If changes are made to the proposal that may result in impact to areas not assessed by this report, further assessment must be undertaken

#### European Heritage

The subject site is not listed as an individual heritage item, nor is it located within a heritage conservation area or within close proximity of any heritage items.

#### Access

The site is highly accessible from the road at network.

The site is bounded by Carrington Road to the north, Middleton Avenue to the west, Fishburn Crescent to the south, and Sexton Avenue to the east. Carrington Road is a sub-arterial road connecting Showground Road and Victoria Avenue.

#### Public and Active Transport

The Site is highly accessible being opposite Showground Station and interconnecting bus services using the bus-rail interchange at the station. The MNWL delivers fast travel time to major destinations.

#### Services and Drainage

Investigations have confirmed that all urban utility services are available and can be readily augmented to meet the needs of the development.

### 2.2.2 Surrounding Development

The site is located in a precinct that is undergoing a rapid transformation from a low-density residential area to a high-density residential area.

The site is located diagonally opposite the Hills Showground Metro Station, which is on the northern side of Carrington Road on the western side of the intersection of Carrington Road and Andalusian Way. The Hills Showground Station opened in May 2019, and the first development adjacent to the Station known as the Doran Drive Precinct has just been completed.

A residential development was approved on the adjoining site to the east on 31 March 2021 (DA1037/2020/JP). The site of the development includes 125-127 Showground Road, 4-10 Carrington Road and 15A-23 Sexton Avenue. The approved development includes 292 apartments, a pedestrian

link along the western boundary (adjoining the subject site) which provides access from Sexton Avenue to Carrington Road, land dedication for road widening, a neighbourhood shop and a pocket park. The layout of the approved development is shown in Figure 4.

Buildings A1, A2, B1 and B2 are 41.73m, 42.6m, 40.75m and 43.32m in height respectively.

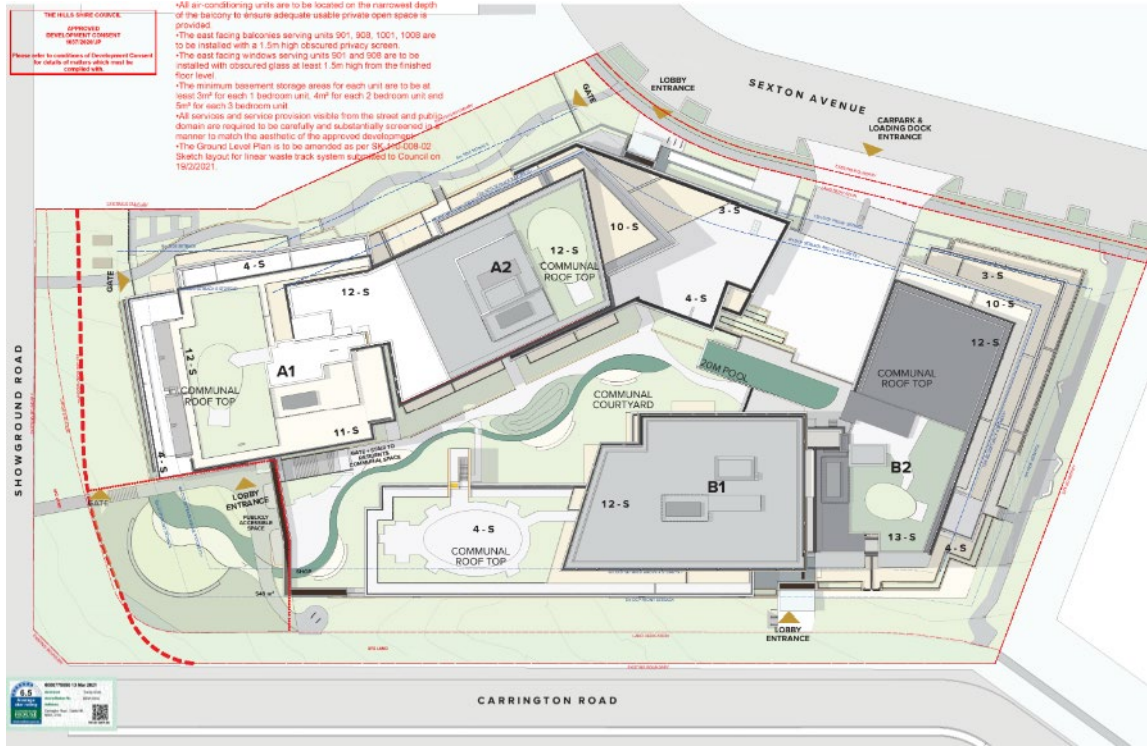


Figure 4:

Extract from the approved Site Plan for the adjoining development at 125-127 Showground Road, 4-10 Carrington Road and 15A-23 Sexton Avenue, Castle Hill

A residential development, approved under DA58/2020/JP, is currently under construction at 2-12 Sexton Avenue and 24-34 Fishburn Crescent. DP58/2020/JP was approved by the Sydney Central City Planning Panel on 6 August 2021. The approval included demolition and construction of 7 x 8-9 storey residential flat buildings comprising 295 dwellings. The approved development varied the height standard by 3.9 metres or 14.4%. The consent has been modified on several occasions. Section 4.55 application DA58/2020/JP/D reduced the number apartments to 285 apartments, increased the floor to ceiling heights and increased the maximum height to 31.83 metres, which is an exceedance of 4.83 metres or 17.9%. The layout of the approved development is shown in Figure 5.

A multi-storey residential flat building is located to the south of the site. The development is known as 'Chateau' and has a defined four storey base with five to six storeys above.

### 3.3 GROUND LEVEL PLAN



Figure 5:

DA58/2020/JP/D amended ground floor landscape plan showing the layout of the approved development at 2-12 Sexton Avenue and 24-34 Fishburn Crescent, Castle Hill

### Photograph 10:

View of the Showground Station precinct opposite the site prior to completion of the Doran Drive development





Photograph 11:

View of development to the east on Carrington Road (left) with 16 Carrington Road shown on the right

Photograph 12:

1 and 3 Middleton Avenue



Photograph 13:

7 Middleton Avenue

Photograph 14:

9 and 11 Middleton Avenue



Photograph 15:

Development to the south of the site

Photograph 16:

Development to the east of 6 Fishburn Crescent and 25-31 Sexton Avenue



### 2.3 Cumulative Impacts with Future Projects

In accordance with the Cumulative Impact Assessment Guidelines for State Significance Projects dated October 2022 the cumulative impacts of the development have been considered in the EI&RS and in the various accompanying technical reports.

In summary, the technical studies supporting the EI&RS have assessed cumulative impacts within the context of the proposal and its surrounds as follows:

- Predicted noise impacts are cumulative in that they account for background noise emissions, to which predicted noise levels emanating from the proposal were added. A comparison of predicted noise emissions from the proposal against measured daytime, evening and night time noise levels at representative residences and other receivers shows that proposed development would not significantly increase cumulative noise generation.
- The traffic assessment concludes that vehicle movements associated with the proposal would not have a significant impact on the levels of service or capacity of the existing road network indicating that cumulative impacts would be minor and acceptable.
- The proposal generally provides ADG complaint setbacks which ensures that an adequate level of visual privacy is achieved.
- The sun view diagrams prepared by Turner architects include the approved buildings adjacent to the site and the solar access has been assessed on this basis.
- The shadow diagrams prepared by Turner architects include the approved buildings adjacent to the site and the shadow impact has been assessed on this basis. The development has been modulated at the southern end to ensure that the overshadowing resulting from the proposal is generally consistent with that envisioned by the planning controls which apply to the site. The shadow does not result in any unacceptable impacts and must be balanced with the need to optimise housing supply on well located amalgamated site adjacent to an established commercial centre, including much needed affordable housing.
- The design of the stormwater system manages cumulative impact and achieves an improvement for the local catchment when compared with the existing situation. The site is not flood affected and the proposed development does not increase flooding depths on downstream or upstream properties.
- The site is not bushfire prone land.

The proposed development on its own or in conjunction with other development in the locality, does not give rise to any cumulative environmental impacts that cannot be appropriately managed through the implementation of the mitigation measures that are identified within **Appendix 4**.

## 2.4 Feasible Alternatives

Table 4 provides an analysis of alternatives that have been considered.

**Table 4:** Analysis of Alternatives

Alternative	Analysis
Consequences of not carrying Out the Development	<p>The consequence of not proceeding with the proposed State Significant Development is the loss of additional housing supply, including affordable housing, within an ideal location where affordable housing is urgently needed.</p> <p>If the development were to not proceed, the site would fail to fulfill its demonstrated environmental capacity which would have a significant adverse impact upon housing supply with the locality and the ability to accommodate future population growth and opportunities to increase housing supply and diversity, which is a key objective in both National and State government strategic policies.</p>

Alternative	Analysis
Use of the site for an alternative purpose	<p>The site is suitable for residential use noting the zone, and any alternative purpose would simply undermine the supply of housing which is a critical need at this point in time.</p> <p>The proposal is consistent with its planned intent for high density housing and reflective of surrounding built form around the site.</p>
Alternative Designs	<p>An extensive and comprehensive site analysis process and exploration of alternatives for the site has been undertaken by Turner Architects. This process is detailed in a Design Report prepared by Turner that supports this EI&amp;RS at <b>Appendix 7</b>. The design has also been revised following feedback from the State Design Review Panel and in consultation with local Elders.</p> <p>The proposed distribution of built form and massing of the building is the result of a considered analysis of the context of the site by Turner architects and the desire to deliver a positive urban design outcome.</p> <p>The proposal ensures a highly activated ground floor plane and the design of the proposal achieves a highly modulated built form outcome which serves to reduce the apparent bulk and mass of the development and deliver a visually dynamic outcome.</p> <p>The proposal is a high-quality, transit orientated development that will provide both housing choice in a location that enjoys exceptional access to the Showground metro station and surrounding services and recreational facilities.</p>

## 3.0 PROJECT DESCRIPTION

### 3.1 Project area

The land on which the project will be located is known as 2 Fishburn Crescent, Castle Hill as shown in Figure 2.

The project area comprises a single allotments, legally described as Lot 1 in DP 1316896 and with a site area of 14219 square metres.

### 3.2 Project Overview

The proposed development the subject of this SSD application is for the following works:

- Earthworks and tree removal
- Construction of a new residential flat development with a total of 431 apartments above three basement parking levels, comprising the following buildings:
  - Building A at the north-western corner which is 20 storeys and contains 135 apartments
  - Building B at the north-eastern corner which is part 8 part 17 storeys and contains 135 apartments
  - Building C which is a u-shaped building at the southern end of the site which is part 11 part 12 storeys and contains 161 apartments
- Landscaping, civil and stormwater works;
- Augmentation of, and connection to, existing utilities as required.

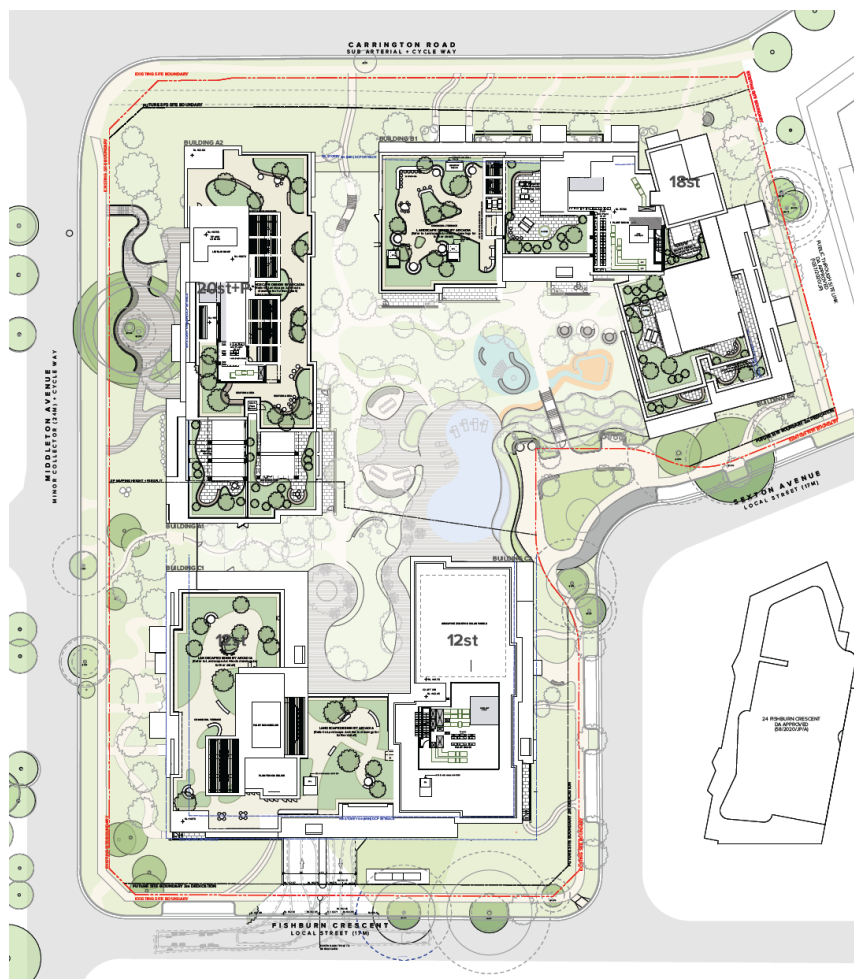


Figure 6:

Proposed site plan  
(Source: Turner  
architects drawing  
DA-100-002)

The proposed development is discussed further in the following subsections and also detailed in:

- the Architectural Package prepared by Turner architects and included at **Appendix 6**
- the Design Verification Statement and Design Report prepared by Turner architects and included at **Appendix 7**
- the Landscape Drawings prepared by Arcadia and included at **Appendix 8**

**Table 5:** Summary of Key Elements of the Development

Element	Proposed
Site Area	14,219 square metres
GFA	58,215 square metres
Height	72 metres
Storeys	8-20 storeys
Total Apartments	<ul style="list-style-type: none"> <li>• 1 bed – 41 (9.5%)</li> <li>• 2 bed – 251 (58.2%)</li> <li>• 3 bed – 122 (28.3%)</li> <li>• 4 bed – 17 (4%)</li> <li>• Total – 431</li> </ul>
Affordable Housing	<ul style="list-style-type: none"> <li>• 5% of total Gross Floor Area (2,921sqm)</li> <li>• 1 bed - 4</li> <li>• 2 bed - 21</li> <li>• Total- 25</li> </ul>
Deep Soil	<ul style="list-style-type: none"> <li>• &lt;6m: 419.95 square metres – 3%</li> <li>• &gt;6m: 2,280 square metres – 16%</li> <li>• Total: 2,699.95 square metres – 19%</li> </ul>
Communal Open Space	5,473.55 square metres - 38%
Solar access	2 hours: 70.7% (9am-3.30pm) No sun: 15%
Cross Ventilation	181/292 = 61.9%
Parking	<ul style="list-style-type: none"> <li>• 740 car spaces comprising:                             <ul style="list-style-type: none"> <li>• 653 residential car spaces</li> <li>• 87 visitor car spaces</li> </ul> </li> </ul>
EDC (inc GST)	\$347,482,281.00
Jobs	<ul style="list-style-type: none"> <li>• 775 new jobs across the construction phase</li> <li>• 15 new jobs across the operational phase</li> </ul>

### 3.3 Built Form and Urban Design

The proposed distribution of built form and massing across the site is the result of a considered analysis of the constraints of the site combined with context of the site and the desire to deliver a positive urban design outcome.

In particular, the proposed design has developed from an evolution which firstly recognises the site topography, and existing ecological values to define the appropriate location for the building footprint. Having established the footprints for buildings, several key design moves have informed the building massing, internal layout and architectural treatment. This includes the desire to modulate scale from north to south, minimise shadow impacts to surrounding properties, maximise orientation for solar access, achieve an engaged street edge whilst managing the steep fall of the site, and maximising ground floor common open space. The sculpting of the facades is intended to provide visual interest, reference the lower scale to the south and higher scale to the north, mitigate wind impacts, and achieve vertical articulation.

The proposal ensures an activated ground floor plane and the design of the proposal achieves a highly modulated built form outcome which serves to reduce the apparent bulk and mass of the development and deliver a visually dynamic outcome. Finally, the proposal provides relief by modulating the skyline of the buildings which facilitates a diversity in scale, as well as facilitating integrated roof top common open space areas. The Design Report by Turner Architects demonstrates that the proposal achieves a high level of amenity and compatibility with the surrounding site context.

The proposal is a high quality transit orientated development that will provide additional housing choice in a location that enjoys exceptional access to the employment, services, retail facilities and outdoor amenity.

The development exhibits a high level of environmental performance, provides a high level of amenity and an attractive contemporary architectural expression that will contribute positively to the built form quality of the building stock in the Showground Station precinct.

A varied palette and materiality are used to provide a clear identity for the development. The varied architectural language generates a high level of visual interest.

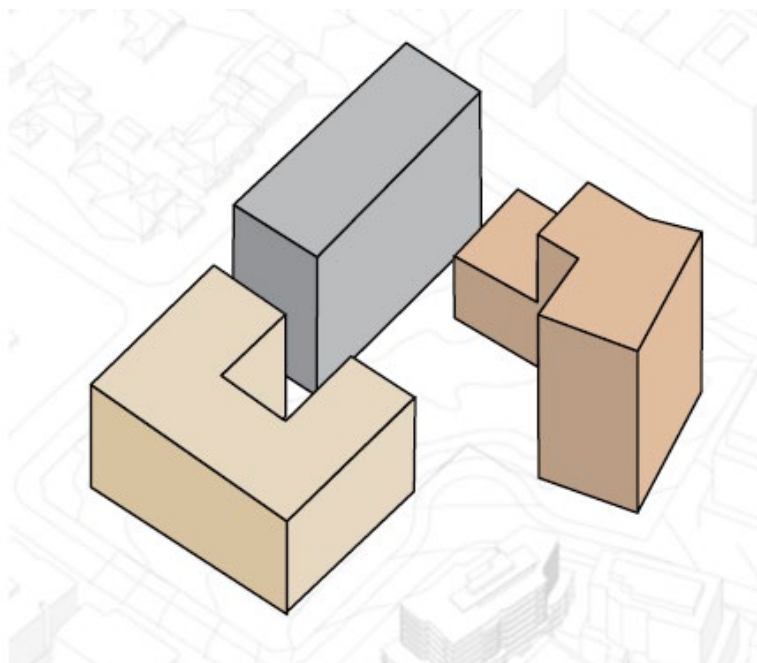


Figure 7:

Design  
Evolution –  
Initial Massing  
(Source:  
Turner Design  
Report)

Figure 8:

Design Evolution –  
Reduction of envelope  
to enhance amenity  
(Source: Turner Design  
Report)

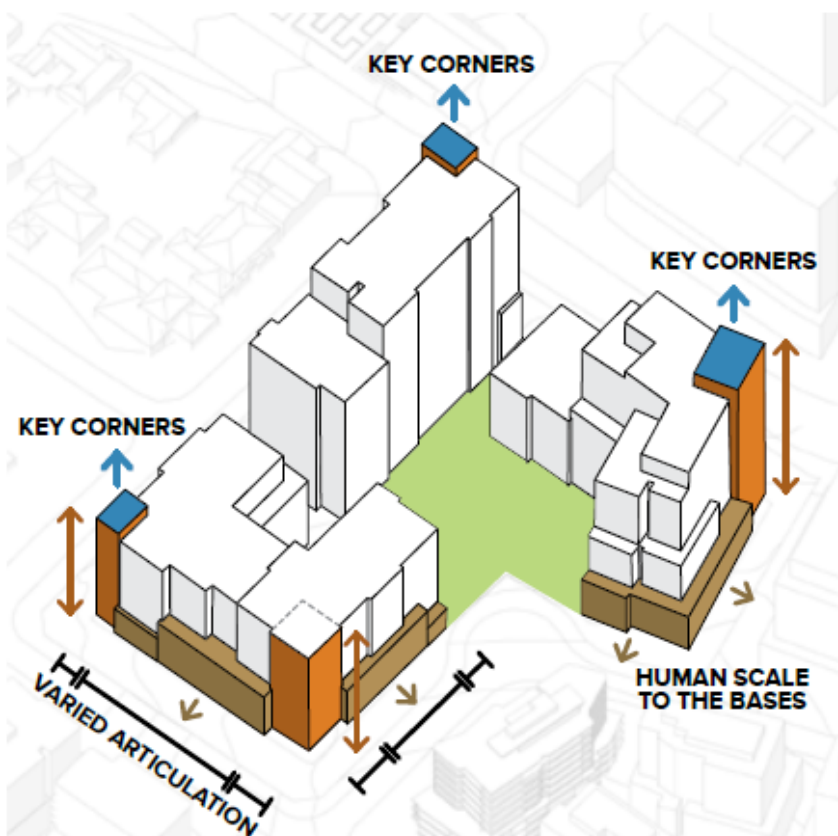
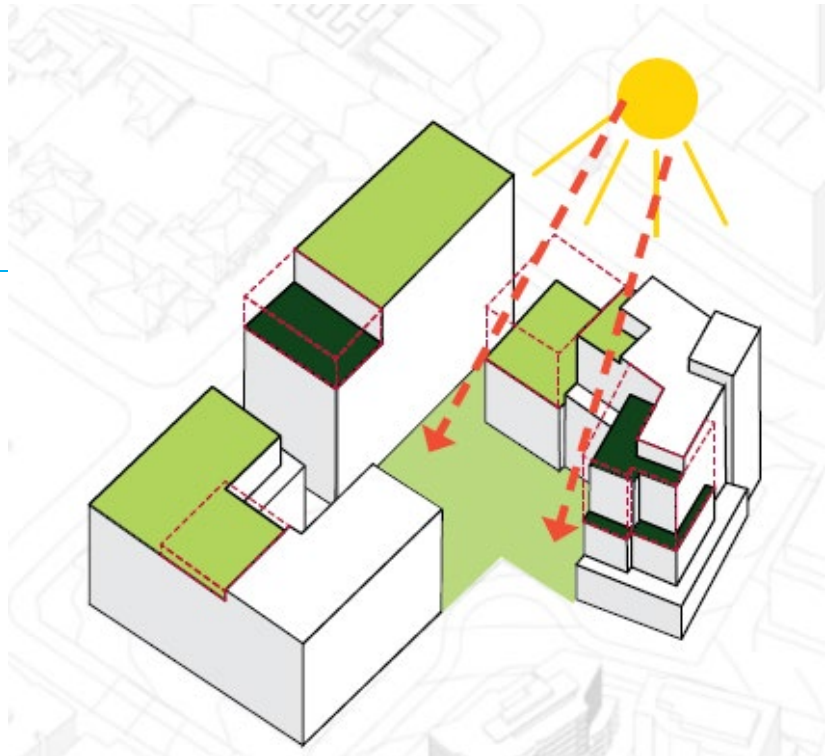


Figure 9:

Design  
Evolution –  
Further  
articulation and  
accentuating  
of corners  
(Source:  
Turner Design  
Report)

Figure 10:

Design Evolution – Ground level setbacks (Source: Turner Design Report)

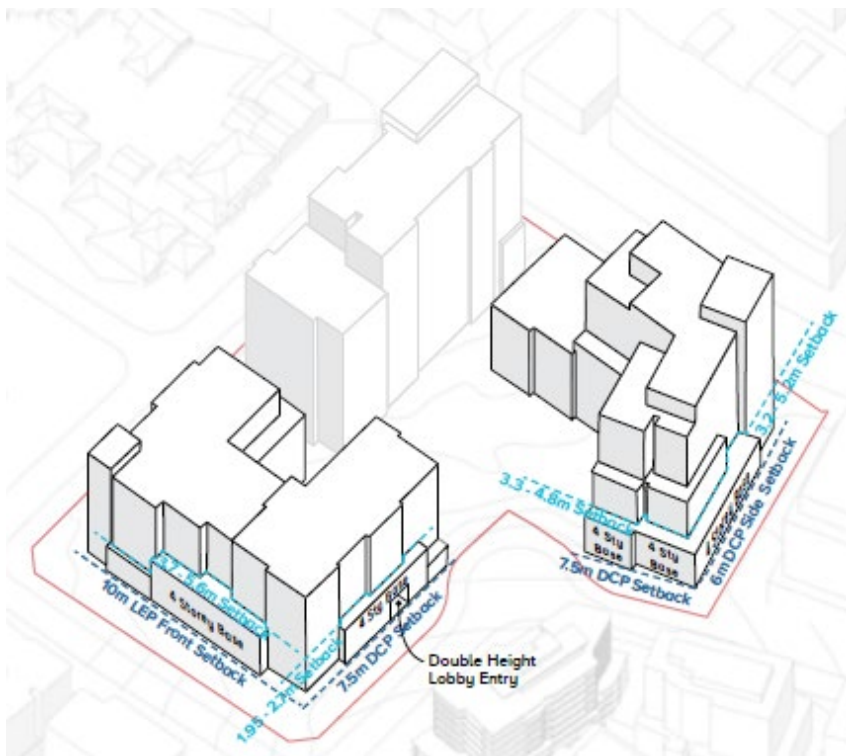
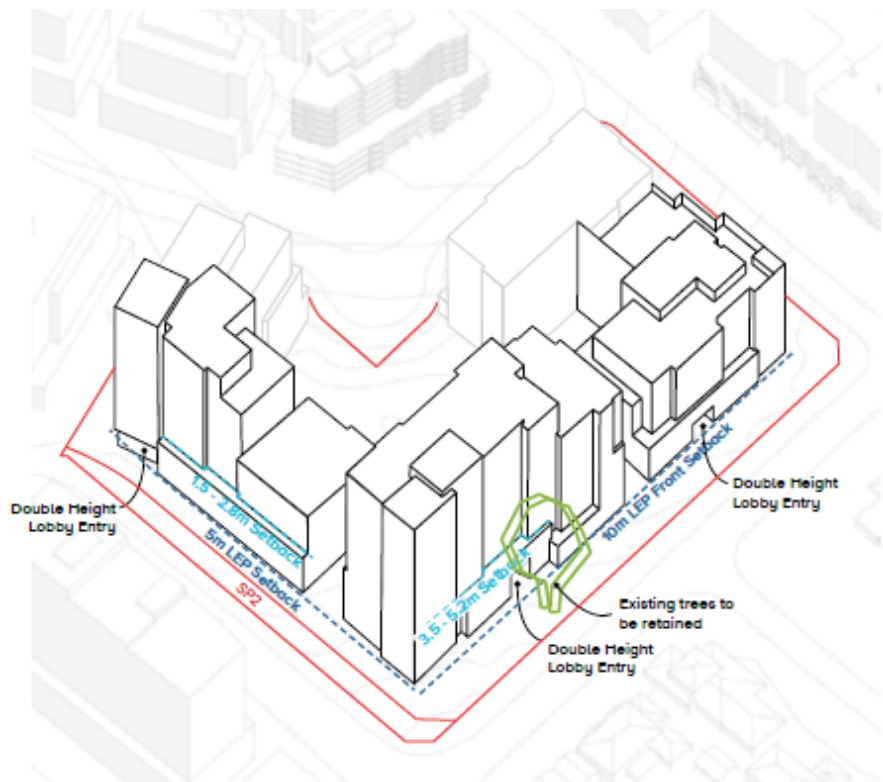
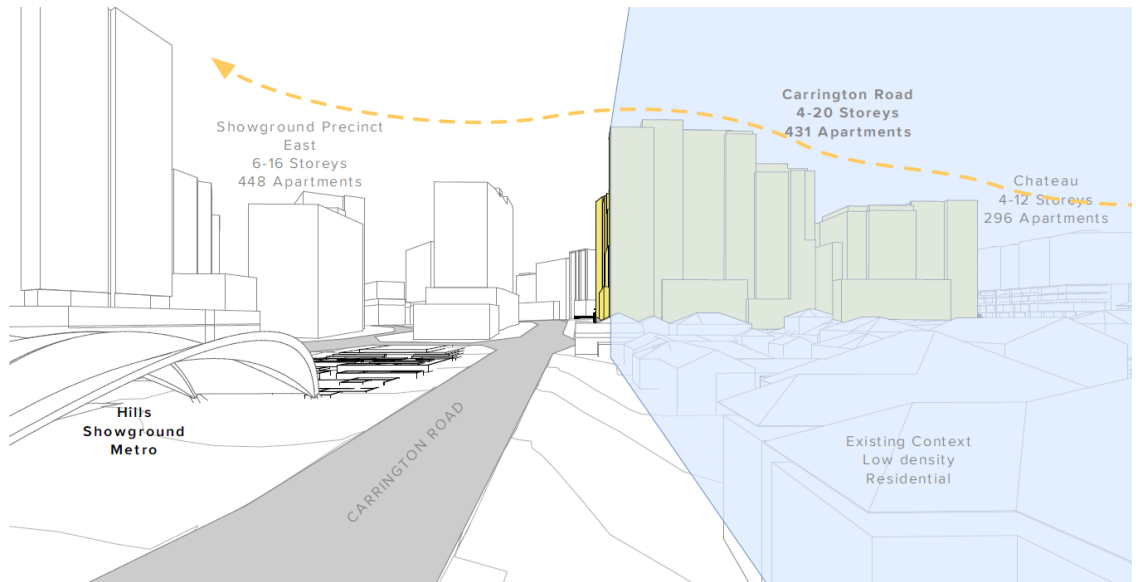
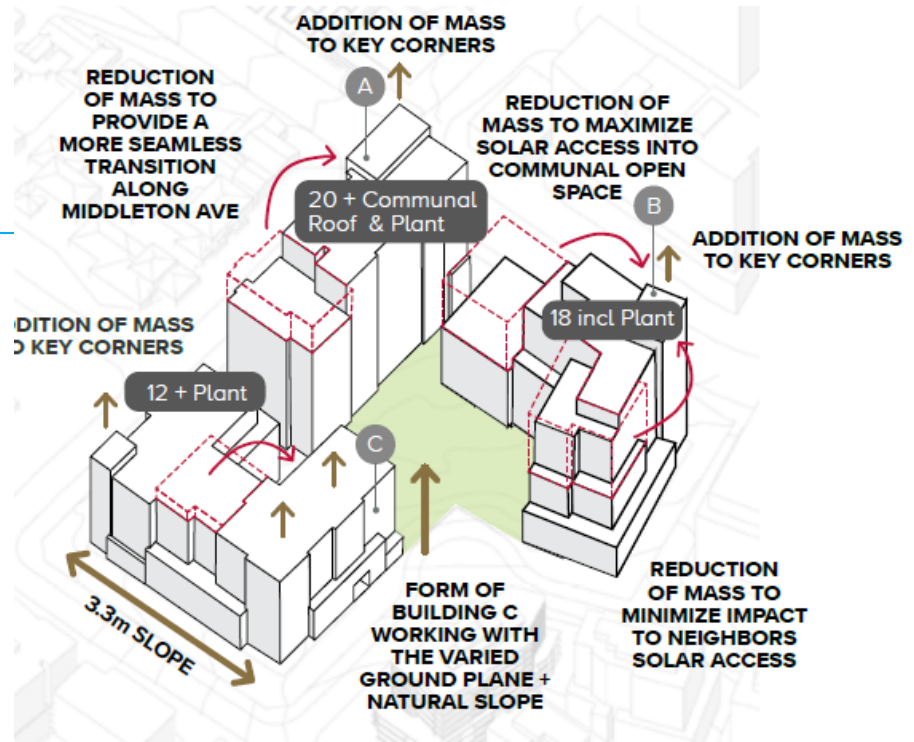


Figure 11:

Design Evolution – Upper level setbacks and articulation zone (Source: Turner Design Report)

**Figure 12:**

Design  
 Evolution –  
 Reduction of the  
 envelope and  
 redistribution of  
 massing  
 (Source: Turner  
 Design Report)



**Figure 13:**

Contextual fit (Source: Turner Design Report)



Figure 14:

Artist impression of proposal as viewed from the Metro station



Figure 15:

Artist impression of proposal as viewed from the Precinct East Park



**Figure 16:**

Artist impression of internal communal courtyard

### 3.4 Connecting with Country and Public Art

The design development of the project has evolved with careful consideration and recognition to the importance of the First Nations historic and ongoing care of Country.

A 'Connecting with Country' Strategy has been developed by Artefact in conjunction with members of the Traditional Custodians of the land through a series of ongoing consultations including a Walk on Country. A comprehensive design response to Country has been integrated into the development, with a particular focus on façade materiality inspired by Dharug colour palettes, native planting strategies drawn from the Cattai Creek corridor, and interpretive elements that embed storytelling into the public domain as recommended by the representative elders.

### 3.5 Materials and Finishes

The proposed development provides a refined palette of materials and finishes, to ensure that a unified and cohesive visual outcome is achieved. The materials incorporated into the building have also been selected based on the environmental performance and sustainability requirements for the materials and the building and comprising predominantly brick of varying palette.

The proposed materials and finishes are detailed in the architectural plans provided by Turner Architects.

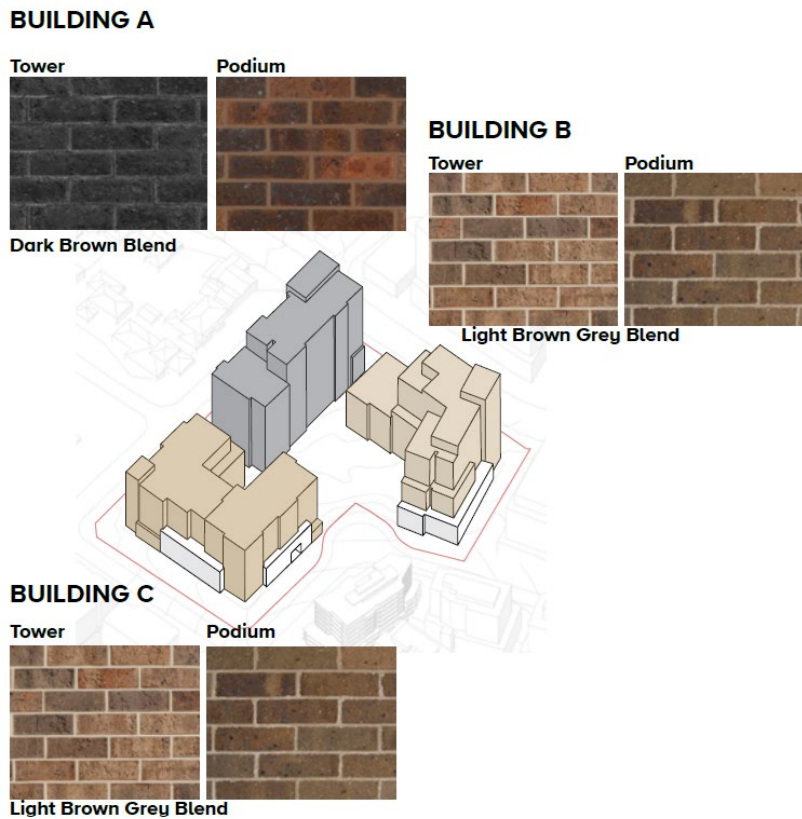


Figure 17:

Materials and finishes

### 3.6 Site Preparation Works

Site preparation works are proposed in order to facilitate preparation for the proposed built form. This includes tree removal and earthworks as outlined below:

#### 3.6.1 Tree Removal

There are a range of trees on and around the site which are identified in the Arboricultural Impact Assessment (AIA) prepared by Raintree Consulting (**Appendix 21**). The assessment considered 16 trees comprising 9 trees within the Council verge and 3 trees on the neighbouring site.

The proposed development requires extensive excavation which will necessitate the removal of 3 of the 4 trees within the site. Whilst the trees proposed to be removed provide some amenity for the site, the reasonable development of the site in accordance with the new vision for the area is not possible with the retention of these trees, particularly having regard to the required excavation. Notwithstanding this, the redevelopment of the site will include a coordinated landscaping regime with more suitable tree species which will achieve a high quality landscaped treatment for the site as illustrated in the landscape plans prepared by Arcadia landscape architects which accompany this application.

#### 3.6.2 Earthworks

Bulk earthworks are required to grade the site, and to excavate for the proposed basement levels. The proposed earthworks are generally constructed to the footprint of the proposed building above.

### 3.7 Open Space

The proposed development provides 5,473.55 square metres of common open space distributed throughout the development which is the equivalent of 38% of site area and compliant with the requirement under the Apartment Design Guide.

The common open space areas are comprised a lobby deck green corridor and connection to internal courtyard, pool garden, wellness garden, community gardens, Sexton Avenue pocket park and arrival, and rooftop terraces on each building, providing passive and active communal spaces.

The variety of common open space areas ensure that there are many outdoor opportunities for future residents with different attributes and qualities. The rooftop area will be used for a range of activities and will include, raised planter beds, outdoor seating, community garden, and BBQ pavilions. A tree canopy will be introduced to cover the roof top.

The development provides balconies for all apartments with a range of sizes which are generally greater than the size requirements of the Apartment Design Guide.

### 3.8 Parking and Access

#### 3.8.1 Pedestrian and Vehicle Access

Pedestrian access is provided to the development by a series of lobbies, with three lobbies from Middleton Avenue, a single lobby from Carrington Avenue, and a single lobby from Sexton Avenue.

The development rationalises the number of existing vehicular crossings and improves pedestrian and traffic safety, by removing multiple existing vehicular crossings which currently serve the site from the surrounding streets, and replacing them all vehicular access into the development being from a single driveway into the site from Fishburn Crescent.

This driveway provides access to the loading dock for garbage collection and removalist vehicles which is close to the entrance, as well as a ramp up down to the parking levels. Due to the steep fall on the site, the lower ground floor parking is predominantly subterranean.

#### 3.8.2 Parking

The proposal provides a total of 740 spaces comprising:

- 653 residential spaces
- 87 visitor spaces

### 3.9 Servicing and Waste Removal

The proposal includes an on-site loading dock which can accommodate a 12.5m Heavy Rigid Vehicle (HRV) for the purpose of waste collection and general deliveries. This loading provision is considered suitable to accommodate the needs of the site based on the yields achievable under the development proposal. The loading area will have a height clearance of 4.5m which is consistent with the recommended clearances nominated in AS2890.2. All vehicles will enter and exit the site from Fishburn Crescent in a forward direction without any requirement for a mechanical device (e.g. turntable).

Vehicle swept paths have been developed to confirm the suitability of the design to accommodate the movement of HRVs and Council waste trucks within the site.

A detailed discussion in relation to the design of the loading docks, bins storage and location, and methods for collection is included in the Waste Management Plan prepared by Dickens Solutions which accompanies this application at **Appendix 20**.

### 3.10 Stormwater

A detailed stormwater management and drainage plan has been prepared and accompanies this application. The plans detail the provision for onsite stormwater detention and various control measures across the site. The proposed development is unlikely to disrupt or negatively impact on neighbouring land uses or structures with adequate measures proposed to mitigate against potential instability during the construction of the basement car parking.

The stormwater design is discussed in detail within the Integrated Water Management Plan at **Appendix 24** prepared by SGC which supports this application.

### 3.11 Sustainability

The proposed development has been designed to reflect best practice sustainable building principles to improve environmental performance in relation to energy efficiency, water conservation and thermal comfort. An ESD Report has been prepared by E-Lab and included at **Appendix 42**, which details the sustainability initiatives that have been achieved and/ or embedded within the design, construction and operation of the proposed development to promote sustainability.

### 3.12 Services

All required services will be provided to the site and this has been confirmed by the relevant utility providers. Refer to the Infrastructure, Delivery, Management and Staging Plan prepared by SGC at **Appendix 26**.

### 3.13 Construction Details

#### 3.13.1 Construction Management Plan

A Construction Traffic Management Plan prepared by Varga accompanies the application at **Appendix 15**. This document addresses construction traffic management.

#### 3.13.2 Construction Hours

The proposed development will be constructed within the following hours as per the relevant guidelines:

- Monday to Friday: 7:00am to 6:00pm
- Saturdays: 7:00am to 5:00pm
- No work on Sunday and Public Holidays

### 3.14 Affordable Housing

The proposal provides the equivalent of 5% of the total floor space, which equates to 25 apartments, as affordable housing apartments as defined under *State Environmental Planning Policy (Housing) 2021*, with this housing stock to be managed by a Registered Community Housing Provider for a minimum of 15 years from the date of occupation.

Cubic Real Estate is a Registered Community Housing Provider.

The following distribution of the affordable housing units in the development is proposed as follows:

**Table 6:** Affordable housing apartments

Apartments	Number
1 bed	4
2 bed	21
Total	25 (5% of GFA)

It is anticipated that conditions will be imposed by the consent authority to the effect that:

- for 15 years from the date of the issue of the occupation certificate:
  - the dwellings proposed to be used for the purposes of affordable housing will be used for the purposes of affordable housing, and
  - all accommodation that is used for affordable housing will be managed by a registered community housing provider, and

a restriction will be registered, before the date of the issue of the occupation certificate, against the title of the property on which development is to be carried out, in accordance with section 88E of the Conveyancing Act 1919, that will ensure that the requirements of paragraph (a) are met.

### 3.15 Staging and Timing

The application does not propose the staged construction of the development, noting the proposal is for a singular built form which will be constructed in one process.

The anticipated construction timing for the development is below:

- Basement bulk excavation – Mid 2026
- Superstructure commencement – Late 2026
- Anticipated project completion – Late 2027

## 4.0 PROPOSED REZONING AMENDMENTS

### 4.1 Proposed Amendments to the TLEP

To facilitate the proposed built form sought under SSD-83112728, concurrent amendments are also sought to the THLEP 2019 pursuant to the Concurrent Rezoning process facilitated by the HDA planning pathway. Specifically, consent is sought to:

- Amend the Height of Buildings Map under Clause 4.3 to increase the building heights from 40 metres in Area A and 27 metres in Area B, to 72 metres for the entire site
- Amend the Floor Space Ratio Map under Clause 4.4 to increase the maximum FSR from 3.1:1 in Area A and 2.7:1 in Area B, to 4.1:1 for the entire site

#### 4.1.1 Height of Buildings

The site is currently subject to two maximum heights, being 40 metres at the northern portion of the site and 27 metres for the southern portion of the site, as shown in Figure 18.

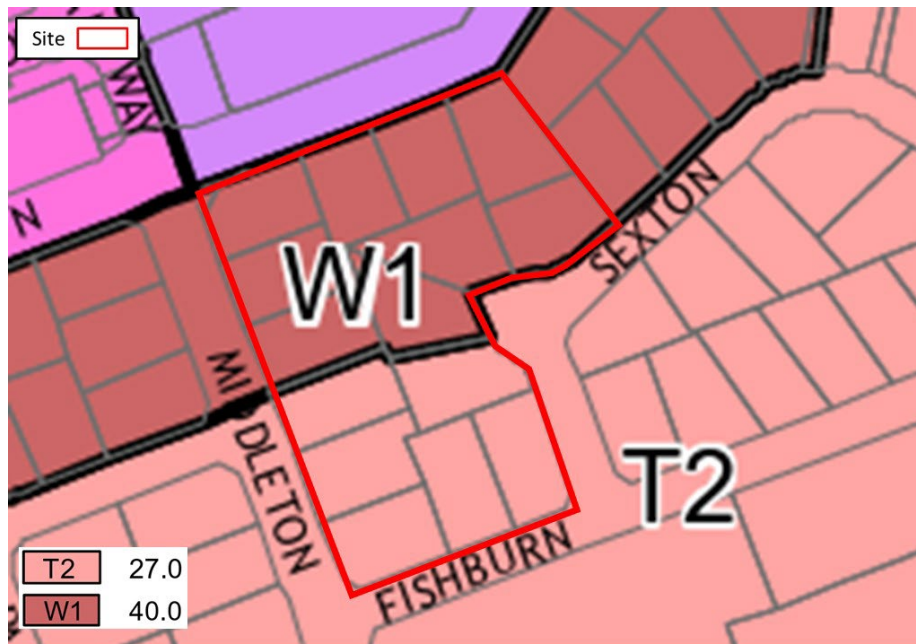


Figure 18

Extract from the THLEP Height of Buildings Map

In order to facilitate the proposed development, it is proposed to amend the Height of Buildings Map under Clause 4.3 to increase the building height from 27 metres and 40 metre to 72 metres, as illustrated in Figure 19 below.

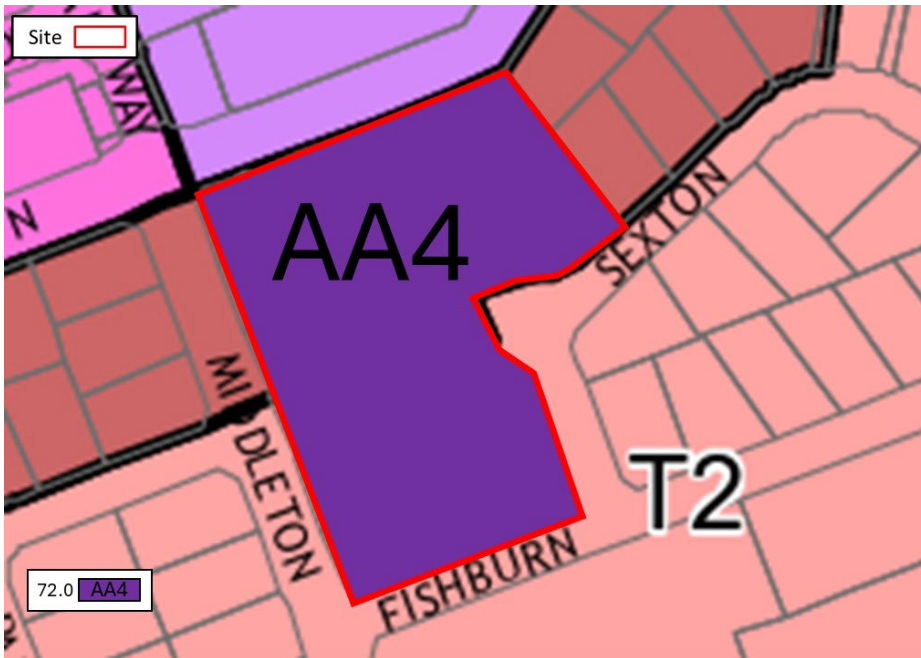


Figure 19

Proposed amendment to the THLEP Height of Buildings Map

#### 4.1.2 Floor Space Ratio

The site is currently subject to two maximum FSRs, being 2.1:1 at the northern portion of the site and 1.9:1 for the southern portion of the site as shown in Figure 20.

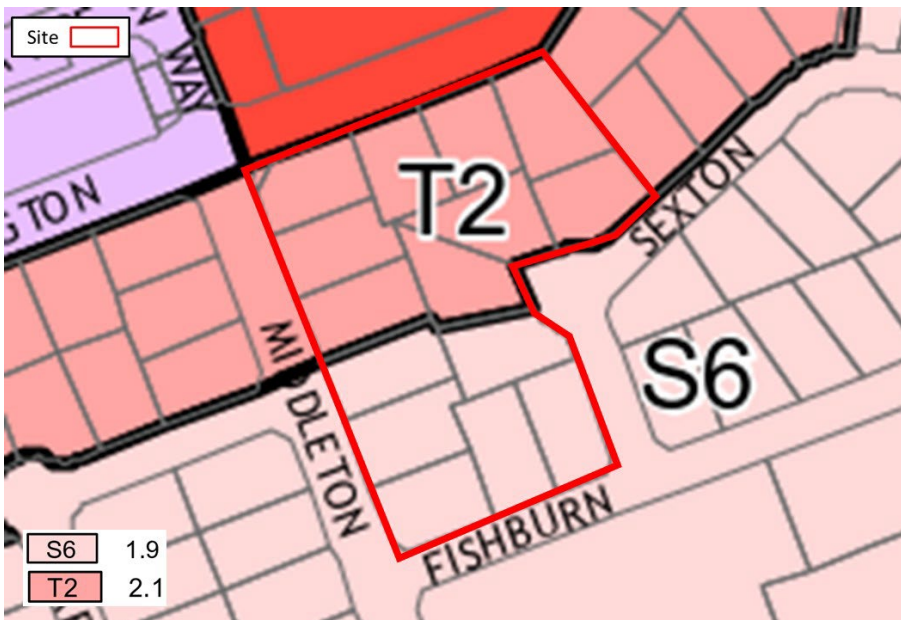


Figure 20:

Excerpt from THLEP FSR map

However, the site is located within the Showground Station precinct and Clause 9.7 of THLEP provides for an incentivised FSR subject to meeting certain criteria. The incentivised FSRs applying to the site are 3:1 at the northern portion of the site and 2.7:1 for the southern portion of the site as shown in Figure 21.

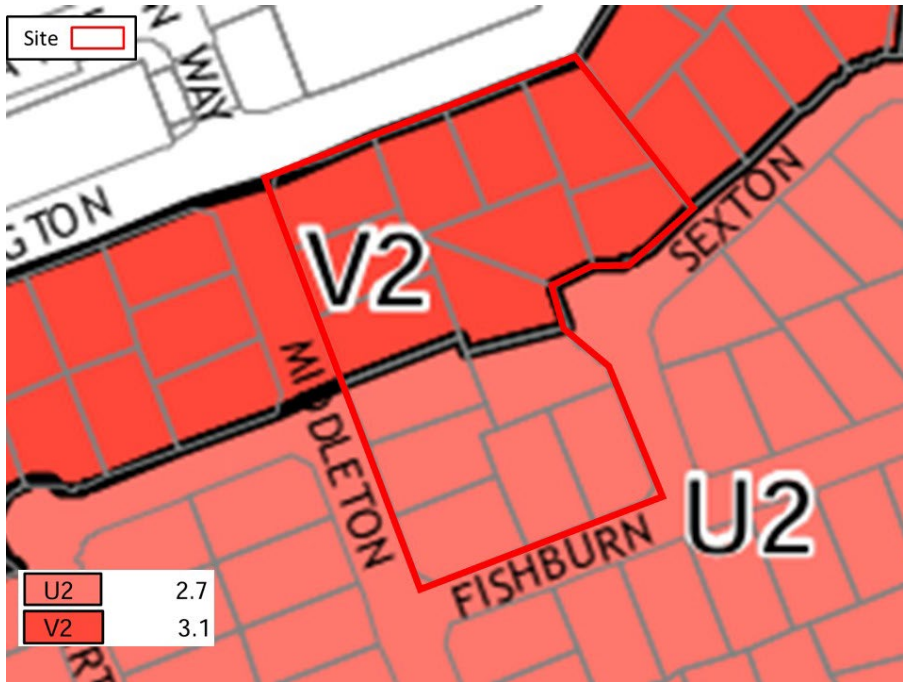


Figure 21:

Excerpt from THLEP Incentive FSR map

In order to facilitate the proposed development, it is proposed to amend the FSR Map under Clause 4.4 to increase the maximum FSR to 4.1:1 for the entire site, as illustrated in Figure 22 below.

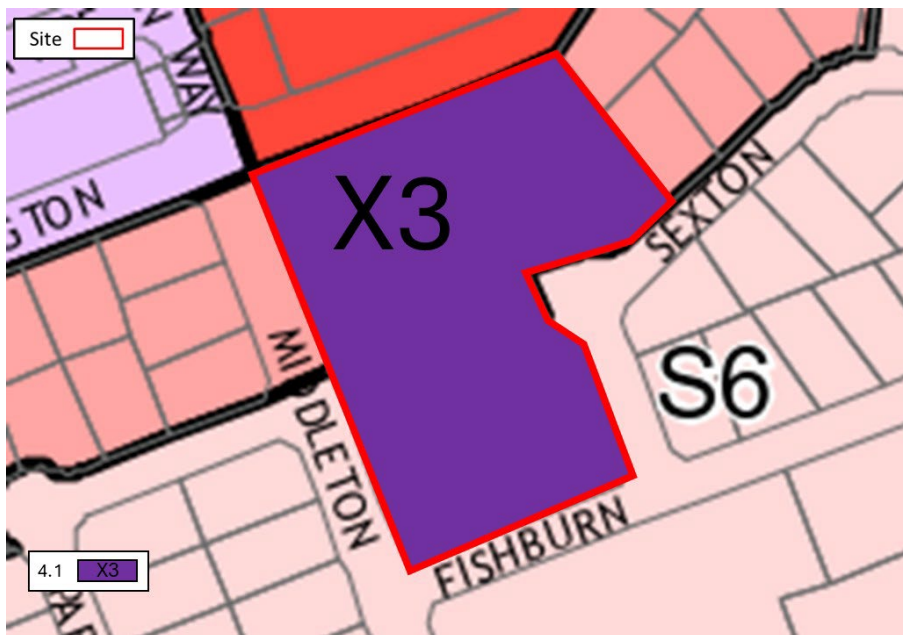


Figure 22:

Proposed amendment to the THLEP FSR map

#### 4.2 Justification of Strategic Merit

This section outlines the strategic justification for the proposed amendments to the THLEP 2019 in accordance with the relevant matters for consideration within the 'Local Environmental Plan Making Guideline' prepared by DPHI.

**4.2.1 Question 1 - Is the planning proposal a result of an endorsed LSPS, strategic study or report?**

The proposed amendments are a direct response to the designation of the project as SSD under the HDA, specifically pursuant to *State Significant Declaration Order (No 4) 2025* (Order) issued on 2 April 2025. It directly responds to the objectives of the Housing Delivery Authority and National Housing Accord to build new well-located homes to alleviate the housing crisis.

**4.2.2 Question 2 - Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?**

The proposal is the best means of achieving the objectives and intended outcomes for the site in a manner which will provide for the maximum provision of housing within the demonstrated environmental capacity of the site. The proposal has been prepared in response to the key criteria prescribed under the HDA process, including the delivery of a greater quantum of housing in highly accessible locations.

The consequence of the proposal not proceeding is that the site will fail to fulfil its potential for contributing to housing and affordable housing.

**4.2.3 Question 3 - Will the planning proposal give effect to the objectives and actions of the applicable regional or district plan or strategy (including any exhibited draft plans or strategies)?**

[Greater Sydney Region Plan – A Metropolis of Three Cities](#)

In March 2018 the *Greater Sydney Region Plan - A Metropolis of Three Cities* was released. The Plan sets a 40-year vision to 2056 and establishes a 20-year plan to manage growth and change for Greater Sydney. The vision for Greater Sydney as a metropolis of three cities — the Western Parkland City, the Central River City and the Eastern Harbour City where most residents live within 30 minutes of their jobs, education and health facilities, services and great places.

The Plan sets out 10 Directions which set out the aspirations for the region and objectives to support the Directions. The 10 Directions are:

- A city supported by infrastructure
- A collaborative city
- A city for people
- Housing the city
- A city of great places
- A well-connected city
- Jobs and skills for the city
- A city in its landscape
- An efficient city
- A resilient city

The Plan provides 38 objectives concerning, Infrastructure and collaboration, Liveability, Productivity and Sustainability which are aimed at achieving the identified Directions. The following table summarises the proposals consistency with relevant objectives of the Plan:

**Table 7:** Consistency with objectives of Greater Sydney Region Plan

Objective	Comment	Consistent
<b>3. Infrastructure and Collaboration</b>		
Objective 4: Infrastructure use is optimised.	This objective is concerned with ensuring that existing infrastructure is optimised. The introduction of additional residential accommodation on the site given its strategic location very close to existing rail and bus services will positively contribute to this objective by placing density in a highly convenient location that will encourage usage of existing transport infrastructure.	Yes
Objective 5: Benefits of growth realised by collaboration of governments, community and business.	The Proposal will assist the government in reaching housing targets ensuring the proposal positively contributes to housing and economic policy of government.	Yes
<b>4. Liveability</b>		
Objective 7: Communities are healthy, resilient and socially connected	<p>This objective is concerned with delivering healthy, safe and inclusive places for people of all ages and abilities that support active, resilient and socially connected communities by providing walkable places at a human scale with active street life and prioritising opportunities for people to walk, cycle and use public transport.</p> <p>The proposal will facilitate the delivery of an appropriate density on a site that is adjacent to the Showground Station town centre in a location that is within walking distance of multiple transport services, a variety of community and social facilities, including schools, childcare centres, community centres, open space and recreational facilities.</p> <p>The public domain upgrades will significantly revitalise the existing public domain around the site and in doing so will promote a healthier urban environment, improve community access to recreation and exercise and encourage social interaction. Further, the proposal will facilitate a redevelopment of the site that will support active, resilient and socially connected communities by:</p> <ul style="list-style-type: none"> <li>• providing walkable places at a human scale with active street life, and</li> <li>• prioritising opportunities for people to walk, cycle and use public transport.</li> </ul>	Yes
Objective 10: Greater Housing Supply	The NSW State Government has agreed to a National Housing Accord (Accord) with other states and territories, local government, institutional investors and the construction sector. The Accord includes an initial aspirational target agreed by all parties to build 1.2 million	Yes

Objective	Comment	Consistent
	<p>new well located homes over 5 years from mid 2024. NSW has a target to deliver 377,000 new homes over five years by July 2029 under the National Housing Accord.</p> <p>To accelerate the delivery of much needed homes and help meet NSW's target under the Accord, the NSW Government has established the Housing Delivery Authority (HDA). The HDA offers a clear planning pathway for large residential and mixed-use developments to be assessed as State significant development and State Significant Development with a Concurrent Rezoning. This process aims to improve consistency in planning decisions and speed up assessment, without sacrificing housing quality.</p> <p>The subject site is well placed to deliver additional uplift to help achieve Accord housing goals, being a large, consolidated land holding under single ownership, with excellent public transport connections and with construction already commenced on site.</p> <p>The proposal seeks to amend the height and FSR maps to ensure that the site can realise the demonstrated environmental capacity for the site. It is critical that where the site is demonstrated as having the capacity to absorb an increase in floor space, that the realisation of this floor space is made possible to ensure housing supply on the subject site is maximised.</p>	
Objective 11: Housing is more diverse and affordable	This objective is concerned with delivering housing affordability and recommends an affordable rental housing target of between 5-10% of new residential floor space. The proposal is consistent with the objective to improve housing affordability because it (a) will increase housing supply and (b) proposes the provision of 5% affordable housing.	Yes
<b>5. Productivity</b>		
Objective 14: A Metropolis of Three Cities – integrated land use and transport creates walkable and 30-minute cities	A central component of this objective is to co-locate activities in metropolitan, strategic and local centres and attract housing in and around centres to create walkable, cycle-friendly neighbourhoods. The proposal would deliver a significant quantum of new homes adjacent to the Showground Station local centre that would contribute towards the 30-minute city objective.	Yes
<b>6. Sustainability</b>		

Objective	Comment	Consistent
Objective 30. Urban tree canopy cover is increased	The proposal will facilitate future redevelopment of a site which would include the provision of additional canopy trees.	Yes
Objective 33: A low-carbon city contributes to net-zero emissions by 2050 and mitigates climate change	The proposal is consistent with this objective as it will facilitate future development on the site that will deliver new homes near public transport therefore reducing the reliance on private car use and associated emissions.	Yes
Objective 34: Energy and water flows are captured, used and re-used	The proposal is consistent with the principles of ecological sustainable design and a BASIX certificate accompanies this application.	Yes
Objective 37: Exposure to natural and urban hazards is reduced	The site is not affected by any known hazards.	Yes
Objective 38: Heatwaves and extreme heat are managed	The development reduces vulnerability to extreme heat through the use of a combination of shading devices, selection of building materials and landscaping.	Yes

#### Central City District Plan

The Central City District Plan was released in March 2018 and sets out a 20-year vision for the Central City District. The Central City District includes the Blacktown, Cumberland, Parramatta and The Hills local government areas.

The Central City District Plan is a 20-year plan to manage growth in the context of economic, social and environmental matters to achieve the 40-year vision of Greater Sydney. It is a guide for implementing the Greater Sydney Region Plan, A Metropolis of Three Cities, at a district level.

The Central City District Plan identifies Castle Hill as a strategic centre. The Plan notes that the Sydney Metro Northwest will facilitate housing and jobs growth around new stations at Castle Hill, Showground, Norwest, Bella Vista, Kellyville and Cudgegong Road.

Consistent with the Greater Sydney Region Plan, the Central City District Plan sets a 5-year housing target for The Hills of 8,550 dwellings. An updated housing target for The Hills has recently been released. The new target is 23,300 completed homes by 2029.

The following table summarises the Planning Proposal’s consistency with relevant components of the South District Plan:

**Table 8:** Consistency with Central City District Plan

Chapter	Comment	Consistent
Liveability	The District Plan seeks to develop a city of housing choice, with homes that meet our resident’s and lifestyles in a great place to live, with communities that are strong, healthy and well connected.	Yes

Chapter	Comment	Consistent
	<p>The District Plan establishes the following overarching liveability priorities:</p> <ul style="list-style-type: none"> <li>• Providing services and social infrastructure to meet people’s changing needs</li> <li>• Fostering healthy, creative, culturally rich and socially connected communities</li> <li>• Providing housing supply, choice and affordability, with access to jobs and services</li> <li>• Creating and renewing great places and local centres, and respecting the District’s heritage</li> </ul> <p>The proposal is consistent with the stated priorities as it is specifically aimed at improving housing diversity and renewal of a particularly large land holding within the local area.</p> <p>The proposal will facilitate the delivery of a substantial quantum of residential accommodation on a site that is highly suitable for development uplift given its favourable location adjacent to the Showground Station local centre and also having regard to the size of the site and its ability to achieve transformational change for Showground Station. The Urban Design Report prepared by Turner architects outlines accompanies this proposal and demonstrates that 431 dwellings are capable of comfortably being accommodated within the site.</p> <p>The proposal will allow for a transit-oriented development that will assist in achieving housing diversity and affordability on a site that is well located to services and facilities. The proposal will improve the viability and liveability of the Showground Station local centre consistent with the liveability priorities</p>	
Sustainability	<p>The District Plan provides a large number of sustainability priorities and actions which aim to safeguard the local environment.</p> <p>The proposal is consistent with these priorities as it will facilitate redevelopment on the site that will ensure the protection of the environment.</p> <p>By providing additional housing adjacent to an existing centre, the proposal maximises the efficiency of existing infrastructure and reduces pressure on the fringe of Sydney and other sensitive locations.</p> <p>The proposal is consistent with the principles of ecological sustainable design and a BASIX certificate supports this application.</p> <p>The proposal will not result in any adverse impacts on bushland or any waterways and is unlikely to impact on any other aspects of the Central City District’s environment that the District Plan seeks to protect.</p>	Yes

**4.2.4 Question 4 - Is the planning proposal consistent with a council LSPS that has been endorsed by the Planning Secretary or GSC, or another endorsed local strategy or strategic plan?**

[Hills Future 2036 Local Strategic Planning Statement](#)

The Hills Local Strategic Planning Statement provides a land use vision for The Hills Shire to 2036.

The LSPS Planning Priorities related to housing are:

- Plan for new housing to support Greater Sydney's growing population.
- Plan for new housing in the right locations.
- Plan for a diversity of housing.
- Renew and create great places.
- Provide social infrastructure and retail services to meet residents' needs.

The LSPS acknowledges the need for affordable housing and notes that Council will encourage affordable housing in areas serviced by infrastructure.

The proposed development is entirely consistent with the vision and relevant targets of the LSPS. Specifically:

- The development provides 5% of the floor space within the development for affordable housing for 15 years.
- The proposed housing is in the right location, as it is supported by existing infrastructure. The site is located in an area that has been identified as an urban renewal area as it is opposite the Hills Showground Metro Station.
- The site is in close proximity to Castle Towers shopping centre and other retail areas.
- The site is located within close proximity of the strategic centres of Norwest and Castle Hill which provide local employment opportunities.

[The Hills Housing Strategy](#)

The Hills Shire Council Housing Strategy was adopted by Council on 22 October 2019.

The Strategy notes that the population of The Hills Shire is set to increase from approximately 162,500 people in 2016 to 290,900 people in 2036, which is an 80% increase in population. The Housing Strategy establishes the basis for strategic planning of the residential component of the Shire's urban lands to 2036.

The Housing Strategy is based on five planning priorities which are to:

- Plan for new housing to support Greater Sydney's growing population.
- Plan for new housing in the right locations.
- Plan for a diversity of housing.
- Renew and create great places.
- Provide social infrastructure and retail services to meet residents' needs.

The strategy seeks to match growth with infrastructure and notes that higher density housing must be provided in areas connected to, or with reach or, transport and other urban services.

The Housing Strategy notes that the provision of affordable housing is an issue across Greater Sydney. The Strategy states:

Approximately 6% of households in The Hills suffer rental stress and may be in need of affordable housing options. Most of these households fall within the very low, low and moderate income brackets. Within this group of renters, there is a higher degree of rental stress, as a significant proportion of the properties that are leased at rates suitable for these income brackets are occupied by those who fall within higher income brackets.

This forces residents who need to occupy these properties into rental stress, as they must seek properties that are beyond the 30 per cent threshold of their income.

As detailed above, the proposed development contributes to the supply of housing, within a significant centre that is supported by an existing rail network. The development will also contribute to the supply of affordable housing.

#### **4.2.5 Question 5 - Is the Planning Proposal consistent with any other applicable State and regional studies or strategies?**

##### [National Housing Accord \(2022\)](#)

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

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

The proposed development is aligned with the National Housing Accord as it seeks to deliver additional housing in a well-serviced location within the next 5 years. As a HDA application, the proposal will quickly facilitate housing development with construction already commenced on site.

##### [Housing 2041 – NSW Housing Strategy](#)

Housing 2041 represents a 20 year vision for the delivery of housing as established by the NSW Government. Housing 2041 sets the framework for delivering more housing in the right locations, more diverse housing options that suit diverse demographics, as well as high amenity housing. Housing 2041 establishes four pillars to underpin the future of housing. The proposed development will closely align with each of these pillars in the following manner:

- Supply: the proposal will facilitate the delivery of a total of 431 apartments, including 25 affordable housing apartments, which is a significant boost to the supply of both rental and market accommodation

- **Diversity:** the proposal provides for a balanced mix between apartments for rent and apartments for sale. Moreover, a range of 1, 2, 3 and 4-bedroom apartments are proposed to appeal to a broad residential market and ensure that all types of households have a place in the development.
- **Affordability:** the proposal will assist in improving affordability in two primary ways, firstly by providing increased supply of rental apartments at an affordable rate which provides downward pressure on rents, and secondly by providing increased supply of market apartments which provides downward pressure on apartment prices.
- **Resilience:** ESD principles will be embedded into the buildings design and future operation.

#### Future Transport Strategy

The future transport strategy outlines the 40-year vision of the State Government in regard to the State's transport network and system. The strategy aims to place NSW at the forefront of the country with a sophisticated transport system which will harness the rapidly advancing transport technology. The strategy outlines a planned and coordinated set of actions to address challenges faced by the NSW transport system to support the State's economic and social performance over the next 40 years.

The proposed development is consistent with the relevant State-wide outcomes of the Future Transport Strategy 2056 as it:

- provides height density residential use with a through site link which will achieve a transformational place making outcome for the region (Outcome 1: Successful Places)
- will encourage business and individual investment in the area by contributing towards a critical mass of residential population within the precinct (Outcome 2: Strong Economy)
- encourages the use of public transport by linking residential uses to a transport node (Outcome 6: Sustainability).

#### NSW Planning Guidelines for Walking and Cycling

These guidelines function to improve the consideration of walking and cycling and their role in the creation of sustainable neighbourhoods and cities. The proposed development aligns with these guidelines by providing an attractive and interesting pedestrian environment that is highly connected to the surrounding public domain. The design of the pathways surrounding the site will allow for the development to connect with future public domain works.

The proposal provides a high density residential development near the Showground Station town centre, which means that residents will be able to walk to a broad range of services, facilities, shops, and employment. Showground Station is also well served by public transport services which provides connectivity to greater Sydney including a train station. In addition, the development is in close proximity to a range of recreational opportunities. The location and nearby facilities are such that the proposal will encourage walking and cycling as a viable transportation method.

#### State Infrastructure Strategy 2018-2038

The NSW State Infrastructure Strategy 2018–2038 sets out the Government's priorities for the next 20 years, and combined with the Future Transport Strategy 2056, the Greater Sydney Region Plan and the Regional Development Framework, brings together infrastructure investment and land-use planning for our cities and regions.

The proposal is consistent with the State Infrastructure Strategy 2018-2038 by encouraging the use of public transport by placing housing close to existing public transport service.

**Better Placed – An Integrated Design Policy for the Built Environment of NSW**

Better Placed is an integrated design policy for the built environment, prepared by the Government Architect of NSW, to create a transparent approach to ensure good design outcomes are achieved to deliver desired architecture, public places and environments throughout NSW (September 2017). The policy includes seven applicable objectives:

- Objective 1 - Better fit
- Objective 2 - Better performance - sustainable, adaptable and durable
- Objective 3 - Better for the community - inclusive, connected and diverse
- Objective 4 - Better for people
- Objective 5 - Better working - functional, efficient and fit for purpose
- Objective 6 - Better value - creating and adding value
- Objective 7 - Better performance - engaging, inviting and attractive

An assessment of the proposal in relation to the Better Placed objectives is provided in Section 2.15 above.

**4.2.6 Question 6 - Is the planning proposal consistent with applicable SEPPs?**

The Planning Proposal is consistent with all relevant State Environmental Planning Policies as summarised in the following table:

**Table 9:** Consistency with SEPPs

SEPP	Comment	Consistent
State Environmental Planning Policy – (Transport and Infrastructure) 2021	The aim of SEPP Transport and Infrastructure is to facilitate the effective delivery of infrastructure across the State.  Detailed compliance with SEPP Transport and Infrastructure is detailed in Section 7.9 and <b>Appendix 13</b> which contains a TIA.	Yes
State Environmental Planning Policy (Resilience and Hazards) 2021	Chapter 4 Remediation of Land under State Environmental Planning Policy (Resilience and Hazards) 2021 is relevant to the Planning Proposal and requires the consent authority to consider whether land is contaminated, and if the land is contaminated, it is satisfied that the land is suitable in its current state or will be suitable after remediation for the purpose for which the Planning Proposal will permit.  The application is accompanied by a Preliminary Site Investigation prepared by Foundation Earth which concludes that the consent authority can be satisfied that the site is suitable for the proposed development subject to appropriate conditions of consent which reflect the above recommendations.	Yes
State Environmental Planning Policy	The aim of SEPP (Sustainable Buildings) is to encourage sustainable residential development.	Yes

SEPP	Comment	Consistent
(Sustainable Buildings) 2022	The proposal is accompanied by a BASIX Certificate.	
State Environmental Planning Policy (Housing) 2021 – Chapter 4	Chapter 4 of SEPP Housing aims to improve the design quality of residential flat developments, provide sustainable housing in social and environmental terms that is a long-term asset to the community and delivers better built form outcomes.  The proposal is consistent with Chapter 4 of SEPP Housing and detailed compliance is demonstrated at <b>Appendix 4</b> .	Yes
State Environmental Planning Policy (Primary Production) 2021	SEPP Primary Production aims to facilitate the orderly economic use and development of lands for primary production. The site does not currently comprise agricultural land, nor will the subject Planning Proposal make it possible to be used for primary production and so the Planning Proposal is of no consequence in relation to this SEPP.	N/A
State Environmental Planning Policy (Biodiversity and Conservation) 2021	SEPP Biodiversity and Conservation aims to protect the biodiversity values of trees and other vegetation and includes provisions in relation to vegetation clearing and is predominantly aimed at providing controls in relation to vegetation in rural settings. The non-rural controls apply to the subject site irrespective of the subject Planning Proposal, which is of no consequence in relation to this SEPP.	N/A
State Environmental Planning Policy (Industry and Employment) 2021	SEPP Industry and Employment includes provisions in relation to the western Sydney employment area, as well as controls relating to signage.	N/A
State Environmental Planning Policy (Planning Systems) 2021	SEPP Planning Systems comprises provisions which identify state and regional development, development on Aboriginal land, and concurrences required. These provisions are not of direct relevance to the subject Planning Proposal, however, may be relevant to future development applications made possible as a result of the Planning Proposal.	Yes
State Environmental Planning Policy (Exempt and Development Codes) 2008	SEPP Codes provides a range of exempt and complying development. However, despite the proposed new zone for the site, the flood affectation on the site is such that many forms of exempt or complying development under the Codes SEPP will still not be possible for the subject site, and most forms of development on the site will require a development application.	N/A
State Environmental Planning Policy (Resources and Energy) 2021	This SEPP relates to mining and other extractive industries.	N/A

**4.2.7 Question 7 - Is the Planning Proposal consistent with applicable Ministerial Directions (s9.1 directions)?**

The following table summarises the Planning Proposal's consistency with applicable Ministerial Directions:

**Table 10:** Consistency with Ministerial Directions

S.9.1 Direction No. and Title	Comment	Consistent
Focus Area 1: Planning Systems		
1.1 Implementation of Regional Plans	This direction applies to land to which a Regional Plan has been released by the Minister for Planning. The Proposal is consistent with the Greater Sydney Region Plan and the Central City District Plan as detailed in this report.	Yes
1.2 Development of the Aboriginal Land Council	Not Applicable.	N/A
1.3 Approval and Referral Requirements	The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development.  In accordance with the direction the Proposal does not include provisions that require the concurrence, consultation or referral of development applications to a Minister or public authority. Further the Proposal does not identify future development on the site as designated development.	Yes
1.4 Site Specific Provisions	The objective of this direction is to discourage unnecessarily restrictive site-specific planning controls. The direction applies when a relevant planning authority prepares a Planning Proposal that will allow a particular development to be carried out.  The Planning Proposal does not include any site-specific provisions.	Yes
Focus Area 1: Place Based		
1.5 Parramatta Road Corridor Urban Transformation Strategy	Not Applicable	N/A
1.6 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	Not Applicable	N/A
1.7 Implementation of Greater Parramatta Priority Growth Area	Not Applicable	N/A

S.9.1 Direction No. and Title	Comment	Consistent
Interim Land Use and Infrastructure Implementation Plan		
1.8 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not Applicable	N/A
1.9 Implementation of Glenfield to Macarthur Urban Renewal Corridor	Not Applicable	N/A
1.10 Implementation of the Western Sydney Aerotropolis Plan	Not Applicable	N/A
1.11 Implementation of Bayside West Precincts 2036 Plan	Not Applicable	N/A
1.12 Implementation of Planning Principles for the Cooks Cove Precinct	Not Applicable	N/A
1.13 Implementation of St Leonards and Crows Nest 2036 Plan	Not Applicable	N/A
1.14 Implementation of Greater Macarthur 2040	Not Applicable	N/A
1.15 Implementation of the Pymont Peninsula Place Strategy	Not Applicable	N/A
1.16 North West Rail Link Corridor Strategy	Not Applicable	N/A
1.17 Implementation of the Bays West Place Strategy	Not Applicable	N/A
1.18 Implementation of the Macquarie Park Innovation Precinct	Not Applicable	N/A

S.9.1 Direction No. and Title	Comment	Consistent
1.19 Implementation of the Westmead Place Strategy	Not Applicable	N/A
1.20 Implementation of the Camellia-Rosehill Place Strategy	Not Applicable	N/A
1.21 Implementation of South West Growth Area Structure Plan	Not Applicable	N/A
1.22 Implementation of the Cherrybrook Station Place Strategy	Not Applicable	N/A
Focus area 2: Design and Place		
[This Focus Area was blank when the Directions were made]	Not Applicable.	N/A
Focus Area 3: Biodiversity and Conservation		
3.1 Conservation Zones	Not Applicable	N/A
3.2 Heritage Conservation	The site is not an identified heritage item or within a conservation area. The site is not located within the immediate vicinity of any heritage items.	N/A
3.3 Sydney Drinking Water Catchments	Not Applicable.	N/A
3.4 Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs	Not Applicable	N/A
3.5 Recreation Vehicle Areas	Not Applicable	N/A
Focus Area 4: Resilience and Hazards		
4.1 Flooding	<p>This direction applies to all relevant planning authorities that are responsible for flood prone land when preparing a planning proposal that creates, removes or alters a zone or a provision that affects flood prone land</p> <p>This Direction provides that a planning proposal must not rezone land within the flood planning area from Recreation, Rural, Special</p>	N/A

S.9.1 Direction No. and Title	Comment	Consistent
	<p>Purpose or Conservation Zones to a Residential, Employment, Mixed Use, W4 Working Waterfront or Special Purpose Zones</p> <p>The site is not identified as flood prone land.</p>	
4.2 Coastal Management	Not Applicable	N/A
4.3 Planning for Bushfire Protection	The site is not identified as Bushfire Prone Land nor is it located in close proximity to land mapped as bushfire prone land.	N/A
4.4 Remediation of Land	<p>The objective of this direction is to reduce the risk of harm to human health and the environment by ensuring that contamination and remediation are considered by planning proposal authorities.</p> <p>This direction applies to:</p> <p>(a) land that is within an investigation area within the meaning of the Contaminated Land Management Act 1997,</p> <p>(b) land on which development for a purpose referred to in Table 1 to the contaminated land planning guidelines is being, or is known to have been, carried out,</p> <p>(c) the extent to which it is proposed to carry out development on it for residential, educational, recreational or childcare purposes, or for the purposes of a hospital – land:</p> <p style="padding-left: 40px;">(i) in relation to which there is no knowledge (or incomplete knowledge) as to whether development for a purpose referred to in Table 1 to the contaminated land planning guidelines has been carried out, and</p> <p style="padding-left: 40px;">(ii) on which it would have been lawful to carry out such development during any period in respect of which there is no knowledge (or incomplete knowledge).</p> <p>The application is accompanied by a Preliminary Site Investigation prepared by Foundation Earth which concludes that the consent authority can be satisfied that the site is suitable for the proposed development subject to appropriate conditions of consent which reflect the above recommendations.</p>	Yes
4.5 Acid Sulphate Soils	<p>This direction applies to all relevant planning authorities that are responsible for land having a probability of containing acid sulfate soils when preparing a planning proposal that will apply to land having a probability of containing acid sulfate soils as shown on the Acid Sulfate Soils Planning Maps held by the Department of Planning and Environment.</p> <p>The site is not identified on the Acid Sulfate Soils Map as being within any of the Class 1 to Class 5 lands.</p>	Yes
4.6 Mine Subsidence and Unstable Land	Not Applicable.	N/A

S.9.1 Direction No. and Title	Comment	Consistent
Focus Area 5: Transport and Infrastructure		
5.1 Integrating Land Use and Transport	<p>The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives:</p> <ul style="list-style-type: none"> <li>(a) improving access to housing, jobs and services by walking, cycling and public transport, and</li> <li>(b) increasing the choice of available transport and reducing dependence on cars, and</li> <li>(c) reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and</li> <li>(d) supporting the efficient and viable operation of public transport services, and</li> <li>(e) providing for the efficient movement of freight.</li> </ul> <p>The direction applies when a relevant planning authority prepares a Planning Proposal that will create, alter or remove a zone or a provision relating to urban land, including land zoned for residential, business, industrial, village or tourist purposes.</p> <p>In accordance with this direction a Planning Proposal must be consistent with the aims, objectives and principles of “Improving Transport Choice” and “The Right Place for Business and Services” prepared by Department of Urban Affairs and Planning.</p> <p>The Planning Proposal is consistent with these documents in providing increased housing which is within walking distance to public transport services.</p>	Yes
5.2 Reserving Land for Public Purposes	Not Applicable.	N/A
5.3 Development Near Regulated Airports and Defence Airfields	Not Applicable.	N/A
5.4 Shooting Ranges	Not Applicable.	N/A
5.5 High pressure dangerous goods pipeline	Not Applicable.	N/A
Focus Area 6: Housing		
6.1 Residential Zones	This application is a direct response to the designation of the project as SSD under the HDA. It directly responds to the objectives of the Housing Delivery Authority and National Housing	Yes

S.9.1 Direction No. and Title	Comment	Consistent
	Accord to build new well-located homes to alleviate the housing crisis.	
6.2 Caravan Parks and Manufactured Home Estates	Not Applicable.	N/A
Focus Area 7: Industry and Employment		
7.1 Employment Zones	Not Applicable.	N/A
7.2 Reduction in non-hosted short-term rental accommodation period	Not Applicable.	N/A
7.3 Commercial and Retail Development along the Pacific Highway, North Coast	Not Applicable.	N/A
Focus Area 8: Resources and Energy		
8.1 Mining, Petroleum Production and Extractive Industries	Not Applicable.	N/A
Focus Area 9: Primary Production		
9.1 Rural Zones	Not Applicable.	N/A
9.2 Rural Lands	Not Applicable.	N/A
9.3 Oyster Aquaculture	Not Applicable.	N/A
9.4 Farmland of State and Regional Significance on the NSW Far North Coast	Not Applicable.	N/A

The proposal exhibits strong strategic merit and alignment with the local and strategic planning framework.

#### 4.3 Justification of Site-Specific Merit

This section outlines the site-specific justification for the proposed amendments to the THLEP 2019 in accordance with the relevant matters for consideration within the ‘Local Environmental Plan Making Guideline’ prepared by DPHI.

**4.3.1 Question 8 - Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the Proposal?**

The proposal will not adversely impact any critical habitat, threatened species, populations or ecological communities, or their habitats.

**4.3.2 Question 9 - Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?**

There are no environmental effects envisaged as a result of the proposal.

There are no hazards that impact the site or environmental effects resulting from the future redevelopment of the site that would preclude consideration of the proposal.

**4.3.3 Question 10 - Has the Planning Proposal adequately addressed any social and economic effects?**

The proposal will facilitate increased residential accommodation on the site which will improve housing diversity, choice and affordability in the locality and provide housing that responds to the needs, lifestyle and values of the local community. By providing additional housing close to transport nodes within an identified centre, residents will benefit from reduced commuting times, improved access to employment opportunities and a greater range of services achieving the NSW Governments objective for a walkable and 30 minute city.

The proposal will also facilitate redevelopment of the site that will have positive social impacts in terms of urban renewal in an established area that will create a vibrant cosmopolitan culture within the centre through a broader offering of services and opportunities within the centre.

The social benefits associated with the proposal include:

- Construction of a residential development on a site earmarked and zoned for such development, in an area that has been identified as a growth area;
- The provision of more diverse housing types in the area, on a site that has easy access to public transport, and which is being developed with retail and services nearby;
- Provision of affordable housing for those on very low, low to moderate incomes in a location that is close to public transport, shops and services;
- Employment generation in the planning, implementation, and construction of the proposed development; and
- There is nothing about the proposed development that is likely to generate any negative impacts in terms of community cohesion.

The amendments sought under the planning proposal will have no unreasonable effects on items or places of European or Aboriginal cultural heritage. The site is not an identified heritage item, is not located within a heritage conservation area and is not known to contain any Aboriginal relics or artefacts.

In terms of economic impacts, the proposal will achieve important economic benefits including an increase in jobs during construction, and an increased residential population on the site which will contribute positively to the local economy.

**4.3.4 Question 11 - Is there adequate public infrastructure for the Planning Proposal?**

Required electricity, telecommunication, gas, water, sewer and drainage services are available to the site.

The site is well served by public transport infrastructure in that the site is within walking distance of the Showground Station train station and numerous bus services.

The demand for public infrastructure associated for any future development of the site will be appropriately considered during the assessment of a development application for any such proposal.

**4.3.5 Question 12 - What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway determination?**

Many authorities have already been consulted with during the Community consultation process. If any further consultation is required, this will be undertaken during the assessment process.

## 5.0 STATUTORY CONTEXT

### 5.1 Relevant Statutory Requirements

This section of the EI&RS identifies addresses the statutory requirements that are relevant to the justification and evaluation of the project.

The relevant statutory context includes the following Acts, Regulations, environmental planning instruments and draft environmental planning instruments:

- Environmental Planning and Assessment Act 1979
- Environmental Planning and Assessment Regulation 2021
- Biodiversity Conservation Act 2016
- State Environmental Planning Policy (Planning Systems) 2021
- State Environmental Planning Policy (Housing) 2021 – Chapter 4 – Design Quality of Residential Apartment Development and the Apartment Design Guide
- State Environmental Planning Policy (Transport and Infrastructure) 2021
- State Environmental Planning Policy (Resilience and Hazards) 2021
- State Environmental Planning Policy (Biodiversity and Conservation) 2021
- State Environmental Planning Policy (Sustainable Buildings) 2022
- The Hills Local Environmental Plan 2019

In accordance with the *State significant development guidelines – preparing an environmental impact assessment* this section includes the following:

- Power to grant approval
- Permissibility
- Other approvals
- Preconditions table
- Mandatory considerations table

The detailed assessment against the relevant statutory requirements is provided in Section 7 of the EI&RS and the Statutory Compliance Table which is included as **Appendix 3** of this report.

#### 5.1.1 Power to grant approval

The legislative pathway under which the consent is sought, why the pathway applies, and the relevant consent authority is outlined in Table 11 below.

**Table 11: Power to Grant Consent**

Matter	Description
Power to grant approval	<p><b>Environmental Planning and Assessment Act 1979 (EP&amp;A Act)</b></p> <p>Division 4.7 of the EP&amp;A Act establishes a specific system to consider projects classed as State Significant Development (SSD). SSD is development deemed to be of State significance and includes projects of a certain value that are being completed on sites regarded as important to the NSW Government</p> <p>Section 4.36(3) of the EP&amp;A Act states that:</p> <p style="padding-left: 40px;"><i>The Minister may, by a Ministerial planning order, declare specified development on specified land to be State significant development.</i></p> <p>The site was declared to be SSD under the HDA, specifically pursuant to State Significant Declaration Order (No 4) 2025 (Order) issued on 2 April 2025. The Order states development specified in EOI application 235559 dated 31 January 2025, including development for the purposes of a residential flat building with provision of affordable housing at 16 Carrington Road; 18 Carrington Road; 20 Carrington Road; 2 Middleton Avenue; 4 Middleton Avenue; 6 Middleton Avenue; 8 Middleton Avenue; 10 Middleton Avenue; 12 Middleton Avenue; 4 Fishburn Crescent; 6 Fishburn Crescent; 31 Sexton Avenue; 29 Sexton Avenue, 27 Sexton Avenue; 25 Sexton Avenue Castle Hill, is SSD. The site has since been consolidated into one title and is now known as 2 Fishburn Crescent, Castle Hill.</p> <p>The Order enables SSD-83112728 to be undertaken through the Housing Delivery Authority (HDA) pathway with a Concurrent Rezoning to The Hills Local Environmental Plan 2019 (THLEP 2019). Therefore, the proposed development is SSD by virtue of Ministerial planning order.</p>

**5.1.1 Permissibility**

The permissibility of the proposed development considering the proposed land use/s and land zoning is outlined in **Table 12** below.

**Table 12: Permissibility**

Matter	Description
Land Zoning	<p><b>The Hills Local Environmental Plan 2019</b></p> <p>The site is zoned SP2 Infrastructure and R4 High Density Residential zone pursuant to The Hills Local Environmental Plan 2019 (THLEP).</p>
Proposed use	<p>The application seeks consent for the dedication of land zoned SP2 and a residential flat building development on land zoned R4 High Density Residential.</p>
Permissibility	<p>Pursuant to the Land Use Table of the THLEP, the proposed uses are permitted with consent.</p>

**5.1.2 Other approvals**

There are no other approvals that are required for the carrying out of the proposed development, with the exception of approvals required from the relevant utility suppliers for proposed infrastructure upgrades.

**5.1.3 Pre conditions**

The following table identifies the pre-conditions to exercising the power to grant approval for the project. These include the mandatory conditions that must be satisfied before the consent authority may grant approval.

**Table 13:** Pre conditions table

Statutory reference	Pre-condition	Relevance	Section in EI&RS
Biodiversity Conservation Act 2016 – Clause 7.9	Section 7.9 applies to an application for development consent under Part 4 of the EP&A Act for SSD. In accordance with clause 7.9(2) any such application is to be accompanied by a BDAR under the Planning Agency Head and Environment Agency Head determine that the proposed development is not likely have any significant impact on biodiversity values.	As the application is for SSD, the clause applies. A BDAR waiver has been granted by the Planning Agency Head and Environment Agency Head at <b>Appendix 34</b> and therefore a BDAR is not required.	Section 7.10 and <b>Appendix 33 and 34.</b>
State Environmental Planning Policy (Resilience and Hazards) 2001 – Clause 4.6(1) and (3)	A consent authority must not grant consent to the carrying out of development unless it has considered whether the land is contaminated. If the land is contaminated the consent authority is to be satisfied that the land is suitable in its contaminated state, or will be suitable after remediation, for the purpose for which the development is proposed to be carried out.  Clause (3) provides that:  The applicant for development consent must carry out the investigation required by subsection (2) and must provide	The EI&RS is accompanied by a PSI.	Section 7.15 and <b>Appendix 9.</b>

Statutory reference	Pre-condition	Relevance	Section in EI&RS
	<p>a report on it to the consent authority....</p>		
<p>State Environmental Planning Policy (Transport and Infrastructure) 2021</p>	<p><b>Clause 2.98(2) and 2.99(2) – Rail corridors</b></p> <p>In accordance with clauses 2.98(2) and 2.99(2) of State Environmental Planning Policy (Transport and Infrastructure) 2021, the consent authority before determining a DA for development adjacent to rail corridors and/or involves excavation in, above, below or adjacent a rail corridor, must:</p> <ul style="list-style-type: none"> <li>• within 7 days after the application is made, give written notice of the application to the rail authority for the rail corridor, and</li> <li>• take into consideration - <ul style="list-style-type: none"> <li>• any response to the notice that is received within 21 days after the notice is given, and</li> <li>• any guidelines that are issued by the Planning Secretary for the purpose of these clauses and published in the Gazette</li> </ul> </li> </ul>	<p>The site is located adjacent to the metro corridor it must be referred to TfNSW/ Sydney Metro and take into consideration any response received.</p>	<p><b>Appendix 41</b> has been prepared to specifically address the relationship of the proposal with the Sydney Metro tunnel and identify how impacts will be managed.</p>
	<p><b>Clause 2.100 – Impact of rail noise or vibration on non-rail development</b></p> <p>Under clause 2.100(2) and (3), the consent authority before determining the DA, must not grant consent to the development unless it is satisfied that appropriate measures will be taken to ensure that the following LAeq levels are not exceeded—</p> <p><i>(a) in any bedroom in the residential accommodation—35 dB(A) at any time between 10.00 pm and 7.00 am,</i></p>	<p>The proposal is for residential development adjacent to a rail corridor.</p>	<p>Section 7.11 and <b>Appendix 16</b> which contains an acoustic report prepared by Pulse White Noise Acoustics.</p>

Statutory reference	Pre-condition	Relevance	Section in EI&RS
	<p><i>(b) anywhere else in the residential accommodation (other than a garage, kitchen, bathroom or hallway)—40 dB(A) at any time.</i></p>		
	<p><b>Clause 2.120 – Impact of road noise or vibration on non-road development</b></p> <p>Clause 2.120 applies to residential development adjacent to the road corridor with an annual average daily traffic volume of more than 20,000 vehicles and requires a consent authority to consider the impacts of road noise and vibration on residential development. This section specifically requires:</p> <p>(3) If the development is for the purposes of residential accommodation, the consent authority must not grant consent to the development unless it is satisfied that appropriate measures will be taken to ensure that the following Lae1 levels are not exceeded—</p> <p>(a) In any bedroom in the residential accommodation—35dB(A) at any time between 10pm and 7am,</p> <p>(b) Anywhere else in the residential accommodation (other than a garage, kitchen, bathroom or hallway)—40dB(A) at any time.</p>	<p>The site is adjacent to Carrington Road which carries daily traffic volumes more than 20,000 vehicles per day.</p>	<p>Section 7.11 and <b>Appendix 16</b> which contains an acoustic report prepared by Pulse White Noise Acoustics.</p>
	<p><b>Clause 2.122 Traffic Generating Development</b></p> <p>Clause 2.122(4) provides that</p> <p>(4) Before determining a development application for development to which this section applies, the consent authority must—</p>	<p>Clause 2.122 applies as the development has access to a road and a car park with more than 200 or more car parking spaces, and is for more than 300 apartments.</p>	<p>Section 7.9 and <b>Appendix 13</b> which contains a TIA.</p>

Statutory reference	Pre-condition	Relevance	Section in EI&RS
	<p>(a) give written notice of the application to TfNSW within 7 days after the application is made, and</p> <p>(b) take into consideration—</p> <p>(i) any submission that RMS provides in response to that notice within 21 days after the notice was given (unless, before the 21 days have passed, TfNSW advises that it will not be making a submission), and</p> <p>(ii) the accessibility of the site concerned, including—</p> <p>(A) the efficiency of movement of people and freight to and from the site and the extent of multi-purpose trips, and</p> <p>(B) the potential to minimise the need for travel by car and to maximise movement of freight in containers or bulk freight by rail, and</p> <p>(iii) any potential traffic safety, road congestion or parking implications of the development.</p> <p>(5) The consent authority must give TfNSW a copy of the determination of the application within 7 days after the determination is made.</p>		
<p>State Environmental Planning Policy (Housing) 2021</p>	<p><b>Clause 147 Determination of development applications and modification applications for residential apartment development</b></p> <p>(1) Development consent must not be granted to residential apartment development, and a development consent for residential apartment development must not be modified, unless the consent</p>	<p>The proposal is subject to Chapter 4 of SEPP Housing, a detailed ADG Compliance schedule has been provided by Turner Architecture.</p>	<p><b>Appendix 3 and 7.</b></p>

Statutory reference	Pre-condition	Relevance	Section in EI&RS
	<p>authority has considered the following—</p> <p>(a) the quality of the design of the development, evaluated in accordance with the design principles for residential apartment development set out in Schedule 9,</p> <p>(b) the Apartment Design Guide,</p> <p>(c) any advice received from a design review panel within 14 days after the consent authority referred the development application or modification application to the panel.</p>		
The Hills LEP 2019	<p><b>Clause 7.7</b></p> <p>Clause 7.7(3) of The Hills LEP 2019 states that Development consent must not be granted to development involving the erection of a new building over 25 metres unless the consent authority considers that the development exhibits design excellence.</p>	The proposed buildings are over 25 metres in height.	Section 7.2 and <b>Appendix 7</b> Design Report.
	<p><b>Clauses 9.4</b></p> <p>Clause 9.4(3) of The Hills LEP 2019 states that Development consent must not be granted for development on land in the Showground Station Precinct and with a site area greater than 3,600sqm unless—</p> <p>(a) a development control plan that provides for the matters specified in subclause (4) has been prepared for or applies to the land, or</p> <p>(b) the development is of a minor nature and is consistent with the objectives of the zone in which the land is situated.</p>	The site is located within the Showground Station Precinct and has area greater than 3,600sqm.	<p>Part D Section 19 of The Hills DCP 2019 specifically applies to the Showground Station Precinct.</p> <p>Nonetheless, Section 2.10 of the Planning Systems SEPP provides that development control plans do not apply to state significant development</p>

Statutory reference	Pre-condition	Relevance	Section in EI&RS
	<p><b>Clauses 9.5</b></p> <p>Clause 9.5(3) of The Hills LEP 2019 states that Development consent must not be granted to development for a new building in the Showground Station Precinct unless the consent authority considers that the development exhibits design excellence.</p> <p>Clause 9.5(5) of The Hills LEP 2019 states that development consent must not be granted to development to which this clause applies unless—</p> <p>(a) if the development is in respect of a building that is, or will be, higher than 21 metres or 6 storeys (or both) but not higher than 66 metres or 20 storeys (or both)—</p> <p>(i) a design review panel reviews the development, and</p> <p>(ii) the consent authority takes into account the findings of the design review panel</p>	<p>The proposal is for a new building in the Showground Station Precinct which exceeds 6 storeys and therefore must be reviewed by a design review panel.</p>	<p>The proposal has been reviewed by the State Design Review Panel. Section 7.2 and <b>Appendix 7</b> Design Excellence Report.</p>

#### 5.1.4 Mandatory Considerations table

The following table identifies the matters that the consent authority is required to consider in deciding whether to grant approval.

**Table 14:** Mandatory Considerations

Statutory reference	Mandatory consideration	Section in EI&RS
Considerations under the Act and Regulation		
Section 1.3	<p>Relevant objects of the Act</p> <ul style="list-style-type: none"> <li>to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources</li> <li>to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in</li> </ul>	<b>Appendix 3</b>



Statutory reference	Mandatory consideration	Section in EI&RS
State Environmental Planning Policy (Housing) 2021 – Chapter 4– Design Quality of Residential Apartment Development and the Apartment Design Guide	<p>(1) Development consent must not be granted to residential apartment development, and a development consent for residential apartment development must not be modified, unless the consent authority has considered the following—</p> <p>(a) the quality of the design of the development, evaluated in accordance with the design principles for residential apartment development set out in Schedule 9,</p> <p>(b) the Apartment Design Guide,</p> <p>(c) any advice received from a design review panel within 14 days after the consent authority referred the development application or modification application to the panel.</p>	Section 7.2 and 7.3 and <b>Appendix 7</b>
State Environmental Planning Policy (Sustainable Buildings) 2022	A BASIX certificate accompanies the development application and demonstrates that the proposal achieves compliance with the BASIX water, energy and thermal efficiency targets.	<b>Appendix 18</b>
The Hills Local Environmental Plan	Clause 2.3(2) – Zone objectives and Land uses	<b>Appendix 3</b>
	Clause 4.3 – Height of Buildings	Section 7.1.2 and <b>Appendix 3</b>
	Clause 4.4 – Floor Space Ratio	Section 7.1.2 and <b>Appendix 3</b>
	Clause 7.2 Earthworks	Section 7.1.2 and <b>Appendix 3</b>
	Clause 9.1 Minimum lot sizes for residential flat buildings and shop top housing	Appendix 3

## 6.0 ENGAGEMENT

Community engagement was undertaken in accordance with the engagement requirements of the SEARs and the 'Undertaking Engagement Guidelines for State Significant Projects' (The Engagement Guidelines).

The Engagement Guidelines provide the following guidance to Proponents:

- Plan early
- Engage as early as possible
- Ensure engagement is effective
- Ensure engagement is proportionate to the scale and impact of the project
- Be innovative
- Be open and transparent about what can be influenced

In accordance with the Guidelines, a community engagement program was developed and undertaken as soon as possible after commencing the project. The community engagement program undertaken by the applicant and its consultants included the following engagement activities:

- The development of information materials, including a consultation pack and stakeholder email
- Meeting with The Hills Shire Council
- Meeting with the State Design Review Panel
- Walk on Country with First Nations Stakeholders
- Direct engagement with service providers (Endeavour Energy and Sydney Water)
- The surrounding community
- Meeting with Department of Planning, Housing and Infrastructure
- Community engagement session within the locality

The following sections of this EI&RS provide details of the authorities and community consultation undertaken.

### 6.1 Authority Consultation

#### 6.1.1 Consultation with The Hills Shire Council

Consultation has been undertaken with The Hills Shire Council with a meeting held on 14 February 2025. The majority of discussion with Council has related to public domain and engineering matters.

In particular, Council have provided the following feedback of relevance to the proposed development:

- Height in the context of the Showground Station Precinct.
- Compliance with LEP standards
- Engineering matters including stormwater/flooding; earthworks; traffic, access and parking
- Traffic and the need for a Traffic Impact Assessment to accompany the application.
- Trees and landscaping including the provision of an Arboricultural Impact Assessment Report and Landscaping Plans to accompany the application.
- Resource Recovery including the need to prepare a Construction and Demolition Waste Management Plan

This feedback is understood and has informed the final design of the proposed development.

### 6.1.2 Consultation with GANSW

Consultation has been undertaken with GANSW in accordance with the requirements of the SEARs. An SDRP meeting was held on 5 March 2025 to discuss the proposed development. The following elements of the proposed development were identified as supported by the SDRP:

- Intent to provide a diversity of apartment types including apartments with cross through ventilation
- Commitment to provide rooftop terraces with good solar access and amenity
- Aspiration to include a swimming pool in the internal courtyard
- Commitment to retain existing street trees.

The SDRP's observations and recommendations for improving the design and amenity are summarised below:

- The connecting with Country approach needs to be further refined to ensure a robust response to local context and integral to the whole project.
- Introduce greater articulation of facade to avoid a monolithic appearance and introduce depth
- Provide greater clarity on the affordable housing strategy, including location, unit mix and ensure amenity is commensurate with that of market housing
- Test and demonstrate a reduction of massing on the western facade of the development to reduce overshadowing conditions on key outdoor spaces such as the internal courtyard
- Further refine the northwest corner massing to ensure it is distinct and appropriately scaled within the development and aligns with the project vision to reinforce the key corner of the site.
- Ensure lobbies incorporate human-scaled entrances that also provide appropriate outdoor weather protection
- Some aspects of the internal planning require further rationalisation through demonstration of consistency with the Design quality principles for residential apartment development and ADG objectives
- Communal outdoor spaces must receive ample solar access throughout the year to ensure they are well used and that proposed planting will thrive.
- Ensure equitable access to rooftop communal open space

Refinements made to the design of the proposed development in response to these comments. A detailed response is provided in the Design Report prepared by Turner architects at **Appendix 7**. In summary, the proposal as been refined as follows:

- Several design refinements have been made to improve the interface between semi-public and private space and to ensure the landscape strategy delivers high-quality, usable open space including removal of the former jogging track in favour of more passive, flexible landscape spaces that better suit the needs of residents and the broader community.
- The visual and spatial connection of the lobbies to the public domain has been strengthened to enhance their legibility and better integrate with the surrounding context.
- The proposal's height, built form, and massing have been carefully tested and are consistent with the intended future character of the Showground Station Precinct. Located at the southern edge of the precinct, the site forms part of a broader urban hierarchy, with taller, higher-density forms concentrated closer to the Metro station in the north and a transition to lower-scale forms toward the south. The proposal aligns with this strategic structure and responds appropriately to the site's role within a rapidly evolving urban context.

- The podium is deliberately stopped at key corners to allow the vertical tower forms to extend to ground level. This accentuates verticality and slenderness, reducing visual bulk and enhancing the street presence of the taller elements.
- The architectural grid has been refined to ensure it operates as a consistent system across the base and tower elements. The grid strengthens the legibility of entries, supports the rhythm of balconies and fenestration, and carries through to rooftop elements, contributing to a cohesive and well-resolved building envelope.
- 5% of the GFA, being 25 Apartments and their apportioned access zones, have been identified as contributing to the affordable housing allocation. These are evenly distributed throughout the development, and range from 1 and 2 bed apartment types.
- The design team has carefully considered the Panel's recommendation to test a reduction in massing on the western façade of Building A. Following a detailed review of solar access and amenity impacts, it was determined that the massing as proposed is contextually appropriate to the evolving context, and does not significantly reduce the amenity provisions.

### 6.1.3 Department of Planning, Housing and Infrastructure

Consultation has been undertaken with the Department of Planning, Housing and Infrastructure as part of the SEARs process.

### 6.1.4 6.1.4. Sydney Water

SGC Consulting Engineers have engaged with Sydney Water and based on the feedback a concept plan has been developed by a Water Servicing Coordinator which indicates that a new Ø225mm sewermain extension will be provided from the main in Lachlan Avenue.

### 6.1.5 Ausgrid Energy

SGC Consulting Engineers have engaged with Ausgrid Energy. Ausgrid have confirmed Temporary Building Supply and Permanent Energy Supply to the proposed substation. In this regard, detailed design for the electricity supply design have commenced consistent with Ausgrid requirements.

## 6.2 Community Engagement

A Community Consultation Report has been prepared by Sarah George Consulting and is included at **Appendix 36**.

The community consultation adopted for the proposed development comprised:

- A notice including key information about the project and including an invitation seek out additional information and to register for a community information webinar was distributed to properties in close proximity to the subject site on 13 February 2025. In total, 360 notices were distributed. The notice included a brief overview of the proposal, contact details of where to seek further information, and inviting people to register for a Community Information Webinar to be held at a later date.
- To provide an opportunity for the broader community to be informed about the proposal and provided with the opportunity to seek out additional information, a public notice was placed in the Daily Telegraph on 19 February 2025.

- A community information webinar was held via Microsoft TEAMS on 10 May, 2024. The aim of the webinar was to provide participants with information about the proposal and provide an opportunity for comments and questions to be asked.
- A walk on Country with members of Community Elders and Gatekeepers, representatives of Gali Heritage Consultants, Bariyan Cultural Connections, Yulay Cultural Services and members of the project team was undertaken on 25 July 2024. The walk on Country was used to inform the Connecting with Country Report prepared by artefact accompanying the application.

The issues raised during the community engagement are summarised as follows:

- Building height
- Noise impacts
- Traffic and parking
- Affordable housing
- Council controls
- Amenity
- Infrastructure

## 7.0 ASSESSMENT OF IMPACTS

This section details how the key issues identified in the SEARs have been addressed. Many of the issues have been addressed through the preparation of specialist technical reports which are included as appendices to this EI&RS. Key issues identified in these reports are highlighted as are the recommended mitigation measures.

### 7.1 Statutory Context

The SEARS require the EI&RS to address all relevant legislation, Environmental Planning Instruments, plans, policies and guidelines. Section 5 of this EI&RS addresses the power to grant approval, permissibility, preconditions and mandatory considerations. Appendix 3 also contains a detailed assessment against all relevant Environmental Planning Instruments.

Notwithstanding, the assessment below specially addresses key development standards within The Hills Local Environmental Plan 2019.

#### 7.1.1 The Hills Local Environmental Plan 2019

##### Zoning and Permissibility

The site is zoned SP2 Infrastructure and R4 High Density Residential zone pursuant to The Hills Local Environmental Plan 2019 (THLEP). An extract of the Land Zoning Map is included as Figure 23.

The application seeks consent for the dedication of land zoned SP2 and a residential flat building development on land zoned R4 High Density Residential. Pursuant to the Land Use Table of the THLEP, a residential flat building is permitted with consent in the R4 zone.

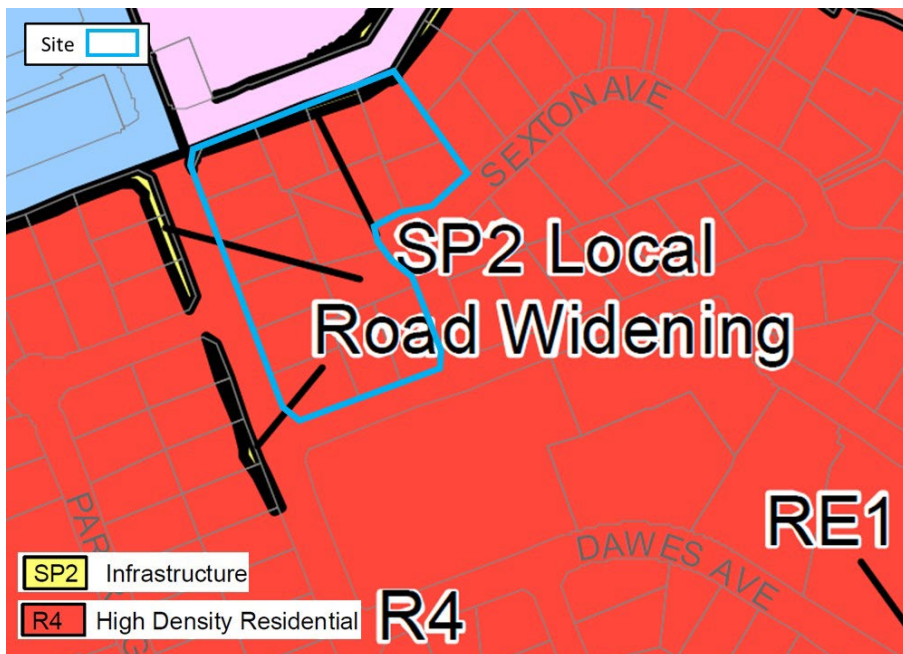


Figure 23:

Extract from the SSLEP Land Zoning Map

Clause 2.3(2) of the THLEP provides that the consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within the zone.

The objectives of the R4 High Density Residential zone are:

- To provide for the housing needs of the community within a high density residential environment.
- To provide a variety of housing types within a high density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To encourage high density residential development in locations that are close to population centres and public transport routes.

The proposed development provides for a residential flat development which is compatible with the emerging character of development in the R4 High Density Residential zone. The proposal provides for a total of 431 residential apartments with a mix of 1 bedroom, 2 bedroom, 3 bedroom and 4 bedroom apartments proposed. Provision is made for livable apartments. The proposal will provide a variety of housing types that will appropriately provide for the housing needs of the community.

The proposal exhibits a high level of environmental performance, provides a high level of amenity and an attractive contemporary architectural expression. The proposed development includes a comprehensive design for the landscaping of the site that 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 emerging character of the Showground Station precinct.

The proposed development involves the consolidation of existing allotments and will not result in the fragmentation of any land that may preclude future high density residential development.

For the reasons the proposal is considered to be consistent with the objectives of the R4 zone.

#### Minimum lot sizes for dual occupancy, multi dwelling housing and residential flat buildings

Clause 4.1A of the THLEP requires a minimum lot size for residential flat buildings in the R4 zone of 4,000 square metres. However, Clause 9.1 Minimum lot sizes for residential flat buildings and shop top housing prevails and provides a minimum lot size of 3,600 square metres for a residential flat building above 11 metres in height in the R4 zone. The subject site area exceeds 3,600 square metres and complies with this requirement.

#### Height

In accordance with clause 4.3 'Height of Buildings' the height of a building on any land is not to exceed the maximum height shown for the land on the 'Height of Buildings Map'. The proposed maximum height for the site is compliant with the proposed 72 metre height control.

#### Floor Space Ratio

Clause 4.4 of the THLEP provides that the maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the Floor Space Ratio Map. The proposed maximum floor space ratio for the site is compliant with the proposed 4.1:1 FSR control.

#### Earthworks

Clause 7.2 of the THLEP relates to earthworks and requires that before granting development consent for earthworks, the consent authority must consider the following matters:

- (a) the likely disruption of, or any detrimental effect on, flooding or drainage patterns and soil stability in the locality of the development,
- (b) the effect of the proposed development on the likely future use or redevelopment of the land,
- (c) the quality of the fill or the soil to be excavated, or both,
- (d) the effect of the proposed development on the existing and likely amenity of adjoining properties,
- (e) the source of any fill material and the destination of any excavated material,
- (f) the likelihood of disturbing relics,
- (g) the proximity to and potential for adverse impacts on any watercourse, drinking water catchment or environmentally sensitive area,
- (h) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.

The extent of proposed earthworks are unlikely to result in a significant or adverse disruption of drainage patterns at the site. A detailed stormwater management and drainage plan has been prepared and accompanies this application. The plans detail the provision for onsite stormwater detention and various control measures across the site. The proposed development is unlikely to disrupt or negatively impact on neighbouring land uses or structures with adequate measures proposed to mitigate against potential instability during the construction of the basement car parking.

The proposed earthworks will achieve a positive outcome for the area because they will result in basement levels with minimal protrusion above existing ground level, serving to reduce the apparent mass and scale of the development and provide an improved relationship between the buildings and surrounding public domain.

Waste from the site will be disposed of appropriately. It is not expected that relics will be unearthed given the site has previously been developed. The site is not significant in terms of its contribution to habitat nor is it environmentally sensitive. All reasonable measures will be taken to avoid, minimise or mitigate the impacts of the development.

#### Design Excellence

Clause 7.7 of the THLEP applies to development for the erection of a new building and provides that development consent must not be granted unless in the opinion of the consent authority the proposed development exhibits design excellence.

The proposed development is considered to exhibit design excellence for the following reasons:

- The proposal provides significant public benefits being the provision of affordable housing, road widening and dedication.

- The internal planning of the proposed development is well resolved and a particularly high standard of architectural design is proposed as detailed in the architectural plans prepared by Turner architects.
- The proposed materials and finishes are of a high quality and will contribute positively to the locality.
- The proposed site arrangement prioritises the achievement of a generously landscaped setting both to the streets and internally throughout the site with meaningful areas of deep soil surrounding the buildings to support mature vegetation.
- The proposal demonstrates fine grain active frontage 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 to adjacent properties.

## Part 9 Showground Station Precinct

### Minimum lot sizes for residential flat buildings and shop top housing

Clause 9.1 states that despite any other provision of this Plan, development consent may be granted to development on a lot within the Showground Station Precinct in the R4 High Density Residential zone for the purposes of a residential flat building with a building height of 11 metres or more, if the area of the lot is equal to or greater than 3,600 square metres. The site has an area in excess of 3,600 square metres and satisfies this requirement.

### Site area of proposed development includes dedicated land

Clause 9.2 states that the site area of proposed development on land within the Showground Station Precinct is, for the purpose of applying a floor space ratio under clause 4.5, taken to include land that:

- (a) is dedicated to the Council or a public authority for a public purpose (including roads, drainage or open space), and
- (b) would have been part of the site area if it had not been so dedicated.

The site area including the area to be dedicated to Council is 14,219 square metres.

### Minimum building setbacks

Clause 9.3 states that development consent must not be granted to development on land within the Showground Station Precinct unless the front building setback of any building resulting from the development is equal to, or greater than, the distance shown for the land on the Building Setback Map. The site is identified on the Building Setback Map as requiring a 10 metre front setback from Middleton Avenue and a 5 metre setback from Carrington Road as illustrated in Figure 24 below. The proposal complies with these setback requirements.

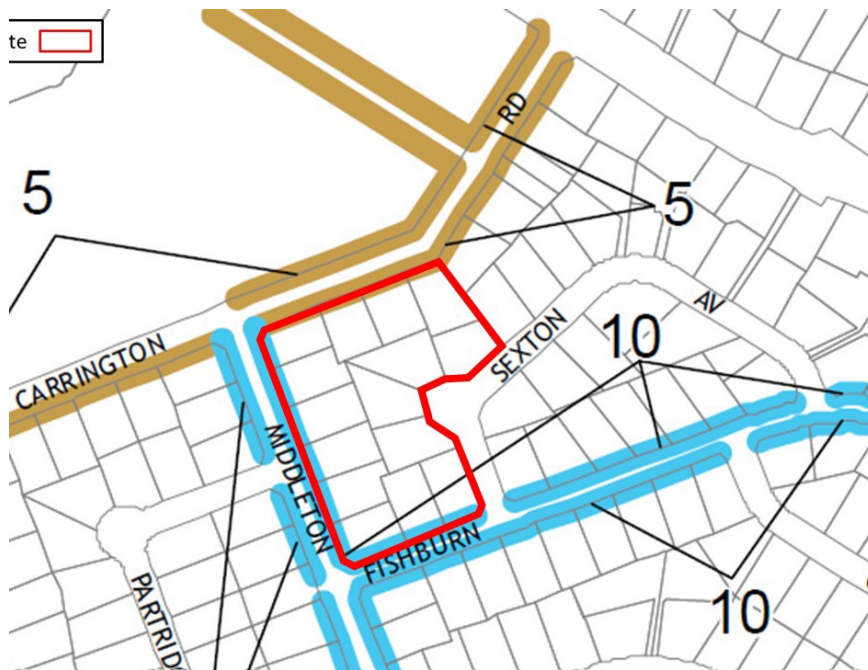


Figure 24:

Extract from the  
THLEP Building  
Setbacks Map

#### Design excellence

Clause 9.5 applies to development involving the erection of a new building or external alterations to an existing building on land within the Showground Station Precinct and provides that development consent must not be granted unless in the opinion of the consent authority the proposed development exhibits design excellence.

The proposed development is considered to exhibit design excellence for the following reasons:

- The proposal provides for a residential flat development that is consistent with the Showground Precinct Structure Plan 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. 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, provides 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 enhancing the amenity and liveability for residents, workers and visitors. The proposal also facilitates the widening of Carington Road. A number of existing vehicular crossings will become redundant resulting in additional space for on-street parking on the surrounding streets.
- 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 and provides much needed accommodation for the community in this locality.

Clause 9.5(5) states that development consent must not be granted to development to which this clause applies unless:

- (a) if the development is in respect of a building that is, or will be, higher than 21 metres or 6 storeys (or both) but not higher than 66 metres or 20 storeys (or both):
  - (i) a design review panel reviews the development, and
  - (ii) the consent authority takes into account the findings of the design review panel, or

As proposed development is higher than 21 metres the consent authority must take into account the findings of the design review panel.

## 7.2 Design Quality

The proposed development is considered to exhibit design excellence for the following reasons:

- 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 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 emerging context of the site. 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.
- A high standard of architectural design is proposed as detailed in the architectural plans prepared by Turner Architecture.

- The bulk, massing and modulation of the proposal responds to the emerging character and context of the site and will sit comfortably within the streetscapes surrounding the site. In particular, the proposal properly defines the street edges of the site and responds sympathetically and addresses the adjacent development.
- The proposal has been informed by advice from the SDRP and local elders with Connecting to Country being an important design element which has been integrated into the building and landscape design.
- The proposal appropriately responds to the unique site circumstances including the varying conditions of each interface of the site. In particular, the proposal achieves an active street frontage to all adjacent streets and manages the significant fall across the site to ensure an engaged relationship is achieved around the perimeter of the development at the ground floor plane.
- The site is constrained by shadow by the future buildings opposite to the north, however, the proposed design has maximised solar access by identifying areas of the façade which enjoy the most amount of sunlight and ensuring that the internal layout takes advantage of these areas of façade in order to maximise residential amenity.
- The proposal provides a variety of communal open spaces which offers a high level of amenity to the future occupants by being easily accessible from within the building, comprising both under cover and exposed areas.
- The proposal will provide greater housing choice, including affordable housing, for occupants in an ideal location opposite the Showground Station.
- The proposed materials and finishes are of a high quality and will contribute positively to the locality.
- The proposed development meets sustainable design principles in terms of sunlight, natural ventilation, visual and acoustic privacy, safety and security and resources, energy and water efficiency.
- The internal planning of the proposed development is well resolved and a particularly high standard of architectural design is proposed as detailed in the architectural plans prepared by Turner Architects.
- The proposed development does not adversely impact view corridors from the public domain.
- The proposal provides an optimal car parking and servicing solution with the car park access consolidated to the southern edge of the site and only a single driveway.
- The proposed development will not result in any significant adverse impacts to adjacent properties.
- 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 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 area.
- The proposal will deliver 5% of the floor space as affordable housing and provides much needed accommodation for the community in this locality.
- The proposal will not have an adverse impact on the heritage significance of any nearby heritage items.
- The proposal is satisfactory with regard to objectives of ESD as the site is well placed with regard to access to key transport nodes and the development has been designed to achieve good internal amenity with appropriate provision for energy and water efficiency and thermal comfort as evidenced by the BASIX certificate which accompanies the application.
- The proposal provides the necessary car parking, motorcycle and bicycle parking and suitable manoeuvring areas. Compliant waste servicing arrangements have been provided, with all waste to be managed from within the site.

## 7.3 Built Form and Urban Design

### 7.3.1 Layout, Bulk and Scale

The evolution of the design is addressed in detailed in the Design Report at **Appendix 7** prepared by Turner Architecture.

In particular, the proposed design has developed from an evolution which firstly recognises the site topography, and existing ecological values to define the appropriate location for the building footprint. Having established the footprints for building, several key design moves have informed the building massing, internal layout and architectural treatment. This includes the desire to maximise orientation for solar access, achieve an engaged street edge whilst managing the steep fall of the site, and preserving solar access to buildings to the south. The modulation of scale across the site addresses the various site interfaces, with higher scale evident to the north of the site around the Metro station, and reduced scale to the south of the site. The sculpting of the facades is intended to provide visual interest, reference the vernacular of the former low density scale of the context, mitigate wind impacts, and achieve vertical articulation.

The proposal ensures a highly activated ground floor plane and the design of the proposal achieves a highly modulated built form outcome which serves to reduce the apparent bulk and mass of the development and deliver a visually dynamic outcome.

Finally, the proposal provides some relief by modulating the skyline of the building which facilitates a diversity in scale, as well as facilitating an integrated roof top common open space area.

The Design Report by Turner Architecture demonstrates that the proposal achieves a high level of amenity and compatibility with the surrounding site context.

The proposal is a high quality transit orientated development that will provide additional housing choice in a location that enjoys exceptional access to the employment, services, retail facilities and outdoor amenity including walking and cycling paths.

The building exhibits a high level of environmental performance, provides a high level of amenity and an attractive contemporary architectural expression that will contribute positively to the built form quality of the building stock located in the Showground Station precinct.

A varied palette and materiality are used to provide a clear identity for the development. The varied architectural language generates a high level of visual interest.

### 7.3.2 Separation

The separation distances within the site and from the site boundaries are generally consistent or exceed those suggested in the Apartment Design Guide. In particular, the development provides fully compliant separation distances from the side boundary, and also provides well in excess of the minimum required separation distances across the internal courtyard within the development up to 55 metres

The layout of apartments throughout the development also ensure that there are acceptable privacy outcomes between various apartments within the development with the use of façade treatments to maximise privacy.

Overall the design of the development ensures a high level of privacy for the residents within the proposal and for the eastern adjacent building.

### 7.3.3 Setbacks

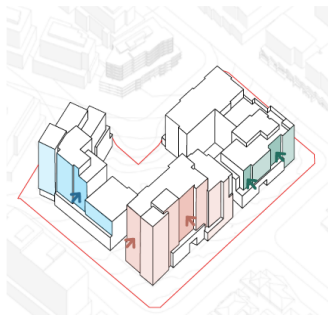
The proposal provides a minimum 5 metre setback from the future boundary from Carington Road, a minimum 10 metre setback from Middleton Avenue and Fishburn Crescent, and a minimum 7.5 metres from the Sexton Avenue frontage.

### 7.3.4 Façades

A series of architectural responses have guided the approach to the crafting of the façades of the proposed building with the initial sculpting of the building arising from the foundational principles of acknowledging the context of the site and existing vegetation, emphasising the corners, modulating the skyline, and emphasising the verticality of the buildings. This is illustrated in Figure 25 below.

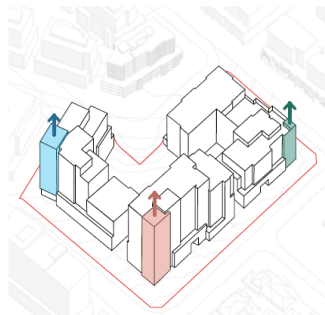
#### Articulated stepping facade

Facade shifts and steps to provide articulation and solar access to apartments.



#### Expressing the corners

Accentuating the key corners by bringing slender tower forms to the ground.



#### Grid Expression

A consistent grid expression applied to the buildings with varied proportions at key corners to accentuate the slender tower forms.

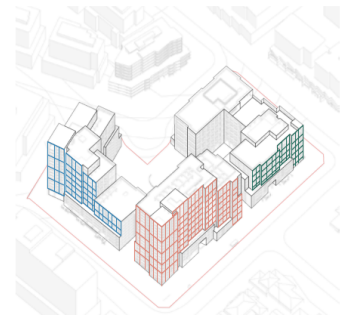


Figure 25:

Architectural response (Source: Turner Design Report)

Having established the foundational principles for the building, further crafting is based on the principles of emphasising the vertical expression of the tower. This is illustrated in Figure 26 below.

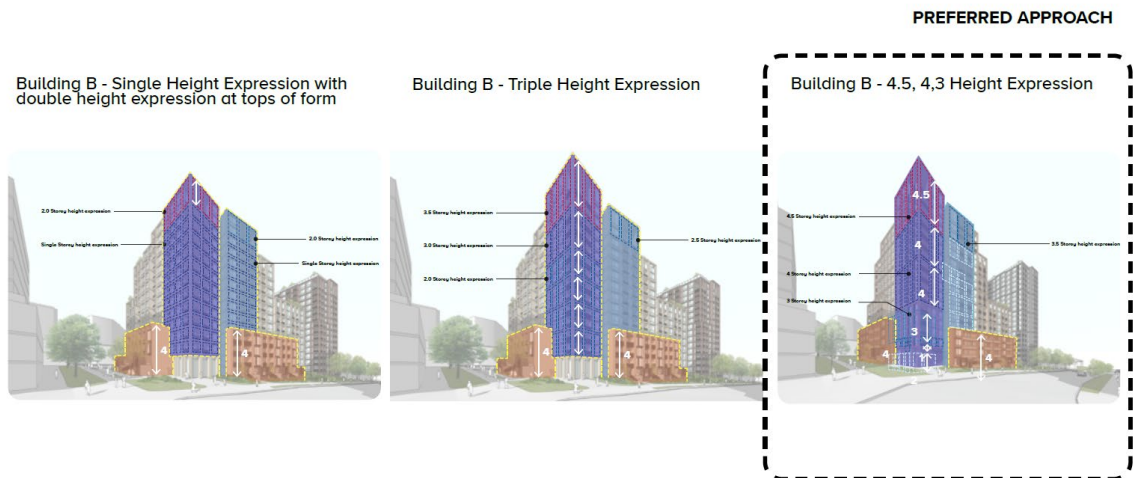


Figure 26:

Architectural response (Source: Turner Design Report)

### 7.3.5 Materials

The proposed development provides a refined palette of materials and finishes, to ensure that a unified and cohesive visual outcome is achieved. The materials incorporated into the building have also been selected based on the environmental performance and sustainability requirements for the materials and the building.

The proposed materials and finishes are detailed in the architectural plans provided by Turner Architects at **Appendix 6**.

### 7.3.6 Accessibility

An Access Review Report has been prepared by Access Link at **Appendix 22**, which provides advice and strategies to maximise reasonable provisions for people with disabilities. The design of the proposed development has been assessed under relevant provisions of the Disability Discrimination Act, BCA, Australian Standards and Disability (Access to Premises-Building) Standards 2010.

The proposed development achieves the required accessible outcomes in relation to ingress and egress, paths of travel and facilities and amenities, subject to the recommendations of this report being implemented during the detailed design stage. Access Link will work with the project team as the development progresses to ensure that appropriate outcomes are achieved both in terms of building design and external public domain. Compliance with the relevant provisions for access can also be conditioned as part of any consent.

The proposal provides 285 Liveable Housing units, which is well in excess of the ADG minimum with the following distribution for the proposed 431 apartments:

- Silver 56%
- Gold 5.1%
- Platinum 4.6%
- Null 34.3%

## 7.4 Environmental Amenity

### 7.4.1 Solar Access

In relation to solar access, the alignment of Carington Road along the western side of the development is such that it is not possible to achieve 2 hours of solar access before 3pm on 21 June for any apartment which faces this street. However, there are urban design benefits achieved by facing the apartments to the Carington Road to the west, rather than angling apartments away from the street alignment. , when compared with the suggested arrangement of buildings in the DCP.

The Objective 4A-1 for Solar and Daylight Access under Part 4A of the ADG is as follows:

*To optimise the number of apartments receiving sunlight to habitable rooms, primary windows and private open space*

The Design Guidance also notes that achieving the design criteria may not be possible on some sites and provides some examples where greater residential amenity can be achieved with an alternative approach to design which balances other competing interests, such as avoiding noise or taking advantage of significant views.

In this particular instance, a significantly better design outcome is achieved for and from the proposed design by aligning the western façade of the buildings adjacent to Carington Road to properly address this street frontage. Furthermore, meaningful sunlight still occurs at 3.30pm and sunlight at this time of the day is likely to actually be of use to the occupants.

When measured from this time, the solar access diagrams and sun eye views prepared by Turner Architecture at **Appendix 6** of this EI&RS demonstrate that 70.7% of all apartments receive adequate solar access, whilst only 15% of total apartments do not receive any direct sunlight.

The ADG also requires that developments achieve a minimum of 50% direct sunlight to the principal usable part of the communal open space for a minimum of 2 hours between 9am and 3pm at mid-winter. Usable communal open space shadow diagrams have been prepared by Turner Architecture at **Appendix 6**, which demonstrate that the principal useable parts of the proposed communal open space areas receive well in excess of the of the minimum 50% solar access that is required by the ADG.

### 7.4.2 Natural Ventilation

The ADG requires that at least 60% of apartments are naturally cross ventilated in the first nine storeys. Apartments that are ten storeys above are deemed to be naturally cross ventilated.

The solar access diagrams prepared by Turner Architecture at **Appendix 6** of this EI&RS demonstrate that the development exceeds the 61.9% requirement and satisfies the ADG requirements for natural cross-ventilation through locating openings in significantly different pressure regions.

### 7.4.3 Visual Privacy

The proposed development seeks to maximise visual privacy within the site and to future neighbouring developments. This has been achieved through the provision of setbacks and building separation distances that comply with or exceed the ADG requirements.

#### 7.4.4 Common Open Space

The proposed development provides a variety of common open space areas for the residents, comprised of both ground level spaces and also roof top common open space.

The proposed development provides 5,473.55 square metres of common open space distributed throughout the development which is the equivalent of 38% of site area and well in excess of the minimum 25% requirement under the Apartment Design Guide.

The communal open space areas will be used for a range of activities and will include barbeques, bush tucker gardens, soft landscaping and outdoor seating.

#### 7.4.5 Views

The proposed development will not result in any unreasonable impacts on scenic views available from the surrounding public domain or significant properties. The impact on views is addressed in the Visual Impact Assessment prepared by AE Design at **Appendix 40**.

The proposed development will provide an enhanced setting comparatively and aims to activate the site via ground floor apartments communal spaces and lobby areas that engage with all three street edges. The proposal also seeks to embellish and improve the landscape contribution of the site to the surrounding streets. The proposal aims to provide a particularly high quality built form contribution to this location.

#### 7.4.6 Shadow Impacts

Shadow diagrams have been prepared and are included by Turner Architecture at **Appendix 6**. A detailed shadow analysis is also provided in the Design Report prepared by Turner Architecture at **Appendix 7**.

The ADG specifically contemplates and tolerates solar access impact from a proposed development to adjacent existing residential flat building. Objective 3B-2 of the Apartment Design Guide (the ADG) says that:

*Overshadowing of neighbouring properties is [to be] minimised during mid winter*

The ADG provides 'design guidance' which is "advice on how the objectives and design criteria can be achieved through appropriate design responses" (page 11 of the ADG). It is one method via which achievement of the Objective can be demonstrated. The 'design guidance' under objective 3B-2 provides numerical guidance as one method for understanding the tolerance for shadow impact:

*Where an adjoining property does not currently receive the required hours of solar access, the proposed building ensures solar access to neighbouring properties is not reduced by more than 20%.*

In relation to the adjacent development at 24-34 Fishburn Crescent and 2-12 Sexton Avenue which is currently under construction, the existing solar access performance is 68.8% of apartments receiving 2 hours solar access and so the tolerance for reduction is a solar access performance of 55% of apartments receiving 2 hours. The proposed development only reduces the solar access performance of this adjacent development to 66.5% which is well within the tolerance contemplated by Objective 3B-2 of the ADG.

In relation to the adjacent development at 16 Middleton Avenue the existing solar access performance is 70.1% of apartments receiving 2 hours solar access. The proposed development only reduces the solar access performance of this adjacent development to 68.6%. Whilst shadow impact to this development does not specifically benefit from the articulated tolerance under the ‘design guidance’, the impact is nonetheless particularly minor and would occur as a consequence of any development on the subject site noting that it occurs to inherently vulnerable apartments at the bottom of the affected building.

The Land and Environment Court has previously recognised — in *Louden Pty Ltd v Canterbury-Bankstown Council* [2018] NSWLEC 1285 — that objective 3B-2 does not mean that every unit in a neighbouring development may necessarily have solar access that complies with design criterion 1 of objective 4A-1. In *Louden* a unit’s solar access was reduced to between one hour-and-a-quarter and one-and-half hours of sunlight to the living room and private open space as a consequence of the development of a new unit four-storey building to the north (at [78]).

The Court accepted (at [81]) that the new building has been skilfully designed and articulated to retain solar access to the four impacted units of the adjoining residential flat building (to the south of the development). It had done so by reducing the floor space at the upper levels to improve solar access across the site. The unit whose solar access was reduced was held to be highly vulnerable due to its orientation and location. In circumstances of such vulnerability, between one hour-and-a-quarter and one-and-half hours of sunlight to that unit was sufficient to satisfy the Court that the proposal had minimised its overshadowing of adjoining development (therefore meeting objective 3B-2 of the ADG). The Court did not attempt to quantify this reduction in percentage terms.

The proposed development has been skilfully designed to have regard to adjacent buildings and successfully minimises shadow impact and achieves the objective 3B-2 of the ADG.

#### **7.4.7 Wind Impacts**

The potential impacts associated with impacts on the façade caused by the wind and wind impacts on the surrounding public domain has been considered by Windtech in the Pedestrian Wind Study at **Appendix 32**.

Windtech have confirmed that due to the arrangement of the public domain areas around the site, the building design and the prevailing wind direction there is not a significant risk of wind impacting the public domain areas of the project. The results of the study indicate that wind conditions for all trafficable outdoor locations within and around the development will be suitable for their intended uses, subject to incorporation of the suggested recommendations.

#### **7.4.8 Reflectivity**

The development application is accompanied by a Solar Reflectivity Report prepared by Windtech at **Appendix 31** which identifies any possible adverse reflected solar glare conditions affecting motorists, pedestrians, and to occupants of neighbouring buildings.

To avoid any adverse glare to motorists and pedestrians on the surrounding streets, occupants of neighbouring buildings, it is recommended that all glazing and materials used on the external façade of the development should have a maximum normal specular reflectance of visible light of 20%. The most reflective surface on the façades of the proposed buildings is the glazing and reflected solar glare from brickwork is negligible at less than 1% normal specular reflectance. Subject to the recommendations of

the Solar Reflectivity Report being met, the proposed building materials will not lead to hazardous, undesirable or uncomfortable glare to pedestrians, motorists or occupants of surrounding buildings.

#### 7.4.9 Acoustic Privacy

The potential acoustic impacts to the future residents have been considered in the Noise and Vibration Impact Assessment prepared by Pulse White Noise Acoustics which is located at **Appendix 16**. The report has considered the following sources of noise and vibration:

- Road traffic on the surrounding roads; and
- Mechanical plant surrounding the project site.

The report has identified the relevant noise criteria and includes recommendation measures to be incorporated into the construction of the development in order to meet the internal noise criteria

#### 7.5 Visual Impact

A Visual Impact Assessment has been prepared by AE Design at **Appendix 40**.

The process for assessment of the visual impacts of this proposal has involved an assessment of existing and likely future conditions in the locality of the site, along with assessment of the likely visibility of the completed development in its locality and its impacts on local and regional views including from low density residential areas. The process follows the Guideline for landscape character and visual impact assessment – Environmental impact assessment practice note EIA-NO4 (December 2018).

A summary of the visual impact assessment in relation to the four vantage points is as follows:

- Vantage Point 1A: The impact of the proposal overall is moderate-low, as nearby development and tree cover reduce the visual prominence of the proposal from this location.
- Vantage Point 2A: The impact of the proposal overall is moderate, with existing vegetation and adjacent development providing partial screening, though the proposal remains clearly visible due to the viewpoint's proximity.
- Vantage Point 3A: The impact of the development on this view is moderate-low. While the proposal is still visible, recently approved developments and existing trees provide partial visual mitigation
- Vantage Point 4A: The impact of the proposal overall is negligible, this is due to the view being entirely obstructed by future development

In relation to the visual impact of the proposal, the Visual Impact Assessment concludes the following:

The visual assessment confirms that views of the proposed development are largely contained within a 400-metre radius, limited by the area's topography, mature vegetation, and established built form along Carrington Road, Showground Road, and Fishburn Crescent.

While the proposal will be visible from several vantage points, this visibility occurs within the context of a rapidly evolving urban landscape. As outlined in the Norwest Strategic Precinct Plan, the precinct is undergoing a deliberate transition to higher density built form around Hills

Showground Station. The proposal is in keeping with this planned transformation, and reflects the scale and character of recent developments in the surrounding area.

Although the development will interrupt some ridgeline views, this is an expected and inevitable outcome of intensification within a designated Transport-Oriented Development (TOD) precinct. The design has been carefully considered to integrate with the evolving urban character and to soften visual impacts through setbacks, landscaping, and modulation.

Overall, the proposal will result in a **MODERATE LOW** visual impact, consistent with the intended desired future character of the area. With continued development under the Norwest Master Plan, the building is expected to integrate further into the surrounding urban context, contributing positively to the precinct's transformation.

## 7.6 Public Space

### 7.6.1 Integration with the Public Domain

The design of the proposed development sensitively integrates the public domain of the road frontages of the site and significantly enhances the activation and engagement with the existing public domain with direct street entry to the various residential lobbies. In an effort to optimise the pedestrian priority of the public domain, the existing vehicular entries have been rationalised and the proposal retains a single vehicular access to the site from Fishburn Crescent which limits interruption of the footpath and the built form by vehicle crossings.

The landscape design (**Appendix 8**) incorporates a Connecting with Country strategy and also maximises the landscape quality of the setback areas to positively contribute to the quality of the public domain.

### 7.6.2 Crime Prevention Through Environmental Design Principles

Crime prevention through environmental design (CPTED) seeks to influence the design of buildings and places by:

- increasing the perception of risk to criminals by increasing the possibility of detection, challenge and capture
- increasing the effort required to commit crime by increasing the time, energy or resources which need to be expended
- reducing the potential rewards of crime by minimising, removing or concealing 'crime benefits'
- removing conditions that create confusion about required norms of behaviour

There are four principles that need to be used in the assessment of development applications to minimise the opportunity for crime:

- Surveillance
- Access Control
- Territorial Reinforcement
- Space Management.

A Crime Prevention Through Environmental Design (CPTED) Assessment has been prepared by Barker Ryan Stewart and is included at **Appendix 38**. The report considers the potential crime risk caused by the proposed development.

The assessment notes that the site is bounded by three local roads and enjoys significant natural surveillance of and from neighbouring sites, recreational spaces and the streetscape. The report references the NSW Bureau of Crime Statistics and Research (NSW BOCSAR) data which ranks crime rates out of five levels.

The assessment concludes that the proposal incorporates:

- Architecturally designed common areas that promote resident interaction and a responsibility of users for the area;
- Entrance design to residential pathways and the buildings which provide a clear demarcation between public and semi-private space;
- Clear design cues associated with fenced terraces which delineate these spaces and identify who they are to be used by; and
- A high level of passive surveillance of the public and private domain.

Subject to the implementation of security measures such as CCTV, security controlled access to basements and lobbies, lighting, regular cleaning and maintenance of publicly accessible areas, and maintenance of landscaping, the proposed development can be managed to minimise the potential risk of crime.

## 7.7 Trees and Landscaping

### 7.7.1 Impacts on existing trees

There are a range of trees on and around the site which are identified in the Arboricultural Impact Assessment (AIA) prepared by Raintree Consulting (**Appendix 21**). The assessment considered 16 trees comprising 9 trees within the Council verge and 3 trees on the neighbouring site.

The proposed development requires extensive excavation which will necessitate the removal of 3 of the 4 trees within the site. Whilst the trees proposed to be removed provide some amenity for the site, the reasonable development of the site in accordance with the new vision for the area is not possible with the retention of these trees, particularly having regard to the required excavation. Notwithstanding this, the redevelopment of the site will include a coordinated landscaping regime with more suitable tree species which will achieve a high quality landscaped treatment for the site as illustrated in the landscape plans prepared by Arcadia landscape architects which accompany this application.

### 7.7.2 Proposed Landscaping

Landscape Plans and a Landscape Report have been prepared by Arcadia and are included at **Appendix 8**.

A planting schedule for the proposed landscaping for the project is included within the Landscape Report. This schedule details the size, species and spacing of plantings proposed in each landscaped area. The planting palette has been carefully selected in response to the site conditions and design principles. In particular, the plant species selection is a fundamental element in the Connecting with Country strategy

and to connect with the local environment, and to provide a bush tucker garden for the residents. As such the landscape plan incorporates all indigenous species.

The urban setting of the site and its surrounds has also been considered in the proposed landscaping through the integration of the development with the existing landscaping in the public domain.

## 7.8 Ecologically Sustainable Development

The proposed development has been designed to reflect best practice sustainable building principles to improve environmental performance, in relation to energy and water efficient design and technology and use of renewable energy.

The *Environmental Planning & Assessment Act 1979* adopts the definition of ESD found in the *Protection of the Environment Administration Act 1991*. Section 6(2) of that Act states that ESD requires the effective integration of economic and environmental considerations in decision-making processes and that ESD can be achieved through the implementation of:

- the precautionary principle
- inter-generational equity
- conservation of biological diversity and ecological integrity
- improved valuation, pricing and incentive mechanisms.

The 4 principles are addressed below:

### **Precautionary principle**

The precautionary principle requires careful evaluation of potential environmental impacts in order to avoid, wherever practicable, serious or irreversible damage to the environment. The proposed development is accompanied by multiple environmental studies and technical reports which conclude that there are no environmental constraints that preclude the development of the site in accordance with the proposal, subject to appropriate management in construction and operational strategies. The mitigation measures outlined in this Statement detail the methods by which environmental impacts will be managed on the site.

### **Inter-generational equity**

The proposal will ensure that the health, diversity and productivity of the environment is enhanced for the benefit of future generations as it represents a sustainable use of the site which will take advantage of the existing infrastructure and make more efficient use of the site consistent with its planned intent. The re-development of this site will also have positive social, economic and environmental impacts. The location of new housing on a site with excellent access to public transport and other facilities and employment will enable residents to make sustainable travel choices which will protect the environment for future generations.

### **Conservation of biological diversity and ecological integrity**

The principle of biological diversity upholds that the conservation of biological diversity and ecological integrity should be a fundamental consideration. The proposed development will not have any significant effect on the biological diversity and ecological integrity of the site and will retain important vegetation on the site and provides the opportunity to introduce planting and landscaping to provide for habitat and to assist in rain water absorption.

### Improved valuation, pricing and incentive mechanisms

The principles of improved valuation and pricing of environmental resources requires consideration of all environmental resources which may be affected by a proposal, including air, water, land and living things. Construction and operational phases of the development will not produce excessive waste or result in pollution emanating from the site. All efforts will be made to ensure that materials are reused, recycled or disposed of in a sensitive manner. The life cycle of products and their robustness has been considered in the process of material and finish selection.

### 7.9 Traffic, Transport and Accessibility

A Transport and Accessibility Impact Assessment prepared by Varga accompanies the application at **Appendix 12** to address the potential impacts of the development on transport infrastructure and to address the accessibility of the site.

#### 7.9.1 Traffic

The subject proposal will generate approximately an additional 71.7 vehicles movements in the AM peak hour and 53.1 vehicle movements in the PM peak hour.

The SIDRA results show that the proposal is not anticipated to significantly impact the surrounding road network. Intersection level of service remains unchanged when compared to the ‘future base’ scenario which considers both background traffic growth as well as traffic associated with the proposed development. The modelling indicates that most intersections would operate at a strong Level of Service A or B which is acceptable in urban environments. The small amount of traffic added by the proposal does not impact the operation of the surrounding intersections.

In the above context the traffic impacts of the proposal are considered acceptable with no further mitigation measures required.

#### 7.9.2 Car Parking

Whilst the proposal is not technically lodged pursuant to Chapter 2 of SEPP Housing, the car parking rates in Chapter 2 of SEPP Housing are considered appropriate minimums.

**Table 15:** Car parking rates

Use	SEPP Housing
Residential dwellings	0.5 car space per 1 bedroom 1 car space per 2 bedroom 1.5 car space per 3 bedroom
Affordable Housing	0.4 car space per 1 bedroom 0.5 car space per 2 bedroom 1 car space per 3 bedroom
Residential visitor	Not specified

It should be noted that the Chapter 2 of SEPP Housing does not require off-street parking to be provided for visitors. Notwithstanding, to ensure adequate off-street parking is available for visitors of the development, the TfNSW *Guide to Transport Impact Assessment (TfNSW Guide)* rate of 1 visitor space per 5 dwellings for residential flat buildings has been adopted.

Application of these rates are presented in Table 16 below.

**Table 16:** Car parking compliance

Use	Units	Rate	Min spaces	Proposed
Residential dwellings	37 x 1 bedroom	0.5 space	457 spaces	653 spaces
	230 x 2 bedroom	1 car space		
	122 x 3 bedroom	1.5 car space		
	17 x 4 bedroom			
Affordable Housing	4 x 1 bedroom	0.4 space		
	21 x 2 bedroom	0.5 car space		
Visitor	431	Max 1/5 units	86 spaces	87 spaces

The development provides 653 residential spaces, 87 residential visitor spaces and a total of 740 car spaces.

The parking provision is compliant with the Housing SEPP and TfNSW *Guide to Transport Impact Assessment* requirements.

### 7.9.3 Sustainable Travel Plan

A Green Travel Plan (GTP) has been prepared by Varga and is included at **Appendix 14**.

The aim of the GTP is to provide a package of measures with the aim of increasing the opportunities for people to travel to and from the site by transport modes other than private cars and to encourage and support more sustainable ways to travel. The Plan is to be monitored regularly and updated annually so that over time fewer private vehicle trips are made to the facility.

### 7.9.4 Access

Pedestrian access is provided via multiple lobbies from the adjacent streets, each via stairs and/or accessible ramps.

The development rationalises the number of existing vehicular crossings and improves pedestrian and traffic safety, by replacing the multiple existing vehicular crossings which currently serve the site, with only a single vehicular crossing from Fishburn Crescent.

The Transport and Accessibility Impact Assessment at **Appendix 13** confirms that the access driveway has been designed in accordance with Australian Standards AS2890.1 with respect to widths and gradients.

### 7.9.5 Service vehicle movements and access arrangements

The proposal provides a loading dock arrangement for on-site garbage collection as well as loading for the site. The loading bay design is capable of accommodating Council's waste collection trucks and enabling them to manoeuvre on site to collect waste.

Vehicle swept paths have been undertaken to confirm the suitability of the loading dock from a manoeuvrability perspective.

### 7.10 Biodiversity

A Biodiversity Development Assessment Report Waiver Request including an assessment of the impacts of the proposed development on Biodiversity Values identified in the BC Act and Regulation, was submitted to the Department of Planning, Housing and Infrastructure.

The waiver request was considered by the Secretary of the Department of Planning, Housing and Infrastructure and the Secretary within the Environment and Heritage Group. It was determined that the proposed development is not likely to have any significance impact on biodiversity values and that a BDAR is not required to accompany the application. As such a BDAR waiver was granted under section 7.9(2) of the BC Act. The waiver is included at **Appendix 34**.

### 7.11 Noise and Vibration

#### 7.11.1 Noise Attenuation for Future Residents

The potential acoustic impacts to the future residents have been considered in the Noise and Vibration Impact Assessment prepared by Pulse White Noise Acoustics which is located at **Appendix 16**.

The report has identified the relevant noise criteria and includes recommendation measures to be incorporated into the construction of the development in order to meet the internal noise criteria.

#### 7.11.2 Noise Emissions from Development

The Noise and Vibration Impact Assessment prepared by Pulse White Noise Acoustics at **Appendix 16** identifies the following noise sources generated by the proposed development:

- Mechanical Plant
- Communal Spaces
- Loading Dock

In order to address noise impacts from these sources, the report includes a number of recommendations, including that noise emissions from all mechanical services to the closest residential receivers should comply with the identified noise criteria of the report, with detailed acoustic review to be undertaken at CC stage to determine acoustic treatments to control noise emissions to satisfactory levels.

#### 7.11.3 Construction Noise and Vibration

The Noise and Vibration Impact Assessment prepared by Pulse White Noise Acoustics at **Appendix 16** addresses construction noise and vibration.

Pulse White Noise Acoustics have undertaken a preliminary construction noise assessment, carried out based on typical plant and machinery expected throughout the noise generating construction stages including bulk excavation, bored or CFA piling of foundations, erection of building structure, façade installation, landscaping and internal fitout.

The preliminary noise assessment has considered sensitive receivers, however, given that construction methodology is not finalised at this stage a detailed assessment is required at Construction Certificate stage in order to quantify noise impacts and determine any specific mitigation measures required. Notwithstanding, noise monitoring measures are included in the Acoustic Report, which will be implemented as part of the development to ensure that the construction noise and vibration impacts resulting from the development are minimised as much as possible. With the inclusion of these mitigation measures, the impact of the noise exceedance is expected to be minimal.

### 7.12 Ground and Water Conditions

A Hydrogeological Report and Dewatering Management Plan prepared by Foundation Earth accompanies the application and is included as **Appendix 12**. Groundwater was not encountered at the depths of the proposed basement levels and so dewatering will not be required as a consequence of the proposed development. A Dewatering Management Plan (contingency only) prepared by Foundation Earth accompanies the application and is included at **Appendix 12**.

Erosion and Sediment Control measures are identified in the Civil Plans prepared by SGC that supports this report at **Appendix 23** to minimise land disturbance and sediment pollution control of downstream waterways. The erosion and sediment control measures that are proposed for the construction phase include:

- Sediment and security fencing around the perimeter of the site;
- Stabilised site entrance and wash down location;
- Installation of mesh filters for pits within dish drains; and
- Installation of mesh and gravel inlet filters on nearest downstream pits.

### 7.13 Water Management

The following documentation supports the proposed development and addresses water management at **Appendix 23 and 24**:

- Stormwater Concept Plan by SGC
- Water Management Plan by SGC

The stormwater management system has been designed in accordance with Council's requirements. The stormwater system comprises water collection via the internal building drainage system and transportation to on-site rainwater tanks. These rainwater tanks will provide re-use for irrigation and landscaped areas. Overflow from these rainwater tanks will be directed to the on-site detention (OSD) systems. Water is ultimately conveyed from the OSD system to existing drainage infrastructure located the surrounding streets.

The stormwater system incorporates a Water Sensitive Urban Design (WSUD) strategy to support the proposed development and ensure it complies with Council's pollution reduction targets.

#### 7.14 Flooding Risk

The site is not identified as “Flood planning area” on the Flood Planning Map land.

#### 7.15 Contamination

The application is accompanied by a Preliminary Site Investigation at **Appendix 9** prepared by Foundation Earth which identifies that soils sampled across the site were assessed against the Site Acceptance Criteria (SAC) provided by the National Environment Protection (Assessment of Site Contamination) Measure (NEPM 2013) Table 1A - Residential B and the soil data concluded the following:

- The soil laboratory results were below the adopted detection limits and/or the relevant guideline criteria.
- No identified asbestos was detected in the soil samples analysed. No fibro cement fragments were observed in the fill material located within the borehole locations at the time of the site inspection.

Based on the historical review, environmental information, proposed development and laboratory results of the investigation, Foundation Earth confirms that the site is suitable for the proposed development, subject to the recommendations in the Report.

Based on the above, it is considered that the consent authority can therefore be satisfied that the site is suitable for the proposed development subject to appropriate conditions of consent which reflect the recommendations in the Preliminary Site Investigation.

#### 7.16 Waste Management

##### 7.16.1 Construction Waste

A Waste Management Plan prepared by Barker Ryan Stewart accompanies the application **Appendix 20**. The Waste Management Plan addresses Construction Waste.

##### 7.16.2 Operational Waste

A Waste Management Plan prepared by Dickens Solutions accompanies the application **Appendix 20**. The Waste Management Plan addresses the provisions of the SEARs and the THDCP.

Waste and recyclables generation estimates for the proposed development are detailed within the appended OWMP and have informed the design of the various waste holding areas within the development.

A detailed discussion in relation to the waste disposal and collection procedures for the proposed development are included within the WMP prepared by Dickens Solutions.

The waste management procedures for the future operation of the proposed development are based on established waste principles that include waste avoidance, recovery and the reuse of discarded materials. The OWMP identifies targets to quantify and measure this sustainable approach to waste management, including maximising diversion of residential municipal solid waste from landfill.

### 7.17 Environmental Heritage

The subject site is not listed as an individual heritage item, nor is it located within a heritage conservation area or nearby any heritage items.

### 7.18 Social Impact Assessment

A Social Impact Assessment (SIA) has been prepared by Hadron at **Appendix 35** in accordance with the NSW Department of Planning's Social Impact Assessment Guidelines for State Significant Projects (February 2023) and the supporting Technical Supplement.

The assessment considers the potential impacts to people's way of life, community, accessibility, culture, health and wellbeing, livelihoods, surroundings, and the extent to which people have had a say in the decision-making process for the project. For the purposes of the assessment, 'people' refers to individuals, households, groups, communities, organisations and other stakeholders.

The key findings of the assessment are:

- **Demographic Alignment:** The proposal responds to emerging trends in the Castle Hill – Central area, including a growing ageing population, an increase in lone-person households, and projected growth in families and young professionals. It offers diverse housing options and improved accessibility, supporting demographic transition and housing need.
- **Population Impacts:** The development is expected to house approximately 959 residents, based on local household size and vacancy trends. This population will include a mix of age groups, with above-average representation of children, young professionals, and downsizing older adults, aligning with projected demographic change.
- **Access to Infrastructure:** The site is highly accessible, located within 400 metres of Hills Showground Metro Station, and surrounded by schools, parks, health services, and community facilities. The area is already experiencing significant redevelopment activity, creating a cumulative demand for social infrastructure. The proposal contributes to precinct-wide goals by supporting walkability and integrated transport planning.
- **Social Infrastructure Demand:** The new population will create incremental demand for facilities including childcare places, after-school care, recreation space, and aged care. However, the proposal's integrated open space, communal facilities, and apartment diversity help offset some of these needs.
- **Positive Social Contributions:** The proposal is expected to deliver several positive social impacts, including improved housing diversity, enhanced social interaction through shared open space, increased walkability, and proximity to employment and amenities.
- **Key Risks and Mitigation:** Construction-phase impacts include noise, dust, traffic disruption, and potential cumulative effects from nearby developments. Operational concerns include localised traffic, noise, and visual impacts. Mitigation measures – such as construction management plans, noise monitoring, and staged works – have been proposed to manage these risks.
- **Cultural and Community Cohesion:** The development supports urban renewal while aiming to maintain community cohesion and a sense of place. It applies the Connecting with Country Framework and includes accessible, inclusive design to promote social interaction and local identity.

The SIA concludes that the proposed development delivers a strategically located, high-quality housing outcome that supports the planning objectives of The Hills Shire Council and the NSW Government. While temporary construction impacts will require careful management, the long-term social outcomes are expected to be positive, particularly through the provision of diverse, affordable housing, accessible open space, and enhanced

connectivity. The SIA concludes that the project is socially sustainable, aligns with local and regional planning strategies, and includes appropriate measures to mitigate negative impacts and enhance community wellbeing

### 7.19 Utilities

All required services will be available for the development as set out in the Infrastructure, Delivery, Management and Staging Plan prepared by SGC at **Appendix 26** which includes recommendations and requirements for infrastructure services for the development including electricity, water, gas, telecommunication and sewer connections, that will be implemented to ensure the development has adequate access to services.

### 7.20 Contributions

#### 7.20.1 Section 7.11 Contributions

The Hills Section 7.11 Contributions Plan (CP) No. 19 - Showground Station Precinct applies to the site. The contributions received from this Plan provided for both active and passive open space, transport and traffic works (including pedestrian/ cycle links), water management works and administration costs. Contributions will be calculated based on the application of the residential contribution rate to the residential yield proposed.

#### 7.20.2 Housing and Productivity Contribution

The Environmental Planning and Assessment (Housing and Productivity Contribution) Order 2023 came into effect on 1 October 2023 and a contribution will apply to the development application as it is lodged after 1 October 2023.

## 8.0 JUSTIFICATION OF THE PROJECT

### 8.1.1 Affordable Housing

The Hills Shire Council Housing Strategy acknowledges that housing stress is an issue within the Council area. The Strategy states:

Approximately 6% of households in The Hills suffer rental stress and may be in need of affordable housing options. Most of these households fall within the very low, low and moderate income brackets. Within this group of renters, there is a higher degree of rental stress, as a significant proportion of the properties that are leased at rates suitable for these income brackets are occupied by those who fall within higher income brackets.

This forces residents who need to occupy these properties into rental stress, as they must seek properties that are beyond the 30 per cent threshold of their income.

The proposed application is entirely aligned with the identified need for affordable housing in The Hills local government area with the provision of 5% affordable housing. This is a shovel ready project and will make a meaningful and timely contribution towards desperately needed housing supply in Castle Hill.

### 8.1.2 Metro North West

The Metro North West Line, with 13 stations is a catalyst for urban renewal, providing connections to areas that are being transformed through both NSW Government and private investment. The proposal development fulfils the intended vision for the area surrounding the new Showground Station and is compatible with the emerging character of the locality and will provide a positive contribution to the area through the delivery of a transit oriented high density residential development with excellent public amenity and residential accommodation.

### 8.1.3 Strategic Alignment

This EI&RS has also demonstrated the proposed development's consistency with the site's strategic context, including the Region Plan, the Central City District Plan and The Hills Shire Council's LSPS.

In particular, the proposal is entirely aligned with the need for housing availability, affordability and diversity, and will make a significant contribution to the goals of the Housing Delivery Authority and National Housing Accord programme through providing 431 apartments of which 25 are also affordable housing in an ideal location.

In demonstrating consistency with these and various other government strategies, policies or plans, the proposed development seeks to reinforce the role of the Showground Station precinct as a location which is ideally positioned to provide additional housing choice.

### 8.1.4 Statutory Alignment

This EI&RS has demonstrated the proposed development is compliant with relevant statutory requirements. For the purpose of this EI&RS the relevant statutory requirements have been categorised by:

- Power to grant approval;
- Permissibility;
- Other approvals;
- Pre-conditions to exercising the power to grant approval; and
- Mandatory matters for consideration.

In addressing these statutory requirements this EI&RS has given consideration to the following legislation:

- Environmental Planning and Assessment Act 1979
- Environmental Planning and Assessment Regulation 2021
- Biodiversity Conservation Act 2016
- State Environmental Planning Policy (Planning Systems) 2021
- State Environmental Planning Policy (Housing) 2021 – Chapter 4 – Design Quality of Residential Apartment Development and the Apartment Design Guide
- State Environmental Planning Policy (Transport and Infrastructure) 2021
- State Environmental Planning Policy (Resilience and Hazards) 2021
- State Environmental Planning Policy (Biodiversity and Conservation) 2021
- State Environmental Planning Policy (Sustainable Buildings) 2022
- The Hills Local Environmental Plan 2019

#### **8.1.5 Impact Assessment**

This EI&RS has addressed the potential impacts of the proposed development. The proposed development is consistent with the design principles and various controls for the site and has considered potential cumulative impacts of the proposed and surrounding development in respect to a range of matters including traffic and parking, overshadowing, tree retention, and building design and how they relate to the emerging context surrounding the site. Noise impacts are to be managed through the implementation of mitigations during construction and operation.

Based on the detailed environmental impact assessment that has been undertaken as part of this EI&RS, it is considered the proposed development on its own or in conjunction with other development in the locality, does not give rise to any cumulative environmental impacts that cannot be appropriately managed through the implementation of the mitigation measures that are identified within the technical studies.

#### **8.1.6 Evaluation**

The environmental impact assessment of the proposed development has demonstrated that the development will have an overall positive impact for the area for the following reasons:

- It facilitates new housing, and a diversity of housing product, in an area that is particularly well serviced and well connected;
- It will provide 5% affordable housing which equates to 25 affordable housing apartments;
- It will provide for significant employment throughout the construction process;
- It will maximise the utility of the existing infrastructure within the Showground Station area; and
- It provides for development that maximises connectivity within the area and activates the adjacent streets.

## 9.0 CONCLUSION

This State Significant Development (SSD) Development Application (DA) seeks approval the construction of a residential flat building with a total of 431 apartments, including 25 affordable dwellings, and basement car parking at 2 Fishburn Crescent, Castle Hill.

The site is the subject of *State Significant Declaration Order (No 4) 2025* (Order) issued on 2 April 2025, which enables SSD-83112728 to be undertaken through the Housing Delivery Authority (HDA) pathway with a Concurrent Rezoning to *The Hills Local Environmental Plan 2022* (THLEP 2019). Accordingly, this Report sets out both the development sought under SSD-83112728 and the amendments sought to the THLEP 2019, and the relevant matters for consideration under Division 4.7 and Section 3.33 of the EP&A Act

This EI&RS demonstrates that subject to the implementation of the identified mitigation measures, the proposed scheme will not result in any unreasonable impacts on adjoining properties, the locality or the environment. The proposal is consistent with The Greater Sydney Region Plan, the Central City District Plan and The Hills Shire LSPS as well as the relevant key development standards and the specific objectives and design principles within SEPP Housing and the THLEP which applies to the site.

The proposal will provide a positive social and economic impact with regard to the development of the area, and as demonstrated within this report, the proposal does not result in any unreasonable adverse impacts upon adjoining properties.

Finally, the proposal will fulfill the objective of the HDA to increase housing supply on a well located site and in particular deliver affordable housing within Sydney. The proposal fulfills the established aspirations for the site, demonstrates design excellence and is in the public interest.

For reasons outlined in this Statement the proposed development at 2 Fishburn Crescent, Castle Hill is recommended to be granted development consent.