

Hills Showground Station Precinct Concept MOD 1

Hills Showground Station Precinct – Doran Drive Retail Car Parking
State Significant Development Modification Assessment
(SSD 9653 MOD 1)

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Glossary

Abbreviation	Definition
Council	The Hill Shire Council
Department	Department of Planning, Industry and Environment
EIS	Environmental Impact Statement
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
ESD	Ecologically Sustainable Development
LEP	Local Environmental Plan
Minister	Minister for Planning and Public Spaces
SEARs	Planning Secretary's Environmental Assessment Requirements
Planning Secretary	Secretary of the Department of Planning, Industry and Environment
SEPP	State Environmental Planning Policy
SRD SEPP	State Environmental Planning Policy (State and Regional Development) 2011
SSD	State Significant Development
SSI	State Significant Infrastructure
TfNSW	Transport for NSW
THLEP	The Hills Local Environment Plan

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1 Introduction

This report provides the NSW Department of Planning, Industry and Environment's (the Department's) assessment of an application to modify State significant development (SSD) consent SSD 9653 for Hill Showground Station Precinct (SSD 9653 MOD 1).

The application seeks approval to increase the non-residential car parking rates within the Doran Drive Plaza Precinct to permit a maximum of 341 spaces or 1 space per 32 m², whichever is lower.

The application was lodged by Deicorp Projects (Showground) Pty Ltd (the Applicant) pursuant to section 4.55(2) of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

1.1 Background

The Hills Showground Station Precinct (site) is located within the Showground Station Precinct (**Figure 1**). The Showground Station Precinct Plan forecasted the delivery of approximately 5,000 new dwellings and 2,300 jobs over the next 20 years, transforming the area around the Hills Showground Metro station and contributing to Castle Hill as a strategic centre.

The site is located adjacent to the Hills Showground Metro station, approximately 25 km northwest of the Sydney CBD, within the Hills local government area (LGA). The site is asymmetrical in shape and bound by De Clambe Drive, Showground Road, and Carrington Road. The site is made up of three development lots (Precinct East, Doran Drive Precinct and Precinct West) comprising of 83,974 m² (**Figure 2**).

The surrounding area is characterised by low density residential development, with commercial and light industrial developments west of Cattai Creek. Numerous sites near Sydney Metro station have received approval or have development applications for high density residential development of up to 13 storeys.



Figure 1 | Hills Showground Precinct (Source: Hills Showground Station Precinct SSD EIS)

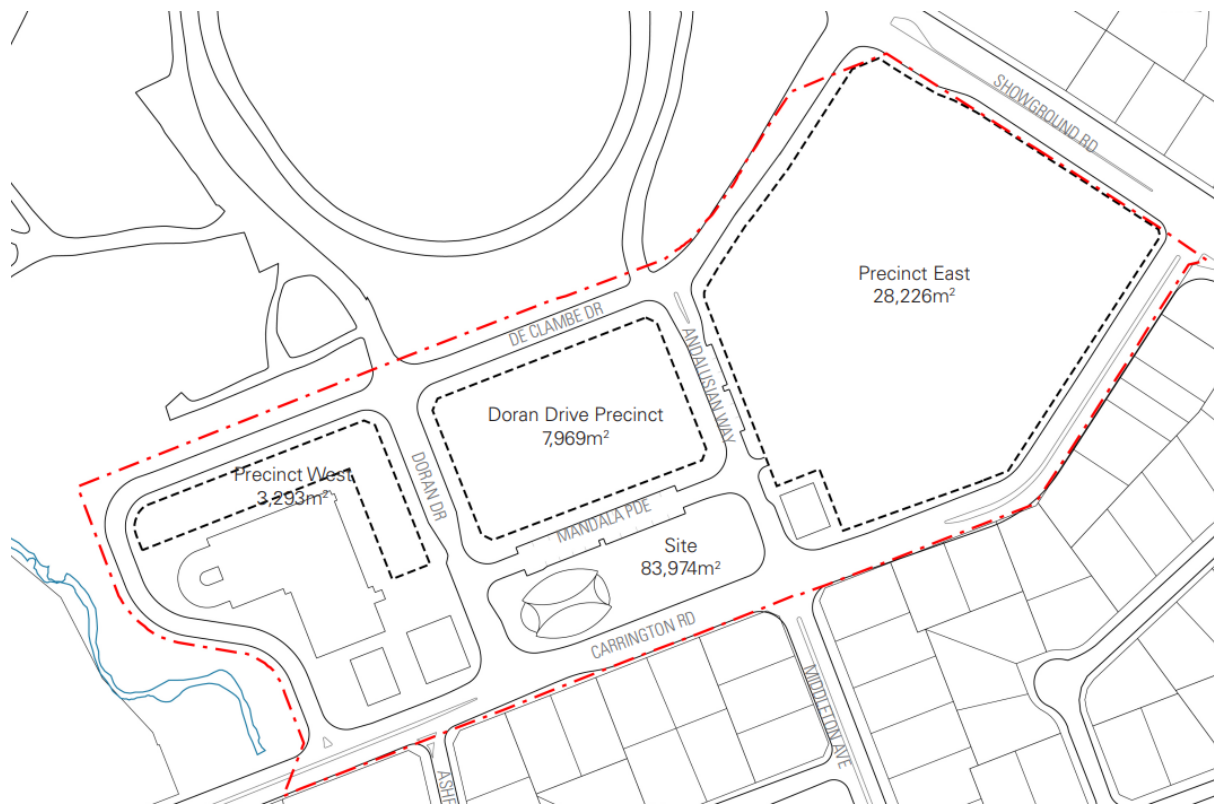


Figure 2 | Site and Development Lot Plan (Source: Hills Showground Station Precinct SSD EIS)

1.2 Approval history

Concept Application (SSD 9653)

On 29 January 2021, the Minister for Planning and Public Spaces approved the concept development application for Hills Showground Station Precinct (SSD 9653). The approval established:

- concept subdivision, road hierarchy and precinct layout
- maximum building envelopes ranging from 12 m to 68 m
- maximum gross floor area (GFA) of up to 166,486 m², including up to 152,546 m² of residential accommodation and up to 13,940 m² of commercial premises
- residential development of up to 1,620 dwellings
- minimum 5% of all residential dwellings provided as affordable housing (for a minimum of 10 years)
- open space and public domain areas
- establish car and bicycle parking rates
- this modification application represents the first modification of the consent (SSD 9653).

Doran Drive Precinct Application (SSD 15882721)

On 26 July 2021, an application for Doran Drive Precinct was submitted seeking approval for the detail design and construction of a mixed-use development, comprising:

- four residential towers above a commercial podium, up to a height of 20 storeys (68 metres)
- a maximum gross floor area of 51,064 m², including 431 residential apartments
- a supermarket (including fit out), retail and commercial tenancies

- basement car parking with access off De Clambe Avenue
- loading area and services facilities with access off Andalusian Way
- community facilities
- an outdoor public plaza fronting Doran Drive
- signage strategy
- landscaping, infrastructure and stormwater drainage works.

2 Proposed modification

The application seeks approval to modify the Hills Showground Station Precinct (SSD 9653) to increase the approved maximum retail and commercial car parking rates for the Doran Drive Precinct.

The approved Urban Design Guidelines specifies the following retail and commercial car parking rates:

Table 1 | Approved car parking rates

	Minimum (per area)	Maximum (per area)
Retail	1 space per 130 m ² GFA	1 space per 60 m ² GFA
Commercial	1 space per 145 m ² GFA	1 space per 100 m ² GFA

The Applicant proposes to modify the approved Urban Design Guidelines to increase the retail and commercial car parking rates for the Doran Drive Precinct to permit a maximum of 341 spaces or 1 space per 32 m², whichever is lower. The proposed car parking rates are outlined in **Table 2** below:

Table 2 | Proposed car parking rates

	Minimum (per area)	Maximum (per area)
Retail	1 space per 130 m ² GFA	A maximum of 341 car spaces or 1 space per 32 m ² , whichever is lower
Commercial	1 space per 145 m ² GFA	
Office	1 space per 145 m ² GFA	1 space per 100 m ²

3 Statutory context

3.1 Consent authority

The Minister for Planning and Public Spaces is the consent authority for the application under Section 4.5(a) of the EP&A Act. Under the Minister's delegation, the Director, Key Sites Assessments, may determine the application as:

- a political disclosure statement has not been made
- Council did not raise objection to the application
- no submissions in nature of objection have been received.

3.2 Scope of modifications

Section 4.55(2) of the EP&A Act outlines the matters that a consent authority must take into consideration when determining an application that seeks to modify an SSD application. The matters for consideration under section 4.55(2) of the EP&A Act that apply have been considered in **Table 3**.

Table 3 | Assessment against section 4.55(2) of the EP&A Act

Section 4.55(2) Evaluation	Consideration
(a) the development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all), and	The Department is satisfied the modification application is substantially the same development as the proposed modifications. The modifications relate to modifying the approved car parking rate within the approved Urban Design Guidelines only (see Section 5).
(b) consulted with the relevant Minister, public authority or approval body in respect of a condition imposed as a requirement of a concurrence to the consent or in accordance with the general terms of an approval proposed to be granted by the approval body	The Department referred the modification application to TfNSW and Council, neither of which raised any objection to the proposed modification (see Section 4).
(c) notified the application in accordance with the regulations	The modification application was publicly notified between 19 October and 1 November 2021 (see Section 4).
(d) any submission made concerning the proposed modification has been considered.	One public submission was received in support of the proposal (see Section 4).

3.3 Mandatory matters for consideration

The Department conducted a comprehensive assessment of the project against the mandatory matters for consideration as part of the original assessment of SSD 9653. The Department considers the modification application does not result in any significant changes that would alter the mandatory matters for consideration under section 4.15 of the EP&A Act and conclusions made as part of the original assessment.

Table 4 | Matters for consideration

Section 4.15(1) Evaluation	Consideration
(a)(i) any environmental planning instrument	The modified proposal remains consistent with the relevant legislation and The Hills Local Environment Plan 2012 (THLEP).
(a)(ii) any proposed instrument	Not Applicable
(a)(iii) any development control plan	Development Control Plans do not apply to SSD. However, the Hill Showground Station Precinct Urban Design Guidelines (UDG) should be read in conjunction with Part C Section 1 - Parking of The Hills Development Control Plan 2012 (see Section 5).
(a)(iv) any planning agreement	Not applicable.
(a)(iv) the regulations	The application meets the relevant requirements of the EP&A Regulation.
(b) the likely impacts of that development including environmental impacts on both the natural and built environments, and social and economic impacts in the locality	The Department considers the likely impacts of the development are acceptable and have been appropriately addressed (see Section 5).
(c) the suitability of the site for the development	The site remains suitable for the development as assessed in the original application.
(d) any submissions	One public submission was received in support of the proposal.
(e) the public interest	The Department considers the modified proposal continues to be in the public interest as the increase to retail parking will facilitate retail and commercial operations at Doran Drive Precinct.

3.4 Objects of the Act

The Minister or delegate must consider the objects of the EP&A Act when making decisions under the EP&A Act. The Department is satisfied the proposed modifications are consistent with the objects of the EP&A Act.

3.5 Reason for granting consent

The proposed modification does not detract from the reasons for which the original consent was granted.

4 Engagement

4.1 Department's engagement

In accordance with clause 118 of the EP&A Regulation, the modification application was notified on the Department's website between 19 October and 1 November 2021. The Department also notified each person who made a submission in relation to the original concept application (SSD 9653).

In addition, the Department referred the modification application to TfNSW and Council.

4.2 Summary of submissions

The Department received three submissions during the notification period, in addition to a late public submission, comprising:

- comments from TfNSW
- comments from Council
- two public submissions (one in support and one objecting)

Table 5 | Summary of submissions

Submitter	Comments
TfNSW	<ul style="list-style-type: none">• TfNSW raises no objection to the proposed modification subject to the additional car parking supporting retail functions only and not office use.
Council	<ul style="list-style-type: none">• Council do not raise objection to the proposed modification.
Public Submission	<ul style="list-style-type: none">• Support the construction of a mixed-use space at Hills Showground Train Station.• Provided comments that in order for the precinct to be most successful, there should be car parking for the train station, the retail precinct, and the Showground.• Further, the submission considers there should be a tunnel lined with shops and public toilets, providing direct access from Hills Showground Station to Castle Hill Showground, which should be integrated with the project.• The proposed increase in retail car parking is inconsistent with the principles of transit-oriented development (TOD) and will result in increased traffic congestion and discourage use of the metro.• The concept approval intended to deliver a high-density mixed-use centre with supporting retail, commercial, recreation and community uses integrated within the Hills Showground Station to support the population within the precinct, rather than attract visitors by car from the broader region.

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- An increase in car parking is not supported as this contradicts the approved Urban Design Guidelines and the principles of design excellence, which both encourage sustainable transport and a reduction in car use.
 - Clarity is required whether the additional car parking spaces will be restricted to the patrons of the supermarket, or whether the car parking spaces are also accessible to patrons of other retail/commercial tenancies.
 - The traffic distribution assumes that 25% of the development generated traffic occurs by vehicles already on the road network; that is, by passing vehicles. Whilst this information is valid, the assessment should include the movements to/from the site to assess the traffic impacts accurately. It appears the traffic assessment has excluded these movements from the network.
 - The SIDRA analysis in the traffic impact assessment appears to be based on existing data from March and May 2021. Concerns are raised as to whether the traffic demands at this time were typical, due to the ongoing impacts of COVID and the SIDRA analysis should be revised to reflect typical traffic demands more accurately.
-

5 Assessment

In assessing the merits of the proposal, the Department has considered:

- the modification application and associated documents
- the Environmental Assessment and conditions of approval for the original application
- relevant environmental planning instruments, policies and guidelines
- the requirements of the EP&A Act and Regulation

The Department's assessment of the proposed changes to the approved retail and commercial car parking rates are further discussed below:

5.1 Car Parking Rates

Section 4.2.12 of the approved Urban Design Guidelines sets out the following maximum car parking rates for Doran Drive Precinct:

Table 6 | Approved car parking rates

	Minimum (per area)	Maximum (per area)
Retail	1 space per 130 m ² GFA	1 space per 60 m ² GFA
Commercial	1 space per 145 m ² GFA	1 space per 100 m ² GFA

The application proposes to modify the approved Urban Design Guidelines to increase the maximum retail and commercial car parking rates for the Doran Drive Precinct as follows:

Table 7 | Proposed car parking rates

	Minimum (per area)	Maximum (per area)
Retail	1 space per 130 m ² GFA	A maximum of 341 car spaces or 1 space per 32 m ² , whichever is lower
Commercial	1 space per 145 m ² GFA	
Office	1 space per 145 m ² GFA	1 space per 100 m ² GFA

Concerns were raised in a public submission that the proposed increase in retail car parking would be inconsistent with the principles of transit-oriented development (TOD), result in increased traffic congestion and discourage use of the Metro.

The submission also raised concern that the proposed additional car parking contradicts the approved Urban Design Guidelines and the principles of design excellence, which both encourage sustainable transport and a reduction in car use. In addition, concerns were raised that the traffic demands at the time of the traffic analysis were not typical, due to the ongoing impacts of COVID, and that the SIDRA analysis should be revised to reflect typical traffic demands more accurately.

Another public submission, however considered that in order for the precinct to be successful, there needed to be more car parking for the Metro station, the retail precinct and the Hills Showground (**See Section 5.2**)

The Applicant submits that the proposed increased car parking rates are necessary to support future retail uses, including the potential for a full line supermarket. The application was supported by a Traffic and Parking Assessment, which concluded the proposed increase in retail car parking will not adversely impact the operation of the surrounding road network nor undermine the findings of the traffic report submitted in support of the original Concept Approval.

The Traffic and Parking Assessment was referred to TfNSW, who raised no objection to the proposal or the traffic analysis. TfNSW advised that it supports the proposal subject to the additional car spaces being limited to supporting retail and not office use, to ensure objectives of the Precinct in supporting ongoing modal shift towards more sustainable transport outcomes would not be undermined.

The Department agrees with TfNSW's advice and considers the proposed car parking rates for retail and commercial uses are acceptable for the reasons outline below:

- the proposed maximum retail and commercial car parking rate at a maximum of 1 space per 32 m² (or 3.1 spaces per 100 m²) remains:
 - lower than other major town centres with rail access such as Parramatta, Chatswood, Hornsby and Macquarie Park, which have parking rates of 3.3 to 4 spaces per 100 m²
 - less than half the recommended rate in the RMS Guide to Traffic Generating Developments, which allows for 8.1 spaces per 100 m²
- Council supports the proposed increase in car parking, which remains 42% lower than the equivalent retail parking rates in the Hills Shire Council Development Control Plan
- while the site is well serviced by public transport, the proposed increase in retail and commercial car parking spaces would support existing residents in the surrounding low density areas, which already rely on private vehicles usage, to access goods and services (such as the supermarket proposed in SSD 15882721)
- no change is proposed to the approved residential parking rates, which are aimed at discouraging private car ownership within the Precinct to ensure objectives supporting ongoing modal shift towards more sustainable transport outcomes would not be undermined
- the additional car parking would not cause unacceptable impacts to the surrounding road network, because the impacts would remain below those considered by the Traffic Impact Assessment undertaken in the Concept Approval, which initially envisaged a higher density development. The Concept Approval also identified road network upgrades within the immediate vicinity of the site to further mitigate traffic impacts.

The Department also accepts TfNSW's recommendation that the increase car parking rates should not apply to any future office use to ensure sustainable transport objectives would be met.

The Department therefore supports the proposed modification to the retail and commercial car parking rates, consistent with TfNSW's advice.

5.2 Other Issues

The Department's consideration of other issues is provided below at **Table 8**.

Table 8 | Other issues

Issue	Findings	Recommendations
Tunnel	<ul style="list-style-type: none">Comments were made in a public submission suggesting the addition of a tunnel, connecting the Metro station to the Showground, should be included in the proposal.The Department notes the modification application solely relates to the parking rates for the commercial / retail uses permitted under the concept approval. The provision of a tunnel and design of any access from the Metro station are not part of the approved Concept.	No additional conditions are necessary.
Car parks	<ul style="list-style-type: none">Comments were made in a public submission suggesting that in order for the precinct to be successful, there needed to be more car parking for the Metro station, the retail precinct and the Hills Showground.The Department notes the proposed modifications only affect the car parking rates of the Doran Drive Plaza Precinct. The Metro station is serviced by an existing commuter carpark and the Hills Showground also has a separate car park.	No additional conditions are necessary.

6 Evaluation

The Department has assessed the modification request and supporting information in accordance with the relevant requirements of the EP&A Act.

The Department's assessment concludes that the proposed modifications are appropriate as:

- the proposal is substantially the same development as the originally approved development and consistent with the Concept Approval
- the increased parking would support a greater range of retail uses without impacting on the surrounding road network or transit orientated objective of the development
- the changes will not result in any additional environmental impacts
- it complies with the relevant statutory provisions and remains consistent with relevant EPIs.

Consequently, the Department concludes the proposal is in the public interest and should be approved, subject to the recommended changes to existing conditions of consent as outlined in **Appendix B**.

7 Recommendation

It is recommended that the Team Leader, Key Sites Assessments, as delegate of the Minister for Planning and Public Spaces:

- **considers** the findings and recommendations of this report
- **determines** that the application SSD 9653 MOD 1 falls within the scope of section 4.55(1A) of the EP&A Act
- **accepts and adopts** all of the findings and recommendations in this report as the reasons for making the decision to approve the modification
- **agrees** with the key reasons for approval listed in the draft notice of decision
- **modify** the consent SSD 9653
- **signs** the attached approval of the modification (**Appendix B**).

Recommended by:

A blue ink signature, appearing to be 'JG', written in a stylized, cursive manner.

James Groundwater
Senior Planning Officer
Key Sites Assessments

Recommended by:

A black ink signature, appearing to be 'Annie Leung', written in a cursive, flowing style.

Annie Leung
Team Leader
Key Sites Assessments

8 Determination

The recommendation is **Adopted** by:

 10 December 2021

Anthony Witherdin

Director

Key Sites Assessments

as delegate of the Minister for Planning and Public Spaces

Appendices

Appendix A – List of referenced documents

List of key documents relied on by the Department in its assessment:

- Modification Application
- Submissions
- Applicant's additional information

The above documents and relevant supporting information to this assessment report can be found on the Department's website:

<https://www.planningportal.nsw.gov.au/major-projects/project/42466>

Appendix B – Recommended Modification of Consent

Appendix C – Recommended Notice of Decision